



Brownsville Independent School District

Board Of Trustees

Regular Board Meeting
November 3, 2015
3:00 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 **November 3, 2015**, with any corrections/deletions.
- 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. 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:

1. Discussion, consideration and possible action regarding **Level III Grievance No. 007/15-16 on Christina Garzoria.**

- VIII. 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:

2. Discussion and consideration regarding **Level III Grievance No. 008/15-16** on **Esmeralda Salazar**.
3. Discussion and consideration regarding **Level III Grievance No. 009/15-16** on **Nancy Beltran**.

Please note Trustee Catalina Presas-Garcia will be excluded from Executive Session, 4. a, due to conflict.

B. Consultation with Attorney:

4. 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):

5. Presentation of **Resignation(s)**.
6. Recommend approval of **probationary contractual personnel** for the **2015-2016 school year – Teachers**. Subject to receipt of all outstanding documentation.
7. Recommend approval of **probationary contractual personnel** for the **2015-2016 school year – Dean of Instruction**. Subject to receipt of all outstanding documentation.
8. Recommend approval of **term-chapter 21 contractual personnel** for the **2015-2016 school year – Site Coordinator for 21st Century**. Subject to receipt of all outstanding documentation.
9. Recommend approval of **term – non-chapter 21 contractual personnel** for the **2015-2016 school year – Athletic Trainer**. Subject to receipt of all outstanding documentation.
10. Recommend approval of Campus Professional Employee (R.M.) for change in contract for the 2015-2016 fiscal school year.
11. Recommend approval to compensate classified employee (N.D.L.G.) for the hourly rate earned but not paid in the fiscal school year 2014-2015.
12. Recommend approval to compensate professional employee (M.C.) for the Special Education All Levels stipend and Special Education Life Skills stipend earned but not paid in the fiscal school year 2014-2015.
13. Recommend approval to compensate professional employee (N.N.G.) for one (1) year of creditable salary experience earned but not paid in the following fiscal school years: 2012-2013, 2013-2014 and 2014-2015.

14. Recommend approval to compensate professional employee (J.E.P.) for three (3) years of creditable salary experience earned but not paid in the following fiscal school year: 2014-2015.
15. Recommend to approve compensation for professional employee (N.I.C.) on interim assignment to be commensurate with the high school principal salary until such time that a permanent high school principal is selected for the 2015-2016 fiscal school year.
16. Recommend to approve the proposed termination and discharge of a chapter 21 term contract teacher (D.C.) during the contract period for good cause.
17. Board Self Evaluation.
18. Discussion and consideration regarding the appointment, employment, evaluation, and duties of the Superintendent.

D. Consultation with Attorney:

19. Consultation with Attorney regarding pending or threatened litigation matters: “status of lawsuits”.
 - a. Discussion and consideration regarding TEA Docket No. 042-SE-1015; Marisa P. vs. BISD.
 - b. Discussion and consideration regarding Cause No. 2014-DCL-05112-D; Aaron Heard vs. BISD.

(BOARD RECONVENES AFTER CLOSED MEETING)

2. Discussion, consideration and possible action regarding **Level III Grievance No. 008/15-16 on Esmeralda Salazar.**
 3. Discussion, consideration and possible action regarding **Level III Grievance No. 009/15-16 on Nancy Beltran.**
 4. 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.
- 6 - 16. Recommend approval on personnel matters discussed in Closed Meeting.
17. Board Self-Evaluation.
 18. Discussion, consideration and possible action regarding the appointment, employment, evaluation, and duties of the Superintendent.
 19. Consultation with attorney:

- a. Discussion, consideration and possible action regarding TEA Docket No. 042-SE-1015; Marisa P. vs. BISD.
- b. Discussion, consideration and possible action regarding Cause No. 2014-DCL-05112-D; Aaron Heard vs. BISD.

Board reconvenes at 5:30 p.m. and may resume to Executive Session if Personnel Matters are not completed

IX. Superintendent's Report

A. Conference Presentations:

20. Presentation by Purchasing Department of the Co-Op Quarterly Expense Report for November 2015.
21. Proposed Vehicle Purchases District-wide for Fiscal year 2015-2016.
22. Presentation of the Brownsville Independent School District Quarterly Consultant Report for the period ended September 30, 2015.
23. Presentation of the Brownsville Independent School District Financial Report for the period ended September 30, 2015.
24. Presentation of the Brownsville Independent School District Quarterly Investment Report for the period ended September 30, 2015. (Booklet)
25. Discussion regarding the possibility of joint City Commission and School District Board meetings to discuss mutual topics of interest.

