



Brownsville Independent School District

Board Of Trustees

Regular Board Meeting
September 1, 2015
2:00 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 September 1, 2015**, with any corrections/deletions.
- VI.** Recommend approving the **minutes** of the **Special Called Board Meeting of June 25, 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.
- VIII. CLOSED MEETING:** as pursuant to the Texas Government Code Section: 551.071, 551.072, 551.074, 551.082, and 551.084.
 - A. Lead Internal Auditor Interviews:**
 1. Interview and selection of qualified candidates for Co-Lead Internal Auditor.
- IX. 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:

2. Discussion, consideration and possible action regarding **Level III Grievance No. 001/15-16 on Art Rendon.**
3. Discussion, consideration and possible action regarding **Level III Grievance No. 003/15-16 on Alicia Salazar/Elva Compean.**

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

A. Level III Board Review and Grievance:

4. Discussion and consideration regarding **Level III Grievance No. 004/15-16 on Kathy Gomez.**

Please note Trustee Catalina Presas-Garcia will be excluded from Executive Session, 5. a., due to conflict.

B. Consultation with Attorney:

5. 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.

C. PERSONNEL MATTER(S):

6. Presentation of **Retirement(s)/Resignation(s).**
7. Recommend approval of **probationary contractual personnel** for the 2015-2016 school year – **Assistant Band Director/Itinerant.** Subject to receipt of all outstanding documentation.
8. Recommend approval of **probationary contractual personnel** for the 2015-2016 school year – **Assistant Choir Director/Itinerant.** Subject to receipt of all outstanding documentation.
9. Recommend approval of **probationary contractual personnel** for the 2015-2016 school year – **Counselor.** Subject to receipt of all outstanding documentation.
10. Recommend approval of **probationary contractual personnel** for the 2015-2016 school year – **Curriculum Specialist – Science PK-12.** Subject to receipt of all outstanding documentation.

11. Recommend approval of **probationary contractual personnel** for the 2015-2016 school year – **Educational Diagnosticians**. Subject to receipt of all outstanding documentation.
12. Recommend approval of **probationary contractual personnel** for the 2015-2016 school year – **Dean of Instruction**. Subject to receipt of all outstanding documentation.
13. Recommend approval of **probationary contractual personnel** for the 2015-2016 school year – **Librarians**. Subject to receipt of all outstanding documentation.
14. Recommend approval of **probationary contractual personnel** for the 2015-2016 school year – **Nurse**. Subject to receipt of all outstanding documentation.
15. Recommend approval of **probationary contractual personnel** for the 2015-2016 school year – **Teachers**. Subject to receipt of all outstanding documentation.
16. Recommend approval of **term – chapter 21 contractual personnel** for the 2015-2016 school year – **Teacher**. Subject to receipt of all outstanding documentation.
17. Recommend approval of **term chapter 21 contractual personnel** for the 2015-2016 school year – **Family Engagement Specialist**. Subject to receipt of all outstanding documentation.
18. Recommend approval of **term-non-chapter 21 contractual personnel** for the 2015-2016 school year – **Athletic Trainer**. Subject to receipt of all outstanding documentation.
19. Recommend approval of **term-non-chapter 21 contractual personnel** for the 2015-2016 school year – **Coordinator – Warehouse/Textbooks/Fixed Assets**. Subject to receipt of all outstanding documentation.
20. Recommend approval of qualified administrators as Texas Teacher Evaluation Support System (T-TESS) Appraisers for the 2015-2016 fiscal school year.
21. Recommend approval to adjust the working days of a professional employee (M.L.G.) for the 2015-2016 fiscal school year.
22. Recommend approval to adjust the working days of a professional employee (M.A.G.L.) for the 2015-2016 fiscal school year.
23. Recommend to approve adjustment of compensation for professional employee (A.D.) as Interim Administrator for Career and Technical Education for the 2015-2016 fiscal school year.
24. Recommend approval to compensate professional employee (S.R.) for the Master’s Degree Stipend earned but not paid in the following fiscal school years: 2013-2014 and 2014-2015.
25. Recommend approval to compensate professional employee (D.G.) for two (2) years of creditable salary experience earned but not paid in the following fiscal school years: 2010-2011, 2011-2012, 2012-2013 and 2013-2014.

