



UNITED INDEPENDENT SCHOOL DISTRICT AGENDA ACTION ITEM

TOPIC Board Minutes

SUBMITTED BY: Delia C. Campos **OF:** Board Secretary

APPROVED FOR TRANSMITTAL TO SCHOOL BOARD: September 20, 2011

RECOMMENDATION:

It is recommended that the United ISD Board of Trustees take action to approve Board Meeting minutes:

Budget Workshop – July 27, 2011
Public Hearing – August 17, 2011
Regular Board Meeting – August 17, 2011

RATIONALE:

State law requires the Board to prepare and keep minutes of its open meeting. Govt. Code §551.021. The minutes are public records available for public inspection and copying upon request to the Superintendent or his designee. Govt. Code § 551.022.

BUDGETARY INFORMATION:

No Budget Impact

BOARD POLICY REFERENCE AND COMPLIANCE:

This is in compliance and in accordance with Board Policy BE and BE (LOCAL).

Budget Workshop
The State of Texas
United Independent School District
The County of Webb

July 27, 2011

In Attendance

Roberto J. Santos, Superintendent of Schools

Board of Trustees

Judd Gilpin – President
Juan Roberto Ramirez – Vice President - **ABSENT**
Ricardo "Rick" Rodriguez – Secretary
Ricardo Molina, Sr. – Parliamentarian
Pat Campos – Member
Javier Montemayor – Member
Juan Molina – Member

A Budget Workshop of the Board of Trustees of United I.S.D. was held on Wednesday, July 27, 2011, beginning at 6:00 p.m. in the United ISD – Bill Johnson Student Activity Complex, Fine Arts Building, Room #2, 5208 Santa Claudia Lane, Laredo, TX 78043.

I. Roll Call, Establish Quorum, Call to Order

II. An announcement was made by the Board President, Judd Gilpin, calling the meeting of the United Independent School District to order at 6:20 p.m. The record showed that a quorum of Board members was present, that the meeting had been duly called, and that notice of the meeting had been posted in accordance with the Texas Open Meeting Act, Texas Government Code Chapter 551.

III. Budget Workshop

A. Legislative Update (Moak, Casey and Associates)

Mr. Santos introduced Mr. Lynn Moak to give an overview of what happened at the end of the Legislative Session and to give an outlook for the district for 2011-12 and also for 2013, and 2014.

Mr. Moak addressed the board and touched on some of the issues covered in the legislative session. He stated the number one issue in the session was the budget. The session started with a \$12 billion dollar cut and ended up being half of that, which is about \$5 billion in overall funding reduction. He stated Health and Human Services program took a 12% cut and for the Medicaid Program, the legislature appropriated money for 19 months out of 24 and stopped funding it as of May 2013. To finish that program next session, the legislature would need to appropriate almost \$5 billion just to make the Medicaid program hold for the rest of the biennium. Higher Education took a 10% cut, Public Safety a 6% cut, and other areas of state government about a 15% cut.

He stated that for the first time in 60 years, legislature failed to finance current law. They cut the foundation program by \$4 billion which is \$2 billion each year and they cut the special program financing by \$1.3 billion for a \$5.3 billion decrease after taking into account the enrollment growth and property value decline and some other technical factors.

He also mentioned that among the programs that were cut were the Technology allotment which provided \$271 million to public schools, the Pre-Kindergarten Grant Program, the Student Success Initiative, the DATE Program and the Equipment Financing Program which provided new school districts, growing school districts with additional money for equipment. He mentioned Texas Education Agency started with 1063 employees and by the end of next month they will be down about 325 employees as a result of legislative action and reductions undertaken by the commissioner.

In the first year of the biennium 2011-12, most cuts are going to come in the regular program with few changes to the other elements. Overall most districts are going to get about a 5.6% cut in overall funding. In the second year of the biennium, the pattern of cuts changes, emphasizing cutting districts that are doing a little better than others. There will be an average cut of 5.4% but many districts will receive far less than that while others will receive more. United ISD has an additional \$5 million cut coming in the 2012-13 year and beyond that it depends on what the legislature is going to do in the future.

Mr. Moak stated that SB1 and SB2 were the major products of the legislative session. But there are two other bills that are worth looking at in more detail. Senate Bill 6 which creates a new instructional materials allotment to replace the state's traditional textbook program. This should allow districts more flexibility in the selection of instructional materials. It will also provide a basis for having some money available to continue to invest in technology from the state even though the state's technology allotment was temporarily not funded. Senate Bill 8 provides flexibility in a number of personnel matters including setting salaries and reduces the 45 day notice period for non-renewal to 10 days. It provides the district the authority which it does not have now to reduce salaries either thru furloughs or thru actual salary reductions. In the area of accountability, the legislature considered, but did not pass, a significant delay in the new accountability in assessment standards that are going into place next spring. Students will be taking a new test under a new testing program that is expected to be significantly harder and will have a large impact both on the individual students, especially at the high school, as well as the accountability system. School districts are going to be in a position to have to respond to the comptroller's office efficiency studies as we look in the future. There will be interim studies on the public school finance and a number of other issues including the teacher retirement system and compensation patterns for school districts that will be taking place this year also. Although the legislature finally passed an appropriations bill and managed to fund it with a number of temporary mechanisms and non-recurring mechanisms, they did not solve the fundamental financial problems of the state. That fundamental financial problem arises from what happened in 2006. At that time the legislature ordered a reduction in property taxes across the state. The cost of that reduction was \$7 billion. The current level of the new state taxes that were passed to finance that reduction is 2 ½ billion dollars and so we have a 4 ½ billion dollar gap between the cost of the tax reduction that the state ordered and the new revenues available from the state. As long as that situation exists we are going to see continued pressure on the school finance system going into 2013. To finance shortfall, they moved the august payment to September, they delayed some tax payments, they used part of the rainy day fund and committed the rest of it for the Medicaid program. They did the easy things first, now they are going to have to look at the basic revenue structure of the state. As we go into 2013, we are going to have a legislature whose priorities rest in the area of not raising taxes, rather than in the area of public education and public services. With that, we can already see in the next legislative session, the potential of a \$10 billion or better shortfall in the 2013 session. What the legislature has already targeted is various hold harmless payments that are in the school finance system that do affect United in terms of the monies it will receive from the system. It is quite possible that in addition to the cuts for the 2012-

