

No. _____



UNITED INDEPENDENT SCHOOL DISTRICT AGENDA ACTION ITEM

TOPIC _____ Board Minutes _____

SUBMITTED BY: _____ Karen Winch _____ **OF:** _____ Board Secretary _____

APPROVED FOR TRANSMITTAL TO SCHOOL BOARD: _____ May 19, 2010 _____

RECOMMENDATION:

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

Special Called Meeting – April 12, 2010

Regular Board Meeting – April 21, 2010

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).

Special Called Meeting
The State of Texas
United Independent School District
The County of Webb

April 12, 2010

In Attendance

Roberto J. Santos, Superintendent of Schools

Board of Trustees

Pat Campos – President
Juan Antonio Molina, Jr. – Vice President
Juan Roberto Ramirez – Secretary
Ricardo Molina, Sr. – Parliamentarian
Judd Gilpin - Member
William "Bill" Johnson - Member
Ricardo "Rick" Rodriguez – Member

I. Roll Call, Establish Quorum, Call to Order

II. A Special Called Meeting of the Board of Trustees of United ISD was held Monday, April 12, 2010 , in the U.I.S.D. Administrative Building Board Room located at 301 Lindenwood Drive, Laredo, TX 78045. An announcement was made by the Board President calling the meeting of the United Independent School District to order at 6:01 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. Pledge of Allegiance

IV. Closed Session:

The Board entered into Closed Session at 6:04 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. Discuss Termination of Probationary Contract of Classroom Teacher

The Board returned from Closed Session at 6:17 p.m. No action was taken in Closed Session.

V. Action Item

1. Action re: Termination of Probationary Contract of Classroom Teacher

Mr. Juan Cruz, UISD General Counsel, addressed the Board saying the recommendation is to terminate Mr. Jose De La Cruz' probationary contract at the end of the 2009-2010 school year in the best interests of the District and authorize Superintendent to send notice of same.

Motion: So move.

Moved by: Rodriguez
Seconded by: R. Molina
Discussion: None
In Favor: Unanimous

IV. Adjournment

There being no further business before the Board of Trustees, the Special Called Meeting of April 12, 2010 was adjourned at 6:19 p.m.

Pat Campos, President

Juan Roberto Ramirez - Secretary

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

April 21, 2010

In Attendance

Roberto J. Santos, Superintendent of Schools

Board of Trustees

Pat Campos – President - absent
Juan A. Molina, Jr. – Vice President
Juan Roberto Ramirez – Secretary
Ricardo Molina, Sr. – Parliamentarian - absent
Judd Gilpin – Member –
William "Bill" Johnson – Member - absent
Ricardo "Rick" Rodriguez – Member

I. Roll Call, Establish Quorum. Call to Order.

II. Pledge of Allegiance

III. A Regular Meeting of the Board of Trustees of United ISD was held Wednesday, April 21, 2010, in the Student Activity Complex, Fine Arts Building, 5208 Santa Claudia Lane, Laredo TX 78043. In the absence of Ms. Campos, Mr. J. Molina, Vice-President made an announcement calling the meeting of the United Independent School District to order at 6:33 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.

Item V – Recognitions was considered before Public Comments

IV. 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.

Rene De La Vina. Mr. De La Vina introduced himself at the Laredo United full-time president of TSTA (Texas State Teachers Association). He said they had been hearing many complaints about the turnaround teams. He said he was trying to be as diplomatic as possible, but he had not heard one positive thing yet about them. The speaker said the teams are not going in to the classrooms to improve, but rather they are going into the rooms to criticize. Mr. J. Molina intervened to say the topic was not part of the agenda and the Board had passed a policy that they would not address topics not on the agenda. He said the reason they do that is so the public knows the topic about which the speakers are talking. Mr. De La Vina continued by saying it would be much more beneficial if the teams went into the rooms to model and not criticize.

Mr. De La Vina said the District's Level I Grievance process is not fair because when you get to Level I, the person who is the Hearing Officer is the person you are grieving against. He said that was ridiculous and unfair and biased.

The final issue addressed by Mr. De La Vina was salaries. He asked that the Board not go into merit pay as the paraprofessionals would be left out. He said he felt the custodians and teacher aides are trying their best and should not be left out. He said he was planning to pursue the same at LCC where he is a board member.

Hilario Cavazos. Mr. Cavazos introduced himself as Laredo United TSTA. He said he was there to speak on Agenda Item 7-A, salary adjustments. He said everyone needs pay raises and adjustments. He mentioned that the counselors at the high schools have 700 students to 1 and teachers work very hard. Mr. Cavazos said there needs to be transparency in the hiring process.