26. Recommend approval to compensate professional employee (R.A.R.) for the Master's Degree Stipend earned but not paid in the following fiscal school years: 2012-2013 and 2013-2014.
27. Recommend approval to compensate professional employee (L.L.M.) for the Master's Degree Stipend earned but not paid in the following fiscal school years: 2012-2013 and 2013-2014.
28. Recommend approval to compensate professional employee (M.L.G.) for the Master's Degree Stipend earned but not paid in the following fiscal school years: 2012-2013 and 2013-2014.
29. Recommend approval of Campus Professional Employee (G.S.) for change in contract for the 2015-2016 fiscal school year.
30. Recommend approval of Campus Professional Employee (E.G.R.) for change in contract for the 2015-2016 fiscal school year.
31. Recommend approval for rescinding the proposed termination of a term contract (2015-2016) and discharging a teacher (E.P.) for good cause.
32. Recommend to approve the proposed termination of a term contract (2015-2016) and discharge a teacher (M.C.) for good cause.
33. Recommend to approve the termination of a continuing contract and discharge a teacher (J.C.) for good cause for the 2015-2016 school year.
34. Board Self Evaluation.
35. Discussion and consideration regarding the appointment, employment, evaluation, and duties of the Superintendent.

D. Consultation with Attorney:

36. Consultation with attorney regarding confidential and privileged matters.
 - a. Discussion and consideration regarding TEA Docket No. 183-LH-07-2015; BISD vs. Eduardo Padron.
 - b. Discussion and consideration regarding TEA Docket No. 356-SE-0815; A.N. b/n/f Iza and Jaime Nieto vs. BISD.
 - c. Discussion and consideration regarding TEA Docket No. 344-SE-0715; M.G. b/n/f Maribel Alvear vs. BISD.

(BOARD RECONVENES AFTER CLOSED MEETING)

- A1. Recommend approval of **probationary contractual personnel** for the **Co-Lead Internal Auditor** for the 2015-2016 school year. Subject to receipt of all outstanding documentation.

- 4. Discussion, consideration and possible action regarding Level III Grievance No. 004/15-16 on Kathy Gomez.
- C5a. 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.
- C7-33. Recommend approval on personnel matters discussed in Closed Meeting.
- 34. Board Self Evaluation.
- 35. Discussion, consideration and possible action regarding the appointment, employment, evaluation, and duties of the Superintendent.
- D36a. Discussion, consideration and possible action regarding TEA Docket No. 183-LH-07-2015; BISD vs. Eduardo Padron.
- b. Discussion, consideration and possible action regarding TEA Docket No. 356-SE-0815; A.N. b/n/f Iza and Jaime Nieto vs. BISD.
- c. Discussion, consideration and possible action regarding TEA Docket No. 344-SE-0715; M.G. b/n/f Maribel Alvear vs. BISD.

(All presentations limited to five (5) minutes)

XI. Superintendent's Report

A. Conference Presentations:

- 37. Recognition of the 14 schools who earned 100% of distinctions possible for 2014-2015 school year.
- 38. Recognition of 1965 Brownsville High School Baseball Team.
- 39. Recognition of Donation by Cardenas Autoplex, Inc.
- 40. Presentation of the Brownsville Independent School District Financial Report for the period ended July 31, 2015.
- 41. Report on "Believe in BISD" (Board Member Request)
- 42. Report on contracts pertaining to buses and stadium. (Board Member Request)

B. Standing Board Agenda Items:

- 43. Board Calendars.

XII. 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.

XIII. Consent Agenda:

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

44. Recommend approval of Akintunde Ogidan to serve as External Evaluator for the 2015-2016 academic school year, at a cost of \$36,000.00 for the 21st Century Grant.
45. Recommend the approval and acceptance of the Snapdragon Book Foundation Grant in the amount of \$15,000.00 to Rosita E. Del Castillo Elementary Library Media Center to enable the library to purchase books for campus.
46. Recommend the approval of the revisions to FDB (Local) for the remainder of 2015-2016 school year and subsequent years until such time policy is amended to reflect any new future changes.

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

47. Recommend approval for payment #7 as partial payment in the amount of \$68,020.00 to Rio Roofing, Inc. for Construction Services for work completed on the Rivera High School Re-roofing Project to be paid from Local Fund 192.

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

48. Recommend approval of Budget Amendment #013 in the amount of \$167,286.00 for Fund 199 – Local Maintenance as requested by campuses/departments. (Reallocation)

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

49. Recommend approval to authorize the Superintendent to sign the agreement between Brownsville ISD and RGV Lead, Inc.
50. Recommend approval to enter into agreement between RGV Linking Economic and Academic Development and Brownsville Independent School District for 2015-2016 school year.
51. Recommend approval of MOU for \$6,000.00 for Herminia Martinez to serve as the Cummings Middle School TEA required locally funded Professional Service Provider from

September 1, 2015 to August 31, 2016. Services to be rendered based on District needs and funding.

