



# Brownsville Independent School District

## Board Of Trustees

**Regular Board Meeting**  
**November 5, 2013**  
**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 **November 5, 2013**, with any corrections/deletions.
- VI. Recommend approving the following **minutes** with any corrections:
  - **Regular Board Meeting held September 17, 2013**
  - **Regular Board Meeting held October 1, 2013**
- 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.

**(All presentations limited to five (5) minutes)**

### **VIII. Superintendent's Report**

#### **A. Conference Presentations:**

1. Recognition of Four BISD Employees as Superintendent's Life Saving Champions.
2. Recognition of Hanna High School Student Council Officers.
3. Recognition of State Ballroom 1<sup>st</sup> Place Winners.

4. Recognition of CATCH Champion of the Year.
5. Presentation of 2013 Pony All-Star World Series Team. **(Board Member Request – MP)**
6. Presentation of book “I can choose, I can choose, So can you!” and author Cynthia Martinez Gomez, Porter High School Graduate. **(Board Member Request – MP)**
7. Presentation of Youth Ambassador Program. (Booklet)
8. Presentation of District-wide Attendance Initiatives.
9. Presentation of the Brownsville Independent School District Financial Report for the period ended August 31, 2013
10. Presentation of the Brownsville Independent School District Quarterly Investment Report for the period ended September 30, 2013. (Booklet)
11. Presentation on Term Life and Dental Optional Insurance Policies.
12. Presentation by Purchasing Department, Co-Op Quarterly Expense Report – November 2013.
13. Presentation on DC Local.
14. Presentation by the American Basketball Association coming to Brownsville – South Texas Stingrays. **(Board Member Request – OP)**
15. Presentation by Sergio Zarate – Star League Field. **(Board Member Request – OP)**
16. Presentation of TEA Required Porter High School Targeted Improvement Plan.

**IX. Open Public Hearing to discuss Porter High School Targeted Improvement Plan.**

**X. Close Public Hearing.**

**B. Standing Board Agenda Items:**

17. Board Calendars.

**XI. 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.**

**Board policy BE (Local) and Robert's Rules limits debate to two opportunities. A Trustee may debate a motion for two minutes on the first speaking opportunity and one minute on the second opportunity.**

**XII. Consent Agenda:**

**A. Recommend approval of the following General Function Items:**

18. Recommend to approve the Porter High School Targeted Improvement Plan to submit to the Texas Education Agency with revisions as needed or required during the 2013-2014 school year.
19. Recommend approval of Resolution #017/13-14 designating the Brownsville Independent School District Investment Officers as required by the Public Funds Investment Act, Texas Government Code, Section 2256.005(f).
20. Recommend approval of Resolutions #18/13-14 and #019/13-14 amending the authorized representatives on TEXPOOL and Lone Star accounts.
21. Recommend approval to reschedule the Regular Board Meeting of December 3, 2013 to December 17, 2013 and January 7, 2014 to January 14, 2014, due to scheduled Holidays.
22. Recommend approval to amend the 2013-2014 instructional BISD calendar to include Make-up Day on June 6, 2014.
23. Recommend approval of the 2013-2014 District Textbook SELECTION Committee Members.
24. Recommend approval to select the Request for Proposals delivery method in accordance with CV (Local) Policy, Construction Contracts for the Margaret M. Clark Pool Repairs Project.
25. Recommend approval to authorize administration to explore funding opportunity with SECO. If opportunity exists then submitting an application to the Texas LoanSTAR Loan Program for District-Wide Energy Saving Projects.

**B. Recommend approval of the following Payment:**

26. Recommend approval for payment of \$7,045.28 to Hartline, Dacus, Barger, Dreyer, LLP.
27. Recommend approval for payment of \$2,675.40 to The Hudgins Law Firm.

