

RESOLUTION REGARDING COMPENSATION TO EMPLOYEES AND CONTINUING BUSINESS OPERATIONS DURING THE 2024 HOUSTON DERECHO STORM

WHEREAS, on May 16, 2024, Harris County suffered a severe weather event – the 2024 Houston Derecho Storm – which resulted in widespread power outages and damage to district property, and the emergency closure of district campuses and facilities.

WHEREAS, on May 18, 2024, President Joseph R. Biden, Jr., approved a major disaster declaration for Texas which included Harris County as a result of the damages resulting from the 2024 Houston Derecho Storm.

WHEREAS, the Board recognizes that additional emergency declarations and orders have followed and the district, including its Superintendent, continues to need flexibility in order to continue delivering educational services until the district is able to resume normal business operations.

WHEREAS, in the event school facilities are damaged or undergo operational failures as a result of an unforeseen catastrophe or emergency, Section 44.031(h) of the Texas Education Code authorizes the Board of Trustees to determine that the delays posed by competitive procurement laws would prevent or substantially impair the conduct of classes or other essential school activities.

WHEREAS, the Board acknowledges that during an emergency some district employees are instructed not to report to work, other employees are instructed to work remotely, and others are called upon to provide emergency-related services, the Board concludes that a need exists to address wage payments for all employees;

WHEREAS, employees who were unable to perform their job responsibilities remotely or were instructed not to report to work may suffer a loss of pay unless the workdays are made up at a later date, the Board concludes that continuing wage payments to all employees, contractual and noncontractual, salaried and non-salaried, who suffer a loss in pay due to an emergency closing, serves the public purposes of maintaining morale, reducing turnover, and ensuring continuity of District staffing when schools reopen.

WHEREAS, as to essential personnel, including non-exempt essential personnel, and other personnel who are called on to work during an emergency closing, the Board further concludes that payment of these employees at the rates established in Houston Independent School District (HISD) CKC8(REGULATION), serves the public purposes of maintaining morale, providing equity between employees.

IT IS THEREFORE RESOLVED THAT the School Board of HISD finds that payment of employees serves a substantial public purpose and provides a benefit to HISD as the district takes steps to return to normal business operations in the aftermath of the 2024 Houston Derecho Storm and authorizing the Superintendent to act serves a public purpose.

IT IS FURTHER RESOLVED:

1. All the above-referenced paragraphs are incorporated into and made a part of this resolution; and
2. The Board recognizes a public purpose and a benefit to HISD exists to pay employees for days missed because of the 2024 Houston Derecho Storm from May 17–23, 2024, according to the duty schedule the employees otherwise would have worked during normal business operations is necessary for the operation of HISD schools as provided by Texas Education Code § 45.105(c).
3. The Board recognizes a public purpose and a benefit to HISD exists to pay essential personnel (both exempt and non-exempt), and other personnel, who were called on to work during the emergency in accordance with the rates established in HISD CKC8(REGULATION);
4. The Board further recognizes that the time frame for the district to resume normal business operations remains in flux and that the ability to quickly respond to this disaster crisis requires the Superintendent to be vested with flexibility in determining how best to deploy district resources. Thus, the Board hereby grants additional flexibility to the Superintendent;
5. As such, the Board expressly makes the following delegations to the Superintendent and/or designees through June 13, 2024:
 - a. The authority to make all decisions regarding the compensation of employees during an emergency closure and/or disruption of normal business operations, including premium payments to employees; to implement those decisions as provided by HISD CKC8(REGULATION); and to make determinations regarding the parameters of any such payments; and
 - b. The authority to procure, negotiate, and execute contracts for goods and services necessary to mitigate, prevent, restore, and repair damage caused to HISD equipment, property, and facilities pursuant to Section 44.031(h) of the Texas Education Code. To quickly bring schools back to normal operations, the delays posed by competitive procurement of contracts necessary to restore, replace, and/or repair equipment, property, and/or school facilities will prevent or substantially impair the conduct of classes or other essential school activities. This authority will be used to procure items such as electrical and HVAC services.
6. The Board hereby ratifies and approves, to the extent permitted by law, actions taken by the Superintendent in the exercise of his discretion to mitigate, prevent, restore, and repair damage caused to HISD equipment, property, and facilities.
7. The Superintendent shall report emergency purchases and/or repairs in accordance with board policies CH(LEGAL) and CH(LOCAL).

Approved this _____ day of May 2024.

HOUSTON INDEPENDENT SCHOOL DISTRICT

Audrey Momanaee
Board President

Date

Attest:

Angela Flowers
Board Secretary

Date