



Brownsville Independent School District

Board Of Trustees

Rescheduled Regular Board Meeting Tuesday, December 13, 2016

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 **Rescheduled Regular Board Meeting of Tuesday, December 13, 2016**, 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. 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.

VIII. Superintendent's Report

A. Conference Presentations:

1. Open Public Hearing to discuss School FIRST (Financial Integrity Rating System of Texas).
2. Presentation of School FIRST (Financial Integrity Rating System of Texas).

Close Public Hearing

3. Brownsville Independent School District Financial Report for the period ended October 31, 2016.
4. Presentation from committee regarding Facilities Committee Workshop held Thursday, December 8, 2016: (Review of Facilities Master Plan, Update on Culinary Arts Program, Sponsorship Program for future multi-media panel). Notes requested by Philip Cowen, Facilities Committee Chair.
5. Presentation of Board of Trustees training (Credit Hours) required by the State Board of Education.

B. Standing Board Agenda Items:

6. Board Calendars.

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.

IX. Consent Agenda:

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

7. Recommend approval to accept the third and final annual monetary donation of \$55,000.00 from Valley Baptist Health System to be used in the BISD Student Attendance Contest and Superintendent's Golf Scholarships.
8. Recommend approval of the Brownsville Independent School District Internal Audit Plan for calendar year 2017.
9. Recommend approval to authorize administration to accept the Margaret M. Clark Aquatic Center Pool improvements project as substantially complete.
10. Recommend approval of Payment #3 for \$23,580.60 as final payment to Sunbelt Pools, Inc. for Improvement work completed at the Aquatics Center to be paid from Local Fund 197.
11. Recommend approval of Change Order #001 to reduce the Owner/Contractor Agreement with Sunbelt Pools, Inc., Dallas, Texas, for the Margaret M. Clark Aquatic Center Pool Improvements by \$25,000.00. (Credit to the District)
12. Recommend approval to select the Competitive Sealed Proposal delivery method as authorized by the Texas Education Code in accordance with Chapter 2269 of the Government Code for Construction Services, for the Veterans Memorial ECHS Visitors Restroom Facility.

13. Recommend approval to renew annual 2017 TASB membership in the amount of \$11,000.00 and TASB Legal Assistance Fund in the amount of \$500.00 for a grand total of \$11,500.00.
14. Discussion, consideration and action to engage attorney Ivan Perez to investigate and possibly defend administration in pending grievances.

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

15. Recommend approval of Payment #6 for \$34,675.00 as partial payment to Rio Roofing, Inc. for Construction Services work completed on the Roof Replacement at Burns Elementary School to be paid from Local Fund 197.
16. Recommend approval of Payment #10 for \$2,834.46 to Gomez Mendez Saenz for Architectural Service work completed on the Rivera ECHS Athletic Facility to be paid from Fund 197.
17. Recommend approval of Payment #2 for \$16,396.54 as partial payment to ROFA Architects for Architectural Services work completed at the Hanna ECHS Construction Technology Building to be paid from Local Fund 192.
18. Recommend approval of Payment #4 for \$93,257.34 as partial payment to NM Contracting for work completed at the Hanna ECHS Construction Technology Building to be paid from Local Fund 192.
19. Recommend approval of Payment #2 for \$72,303.79 as partial payment to Paragon Sports Constructors, LLC, for work completed on the Porter ECHS Synthetic Soccer Field to be paid from TRE Fund 197.
20. Recommend approval of Payment #2 for \$31,479.20 as partial payment to Ziwa Corporation for Construction Services work completed on the Pace ECHS Fine Arts Building to be paid from TRE Fund 197.
21. Recommend approval of Payment #9 for \$264,721.29 as partial payment to Ziwa Corporation for Construction Services work completed on the Rivera ECHS Athletic Facility to be paid from Local Fund 197.
22. Recommend approval for payment in the amount of \$234.50 to Walsh, Gallegos, Trevino, Russo & Kyle, P.C.
23. Recommend approval for payment in the amount of \$994.50 to Colvin, Chaney, Saenz & Rodriguez, L.L.P.

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

24. Recommend approval of Budget Amendment #016 in the amount of \$22,201.00 for Local Funds. (Reallocation as requested by campuses/departments)

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

25. Recommend approval for the Administration to continue collaborative service agreements with the Gladys Porter Zoo, Brownsville Historical Association, Brownsville Museum of Fine Art and Brownsville Barnstormers Flying Museum in the amount not to exceed \$92,880.00 from budgeted Local Maintenance Funds. (Annual Agreement)

- X. CLOSED MEETING:** 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(s):**
26. Discussion and consideration regarding **Level III Grievance No. 004/16-17** on **Edward Ramos**.
 27. Discussion and consideration regarding **Level III Grievance No. 005/16-17** on **Francisco Galvan**.
 28. Discussion and consideration regarding **Level III Grievance No. 006/16-17** on **Petra Garza-Ramirez**.
 29. Discussion and consideration regarding **Level III Grievance No. 007/16-17** on **Ruben Aynes**.
- B. Consultation with Attorney:**
30. 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):**
31. Presentation of **Retirement(s)/Resignation(s)**.
 32. Recommend approval of **term-chapter 21 contractual personnel** for the 2016-2017 school year – **Principal (OL)**. Subject to receipt of all outstanding documentation.
 33. Recommend approval of **probationary contractual personnel** for the 2016-2017 school year – **Licensed Specialist in School Psychology**. Subject to receipt of all outstanding documentation.
 34. Recommend approval to compensate professional employee (A.L.N.) for a Master’s Degree Salary Credit earned but not paid in the following fiscal school years: 2012-2013, 2013-2014, 2014-2015 and 2015-2016.
 35. Board Self Evaluation.
 36. Discussion and consideration regarding the appointment, employment, evaluation, and duties of the Superintendent.
- D. Consultation with Attorney:**
37. Consultation with attorney regarding confidential and privileged matters.
 - a. Discussion and consideration regarding Audit Report.

