



Brownsville Independent School District

Board Of Trustees

Regular Board Meeting
July 20, 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 July 20, 2010**, with any corrections/deletions.
- VI.** Recommend approving the **minutes** of the **Regular Board Meeting of April 20, 2010**, with any corrections.
- VII.** Recommend approving the **minutes** of the **Regular Board Meeting of May 4, 2010**, with any corrections.
- VIII.** Recommend approving the **minutes** of the **Regular Board Meeting of May 18, 2010**, with any corrections.
- IX.** Recommend approving the **minutes** of the **Special Called Board Meeting of May 25, 2010**, with any corrections.
- X.** Recommend approving the **minutes** of the **Regular Board Meeting of June 1, 2010**, with any corrections.
- XI.** Recommend approving the **minutes** of the **Regular Board Meeting of June 15, 2010**, with any corrections.
- XII.** Recommend approving the **minutes** of the **Special Called Board Meeting of June 28, 2010**, with any corrections.

XIII. 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.

XIV. Superintendent's Report

A. Conference Presentations:

1. Presentation on Response to Intervention (RtI).
2. Presentation of Notification of Contingency Fund Change Orders.
3. Presentation of the Brownsville Independent School District Financial Report for the period ended May 31, 2010.

B. Standing Board Agenda Items:

4. Board Calendars.

XV. 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.

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

A. Level III Board Review and Grievance:

5. Level III Grievance #001/10-11 – Oliva Lamb

(Board Reconvenes After Closed Meeting)

6. Board Action on Level III Grievance – 001/10-11 – Oliva Lamb

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

XVII. Consent Agenda:

A. Recommend approval of the following General Function Items:

7. Recommendation to approve the Texas Education Agency waiver application for Summer School Bilingual K and First Grade program for the missed instructional day on June 30, 2010 for the 2009-2010 school year due to Hurricane Alex.

8. Recommend approval to compensate at their regular rate of pay all BISD employees who were scheduled to work June 30, 2010 through July 2, 2010 but were not able to due to Hurricane Alex and to compensate those designated employees who were asked to work during the district closure at an hour-for-hour rate.
9. Recommend approval to compensate full-time classroom teachers, librarians, speech pathologists, school nurses, and counselors in compliance with the Attorney General's opinion for the 2010-2011 school year and to approve the revision of the 2010-2011 Teacher Base Salary Schedule (page 6) of the 2010-2011 Employee Compensation Plan.
10. Recommend approval to purchase district annual license for Eduphoria! from Region One Education Service Center, Edinburg, Texas. Services to be rendered for the 2010-2011 school year.
11. Recommend approval to adopt the Student Code of Conduct for 2010-2011 school year. (CD)
12. Recommend approval to renew NSBA's National Affiliate Membership for Council of Urban Boards of Education in the amount not to exceed \$13,750.00 from Local Maintenance Budgeted Funds.
13. Recommend approval to authorize administration to accept the Thomas W. Keller Elementary School (#143) (Exterior Only) as substantially complete.
14. Recommend approval to authorize administration to accept the Transportation Department Parking Lot Project as substantially complete.
15. Recommend approval to accept the Veterans Memorial High School (#6) (Stadium, Concession Stand, and Practice Fields) as substantially complete.
16. Recommend approval to authorize administration to solicit for architectural/engineering design services for the Science Laboratories/Classrooms at Hanna, Lopez, Rivera High Schools and Cameron County Juvenile Justice Alternative Education Program High School.

B. Recommend approval of the following Payment:

17. Recommend approval to pay Gignac and Associates, LLP \$4,112.73; Raba-Kistner Consultants, Inc. \$1,209.39; and D. Wilson Construction Co. \$291,919.63 for a grand total of \$297,241.75 to be paid from Local Maintenance Fund 199/Qualified School Construction Bond Fund.
18. Recommend approval to pay ACR Engineering, Inc. \$1,910.68; Ambiotec Civil Engineering Group, Inc. \$3,995.00; Gignac Associates Architects, Inc. \$11,337.17; CAS Companies, LLP \$51,320.04; Pederson Construction Co., Inc. \$55,517.85; Raba-Kistner Consultants, Inc. \$6,819.43; Roth Construction, Inc. \$32,110.00; Terracon Consultants, Inc. \$824.00; Texas Descon, LP \$40,575.00; VCC, L.P. \$971,009.25; ZIWA Corporation \$31,650.63 for a grand total of \$1,207,069.05 to be paid from Local Maintenance Fund 199.
19. Recommend approval to pay JDS Construction Co., Inc. \$53,632.25; PHI Service Agency, Inc. \$9,298.60; Scoggins Construction Co., Inc. \$488,757.90; Terracon Consultants, Inc. \$12,126.00 for a grand total of \$563,814.75 to be paid from Capital Project Fund 631, 632, and 634.

