

**STATE OF TEXAS**

**(Minutes conducted via electronic voting)**

**COUNTY OF CAMERON**

**BE IT REMEMBERED**, that on the **19<sup>th</sup> day of November, 2024**, the Board of Trustees of the Brownsville Independent School District met in a **Special Called Board Meeting** at the Administration Building, 1900 Price Road, Brownsville, Texas, for the purpose of transacting any and all business that came before the Board and with the following to wit:

**PRESENT:**

ErasmO Castro	President
Daniella Lopez Valdez	Vice-President
Minerva Pena	Secretary
Carlos Elizondo	Board Member (Via Zoom 5:30 p.m./Arrived 5:39 p.m.)
Denise Garza	Member (Via Zoom)
Jessica Gonzalez	Member
Frank Ortiz	Member

**ABSENT:**

**ALSO PRESENT:**

Dr. Jesus H. Chavez	Superintendent of Schools
Nick Maddox	Attorney for the Board

**ALSO ABSENT:**

None

**WHEREUPON**, a quorum being present and it appearing before the Board, it is hereby so found that notice of this **Special Called Board Meeting** has been duly given in the manner and for the length of time as prescribed by law. The meeting was called to order and declared ready for the transaction of business with the following to wit:

- I. Special Called Board Meeting called to order by Mr. Erasmo Castro, Board President at 5:30 p.m.**
- II. Moment of Silence led by Dr. Jesus H. Chavez, Superintendent.**
- III. Pledge of Allegiance(s) led by Mr. Frank Ortiz, Board Member.**
- IV. Roll Call. Mr. Erasmo Castro, Board Member** announced that all Trustees are present, Denise Garza and Carlos Elizondo are participating via zoom.
- V. Recommend approving the agenda of the Special Called Board Meeting of Tuesday, November 19, 2024, with any corrections/deletions.**

**Motion made by Jessica Gonzalez, seconded by Daniella Lopez Valdez, and unanimously carried to recommend approving the agenda of the Special Called Board Meeting of Tuesday, November 19, 2024, with any corrections/deletions. (7-0-0)**

**VI. Recommend approving the minutes with any corrections:**

A. Special Called Board Meeting of Thursday, October 24, 2024.

**Motion made by Daniella Lopez Valdez, seconded by Jessica Gonzalez, and unanimously carried to recommend approving the minutes of the Special Called Board Meeting of Thursday, October 24, 2024 as stated by administration with no corrections. (7-0-0)**

**VII. PUBLIC COMMENT:**

Celia Saiz. Good evening Board President Castro, Dr. Chavez, and members of the Board. My name is Celia Saiz. I'm speaking as the president of BEST AFT, Union Local 3877. I'm going to speak on agenda items number VIII, A2 and 3. We at BEST AFT support the recommendation to approve the hiring of a district education teaching permit for non-core CTE permit for pipe-fitting. We would encourage the district to expand the CTE programs to include electricians and plumbers. We also encourage the district to enter inter-union trade apprenticeship programs. Here are the three apprenticeship facts for you to discover, to consider, I'm sorry. Number one, \$80,000. That's the average starting salary after completing a registered apprenticeship. Number two, 94%. This percentage is the percentage of apprentices who stay on the job after completing the apprenticeship. Number three, 300,000 plus, which is the lifetime earning advantage of an apprentice graduate compared with their peers who don't complete an apprenticeship. Registered apprenticeships are good for employers and good for working people. Employees get a highly skilled workforce and working people get paid work experience, classroom learning and a pathway to success in good union jobs. Our community needs more skilled labor to meet the needs of our growing economy. Please take this into consideration. VIII. A3. BEST AFT thanks the administration and the board for hopefully approving to pay retirees for sick days not used as per local DEC policy. We do hope this is reviewed with the HR service representatives when an employee submits resignations or retirement papers. BEST AFT is still waiting for one of our members to be reimbursed. Finally, in the spirit of Thanksgiving, BEST AFT would like to thank the HR Department led by Dr. Gallegos in continuing to work in good faith with us to resolve issues. Shout-outs go to Maricela Franco, which assisted with some campus reassignments, Alicia Dominguez for helping to reach a compromise agreement on the Level 1 grievance, and finally, George Alvarez with working with us in a variety of issues. We wish everyone the best Thanksgiving. Eat healthy, rest up, and we will see you next month.

Sergio Salinas. Thank you. Good afternoon, my name is Sergio Salinas. I'm a business agent from the Rio Grande Valley. I cover from Brownsville to Laredo. I just want to add that please keep in consideration the need of electricians and plumbers that we do need. I started my apprenticeship program from Hidalgo, but in the Cameron County I teach, so it's real important. We're going to need a minimum of 1,000 electricians. Brownsville by itself, if we do educate these apprentices, we will keep them in our area. And also, that meaning that our journeymen in the Rio Grande Valley will be making \$30 an hour minimum. So why would they have to go? So please keep in consideration more that it is real important that we start the CTE program here in the Brownsville area.

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

**Board policy BE (Local) and Robert's Rules limits debate to two opportunities. A Trustee may debate a motion for three minutes on the first speaking opportunity and two minutes on the second opportunity.**

**VIII. ACTION ITEM(S):**

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

1. Recommend Approval of the Annual Comprehensive Financial Report for the fiscal year ended June 30, 2024.

Ms. Jessica Gonzalez, Board Member stated motion to approve. Ms. Daniella Lopez Valdez, Board Vice-President stated second. **Dr. Jesus H. Chavez, Superintendent stated, Mr. President, members of the Board, I'm going to call on Mr. Cespedes to review that item with us. Mr. Alejandro Cespedes, Chief Financial Officer stated, thank you Dr. Chavez, good evening Board President Mr. Castro and Board Members present. Today, we're bringing to you to approve the annual comprehensive audit that's done by our external auditors. As you all know, this has to be done on a yearly basis. It is due to TEA on November 27th. I know we provided a draft, so we wanted to see if there was any questions to address. I wanted to mention some key points. We do have our audit supervisor from Cascos and Associates, Mr. Frank Pessina, in case there's any other additional questions. But some of the highlights that I just wanted to point out is, you know, after this external audit was done, again, the main thing that we're looking for is that they've rendered an unmodified opinion, meaning that, you know, the district financial statements as of the year end of June 30, 2024, they're being fairly presented. And so, what that means in layman's terms is after doing audit and sampling of different areas, there was no any material misstatements and anything of that nature.**