B. Standing Board Agenda Items:

26. Board Calendars.

X. 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.

XI. Consent Agenda:

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

27. Recommend approval of Resolution #017/15-16 for the reselling of foreclosed properties to the highest responsible bidder in the amount of \$37,048.15.
28. Recommend approval of the 2015-2016 Campus Improvement Plans. (CD)
29. Recommend approval to authorize administration to accept the Roof Replacement Project at Rivera Early College High School as substantially complete.
30. Recommend approval to authorize administration to accept the Faulk Middle School Weight Room Project as substantially complete.
31. 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 Roof Replacement at Burns Elementary School, Athletic Facility at Rivera Early College High School, and the Hanna Early College High School Construction Technology Facility.
32. Recommend approval to declare 62 Portable Buildings as Surplus/Obsolete and schedule for Public Auction.
33. Recommend approval to declare surplus/obsolete furniture, supplies and equipment, as needed, to be disposed of in accordance with Board Policy CI (LOCAL) School Properties Disposal.
34. Recommend approval to adopt Policy Update 102 Local and Miscellaneous Policies.
35. Recommend approval to purchase AP Exam materials from the College Board AP Examinations in the amount of \$55,000.00. Purchase is subject to the District's needs and funding.
36. Recommend approval to purchase TSI Testing Materials from The College Board Accuplacer in the amount of \$80,000.00. Purchase is subject to the District's needs and funding.
37. Recommend the approval of the additional \$33.00 per day for part-time seasonal coaches to assist with the athletic period.
38. Recommend eliminating two Pay Grade 5 administrator positions due to a drop in enrollment from 2013 to the present.
39. Recommend approval to implement a Universal Pre-K Program at District Campuses beginning on January 2016. Program and services to be subject to the District's needs and enrollment.

40. Recommend converting Brownsville Learning Academy and Lincoln Park schools to be designated as alternative programs under the State's Alternative Education Accountability program.
41. Recommend approval of Paragon Sports Constructors for the upgrade of the Lopez Early College High School Soccer Field which includes the addition of new synthetic turf. The total cost to be paid to Paragon Sports Constructors is \$870,236.00 from TRE funds.
42. Discussion, consideration and possible action authorizing administration to review and report local policy and procedures regarding organizations which use BISD payroll deductions. **(Board Member Request)**

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

43. Recommend approval of payment #1 and #2 as partial payments in the amount of \$238,117.50 to Central Air and Heating Service, Inc. for Construction Services for work completed on the Lopez Early College High School Chiller Replacement to be paid from Local Fund 197.
44. Recommend approval of Payment #9 as partial payment in the amount of \$58,140.00 to Rio Roofing, Inc. for Construction Services for work completed on the Rivera Early College High School Re-Roofing Project to be paid from Local Fund 192.
45. Recommend approval to pay Cameron Appraisal District in the amount of \$700,487.00 for required appraisal services rendered.
46. Recommend approval to authorize payment of one enrollment membership in a professional organization directly related to the job responsibility, up to \$200.00 per year, for cabinet level employees from their department budgets.
47. Recommend approval for payment of \$10,306.84 to Colvin, Chaney, Saenz & Rodriguez, LLP.
48. Recommend approval for payment of \$1,741.00 to Walsh, Anderson, Gallegos, Trevino, Russo & Kyle, P.C.

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

49. Recommend approval of Budget Amendment #017 in the amount of \$2,858,779.00 for Fund 162 – State Compensatory. (Categorical Fund Balance)
50. Recommend approval of Budget Amendment #018 in the amount of \$5,331.00 for Fund 199 – Local Maintenance as requested by campuses/departments. (Reallocation)

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

51. Recommend approval to enter into a Memorandum of Understanding between Brownsville ISD and The Recovery Center of Cameron County to assist adolescent populations

experiencing problems related to substance abuse, while addressing individual needs. Services are to be rendered at no cost to the District in the BISD 2015-2016 school year.