(BOARD RECONVENES AFTER CLOSED MEETING)

26. Discussion, consideration and possible action regarding **Level III Grievance No. 004/16-17** on **Edward Ramos**.
27. Discussion, consideration and possible action regarding **Level III Grievance No. 005/16-17** on **Francisco Galvan**.
28. Discussion, consideration and possible action regarding **Level III Grievance No. 006/16-17** on **Petra Garza-Ramirez**.
29. Discussion, consideration and possible action regarding **Level III Grievance No. 007/16-17** on **Ruben Aynes**.
- 30a. 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.
31. Retirements/Resignations.
- C 32-34. Recommend approval on personnel matters discussed in Closed Meeting.
35. Board Self Evaluation.
36. Discussion, consideration and possible action regarding the appointment, employment, evaluation, and duties of the Superintendent.
- 37a. Discussion, consideration and possible action regarding Audit Report.

XI. BOARD MEMBER AGENDA REQUEST(S):

A. Conference Presentation(s):

38. Community update on the recent Texas Department of Agriculture visit with BISD Food Services Department. **(Board Member Request)**
39. Presentation/Report of current counselor to student ratios per campus by funding source. **(Board Member Request)**
40. Presentation/Report of current timelines for Team-Building sessions as well as the current Board Goals and the current Performance Goals of the Superintendent of Schools. **(Board Member Request)**
41. Presentation/Report of Proposed Budget Calendar for 2017-2018; i.e. to include potential dates for workshops for district level staff and the general public. **(Board Member Request)**
42. Presentation/Report of TRE Projects completed, pending, and proposed for the 2016-2017, 2017-2018 and 2018-2019 school years; i.e. to include actual costs and/or proposed costs per project. **(Board Member Request)**
43. Presentation/Report of SHARS reimbursements received by the district for the 2013-2014, 2014-2015, 2015-2016 and 2016-2017 school years; i.e. to include actual amounts retained

by the district and the actual amounts released to the Special Education Department to help fund campus initiatives for our Special Needs students. **(Board Member Request)**

44. Presentation/Report of current efforts to expand educational enrichment opportunities for Pre-K – 5 and ensure access to advanced placement, dual credit and other enriched learning experiences for 6-12 graders; i.e. to include list of organized educational field trips for Pre-K – 12 to IHEs/colleges/career centers. **(Board Member Request)**
45. Presentation/Report of current class sizes at the Pre-K – 5 grade levels and the 6-12 core area subject areas; as of the last six weeks period. **(Board Member Request)**
46. Presentation/Report of central office positions by department and employee category for the 2015-2016 and the 2016-2017 school years. **(Board Member Request)**
47. Report on the Early Employee Resignation Incentive Program Initiative for the 2016-2017 school year. **(Board Member Request)**
48. Presentation/Report regarding hiring process of personnel by the Principals at the campus level; specifically, but not limited to their administrative team. **(Board Member Request)**
49. Presentation of DGBA and FNG (Local) policies. **(Board Member Request)**

B. General Function Item(s):

50. Discussion, consideration and possible action regarding a Board Resolution to set a 300:1 counselor to student ratio for the 2017-2018 school year. **(Board Member Request)**
51. Discussion, consideration and possible action regarding updates/edits to BE (Local); i.e. the process related to board member requests for agenda items. **(Board Member Request)**
52. Discussion, consideration and possible action regarding a Board Resolution to cap classroom sizes at the Pre-K – 5 grade levels at 22:1 and 6-12 core area subject areas at 22:1 beginning the 2017-2018 school year. **(Board Member Request)**
53. Discussion, consideration and possible action regarding a Board directive to conduct a district-wide climate study by a third party company and/or Region One ESC; i.e. to be correlated to the elements of effective school leadership practices. **(Board Member Request)**
54. Discussion, consideration and possible action regarding authorizing the Superintendent and/or the Superintendent's designee to excuse student absences for participation in non-district student activities where a clear correlation between the activity and the educational value to the student is evident to the district, to be effective 2016-2017 school year. At no time should there be a cost to the district for student participation in non-district student activities. **(Board Member Request)**
55. Discussion, consideration and possible action regarding the hiring of a Hearing Officer for all Level III grievances. The Hearing Officer will represent School Board on all Level III grievances effective February 2017. The recommendation includes the school board appointing the Hearing Officer during its January 2017 meeting. **(Board Member Request)**

56. Discussion, consideration and possible action regarding updates and/or changes to DGBA (Local) and FNG (Local) regarding the process for handling grievances. (**Board Member Request**)

XII. Announcement(s):

57. **Next scheduled Board Meeting** of the Board of Trustees is on **Tuesday, January 17, 2017** at the Administration Building at 5:30 p.m.

XIII. Adjournment.