



# Brownsville Independent School District

## Board of Trustees

### Special Called Board Meeting

### July 27, 2020

### 10:00 AM

**BISD Administration Building Boardroom**  
**1900 East Price Road**  
**Brownsville, Texas 78521**

## A G E N D A

- I. Meeting Called to Order.
- II. Moment of Silence.
- III. Pledge of Allegiance.
- IV. Roll Call:
- V. Recommend approving the **agenda** of the **Special Called Board Meeting of Monday, July 27, 2020** with any corrections/deletions.
- VI. **PUBLIC COMMENT:**
- VII. **Conference Presentation(s):**
  - A. Presentation of Plan of Action for Reopening of schools for the 2020-2021 School Year. 3
- VIII. **General Function Item(s):**
  - A. **Recommend approval of the following General Function Item(s):**
    - 1. Recommend approval regarding Resolution #018/2020-2021 to excuse and pay up to 40 hours per week for absences of employees caused by State/Local declaration for Public Health Emergency Due to COVID-19 virus of a communicable disease. 4
- IX. **CLOSED MEETING:** as pursuant to the Texas Government Code Sections: 551.071, 551.072, 551.074, 551.082, and 551.084.
- A. **PERSONNEL MATTER(S):**
  - 1. Recommend approval of term-chapter 21 contractual personnel for the 2020-2021 school year—Principal for Vela Middle School. Subject to receipt of all outstanding documentation.
  - 2. Recommend approval of non-chapter 21 contractual personnel for the 2020-2021 school year—Administrator for Adult Continuing Education-Central Office. Subject to receipt of all outstanding documentation.
  - 3. Discussion, consideration, and action regarding resignation agreement of District employee M.H.
- X. **BOARD RECONVENES - Board action on agenda items discussed in Executive Session.**

**XI. Announcement(s):**

A. **Next scheduled Board Meeting** of the **Board of Trustees** is on **Tuesday, August 4, 2020.**

XII. Adjournment.





# Brownsville Independent School District

Agenda Category: General Function Board of Education Meeting: 07/27/20

Item Title: Resolution #018-2020-2021 X Action  
Compensate Employees due to Information  
COVID-19 Discussion

## **BACKGROUND:**

On July 21, 2020 Trey Mendez, City of Brownsville Mayor approved the Ninth Amended Declaration of Local Disaster for Public Health Emergency due to COVID-19. Administration is seeking Board approval to compensate employees from July 27, 2020 through December 31, 2020 and possibly for a longer period of time, as a result of the COVID-19 virus.

Employees who were on prior-approved leave, called in sick, or took an unscheduled discretionary day during the State/Local Disaster for Public Health Emergency due to COVID-19 shall continue to be charged for such leave and shall not earn any other benefit as compensation

## **FISCAL IMPLICATIONS:**

## **RECOMMENDATION:**

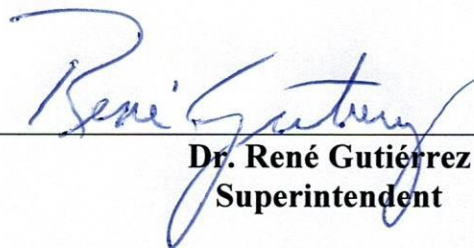
Recommend approval regarding Resolution #018/2020-2021 to excuse and pay up to 40 hours per week for absences of employees caused by State/Local declaration for Public Health Emergency Due to COVID-19 virus of a communicable disease.

Dr. René Gutiérrez  
Submitted by: Principal/Program Adm.

Recommended by: Asst. Supt./CFO

Approved by: Deputy Superintendent

Approved for Submission to Board of Education:

  
Dr. René Gutiérrez  
Superintendent

**BROWNSVILLE INDEPENDENT SCHOOL DISTRICT  
BOARD OF TRUSTEES  
July 27, 2020  
Resolution #018/2020-2021  
COVID-19 (City Order, County Order, State and National Emergency)  
TO COMPENSATE EMPLOYEES DUE TO HEALTH EMERGENCY**

*WHEREAS*, the Board is authorized by Texas Education Code § 11.151(b) to govern and oversee the public schools of the District; and,

*WHEREAS*, due to increased community spread there will be a greatly enhanced risk of parent, student, and employee illness during the COVID-19 emergency, arising from the current level of contagion within Cameron County and the City of Brownsville; and,