52. Recommend approval to enter into a Memorandum of Understanding between the Brownsville Independent School District and the University of Texas Rio Grande Valley for the purpose of providing AmeriCorps mentors to assist students/parents with necessary steps relating to test preparation, financial aid and admission applications for college acceptance. Services are to be rendered at Hanna ECHS, Porter ECHS, Pace ECHS, Rivera ECHS, Lopez ECHS and Veterans ECHS "Go Centers" at no cost to the district for the 2015-2016 school year.
53. Recommend approval to enter into a Memorandum of Understanding with University of Texas Rio Grande Valley (UT-RGV) for operational reporting fiscal management and evaluation of performance for all components within the regional ecosystem literacy awareness grant. This agreement marks its second year of continuation.
54. Recommend approval to enter into an agreement with Valley Regional Medical Center as a CPR Certification Training Center with BISD. This agreement shall take effect September 2015 and shall continue in effect for two (2) years after the effective date, unless amended mutually or terminated in writing by either party.
55. Recommend approval to renew the AVID Implementation Agreement for Hanna and Brownsville Early College High Schools in the amount of \$7,170.00 from campus budgeted local and categorical funds for the 2015-2016 school year. Services to be rendered and items to be purchased are subject to the District's needs and funding.

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

56. Recommend to exercise the option to renew RFQ #15-053 for Geotechnical Engineering and Construction Materials Testing District-wide for FY 2015-2016 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)
57. Recommend awarding Bid #16-007 Music Supplies and Accessories District-wide to several vendors. (Annual Bid)
58. Recommend awarding Bid #16-008 Printed Music District-wide to several vendors. (Annual Bid)
59. Recommend awarding Bid #16-009 Furniture District-wide to several vendors and cast lots for item #94 of said bid. (Annual Bid)
60. Recommend awarding Bid #16-010 Graduation and Honor Awards District-wide to several vendors. (Annual Bid)
61. Recommend awarding Bid #16-011 Helmet Reconditioning and Shoulder Pad Repair District-wide to Riddell/All American, San Antonio, TX. (Annual Bid)

62. Recommend awarding Bid #16-012 Weight Training Room Equipment District-wide to several vendors. (Annual Bid)
63. Recommend awarding CSP #16-025 Consultant/Presenter Services and Training District-wide to several vendors. (Annual Proposal)
64. Recommend awarding CSP #16-026 Rental Space for Meetings, Conferences, Events and Banquets District-wide to several vendors. (Annual Bid)
65. Recommend awarding Bid #16-040 Charter Bus Services District-wide to several vendors. (Annual Bid)
66. Recommend awarding Bid #16-041 Art Supplies and Equipment District-wide to several vendors. (Annual Bid)
67. Recommend awarding Bid #16-042 Medical Supplies and Equipment District-wide to several vendors and cast lots for items #36, #61 and #62 of said bid. (Annual Bid)
68. Recommend awarding Bid #16-043 Exhaust Hood Suppression System District-wide to EI Fire & Safety Inc., Hidalgo, Texas. (Annual Bid)
69. Recommend awarding Bid #16-074 Roofing Supplies and Materials District-wide to several vendors. (Annual Bid)
70. Recommend awarding Bid #16-075 Oxygen, Acetylene & Welding District-wide to several vendors. (Annual Bid)
71. Recommend awarding Bid #16-076 A/C Control Systems District-wide to several vendors. (Annual Bid)
72. Recommend awarding Bid #16-078 Paving Service Work District-wide to several vendors and cast lots for items #4, #10 and #12 of said bid. (Annual Bid)
73. Recommend awarding Bid #16-079 Roofing Maintenance District-wide to several vendors. (Annual Bid)
74. Recommend awarding Bid #16-080 Glazing Supplies and Materials District-wide to several vendors and cast lots for items #4, #9 and #34 of said bid. (Annual Bid)
75. Recommend awarding Bid #16-082 Copy and Print Paper District-wide to several vendors. (Annual Bid)

XII. Announcement(s):

76. **Audit Committee Meeting** scheduled to be held on Thursday, November 12, 2015, at the Administration Building at 4:00 p.m.

Special Called Board Meeting scheduled to be held on Tuesday, November 17, 2015 at the Administration Building at 4:00 p.m.

Rescheduled Regular Board Meeting scheduled to be held on Tuesday, December 8, 2015, at the Administration Building at 5:30 p.m.

Student Recognition scheduled to be held on Wednesday, December 16, 2015, at Rivera Early High School Gymnasium at 5:00 p.m.

XIII. Adjournment