13 year that we are going to see some revenue declines in 2013-14 and beyond as the legislature continues to struggle with this. We are going to be urging the legislature not to do that, we are going to be urging the legislature that they can not mandate higher standards such as they are mandating through the assessment and accountability systems while at the same time reducing funding and seeking judicial relief in that area.

Mr. Moak asked if any one had questions or concerns and also he would be happy to provide copies of any documents they request.

Mr. Santos asked Mr. Moak to explain the two main reasons why UISD ended up with 16 million dollar cut this year and next year an additional 9 million to 25 million.

Mr. Moak – The school finance system is anchored against what happened to school districts back in 2005 and 2006. Two of the financial elements that influenced that are that, at that time, the district had less than 1.50 tax rate and the system was really geared to districts that had 1.50 tax rate, which most districts had at that time. And secondly, the district had optional homestead exemptions that the state did not recognize and those two factors in combination had a bearing on where the district is today in terms of overall financing.

Mr. Gilpin – Does that below 1.50 tax rate impact revenue from the state?

Mr. Moak – If you were less than 1.50 in 2005, you are receiving less money today as a consequence of that.

Mr. Gilpin – And the same thing with the homestead exemption issue?

Mr. Moak – Correct.

Mr. Juan Molina – So basically the state is penalizing us for trying to save our constituents some money, some taxes?

Mr. Moak – They are penalizing you and even if you reverse those decisions today, you would not receive a significant benefit especially on the homestead exemption by modifying that today, but yes the state has over 200 districts with homestead exemptions and those districts are being penalized for that and the districts that lower taxes as well.

Mr. Montemayor – Do you perceive this problem to continue to 2013-14 and 2014-15?

Mr. Moak – I think there are legislators and legislative leaders who recognize that the state has significant problems that it has to address, but right now we are not seeing the right set of circumstances coming to suggest that they are going to try to resolve this problem in a manner that is helpful to public education throughout the state.

Mr. Gilpin – I think that was the case where some sales tax revenues were considered and none of them passed right?

Mr. Moak – Right, there are several major sources of revenue that the state could consider. One is the business margins tax that was passed largely to offset the property tax decrease. It's bringing in far less than was originally forecast for a number of reasons, and so some have suggested restudying that and others have suggested looking at various sales tax exemptions particularly in the area of services as a possibility of new revenue. There's some natural gas tax features as well that have been highlighted and finally the property tax itself that many have suggested that if the state cannot cure its revenue problem that it really needs to provide

school districts with the opportunity to have necessary revenue to meet state standards through some flexibility of property tax. Those are the major sources and there are very few people who mentioned income tax. In 1977 I wrote a report for the comptroller that guaranteed that by 1981 we would have to have an income tax. We didn't make it then and I don't think that income tax is likely to pass the Texas legislature under any circumstances in the near future.

Mr. Santos – thanked Mr. Moak and addressed the board. What we are bringing today is a balanced budget but not for approval yet. I want to thank the board because when we panicked not knowing how we were going to cover \$19 million and then we looked at \$50 million. Even though \$16 million is a lot of money I want to thank the board because they didn't panic. We didn't let people go. I think staff, Laida's staff, campuses, instructional people, H.R. Dept., everybody worked together to bring to the board a balanced budget. Anytime we lose 16 million dollars it is going to hurt. We don't feel it now but once school starts, I think it's going to hurt our students, our teachers, and staff at the campuses more than the rest of us. I want to thank the EBC who came to us, knowing the financial shortage that we have, with a recommendation from Blue Cross/Blue Shield to pass on the 14 dollars and some cents increase to the employees. Our recommendation was to go with this plan and the directive from the board was that they would approve this plan but if we are able to find some funds when all the numbers are in, bring it back to us to see where we are at. Well today, the good news is we are bringing a balanced budget with the insurance and the district will be able to pick up the employees' cost, so at this point the employees won't have to pay for this increase. On behalf of the 6,000 employees we thank the board for this and as we know we are not getting any raises but at least the employees are not losing any money. They will get the same pay that they got this year. The other item that is extremely important is we need to start looking at 2012-13 and as far as 2014-15 because what is going to happen, based on the information that we get, is that we will be the same as what we've looked at. If this year it was 16 million dollars and almost 200 less employees, next year it will probably be another \$5 or \$6 million that we need to find. So as we finalize this budget, we need to start immediately to see what it is we need to do a year from today. As an example, it costs almost 1 million dollars to hire 20 teachers, and when you look at all the additional support staff that you need to hire, you're looking at almost \$2 million dollars. Growth is going to be there, this year we grew over 900 students. I think at the campuses and departments we've cut as much as we can on personnel but we have to begin to look at that again, personnel, travel, budget, supplies, every area we can look at that won't affect instruction and won't affect the campuses.

