

**THE HOUSTON INDEPENDENT SCHOOL DISTRICT**



# **AGENDA**

**Board of Education  
Meeting**

**March 04, 2021**

THE HOUSTON INDEPENDENT SCHOOL DISTRICT  
BOARD OF EDUCATION

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Grenita Lathan, Ph.D., *Interim Superintendent of Schools*

**BOARD OF EDUCATION AGENDA**

March 04, 2021

**5:00 p.m.**

- **CALL TO ORDER WHEN A QUORUM IS PRESENT**

**CLOSED SESSION (IF NECESSARY)**

- **ADJOURNMENT TO CLOSED OR EXECUTIVE SESSION PURSUANT TO SECTIONS 551.004, 551.071, 551.072, 551.073, 551.074, 551.076, 551.082, 551.0821, 551.083, 551.084, AND 551.089, CHAPTER 551 OF THE TEXAS GOVERNMENT CODE FOR THE PURPOSES LISTED UNDER SECTION C**

**RECONVENE IN OPEN SESSION**

- **CONSIDERATION AND POSSIBLE ACTION ON MATTERS DISCUSSED IN CLOSED OR EXECUTIVE SESSION**
- **CONSIDERATION AND APPROVAL OF MINUTES FROM FEBRUARY 11, 2021, AND FEBRUARY 25, 2021**
- **SPEAKERS TO AGENDA ITEMS**
- **RECEIVE UPDATE FROM JG CONSULTING CONCERNING SUPERINTENDENT SEARCH**

**BUSINESS AGENDA FOR AGENDA REVIEW MEETING**

**A. SUPERINTENDENT'S PRIORITY ITEMS**

- A-1. Approval Of Personal Services Performed By The Superintendent, Including Speaking Engagements, Panel Discussions, Workshops, Etc., In Accordance With Texas Education Code Section 11.201(E)

**B. TRUSTEE ITEMS**

**C. CLOSED SESSION**

C-1. Personnel

- a. Deliberate the duties of the interim superintendent of schools, chief officers, assistant superintendents, principals, employees, chief audit executive, and board members; evaluations of the interim superintendent and chief audit executive, consideration of compensation, and contractual provisions.
- b. Consider and approve proposed appointments, reassignments, proposed terminations, terminations/suspensions, contract lengths, proposed nonrenewals, renewals, and resignations/retirements of personnel including teachers, assistant principals, principals, chief officers, assistant superintendents, and other administrators, and, if necessary, approve waiver and release and compromise agreements.
- c. Hear complaints against and deliberate the appointment, evaluation and duties of public officers or employees and resolution of same.

C-2. Legal Matters

- a. Matters on which the district's attorney's duty to the district under the Code of Professional Responsibility clearly conflicts with the Texas Open Meetings Law, including specifically any matter listed on this agenda and meeting notice.
- b. Pending or contemplated litigation matters and status report.
- c. Update on federal law enforcement activity on February 27, 2020.
- d. Legal discussion and advice concerning House Bill 1842 (84th Leg., 2015), Senate Bill 1882 (85th Leg., 2017), and the district's options.
- e. Legal discussion concerning *Houston ISD v. Texas Education Agency, et al.*, in the 459th Judicial District Court, Travis County, Texas, Cause No. D-1-GN-19-003695.
- f. Legal Update on Special Education Accreditation Investigation.
- g. Receive legal advice concerning the superintendent search process and timelines.
- h. Receive legal advice concerning the superintendent search firm contract with JG Consulting.

C-3. Real Estate

**D. ACADEMIC SERVICES**

**E. SCHOOL OFFICES**

**F. STRATEGY AND INNOVATION**

**G. HUMAN RESOURCES**

G-1. Adoption Of Resolution To Waive Work Days Missed And To Pay Employees As A Result Of The Winter Freeze, February 15–19 And February 22–23, 2021

- Resolution

**H. BUSINESS OPERATIONS**

**I. FINANCE**

**J. OTHER**

**K. POLICY**

**L. SUPERINTENDENT'S INFORMATION ITEMS**

**AGENDA REVIEW FOR REGULAR BOARD MEETING**

Review of superintendent's agenda items to be presented to the Board of Education at the board's next business meeting. See the agenda for that meeting.

**ADJOURN**

Office of the Superintendent of Schools  
Board of Education Meeting of March 4, 2021

Office of Human Resources  
Julia Dimmitt, Chief Human Resources Officer

**SUBJECT: ADOPTION OF RESOLUTION TO WAIVE WORK DAYS MISSED AND TO PAY EMPLOYEES AS A RESULT OF THE WINTER FREEZE, FEBRUARY 15–19 AND FEBRUARY 22–23, 2021**

The Board of Education is asked to consider adoption of a resolution authorizing payment of all impacted district employees for February 15–19 and February 22–23, 2021. On these dates, the Houston Independent School District (HISD) was officially closed due to the extended impact of inclement weather conditions, specifically a winter freeze. Out of utmost concern for the safety of staff, protecting and repairing district facilities, and to allow employees and their families time to recover from the winter blast that resulted in loss of power and water to many, the closure of the district February 15–19 and February 22–23, 2021, was a prudent decision.

