

BOARD OF TRUSTEES AGENDA

<input type="checkbox"/> Workshop	<input checked="" type="checkbox"/> Regular	<input type="checkbox"/> Special
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(A) Report Only Recognition

Presenter(s):

Briefly describe the subject of the report or recognition presentation.

(B) Action Item

Presenter(s): GILBERTO GONZALEZ, SUPERINTENDENT OF SCHOOLS
ELIZABETH RODRIGUEZ, PEP COORDINATOR

Briefly describe the action required.

CONSIDER AND TAKE ACTION TO ADOPT A RESOLUTION 2013/2014-06 CONFIRMING THAT MEMBERS OF THE BOARD OF TRUSTEES ARE NOT "CONTROLLING PERSONS" WITH REGARD TO THE DISTRICT'S PEP PROGRAM AS DEFINED BY TEXAS HUMAN RESOURCES CODE SECTION 42.002(18).

(C) **Funding source: Identify the source of funds if any are required.**

(D) **Clarification: Explain any question or issues that might be raised regarding this item.**

RESOLUTION

2013/2014-6

WHEREAS, the Eagle Pass Independent School District (“EPISD”) Board of Trustees as a body corporate has the exclusive power and duty to govern and oversee the management of the public schools of the district;

WHEREAS, the EPISD is responsible for supporting the academic success of pregnant and parenting students;

WHEREAS, the EPISD has determined that the implementation of a Quality Pregnancy, Education, and Parenting (“PEP”) Program will provide support to its pregnant and parenting students;

WHEREAS, the EPISD has determined that a school-based childcare program should be a part of its PEP Program;

WHEREAS, the EPISD has determined that the school-based childcare program run by EPISD is a licensed childcare center subject to state laws and regulations related to licensed child care centers;

WHEREAS, the EPISD understands that the 83rd Legislature passed legislation that amends former state law allowing administrative penalties for violations committed by “controlling persons” of licensed child care centers.

WHEREAS, the EPISD has been directed by the Texas Department of Family and Protective Services to submit the personal information of each member of the board of trustees as a “controlling persons” subject to monetary and nonmonetary penalties for violations related to the licensed child care center in EPISD;

WHEREAS, the EPISD Board of Trustees has determined that the Superintendent shall define and oversee the duties and responsibilities of all employees and supervisors including the duties and responsibilities of all individuals who either alone or in connection with others, have

the ability to directly or indirectly influence or direct the management, expenditures, or policies of the EPISD child care operation;

WHEREAS, the EPISD has determined that the members of its board of trustees shall not and do not, either alone or in connection with others, have the ability to directly or indirectly influence or direct the management, expenditures, or policies of the EPISD child care operation;

WHEREAS, the EPISD members of the board of trustees are; therefore, not controlling persons for purposes of the Texas Human Resources Code § 42.002(18);

THEREFORE, be it RESOLVED on this the ____ day of October, 2013, that the Board of Trustees for the Eagle Pass Independent School District does hereby approve the resolution described herein.

President
EPISD Board of Trustees

Secretary
EPISD Board of Trustees