In addition, Mr. Cavazos said we need to have an open forum, an open door. He said it was not to knock anyone, but there needs to be an open door. The speaker concluded by thanking the Board and Mr. Juan Cruz for their hard work. He said on a personal note, he wanted to thank Dolores Barrera, the track coaches, and the Dazzler sponsor at Alexander High School. He said it really takes a special person to work with kids after school.

Lizette Flores. Ms. Flores said she was speaking on Agenda Item D. She said she would like to request that the Board review the policy in place in reference to the grievance process at Level I. She said it violates the due process rights when the hearing officer is the same person the grievance is against. She said it would be like filing a complaint against a judge and that judge is the same person that will hear your case. She said another policy that needs to be changed is for the grievant not to be allowed to bring up an incident that did not occur ten days before the grievance is filed. In conclusion, Ms. Flores said instructional directives should have some type of criteria in order to be issued out to employees and if that criteria is met, the administrator should remove it from their files.

Erika Rendon. I request the board review the Level I process that is currently in place. She said she believes it violates the due process rights. She said it is really a waste of time because if a grievance is filed against an administrator they are the hearing office. She concluded by saying she believed if the process was reviewed, all could be resolved at the mediation level.

Alejandra Diaz Lightner. Ms. Lightner, Laredo United secretary said she would be speaking on Item #V – Recognitions. She said it was great to see the children come up to receive their recognition. She said, however, they had a problem at the ninth grade program because they are not allowed to be transported to the Summer School Now program because of a lack of

funds. She asked the Board that in order to continue recognizing the academic and athletic students, to please look into the Summer School Now program.

Dina Pena. Ms. Pena introduced herself as the Laredo Untied TSTA/NEA president and she thanked Mr. Cruz for working with TSTA to find a positive solution to the matter of contracts and that she looked forward to working in that matter with UISD administration. In addition, she says there is a concern regarding the DATE grant as to how the funds will be utilized. She said the teachers are not "test scores," and the students are not "test scores." She said they are all working together to bring their test scores up, so it is a team effort and individual teachers should not be singled out.

Louise Williams. Ms. Williams introduced herself as a middle school representative of TSTA. She said referring to item 6B on the purchase of land and the proposed construction of the Cherish Center. She said she wanted to make a point that Special Ed teachers have not had a stipend increase since 2005. She said they work with students who have unique learning disabilities and medical issues. Ms. Williams said they deserve a stipend increase.

Courtney Schuseim. Ms. Schuseim introduced herself as one of the staff attorney with TRLA. She said access to education is a high priority to TRLA. She said she was there on behalf of her clients, *Unidas por la Educacion*, who are dedicated to giving educational access to disadvantaged groups and communities in UISD, particularly in the *colonias*. She addressed 8A and 9H, the proposed changes to policies and regulations. She thanked the District for listening to their concerns. She said the main concern was that the policy not be narrowly applied and thus keep students out of school. She said one area is the proposed change to the minor living apart. The District has taken out the exception language where the Superintendent may make an exception when a child is living separate and apart from their parents. She said there are times, as in the issue of domestic violence, where they cannot produce the numerous documents being required. The speaker said they would rather see the monies going to hire more effective teachers. She said these harsher requirements may also affect the students who are here lawfully. She asked that the Board find in favor of admission.

Gloria Romo. Ms. Romo introduced herself as a resident from El Cenizo. She said many of the documents the District is requiring from parents are hard to obtain. She said it will not only affect the child, but the school and district because of funding. She asked that they give the children the opportunity to learn.

Luz Ann Castillo. Ms. Castillo said she represented the community of Magana Hein Road. She asked that the Board consider how hard it is for the parents to get an education for the children. She asked for a helping hand.

Juan Cruz. Mr. Cruz, UISD General Counsel, commented that this agenda item will be tabled because the seven Board members were not present. He said on April 8, 2010 after the last Board meeting, Mr. David Hinojosa made several points and revisions to the policy were made. He said the District is not making it hard for anyone to enroll as long as they can show identity and residence. He said the school District has done more than enough to accommodate everybody, but also in fairness to taxpayers to ensure that the children we educate are those who reside in the district.