B. Budget Update

Laida Benavides - Addressed the board. We bring to you information about our budget. These past five months we have been bringing you legislative updates. Mr. Moak's visit in January was very timely to let us know what was taking place in Austin and through Mr. Santos' leadership and your leadership, I think we took the right approach by starting early and H.R. Dept. working really close with Mr. Santos. It was not easy but staff worked together and pulled through. I hope two years from now we don't forget what they did in Austin and we can't forget that we have to continue to support public education.

We are required to bring you the budget by August 20th and to adopt it by August 31st. There are three funds that you will be adopting. The general operating budget, which is the big budget that has our teacher's pay, our departments, etc., our debt service fund and the food service fund so we'll be bringing you three budgets to approve in one budget and we will be adopting what we call a fund and function level and then the action to adopt the tax rate. On August 7th, we plan to publish a notice of our public hearing. On August 9th which is the date of our next business committee meeting, we will bring you the proposed budget in the format that it has to be adopted in. On August 17th, we will hold a public hearing before the regular board meeting and within the board meeting have an agenda item to adopt the budget and the tax rate. On September 1st, if the budget

is approved, it will take effect at that point. The key issues in this budget besides the cuts from the state are first of all that our tax rate stays at \$1.04. It still uses that target revenue that Mr. Moak talked about that was set back in 2005 and the fact that 2012 we do get a reduction or we don't get as much funds as we would under current law. But the bigger impact is coming in 2013 that we really need to prepare for.

In the preliminary values, we did see an increase in our mineral values and we are using a projected student enrollment of 42,264. They are still funding us based on our students and our special population, and so we did stress to the principals that they still need to push for attendance, and that special population coding gets done so that we can get the revenue we need to sustain our budget. We do plan some growth in our students, and we did cut all campuses and departments budgets by 10%. The impact on us was with SB1 that Mr. Moak mentioned. For school year 2011-12, we have 16 million dollars less than we would have gotten under current law and the way they came up with that is they reduced our regular money by 8% and at that point no change to target revenue. Where we do get impacted worse, is the 2012-13 year where we are going to be short 25.4 million dollars in revenue we would have gotten under current law. The regular money comes back up to 98% but now we start paying the price for being one of those school districts that had a lower tax rate and the homestead exemption back in 2005. That's why in 2012-13 we have a bigger hole in the revenue than we did in 2011-12. In our preliminary budget, 83% is personnel, the other non-personnel costs break down in this manner, campus budgets are about 8.4 million, summer school 2.3 million, extra-curricular 4 million, department budgets 13.4 million, debt payment is 2.6 million, utilities budget is over 10 million, fuel budget had to be increased by 1 million, capital improvements projects, we left half a million dollars in there, and capital equipment 168,000. This year our budget is \$294 million which is 10 million dollars less than last year and we have 700 students more. The bigger amount in reductions was in payroll which was reduced by 7.2 million and the other decrease is in departments and campus budgets, with the increase in fuel added up to 3.2 million. We are going to have a smaller budget than we had last year. There were personnel positions that were deleted from the budget both at the campus level and at the non-campus level. On the debt service budget, our payment next year for our debt is 26,171,000.00. Our current debt service tax rate is a little less than 16 cents and we are proposing to keep it at that rate. The projected tax revenues from that is 15.6 million, we expect to receive about 7.2 million dollars in our state assistance for debt and then the remaining balance would have to be covered from debt service fund balance to make our payment next year.

Juan Molina – when we went out for the bond last time, our constituents promised us how much and where are we at right now?

Laida Benavides – I think we had proposed we were going to get to about 31 cents at one time in our debt. A combination of keeping the debt rate down and values growing, and looking at other mechanisms to make our payment, we've kept it at less than 16 cents and it never got higher than 21 cents and we continue to do the homestead exemption.

Judd Gilpin – the authority for that tax rate is already in place right?

Laida – Yes we have the authority.

Judd Gilpin – We wouldn't have to go for an election again?

Laida – Not to raise this particular tax rate. We did provide to the board, the detailed budgets for the departments. We cut 10% from department budgets and we did the same for campuses. For the rest of the budget process, we will be recalculating our tax revenues based on those values that will be certified. We want to bring you a proposed official budget on the evening of the business committee meeting and then hold

a budget hearing on August 17th and bring the item for your consideration to adopt the budget and the tax rate that same evening. We have incorporated the insurance into the budget. It was a very long budget season but thanks to everyone who worked hard on their end.

Judd Gilpin – any questions?