**Carlos Elizondo, Board Member arrived at 5:30 p.m.**

**I just want to thank our staff, all of our finance, our payroll staff and a lot of other departments that worked very hard on this. Towards the end of the audit as well, you will see that for this year, there was no findings in both our financial statements and in our federal awards report. But if there's any additional questions, we can address those.**

Mr. Erasmo Castro, Board President stated any discussion? No questions or concerns from Board of Trustees.

**Motion made by Jessica Gonzalez, seconded by Daniella Lopez Valdez, and unanimously carried to recommend approval of the Annual Comprehensive Financial Report for the fiscal year ended June 30, 2024. (7-0-0)**

2. Recommend approval for School District Teaching Permit for Noncore Academic and Career Technical Education courses in Pipefitting with Brownsville I.S.D.

Ms. Jessica Gonzalez, Board Member stated motion to approve. Daniella Lopez Valdez, Board Vice-President stated second. **Dr. Jesus Chavez, Superintendent stated, let me call on Ms. Maricela Franco. Ms. Maricela Franco, Human Resources Administrator. Ms. Franco stated good afternoon Dr. Chavez, President Castro, and members of the Board. Thank you for the opportunity to speak for you today. I am requesting your approval for the issuance of a school district teaching permit for a non-core academic Career and Technical Education CTE teacher to teach courses in manufacturing at our Brownsville ISD schools. As we continue to expand and strengthen our CTE Programs, we recognize that pipe-fitting is a valuable skill that opens doors to high demand careers in construction and industry. Currently, the teacher who has been**

instructing both pipe-fitting and welding at one of our early college high schools and the CTE Center is the only instructor able to certify our students in pipe-fitting. This individual brings significant industry experience and has successfully prepared students for certification exams. The teacher is in the final stages of completing his certification with just one exam remaining. He plans to take this exam in the coming months, and we anticipate that he will soon hold full certification as a Texas Certified Teacher. Given this, I am requesting approval for the issuance of a school district teaching permit to allow this teacher to continue teaching the welding and pipe fitting courses under the district authority while he completes his final step of certification. As required by Texas law, we will notify the Texas Commissioner of Education regarding this permit. This permit applies to non-core academic CTE courses which do not fulfill graduation requirements in core subjects like math, science, language arts, or social studies. This teacher's expertise is vital to the success of our pipe-fitting program. For this reason, I respectfully request your approval of the school district teaching permit to ensure our students continue to receive quality instruction and certification in pipe-fitting. Thank you. Mr. Erasmo Castro, Board President stated, any discussion? Ms. Minerva Pena, Board Secretary stated, yes, question. The person who's waiting to get the certification to do this, what's his name that you just mentioned? Ms. Franco replied, he is a teacher. His name is Diego Medina. Ms. Pena stated, and he'll be the one in charge of instructing this program? Ms. Franco replied, he is currently teaching this program. He is teaching welding and pipe fitting at several of our schools. He was on a permit issued by an alternative certification program. The permit expired. Therefore, he needs to have some type of certificate or some type of permit that he can continue on until he fulfills the requirements for his full certification. Ms. Pena stated, and how long ago did that permit expire? Ms. Franco replied, it expired about two weeks ago. Ms. Pena stated, but do we have any – we're not doing this program yet, am I correct? He's not, no one's, there's no students waiting for him to come back so they can continue the course? Or there is? Ms. Franco replied, he is currently a substitute in that class. Ms. Pena stated, okay, thank you. Mr. Carlos Elizondo, Board Member stated, ma'am, these programs don't require teaching certification, right? If the Superintendent signs off on them? Ms. Franco replied, all of our classrooms require a state certification. There is an exception for teachers who are teaching career and technical education. And because they do have the workforce experience, then we may put them on a district permit, yes. Mr. Elizondo stated, so he can continue teaching. What I'm trying to say, if he doesn't pass this time around, I don't want him to come back and have this all happen again, where he has to be a substitute and lose pay. So my concern is making sure that we allow him to continue regardless of the outcome of that exam, right? Because their kids are going to still need the teaching part of it, right? Ms. Franco replied, that is correct, we will allow him. Mr. Elizondo stated, so if the Superintendent can sign off on him and alleviate some of that stress on this individual and not lose pay, because my understanding is there's some loss of pay when he comes down from a full time to a substitute, right? Ms. Franco replied, of course. Mr. Elizondo continued, and I would hate to have that happen again. So make sure that maybe Dr. Chavez can go out and do that so that it alleviates some of the stress on this individual and puts him where he needs to be in the classroom teaching our kids. Ms. Franco stated, once we place him on the permit, he can go back to being the official teacher and he may remain on the permit indefinitely until he completes his certification. Mr. Elizondo stated, perfect, thank you so much. Ms. Pena stated, question. Mr. Frank Ortiz, Board