20. Recommend that the Board approve payment of \$4,966.63 to Roberto M. Garcia, Certified Hearing Examiner.
21. Recommend approval to pay Gomez, Mendez, Saenz, Inc. an additional \$250,000.00 to compensate for the increased cost of Veterans Memorial High School from the original estimated cost of \$45,000,000.00 from the 2006 Bond Proceeds Fund 633.
22. Recommend that the Board approve payment of \$5,482.50 to Mark Frazier, Certified Hearing Examiner.

C. Recommend approval of the following Budget Amendments:

23. Recommend approval of Budget Amendment #001 in the amount of \$326,307.00 for Fund 211 – ESEA Title I – Regular. (Additional Funding)
24. Recommend approval of Budget Amendment #002 in the amount of \$71,814.00 for Fund 255 – ESEA Title II, Part A-Teacher and Principal Training Recruiting Fund. (Additional Funding)
25. Recommend approval of Budget Amendment #003 in the amount of \$11,151.00 for Fund 279 American Recovery and Reinvestment Act (ARRA) Title II, Part D, Enhancing Education through Technology. (Additional Funding)
26. Recommend approval of Budget Amendment #004 in the amount of \$199,889.00 for Fund 285 – American Recovery and Reinvestment Act (ARRA) Title I Part A. (Additional Funding)
27. Recommend approval of Budget Amendment #005 in the amount of \$3,121,147.00 for Fund 199 – Local Maintenance Fund for Veterans Memorial High School start up funds. (Local Maintenance Reserved Fund Balance)
28. Recommend approval of Budget Amendment #006 in the amount of \$322,832.00 for Fund 199 – Local Maintenance Fund for Manzano Middle School start up funds. (Local Maintenance Reserved Fund Balance)
29. Recommend approval of Budget Amendment #007 – in the amount of \$107,132.00 for Fund 497 – The Texas High School Project Fund of Communities Foundation of Texas. (New Funding)
30. Recommend approval of Budget Amendment #008 in the amount of \$4,652,000.00 for Fund 429 – Other State Funded Programs. (Carryover Funding)
31. Recommend approval of Budget Amendment #009 in the amount of \$131,372.00 for Fund 204 – Safe and Drug Free Schools. (Carryover Funding)
32. Recommend approval of Budget Amendment #010 in the amount of \$1,750,560.00 for Fund 255 – Title II Part A: Teacher & Principal Training & Recruitment (TPTR). (Carryover Funding)

33. Recommend approval of Budget Amendment #011 in the amount of \$86,896.00 for Fund 262 – Title II Part D: Enhancing Education Through Technology. (Carryover Funding)
34. Recommend approval of Budget Amendment #012 in the amount of \$129,034.00 for Fund 263 – Title III Part A: Limited English Proficiency (LEP). (Carryover Funding)
35. Recommend approval of Budget Amendment #013 in the amount of \$4,931,224.00 for Fund 266 – ARRA: Title XIV (SFSF). (Carryover Funding)
36. Recommend approval of Budget Amendment #014 in the amount of \$457,410.00 for Fund 409 – TX HS 9th Grade/Intensive Summer School Program/Mathematics Instructional Coaches. (Carryover Funding)
37. Recommend approval of Budget Amendment #015 in the amount of \$254,697.00 for Fund 401 – Optional Extended Year Program. (Carryover Funding)
38. Recommend approval of Budget Amendment #016 in the amount of \$331,397.00 for Fund 404 – Student Success Initiative Grant. (Carryover Funding)
39. Recommend approval of Budget Amendment #017 in the amount of \$1,838.00 for Fund 427 – I SEE YOU Grant. (Carryover Funding)
40. Recommend approval of Budget Amendment #018 in the amount of \$13,774.00 for Fund 394 – Life Skills Grant for Student Parents. (Carryover Funding)
41. Recommend approval of Budget Amendment #019 in the amount of \$439,717.00 for Fund 212 – Title I Part C: Migrant Education. (Carryover Funding)
42. Recommend approval of Budget Amendment #020 in the amount of \$199,304.00 for Fund 216 – Title I-SIP. (Carryover Funding)
43. Recommend approval of Budget Amendment #021 in the amount of \$402,985.00 for Fund 276 – SPA Academy. (Carryover Funding)
44. Recommend approval of Budget Amendment #022 in the amount of \$570,213.00 for Fund 279 – Title II Part D: Technology (ARRA). Carryover Funding
45. Recommend approval of Budget Amendment #023 in the amount of \$109,200.00 for Fund 265 – 21st Century Grant Program. (Carryover Funding)
46. Recommend approval of Budget Amendment #024 in the amount of \$145,655.00 for Fund 285 – SIP ARRA. (Carryover Funding)
47. Recommend approval of Budget Amendment #025 in the amount of \$5,803,488.00 for Fund 199 – Local Maintenance Fund for designated construction/renovation projects. (Local Maintenance Reserved Fund Balance)
48. Recommend approval of Budget Amendment #026 in the amount of \$372,710.00 for Fund 631 – Capital Projects 2006 Bond Proceeds Proposition 1. (Capital Project 2006 Bond Proceeds Proposition 1 Reserved Fund Balance)