V. Recognitions

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

- A. Conoco Phillips Philanthropic Committee
- B. Academy Sports and outdoor
- C. Alexander High School Dazzlers Dance Team
- D. United High School Soccer Team
- E. JBA High School Power Lifter
- F. LBJ High School Boys Soccer Team
- G. LBJ High School Girls Soccer Team
- H. LBJ High School Dream Catchers
- I. HOSA State Winners
- J. Gold Start Awards – Instructional Television
- K. T.A.F.E. State Winners

VI. Closed Session: Board adjourned into Closed Session at 7:28 p. m. pursuant to the following sections of the Texas Open Meetings Act:

A. 551.071 – Consultation with the Board’s Attorney

- 1. Discussion Re: CSP 2010-11 Newman Elementary & Clark Middle Roof Replacements**

B. 551.071 – Consultation with the Board’s Attorney

551.072 Discussion on the Purchase, Exchange, Lease or Value of Real Property

- 1. Report on status of negotiations and consideration of terms and possible execution of Agreement for Sale and Purchase pertaining to the purchase of approximately 10.00 acres of land located in the Las Blancas Subdivision, Unite 2, located in Webb County, Texas comprising all of Lot 2, Block 1, (approximately 3,1305 acres, and adjoining property in the approximate amount of 6.86 acres) to be conveyed by Home Mart, Inc.**
- 2. Report on status and negotiation of terms for Earnest Money Contract and discussion of possible action pertaining to the purchase of approximately 12 acres of land located on Hwy. 359 and adjacent to the west side of United Independent School District Student Activity Complex Educational Center to be conveyed by Jorge O. Gutierrez and Tomas L. Izaguirre, Jr.**
- 3. Report on and discussion of possible action and approval of Fourth Amendment to the Settlement Agreement pertaining to extending the deadline to plat as stated on the Settlement Agreement and**

Release of all claims in Cause No. 2006-CVQ-001884-C1, styled United Independent School District vs Killam Ranch Properties, Ltd., a Texas Limited Partnership, et. al, in the County court of Law No., 1, Webb County, Texas and as stated on the Third Amendment of such Agreement.

**C. 551.074 - Consultation with Board's Attorney
Discussion of Personnel or to Hear Complaints against Personnel**

- 1. Discussion Re: Employment of Principals at Roosevelt and Prada Elementary Schools an Salvador Garcia Middle School**
- 2. Discussion, including Consultation with Legal Counsel, regarding Proposed Termination of Continuing Contract Classroom Teacher**

D. 551.074 Discussion of Personnel or to Hear Complaints against Personnel

551.076 - Considering the Deployment, Specific Occasions for, or Implementation of Security Devices

- 1. Random Student Drug Testing Program**
- 2. Student Standardized Dress Code**
- 3. Status of on-Going Audits**

VII. The Board returned from Closed Session 9:13 p.m. and took appropriate action as discussed in Closed Session.

A. Action re: Salary Adjustments to Principals for Roosevelt and Prada Elementary and Salvador Garcia Middle School

Mr. Juan Cruz, UISD General Counsel, said the recommendation was to approve the salary adjustments to principals for Roosevelt and Prada Elementary and Salvador Garcia Middle School as discussed in Closed Session.

Motion: So moved.

Moved: Gilpin
Seconded by: Rodriguez
Discussion: None
In Favor: Unanimous

B. Action Re: Proposed Termination of Continuing Contract Classroom Teacher and Authorize Superintendent to send notice of same

Mr. Santos recommended that the Board of Trustees accept the administration's recommendation of the proposed termination of Philip Dyer for good cause and authorize Mr. Santos to send notice as discussed in Executive Session.

Motion: So moved.

Moved by: Gilpin
Seconded by: Ramirez
Discussion: None
In Favor: Unanimous

C. Discussion and possible action concerning the execution of a Purchase Agreement and possible purchase of approximately 10.00 acres of land located in the Las Blancas Subdivision, Unit 2, located in Webb County, comprising all of Lot 2, Block 1 (approximately 3.1305 acres, and adjoining property in the approximate amount of 6.86 acres)

Mr. Cruz said the recommendation was to authorize legal counsel to move forward with negotiations and possible purchase of approximately 10.00 acres of land located in the Las Blancas Subdivision, Unit 2, located in Webb County, comprising all of Lot 2, Block 1 (approximately 3.1305 acres, and adjoining property in the approximate amount of 6.86 acres) as discussed in Closed Session.

Motion: So move

Moved by: Ramirez
Seconded by: Rodriguez
Discussion: None
In Favor: Unanimous

D. Discussion and possible action pertaining to the purchase of approximately 12 acres of land located on Hwy. 359 and adjacent to the west side of United Independent School District Student Activity Complex Educational Center to be conveyed by Jorge O. Gutierrez and Tomas L. Izaguirre, Jr.

Mr. Cruz advised the Board that the recommendation was to authorize legal counsel to proceed with negotiations regarding the purchase of west side of United Independent School District Student Activity Complex Educational Center to be conveyed by Jorge O. Gutierrez and Tomas L. Izaguirre, Jr. as discussed in Closed Session.

Motion: So move.