Ricardo Molina – I would just like to say that we are looking out for our employees like always. The board has a lot of obligations to our employees. But thank God and the good people that we have, they came through and worked together with the board and with Mr. Santos. We are helping out our employees, that's what we are here for and looking out for our employees and our tax payers. I want to thank administration and everybody else that made it possible for us to be here tonight and to hear this not very good news, but good news and I appreciate everybody's hard work. Thank you.

Ricardo Rodriguez – I would like to commend Mr. Santos and all of you that are here who worked hard with the budget cutting. I know its hard work but you all did a wonderful job and it's unique to see how you stuck united and I know that we're not over the storm. We are still like in the middle of it and it's just like getting started but I think on all the saving that you all have done, I think you have done a great job including with the board and with Mr. Santos. I think the employees should be content also that the insurance is not going to go up. I think it's a savings and for right now whatever has been done was a great job. Thank you.

Juan Molina – I just want to thank the departments and everybody. I think we were all in a room one day when the state came and said, we are going to lower the taxes for everybody and we all said, we can't, something is going to happen. We have been preparing and you all have been preparing for six years now. We knew this storm was coming already so I want to thank you all for being so observant of what the state is doing and being constantly vigilant on what is coming. Thank you again for being prepared and we are going to have a great year no matter what. Thank you.

Judd Gilpin – thank you, thanks for all your hard work. There is a public comment from David Perez.

David Perez – I am an accounting teacher at United High School and been with the district for twelve years. I am a member of TSTA and serve as association representative for my campus. As Mr. Santos mentioned I am also a member of the Employee Benefits Committee and it's in that capacity that I would like to address the board. The EBC met back in March and we were faced with a very difficult situation. We were going to have an increase on our insurance and we had to make the increase as small as possible and have the least impact on the employees. We had a directive that all expenses were going to be cut in order to avoid layoffs. But at that time, we didn't know what the legislature was going to do and so we came up with the decision to recommend to the board that the increase be passed on to the employees. But the board would come back to see if the administration could find some way to cover some if not all the cost so that made us feel a little bit better. We didn't know then how the 14.95 per month, 180.00 per year was going to affect everybody. First of all, as a member of the EBC for 11 years, the board has 100% accepted our recommendations whether we increase some of the premiums for the employees or they give a bigger contribution. As a matter of fact, our district gives much more than our sister district and I thank the board for that. On the EBC, we have teachers, bus drivers, custodians, and we as a committee made that recommendation back in March. I am very happy that administration found a way to get the money so that there is no increase and the board if they approve it. We have a very good insurance plan. Single employees pay about \$1,000 less a year than the other district, families \$3,000 less. That's money in our pockets. And again I thank you for your generosity over the 11 years that I have been on the committee. I would also like to thank my friends from TSTA for looking out for us and I hope they continue to do so. But lets remember, like Mr. Moak said, the issue is not you guys, it is the legislature. That's were the fight should be. I think we are all on the same side, we all work together and

again, as a member of the EBC and as a teacher I thank you for helping us with our insurance benefits and helping us keep our jobs. We didn't have any layoffs and hopefully will not have any and can avoid that. I thank you from the bottom of my heart if this gets approved.

Ricardo Molina – thank you for the eleven years.

Judd Gilpin – I would like to thank Mr. Perez and the committee for all the good work they have done on this matter. Had things come out to be worse as was projected by some people before we got the final answers from the state, the actions you took would have put us in a position to save potentially about 20 jobs. Your recognition and the importance of that, at the time you that you recognized, was very valuable to us. It made a huge difference but fortunately things worked out a little better than we anticipated and we are glad to be able to pick up those costs and at the very least at this point and time end up not applying a pay cut to any of the personnel at UISD.

Pat Campos – Mr. Perez, to you and all members, thank you very much for all the work you do. It's probably, the rest of the employees hated you for having recommended this to us but I'm sure they are loving you now. And they'll love it tomorrow when they hear it in the news. Mr. Chapa, if you can give us a comparison as to what the other district does, rates and how much less we pay or our employees pay.

Robert Chapa – Just a summary, I do have something on here. Here at the district, the board has been very gracious to contribute \$310 a month per employee towards health insurance. Our sister district contributes \$265 which comes out to 2.5 million dollars more per year.

Javier Montemayor – to clarify Mr. Chapa, the legal obligation that the district has on the contribution is \$250?

Robert Chapa – actually it is \$225

Javier Montemayor – so the district has gone above and beyond. The contribution of \$310 is before or after the \$14.95

Robert Chapa – that's before the \$14.95 so it's going up to \$324.95 that the district will be contributing. We are talking more than \$100 dollars than is required by the state. That's about 5. something million that the board has chosen to absorb rather than the employees. One last thing just for comparison purposes the employees were going to go up to \$61 a month and we are going to remain at \$35 and some cents less per month versus our sister district who are presently paying \$140 per month.

Judd Gilpin – so the difference is related to the \$1,000 that Mr. Perez was referring to. On an individual basis it translated to about \$1,000 and for family about \$3,000. Are there any other persons in the audience who would like to make any comments?

Rene de la Viña – TSTA full time president. On behalf of TSTA I would like to thank the whole school board. I really appreciate what you did and like I stated before we have some custodians that I can't believe they take home \$600 and they were telling me that they wanted to cancel their insurance because they can't afford it. So you all did a very good deed and I want to thank you very much. The whole board has always been there for the employees. I'm going to a leadership training in Austin and will be looking into filing a lawsuit against the state of Texas for lack of funding so we'll see what happens. Thank you.