28. Recommend approval to pay ACR Engineering, Inc. \$14,332.50 (HVAC Upgrades at Lucio Middle School); Circle Industries, Inc. \$76,264.00 (Fire Alarm Upgrades to Putegnat Elementary School, Media Center and Russell Elementary School); Rio Roofing, Inc. \$154,660.00 (Re-roofing Project at Morningside Elementary School); Texair Company \$89,107.34 (HVAC Upgrades at Lucio Middle School) for a grand total of \$334,363.84 to be paid from Capital Project Fund 634/Local Maintenance Fund 199.
29. Recommend approval to pay for Mexican American School Board Members Association (MASBA) Annual membership fees in the amount not to exceed \$1,000.00 for 2013-14 school year from Local Maintenance Budgeted Funds.
30. Recommend approval to pay Cameron Appraisal District in the amount of \$680,574.00 for services rendered.
31. Recommend approval to pay Region One Education Service Center for annual membership fees in the approximate amount of \$42,669.89 for the 2013-2014 school year.

**C. Recommend approval of the following Budget Amendments:**

32. Recommend approval of Budget Amendment #043 in the amount of \$2,000.00 for fund 498 – Local Funded Special Revenue Fund Dollar General Literacy Foundation. (New Funding)
33. Recommend approval of Budget Amendment #044 in the amount of \$10,727.00 for Fund 220 – English Literacy Civics. (Additional Funding)
34. Recommend approval of Budget Amendment #045 in the amount of \$22,866.00 for Fund 312 – Temporary Assistance for Needy Families. (Additional Funding)
35. Recommend approval of Budget Amendment #046 in the amount of \$150,000.00 for Fund 161 – Local Deaf. (Fund Balance)
36. Recommend approval of Budget Amendment #047 in the amount of \$54,508.00 for Fund 397 – AP-IB Campus Awards. (Carryover Purchase Order Budget)
37. Recommend approval of Budget Amendment #048 in the amount of \$2,800,000.00 for Fund 199 – Local Maintenance. (Reallocation)
38. Recommend approval of Budget Amendment #049 in the amount of \$99,050.00 for Fund 198 – SHARS. (Undesignated Fund Balance)
39. Recommend approval of Budget Amendment #050 in the amount of \$21,000.00 for Fund 199 – Local Maintenance. (Additional Funding)

**D. Recommend approval of the following Contracts/Agreements:**

40. Recommend approval for the Brownsville Independent School District to enter into a Memorandum of Understanding with the University of Texas at Brownsville to participate with the Youth Ambassador Program for the 2013-2014 school year.

41. Recommend approval for the Brownsville Independent School District to enter into a Memorandum of Understanding with Cameron County to participate with the Youth Ambassador Program for the 2013-2014 school year.
42. Recommend approval to enter into an agreement with Cardenas Autoplex, Inc. d/b/a Cardenas Mazda to promote an In-kind donation of a 2014 Mazda 3.
43. Recommend approval for a Memorandum of Understanding between Brownsville ISD and Early Childhood Intervention (ECI) Program under the coordination of Region One for the 2013-2014 school year. This agreement is subject to the students and district's needs. (Annually renewed)
44. Recommend approval to enter into contract with Region 13 for TTIPS grant services as required by the grant program for the 2013-2014 school year with possible extension through July 31, 2015. Services are subject to grant requirements and the district's needs and funding.
45. Recommend approval to enter into a Memorandum of Understanding between Brownsville Independent School District and the Buckner Children & Family. Services to be rendered at no cost to the District for the 2013-2014 school year.
46. Recommend approval to enter into a Memorandum of Understanding between Brownsville I.S.D. and Rio Grande Valley Council, Inc., Brownsville, Texas, for prevention efforts focusing on alcohol, tobacco and other drug abuse and mental health issues. Services are to be rendered at no cost to the District.
47. Recommend approval to enter into a Memorandum of Understanding with University of Texas at Brownsville, the City of Brownsville and the Brownsville Public Utilities Board.
48. Recommend approval to enter into a Memorandum of Understanding between Brownsville Independent School District and the University of Texas at Brownsville "Performing Agency". Services to be rendered at no cost to the District for the 2013-2014 school year.
49. Recommend approval to enter into a Memorandum of Understanding with Texas State Technical College (TSTC) for dual enrollment courses under the CTE and Advanced Academic Departments.
50. Recommend approval to enter into a Memorandum of Understanding with Texas State University. Memorandum of Understanding period is July 2013 to July 2015.
51. Recommend approval for the Brownsville Independent School District to enter into a Memorandum of Understanding with Su Clinica Familiar to participate with the Youth Ambassador Program for the 2013-2014 school year.

