



# Brownsville Independent School District

## Board Of Trustees

### Rescheduled Regular Board Meeting

Monday, November 17, 2014

5:30 p.m.

**Note: Board of Trustees approved to reschedule the Board Meeting held November 12, 2014 to November 17, 2014**

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 **Rescheduled Regular Board Meeting of Wednesday, November 12, 2014**, with any corrections/deletions.
  1. Recommend approval to canvass Board of Trustee Election Returns – Election held on November 4, 2014.
  2. Oath of Office will be administered on the elected Trustees.
  3. Discussion, consideration, and possible action for Re-Organization of Board of Trustee Officers including President, Vice-President, Secretary and Assistant Secretary.
- VI. 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)**

### VII. Superintendent's Report

#### A. Conference Presentations:

**Open Public Hearing to discuss Cummings Middle School Targeted Improvement Plan**

4. Presentation of TEA Required Cummings Middle School Targeted Improvement Plan.

### **Close Public Hearing**

5. Presentation of District-wide Attendance Initiatives.
6. Recognition of Porter High School Football Team for giving back to the community.
7. Presentation of National Hispanic Institute (NHI) District of the Year.
8. Presentation of Certificate of Achievement for Excellence in Financial Reporting.
9. Presentation of the Brownsville Independent School District Quarterly Investment Report for the period ended September 30, 2014. (Booklet)
10. Presentation of the Brownsville Independent School District Quarterly Consultant Report for the First Quarter of Fiscal Year 2014-2015.
11. Presentation of the Brownsville Independent School District Financial Report for the period ended September 30, 2014.
12. Presentation by Purchasing Department of the Co-OP Quarterly Expense Report November 2014.

### **B. Standing Board Agenda Items:**

13. Board Calendars.

### **VIII. 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.**

### **X. Consent Agenda:**

- A. Recommend approval of the following General Function Item(s):**

14. Recommend approval to accept annual monetary donation of \$55,000.00 from Valley Baptist Health System to be used in the Believe in BISD Campaign as well as in the Superintendent's Scholarship Program.
15. Recommend approval of the Comprehensive Annual Financial Report for the fiscal year ended June 30, 2014.
16. Recommend approval to authorize the Superintendent to submit on-line waiver application/s for district attendance purposes to the Texas Education Agency (TEA) as needed for the 2014-2015 school year.
17. Recommend approval for Porter High School and Faulk Middle School to continue participation in the TEA PDAS Pilot Project to meet the TTIPS teacher appraisal requirements under the TEA waiver submitted in the Spring of 2012.
18. Recommend approval for elementary and middle school campuses to purchase materials from GPS, LLC.
19. Recommend approval of the 2014-2015 Campus Improvement Plans. (CD)
20. Recommend approval of the Cummings Middle School Targeted Improvement Plan to submit to the Texas Education Agency with revisions as needed or required during the 2014-2015 school year.
21. Recommend approval of the 2014-2015 District Textbook SELECTION Committee Members.
22. Discussion, consideration and possible action to submit a Board Resolution #026/14-15 in support of Board Member/s application/s for the National School Board Association Council of Urban Boards of Education's Steering Committee.
23. Recommend approval to use Texas Valley Communities Foundation for consultant services and materials from STEM instructional and parental activities at all BISD secondary campuses for 2014-2015. Services will be subject to the District's needs and funding.
24. Recommend approval to purchase software licenses and other related materials and kits for the Middle School STEM Program. All items are subject to the District's needs and funding.
25. Recommend approval authorizing the President to co-sign on all school accounts with the Secretary of the Board and authorize the continued use of present signatures until new signature plates arrive.

**B. Recommend approval of the following Payment(s):**

26. Recommend approval for payment of \$12,913.07 to the Hudgins Law Firm.
27. Recommend approval for payment of up to \$2,304.00 to Esparza & Garza, LLP.
28. Recommend approval for payment of up to \$162.50 to Colvin, Chaney, Saenz, & Rodriguez, LLP.

29. Recommend approval to pay Amtech Building Sciences, Inc. \$33,840.00 (Rivera High School Roof Replacement Project) to be paid from Capital Projects Fund.
30. Recommend approval to pay Circle Industries, Inc. \$9,712.00 (Fire Alarm Upgrades at Putegnat and Canales Elementary Schools) to be paid from Capital Project Fund 634.
31. Recommend approval to pay Region One Education Service Center for annual membership fees in the approximate amount of \$42,661.82 for the 2014-2015 school year.
32. Recommend approval for payment of \$5,382.40 to Thompson & Horton, LLP.

**C. Recommend approval of the following Budget Amendment(s):**

33. Recommend approval of Budget Amendment #23 in the amount of \$19,645.00 for Fund 199 – Local Maintenance. (Reallocation)

**D. Recommend approval of the following Contract(s)/Agreement(s):**

34. Recommend approval to enter into a Memorandum of Understanding with Texas A & M University-Kingsville. Memorandum of Understanding period is January 20, 2015 to July 31, 2015.
35. Recommend the approval of Memorandum of Agreement between Texas A & M University–Kingsville and Brownsville Independent School District to become effective for the spring semester of 2014-2015 school year
36. Recommend approval of Memorandum of Agreement between University of Houston-Victoria and Brownsville Independent School District to become effective for the 2014-2015 School Year.
37. Recommend approval to enter into a Memorandum of Understanding with the Texas State Technical College (TSTC), Harlingen, Texas, for Dual Enrollment/Dual Credit opportunities.

**E. Recommend approval of the following Bid(s)/Proposal(s):**

38. Recommend awarding Bid #15-041 Charter Bus Services District-wide to several vendors. (Annual Bid)
39. Recommend awarding Bid #15-042 Art Supplies and Equipment District-wide to several vendors. (Annual Bid)
40. Recommend awarding Bid #15-043 Medical Supplies and Equipment District-wide to several vendors. (Annual Bid)
41. Recommend awarding Bid #15-044 Weight Training Room Supplies and Equipment District-wide to several vendors. (Annual Bid)
42. Recommend awarding Bid #15-045 Awards for Honor and Graduation Students District-wide to several vendors. (Annual Bid)

43. Recommend awarding Bid #15-046 Furniture District-wide to several vendors. (Annual Bid)
44. Recommend awarding Bid #15-047 Printed Music District-wide to several vendors and cast lots for item #26 of said bid. (Annual Bid)
45. Recommend awarding Bid #15-048 Music Supplies and Accessories District-wide to several vendors and cast lots for item #25 of said bid. (Annual Bid)
46. Recommend awarding Bid #15-049 Reconditioning of Helmets and Shoulder Pads Repair District-wide to Riddell/All American, San Antonio, TX. (Annual Bid)
47. Recommend awarding Bid #15-050 Roofing Supplies and Materials District-Wide to several vendors. (Annual Bid)
48. Recommend awarding RFQ #15-053 for Geotechnical Engineering and Construction Materials Testing District-wide 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. (Annual Contract)
49. Recommend awarding Bid #15-054 Paving Service Work District-Wide to several vendors and cast lots for item #2, #4, #9, #11 and #12 of said bid. (Annual Bid)
50. Recommend awarding Bid #15-055 Roofing Maintenance District-Wide to several vendors and cast lots for items #2 and #3 of said bid. (Annual Bid)
51. Recommend awarding Bid #15-056 Glazing Supplies and Materials District-Wide to several vendors and cast lots for items #9, #21, #22 and #30 of said bid. (Annual Bid)
52. Recommend awarding Bid #15-057 Irrigation and Landscaping Services, Supplies and Materials District-Wide to Grass Unlimited, Olmito, Texas. (Annual Bid)
53. Recommend awarding Bid #15-058 Fumigation/Extermination Services and Materials District-Wide to several vendors. (Annual Bid)
54. Recommend awarding CSP #15-059 Armored Car Services District-Wide to Rochester Armored Car Co., Omaha, Nebraska for (2) years with the option to renew for two (2) additional one (1) year term option. (Annual Bid)
55. Recommend awarding Bid #15-060 Inspection Services for Exhaust Hood Suppression Systems Cafeterias District-wide to Alarm Security Group/ASG Security, McAllen, Texas. (Annual Bid)
56. Recommend awarding Bid #15-061 Commercial Ready-to-Serve Pizza for Food and Nutrition Service to Maltpizza, LLC., dba Domino's Pizza, Harlingen, Texas.

**Please note Trustee Catalina Presas-Garcia will be excluded from Executive Session, 57. a., due to conflict.**

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

**A. Consultation with Attorney:**

57. Consultation with Attorney regarding pending or threatened litigation matters: “status of lawsuit(s).”
  - a. Discussion and consideration in Lucila B. Longoria and Catalina Presas-Garcia vs. Brownsville Independent School District, et. al, Civil Action Number 1:14-CV-00010 pending in the United States District Court for the Southern District of Texas Brownsville Division.

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

**A. PERSONNEL MATTER(S):**

58. Presentation of **Retirement(s)/Resignation(s)**.
59. Recommend approval of **probationary contractual personnel** for the 2014-2015 school year – **Coordinator for Assessment/Research & Evaluation**. Subject to receipt of all outstanding documentation.
60. Recommend approval of **probationary contractual personnel** for the 2014-2015 school year – **Assistant Band Directors**. Subject to receipt of all outstanding documentation.
61. Recommend approval of **probationary contractual personnel** for the 2014-2015 school year – **Counselor**. Subject to receipt of all outstanding documentation.
62. Recommend approval of **probationary contractual personnel** for the 2014-2015 school year – **Health Science – Patient Care Technician Certification Program**. Subject to receipt of all outstanding documentation.
63. Recommend approval of **probationary contractual personnel** for the 2014-2015 school year – **Nurse**. Subject to receipt of all outstanding documentation.
64. Recommend approval of **probationary contractual personnel** for the 2014-2015 school year – **Teachers**. Subject to receipt of all outstanding documentation.
65. Recommend approval of **term – non chapter 21 contractual personnel** for the 2014-2015 school year – **Accountant - Transportation**. Subject to receipt of all outstanding documentation.
66. Recommend approval of **term – non chapter 21 contractual personnel** for the 2014-2015 school year – **Coordinator for Finance - Accounting**. Subject to receipt of all outstanding documentation.
67. Recommend approval of **term – non chapter 21 contractual personnel** for the 2014-2015 school year – **Coordinator of Federal Programs Accounts**. Subject to receipt of all outstanding documentation.

68. Recommend approval of **term chapter 21 contractual personnel** for the 2014-2015 school year – **Principal – Garcia Middle School**. Subject to receipt of all outstanding documentation.
69. Recommend approval to accept the rescinding letter of resignation from a Professional Employee (R.M.P.) for the 2014-2015 school year.
70. Recommend approval to compensate professional employee (J.O.) for the School Librarian Stipend earned but not paid in fiscal school years 2012-2013 and 2013-2014.
71. Board Self Evaluation.
72. Discussion and consideration regarding the appointment, employment, evaluation, and duties of the Superintendent.

**B. Consultation with Attorney:**

73. Consultation with Attorney regarding pending or threatened litigation matters: “status of lawsuits”.
  - a. Discussion and consideration regarding G.M. b/n/f Gerardo Mena v Brownsville ISD; TEA Docket No. 302-SE-0814.
  - b. Discussion and consideration regarding BISD vs. Healthsmart.
  - c. Discussion and consideration regarding McGriff, Seibel and Williams.
  - d. Discussion and consideration regarding Civil Action No. 1:13-cv-00172; Nelly Ayala vs. Brownsville SD.
  - e. Discussion and consideration regarding N.D. b/n/f Connie Rush v. Brownsville ISD; TEA Docket No. 002-SE-0914.
  - f. Discussion and consideration regarding Cause No. 2012-DCL-08930-C; Alfredo Sobrevilla vs. Brownsville ISD.
  - g. Discussion and consideration regarding Docket No. 188-LH-08-2014; Brownsville ISD vs. Scott H. Pokrass.

**(BOARD RECONVENES AFTER CLOSED MEETING)**

- 57a. Discussion, consideration and possible action in Lucila B. Longoria and Catalina Presas-Garcia vs. Brownsville Independent School District, et. al, Civil Action Number 1:14-CV-00010 pending in the United States District Court for the Southern District of Texas Brownsville Division.

A59-70. Recommend approval on personnel matters discussed in Closed Meeting.

71. Board Self Evaluation.

72. Discussion, consideration and possible action regarding the appointment, employment, evaluation, and duties of the Superintendent.
- B73. Recommend approval regarding pending or threatened litigation matters: “status of lawsuit(s)”
  - a. Discussion, consideration and possible action regarding G.M. b/n/f Gerardo Mena v Brownsville ISD; TEA Docket No. 302-SE-0814.
  - b. Discussion, consideration and possible action regarding BISD vs. Healthsmart.
  - c. Discussion, consideration and possible action regarding McGriff, Seibel and Williams.
  - d. Discussion, consideration and possible action regarding Civil Action No. 1:13-cv-00172; Nelly Ayala vs. Brownsville SD.
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  - g. Discussion, consideration and possible action regarding Docket No. 188-LH-08-2014; Brownsville ISD vs. Scott H. Pokrass.

**XIII. Announcement(s):**

74. **Next scheduled Board Meeting** of the Board of Trustees is on **Tuesday, December 9, 2014**, at the Administration Building at 5:30 p.m.

**XIV. Adjournment.**