Javier Montemayor – I'm kind of frustrated with the entire system that the legislature has adopted but in my mind I'm thinking that the freezing of the step increase, the issue with the health insurance that we took, we're

simply looking at the financial responsibility, like Mr. Moak had indicated earlier, 2013-2014 looks bleak as well. At the end of the day, the rest of the board and myself, are looking at saving people's jobs, not terminating employees and making sure that everybody has a steady income. Terminating employees has detrimental effects on our economy as a whole. A lot of people have mortgages or loans that are outstanding, a lot of people have children that have needs so somehow trying to limit our expenses is the goal but at the same time we don't want to terminate employees or reduce our force at all. That's why we have the discussion with some of these issues.

Mr. Santos - when you look at a reduction of 16 million dollars and 80% is personnel that's really 10 million dollars less that's going to be going to the Laredo economy to buy a house, to buy a car, to buy clothing. And that's not even the multiplier, the multiplier is normally about 4% so you're looking at almost 40 million at our end that's not going to help our community. It's major, and I think all of us need continue to stick together and work with our legislators and senator Zaffirini. They've been very supportive but we have to continue to look forward. We have to be frugal, things are not going to get any better so we have to make sure we plan what is best for our employees but the bottom line is what is best for our kids. That's what our business is, to educate students.

Judd Gilpin – I think its important to note that through dialogue with our representatives, we understand they have done a lot of hard work trying to spare our community from these problems and the fact is there were other legislators from other parts of the state that have succeeded in posing these difficulties upon us and ours should be commended for the extra effort they've made on our behalf. Unfortunately, we still took a hit but its still good service that they provided us and these circumstances that we now face don't necessarily reflect that.

IV. Adjournment

There being no further business before the Board of Trustees, the Special Called Meeting of July 12, 2011 was adjourned at 7:16 p.m.

Judd Gilpin, President

Ricardo "Rick" Rodriguez, Secretary

Public Hearing
August 17, 2011

The State of Texas
United Independent School District
The County of Webb

The Board of Trustees of United ISD met in a Public Hearing on Wednesday, August 17, 2011, beginning at 6:00 PM in the United ISD – Bill Johnson Student Activity Complex, Fine Arts Building - 5208 Santa Claudia Lane, Laredo, TX 78043.

The subjects to be discussed or considered or upon which any formal action may be taken are as listed below. Items do not have to be taken in the order shown on this meeting notice.

Judd Gilpin – President
Juan Roberto Ramirez – Vice President - absent
Ricardo “Rick Rodriguez– Secretary
Ricardo Molina, Sr. – Parliamentarian
Pat Campos– Member – Member
Javier Montemayor, Jr. – Member
Juan Antonio Molina, Jr. – Member

- I. Roll Call, Establish Quorum, Call to Order
- II. A Public Hearing of the Board of Trustees of United ISD was held Wednesday, August 17, 2011, in the Bill Johnson Student Activity Complex, Fine Arts Building, 5208 Santa Claudia Lane, Laredo, TX 78043. President, Judd Gilpin made an announcement calling the meeting of the United Independent School District to order at 6:04 p.m. Let the record show that a quorum of Board Members is present, that this meeting has been duly called, and that notice of this meeting has been posted in accordance with the Texas Open Meetings Act, Texas Government Code Chapter 551.
- III. Public Comments regarding the 2011-2012 Budget and Proposed 2011 Tax Rate:
Comments are limited to three minutes per speaker. The Board Parliamentarian will be the timekeeper and will inform the speaker when they have one (1) minute remaining.

Laida Benavides – Just for the audience sake so they can see the Budget that we are proposing this evening with the same tax rate of \$1.19. We are proposing to our Board to approve the Budget for our General Fund Revenues & Expenditures of \$294,903,656, Debt Service Fund budget of \$25,975,614, and our Food Service budget of \$23,326,706. These are the three (3) funds that the board is required by the Texas Education Code to adopt so that we can have a budget to operate our schools for the 2011-12 school year. This is a budget we feel can get us through the next school year. We are aware that it is \$10 Million less than what we had this past year, but I think everybody, dept chairs,

principals are all on board to make this school year a success even if it is less money.
This is the budget that we will be proposing to the Board for your approval.

IV. Adjournment:

Their being no further business before the Board, the Public Hearing of August 17, 2011 was adjourned at 6:07 p.m.

Judd Gilpin, President

Ricardo "Rick" Rodriguez

**Regular Meeting
The State of Texas
United Independent School District
The County of Webb**

August 17, 2011

In Attendance

Roberto J. Santos, Superintendent of Schools

Board of Trustees

Judd Gilpin – President
Juan Roberto Ramirez – Vice President - Absent
Ricardo “Rick” Rodriguez – Secretary
Ricardo Molina, Sr. – Parliamentarian
Pat Campos – Member
Juan A. Molina, Jr – Member
Javier Montemayor, Jr. – Member

Roll Call, Establish Quorum. Call to Order

I. Pledge of Allegiance

A. Honor the Texas Flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.

II. A Regular Meeting of the Board of Trustees of United ISD was held Wednesday, August 17, 2011, in the Bill Johnson Student Activity Complex, Fine Arts Building, 5208 Santa Claudia Lane, Laredo TX 78043. President, Judd Gilpin made an announcement calling the meeting of the United Independent School District to order at 6:15 p.m. The record showed that a quorum of Board members was present, that the meeting had been duly called, and that notice of the meeting had been posted in accordance with the Texas Open Meeting Act, Texas Government Code Chapter 551.

