



# Brownsville Independent School District

## Board Of Trustees

**Regular Board Meeting**  
**May 18, 2010**  
**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 May 18, 2010**, 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.
- VII. Superintendent's Report**
  - A. Conference Presentations:**
    1. Recognition of H.E. B. Excellence In Education Award Winners and Regional Finalists.
    2. Presentation on Report from BISD Bond Oversight Committee.
    3. Presentation of Proposed Vehicle Purchases District-wide for the Fiscal Year 2009-2010.
    4. Presentation of Update 86 Local and Miscellaneous Policies.
    5. Presentation of Quarterly Consultant Report July 2009 thru March 2010.

6. Presentation of the Financial Report for March 2010.
7. Notification of Contingency Fund Change Orders.
8. Presentation regarding Living Wage Contracts.
9. Presentation on Food Service budget, and discussion on possible cost-cutting measures including projections on potential revenue enhancers. **(Board Member Request)**
10. Review and discuss board approved agenda item DEC Local (Non-Working Days for 12 month employees) & Reimbursement Upon Death. **(Board Member Request)**
11. Review and Discuss substantial completion for Pace and Porter High School Athletic Projects. **(Board Member Request)**
12. Review and Discuss Middle School and High School Athletic Lifetime Sports Programs, Swimming, Golf and Tennis. **(Board Member Request)**
13. Review and discuss special education student graduation from all 5 High Schools. **(Board Member Request)**

**B. Standing Board Agenda Items:**

14. 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.

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

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

15. Level III Grievance - #010 - 09/10 - Lorenza Mata
16. Level III Grievance - #011 - 09/10 - Rachel Ayala

**(Board Reconvenes After Closed Meeting)**

17. Board action on Level III Grievance - #010-09/10 - Lorenza Mata
18. Board action on Level III Grievance - #011-09/10 - Rachel Ayala

**The Board may deliberate or take action regarding the following agenda items.**

**X. Consent Agenda:**

**A. Recommend approval of the following General Function Items:**

19. Recommend approval for Benavides Elementary School to accept a \$25,000.00 donation from HEB/Excellence in Education, Elementary Principal of The Year initiative.
20. Recommend approval for Besteiro Middle School to accept a \$25,000.00 donation from the HEB/Excellence in Education, Secondary Principal of The Year initiative.
21. Recommend approval for Lucio Middle School to accept a \$15,000.00 donation from Philanthropist Bob Perry.
22. Recommend approval for a student and teacher from Besteiro, Stillman and Cummings Middle Schools to travel in Texas and Out-of-State to participate for the Do the WRITE Thing Summits for the 2009-2010 school year.
23. Recommend approval for fifty students and five sponsors to participate in the National Hispanic Institute-Lorenzo De Zavala Youth Legislative Session, Georgetown, Texas in the amount not to exceed \$52,750.00 from Title I, Part-A Fund 211 for the 2009-2010 academic year. Items and services to be rendered are subject to the District's needs and funding.
24. Recommend approval of Career and Technical Education FCCLA student Nayeli Rodriguez and her sponsor, Nancy Ortiz, Pace High School, to travel to and participate in National Competition held in Chicago, Illinois from July 4<sup>th</sup> through July 8<sup>th</sup>, 2010. Expenditures will be paid from State Career and Technical Education's state funds not to exceed \$6,600.00. Services to be rendered are subject to the district's needs and funding.
25. Recommend approval for one student, Ariel Padilla, and one sponsor, Jack Tegarden from Hanna High School to participate in SkillsUSA National Officer Training in Reston, Virginia from July 22<sup>nd</sup> through July 30<sup>th</sup>, 2010. Career & Technology funding, not to exceed \$4,500.00, will cover all related costs. Services to be rendered are subject to the district's needs and funding.
26. Recommend approval to adopt Update 86 Local and Miscellaneous Policies.
27. Recommend approval to submit a General State Waiver for a teacher to teach Italian at Veterans Memorial High School for 2010-2011 and 2011-2012.

