

Brackett Independent School District
Board Minutes of Monthly Meeting & Level III Hearing
May 8, 2006

- Members Present - Henry Lutz, Tony Ashley, Mark Frerich, Sara Terrazas, Sondra Meil, Ronnie Hobbs, Jeffrey Duncan
- Administrators Present - Paula Renken, Alma Gutierrez, Frank Taylor, George Burks
- Guests - Catrina Longoria, Matt Bland, Christina Meek, Pat Sitzes, Pam Melancon, Bo Hagler, Katy Hagler, Mark Meek, Maxine Bonner, Rick Hagler, David Esparza, Kandace A. LaMascus, Debbie Ward, Sherry Montei, Jerry Allen, Connie Hall, Amanda Burgos, Leigh Volcsko, Yolanda Rueda, Marla Madrid, Bonnie Mayes, Allison Taylor, Julia Terrazas, Diana Ward, Susan Esparza
- Legal Representatives Present - Attorney Joe Hairston (Walsh, Anderson, Brown, Schulze & Aldridge, P.C.), Attorney Bill Bednar (William C. Bednar, P.C.), Court Reporter Vickie Garza (Federal Court Reporters of S.A), Attorney Tony Connors (Brim, Arnett, Robinett, Hanner & Connors, P.C.)
Level III Hearing

1. CALL TO ORDER/ESTABLISH QUORUM

Henry Lutz, President, called the regular meeting to order at 5:35 p.m.

A. MOMENT OF SILENCE & PLEDGE

Following a moment of silence, Sara Terrazas led the Pledge of Allegiance.

2. PUBLIC FORUM

Pat Sitzes (Cluster 5 Employee, Speech Pathologist) – Voiced concerns with special education ethics; teachers hounded for referrals, lack of preparation before mainstreaming special education students, and teachers are not given the support needed. Ms. Sitzes stated content mastery works well, but not with special education. Feels she has been pressured and not treated as a professional. Ms. Sitzes added she will not be returning next year.

Henry Lutz stated Ms. Sitzes comments were duly noted.

Yolanda Rueda (Parent, Teacher) – Concerns with February 6th letter sent home with 4th graders. Ms. Rueda read the letter out loud. Mrs. Rueda stated the content of the letter is not what the board intended and singled out a teacher unfairly.

3. MINUTES

Minutes for April 10, 2006 Monthly Meeting

A motion was made by Sondra Meil to approve the minutes for April 10, 2006, as presented. Henry Lutz seconded. The motion carried Mark Frerich, Tony Ashley, and Jeffrey Duncan abstaining.

4. RESOLUTION & INTERLOCAL AGREEMENT, BRACKETT I.S.D. AND THE CITY OF BRACKETTVILLE

City Attorney Catrina Longoria recapped the federal grant decision as discussed at the last meeting. An engineer for the city evaluated both properties, deeming the track location as the better alternate. Kinney County Chief Appraiser Bill Haenn appraised the property at \$1,653.00. Ms. Longoria stated the next step is for the entities to approve an interlocal agreement and then a resolution for the sale and purchase of the track property. Results from this meeting will be reported to the city council meeting tomorrow night. Once the interlocal agreement and resolution are approved, Ms. Longoria stated a survey will be conducted. A six-month extension has been granted on the deadline, but the tower needs to be completed as soon as possible. Bonnie Mayes stated the city must supply sewer to the track field for the proposed concession stand/bathrooms since the property is within city limits, adding they will need to write this into the next budget. The city is also responsible for covering the cost of the surveyor and title expenses.

A motion was made by Ronnie Hobbs to enter into an interlocal agreement with the City of Brackettville for the purchase of an 80 foot by 80 foot parcel of property at the track field off FM 334, for construction of a water tower. Mark Frerich second. The motion carried unanimously.

A resolution provided by City Attorney Catrina Longoria was read by Henry Lutz.

“A resolution authorizing the President of the Board of Trustees of Brackett Independent School District to enter into an interlocal agreement with the City of Brackettville for the sale of an 80 foot by 80 foot parcel of land to the City of Brackettville.”

A motion was made by Sondra Meil to approve the resolution as read. Tony Ashley seconded. The motion carried unanimously.

5. TRACK & CONCESSION STAND BIDS

Paula Renken stated a bid opening was conducted on May 1, 2006, for the track and concession stand. Three bids were received and ranked as follows for renovation of the track;

1. Vibrawhirl (Panhandle) - \$183,440.00 with completion in 75 days
2. Hellas (Austin) - \$218,270.00 with completion in 90 days
3. Huser Construction (Kerrville) - \$316,500.00 with completion in 90 days

Alternate figures were also read for each company. Vibrawhirl came out as the low bid.

Two bids were received for the concession stand and ranked as follows;

1. Pioneer Concepts, Inc. (Local) - \$75,300.00 with completion in 180 days
2. Huser Construction Co. (Kerrville) - \$102,000.00 with completion in 60 days

Pioneer Concepts came out as the low bid for the concession stand.

A motion was made by Jeffrey Duncan to accept the ranking as presented with Vibrawhirl as number one for renovation of the track, and Pioneer Concepts, Inc. as number one for the concession stand, and allowing John Graves to negotiate with both parties. Henry Lutz seconded. The motion carried unanimously.