III. Public Comments: Comments are limited to three minutes per speaker. The Board Parliamentarian will be the timekeeper and will inform the speaker when they have one (1) remaining minute. No more than three (3) persons will be allowed to speak on any side of an issue. Should there be more than three (3) people who wish to speak on a particular issue they need to select not more than three (3) representatives to speak for them. Comments must address items listed on the agenda. The presiding officer or designee shall determine whether a person who wishes to address the Board has attempted to solve a matter administratively. If not, the person shall be directed to the appropriate policy, as noted in BED (LOCAL), to seek resolution before bringing the matter to the Board at a subsequent meeting. Pursuant to 551.042 of the Texas Government Code, no Board Member or Administrator may respond to a member of the public, unless such response is a recitation of District policy or a statement of specific factual information. When a speaker comes to the podium,

please indicate what agenda item you will be addressing. Furthermore, please refrain from mentioning any employee's name and any complaint about any employee's duties or responsibilities should be channeled through the appropriate grievance policy.

Belinda Guerra Meuer – My name is Belinda Guerra Meuer for the record. I am here to speak on Item V.G –Student Code of Conduct. I am here on a personal matter; actually 3 years ago my son was a senior at one of the UISD High Schools. I should have come in front of the Board 3 years ago but, I didn't and I feel that I failed my son and also other students that I've read about in the paper lately. My son actually went to school one day and unfortunately had an incident to where on your policy was zero tolerance. I do know that my son had no mal intent and I did go in front of the Principal at that time. It was very difficult for me because I did have 3 hats that day. First and foremost I was his mother and I knew that there was no mal intent intended on behalf of my son.

Secondly, I was a member of this community knowing full and well that it's difficult in our end of the street to allow zero tolerance activities to go on in school when we are not there so I do trust the Board and I trusted the Board at that time.

And thirdly I was a Board member of a community college and I do understand zero tolerance so, I didn't come in front of the Board three years ago. My son is luckily a senior this year at A&M College Station and I am very proud of him. I'm afraid that he was the exception to the rule. I have read about some children that have been under the same policy, which is zero tolerance, in your school. My son was taken out of tennis which he played avidly his junior year of High school. He would have been very successful his senior year, but he was not allowed to be on the team. He was also a wonderful student. When I received that phone call I remember being sick to my stomach thinking it can't be my son who committed an offense. He had never committed an offense in school surely in my home he is a great person.

I knew that full and well, but I still felt that I was going to trust the board and the school district to take care of this problem. Well, I've read since, that there are students falling into the same category. The problem that I have is that there was not equal opportunity for my son if he was going to the location in which they were asking to go; the classes that he was taking were not actually even remotely in the school file. He was in accelerated classes, and they were not even talking about accelerated classes in that class. So I had to pull him out and put him in a private school where he graduated. But, I know that not everybody has that opportunity and I do beg the Board to look at that zero tolerance and look at keeping these children on campus to have the opportunity that my son didn't have which was walking across the stage his senior year. I'm proud to say he is going to walk across the stage his senior year of college but, I don't think every student will. I think we should look at that zero tolerance policy to make sure the children aren't pulled out of their sports and are not pulled into the streets into different activities that they are good at and I really do hope the Board will take into consideration re-looking at this policy.

Tony Vedia –Good Evening Board of Directors, Administrative Staff, and Parents for the record my name is Jose Antonio Vedia known as Tony Vedia.

I would like to talk to you about Item V.G - Student Code of Conduct not on a personal issue, but as a person that has worked in the substance abuse field for the better part of 15 years, prior to where I am at now. In that area, I witnessed in several occasions, young men/women who were placed in situations because of the zero policy the code of conduct in situations where they ended up having to adapt to the environment that they were placed in. Because of that, they came into contact with drugs, gangs, with situations they had no previous history of. Consideration was not taken for the grades, the activities they participated in, for the record that they had as being community volunteers. With that being said, as a person who got to see first hand some of the situations that parents had to end up dealing with because of the act of consequences of that, I think that we have an opportunity at this time to take into consideration each and every respective situation a young student has. And take into consideration what's going to happen to this individual if he/she is placed in a situation where they are not able to productively take into consideration the consequences.

What I mean by this is we have a situation where if a student makes a mistake why not have him be productive with that consequence. Put him out in the community. Have him talk to young students, young kids, young children, to parents and let them know what the mistake has cost him/her. What I am saying is that there has to be an alternative, there has to be a way that we can look at things and say, there isn't just one way. I'm telling you because I got to see young men/women ending up doing drugs, end up affiliated with gangs who should have never been there to begin with.