28. Recommend approval to un-designate \$12,068,541.00 from Fund 199 Local Maintenance Fund Balance Breeden Elementary School #144.
29. Recommend to authorize Administration to pay employees for NSF charges resulting from the delay in electronic payroll fund transfers of November 24, 2009.
30. Recommend approval to enter into a Memorandum of Understanding with the Texas Higher Education Coordinating Board (THECB) to participate in the Rio Grande Valley Pathways Initiative for the 2010-2011 and 2011-2012 school years. Services to be rendered and materials to be purchased are subject to the District's needs and funding.
31. Recommend approval of Resolution #022/09-10, enabling the Superintendent of Schools to apply to the Lower Rio Grande Development Council in McAllen, Texas for Grant(s) on behalf of Brownsville ISD. Items to be purchased and services to be rendered are subject to the District's needs and funding.
32. Recommend approval to authorize administration to solicit for Architectural/Engineering design services to construct and equip a New Alternative School, New High School Classroom Wing additions, a New Early College High School, and New Instructional Facilities from the proceeds of one or more series of lease revenue bonds to be designated as Qualified School Construction Bonds to be issued by the Brownsville Independent School District Public Facility Corporation.
33. Recommend approval to submit to the City of Brownsville a letter of commitment for the reimbursement of the construction costs of the traffic signal at Veterans Memorial High School.
34. Recommend changes to the BISD Self Insurance Health Benefits Plan Document as recommended by Mutual Assurance Administrators, the Employee Benefits Committee, the Insurance Consultant and Administration.
35. Consideration and approval of an order by the Board of Trustees of the Brownsville Independent School District authorizing the issuance of "Brownsville Independent School District Unlimited Tax Refunding Bonds, Series 2010"; levying a continuing direct annual ad valorem tax for the payment of the bonds; prescribing the form, terms, conditions, and resolving other matters incident and related to the issuance, sale, and delivery of the bonds, including the approval and distribution of an official statement pertaining thereto; authorizing the execution of a paying agent/registrar agreement, an escrow and trust agreement, and a purchase contract; complying with the letter of representations with the depository trust company; delegating the authority to certain members of the district staff to execute certain documents relating to the sale of the bonds; and providing an effective date.
36. Discussion, consideration and possible action on adopting a new policy regarding Board Member Requests for information from the District. **(Board Member Request)**
37. Review, discuss and possible action on day and timeline for sending in agenda item requests. **(Board Member Request)**

38. Food menu for elementary, middle school and high school. Find out how much food is being thrown away by students; review, discuss and possible action. **(Board Member Request)**
39. Review ADA compliance at the elementary levels, discussion and possible action. **(Board Member Request)**
40. Stars program – How many received accelerated credit and how many credits did they earn in one semester. Review, discuss and possible action. **(Board Member Request)**

**B. Recommend approval of the following Payment:**

41. Recommend that the board approve payment of \$2,611.75 to the law firm of Adams & Graham, L.L.P.
42. Recommend that the board approve payment of \$1,657.00 to the law firm of Jones, Galligan, Key & Lozano, L.L.P.
43. Recommend approval to pay Raba-Kistner Consultants, Inc. \$291.34 and Scoggins Construction Co. Inc., \$426,209.90 for a grand total of \$426,501.24 to be paid from Capital Project Fund 632.
44. Recommend approval to pay Gignac & Associates Architects, L.L.P. \$8,478.85; Raba-Kistner Consultants, Inc. \$3,810.97; VCC, LCC \$329,062.90 for a grand total of \$341,352.72 to be paid from Local Maintenance Fund 199.
45. Recommend approval to pay Gignac and Associates, L.L.P. \$8,951.84; D. Wilson Construction Co. \$542,294.20 for a grand total of \$551,246.04 to be paid from Local Maintenance Fund 199/Qualified School Construction Bond Fund.

**C. Recommend approval of the following Contracts/Agreements:**

46. Recommend approval to contract with Region I Education Service Center, Edinburg, Texas in the amount of \$38,000.00 for substitute training for the 2010-2011 school year.
47. Recommend approval to Re-designate \$200,000.00 from the PBK Architects, Inc. Contract for the Edward Manzano Jr. Middle School and Thomas W. Keller Elementary School Project to the Scoggins Construction Co., Inc. Contract.

**D. Recommend approval of the following Budget Amendments:**

48. Recommend approval of Budget Amendment #099 in the amount of \$17,640.00 for Fund 309 – Federal Cooperative Fund for Adult Continuing Education Center. (Additional Funding)
49. Recommend approval of Budget Amendment #100 in the amount of \$423,391.00 for Fund 212 – ESEA Title I-Part C, Migrant. (Additional Funding)

50. Recommend approval of Budget Amendment #101 in the amount of \$161,689.00 for Fund 263 – Title III, Part A – Language Instruction for Limited English Proficient Program. (Reallocation)
51. Recommend approval of Budget Amendment #102 in the amount of \$248,289.00 for Fund 409 – Mathematics Instructional Coaches Pilot Program, Cycle 3 Grant. (New Funding)
52. Recommend approval of Budget Amendment #103 in the amount of \$2,250.00 for Fund 397 – Texas AP/IB Campus Awards. (Additional Funding)
53. Recommend approval of Budget Amendment #104 in the amount of \$946,800.00 for Fund 261 – Reading First Grant. (Additional Funding)