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

52. Recommend awarding Bid #14-035 Furniture District-wide to several vendors. (Annual Bid)
53. Recommend awarding Bid #14-036 Awards for Honor and Graduation Students District-wide to several vendors. (Annual Bid)

54. Recommend awarding Bid #14-037 Weight Training Room Equipment District-wide to several vendors. (Annual Bid)
55. Recommend awarding Bid #14-038 Inspection of Exhaust Hood Suppression System for Food and Nutrition Services Cafeterias District-wide to Extinguishers Inc., Hidalgo, Texas. (Annual Bid)
56. Recommend awarding Bid #14-039 Art Supplies and Equipment District-wide to several vendors. (Annual Bid)
57. Recommend awarding Bid #14-040 Medical Supplies and Equipment District-wide to several vendors. (Annual Bid)
58. Recommend awarding Bid #14-041 Charter Bus Services District-wide to several vendors. (Annual Bid)
59. Recommend awarding Bid #14-042 Music Supplies and Accessories District-wide to several vendors. (Annual Bid)
60. Recommend awarding Bid #14-043 Reconditioning of Helmets and Shoulder Pads Repair District-wide to Riddell All American, San Antonio, Texas. (Annual Bid)
61. Recommend awarding Bid #14-044 Printed Music District-wide to several vendors. (Annual Bid)
62. Recommend awarding Bid #14-046 Paving Service Work District-wide to several vendors. (Annual Bid)
63. Recommend awarding Bid #14-047 Roofing Maintenance District-wide to several vendors. (Annual Bid)
64. Recommend awarding Bid #14-048 Roofing Supplies and Materials District-wide to several vendors. (Annual Bid)
65. Recommend awarding Bid #14-050 Glazing Supplies and Materials District-wide to several vendors. (Annual Bid)
66. Recommend awarding Bid #14-051 Irrigation and Landscaping Service, Supplies and Materials to several vendors. (Annual Bid)
67. Recommend awarding Bid #14-055 Commercial Ready-to-Serve Pizza for Food and Nutrition Service Maltpizza, LLC., dba Domino's Pizza, Harlingen, Texas.
68. Recommend awarding RFQ #14-031 for Air Conditioning System Test and Air Balance (TAB) Services (Annual Contract) to PHI Service Agency, Inc., Alamo, Texas and National Precisionaire, LLC, Houston, Texas, to provide engineering services and to authorize administration to negotiate a fee on a project by project basis.

69. Recommend awarding RFQ #14-032 for Stand-by Geotechnical Engineering and Construction Materials Testing (Annual Contract) to MEG Engineers, Edinburg, Texas, Raba-Kistner Consultants, Inc., McAllen, Texas and Terracon Consultants, Inc., Pharr, Texas, to provide engineering services and to authorize administration to negotiate a fee on a project by project basis.
70. Recommend approval of the Competitive Sealed Proposals as the Delivery Method of Fire Alarm Upgrades District-Wide on Portable Buildings District-Wide used for education purposes.
71. Recommend approval to use an alternate purchasing method for purchase of a school HVAC System for Rivera High School pursuant to Texas Education Code Section 44.031 (h).