52. Recommend approval to enter into a Memorandum of Understanding with Texas A&M University-Kingsville to offer dual enrollment/dual credit opportunities in the amount of \$140,000.00.
53. Recommend approval for a Memorandum of Understanding between Brownsville ISD and South Texas ISD for the 2015-2016 school year. This agreement is subject to district's needs and funding.
54. Recommend approval to enter into a Memorandum of Understanding with the Texas A&M University to participate in a research project. Services to be rendered subject to the District's needs and funding.
55. Recommend approval to enter into a Memorandum of Understanding between Texas A&M University and the Brownsville Independent School District to implement the Advise Texas College Advising Corps at Hanna ECHS, Pace ECHS, Porter ECHS, Lopez ECHS and Rivera ECHS for the 2015-2016 school year.
56. Recommend approval to enter into an agreement with Cardenas Autoplex, Inc. d/b/a Cardenas Mazda to promote an in-kind donation of a 2016 Mazda CX-3.
57. Recommend approval to enter into a Memorandum of Understanding (MOU) with the University of Texas at Austin, The LUCHA Program is Online Courses for the 2015-2016 school year in the amount not to exceed \$140,000.00. Services to be rendered subject to the districts needs and funding.
58. Recommend approval to enter into a Memorandum of Understanding between Brownsville I.S.D. and Tropical Texas Behavioral Health, Edinburg, Texas, for mental health services for the 2015-2016 school year. Services are to be rendered at no cost to the District.
59. Recommend approval to enter into a Memorandum of Understanding with Texas Southmost College, for Dual Enrollment/Dual Credit opportunities. This agreement takes effect upon School Board approval and shall continue unless amended mutually or terminated in writing by either party.
60. Recommend approval to enter into a Memorandum of Understanding between Brownsville I.S.D. and Mesquite Treatment Center, LLC to provide outpatient chemical dependence counseling and intervention to B.I.S.D. students. Services will be provided at the campus and rendered at no cost to the District.

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

61. Recommend to accept the negotiated fee for RFQ #16-110 Hanna High School Construction Technology Facility to ROFA Architects, Harlingen, Texas, in the amount not to exceed \$45,000.00 to be paid from Local Fund 192.

62. Recommend to accept the negotiated fee for RFQ #16-109 Athletic Facility at Rivera High School to Gomez Mendez Saenz, Inc., Brownsville, Texas in the amount not to exceed \$160,100.00 to be paid from Local Fund 197.
63. Recommend to accept the negotiated fee for RFQ #15-119 Roof Replacement at Burns Elementary School to Amtech Building Sciences, Inc., Pharr, Texas, in the amount not to exceed \$60,000.00 to be paid from Local Fund 192.
64. Recommend awarding CSP #16-105 Third Party Administrative Services (TPA) for the Self-Funded Group Health Plan to United Health Care of Houston, Texas at a Per Employee Per Month (PEPM) cost of \$34.99 for a three (3) year term with an option to renew for two (2) additional one (1) year terms.
65. Recommend awarding CSP #16-105 Stop Loss for the Self-Funded Group Health Plan to HM Life Insurance Company of Pittsburg, Pennsylvania at a Per Employee Per Month (PEPM) cost of \$21.31 for a three (3) year term with an option to renew for two (2) additional one (1) year terms.
66. Recommend awarding CSP #16-105 Basic Life and Accidental Death and Dismemberment (AD&D) Insurance for the Self-Funded Group Health Plan to Aetna Life Insurance Company of Hartford, Connecticut at a rate of \$0.80 for Basic Life and \$.015 for Accidental Death and Dismemberment (AD&D) for a three (3) year term with an option to renew for two (2) additional one (1) year terms.
67. Recommend awarding CSP #16-105 Wellness Program for the Self-Funded Group Health Plan to Valley Baptist Health Systems of Harlingen, Texas at a Per Employee Per Month (PEPM) cost of \$1.75 for a three (3) year term with an option to renew for two (2) additional one (1) year terms.
68. Recommend awarding CSP #16-107 Third Party Administration Services (TPA) and Excess Insurance for Self-Funded Workers' Compensation Program to Tristar Risk Management Services in the amount of \$328,500.00 and Midwest Employers Casualty/Montalvo Insurance in the amount of \$143,740.00 for a three (3) year term with an option to renew for two (2) additional one (1) year terms.
69. Recommend awarding CSP #16-108 Pharmacy Benefit Manager and Specialty Pharmacy to DataRx Management, Inc. for a three (3) year term with an option to renew for two (2) additional one (1) year terms.

XIV. Announcement(s):

70. **Next scheduled Board Meeting** of the Board of Trustees is on **Tuesday, October 6, 2015**, at the Administration Building at 5:30 p.m.

XV. Adjournment.