



Board Exhibit Cover Sheet

APPROVED
8/17/2023ga

Meeting Date: August 17, 2023

Agenda Item/Exhibit Number: **II.E.10**

Agenda Item Title: Approve Resolution Designating Nonbusiness Days for Purposes of Public Information Act

Cabinet Level Presenter(s): Shannon Allen

Executive Summary: The 88th Legislature passed House Bill 3033 effective September 1, 2023, adding section 552.0031, which creates a definition of business days for purposes of complying with timelines promulgated by the Texas Public Information Act. BISD's 2023-2024 calendar includes days of closure or limited staffing that are not identified in the definition of business days under amended Texas Government Code section 552.0031. As permitted by HB 3033, the administration requests the Board approve the Resolution to designate the following days as nonbusiness days, in addition to those designated by statute. The designation will allow staff members to work according to the BISD calendar while also ensuring adequate time to comply with the timelines required by the Public Information Act.

Designated Nonbusiness Days (Limited to PIA):
December 29, 2023, January 2-4, 2024, March 11-13, 2024, July 1-3, 2024

Recommendation: Approve Resolution Designating Nonbusiness Days for Purposes of the Public Information Act

Budget Impact* (if applicable): If not approved, assignment of additional duty days will be necessary to process public information during period of closure.

Policy Reference (if applicable, list policy/regulation): Board Policy Manual, Policy GB, GBA, GBAA

Legal Review (if necessary, list attorney and firm): Sierra Fisher


Cabinet Signature

08/10/2023
Date

**RESOLUTION OF THE BOARD OF TRUSTEES
OF THE BEAUMONT INDEPENDENT SCHOOL DISTRICT
REGARDING DESIGNATION OF NONBUSINESS DAYS FOR PURPOSES OF THE
PUBLIC INFORMATION ACT FOR THE 2023-2024 SCHOOL YEAR**

WHEREAS, the Beaumont Independent School District (“the District” or “BISD”) is a governmental entity subject to Texas Government Code Chapter 552, the Texas Public Information Act;

WHEREAS, the 88th Legislature passed House Bill 3033 effective September 1, 2023, adding Section 552.0031, which creates a definition of business days for purposes of complying with timelines promulgated by the Texas Public Information Act;

WHEREAS Section 552.0031 defines nonbusiness days as “a Saturday or Sunday; a national holiday under Section 662.003(a); a state holiday under Section 662.003(b); an optional holiday under Section 662.003(c) . . . if the officer for public information of the governmental body observes the optional holiday; the Friday before or Monday after a [state or federal holiday] if the holiday occurs on a Saturday or Sunday and the governmental body observes the holiday on that Friday or Monday.”

WHEREAS, Section 552.0031 also provides, “a governmental body may designate a day on which the governmental body’s administrative offices are closed or operating with minimum staffing as a nonbusiness day. The designation of a nonbusiness day for an independent school district must be made by the board of trustees . . . A governmental body may designate not more than 10 nonbusiness days under this subsection each calendar year.”

WHEREAS, BISD’s 2023-2024 calendar includes days of closure or limited staffing that are not identified in the definition of nonbusiness days under amended Texas Government Code Section 552.0031.

WHEREAS, BISD requires the designation of additional days of closure as nonbusiness days in order to permit staff to work in accordance with their assigned schedule and the BISD calendar;

NOW THEREFORE, be it resolved that:

(1) In additional to all Saturdays and Sundays, for the 2023-2024 school year (August 1, 2023-July 31, 2024), the Board of Trustees of the Beaumont Independent School District designates the follow days as nonbusiness days for purposes of compliance with timelines adopted in the Texas Public Information Act, Texas Government Code Chapter 552:

- a. National Holidays (TGC 662.003(a))
 - i. September 4, 2023
 - ii. November 23, 2023
 - iii. December 25, 2023
 - iv. Januay 1, 2024
 - v. January 15, 2024
 - vi. February 19, 2024
 - vii. May 27, 2024
 - viii. July 4, 2024

- b. State Holidays (TGC 662.003(b))
 - i. November 24, 2023
 - ii. December 26, 2023
 - iii. January 19, 2024
 - iv. June 19, 2024
- c. Friday/Monday Holiday Observation (TGC 552.0031(e))
 - i. December 22, 2023
- ci. Optional Holiday Observed by PIA Officer (TGC662.003(c)/552.0031(c))
 - i. March 29, 2024
- cii. Board Designated Nonbusiness Days (TGC 552.0031(f))
 - i. December 29, 2023
 - ii. January 2, 2024
 - iii. January 3, 2024
 - iv. January 4, 2024
 - v. March 11, 2024
 - vi. March 12, 2024
 - vii. March 13, 2024
 - viii. July 1, 2024
 - ix. July 2, 2024
 - x. July 3, 2024

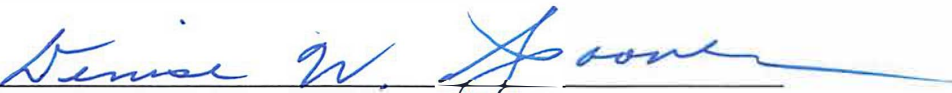
CERTIFICATE FOR RESOLUTION

I hereby certify that the foregoing resolution was presented to the Board of Trustees of the Beaumont Independent School District during a Regular Board Meeting on August 17, 2023. A quorum of the Board of Trustees being then present, it was then duly moved and seconded that the resolution be adopted, and such resolution was then adopted according to the following vote:

Ayes: 6 Nays: 0 Abstentions: 0



President, Beaumont ISD Board of Trustees



Secretary, Beaumont ISD Board of Trustees