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

**A. PERSONNEL MATTERS:**

72. Presentation of **Retirements/Resignations.**
73. Recommend approval of **probationary contractual personnel** for the 2013-2014 school year – **Assistant Band Director.** Subject to receipt of all outstanding documentation.
74. Recommend approval of **probationary contractual personnel** for the 2013-2014 school year – **Assistant Principals.** Subject to receipt of all outstanding documentation.
75. Recommend approval of **probationary contractual personnel** for the 2013-2014 school year – **Counselors.** Subject to receipt of all outstanding documentation.
76. Recommend approval of **probationary contractual personnel** for the 2013-2014 school year – **Dean of Instruction.** Subject to receipt of all outstanding documentation.
77. Recommend approval of **probationary contractual personnel** for the 2013-2014 school year – **TLI Specialist.** Subject to receipt of all outstanding documentation.
78. Recommend approval of **probationary contractual personnel** for the 2013-2014 school year – **Nurse.** Subject to receipt of all outstanding documentation.
79. Recommend approval of **probationary contractual personnel** for the 2013-2014 school year – **Teachers.** Subject to receipt of all outstanding documentation.
80. Recommend approval of **term-chapter 21 contractual personnel** for the 2013-2014 school year – **Assistant Administrator.** Subject to receipt of all outstanding documentation.
81. Recommend approval of **term-chapter 21 contractual personnel** for the 2013-2014 school year – **Assistant Principal.** Subject to receipt of all outstanding documentation.

82. Recommend approval of **term-chapter 21 contractual personnel** for the 2013-2014 school year – **Bilingual/ESL Lead Teachers**. Subject to receipt of all outstanding documentation.
83. Recommend approval of **term-chapter 21 contractual personnel** for the 2013-2014 school year – **Counselors**. Subject to receipt of all outstanding documentation.
84. Recommend approval of **term-chapter 21 contractual personnel** for the 2013-2014 school year – **Counselor (I3 Grant)**. Subject to receipt of all outstanding documentation.
85. Recommend approval of **term – chapter 21 contractual personnel** for the 2013-2014 school year – **English Language Arts Specialist**. Subject to receipt of all outstanding documentation.
86. Recommend approval of **term – chapter 21 contractual personnel** for the 2013-2014 school year – **Supervisor for Pupil Services**. Subject to receipt of all outstanding documentation.
87. Recommend approval of **term-chapter 21 contractual personnel** for the 2013-2014 school year – **TLI Specialists**. Subject to receipt of all outstanding documentation.
88. Recommend approval of **term-chapter 21 contractual personnel** for the 2013-2014 school year – **Teacher**. Subject to receipt of all outstanding documentation.
89. Recommend approval of **term non-chapter 21 contractual personnel** for the 2013-2014 school year – **Assistant Administrator**. Subject to receipt of all outstanding documentation.
90. Recommend approval to compensate a professional employee (T.J.) for a stipend that was not paid in Fiscal Year 2012-2013.
91. Recommend approval to compensate a professional employee (J.C.) for a stipend that was not paid in Fiscal Year 2012-2013.
92. Recommend approval to compensate a professional employee (N.N.) for a stipend that was not paid in Fiscal Year 2012-2013.
93. Recommend approval of Campus Professional Staff (E.L.) for change in contract for the 2013-2014 School Year.
94. Recommend approval to compensate a professional employee (N.B.) for a stipend that was not paid in Fiscal Year 2012-2013.
95. Recommend approval to compensate professional employee (J.L.V.) for two (2) years of creditable salary experience earned but not paid in 2011-2012 and 2012-2013 Fiscal School Years.



96. Recommend to approve the proposed termination of a continuing contract (2013-2014) and discharge a teacher for good cause. (N.W.)
97. Board Self Evaluation.
98. Discussion and consideration regarding the appointment, employment, evaluation, and duties of the Superintendent.

**B. Consultation with Attorney:**

99. Consultation with Attorney regarding pending or threatened litigation matters: “status of lawsuits”.
  - a. Discussion and consideration regarding M.V. vs. Brownsville ISD; EEOC Cause No. 31C-2013-00726.
  - b. Discussion and consideration regarding L.S. v. BISD.
  - c. Discussion and consideration regarding L.M. v. BISD.
  - d. Discussion and consideration regarding J.B. b/n/f J.R. vs. BISD; Docket No. 016-SE-0913.
  - e. Discussion and consideration regarding I.L. b/n/f A.G. vs. Brownville ISD; Docket No. 018-SE-0913.
  - f. Discussion and consideration regarding I.L. b/n/f R.L. vs. BISD; Docket No. 021-SE-0913.
  - g. Discussion and consideration regarding N.C. b/n/f A.G. vs. BISD; Docket No. 035-SE-0913.
  - h. Discussion and consideration regarding N.C. b/n/f R.G. vs. BISD; Docket No. 036-SE-0913.
  - i. Discussion and consideration regarding O.G. b/n/f O.G. vs. BISD; Docket No. 307-SE-0813.