6. BUSINESS & FINANCE

MONTHLY RECAP OF REVENUE & EXPENDITURES

Marla Madrid stated things are running smoothly. The district is still receiving Alamo Heights money. Literacy Through School Libraries grant money has been requested.

CHECK RUN

Paula Renken stated lots of regional meets are included on this check run. Golf is at state right now. No questions from the board.

BUDGET CALENDAR

The board conducted a review of the proposed budget and tax rate calendar for 2006. Business Manager Marla Madrid stated the dates all hinge on legislature and publishing requirements. The board agreed to move the June 12th meeting up one week to June 5th.

7. ADMINISTRATIVE REPORTS: ENROLLMENT, DISCIPLINE REPORT, & CURRENT EVENTS

Jones Elementary (Alma Gutierrez)

Refer to written report. Enrollment: 239 Discipline: 11

Intermediate / Junior High (George Burks)

Refer to written report. Enrollment: 5th - 6th, 87, 7th - 8th 112 Discipline: 33

Brackett High School / Educational Academy (Frank Taylor)

Refer to written report. Enrollment: HS - 170, Academic Academy - 16 Discipline: 16

Frank Taylor commended all the employees and students who participated in Relay for Life. Money collected from Brackettville alone totaled \$27,000.00.

8. SUPERINTENDENT'S REPORT

Set Date for Policy Review Training & Special Meeting

A thorough review of the district policy manual has not been done in over nine years. A TASB consultant will come in and audit our policy, spending one full-day or two half-day sessions to explore and resolve inconsistencies, address policy issues, and train administrators in the use of the manual. The consultant will also meet with Board members in the evening for a one-hour training session. Following the training session, a meeting will be held to review key policies. Mrs. Renken stated the audit will get board policy aligned and ready to open up on-line to the public. A recommendation was made to set the meeting in July. Following discussion, the board agreed to July 10th, after the regular board meeting.

Optional Flexible Year Program

Back in January the board was given information on the Optional Flexible Year Program where a modified instructional calendar is made available for students who meet certain qualifications; passing the state assessments, passing their courses, are going to be promoted to the next grade level, and have at least a 90% attendance. Eligible students would only be required to go to school for 170 days, instead of 180. Those students who do not qualify for the modified school year would go 180 days. This extra instruction at the end of the year would do away with the need for summer school. Principals Alma Gutierrez and Frank Taylor shared the program with their staff who agreed the program is a plus for students. The Supt. Student Advisory Council sees the program as an incentive for students to work toward. The Brackett District Advisory

Committee is also in favor of the program. There would be no impact financially on the district. Parents would be given the option to have their kids still go 180 days. In order to meet the May 23 deadline to apply with TEA, Mrs. Renken asked for the board's approval to contact the funding division to let them know we are interested in OFYP and proceed with the application process. Once the application is approved by TEA the board would then give a final vote. A letter will go out to PK-12th grade parents asking for their thoughts on the program. Following discussion, the board agreed to apply for the program.

A short break was called for at 6:21 p.m. The board convened into Open Session at 6:36 p.m., adjourning into a Closed Session at 6:37 p.m., pursuant to Texas Gov 't Code 551.071.

9. ***PRIVATE CONSULTATION WITH BOARD'S ATTORNEY TO RECEIVE LEGAL ADVICE CONCERNING LEVEL III EMPLOYEE GRIEVANCE APPEAL BROUGHT B Y STELLA "BO" HAGLER**

The board reconvened into Open Session at 6:53 p.m., taking no action on item #9.

[See court record transcripts for proceedings related to items #9 & 10.]

Accordingly, pursuant to Texas Gov't Codes 551.074, and 551.082, the board convened into a Closed Session at 6:55 p.m., to hear the grievance as stated in item #10 on the agenda.

10. ***CONSIDER LEVEL III EMPLOYEE GRIEVANCE APPEAL BROUGHT BY STELLA "BO" HAGLER**

The board reconvened into Open Session at 7:12 p.m.

President Henry Lutz entertained a motion from the board to waive attorney client privilege on documents identified as Exhibit B to Mr. Hairston's Attorney General request dated May 3, 2006. The motion was made by Tony Ashley and seconded by Sondra Meil. The motion carried unanimously.

The board again convened into Closed Session at 7:13 p.m., pursuant to Gov't Code 551.074 and 551.082.

Following grievance presentations, a short break was called for at 8:30 p.m. The board reconvened into a Closed Session at 8:40 p.m., to begin deliberations.

The board convened into Open Session at 10:04 p.m., and took the following action:

A motion was made by Tony Ashley on grievance #3 that it be granted, with the administration directed to offer Mrs. Hagler a new contract for the 2006-2007 school year with the provision that it be signed and returned no later than the close of business on May 15, 2006, or it shall be void. This decision is limited to this particular grievance and should not be considered as precedent on how future grievances will be decided. Mark Frerich second. The motion carried with Sondra Meil opposing.

Tony Ashley made a motion on grievances 1 & 2 that they be denied and the administration's assignment of Mrs. Hagler for the 2006-2007 school year is affirmed. Sara Terrazas seconded. The motion carried unanimously.

Action taken concludes the Level III Hearing.

11. **PUBLIC FORUM**

Debbie Ward - Voiced her support for Stella Hagler.

With no objections, the meeting was adjourned at 10:07 p.m.

Respectfully Submitted,

Henry Lutz, Board President

Sara Terrazas, Secretary

Date

Date