

**RESOLUTION OF THE BOARD OF TRUSTEES OF
THE ALLEN INDEPENDENT SCHOOL DISTRICT REGARDING DELEGATION
OF AUTHORITY DURING THE COVID-19 EMERGENCY**

WHEREAS, on March 13, 2020, the Governor of the State of Texas declared a statewide emergency, and, later that same day, the President of the United States declared a national emergency due to the COVID-19 pandemic;

WHEREAS, the Board recognizes that COVID-19 is an unforeseen and unavoidable emergency of urgent public necessity, that the World Health Organization has declared COVID-19 a pandemic, and that additional emergency declarations may follow in the coming days and weeks;

WHEREAS, the Board has a substantial public interest in protecting the health and safety of its students, staff, and community and, therefore, desires to ensure that the school district and community are prepared to the fullest extent possible to protect the health and safety of students, staff, and community in light of COVID-19;

WHEREAS, on March 23, 2020 the Board adopted a resolution delegating authority to the Superintendent regarding emergency purchases during the COVID-19 emergency;

WHEREAS, on March 23, 2020, the Board adopted a resolution authorizing the continuation of wage payments to all employees during the COVID-19 emergency;

WHEREAS, the District is transitioning from being closed to supporting instruction to students off site. During this period, District employees will be working on site at District facilities, remotely from home or in some combination;

WHEREAS, as to nonexempt employees who are called on to work during the COVID-19 emergency closing, the Board concludes that payment of these employees at a premium rate, as provided in this resolution, serves the public purposes of maintaining morale, providing equity between idled employees, employees working remotely and employees who work on site or provide emergency-related services, and recognizing the services of essential staff; and

WHEREAS, the Board finds that the public purposes described herein are fulfilled by efficiently and effectively making certain delegations, as described more fully below, to the Superintendent to address this ever-changing emergency situation in the best interest of the health, safety, and well-being of its students, staff, community, and the citizenship at-large.

IT IS THEREFORE RESOLVED THAT the Board of Trustees of the Allen Independent School District finds a substantial public purpose exists in protecting the health

and safety of its students, staff, and community and, therefore, in ensuring that the District and community are prepared to the fullest extent possible to protect the health and safety of students, staff, and community in light of COVID-19.

In furtherance of the public purposes so stated in this resolution, the Board of Trustees of the Allen Independent School District makes the following delegations to the Superintendent and designee(s) in order to efficiently and effectively operate the District in response to the declarations of emergency announced by the State of Texas, as well as in preparation for the potential declarations of emergencies by other local, state, and/or national and international officials in light of COVID-19:

1. The authority to compensate non-exempt employees who worked on site at District facilities during the period from March 14, 2020 to March 22, 2020 at the premium rate of two times their regular rate of pay. Non-exempt employees, who are required to work on site at District facilities beginning on March 23, 2020 and ending at the end of the 2019-2020 school year, May 22, 2020, shall be paid at the premium rate of one and one-half times their regular rate of pay. During that specified time period, the premium rates of pay apply to all hours worked up to 40 hours per week; and, overtime for time worked over 40 hours in a week shall be calculated and paid according to law. The Superintendent will comply with applicable state and federal laws and regulations regarding these decisions. Wage payments under DEA(LOCAL) are: not contingent on federal funding; applied uniformly regardless of whether there has been a presidential declaration of a disaster; and have nondiscretionary criteria for when the District activates various pay types.
2. The authority to create guidelines and make determinations regarding absences, leave time, leave days, and compensation of any employee who does not report for work as a result of COVID-19 and presents appropriate medical documentation regarding themselves and/or an immediate family member, in the sole discretion of the Superintendent or designee(s) and in compliance with Texas and federal law.
3. The authority to seek any necessary waivers from the Texas Education Agency regarding missed instructional days, low attendance, or any matters related to the emergency closures as part of this resolution.
4. In the event other waivers or immediate action is needed, the authority to take other action and to submit/apply for other waivers in accordance with guidance and instructions from the national and state authorities and/or agencies.
5. The authority to use discretion to determine whether employee evaluations required by DN(LOCAL), DNA(LOCAL) and DNB(LOCAL) for the 2019-2020

school year can be completed and the Superintendent is authorized to change the evaluation process as needed to complete employee evaluations or to determine that a waiver of an evaluation is necessary.

The Superintendent and/or designee(s) will provide timely and reasonable information to the Board of Trustees regarding actions taken pursuant to this resolution.

The Board ratifies the actions of the Superintendent consistent with this resolution made prior to the adoption of this resolution. Decisions made by the Superintendent after the adoption of this resolution will be ratified at a later duly called Board meeting.

This Resolution shall remain in effect until rescinded by Board action at a duly called Board meeting.

Adopted on this the 27th day of April 2020, by the Allen ISD Board of Trustees.

Amy Gnadt
President, Board of Trustees

ATTEST:

David Noll
Secretary, Board of Trustees