**Consultation with Attorney:**

100. Consultation with attorney regarding confidential and privileged matters.
  - a. Update, discussion, consideration and possible action on Parent Grievance #001/13-14. **(Board Member Request – LBL)**

**C. Consultation with Internal Auditor:**

101. Consultation with Internal Auditor regarding concerns. **(Board Member Request – LBL)**

**(BOARD RECONVENES AFTER CLOSED MEETING)**

- A73-96. Recommend approval on personnel matters discussed in Closed Meeting.
97. Board Self Evaluation.

- 98. Discussion, consideration and possible action regarding the appointment, employment, evaluation, and duties of the Superintendent.
- 99. Consultation with Attorney regarding pending or threatened litigation matters: "status of lawsuits".
  - a. Discussion and consideration regarding M.V. vs. Brownsville ISD; EEOC Cause No. 31C-2013-00726.
  - b. Discussion and consideration regarding L.S. v. BISD.
  - c. Discussion and consideration regarding L.M. v. BISD.
  - d. Discussion and consideration regarding J.B. b/n/f J.R. vs. BISD; Docket No. 016-SE-0913.
  - e. Discussion and consideration regarding I.L. b/n/f A.G vs. Brownville ISD; Docket No. 018-SE-0913.
  - f. Discussion and consideration regarding I.L. b/n/f R.L. vs. BISD; Docket No. 021-SE-0913.
  - g. Discussion and consideration regarding N.C. b/n/f A.G. vs. BISD; Docket No. 035-SE-0913.
  - h. Discussion and consideration regarding N.C. b/n/f R.G. vs. BISD; Docket No. 036-SE-0913.
  - i. Discussion and consideration regarding O.G. f/n/f O.G. vs. BISD; Docket No. 307-SE-0813

- B100. Recommend approval regarding confidential and privileged matters.
  - a. Update, discussion, consideration and possible action on Parent Grievance #001/13-14. **(Board Member Request – LBL)**

**C. Consultation with Internal Auditor:**

- 101. Consultation with Internal Auditor regarding concerns. **(Board Member Request – LBL)**

**XIV. Board Member Requests:**

**A. Conference Presentations:**

- 102. Pink Ape Media School Bus Advertisement Update. **(Board Member Request – HC)**
- 103. Presentation on Special Education due Process Procedures and BISD Policy. **(Board Member Request – CPG)**
- 104. Review and discuss all pending due process including the expenses and attorney fees. **(Board Member Request – CPG)**

105. Review and discuss Administrators Pay Adjustments for 2013-2014 school year and assigned duties. **(Board Member Request – CPG)**
106. Review and discuss approved 2013-2014 Compensation Plan and Position Control. **(Board Member Request – CPG)**
107. Review and discuss process of vendors visiting our school campuses prior to Bid Advertisement. **(Board Member Request – CPG)**
108. Review and discuss Texas Education Law and BISD Board Policies and Procedures. **(Board Member Request – CPG)**

**B. Action Items:**

109. Discussion, consideration and possible action to allow ABA-South Texas Stingrays usage of BISD High School Gyms and concessions in accordance with Board Policy GKD (Local). **(Board Member Request-OP)**
110. Re-Organization of School Board President and Vice-President. **(Board Member Request – LBL)**
111. Re-Organization of BISD Board Officers. **(Board Member Request – LBL)**
112. Discussion, consideration and possible action regarding teacher's contract. **(Board Member Request – LBL)**
113. Discussion, consideration and possible action regarding Hiring Practices. **(Board Member Request – LBL)**
114. Discussion, consideration and possible action regarding Budget Amendment #039 approved on September 3, 2013. **(Board Member Request-LBL)**

**XV. Announcement(s):**

115. **Next scheduled Board Meeting** of the Board of Trustees is on **Tuesday, December 4, 2013**, at the Administration Building at 5:30 p.m.

**Note: If Item 21 is approved the next scheduled meeting will be held December 17, 2013.**

**XVI. Adjournment.**