*WHEREAS*, unfortunately, the District has been affected by the deaths of several valuable employees and the continued Public Emergency has given the Board of grave concerns for the life, health, and safety of all of the remaining BISSD employees as they execute their employee responsibilities and the risks involved thereto; and,

*WHEREAS*, the Board and staff of Brownsville ISD desires, at the appropriately safe time, to provide all students with the best instruction possible while ensuring the safety and well-being of students, parents and staff members; and,

*WHEREAS*, on June 17, 2020, Governor Abbott clarified that his plan to reopen the Texas economy includes maintaining the authority of local government to require businesses to adopt and enforce health policies that include face covering requirements; and,

*WHEREAS*, on June 23, 2020, Governor Abbott issued a proclamation amending Executive Order No. 26 (“GA-26”) expanding local authority to regulate outdoor gatherings; and,

*WHEREAS*, on June 24, 2020, the positivity rate, which is the percentage of coronavirus tests administered that yield a positive result, indicated a seven-day average positivity rate of 11.76% compared to the previously quelled high of 13.86% in mid-April; and,

*WHEREAS*, on July 12, 2020, the seven-day positivity rate has increased to 16.85%; and

*WHEREAS*, Governor Abbott noted that if positivity rates again exceeded 10%, he would consider that a “red flag” requiring further preventative action; and,

*WHEREAS*, on June 26, 2020, Governor Abbott issued Executive Order No. 28 (“GA-28”), which supersedes GA-26; and,

*WHEREAS*, on July 2, 2020 Governor Abbott issued a Proclamation amending GA-28 to authorize local authorities to regulate outdoor gatherings in excess of 10 people; and,

*WHEREAS*, on July 2, 2020, Governor Abbott issued Executive Order No. 29 (“GA-29”) to require all individuals to wear face coverings with certain limited exceptions; and,

*WHEREAS*, there continues to be a significant increase in the number of diagnosed COVID-19 cases to such an extent that the operation of in-person schools is deemed by the Brownsville ISD Board of Trustees, as well as by an overwhelming majority of its employees and constituents, to not be safe; and,

**WHEREAS**, Texas Education Agency Legal Staff has directed other districts that “School districts should treat local health authorities' orders prohibiting in-person instruction as valid until the districts are directed otherwise by the state.” and,

**WHEREAS**, pursuant to Texas Government Code §418.1015(a), the Cameron County Judge under his authority on July 14, 2020 has issued an Emergency Health Control Order concerning public health and safety emergencies; and,

**WHEREAS**, pursuant to Texas Government Code §418.108(a), the Mayor of Brownsville under his authority on July 21, 2020 has issued a Ninth Amended Declaration of Local Disaster for Public Health Emergency concerning public health and safety emergencies; and,

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Trustees of the Brownsville Independent School District that:

The recitals set forth above are found by the Board to be true and correct.

**Whereas**, the recent COVID-19 virus resulted in the closure of the Brownsville ISD on March 23, 2020 up until May 31, 2020, and possibly for a longer period of time, for the safety of students and staff; and

**Whereas**, the District has since approved the re-opening of schools through distance learning; and

**Whereas**, the District closed the campuses because it must act in the best interest of, and for the safety of, its students, staff, and community; and

**Whereas**, there is a public purpose served and a benefit to the Brownsville ISD to demonstrate support of its employees, enhance employee morale and support the retention of employees;

**Whereas**, some Brownsville ISD employees' work schedules will be affected by these health emergencies; and

Whereas, this resolution is not meant to excuse the failure to report to duty on these days by any employees who were instructed by the administration to do so or who are required by contract or job description to report for duty, and who are emergency services personnel or whose presence is necessary to provide for the safety and well-being of the general public;

**NOW THEREFORE, BE IT RESOLVED**, by the Board of Trustees of the Brownsville Independent School District that:

1. All of the above referenced paragraphs are incorporated into and made a part of this resolution; and
2. The Board hereby authorizes and ratifies the decision of the Superintendent of Schools to compensate hourly employees/classified employees in the amount of their full compensation through December 31, 2020 or the end of this emergency, whichever comes first.

*APPROVED this 27<sup>th</sup> day of July 2020.*

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**MINERVA PEÑA**  
BISD Board President

ATTEST:

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**DR. PRISCI ROCA TIPTON**  
BISD Board Secretary