**E. Recommend approval of the following Bids/Proposals/Purchases:**

54. Recommend to extend Bid #09-133 Asbestos and Mold Abatement Contractor Services District-wide for three months to expire on August 2010 to several vendors.
55. Recommend awarding Bid #10-101 Instructional Curriculum/Parental Involvement / Software, Supplies and Materials District-wide to several vendors. (Annual Bid)
56. Recommend awarding Bid #10-103 Band Instrument Repair Parts and Supplies District-wide to several vendors. (Annual Bid)
57. Recommend awarding Bid #10-104 Chess Materials, Supplies and Software Services District-wide to several vendors. (Annual Bid)
58. Recommend awarding Bid #10-105 Police/Security Uniforms and Accessories District-wide to several vendors. (Annual Bid)
59. Recommend awarding Bid #10-106 Repair Parts for Kitchen Equipment and Walk-In Freezer for Food and Nutrition Services to several vendors. (Annual Bid)
60. Recommend awarding Bid #10-107 Office Equipment and Accessories District-Wide to several vendors. (Annual Bid)
61. Recommend awarding Bid #10-108 Audio Visual Equipment District-wide to several vendors and cast lots for item #5 of said bid. (Annual Bid)
62. Recommend awarding Bid #10-109 Middle School Football Supplies and Materials District-wide to several vendors. (Annual Bid)
63. Recommend awarding Bid #10-110 Middle School Volleyball Supplies and Materials District-wide to several vendors. (Annual Bid)
64. Recommend awarding Bid #10-111 Middle School Boys and Girls Basketball Supplies and Materials District-wide to several vendors. (Annual Bid)
65. Recommend awarding Bid #10-112 High School Volleyball Supplies and Materials District-wide to several vendors. (Annual Bid)

66. Recommend awarding Bid #10-113 High School Football Supplies and Materials District-wide to several vendors. (Annual Bid)
67. Recommend awarding Bid #10-114 High School Boys and Girls Cross Country Supplies and Materials District-wide to several vendors. (Annual Bid)
68. Recommend awarding Bid #10-115 High School Boys and Girls Basketball Supplies and Materials District-wide to several vendors. (Annual Bid)
69. Recommend awarding Bid #10-116 Student Uniforms for Career and Technical Education Programs District-wide to several vendors. (Annual Bid)
70. Recommend awarding Bid #10-119 Food Services Equipment for Middle School # 12 Kitchen to Kitchen Resources, Harlingen, Texas.
71. Recommend awarding Bid #10-123 Construction Supplies and Materials District-wide to several vendors. (Annual Bid)
72. Recommend awarding Bid #10-124 Disposal of Hazardous and Non-Hazardous Waste District-wide to several vendors. (Annual Bid)
73. Recommend awarding Bid #10-125 Fencing Services, Supplies, and Materials District-wide to several vendors. (Annual Bid)
74. Recommend awarding Bid #10-126 Fire Alarms and Sprinkler Services District-wide to several vendors and cast lots for items #2, #3, and #6 of said bid. (Annual Bid)
75. Recommend awarding Bid #10-127 General Construction District-wide to several vendors. (Annual Bid)
76. Recommend awarding Bid #10-128 Intercom Repair Services, Supplies, and Materials District-wide to several vendors. (Annual Bid)
77. Recommend awarding Bid #10-129 Portable Building Relocation and Related Services District-wide to Betancourt Brothers, Brownsville, Texas. (Annual Bid)
78. Recommend awarding Bid #10-130 Preventive Maintenance for Generators District-wide. (Annual Bid)
79. Recommend awarding Bid #10-131 Roofing Maintenance District-wide to several vendors. (Annual Bid)
80. Recommend awarding Bid #10-132 Painting Supplies and Services District-wide to several vendors. (Annual Bid)
81. Recommend awarding Bid #10-133 Annual Network Cabling Installation and Repair District-wide to Pathway Solutions, Brownsville, Texas. (Annual Bid)