The administration recommends that district staff receive compensation for the February 15–19 and February 22–23, 2021, missed workdays for freeze-related closure. The administration further recommends that instructional and non-instructional staff be paid in accordance with CKC8(REGULATION) and other guidelines implemented by the chief human resources officer.

The resolution recites that the board finds a public purpose exists to pay employees for the workdays missed as a result of the February 2021 winter freeze. The regulation and other applicable guidelines give details on who is eligible to be paid and how the payment is determined. With respect to HISD employees who did not report to work because of district closures, the resolution follows the regulation which provides that because HISD was “required to close schools, facilities, and the Hattie Mae White Educational Support Center and cease all normal operations, employees will be released from duty with a possible requirement to make up time that is missed while HISD is officially closed.” The Texas Education Agency has granted a waiver for these days and they will not have to be made up.

HISD employees required to work to maintain emergency operations and/or to facilitate report of facilities, will also be paid pursuant to CKC8(REGULATION).

The resolution recites that the board finds that a public purpose and a benefit to HISD exists to excuse and/or forgive the absences.

A copy of the above-referenced resolution is attached to this item.

**COST/FUNDING SOURCE(S):** Funds are budgeted in the 2020–2021 operating budget.

STAFFING IMPLICATIONS: None

ORGANIZATIONAL GOALS/IMPACT: This agenda item supports all four district goals and is aligned to Core Initiative 5: Culture of Trust through Action.

THIS ITEM DOES REQUIRE CONSULTATION.

THIS ITEM DOES NOT ESTABLISH, MODIFY, OR DELETE BOARD POLICY.

RECOMMENDED: That the Board of Education adopts the resolution authorizing payment to district employees for the missed workdays on February 15–19 and February 22–23, 2021, effective March 5, 2021.

# RESOLUTION

**WHEREAS** inclement weather conditions, specifically a winter freeze that included a loss of power and water, resulting in the decision to close all schools and facilities in the Houston Independent School District ("HISD" or "district") on February 15–19 and February 22–23, 2021; and

**WHEREAS** HISD employees and facilities were impacted by the freeze, and safe travel to and from district job sites would have placed employees and potentially others on the roads in danger, absent closure of district schools and facilities; and

**WHEREAS** the safety and security of district facilities was compromised by the impact of the severe weather conditions which included outages of security cameras, burst water pipes causing lack of running water and the need for clean-up, a city-wide call for boiling water, and power outages; and

**WHEREAS** HISD salaried employees, including teachers, school-based administrators, and central office staff will be paid as normal without having to work a make-up day; and

**WHEREAS** HISD scheduled hourly employees who are paid for hours actually worked will not have the opportunity to work a make-up day to compensate for the seven (7) days that the district was closed for February 15–19 and February 22–23; and

**WHEREAS** there is a public purpose served and a benefit to HISD to demonstrate support of its employees, enhance employee morale, and support the retention of employees by paying scheduled hourly employees for the seven days that the district was closed; and



**WHEREAS** the HISD 2020–2021 calendar and related duty schedules have been affected for some employees by these events; and

**WHEREAS** the Board of Education ("Board") believes it is in the best interests of HISD for the remainder of the 2020–2021, 12-month calendar and duty schedule to remain in effect as designated by the administration, and originally adopted by the Board; and

**WHEREAS** the Board has determined that the seven days missed due to a districtwide closure should not be made up by impacted HISD employees, and that payment should be made to employees in accordance with CKC8(REGULATION); and

**WHEREAS** the Board believes that a public purpose exists to compensate these employees who did not work due to the inclement weather from the winter freeze that included a loss of power and water; and

**WHEREAS** this resolution is not meant to excuse the failure to report to duty on February 15–19 and February 22–23, 2021, by any employees who were instructed by the administration to do so, or who were 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 that:

1. All the above-referenced paragraphs are incorporated into and made a part of this resolution; and

2. The Board determines that the workdays missed Monday–Friday, February 15–19, and Monday and Tuesday February 22 and 23, 2021, by district employees due to a districtwide closure resulting from the winter freeze that included a

loss of power and water in the Houston area on those days, need not be made up by impacted HISD employees; and

3. The Board finds that a public purpose and a benefit to HISD, and therefore a public benefit exists, to excuse and/or forgive the absence by district employees due to school and work location closure caused by the confluence of unprecedented weather- and weather-related conditions, and that payment for such days is necessary for both salaried and scheduled hourly employees, in the operation of the public schools as provided by Texas Education Code §45.105; and

4. The Board hereby authorizes the Interim Superintendent of Schools to pay employees for the seven days of absence and work location closure necessitated by the winter freeze that included a loss of power and water; and

5. The Board hereby ratifies and approves, to the extent permitted by law, all actions taken by the Interim Superintendent in the exercise of her discretion to protect and preserve the public property and assets of HISD, and to protect the safety and welfare of the employees, students, parents, taxpayers, and others in the HISD community, to the extent necessary, as a result of a winter freeze that included a loss of power and water, through the effective date of this Resolution.

Approved this \_\_\_\_\_ day of March, 2021.

By: \_\_\_\_\_  
Dr. Patricia Allen  
HISD Board President

Attest:

By: \_\_\_\_\_  
Kathy Blueford-Daniels  
HISD Board Secretary