Member stated, just for clarification, so you said that his Certificate expired about two weeks ago. **Ms. Franco replied, correct.** Mr. Ortiz continued, so for the last two weeks he he's lost some pay. **Ms. Franco replied, we have him as he's currently listed as a substitute teacher at the substitute pay.** Mr. Ortiz stated, okay so the answer is yes, he has lost some pay. **Ms. Franco replied, yes sir.** Mr. Ortiz stated okay thank you. **Dr. Chavez stated, let me say.** Ms. Pena interjected, a question before you start. Ms. Pena continued, because you said that it can get approved, so my question is going to be to you so that you can answer at the same time when you make your comment, why wasn't he approved if it is something that the Superintendent can do and approve it and not degrade or bring him down to a substitute and lose pay, why wasn't this done, prior to this if you have the authority to do that because the objective is to make sure that our students get everything that they need and make sure we take very good care of our teachers. So if you can do this and could of done this can we understand or could we find out why it didn't happen. **Dr. Jesus Chavez, Superintendent stated, it is my understanding that this is something that this is something that needs to come to the Board, and no I do not have the authority and now that it is approved, it will be continuous.** **Ms. Franco stated, yes it does require Board approval.** Ms. Pena stated, so if it is approved today, then he automatically goes back to a full time and not stay as a substitute. **Dr. Chavez stated, yes ma'am, the other thing that I was going to clarify also, with regards to the loss pay, it is only fair that we retro pay this individual. He has been doing the job that he has been doing the previous semester. And so yes, I know he was adjusted for substitute pay, but we are going to make the individual whole, and I know that all of us support here on this table.** Mr. Elizondo stated, I second that. Ms. Pena stated and one more thing. Mr. Frank Ortiz interjected, I am glad you are doing that sir, I am glad you are doing that. Ms. Pena continued, thank you very much, that is very good. One more thing that we can take care of with the HR Department, can we look at the people that have something coming up and they don't meet it in a couple of weeks or a month, they are going to be off. Can you make sure we do this in advance, so that it can come to the Superintendent and we don't have to do what we are doing now. Because someday didn't notice, or didn't think it was important enough to bring it before it expired. So can we do that please, for future employees and certifications. **Ms. Franco replied yes ma'am.**

**Motion made by Jessica Gonzalez, seconded by Daniella Lopez Valdez, and unanimously carried to recommend approval for School District Teaching Permit for Noncore Academic and Career Technical Education courses in Pipefitting with Brownsville I.S.D. Include a thor (7-0-0)**

3. Recommend approval to waive Board Policy DEC (Local) to pay 7 employees for the accumulated local leave of approximately 49 days.

Ms. Daniella Lopez Valdez, Board VP stated motion to approve. Ms. Minerva Pena, Board Secretary stated second. Mr. Carlos Elizondo, Board Member stated, Mr. Cespedes, can you give us a brief synopsis on this and what happened. Mr. Alejandro Cespedes, Chief Financial Officer stated, yes sir.

**Yes, sir. So what this is, is in our DEC local policy, we have that employees that retire with the district, depending on when they're retiring, if they have any available leave, it gets paid out to them. I believe it's up to 30 days. These individuals, when they retire**

or they resign, they do an exit online because HR has them do through an exit interview process. In there, it does prompt them that as a reminder that they have to make sure that they fill out a form that if they're retiring and if they had any local days available, those can get paid out to them. These individuals didn't do that within the 60 days. And a lot of times, two things happen is a lot of them, for example, the main one is a teacher retired in May, but they continue to get paid all the way through August. So, they have left since May, and they just never brought the form to us. So when they brought these forms to us, we want to make sure that we don't want to go against policy, which is why we're bringing it to the board. But essentially, that's what it is. It's employees that are trying to get their days paid out, any local days they had available, they retired. Mr. Elizondo stated, just real quick, just to make sure, this is an isolated incident, this happened in the past, and are we going to retract those individuals that have retired in the past and we weren't allowed them to do this? Can we look at that and just make sure that anybody else that has, because we're going to bypass policy, I want to make sure that anybody that was told no in the past is also included in this package. **Mr. Cespedes replied, we can take a look at it. So actually, this originated because one employee called and said, asked for, inquired on their status of their payments, and that's when we realized they had not submitted a form. So, what our payroll staff did is they actually went back and looked at anybody for this year, who else might have that happened to. And there was about another six employees. Now those were very few days. Now this is also happening for, the reason it happened this year is because, remember that back then, employees, when they would retire with TRS, they would get a paper form, the TRS-7 form. So that would force them to go walk up to payroll and payroll would tell them, hey, you need to fill out this form. Now everything is done online, the certification and the verification. And so we're trying our best. Like I said, HR has done their part by putting a pop-up message when they're doing their exit interview saying that if you have any leave available, please make sure you fill out that form. But we'll continue to monitor it. Mr. Elizondo stated, and then just to, I don't know if that was a yes to my question or not, but can we look at just anybody that's been affected as well? Mr. Cespedes replied, yes, like I said, we looked at it this year, so that's why initially it was only one employee, and we found others, and the other ones were very small. We can try to see for last year.** Mr. Elizondo stated, so those individuals that are going to benefit, make sure they understand that the guy who actually helped them needs to be taken out for dinner or something. **Mr. Cespedes stated, and if there's any of those, then we would have to bring it back to the Board to approve those as well. Okay.** Mr. Elizondo stated okay, thank you. Ms. Minerva Pena, Board Secretary stated, question? Mr. Elizondo interjected, so just real quick, I can support that, right, just to make sure that we include as many people as before. **Mr. Cespedes stated, yes, definitely.** Mr. Elizondo stated, because I had a couple of questions making sure that if it's just an isolated incident, and there's just circumstances that have happened, we also include those individuals that have lost pay in the past because of that clause, right? **Mr. Cespedes replied, yes. We did it this time, yeah, but we can look to see the (inaudible).** Mr. Elizondo interjected, I can support that. Thank you, sir. Ms. Pena stated, yes, and again, I go back to the same thing that I mentioned earlier. Can we have someone who's looking at that paperwork contact these individuals to let them know? Because that's your job. And I notice that now, like you said, the word

