



**SOUTH SAN ANTONIO INDEPENDENT SCHOOL DISTRICT
OFFICE OF THE SUPERINTENDENT**

1450 Gillette Boulevard · San Antonio, Texas 78224 · (210) 977-7000 · Fax (210) 977-7017

Minutes of Special Called Meeting

**The Board of Trustees
South San Antonio ISD**

A Special Called Meeting of the Board of Trustees of South San Antonio ISD was held Thursday, June 25, 2020, beginning at 6:00 PM in the It is the intent of the Board of Trustees to conduct this meeting primarily via teleconference pursuant to the Open Meetings Act procedures announced by Governor Abbot.

CALL TO ORDER AND ROLL CALL

Trustee	Present	Absent	Late Arrival/Departed Early
Stacey Alderete	X		
Gilbert Rodriguez	X		
Connie Prado	X		
Shirley Ibarra Pena		X	
Homer Flores	X		
Kevin Rasco	X		
Veronica Barba	X		

Led by Michelle Martinez, Senior Executive Assistant

- PLEDGE OF ALLEGIANCE
- TEXAS PLEDGE
- PRAYER
- CALL TO ACTION

Led by Jennifer Suniga- Collier, Community Relations Officer

CITIZENS TO BE HEARD

None

DISCUSSION AND POSSIBLE ACTION

1. Discussion and possible action to approve the 2020-2021 compensation plan

Luz Cadena, TASB Representative was called to present and answer questions related to this item.

Mr. Rodriguez made a recommendation to forward this to the budget committee for further discussion and consideration, Mrs. Prado name seconded, and the Board of Trustees voted 6/0 to approve. Motion passed.

Vote:	Yes	No	Abstained
Stacey Alderete	X		
Gilbert Rodriguez	X		
Connie Prado	X		
Homer Flores	X		
Kevin Rasco	X		
Veronica Barba	X		

2. Discussion and possible action to approve BBB Local

Kevin O’Hanlon, Legal Counsel, was called to present and answer questions related to this item.

Mr. Rasco moved to approve the item as presented, Mrs. Prado seconded, and the Board of Trustees voted 6/0 to approve. Motion passed.

Vote:	Yes	No	Abstained
Stacey Alderete	X		
Gilbert Rodriguez	X		
Connie Prado	X		
Homer Flores	X		
Kevin Rasco	X		
Veronica Barba	X		

3. Discussion and possible action to approve CH Local

Dr. Puig, Superintendent, was called to present and answer questions related to this item.

Mrs. Alderete moved to approve the item as presented Mrs. Barba seconded, and the Board of Trustees voted 6/0 to approve. Motion passed.

Vote:	Yes	No	Abstained
Stacey Alderete	X		
Gilbert Rodriguez	X		
Connie Prado	X		
Homer Flores	X		
Kevin Rasco	X		
Veronica Barba	X		

CITIZENS TO BE HEARD

Mr. Rodriguez made a one-time exception as this request to speak during citizens to be heard was received after the portion of the meeting that allows for public comment.

Tom Cummins, AFT President, read his statement aloud regarding teacher pay increases.

PRESENTATIONS / REPORTS

1. Zero Based Budget Update
Jeff Baum, Deputy Superintendent of Business and Operations was called to present and answer questions related to this item.
2. Save Your Seat Campaign Enrollment Update
Dolores Sendejo, Deputy Superintendent of Innovation, was called to present and answer questions related to this item.

CLOSED / EXECUTIVE SESSION

NOTICE: The Board of Trustees may elect to go into Closed Meeting any time during the meeting to discuss matters listed on the Agenda when authorized by the provisions of the Open Meetings Act, Chapter 551 of the Texas Government Code. In the event the Board of Trustees elects to go into Closed Meeting regarding an Agenda Item, the Board of Trustees will hold a Closed Meeting to discuss individual personnel matters including termination, litigation and other matters the Board deems necessary. Upon completion of Closed Meeting, the Board of Trustees may, in the open session, take such action as appropriate on items discussed in a Closed Meeting. If, during the course of the meeting, any discussion of any item listed on the agenda should be held in Closed Meeting, the Board will convene in such Closed Meeting in accordance with Texas Government Code Sections 551.001 - 551.088. The Board members may take action in the open portion of the meeting on items discussed in the Closed Meeting but no action will be taken in closed session.

The Board will return to open session and take appropriate action, if any, on items discussed in closed session. No Action will be taken in closed session. Further, Board Members are reminded that all items discussed in closed session must remain confidential so as to avoid liability to the district. The Board will consider and discuss, the following items:

Closed Meeting pursuant to the Texas Open Meetings Act, Texas Government Code §§ 551.071, 551.072, 551.074, 551.076, 551.082, and 551.0821

1. Discussion concerning personnel matters pursuant to Texas Government Code Section 551.074.
2. Consideration of Level III Employee Grievance of James Schumann
3. Discuss possible employment of administrators, including principals, directors, head football coach, and chief academic officer
Section start time: 7:42 PM.
Section end time: 10:04 PM.

DISCUSSION AND POSSIBLE ACTION

Change order of the day by Mr. Rodriguez, no objections

1. Discussion and possible Board action concerning Level III Employee Grievance of James Schumann

Mrs. Alderete made a motion: I motion that we move to adopt the findings and the conclusions recommended by the administration counsel and move to deny the grievance of James Schumann, Mrs. Barba seconded, and the Board of Trustees voted 6/0 to approve. Motion passed.

