



Brownsville Independent School District

Board Of Trustees

Regular Board Meeting

March 6, 2012

5:30 P.M.

Administration Building
1900 Price Road
Brownsville, Texas 78521-2417

A G E N D A

NOTE: The Board of Trustees may go into Closed/Executive Session to deliberate any item on this agenda as authorized by the Texas Open Meetings Act, Texas Government Code Chapter 551.

- I. Meeting Called to Order.
- II. Moment of Silence.
- III. Pledge of Allegiance.
- IV. Roll Call:
- V. Recommend approving the **agenda** of the **Regular Board Meeting of March 6, 2012**, with any corrections/deletions.
- VI. Recommend approving the **minutes** of the **Special Called Board Meeting of February 15, 2012**, with any corrections.
- VII. Recommend approving the **Consent Agenda**. The Board has agreed to discuss the following items. All of the items below that are not called out will be approved by consent.
- VIII. **Superintendent's Report**
 - A. **Conference Presentations:**
 1. TMEA Distinguished Administrator Recognition/BISD Board of Trustees.
 2. Recognition of Hanna High School A Capella Choir SWACDA Performance.
 3. Recognition of Vela Middle School A Capella Choir TMEA Performance.
 4. Recognition of Texas Music Education Association Qualifiers.

B. Standing Board Agenda Items:

5. Board Calendars.

IX. PUBLIC AUDIENCE:

If you wish to address the Board of Trustees during the Public Audience portion of today's meeting, please print your name on the form provided. According to BISD Policy BED (Local), only those persons (on the list) who request to speak shall be heard. The speaker shall limit remarks to five minutes. The Board shall allot no more than 30 minutes for the Public Audience portion of the meeting. Complaints and concerns for which other resolution channels are provided shall be directed through those channels. These complaints include complaints on the following subjects: employee complaints, termination of employment, student complaints, removal to alternative education program, and expulsion. If the Board President determines that a person has not attempted to resolve a matter administratively, the person shall be directed to the appropriate policy for attempted resolution before bringing the matter to the Board. Complaints against specific employees or officers of BISD shall be heard in Closed Meeting, as authorized by the Texas Government Code Title 5-Section: 551.074 (1) and (2). If your topic concerns complaints against specific employees or officers, please note this on the sign-up sheet. You must make your points on issues in a constructive and courteous fashion pursuant to Robert's Rules of Order.

The Board may deliberate or take action regarding the following agenda items.

X. Consent Agenda:

A. Recommend approval of the following General Function Items:

6. Recommend approval of the Middle School and High School 2012-2013 Course Listing Guides. (CD)
7. Recommend approval of the 2012-2013 instructional school calendar.
8. Recommend approval for Hanna, Porter, Vela, Paredes, Hudson, Benavides, Russell, Martin, Sharp, and Garza chess teams to travel out-of-state to their respective National Chess Tournament competitions. Services are to be rendered and items purchased not to exceed \$225,000.00 from budgeted 2011-2012 Chess funds.
9. Recommend approval to donate obsolete video tapes and DVD's valued at under \$250 to area Title I schools and the Municipal Library of Matamoros until expended.
10. Recommend approval of changes to District Probationary and Term Contracts for the 2012-2013 school year as proposed by TASB Legal and HR Services.
11. Recommend deferral of the EOC 15 percent grading policy for 2011-2012 school year only for students first entering 9th grade in the 2011-2012 school year.
12. Recommend approval of Resolution #026/11-12 for the reselling of foreclosed properties in the amount of \$27,166.81.
13. Request approval for Full-Time Equivalent (FTE's) for Teacher Specialist and Project Director for the Texas Literacy Grant for the 2011-2012 school year.

14. Recommend approval to cancel the March 20, 2012 Regular Board Meeting due to scheduled Holidays.
15. Recommend approval to adopt Policy Update 91 and Policy Update 92 Local and Miscellaneous Policies.
16. Recommend approval to grant General Warranty Deed of 4.48 acre tract to the Cameron County Drainage District No. 1, Brownsville, Texas, for detention pond as described on the document.
17. Discussion, consideration and possible action to request that Forensic Auditor Deffenbaugh reimburse the district for failing to disclose its inherent conflict of interest. (Professional Relationship with then seating Board President Catalina Presas-Garcia). **(Board Member Request – MP)**
18. Discussion, consideration and possible action in reference to letter received by C.G. regarding policy DIA (Local). **(Board Member Request – MP)**
19. Discussion, consideration and possible action in reference to travel expenses regarding students/teachers/staff traveling out of State. **(Board Member Request – MP)**

B. Recommend approval of the following Payment:

20. Recommend approval for payment of \$1,191.58 to Hartline Dacus Barger Dreyer LLP.
21. Recommend approval to pay ERO Architects \$695.00 (Hanna High School Performing Arts Instructional Facility); Gignac Associates Architects, LLP \$2,718.34 (Daniel Breeden Elementary School); PHI Service Agency Inc. \$3,911.00 (Hanna High School Performing Arts Instructional Facility and Porter High School Instructional Facility); Raba-Kistner, Inc. \$1,896.75 (Brownsville Academic Center); for a grand total of \$9,221.09 to be paid from Qualified School Construction Bond Fund 190/Local Maintenance Fund 199.
22. Recommend approval to pay PHI Service Agency, Inc. \$470.25 (Hanna High School Science Laboratory Addition); Terracon Consultants, Inc. \$1,345.00 (Lopez and Rivera High School Science Laboratory Additions) for a grand total \$1,815.25 to be paid from Science Laboratory Grant Program/Local Maintenance Fund 199.

