



# Brownsville Independent School District

## Board Of Trustees

### Regular Board Meeting April 7, 2015 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 April 7, 2015**, with any corrections/deletions.
- VI. Recommend approving the **minutes** of the **Regular Board Meeting of February 3, 2015** 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.

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

### VIII. Superintendent's Report

#### A. Conference Presentations:

1. Recognition of Student Heroes – Veterans Memorial High School.
2. Presentation of the Abbreviated Summer Administration Work Schedule and Closing of Administrative Offices for Week of June 29, 2015 to July 3, 2015.
3. Presentation of the Brownsville Independent School District Financial Report for the period ended February 28, 2015.
4. Presentation of Strategic Plan Update for 2016 – 2021.

**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.**

**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):**

6. Recommend approval to adopt Policy Update 101 Local and Miscellaneous policies.
7. Recommend approval to select the Competitive Sealed Proposal delivery method as authorized by the Texas Education Code in accordance with Subchapter B. Purchases, Contracts, 44.035, of the Texas Education Code for the Lopez High School Chiller Replacement Project.
8. Recommend approval of Resolution #028/15-16 for the reselling of foreclosed properties in the amount of \$66,595.03.
9. Recommend approval to ratify the increase of student trip meal stipend from \$6.00 to \$8.00 per student for the remainder of this school year and subsequent school years.
10. Recommend an adjustment to per diem guidelines for reimbursing employees for de-minimis meals when attending work-related meetings and events outside Cameron/Hidalgo Counties for more than four hours in duration and returning after regular working hours. Employees meeting Board approved adjusted guidelines will be reimbursed for their meals as per Board Policy.
11. Recommend approval of open enrollment for all BISD elementary campuses for the 2015-2016 school-year. Parents wishing to enroll their children in another district elementary school may do so effective April 8, 2015 for the new academic year 2015-2016. Transportation will not be available for voluntary transfers to other elementary campuses.

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

12. Recommend approval of Payment #2 as partial payment in the amount of \$74,005.00 to Rio Roofing, Inc. for work completed on the Rivera High School Re-Roofing Project to be paid from Local Fund 192/197.
13. Recommend approval of Payment #1 as partial payment in the amount of \$13,572.00 to ACR Engineering, Inc. for engineering services on the Lopez High School HVAC Systems Upgrade to be paid from Local Fund 197.
14. Recommend approval for payment of \$527.80 to The Hudgins Law Firm, P.C.
15. Recommend approval for payment of \$1,700.50 to The Hudgins Law Firm, P.C.
16. Recommend approval for payment of up to \$234.00 to Esparza & Garza, LLP.

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

17. Recommend approval of Budget Amendment #031 in the amount of \$203,086.00 for Fund 199 – Local Maintenance. (Undesignated Fund Balance of \$135,641.00 and Reallocation of \$67,445.00)
18. Recommend approval of Budget Amendment #032 in the amount of \$250,000.00 for Fund 197 – Projects. (Reallocation)
19. Recommend approval of Budget Amendment #033 in the amount of \$3,130,817.00 for Fund 192 – Insurance Recovery Account. (Additional Funding)
20. Recommend approval of Budget Amendment #034 in the amount of \$784,653.00 for Fund 162 – State Compensatory. (Reallocation)

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

21. Discussion, consideration and possible action to ratify a Legal Services Agreement with Aguilar & Zabarte, LLC.
22. Recommend approval to enter into a Legal Services Retainer Agreement with Walsh, Anderson, Gallegos, Green and Trevino, P.C. to provide support for routine legal matters for the time period of April 8, 2015 to March 31, 2016.

**XI. Open Hearing: Grievant has requested an open hearing pursuant to Board Policy DGBA Local.**

**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 and consult with their attorney.**

**A. Level III Board Review and Grievance:**

23. Discussion, consideration and possible action regarding Level III Grievance No. 011/14-15 on Acacia Ameel.

**XII. Closed Meeting: as pursuant to the Texas Government Code Section: 551.074 & 551.082**

**A. Level III Board Review and Grievance:**

24. Discussion, consideration and possible action regarding Level III Grievance No. 010/14-15 on Roberto Alaniz.

**Please note Trustee Catalina Presas-Garcia will be excluded from Executive Session, 25 a., due to conflict.**

**XIII. 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:**

25. 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.

**XIV. 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):**

26. Presentation of **Retirement(s)/Resignation(s)**.
27. Recommend approval of **probationary contractual personnel** for the **2014-2015 school year – Teachers**. Subject to receipt of all outstanding documentation
28. Recommend approval to compensate professional employee (C.T.) for three (3) years of creditable salary experience earned but not paid for the 2013-2014 fiscal school year.
29. Recommend approval to compensate professional employee (J.J.S.) for one (1) year of creditable salary experience earned but not paid in the following fiscal school years: 2010-2011, 2011-2012, 2012-2013 and 2013-2014.
30. Recommend approval to compensate professional employee (O.C.) for one (1) year of creditable salary experience earned but not paid in the following fiscal school years: 2012-2013 and 2013-2014.
31. Recommend approval to close twenty (20) additional Full-time Equivalent (FTE) positions for Computer Lab Aide’s at Technology Services for the 2014-2015 school year.
32. Recommend approval for the Proposed Non-Renewal of a Term Contract Employee (R.H.J.) at the end of the 2014-2015 school year.
33. Board Self Evaluation.

34. Discussion and consideration regarding the appointment, employment, evaluation, and duties of the Superintendent.

**B. Consultation with Attorney:**

35. Consultation with attorney regarding confidential and privileged matters.
  - a. Discussion regarding Cause No. 2012-DCL-8605-A; Brownsville ISD vs. Texas Windstorm Insurance Association, et al.
36. Consultation with Attorney regarding pending or threatened litigation matters: “status of lawsuits”.
  - a. Discussion and consideration regarding Y.C. b/n/f Marisela Cortez vs. Brownsville ISD; TEA Docket No. 151-SE-0115.
  - b. Discussion and consideration regarding the status of pending or anticipated gender discrimination claims.

**(BOARD RECONVENES AFTER CLOSED MEETING)**

24. Discussion, consideration and possible action regarding Level III Grievance No. 010/14-15 on Roberto Alaniz.
  - 25a. 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.
- A27-32. Recommend approval on personnel matters discussed in Closed Meeting.
33. Board Self-Evaluation.
  34. Discussion, consideration and possible action regarding the appointment, employment, evaluation, and duties of the Superintendent.
- B35a. Discussion, consideration and possible action regarding Cause No. 2012-DCL-8605-A; Brownsville ISD vs. Texas Windstorm Insurance Association, et al.
- B36a. Discussion, consideration and possible action regarding Y.C. b/n/f Marisela Cortez vs. Brownsville ISD; TEA Docket No. 151-SE-0115.
- b. Discussion, consideration and possible action regarding the status of pending or anticipated gender discrimination claims.

**XV. Announcement(s):**

37. **Next scheduled Board Meeting** of the Board of Trustees is on **Tuesday, May 5, 2015**, at the Administration Building at 5:30 p.m.

**XVI. Adjournment.**