force, that's incorrect. It's a requirement. Nobody gets forced. You're required to do it. So, can we turn around and make sure when we see the paperwork, hey, they're missing this. Can we contact them, please? Because these people are busy working, doing everything, working hard. And as far as the people responsible to make sure all the paperwork is in, they should be able to give them a call and let them know out of courtesy. Because they've given us all this year and all this time. We need to step up the way we do, how we do, and the way we treat our employees. Because that's something very simple, as to send them a quick email, give them a phone call. You haven't turned this form in. Without this form, I can't pay you these days. Because right now, when you give up, not everybody reads everything or understands it. So could you please do that, to just give them a little help with everything that's going on? **Mr. Cespedes stated yea, and I guess I should have used the right word, right? The employees are all required to do an exit interview. And it's online. And I think that's, again, because they do it online, I think they, like you said, they're very busy. They forget to say, hey, I still need to do a paper form. And sometimes some of them actually don't realize, hey, I still have some leave available that can get paid out.** Ms. Pena stated, I would appreciate if they could do that because that would really help. Mr. Frank Ortiz, Board Member stated, yes, I also concur with Mr. Elizondo and Ms. Pena. This is money that these individuals have earned. I mean, they've given their lives to BISD or quite some time and this is why they have accumulated time because they're not absent as much and this is why they accumulate these days. I just want to make sure that they do get the money that they have coming to them, but at the same time, can we, and I think Mr. Elizondo already mentioned this, can we go back and see if we might have skipped some of our employees in the past or maybe they were told that they had not filed on time due to the fact that you're asking us to waive this policy for these individuals. If we have any individuals in the past that have been told you missed the deadline so you're not eligible, let's give them what they deserve as well. **Mr. Cespedes replied, yes, I would recommend that we look at last year because I think that is when again TRS started doing their online certification so these individuals were no longer getting a paper form so we can look at last year just to double check.** Ms. Pena stated, can I finish with this? Can we go ahead and we are having this meeting here and whoever is watching this meeting and you did not get paid, please feel free to come and contact your office, Mr. Cespedes, to make sure. So, anyone who is watching this meeting, it is an employee that didn't get their time paid please come forward so we can assist you. **Mr. Cespedes stated, yes definitely.**

**Motion made by Daniella Lopez Valdez, seconded by Minerva Pena, and unanimously carried to recommend approval to waive Board Policy DEC (Local) to pay 7 employees for the accumulated local leave of approximately 49 days. Include a thorough review of any employees from the previous year who may have missed the deadline, in order to ensure that they are given the compensation they are entitled to for their unused local leave days. (7-0-0)**

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

1. Recommend approval of Budget Amendment #012 in the amount of \$2,993,427.00 for Local Funds. (Reallocation of \$2,352,965.00, Carryover budget of \$356,962.00, Additional Funding of \$35,000.00 and fund Balance of \$248,500.00).

Jessica Gonzalez, Board Member stated motion to approve. Daniella Lopez Valdez, Board VP stated second. Dr. Jesus Chavez, Superintendent stated, Mr. President, Members of the Board, we'll have Mr. Cespedes give an overview of the budget amendment. Mr. Alejandro Cespedes, Chief Financial Officer stated, yes, so the bulk of this one, if you all look at function 35 and function 81, we're moving about \$2.2 million from function 35, which is Food Service to construction. That is for the building of the walk-in freezer project. And so it's still staying within the Food Service funds, the Fund Code 101. It's just that in order for us to abide by procurement rules, it has to be Function 81, because it is a construction/renovation project. The other one that we have there, another main one, is Function 52, security monitoring services. That one's coming out of our fund balance. We met with our Police Department maybe about a month ago and addressed some of their needs that they still have. So again, they're still needing in terms of whether it's equipment, other supplies by supplying bullets, things of that nature. And so, we're providing them with the additional funding that they need and we'll continue to monitor their needs as we meet with Chief Garcia. The other one that we're looking at, for example, Function 32 Social Work Services, \$112,000, that was for the funding out of State Comp. for the three additional attendance liaisons. As you all know that the District has started an attendance initiative so we have talked to the board through some of the Board Weekly Letters of allowing us to have three additional attendance liaisons to help out with that. And so that's the bulk of the budget amendments. If there's any other questions on that. Any discussion? Mr. Erasmo Castro, Board President stated, any discussion. No questions or concerns from Board of Trustees.

**Motion made by Jessica Gonzalez, seconded by Daniella Lopez Valdez, and unanimously carried to recommend approval of Budget Amendment #012 in the amount of \$2,993,427.00 for Local Funds. (Reallocation of \$2,352,965.00, Carryover budget of \$356,962.00, Additional Funding of \$35,000.00 and fund Balance of \$248,500.00). (7-0-0)**

**C. Recommend approval of the following Contract(s)/Agreement(s):**

1. Recommend the approval to enter into a Memorandum of Agreement with Haissam Mayasi, Consulting Services, for Technical Services such as comprehensive solutions including, but not limited to, writing code, tailor solutions to meet unique district requirements, programming support to ensure software systems and applications work seamlessly for the 2024-2025 school year at an estimated maximum cost of \$12,500.00 if maximum hours are met.

Frank Ortiz, Board Member stated, motion to approve. Carlos Elizondo, Board Member stated second. **Dr. Jesus Chavez, Superintendent stated, Mr. President, Members of the Board, Dr. Nelly, Cantu is available and will probably give a brief overview of this item. Dr. Cantu stated, thank you, Dr. Chavez. Yes, this memorandum for agreement for technical services, I wanted to clarify a little bit about the need for this. Currently at BISD, we have one senior programmer. This senior programmer is out on medical**