And so, with that being said, let's think outside the box. We talk about education for our children being an individualistic plan, well lets be individualistic when it comes to consequences. We need to think outside the box, we need to come together as a community and say, let's make it productive. Let's do what we are supposed to do and take advantage of the opportunity. With that being said, May I change the subject momentarily on a personal matter. Last year when my second grade son was going to school he was very afraid of reading. For some reason he picked that up and I'm sorry I'm changing the subject but I feel it is important. The second grade teacher that my son got last year, the greatest, Mrs. Denise Leyva at Malakoff Elementary. I want to take this opportunity to say what a great job, great teacher, great school and great staff. We need to recognize the teacher when they do that. So, to Mrs. Denise Leyva, thank you. My son loves to read, surpassed the goals that were set. Love it. Thank you

John Eli - Thank you very much Board. I am also here on Item V.G – Student Code of Conduct for the zero tolerance policy. I have had a couple of kids graduate from UISD. I currently we have no kids enrolled in UISD whatsoever. I think the zero tolerance policy is unfair. There should be other avenues for kids to take on their first offense, especially when it is not a crime on a person type of offense. I second what he said, "Thinking outside the box". Instead of taking them out of their school, put them more into school, community service, clubs, the robot clubs, and a lot of other things like that. They graduate from their high school, they form a bond and that bond translates into the community, because they strongly tie the community to take care of them. These kids are juveniles they have a very long road ahead of them. To slam the door on them this early is not fair to them, and not fair to us, because they are our future. Thank you

Sherman Elwood – Good evening, I come to you tonight as a citizen of Laredo, TX. I have been here about 4 years. Three of my four sons are in UISD. A little background on myself, from 1991-93 I was working in the Dept. of Corrections Boot Camp Program. Working with kids from anywhere between the ages of 12-18. They were sentenced to a 90 day program for misdemeanor offenses. Afterwards I worked with Big Brothers, Big Sisters of Tallahassee, Florida. I worked with them for 2 years. Kids came at risk for not having the advantage that the other students might have. Quite recently I have been working with Judge Oscar Martinez with a real mission. Working with kids who had first time offenses, sentenced through his court, mandated through his court for misdemeanor offenses, truancy issues, drug issues and fighting, things of that nature. And that time

I've had the experience of going to JJAEP, STEP Academy and seeing some of the tragedies, but still seeing some of the fortitude that students who have been first time offenders in and they are sent still had the will to go on. In as such, I think as a member of the community that for people who have a first time offense and doing great throughout the school year and make a mistake we have to and give them an opportunity to learn from the mistake as apposed to punishing more than what the offense is worth. As a member of the community I stand before you as an active parent, an adoptive parent to many of the students here in UISD ready, willing and standing here before you to create a program if you allow me and some of the other members of the community an opportunity. For we've all made mistakes, the thing is we know theirs, but we don't know yours. Thank you

IV. Recognitions:

The Board then recognized the following organizations, students and employees for outstanding accomplishments:

- A. Back to School Donation
- B. International Bank of Commerce –Assistance with the Life Management Skills Retreat for Migrant Students
- C. U.S. Border Patrol – For their Generous Donation of 58 Trees to United I.S.D. and for their Assistance with the Uniform Drive
- D. Region One – Texas Association of Secondary School Principals – 2011-2012 Outstanding Secondary School Principals and Assistant Principals
- E. Texas State Solo & Ensemble Contest
- F. Texas State Solo & Ensemble Contest - Outstanding Soloist

V. Consent Agenda Items

- A. Approval of Monthly Disbursements
- B. Submission of Appraisal Roll to the Governing Body

- C. Discussion and Possible Action on Delinquent Tax Computer Service Agreement**
- D. Approval of Awarding Bids, Proposals and Qualifications**
- E. Approval of Board Travel for the Month of August 2011**
- F. Select Board Member(s) as Delegate and Alternate Delegate to attend the TASB 2011 Delegate Assembly in Austin, TX, on September 29 - October 2, 2011**
- G. Approval of the 2011-12 Student Code of Conduct**
- H. Approval of Interlocal Agreement between Webb County and United ISD for Juvenile J.P. Court Coordinators**
- I. Approval of Agreement between United ISD, Laredo ISD and Webb County Juvenile Department for Educational Program for students who reside in the Webb County Youth Village**
- J. Approval to designate September 12-16, 2011 and January 23-27, 2012 as "Celebrate Freedom Week"**
- K. Approval of Request from Javier Montemayor, Jr. and Judd Gilpin for Use of Board of Trustees Discretionary Funds for United High School for \$1,934.50**
- L. Approval of Requests from Juan A. Molina, Jr. for Use of Board of Trustees Discretionary Funds for United South High School for \$1,934.50, LBJ High School for \$5,630.50**
- M. Approval of Request from Javier Montemayor, Jr. for Use of Board of Trustees Discretionary Funds for Trautmann Elementary for \$10,000**
- N. Approval of Request from Ricardo "Rick" Rodriguez for Use of Board of Trustees Discretionary Funds for Salinas Elementary for \$1,417.80**
- O. Approval of Request from Judd Gilpin for Use of Board of Trustees Discretionary Funds for the United ISD Natatorium for \$5,000**
- P. Approval of Request from Judd Gilpin for Use of Board of Trustees Discretionary Funds for the United 9th Grade Campus for \$13,780**
- Q. Second Reading of Policy BE (LOCAL) - Board Meetings**
- R. Second Reading of Policy EI (LOCAL): Academic Achievement**
- S. Second Reading of Policy FD (LOCAL) – Admissions**
- T. Second Reading of Policy FN (LOCAL) - Student Rights and Responsibilities**
- U. Second Reading of Policy FO (LOCAL) - Student Discipline**

Motion by: Juan Antonio Molina, Jr. advised the Board that the Business and Instructional Committee Members had met and were recommending the approval of the following items:

Moved by: Juan A. Molina, Jr.