82. Recommend awarding RFP #10-102 to provide Supplemental Dyslexia, Writing, Mathematics, Middle School and High School subject, Test Preparation and Homework Support for Private Schools (Federally Funded) to several vendors. (Annual Proposal)
83. Recommend awarding RFP #10-117 for Consultant/Presenter Services/Training District-wide to several vendors. (Annual Proposal)
84. Recommend awarding RFP #10-120 Marching Band Show Writing Services for High Schools District-wide to several vendors. (Annual Proposal)
85. Recommend awarding RFP #10-121 for Lopez High School-New Greenhouse Project to Solid Structures, Inc. from Brownsville, Texas. (One Time Bid)
86. Recommend awarding RFP #10-134 for Electricity Supply and Related Services to the Brownsville Public Utility Board, Brownsville, Texas for the Central Warehouse, Records, and Maintenance Complex.
87. Recommend awarding RFQ #10-135 for a Texas Consulting Firm to provide Indoor Air Quality Sample Collection Analysis and Reporting Services for Asbestos Abatement Services to ACI Environmental Consultants, Harlingen, Texas. (Annual RFQ)
88. Recommend awarding RFP #10-138 Errors and Omissions Insurance to Cavazos Insurance Agency/ACE Westchester Fire Insurance Company (ACE Scholastic Advantage Educators Legal Liability), Brownsville, Texas with an option to renew for two additional one year terms. (Annual Proposal)
89. Recommend awarding RFP #10-139 Student and Athletic Insurance to Alamo Insurance Group of San Antonio, Texas with an option to renew for two additional one year terms. (Annual Proposal)
90. Recommend awarding RFQ #10-140 Insurance Consultant for the BISD Medical Health Plan, TPA, Stop - Loss & Life Insurance to Alamo Insurance Group of San Antonio, Texas with an option to renew for two additional one year terms with an increase of 15% per term. (Annual Request for Qualification)

**XI. CLOSED MEETING:** as pursuant to the Texas Government Code Section: 551.071, 551.072, 551.074, 551.076 (1) and (2), 551.082, and 551.084.

**A. PERSONNEL MATTERS:**

91. **Presentation of Retirements/Resignations.**
92. Recommend approval of **probationary contractual personnel** for the 2009-2010 school year and the 2010-2011 school year – **Teacher**. Subject to receipt of all outstanding documentation.
93. Recommend approval of **probationary contractual personnel** for the 2010-2011 school year – **Teachers**. Subject to receipt of all outstanding documentation.
94. Recommend approval of **term – chapter 21 contractual personnel** for the 2009-2010 school year and the 2010-2011 school year - **Offensive Coordinator**. Subject to receipt of all outstanding documentation.

- 95. Recommend approval of **probationary contractual personnel** for the 2009-2010 school year and the 2010-2011 school year - **Offensive Coordinators**. Subject to receipt of all outstanding documentation.
- 96. Recommend approval of **term – chapter 21 contractual personnel** for the 2009-2010 school year and the 2010-2011 school year - **Defensive Coordinator**. Subject to receipt of all outstanding documentation
- 97. Recommend approval of **term – chapter 21 contractual personnel** for the 2009-2010 school year and the 2010-2011 school year – **Administrator – Certified Personnel Department**. Subject to receipt of all outstanding documentation.

**B. Consultation with Attorney:**

- 98. Consultation with attorney regarding pending or threatened litigation matters.
  - a. TEA Docket No.: 110-LH-0510; Brownsville Independent School District vs. Art Rendon; Before an Independent Hearing Examiner, Texas Education Agency.
  - b. Discussion and consideration – William Deen; TWCCRD Charge No.: 1A20298; EEOC Complaint No.: 31C-2010-00396.
  - c. Review and discuss the April 29, 2010 Quarterly Internal Audit Report and Findings and Possible Board Action. **(Board Member Request)**
  - d. Review and discuss security at the 5 high schools; possible action. **(Board Member Request)**

**C. Real Property:**

- 99. Discussion of possible acquisition or sale of Real Property.  
**(BOARD RECONVENES AFTER CLOSED MEETING)**

A92 - 97. Recommend approval on personnel matters discussed in Closed Meeting.

B98. Recommend approval on litigation matters discussed in Closed Meeting.

- a. TEA Docket No.: 110-LH-0510; Brownsville Independent School District vs. Art Rendon; Before an Independent Hearing Examiner, Texas Education Agency.
- b. Discussion, consideration and possible action – William Deen; TWCCRD Charge No.: 1A20298; EEOC Complaint No.: 31C-2010-00396.
- c. Review and discuss the April 29, 2010 Quarterly Internal Audit Report and Findings and Possible Board Action. **(Board Member Request)**
- d. Review and discuss security at the 5 high schools; possible action. **(Board Member Request)**

C99. Recommend approval of acquisition or sale of Real Property discussed in Closed Meeting.

**XII. Announcement(s):**

100. **Next scheduled Board Meeting** of the Board of Trustees is on **Tuesday, June 1, 2010**, at the Administration Building at 5:30 p.m.

**XIII. Adjournment:**