leave, and we don't know when the return date will be. We do have two other programmers that are what I would call junior programmers and have done a great job. But in order, we've got a couple of deadlines that are approaching, submissions to the state, not only in PEIMS, but also, we're working on the attendance initiative, we're working on the optional flexible school year initiative. So, what we're seeking is the help of a programmer. This is a very specialized position, a programmer, and they will be helping us to make sure that everything that we submit is accurate. And like I said, this is a skill that not any programmer can complete. So, it's a very unique specialization. Ms. Jessica Gonzalez, Board Member stated question, is this, I'm assuming, (inaudible) here? We're hoping? **Dr. Cantu replied, yes, ma'am, it is our hope that it will be one year.** Ms. Gonzalez stated, but if, for example, we would need him more, it would come back? **Dr. Cantu replied, it would come back, yes ma'am.** Ms. Gonzalez stated, and this is for PEIMS, not Technology, correct? **Dr. Cantu replied, it is actually for a combination of our Computer Services Department, PEIMS, Optional Flexible, and Attendance. So it's a combination of different areas, not just one area.** Ms. Gonzalez stated, okay, so then they all can use him or her. **Dr. Cantu replied, that is correct.** Mr. Frank Ortiz, Board Member stated, Dr. Cantu, you mentioned a little while ago, this is for the Optional Extended school year, which means that we're going to be recovering ADA, is that correct? In addition to what we're already doing during summer school, right? So, you could say that the 12,500 is max, it doesn't necessarily mean that it's going to go up to 12,500, right? Now, in investing 12.500 and we're looking at recovering ADA for our optional, you know, extended year program, how much of a money are we going to recover? **Dr. Cantu replied, we have elevated the optional flexible school day program to a larger scale, and our goal is to be able to recover anywhere from \$4 to \$6 million.** Mr. Ortiz stated, okay, so then what we're saying is for the \$12,500 max, in return we're getting the \$6-\$8 million or so. Is that correct? **Dr. Cantu replied, yes, sir.** Mr. Ortiz stated, thank you. Ms. Minerva Pena, Board Secretary stated, and is the person that's going to come in and help us do this, am I correct, this gentleman? **Dr. Cantu replied, this person will actually be working with our two junior programmers and working side by side to double check, to verify that everything that we submit is accurate. So yes, they will be helping us.** Ms. Pena stated, and this person will be also teaching our programmers and learning and doing it to where they, he can do it like at the speed that the people that are there, that are not able to do the program, they can learn some of this information. So he will make sure that he does that. At the same time of teaching us how to recover that, he makes sure they can do what he's doing. **Dr. Cantu stated, this agreement is to complete the work, to make sure it's done correctly. However, he has agreed to have the two junior programmers by his side and observe and ask questions as to the work that he's doing.** Ms. Pena stated, but you didn't write that into the agreement at all? **Dr. Cantu stated, it is a support program, ma'am.** Ms. Pena stated, I'm asking you wrote into the agreement that he is going to get this position and one of the requirements of this agreement is going to be that he teaches the people that are going to be there side by side working with him. Is that in black and white? **Dr. Cantu stated, yes, that is an expectation in the MOU.** Mr. Castro stated, thank you. Ms. Pena stated, no, not expectation. It is written in black and white. Today's world is very word specific. Mr. Castro stated, thank you, Ms. Pena. **Dr. Cantu stated, yes, it is included.** Ms. Denise Garza, Board Member stated, yes Dr. Cantu, you mentioned that they were going to be working side-by-side with our programmers. Will this individual be coming into BISD or working out of their office or just so we can show some type of accountability since this is

a fee that we are going to be paying this individual. **Dr. Cantu replied, yes, we have a proposed work schedule right now. This individual is a programmer for a local school district, and so he does work there. That is an advantage for us because he is familiar with the PEIMS systems, with the optional flexible, the attendance requirements. So, his proposed work schedule is Monday through Friday, 5:30 to 8 p.m., and Saturday and Sunday from 1 to 5. We have discussed with our Computer Services Department staff that will be available to be reached during these times to support and to guide and to be with this individual to just learn the new, whatever the programming that is happening and taking place.** Ms. Garza stated, okay, I have another, I guess, back up to that. So, he does work for another school district. I just want to make sure that we're in compliance and that our district doesn't get in trouble with consulting with this individual. So I guess this question's probably for legal. Is everything good to go? **Dr. Cantu stated Mr. Salinas did have an opportunity to review the agreement and there is a whole harm list for BISD as a protection. I don't know if you want to elaborate a little bit more, Mr. Salinas. Mr. Miguel Salinas, Staff Attorney stated, I approved it as to legal form, Ms. Garza. I didn't have any issues with the contract.** Ms. Garza stated, thank you. Ms. Pena stated Question? Mr. Castro stated, Ms. Gonzalez? Ms. Gonzalez stated, you caught me off guard. I know that's not their official position, but when you said junior programmers, what is their official title? **Dr. Cantu stated, they're MIS Programmers.** Ms. Gonzalez stated, what does that stand for? **Dr. Cantu replied, it is Media Instructional Services, I believe. Management Information Systems. Sorry, lots of acronyms.** Ms. Gonzalez stated, Management Information Program. **Dr. Cantu stated, Systems Programmer. Thank you.** Mr. Castro stated, Ms. Pena. Ms. Pena stated, and I noticed he said that he's going to be coming in at 5:30 to 8 p.m. and working with our employees. Did I hear you correctly? **Dr. Cantu stated yes, ma'am.** Ms. Pena stated, will the employees working with him be compensated for those extra hours they'll be working during the week? **Dr. Cantu stated, the plan is that there is a scope of work that has been outlined, Ms. Pena. So this individual, there will be communication and very clearly stating these are the objectives that need to get done. If there's questions, they will be available for phone calls. I know that I shared a conversation with our Superintendent, and if the need be that we need to arrange some of our staff's schedules so that they can work with him, then that is an option for us.** Ms. Pena stated so then no, between 5:30 and 8:30, we won't have anybody who's going to be there doing it by himself? Nobody will be side-by-side with him like you just mentioned they were going to be? **Dr. Cantu stated, we're going to evaluate it first to see with the scope of work that we have outlined for him. We're going to allow him to get the work started and at that point we'll know exactly what our junior programmers or our MIS programmers will be able to do.** Ms. Pena stated, but he doesn't work for the district so he'll be going into our system without no BISD employee watching what is happening and what is being done? **Dr. Cantu stated, we have safeguarded that, Ms. Pena, and that's something that our technology team is very particular about, making sure that we don't let go of any confidential information or the controls of it. We can't afford to do that, so that has been taken care of.** Ms. Pena stated okay, and Dr. Chavez, I really would think that it would be good, especially for our employees to be there every time he's there so they can pick up on what he's doing and how he's doing and compensate these employees. Because, you know, I know we've said there's no money. Oh, yeah, there's a lot of money. There's a lot of money at BISD. There're things that are happening, promotions, new jobs creation. Oh, yeah, there's a lot of money. I want to take care, please,

of our employees, and I really think it would be beneficial to have them sit and watch everything that is being done. Please. Mr. Castro stated, thank you Ms. Pena