Moved by: Ramirez
Seconded by: Gilpin
Discussion: None
In Favor: Unanimous

E. Possible action and approval of Fourth Amendment to the Settlement Agreement pertaining to extending the deadline to plat as stated on the Settlement Agreement and Release of all claims in Cause No. 2006-CVQ-001884-C1, styled United Independent School District vs Killam Ranch Properties, Ltd., a Texas Limited Partnership, et. al, in the County court of Law No., 1, Webb County, Texas and as stated on the Third Amendment of such Agreement.

Mr. Juan Cruz advised the Board that the recommendation was to authorize legal counsel to proceed with Fourth Amendment to the Settlement Agreement pertaining to extending the deadline to plat as stated on the Settlement Agreement and Release of all claims in Cause No. 2006-CVQ-001884-C1, styled United Independent School District vs Killam Ranch Properties, Ltd., a Texas Limited Partnership, et. al, in the County court of Law No., 1, Webb County, Texas and as stated on the Third Amendment of such Agreement as discussed in Closed Session.

Motion: So move.
Moved by: Ramirez
Seconded by: Rodriguez
Discussion: None
In Favor: Unanimous

VIII. Superintendent's Report

A. Review of Policy FD (Regulation) - Admissions

Mr. Cruz advised the Board that there is no review on agenda Item VIII-8 with respect to Policy FD (Regulation) – Admissions as it has been pulled, and consent agenda item IX-H has been pulled, as well.

IX. Consent Agenda Items

Mr. Molina called for a motion on Consent Agenda Items as presented.

A. Approval of Monthly Disbursements

B. Approval of Resolution providing a 15% Collection Fee on Delinquent Taxes unpaid as of July 1, 2010 as provided by Section 33.07 of the Texas Property Tax Code.

C. Approval of Awarding Bids, Proposals, and Qualifications

D. Approval of Request for Competitive Sealed Proposals (CSP) as the Solicitation Method of procurement for the construction of the UISD Cherish Center

E. Approval of Request from Juan A. Molina for Use of Board of Trustees Discretionary Funds for LBJ High School for \$14,231.

F. Approval of Request from Pat Campos. for Use of Board of Trustees Discretionary Funds for Gutierrez Elementary School for \$10,000.

G. Approval of Board Travel for the Month of April, 2010

I. Second Reading of Policy FD(LOCAL): Admissions

This item was tabled.

Motion: So move.
Moved by: Rodriguez
Seconded by: Ramirez
Discussion: None
In Favor: Unanimous

X. Items for Individual Consideration

A. Board Minutes

1. Regular Meeting March 24, 2010

2. Special Called April 7, 2010

Motion: So move.
Moved by: Rodriguez
Seconded by: Ramirez
Discussion: None
In Favor: Unanimous

B. Donations

Mr. Santos read the list of donations totaling \$327.60 into the record and thanked all for their gracious donations.

Motion: So move.
Moved by: Ramirez
Seconded by: Rodriguez
Discussion: None
In Favor: Unanimous

C. Approval of CSP 2010-11 Newman Elementary and Clark Middle Roof Replacements

Ms. Cordy Flores-Jackson, Director of Purchasing, advised the Board that Administration was recommending the awarding of the bid to American Contract USA for the total amount of \$1,385,696.83.

Motion: So move.
Moved by: Ramirez
Seconded by: Rodriguez
Discussion: None
In Favor: Unanimous

D. First Reading of Policy EIC (LOCAL) – Academic Achievement – Class Ranking

There was no action required on this item.

E. First Reading of Policy EIF (LOCAL) – Academic Achievement – Graduation

There was no action required on this item.

F. First Reading of Policy FNCA (LOCAL) Student conduct Dress Code

There was no action required on this item.

G. Approval of Application for Low Attendance Day Waiver for Monday, April 5, 2010

Motion: So move.
Moved by: Ramirez
Seconded by: Gilpin
Discussion: None
In Favor: Unanimous

H. Approval of Application for a Missed Instructional Day (March 24, 2010) for Newman Elementary School for the afternoon Pre-Kindergarten Program students due to school's closure.

Motion: So move.
Moved by: Ramirez
Seconded by: Rodriguez
Discussion: None
In Favor: Unanimous

I. Approval of Renewal of CISCO Networking Academy

Motion: So move.
Moved by: Gilpin
Seconded by: Rodriguez
Discussion: None
In favor: Unanimous

X. Adjournment

There being no further business before the Board, Mr. Ramirez moved and Mr. Gilpin seconded the motion to adjourn the Regular Meeting of April 21, 2010. The meeting was adjourned at 9:48 p.m.

Pat Campos – President

Juan Roberto Ramirez - Secretary