Vote:	Yes	No	Abstained
Stacey Alderete	X		
Gilbert Rodriguez	X		
Connie Prado	X		
Homer Flores	X		
Kevin Rasco	X		
Veronica Barba	X		

SOUTH SAN ANTONIO INDEPENDENT SCHOOL DISTRICT

Meeting of Board of Trustees, June 25, 2020

Level Three Hearing, grievance of James Schumann

FINDINGS AND CONCLUSIONS OF THE BOARD

1. The non-Chapter 21 employment contract signed on June 26, 2019 by Dr. Alejandro Flores and James Schumann, did not specify a particular job, job title, or position for Mr. Schumann, and did not set a specific amount of compensation to be paid to Mr. Schumann pursuant to the contract.
2. The employment contract between Dr. Alejandro Flores and South San Antonio ISD (SSAISD) signed on October 3, 2018, did authorize Dr. Flores, in his capacity as Superintendent, to hire district employees.
3. The employment contract between Dr. Alejandro Flores and South San Antonio ISD (SSAISD) signed on October 3, 2018, did not authorize Dr. Flores, in his capacity as Superintendent, to vary the terms of the standard SSAISD employment contracts for district employees, or to insert any contractual provision in conflict with existing policies adopted by the District's Board of Trustees. Nor could the Superintendent take actions which were inconsistent with the provisions of the applicable compensation plan adopted by the Board.

4. Other than the two contracts approved for James Schumann and his mother, Bettinae Kaiser on June 26, 2019, Dr. Flores never approved any contract which was inconsistent with the District's adopted contract forms.
5. At all times relevant to this grievance, Tex. Educ. Code Section 11.201(d)(2), SSAISD Board Policy DK (Local), and the employment contract signed on June 26, 2019 by Dr. Flores and James Schumann, James Schumann was subject to assignment and reassignment by the Superintendent.
6. Interim Superintendent Dolores Sendejo had authority to reassign James Schumann from the position of Chief of Staff to the position of Transportation Supervisor, effective December 6, 2019, as shown in Attachment C to the Level One grievance statement filed by James Schuman, which is the subject of this grievance.
7. At all times relevant to this grievance, SSAISD Board Policy DEA (Local), required the Superintendent or designee to pay employees according to the compensation plan approved by the District's Board of Trustees.
8. At all times relevant to this grievance, DEA (Local) required the Superintendent "to implement the compensation plan," and "to determine pay adjustments for individual employees, within the approved budget following established within the approved budget following established procedures."
9. As of December 5, 2019, under the existing District compensation plan adopted by the Board, the position of Transportation Supervisor was classified as Pay Grade MSB—Auxiliary Scale, for a 240 day work schedule, to be paid an annual salary of \$66,931.00 for working the entire 240 days, or prorated at the daily rate of \$278.88.
10. The Interim Superintendent was authorized under DEA (Local) and the compensation plan adopted by the Board, upon the reassignment of Mr. Schumann to the position of Transportation Supervisor, to reduce the compensation of James Schumann to the rate of pay for this position in the compensation plan approved by the Board.
11. The non-chapter 21 contract signed by Dr. Flores and James Schumann on June 26, 2019, contained the following language in Paragraph 1:
 - . . . ("District") agreed to employ Employee in a noncertified position or under a local District teaching permit, subject to assignment and reassignment by the Superintendent, reassignment by the Superintendent, under no circumstances will reassignment negatively alter

established salary, with the initial assignment being as follows:

Professional Position, Noncertified Administrator Position or Other (specify)

12. This same employment contract provided as following in Paragraph 6.1:

The District shall pay you according to the annual compensation plan adopted by the Board. Your salary includes consideration for all assigned duties, responsibilities, and tasks, regardless of the actual number of hours or days . . .

13. James Schumann was at all times paid for his work as Transportation Supervisor, starting December 6, 2019, as provided in the District compensation plan approved by the Board.

14. To the extent that the provisions of Paragraph 1 of the employment contract of James Schumann signed June 26, 2019 conflict or are inconsistent with Board Policy DEA (Local), or conflict or are inconsistent with the provisions of the District’s compensation plan approved by the Board, the provisions of the Board-approved compensation plan and of Board Policy DEA (Local), are controlling.

15. James Schumann received the amount of compensation for his services as Transportation Supervisor for SSAISD, as authorized in the applicable compensation plan for the 2019-20 school year, adopted by the District’s Board of Trustees.

2. Reconvene into open session: consideration and possible approval of items discussed in closed session

Mr. Rodriguez made a motion: I would like to move that we hire the following coaches for West Campus High School, head football coach, Leandro Gonzalez, head boys basketball coach, Casey Garcia, head girls basketball coach, Amado Luis, Mrs. Alderete seconded, and the Board of Trustees voted 6/0 to approve.

Motion passed.

Vote:	Yes	No	Abstained
Stacey Alderete	X		
Gilbert Rodriguez	X		
Connie Prado	X		
Homer Flores	X		
Kevin Rasco	X		
Veronica Barba	X		

Mr. Flores made a motion: I make a motion that we hire coach Phillip Barron as our new head football coach for South San, Mrs. Prado seconded, and the Board of Trustees voted 6/0 to approve. Motion passed.

Vote:	Yes	No	Abstained
Stacey Alderete	X		
Gilbert Rodriguez	X		
Connie Prado	X		
Homer Flores	X		
Kevin Rasco	X		
Veronica Barba	X		

ADJOURNMENT

Mrs. Alderete moved to adjourn the meeting, Mrs. Barba seconded, and the Board of Trustees voted unanimously to adjourn the meeting at 10:09 PM.

ATTEST

Gilbert Rodriguez, Board President

Shirley Ibarra Pena, Board Secretary

NOTICE: This meeting of the Board of Trustees is authorized in accordance with the Texas Government Code, Sections 551.001 - 551.146. Verification of Notice of Meeting and Agenda are on file in the Office of the Superintendent. Closed meeting, if required and if authorized by the statute, will be conducted prior to the conclusion of the meeting for any item listed on this agenda.