Please note that I'm voting yes on the condition that they have the employees with him at all times that he's sitting in our district, into our staff. Motion passes, 6 yes, 1 no. Item 2,

**Motion made by Frank Ortiz, seconded by Carlos Elizondo to recommend the approval to enter into a Memorandum of Agreement with Haissam Mayasi, Consulting Services, for Technical Services such as comprehensive solutions including, but not limited to, writing code, tailor solutions to meet unique district requirements, programming support to ensure software systems and applications work seamlessly for the 2024-2025 school year at an estimated maximum cost of \$12,500.00 if maximum hours are met.**

**The following vote was recorded**

Yea: Mr. Elizondo, Ms. Lopez, Mr. Castro, Mr. Ortiz, Ms. Pena, Ms. Garza  
Nay: Ms. Gonzalez  
Abstain:

**Motion Carried: 6-1-0**

Ms. Pena stated, please note that I'm voting yes on the condition that they have the employees with him at all times that he's sitting in our district, into our staff. **Ms. Patricia Perez, Executive Assistant stated, motion passes, 6 yes, 1 no.**

2. Recommend approval of the Memorandum of Agreement between BISD and the City of Brownsville, Youth Athletics to serve name campuses for the November 2024 and February 2025 semesters.

Ms. Jessica Gonzalez, Board Member stated, motion to approve. Ms. Daniella Lopez Valdez, Board VP stated second. Mr. Alejandro Cespedes, Chief Financial Officer stated, **Mr. Alejandro Cespedes, Chief Financial Officer stated thank you, Dr. Chavez. This is the MOU that's in place between our ACE program, our after-school program, with the City of Brownsville to use their Sports Complex. And as a reminder, the original MOU that we have with the city to use the Sports Complex is free of charge. What's being charged here is approximately \$3,500, but that's ACE, the ACE program paying for the registration fee for our students to participate in soccer there at the Sports Complex in their soccer teams. Now this is for our 10, this is for the BISD ACE program that we have, those are 10 campuses. The campuses have the discretion to participate in it or not, so the \$3,500 would be if all the 10 schools sent out a team out there. So again, to use a sports complex is free of charge. The possibility of the 3,500 would be paid, one, be paid from the ACE program, and it would be for our students to cover their registration fee to play soccer.** Mr. Erasmo Castro, Board President stated, let me ask, you said possibly pay for the 3,500, but in the back information it said it's going to happen. So is it going to happen or is it possible? **Mr. Cespedes replied, what I'm saying possible is because this is us giving the 10 BISD ACE campuses, give them the**

**opportunity. Let's say that maybe only five of them want to participate, it will be less than the 3,500. But if all 10 decide to participate, that would be the total.** Question? Ms. Minerva Pena, Board Secretary stated, question. I noticed in the background where it says, additionally, the program will allow the students to participate in the City of Brownsville Leagues. They can participate in that without any of this, so why is that even put in there? **Mr. Cespedes replied, yeah, they can, yes, that's correct, ma'am. They can participate in any other of the leagues. Remember, soccer's not the only one that they provide, but here, what the ACE program is, is they're joining the City of Brownsville to see if that could be one of the enrichment programs that's provided. Remember, the ACE program provides a variety of programs. This is just one that they happen to, they're trying to see if they can join existing programs with the city of Brownsville and again, create soccer teams to go and help out, to participate, not help out.** Ms. Pena stated, yeah, I understand, but because it says here that the value of sports and foster a sense for unity and the love for the community. But to put in there additionally the program will allow students to participate in the city of Brownsville. As they're saying without this program we won't allow them. That doesn't make any sense. **Mr. Cespedes replied, no, no. They're free to participate. And here what we're saying is we're going to cover the cost for them to participate in soccer.** Ms. Pena stated, like the entry fees? **Mr. Cespedes stated the entry fees, that's correct. Because these kids can participate on their own, but then their parents would have to cover the entry fees, the registration fee.** Ms. Pena stated, can we correct that and add this in here to make sure it's covered because it doesn't say anything there about entry fees. **Mr. Cespedes stated, yes, we can correct that.** Ms. Pena stated, sir can we do that Dr. Chavez so they can hold the district responsible to what we're agreeing to. **Mr. Cespedes stated, yeah because for example on the purpose of the agreement there it states that the objective is to provide kids access to a safe facility and environment to play soccer. I think what we can add in there is you know this this means covering the registration fee.** Ms. Pena stated, please. Mr. Frank Ortiz, Board Member stated Mr. Cespedes, just for clarification purposes, this is a grant, is that correct, Fund 265? **Mr. Cespedes replied, that's correct, yes sir. This is the BISD ACE grant.** Mr. Ortiz stated, okay, which means that there's no cost to the district, correct? **Mr. Cespedes stated, that is correct.** Mr. Ortiz stated, thank you. Mr. Carlos Elizondo, Board Member stated, thank you, sir. Just real quick, you said 10 schools, right? **Mr. Cespedes replied, yes, sir.** Mr. Elizondo stated, and like you mentioned, I don't know anything about this program, but I have a question is, if five of them don't participate, could those five be issued to another school, or is that not possible? **Mr. Cespedes replied, no, unfortunately, the way the ACE grant is written, it is only for those 10 designated ACE campuses.** Mr. Elizondo stated, you answered my question. Thank you, sir. Ms. Pena stated, and can we know who chooses the campuses? **Mr. Cespedes stated, I believe those are done when the grant is written on a five-year cycle. At one point, we almost had almost every single campus covered because we had BISD ACE, we had the CIS-ACE, and then we had the one with TSC as well. So those have diminished, but I think we have almost every single ACE, every single campus has ACE. I'm not too sure. Twenty? Twenty of our elementaries have ACE programs. So we have 11 that currently do not.** Dr. Alma Cardenas Rubio, Assistant Superintendent stated, and we have 10 that the TCLASS expired last year.

Ms. Pena stated so can we take care of that so we can have them all on there and not let things expire? We need to take care of our students. That's what we signed up to do, every single one of us. So please, if we can do that. Because I know about sports. **Mr. Cespedes stated, at the next five years, we can definitely look to see if we can add more campuses.** Ms. Pena stated, please, I would really appreciate that.

**Motion made by Jessica Gonzalez, seconded by Daniella Lopez Valdez, and unanimously carried to recommend approval of the Memorandum of Agreement between BISD and the City of Brownsville, Youth Athletics to serve name campuses for the November 2024 and February 2025 semesters. (7-0-0)**

Ms. Pena stated, please note that my vote yes is to include that the district will pay for the fees for the children to enter into these programs in the sports.

**IX. Board Member Request(s)**

**A. Action Item(s)**

**Ms. Patricia Perez, Executive Assistant stated for the record, Roman numeral IX. A. 1 will be pulled from agenda.**

1. Discussion and consideration and possible action concerning individual(s) directly hired by the BISD Board of Trustees. (Board Agenda Request Carlos Elizondo/Board Support Frank Ortiz) **(Item deleted from agenda and backup)**
2. Discussion, consideration, and possible action to evaluate board counsel. (Board Agenda Request Erasmo Castro/Board Support Carlos Elizondo)

Mr. Erasmo Castro, Board President stated, motion to approve. Mr. Carlos Elizondo, Board Member stated second. Ms. Jessica Gonzalez, Board Member stated, we are motioning to approve to discuss? Mr. Castro stated any discussion. Ms. Gonzalez stated, I'll say something I guess. Just for the record according to our weekly newsletter, we have gone down extensively in pricing with the current legal counsel that we have. There was a point that we were using external attorneys for a total of \$437,000 a year. Right now, we're at \$183,000, so that is an obvious savings with the firm that we have. Will there be a presentation on this? **Dr. Jesus Chavez, Superintendent stated no, ma'am, but we'd be happy to answer any questions. And I know we've got the current firm here as well as our internal attorney as well. So, we would be happy to answer any questions that you may have.** Ms. Gonzalez stated, I do have a question then. Maddox, can you explain to the community, well, I guess I will say the part that you are a flat fee as the previous attorneys have been as well. Can you explain to the community what it is that you have done for the district that is included in your flat fee that we would normally pay for? *Mr. Nick Maddox, Board Attorney replied yes, Mr. President and members of the Board of Trustees, it's been our pleasure to serve Brownsville ISD. So, as you did mention, we do have a flat fee, which means that all legal services are included in that flat fee and there are no exceptions. So, whether that's litigation, appellate litigation, federal litigation, trainings, training, consultation, board meetings, travel time, special education, ARD participation, all those things which we've done, those all are included in the flat fee and do not generate extra costs for the district. As for our firm, we are engaged by members of*

*your terrific administration every single day. So we're either sitting in an ARD meeting or consulting with your directors or consulting with your HR staff or your administration. And so all those phone calls, all those emails are also not billed. Now we also took it upon ourselves to wrap up several pending litigation items. There were several cases when we came on that had been lost at the trial level and were in the appellate stages. So we took those on and were able to successfully conclude all of those by winning in the appellate court as well. We've done a series of trainings year over year. In fact, we've just been recently asked to do another on behalf of HR. So those are all included as well. Typically, trainings, litigation, appellate litigation, those things would be additional costs. But you do have quite an excellent cost-saving measure in your contract where all that is included. And so your monthly fee is predictable and you can budget for it and it will never exceed that fee.*

Ms. Gonzalez stated thank you. So, what I was seeing on top of what you said is we would be paying over a million dollars and you're at two something which is a hundred less than what we previously had on top of the external. Okay This is really interesting.

Mr. Castro stated, Ms. Garza. Ms. Denise Garza, Board Member stated, hi, yes the agenda item just mention evaluate. I am just curious, was there going to be something that you wanted to create that we could use to evaluate moving forward or I am just curious as to the way the agenda item was written out. Mr. Castro stated, I will explain. I was the one that submitted the request. My concern going in, coming onto the Board this time around is you don't want to repeat a lot of previous situations that I have experienced and probably other board members have experienced. And I have been seeing a couple of meetings and one of the things that I wanted to ask my colleagues and also ask the Board Attorneys and Administration was how well our working relationship was with those individuals, in this case the council, with all Board Members. I think to me it is important that we continue on with that working relationship and have the opportunity to evaluate and determine if we need to go another route or perhaps just to take measures in regards to seeing what the expectations are of a sitting Board with those individuals that we are directly responsible for. In this case, this item is the Council. So yes, just to answer Ms. Garza's question, I would be encouraged and interested in, you know, having continual conversations in regards to our Council and, you know, making sure as a united front, united force, that we are all working together on the same page. Ms. Garza stated, thank you for the clarification and letting our community aware of what the intention was. So, thank you. Mr. Castro stated, Ms. Lopez-Valdez. Ms. Daniella Lopez Valdez, Board VP stated, that was going to be my question. I was going to ask Mr. Elizondo, since he put it on here, what his concerns were. Mr. Carlos Elizondo Board Member stated, I didn't put it on there. Ms. Pena stated, and read it correctly. It's, it's, it is Erasmo Castro put it on there. He just supported it. Mr. Elizondo stated, I supported it because that's the policy. So, in order for his agenda to come in, someone else has to support it. Ms. Lopez Valdez stated, just looking at the Board Member Request and I see that it says your name. So I was just wondering. Mr. Elizondo stated, it says support. Mr. Castro stated, thank you. Mr. Elizondo stated, right on there. It says Board support. Mr. Castro stated Ms. Pena? Ms. Pena stated yes, and kind of to what Ms. Daniela just said, and that's the problem that I've had, that I want to make sure that when you do something and you represent it, you represent what the law says and not try to circumvent it and I can give you examples but I'm not going to do it publicly. You represent all of us equally and everything that's done is done under the law no matter who we are, where we come from, who our family is, nothing. I want to make sure that we all get treated equally every minute, every time we're up here and if things cannot get done, they will not get done because at the end of the day, the only one that's going to lose is

going to be your company and I don't want that to happen because you have done an excellent job. I just want to make sure that everybody is always treated equally and you stick by the side of the law, not the side of what makes people feel better. Mr. Castro stated, thank you, Ms. Peña. Mr. Castro stated, Ms. Gonzalez. Ms. Gonzalez stated, I pretty much already know the answer to this, but I'm still going to ask publicly. Are you and your colleagues on the firm available to every single Board Member to answer any questions? *Mr. Maddox replied, yes, ma'am, we are. As board council, we represent the board as a body corporate, so it's not the individuals, it's the seats, and the seats make up the district and that's our client.* Ms. Gonzalez stated so it's pretty much our choice to reach out with any questions and or concerns. *Mr. Maddox stated, yes ma'am, I practically live on my phone. Anyone who'd like to reach out or would make a request for me to reach out to them, I'm happy to do that.* Ms. Gonzalez stated, thank you. I know from experience if I can't find one, I'll find one of the other ones for sure. If not, I can call Kevin. Not that he'll take my calls always. Ms. Lopez Valdez stated, and I wanted to thank your firm, O'Hanlon, Demerath Castillo, for your expertise, not only in what you all have done and helped us achieve as a district, but at what you have done at the state level. I know that many of the laws are written by Mr. Kevin O'Hanlon himself, and many education, many districts throughout the state use the laws that he's written. So, thank you. Ms. Gonzalez stated, thank you for saving us money as well. Mr. Castro stated, thank you so much and thank you all. **Ms. Patricia Perez, Executive Assistant stated for clarification, the motion would be?** Ms. Pena stated, no action? Mr. Castro stated no action. **(No action taken)**

**X. CLOSED MEETING: as pursuant to the Texas Government Code Sections: 551.071, 551.072, 551.074, 551.082, and 551.084. 6:20 p.m.**

**XI. BOARD RECONVENES - Board action on agenda items discussed in Executive Session. 7:12 p.m.**

**A. ATTORNEY CONSULTATION**

1. Staff Attorney
  - a. Discussion, consideration, and possible action regarding Cause No. 2023-DCL-00242-A; Omar Gonzalez vs. Brownsville Independent School District. **(No action taken)**
  - b. Discussion, consideration, and possible action regarding Civil Action No. 1:24-cv-00099; Mary Tolman vs. Brownsville Independent School District, et. al. **(No action taken)**
  - c. Discussion, consideration, and possible action regarding Case No. 1:24-CV-00054, Lizette Lucio and Marc Anthony Lucio Individually and As Next Friend of M.A.L vs Brownsville Independent School District, et. al. **(No action taken)**

**B. INTERNAL AUDITOR CONSULTATION**

1. Update the newly elected Trustees of the status of past, ongoing, and completed Board approved audits. **(No action taken)**

**C. BOARD SELF-EVALUATION.**

**XII. Announcement(s):**

Dr. Jesus Chavez, Superintendent stated, yes, Mr. President and members of the board, I have several announcements. On November 20th, we do have the grand opening of the Barracuda Bloom Garden at 8.30 a.m. That's Breeden Elementary School. We have the Middle School One Act Play Competition Division 1, 8:30 Buchanan Performing Arts Center. We have the new Gymnasium Ribbon Cutting Ceremony 9 a.m. at Skinner Elementary and we have the Estudiantina Contest at 7 p.m. at CAB Auditorium. On November 21st we have Middle School One Act Play Division 2, 8:30 Buchanan Performing Arts Center. We also have the Citizens Facilities Committee, 5:30 CAB Cafeteria. November 22nd, we have El Jardin Elementary Produce Giveaway at 3 p.m. at El Jardin Elementary. On the 22nd, we also have E Sports Tournament, 4:30 p.m. over at the Wellness Center. A reminder to everyone, the district will be celebrating Thanksgiving Holiday, November 25th through the 29th. December 9th, we have the District Tamalada at 5 pm, I'm sorry, yes, beginning at 5 p.m. through 7 p.m. at CAB Cafeteria. And then December 10th, we have the Rescheduled Regular Board Meeting at 5:30 here in the Boardroom.

Thank you.

Ms. Minerva Pena, Board Member stated, just to let you know, I apologize, I won't be able to attend any of these because I've got some doctor and therapy appointments that are pretty much mandated So, please tell them I wish them the best. I won't be able to attend this week.

**XIII. Adjournment.**

**Motion was made by Erasmo Castro, seconded by Carlos Elizondo, and unanimously carried to recommend approval to adjourn the Special Called Board Meeting at 7:14 P.M. (7-0-0)**

➤ **There being no further business appearing before the Board, the meeting was adjourned.**

**(HANDOUTS ADDED TO OFFICIAL MINUTES)**

**(AUDIO/VIDEO TAPES OF THE OPEN MEETING AND THE WRITTEN CERTIFIED AGENDA OF THE CLOSED MEETING ARE ON FILE)**

**Approved by:**

\_\_\_\_\_  
Erasmo Castro, President of the Board

\_\_\_\_\_  
Date

**Attested by:**

\_\_\_\_\_  
Minerva Pena, Secretary of the Board

\_\_\_\_\_  
Date



**Notes: Font style designation**

Board of Trustees

**Administration**

*Board Attorney*

***Staff Attorney***

Speaker/Presenter

**(Minutes presented at Regular Board Meeting held on January 14, 2025)**