Seconded by: Pat Campos

Discussion:

In Favor: Unanimous

Opposed:

VI. Items for Individual Consideration

A. Board Minutes

1. Special Called Meeting – July 12, 2011
2. Regular Board Meeting – July 20, 2011

Motion by: Juan A. Molina, Jr.

Seconded by: Javier Montemayor, Jr.

Discussion:

In Favor: Unanimous

Opposed:

B. Approval of Request from Pat Campos and Ricardo Molina for Use of Board of Trustees Discretionary Funds for JBA High School for \$1,934.50

Moved by: Juan A. Molina, Jr.

Seconded by: Pat Campos

Discussion:

In Favor: Unanimous

Opposed:

C. Adopt Official Budget for the 2011-2012 Fiscal Year

Moved by: Juan A. Molina, Jr.

Seconded by: Ricardo "Rick" Rodriguez

Discussion:

In Favor: Unanimous

Opposed:

D. Resolution to Adopt 2011 Tax Rate

Moved by: Juan A Molina, Jr.

Seconded by: Pat Campos

Discussion:

In Favor: Unanimous

Opposed:

E. Approval of Resolution to Commit Portions of the General Fund unassigned Fund Balance

Moved by: Juan A. Molina, Jr.
Seconded by: Ricardo Molina
Discussion:
In Favor: Unanimous
Opposed:

F. First Reading of Policy EHBB (LOCAL) - Special Programs: Gifted and Talented Students

No action required

Motion:

Moved by:
Seconded by:
Discussion:
In Favor:
Opposed:

VII. Closed Session: Board will adjourn into closed session at 7:00 p.m. pursuant to the following sections of the Texas Open Meetings Act:

- A. 551.071 Consultation with Board's Attorney
551.074 Discussion of Personnel or to Hear Complaints against Personnel
 - 1. Review of New Laws affecting Retire-Rehire Personnel

- B. 551.071 Consultation with Board's Attorney
551.072 Discussion on the Purchase, Exchange, Lease or Value of Real Property Discussion of Proposals for Sale and/or Acquisition of Real Property
 - 1. Report on the status of the feasibility study period and possible action on the purchase pursuant to the Purchase and Sales Agreement of up to 35 acres of unplatted and undeveloped property, with such property located south of FM1472 and adjacent to Killam Boulevard and Aquero Drive. The property to be conveyed by International Bank of Commerce

- C. 551.071 Consultation with Attorney
551.082 School Children; School District Employee; Disciplinary Matter or Complaint
551.0821 School Board: Personally Identifiable Information about Public School Student

1. Discussion and possible concerning the disciplinary action taken by United Independent School District's Administration against student B.P.W. and any matter incident thereto
- D. 551.074 Discussion of Personnel or to Hear Complaints against Personnel
551.076 Considering the deployment, specific occasions for, or implementation of, security personnel or devices
1. Police Dept. Overtime
 2. HOST/POA/Grandparent Care Admission Procedures
 3. Attendance Accounting
 4. Status of on-going Audits

Juan A. Molina, Jr., - I just have one question. I would like to know who was present at the Disciplinary Hearing last week.

Javier Montemayor – The Board Members present at this hearing were Ricardo Rodriguez, Juan Roberto Ramirez and myself Javier Montemayor.

Juan A. Molina, Jr. – Were those the only board members present?

Javier Montemayor - Yes

The Board returned from Closed Session at 8:45p.m. No action was taken in Closed Session.

VIII. Reconvened from Closed Session, the Board will take appropriate action on items, if necessary, as discussed in Closed Session.

- A. Action on the Disciplinary Action taken by the United Independent School District's Administration against Student B.P.W.

Javier Montemayor - Mr. President, in accordance with the Student Code of Conduct I move to uphold the Disciplinary action taken by UISD Administration against student BPW under the terms and conditions discussed in closed session.

Moved by: Javier Montemayor

Seconded by: Pat Campos

Discussion:

In Favor: Unanimous

Opposed:

- B. Discussion and possible action with respect to closing the Purchase and Sales Agreement of up to 35 acres of unplatted and undeveloped property, with such property located south of FM1472 and adjacent to Killam Boulevard and Aquero Drive. The property to be conveyed by International Bank of Commerce

Juan Cruz – Recommendation is to authorize legal counsel and administration to proceed with the Purchase and Sales Agreement of up to 35 acres of unplatted and undeveloped property, with such property located south of FM1472 and adjacent to Killam Boulevard and Aquero Drive. The property to be conveyed by International Bank of Commerce.

Moved by: Juan A. Molina

Seconded by: Pat Campos

Discussion:

In Favor: Unanimous

Opposed:

IX. Adjournment

There being no further business before the Board, the Regular Meeting of August 17, 2011, was adjourned at 8:50 pm.

Judd Gilpin – President

Ricardo “Rick” Rodriguez – Secretary