49. Recommend approval of Budget Amendment #027 in the amount of \$186,075.00 for Fund 632 – Capital Projects 2006 Bond Proceeds Proposition 2. (Capital Projects 2006 Bond Proceeds Proposition 2 Reserved Fund Balance)
50. Recommend approval of Budget Amendment #028 in the amount of \$781,423.00 for Fund 633 – Capital Projects 2006 Bond Proceeds Proposition 3. (Capital Projects 2006 Bond Proceeds Proposition 3 Reserved Fund Balance)
51. Recommend approval of Budget Amendment #029 in the amount of \$849,948.00 for Fund 634 – Capital Projects 2006 Bond Proceeds Proposition 4. (Capital Projects 2006 Bond Proceeds Proposition 4 Reserved Fund Balance).
52. Recommend approval of Budget Amendment #030 in the amount of \$290,713.00 for Fund 497 – TX HS PROJECT. (Carryover Funding)

D. Recommend approval of the following Contracts/Agreements:

53. Recommend approval of Change Order #6 to amend the Owner/Contractor agreement with Texas Descon, L.P., McAllen, Texas, for the Raquel Pena Elementary School.
54. Recommend approval to enter into an agreement with the City of Brownsville, Texas, to grant a Storm Sewer Easement as described on the attached document.
55. Recommend approval of the Memorandum of Understanding between the City of Brownsville and the Brownsville Independent School District for the donation of a portable building.
56. Recommend approval of the Memorandum of Understanding between the City of Brownsville and the Brownsville Independent School District Police Department for the use of 800 MHz Public Safety Radio System (MOU will expire in 5 years).
57. Recommend approval to enter into Inter-Local Cooperation Agreement and Memorandum of Understanding between the County Juvenile Board for Cameron County Juvenile Justice Alternative Education Program and the Brownsville Independent School District for the 2010-2011 school year.

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

58. Recommend awarding RFP #10-136 for Behavior Management Program District-wide to Psychological Software Solutions, Inc. from Houston, Texas. (Annual Proposal).
59. Discussion, consideration, and possible action regarding RFP #10-137 Chess Program Documentary Film.

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

A. PERSONNEL MATTERS:

60. Presentation of **Retirements/Resignations.**

61. Recommend approval of **probationary contractual personnel** for the 2010-2011 school year – **Teachers**. Subject to receipt of all outstanding documentation.
62. Recommend approval of **non-chapter 21 contractual personnel** for the 2010-2011 school year – **Teacher**. Subject to receipt of all outstanding documentation.
63. Recommend approval of **probationary contractual personnel** for the 2010-2011 school year – **Assistant Band Directors**. Subject to receipt of all outstanding documentation.
64. Recommend approval of **probationary contractual personnel** for the 2010-2011 school year – **Choir Director**. Subject to receipt of all outstanding documentation.
65. Recommend approval of **probationary contractual personnel** for the 2010-2011 school year – **Counselor**. Subject to receipt of all outstanding documentation.
66. Recommend approval of **probationary contractual personnel** for the 2010-2011 school year – **Defensive Coordinator**. Subject to receipt of all outstanding documentation.
67. Recommend approval of **term-chapter 21 contractual personnel** for the 2010-2011 school year – **Assistant Principal**. Subject to receipt of all outstanding documentation.
68. Recommend approval of **term-chapter 21 contractual personnel** for the 2010-2011 school year – **Counselor**. Subject to receipt of all outstanding documentation.
69. Recommend approval of **term-chapter 21 contractual personnel** for the 2010-2011 school year – **Librarian**. Subject to receipt of all outstanding documentation.
70. Recommend approval to adjust the 2010-2011 annual salary of four professional employees that have been administratively reassigned.
71. Recommend to approve the proposed discharge of a probationary contract employee, 2010-2011, for good cause. (E.Q.)

B. Consultation with Attorney:

72. Consultation with attorney regarding pending or threatened litigation matters.

C. Real Property:

73. Discussion of possible acquisition or sale of Real Property.

(BOARD RECONVENES AFTER CLOSED MEETING)

A61–71. Recommend approval on personnel matters discussed in Closed Meeting.

B72. Recommend approval on litigation matters discussed in Closed Meeting.

C73. Recommend approval of acquisition or sale of Real Property discussed in Closed Meeting.

XIX. Announcement(s):

74. **Next scheduled Board Meeting** of the Board of Trustees is on **August 3, 2010**, at the Administration Building at 5:30 p.m.

XX. Adjournment: