



Brownsville Independent School District

Board Of Trustees

Regular Board Meeting
October 6, 2009
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 October 6, 2009**, with any corrections/deletions.
- VI.** Recommend approving the **minutes** of the **Regular Board Meeting of August 18, 2009**, with any corrections.
- VII.** Recommend approving the **Consent Agenda**.
- VIII. Superintendent's Report**
 - A. Conference Presentations:**
 1. Recognition of 2009 BISD Exemplary/Recognized Elementary Campuses.
 2. Presentation of BISD Preparedness for H1N1 Virus.
 3. Presentation on Texas Pre-Engineering Program (TexPREP) Presentation.
 4. Presentation of Notification of Contingency Fund Change Orders.
 5. Rezoning Plan for 2010-2011 and update of Veterans Memorial High School.

6. Discussion and possible recommendation to review population of the neighborhoods within the Dana property for the new elementary school Breedon. **(Board Member Request)**
7. Discussion and possible recommendation to review the site of 20 acres on Dana Road which was purchased for future population growth and the building of a Middle School and not an Elementary School. **(Board Member Request)**
8. Discussion with Administration regarding the possibilities of the implementation of an FDIC High School Course for Juniors and Seniors as an elective course for the 2010-2011 school year. **(Board Member Request)**
9. Discussion and consideration on changing Board Policy BE (LOCAL) regarding scheduling of Regular Board meeting from first and third Tuesday of the month to one Regularly Scheduled Board meeting and one Board workshop per month. **(Board Member Request)**

B. Standing Board Agenda Items:

10. Board Calendars.

IX. 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.

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

A. Public Comment:

11. Parent Complaint #002/09-10 – Thomas and Rosalinda Garza

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

A. Level III Board Review:

12. Level III Parent Complaint #001/09-10 – Robert and Kim Lee

(Board Reconvenes After Closed Meeting)

13. Board action on Level III Parent Complaint #001/09-10 - Robert and Kim Lee
The Board may deliberate or take action regarding the following agenda items.

XII. General Function:

A. Recommend approval of the following General Function Items:

14. Recommend approval of additional qualified administrators as Professional Development and Appraisal System (PDAS) Appraisers for the 2009-2010 school year.
15. Recommend approval of the 2009-2010 Reading/Literature K-12 District Textbook SELECTION Committee Members.
16. Recommend approval to rescind 9/15/09 School Board action to pay Valley Speech, Language, and Learning for supplies and materials.
17. Recommend approval to purchase training services and materials from Valley Speech, Language and Learning Center, Brownsville, TX. from budgeted categorical and local funds in the amount not to exceed \$55,000 for the 2009-2010 school year. Services to be rendered and materials to be purchased are subject to the District's needs and funding. (Sole Source)
18. Recommend approval to purchase instructional materials from Drama Education Network, Culver City, CA in the amount of \$43,280.00 for the 2009-2010 school year from budgeted categorical funds. Items to be purchased are subject to the District's needs and funding. (Sole Source)
19. Recommend approval to purchase instructional materials from Arts Attack Publications, Del Mar, CA in the amount of \$58,800.00 for the 2009-2010 school year from budgeted categorical funds. Item to be purchased are subject to the District's needs and funding. (Sole Source)
20. Recommend approval to submit the Class Size Waiver petition to the Texas Education Agency for grades K through 4th for the Fall semester of the 2009-2010 school year.
21. Recommend approval to provide one (1) BISD school bus for the University of Texas at Brownsville and Texas Southmost College for an October conference being held in cooperation with Mexican Universities. The bus is needed to transport 50 visitors from the hotel to the University and back for a period of four days October 20-23, 2009. Charge per bus includes \$3.15 per mile for fuel cost plus the cost for the bus drivers for an estimated cost of \$1,425.00.
22. Recommend approval of Change Order #012 to amend the Owner/Contractor agreement with American Contracting USA, Inc. Combes, Texas, for the Re-roofing Project at Hanna High School, Faulk and Stell Middle Schools, and El Jardin Elementary School.
23. Recommend approval to authorize administration to accept Raquel Pena Elementary School (#141) as substantially complete.
24. Discussion, consideration and possible action – forwarding the findings of fact by Hearing Examiner Victoria Guerra to Rita Chase with TEA, along with any other information that she may need. **(Board Member Request)**

25. Discuss and review all Legal Fees from all Law Firms paid from September 2008 through October 1, 2009. Take possible action and recommendation to this matter. **(Board Member Request)**
26. Discussion, consideration and possible action on District's lead auditor's recommended action to address her concern of invoices paid by Special Services with no documentation to account for services rendered. **(Board Member Request)**

B. Recommend approval of the following Payment:

27. Recommend approval to increase the Teach for America Memorandum of Understanding for 2009-2010 in the amount of \$38,000.00 (\$19,500.00 previously approved). Services to be rendered subject to the District's needs and funding.
28. Recommend that the Board approve payment of \$8,811.07 to Victoria Guerra, Certified Hearing Examiner.
29. Recommend approval to pay Gignac and Associates Architects, LLP \$150,492.72; Gomez Mendez Saenz, Inc. \$308.48; PBK Architects, Inc. \$12,471.90; Rike Ogden Figueroa Alex, Inc. \$105,831.99; W. Murray Thompson Construction Co., Inc. \$37,197.55 for a grand total of \$306,302.64 to be paid from Local Maintenance Fund 199.
30. Recommend approval to pay ACR Engineering, Inc. \$1,575.00; Amtech Building Sciences, Inc. \$4,905.00; Gignac and Associates, LLP \$3,793.54; PBK Architects, Inc. \$6,800.00; Raba-Kistner Consultants, Inc. \$7,595.61; Stanford Knowles Architect & Planner, Inc. \$1,394.25; Terracon Consultants, Inc. \$16,843.50; American Contracting, USA \$71,568.40; JDS Construction Co., Inc. \$246,538.30 for a grand total of \$361,013.60 to be paid from Capital Project Funds 631, 632, 633 and 634.
31. Recommend approval to pay for Mexican American School Board Members Association Membership in the amount not to exceed \$1,000.00 from Local Maintenance Budgeted Funds.

C. Recommend approval of Budget Amendments:

32. Recommend approval of Budget Amendment #058 in the amount of \$57,405.00 for Fund 280 – McKinney – Vento Homeless Education. (New Funding)
33. Recommend approval of Budget Amendment #059 in the amount of \$371,850.00 for Fund 164 – State Career and Technical Education. (Reallocation)

D. Recommend approval of the following Contracts/Agreements:

34. Recommend approval to enter into contractual agreement with Communities in Schools, Cameron County Inc., Brownsville, Texas, for Case Management Services for students at Southmost Elementary, Besteiro Middle School, Migrant Students at each of the BISD Middle Schools and for all students at each of the BISD High Schools for the 2009-2010 school year in the amount not to exceed \$236,500.00 from categorical funds. Services to be rendered subject to the District's needs and funding.
35. Recommend approval of a Memorandum of Understanding with the University of Texas System (UTS) in the amount of \$233,000.00 from Reading First Capacity Building Project categorical funds for the 2009-2010 school year. Services are to be rendered subject to the District's needs and funding.

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

36. Recommend approval to accept the negotiated fee for RFQ #09-066 Civil Engineering Services for Ambiotec Civil Engineering Group, for the re-plat for Daniel Breeden Elementary School in the amount not to exceed \$39,063.00, to be paid from Local Maintenance Fund 199.

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

A. PERSONNEL MATTERS:

37. Presentation of **Resignations**.
38. Recommend approval of **probationary contractual personnel** for the 2009-2010 school year – **Teachers**. Subject to receipt of all outstanding documentation.
39. Recommend approval of **probationary contractual personnel** for the 2009-2010 school year – **Athletic Trainer**. Subject to receipt of all outstanding documentation.
40. Recommend approval of **probationary contractual personnel** for the 2009-2010 school year – **Choir Director**. Subject to receipt of all outstanding documentation.
41. Recommend approval of **probationary contractual personnel** for the 2009-2010 school year – **Counselors**. Subject to receipt of all outstanding documentation.
42. Recommend approval of **probationary contractual professional personnel** for the 2009-2010 school year – **Curriculum Specialist – Language Arts PK-12**. Subject to receipt of all outstanding documentation.
43. Recommend approval of **probationary contractual personnel** for the 2009-2010 school year – **Nurses**. Subject to receipt of all outstanding documentation.
44. Recommend approval of **probationary contractual personnel** for the 2009-2010 school year – **Specialist – School Psychology (Intern)**. Subject to receipt of all outstanding documentation.
45. Recommend approval of **term non-chapter 21 contractual personnel** for the 2009-2010 school year – **Administrator for Certified Personnel Department**. Subject to receipt of all outstanding documentation.
46. Recommend approval of **term chapter 21 contractual professional personnel** for the 2009-2010 school year – **Assistant Principal**. Subject to receipt of all outstanding documentation.
47. Recommend approval of **term chapter 21 contractual professional personnel** for the 2009-2010 school year – **Assistant Speech Language Pathologists**. Subject to receipt of all outstanding documentation.
48. Recommend approval of **term chapter 21 contractual professional personnel** for the 2009-2010 school year – **Curriculum Specialist – Early Childhood**. Subject to receipt of all outstanding documentation.

49. Recommend approval for compensation to classified staff F.M. (3.5 hrs.), E.V. (1 hr.), D.H. (8 hrs.), R.R. (56.5 hrs.), L.V. (8 hrs.), S.S. (65 hrs.), and B.O. (45.5 hrs) for work performed during June-July, 2009 for a total of \$3,431.93.
50. Recommend approval to pay a professional employee (R.F.) salary that was earned and not paid for Fiscal Year 2008-2009.
51. Recommend to void the 2009-2010 term contract and terminate an employee due to failure to maintain proper certification. (M.G.)
52. Discussion, consideration and possible action regarding Board options pertaining to the selection of a Superintendent. **(Board Member Request)**

B. Consultation with Attorney/Lead Internal Auditor:

53. Consultation with attorney regarding pending or threatened litigation matters.
54. Consultation with Lead Internal Auditor and Attorney.
 - a. Special Services invoices found paid without sufficient documentation to account for services rendered from various vendors.
 - b. Aquatic Center Accountability of funds.

C. Real Property:

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

(BOARD RECONVENES AFTER CLOSED MEETING)

- A38-52. Recommend approval on personnel matters discussed in Closed Meeting.
- B53. Recommend approval on litigation matters discussed in Closed Meeting.
- B54 a-b. Recommend approval on consultation with Lead Internal Auditor discussed in Closed Meeting.
- C55. Recommend approval of acquisition or sale of Real Property discussed in Closed Meeting.

XIV. Announcement(s):

56. **Next scheduled Board Meeting** of the Board of Trustees is on **Tuesday, October 20, 2009**, at the Administration Building at 5:30 p.m.

XV. Adjournment.