C. Recommend approval of the following Budget Amendments:

23. Recommend approval of Budget Amendment #103 in the amount of \$5,000.00 for Fund 199 – Local Maintenance Fund. (New Funding)

D. Recommend approval of the following Contracts/Agreements:

24. Recommend approval of Change Order #02 to amend the Owner/Contractor agreement with D. Wilson Construction Co., McAllen, Texas, for the Porter High School Instructional Facility.

E. Recommend approval of the following Bids/Proposals/Purchases:

25. Recommend approval of RFP #12-090 for Internet Services District-Wide (E-Rate) to NetSpan, Harlingen, Texas, SmartCom, McAllen, Texas and Time Warner Entertainment, Coppell, Texas. (Annual Proposal)

26. Recommend approval of RFP #12-091 for Student Email Services District-Wide (E-Rate) to SharpSchool, Toronto, Ontario. (Annual Proposal)

XI. CLOSED MEETING: as pursuant to the Texas Government Code Section: 551.071, 551.072, 551.074, 551.082, and 551.084.

A. PERSONNEL MATTERS:

27. Presentation of **Retirements/Resignations**.
28. Recommend approval of **probationary contractual personnel** for the 2011-2012 and the 2012-2013 school years – **Teachers**. Subject to receipt of all outstanding documentation.
29. Recommend approval of **non-chapter 21 term contractual personnel** for the 2011-2012 and the 2012-2013 school years – **Assistant Administrator for Transportation**. Subject to receipt of all outstanding documentation.
30. Recommend approval of **non-chapter 21 contractual professional personnel** for the 2011-2012 and the 2012-2013 school years – **Risk Manager**. Subject to receipt of all outstanding documentation.
31. Recommend approval of **term-chapter 21 contractual personnel** for the 2011-2012 and the 2012-2013 school years – **Counselor**. Subject to receipt of all outstanding documentation.
32. Recommend approval of **probationary contractual personnel** for the 2011-2012 and the 2012-2013 school years – **Counselor**. Subject to receipt of all outstanding documentation.
33. Recommend approval to adjust the 2011-2012 contractual days of a professional employee (M.E.S.) that has been administratively reassigned.
34. Recommend approval of **Department Professional Staff for Probationary contracts** for the 2012-2013 school year.
35. Recommend approval of **Department Professional Staff for Non-Chapter 21 Term contracts** for the 2012-2013 school year.
36. Recommend approval of **Department Professional Staff for Chapter 21 Term contracts** for the 2012-2013 school year.
37. Recommend approval of **Campus Professional Staff for Probationary contracts** for the 2012-2013 school year.
38. Recommend approval of **Campus Professional Staff for one Year Term contracts** for the 2012-2013 school year.
39. Board Self Evaluation.
40. Discussion and consideration regarding the appointment, employment, evaluation, and duties of the Superintendent.

B. Consultation with Attorney:

41. Consultation with Attorney regarding privileged communications or pending or threatened litigation matters, including lawsuits by Antonio Juarez and Hector Gonzales.
42. Discussion and consideration with attorneys on all pending litigation matters. **(Board Member Request – LL)**
43. Consultation with attorney regarding threatened or potential legal action arising from Forensic Audit.
44. Consultation with attorney concerning action to provide alternative termination and notice of termination of contract with E. Pena & Associates, P.C.

C. Real Property:

45. Discussion of possible acquisition or sale of Real Property.

(BOARD RECONVENES AFTER CLOSED MEETING)

A28–38. Recommend approval on personnel matters discussed in Closed Meeting.

40. Discussion, consideration, and possible action regarding the appointment, employment, evaluation, and duties of the Superintendent.

B. Consultation with Attorney:

- 41-42. Recommend approval on litigation matters discussed in closed meeting.
43. Discussion, consideration and possible action regarding threatened or potential legal action arising from Forensic Audit.
44. Discussion, consideration, and action to provide additional termination action and provide notice of additional termination of contract with E. Pena & Associates, P.C.

C. Real Property:

45. Recommend approval of acquisition or sale of Real Property discussed in Closed Meeting.

XII. Announcement(s):

Note: If Item 14 is approved the next scheduled Board Meeting will be held April 3, 2012.

46. **Next scheduled Board Meeting** of the Board of Trustees is on **Tuesday, March 20, 2012**, at the Administration Building at 5:30 p.m.

XIII. Adjournment: