

# Agenda of Regular

## The Board of Trustees El Campo Independent School District

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A Regular of the Board of Trustees of El Campo Independent School District will be held May 18, 2010, beginning at 7:00 PM in the Boardroom, 700 W. Norris, El Campo, TX 77437.

The subjects to be discussed are as listed below.

1. Call to Order/Opening Prayer/Pledge of Allegiance
2. Public Comment
3. Recognition 4
  - A. Texas Career & Technology Council Best of Texas Awards - Christina Flores 6
4. Graduating Class of 2010 Valedictorian and Salutatorian 7
5. Laura R. Gerla
6. Katlyn J. Urbanovsky
7. FFA Tractor Restoration Participants 9
  - A. Cody Gangl
8. Cody Korenek
9. Will Chappell
10. Tyrel Bohrer
11. Consent Agenda
  - A. Personnel
  - B. Curriculum and Instruction
    1. Consider Approval of Annual Evaluation of Pre-Kindergarten Program 10
12. Governance
  - A. Consider Approval of the Minutes
13. April 20, 2010 - Regular Monthly Meeting 18
14. Business and Support Services
  - A. Review of Monthly Financial Reports 24
15. Review List of Checks Written for the Month of April, 2010 33
16. Consider Approval of New Facilitator Positions - Elementary Social Studies, Bilingual/ESL/Migrant, and Response to Intervention 35
17. Students
18. Business and Operations
  - A. Consider Approval of Contract to Replace Bleachers in Ricebird Gymnasium 38
  - B. Consider Annual Renewal of Property and Casualty Insurance 40
  - C. Discuss Possibility of Two-Tiered Bus Routes to Save Transportation Costs 42
19. Consider Approval of Contract to Reroof Auditorium 48

20. Consider Approval of Contract to Remediate Moisture Issues and Replace Hardwood Floor in Ricebird Gymnasium	58
21. Consider Approval of Purchase of Band Uniforms	61
22. Status Report from ReMax Realtor, John Petty, on Sale of Old Middle School	63
23. Curriculum and Instruction	
24. Second Semester Report and Discussion with High School Curriculum Facilitators	65
25. Report on Restructuring of Myatt Elementary School Reading Intervention Program	67
26. Governance	
A. Take Necessary Actions to Canvass Election Results and Certify Election	69
B. Take the Necessary Action for Reorganization of Board	72
27. Administer Oath of Office for New Trustees	86
28. Take the Necessary Action to Reaffirm Board Ethics Statement	90
29. Closed Session	
A. Texas Government Code § 551.074 (1) (a) PERSONNEL MATTERS, to Deliberate the Appointment, Employment, Evaluation, Reassignment, Duties, Discipline, or Dismissal of a Public Officer or Employee	
30. The Board Will Meet in a Closed Meeting to Discuss the Employment of Personnel	
31. Personnel	
32. Consider Approval of Probationary Contracts	93
A. Two Second Grade Classroom Teacher	
B. Two Third Grade Classroom Teachers	
33. Head Basketball Coach/Secondary Math	
34. High School Science Inclusion/Girls Coach	
35. Review Professional Personnel Changes Status Report	
36. Superintendent's Report	
A. Students	
37. Governance	
38. Preliminary Agenda for Regular Meeting on June 15, 2010	
39. Discuss Plans for Commencement Activities	
40. Business and Support Services	
41. Personnel	
42. Curriculum and Instruction	
43. Community and Governmental Relations	
44. Adjournment	

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*If, during the course of the meeting, discussion of any item on the agenda should be held in a closed meeting, the Board will conduct a closed meeting in accordance with the Texas Open Meetings Act, Government Code, Chapter 551, Subchapters D and E. Before any closed meeting is convened, the presiding officer will publicly identify the section or sections of the Act authorizing the closed meeting. All final votes, actions, or decisions will be taken in open meeting.*

The notice for this meeting was posted in compliance with the Texas Open Meeting Act on May 14, 2010 at 2:00 p.m.

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For the Board of Trustees

**Agenda Item Summary Sheet (3 A-C)**  
**Meeting Date: May 18, 2010**  
**Submitted by: Mark Pool, Superintendent**

# ***Information Only***

<b>Recognition</b>	A. Valedictorian and Salutatorian B. Texas Career & Technology Council Best of Texas Awards C. FFA Tractor Restoration Participants
<b>Summary</b>	<b>Valedictorian</b> – Laura Gerla <b>Salutatorian</b> – Katlyn Urbanovsky  <b>Texas Career &amp; Technology Council Best of Texas Awards</b> – Christina Flores  <b>FFA Tractor Restoration Participants</b> – Cody Korenek, Will Chappell, Tyler Bohrer, and Cody Gangl
<b>ECISD Board Policy</b>	None.
<b>Effective Date</b>	May 18, 2010
<b>Previous Board Action</b>	The Board periodically recognizes student groups for their accomplishments above and beyond district level competition.
<b>Future Action Expected</b>	The Board periodically recognizes student groups for their accomplishments above and beyond district level competition.
<b>Background Information and Significant Issues</b>	None.
<b>Fiscal Impact</b>	None.
<b>Student and Public Benefit</b>	The Board has the opportunity to recognize student and faculty for their extra effort.
<b>Procedural and Reporting Implications</b>	None.

<b>Public Comments</b>	None.
<b>Other Comments and Related Issues</b>	None
<b>Attachments</b>	<ul style="list-style-type: none"><li>• Information on Valedictorian and Salutatorain</li><li>• Texas Career &amp; Technology Council Best of Texas Awards</li><li>• Tractor Restoration</li></ul>
<b>Contact Person(s)</b>	Mark Pool, Superintendent of School
<b>Action Required</b>	No action required.
<b>Superintendent's Recommendation</b>	Information item only. <b>Mark Pool, Superintendent of Schools</b>

## Texas Career & Technology Council Best of Texas Awards – Christina Flores

El Campo High School auto technology student Christina Flores has been named runner-up in the Best of Texas trade and industries division, an award given by the Texas Career and Technology Council. The award is based leadership abilities and participation in trade and industrial education for which Christina received a \$300 scholarship.

Christina has taken two years of automotive technology classes in a program certified by ASE/NATEF (Automotive Service Excellence/National Automotive Technician Education Foundation) and AYES (Automotive Youth Education Systems). She received awards and certifications in Valvoline Motor Oil basic training, collision safety, supervisor's course, hazardous materials training for auto dealers, collision pollution prevention, mechanical pollution prevention, mechanical safety, Car-Quest air-conditioning training and chemical technology course I Permatex. In the Automotive Skills USA Club, she served as secretary during her junior year and is president this year.

Christina has a 3.455 grade point average on the recommended graduation plans to attend Texas State Technical College's automotive program in Waco. She also plans to become certified in all eight ASE certification areas, obtain her associate degree in applied science and to become an automotive technician.

## Activities

Valedictorian – Laura Gerla

Parent Names: Mary Ann Gerla – Grandmother-Guardian  
Varena Gerla – Mother  
Mike Gerla – Father - Deceased

College planning to attend: A&M Kingsville

Major: Biomedical Sciences

<u>Activity</u>	<u>years</u>	<u>Office Held</u>
NHS	12 <sup>th</sup>	member
FFA	9 <sup>th</sup> , 10 <sup>th</sup> , 11 <sup>th</sup>	member
Spanish Club	11 <sup>th</sup>	member
Science Club	11 <sup>th</sup>	member
PASF	12 <sup>th</sup>	member
Art Club	11 <sup>th</sup>	member
HOSA Club	11 <sup>th</sup> & 12 <sup>th</sup>	member
Chamber Ambassador	11 <sup>th</sup> & 12 <sup>th</sup>	member
UIL Science	9 <sup>th</sup> , 10 <sup>th</sup> , 11 <sup>th</sup>	advanced to Regionals (10 <sup>th</sup> )
Chapter Conducting	9 <sup>th</sup> – 11 <sup>th</sup>	Vice President /Sentinel
STARS (Student Congress)	11 <sup>th</sup> , 12 <sup>th</sup>	member
Cross Country	12 <sup>th</sup>	JV
Volleyball	9 <sup>th</sup> , 10 <sup>th</sup> , 11 <sup>th</sup>	JV
Van Vleck Student Council	10 <sup>th</sup>	member
Van Vleck Drama Club	10 <sup>th</sup>	member

Salutatorian – Katlyn Urbanovsky

Parent Names: Philip and Denise Urbanovsky

College planning to attend: University of Texas at San Antonio

Major: Occupational Therapy

<u>Activity</u>	<u>years</u>	<u>Office Held</u>
Softball	9 <sup>th</sup> , 10 <sup>th</sup> , 11 <sup>th</sup> , 12 <sup>th</sup>	
Volleyball	9 <sup>th</sup> , 10 <sup>th</sup>	
Cheerleading	9 <sup>th</sup>	
FCCLA	11 <sup>th</sup> 12 <sup>th</sup>	Secretary
Interact Club	9 <sup>th</sup> , 10 <sup>th</sup> , 11 <sup>th</sup> , 12 <sup>th</sup>	Member
Anchor Club	9 <sup>th</sup> , 10 <sup>th</sup> , 11 <sup>th</sup> , 12 <sup>th</sup>	Director
NHS	11 <sup>th</sup> & 12 <sup>th</sup>	Treasurer
Hunts for Heros	9 <sup>th</sup> , 10, 11 <sup>th</sup> , 12 <sup>th</sup>	
Academic Excellence Award	9 <sup>th</sup> , 10 <sup>th</sup> , 11 <sup>th</sup> , 12 <sup>th</sup>	
A Honor Roll Award	9 <sup>th</sup> , 10 <sup>th</sup> , 11 <sup>th</sup> , 12 <sup>th</sup>	
Junior Chamber Ambassador of the Month	10 <sup>th</sup> , 11 <sup>th</sup> , 12 <sup>th</sup>	
ELKS Student of the Month	10, 11 <sup>th</sup> , 12 <sup>th</sup>	
Junior Girl of the Year	11 <sup>th</sup>	
Academic All District	10 <sup>th</sup> , 11 <sup>th</sup> , 12 <sup>th</sup>	
First Team All County Pitcher	11 <sup>th</sup>	
First Team All district Pitcher	11 <sup>th</sup> , 12 <sup>th</sup>	

## **Tractor Restoration**

1941 John Deere Model A Styled

6<sup>th</sup> Place Chevron Delo National TRC

2<sup>nd</sup> in Class (State Fair of Texas)

Cody Korenek

1964 Case 830 High Crop

2<sup>nd</sup> Place Chevron Delo National TRC

Grand Champion (State Fair of Texas)

Will Chappell

Cody Gangl

1951 John Deere Model R

Reserve Champion (State Fair of Texas)

Will Chappell

Cody Gangl

1955 John Deere Model 70 Propane

Grand Champion – Houston Livestock Show & Rodeo

4<sup>th</sup> in Class at – San Antonio Livestock Show

WCYF – Reserve Grand Champion

Cody Korenek

1966 Case 1200

4<sup>th</sup> in Class – Houston Livestock Show & Rodeo

2<sup>nd</sup> in Class – San Antonio Livestock Show & Rodeo

WCYF – Grand Champion

Will Chappell

Tyrel Bohrer

## ***Action Required***

<b>Consent Agenda</b>	Evaluation Pre-Kindergarten Program
<b>Summary</b>	<p>Texas Education Code § 7.027 (b) of this statute states:</p> <p><i>The board of trustees of a school district or the governing body of an open-enrollment charter school has primary responsibility for ensuring that the district or school complies with all applicable requirements of state educational programs.</i></p> <p>To comply with these requirements we have evaluated our Pre-Kindergarten Program and will present the results of that evaluation for your consideration.</p>
<b>ECISD Board Policy</b>	EHBG (LEGAL), SPECIAL PROGRAMS: PREKINDERGARTEN
<b>Effective Date</b>	May 18, 2010
<b>Previous Board Action</b>	The Board annually reviews and evaluates the Pre-Kindergarten program.
<b>Future Action Expected</b>	Next month the Board will be presented with an <i>Improvement Plan</i> for the district's Pre-Kindergarten Program. The Board will next evaluate the PK program in May of 2011.
<b>Background Information and Significant Issues</b>	<p>According to board policy, the District shall offer free pre-kindergarten if it identifies 15 or more eligible students who are at least four years of age and may offer free pre-kindergarten if it identifies 15 or more eligible children who are at least three years of age.</p> <p>A child is eligible for enrollment in free pre-kindergarten if the child is at least three years of age and is:</p> <ol style="list-style-type: none"><li>1. Unable to speak and comprehend the English language;</li><li>2. Educationally disadvantaged; or</li><li>3. Homeless, as defined by federal law regardless of the residence of the child, of either parent of the child, or of the child's guardian or other person having lawful control.</li><li>4. The child of an active duty member of the armed forces of the United States, including the state military forces or a reserve component of the armed forces, who is ordered to</li></ol>

active duty by proper authority;

5. The child of a member of the armed forces of the United States, including the state military forces or a reserve component of the armed forces, who was injured or killed while serving on active duty; or
6. Is or ever has been in the conservatorship of the Department of Family and Protective Services following an adversary hearing under Family Code § 262.201

<b>Fiscal Impact</b>	Local .....	\$99,611
	State Compensatory Education Funds.....	\$45,363

<b>Student and Public Benefit</b>	Program evaluation and improvement planning will provide an environment of continuous improvement of all programs for all students.
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<b>Procedural and Reporting Implications</b>	None.
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<b>Public Comments</b>	None.
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<b>Alternatives</b>	None.
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<b>Other Comments and Related Issues</b>	None.
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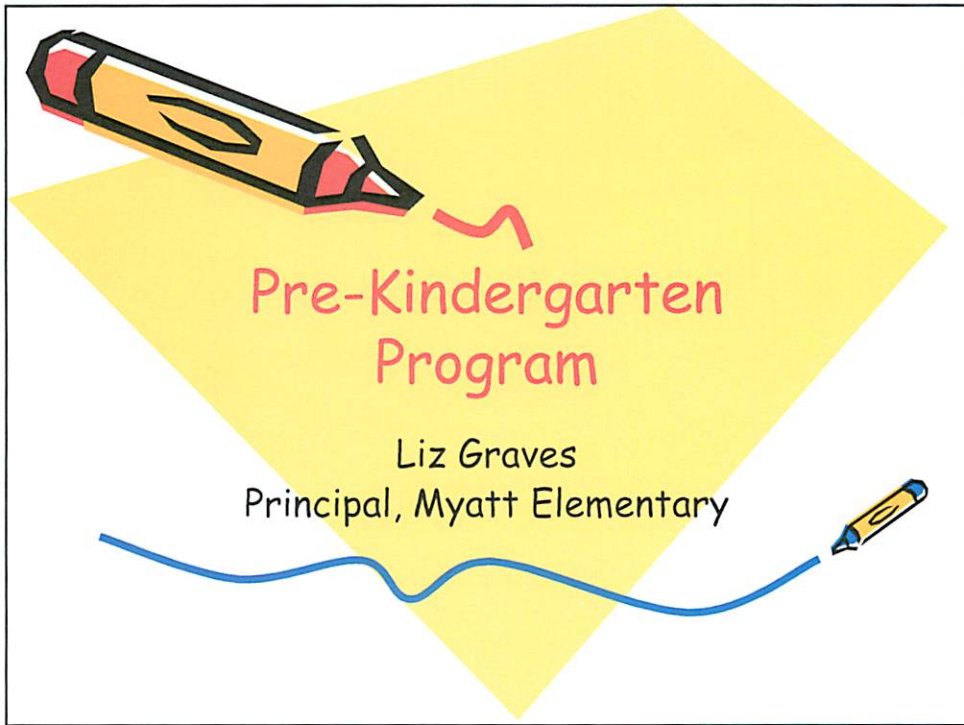
<b>Attachments</b>	<ul style="list-style-type: none"><li>• Pre-Kindergarten Program PowerPoint Handout</li><li>• Pre-Kindergarten Program Board Approval Document</li><li>• Pre-Kindergarten Program Evaluation</li></ul>
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<b>Contact Person(s)</b>	Carolyn Gordon, Assistant Superintendent of Curriculum and Instruction Liz Graves, Myatt Elementary School Principal
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<b>Action Required</b>	Motion, second and majority vote to approve the evaluation of the district's Pre-Kindergarten Program.
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<b>Superintendent's Recommendation</b>	I recommend that you approve the 2009-2010 evaluation of the ECISD Pre-Kindergarten Program as a part of the consent agenda.
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**Mark Pool, Superintendent of Schools**




Pre-Kindergarten  
Program

Liz Graves  
Principal, Myatt Elementary

## Student/Program Demographic Overview



- Students in District - 3499
- Students in Pre-Kindergarten program - 103 (5 sections)



## District Support

- Primary Action to support Pre-K
  - Collaborate with community outreach programs (Head Start, Private Daycare facilities)
  - Provide funds for transportation - One Way
  - Offer Breakfast and Lunch program
  - Offer Extended Year Services
    - (Bilingual Students)



## District Support, cont.

- District adopted policies
  - FD Legal (Admissions)
    - Must be 4 years old by September 1
    - Qualified for Free/Reduced Lunch Program
    - Bilingual Student
  - Newsletters, handbooks and other materials developed to inform stakeholders
  - Published material is written in the students' home language



## Financial Information

- Total funding for Pre-Kindergarten in local current budget is \$99,611
  - Teachers' salaries & benefits
- Total funding for Pre-Kindergarten in the State Compensatory budget is \$45,363
  - Aides' salaries & benefits
- Areas in which funds are expended:
  - Teachers' & Aides' salaries & benefits
  - Materials & staff development (Local funds - Campus budget)
- Budgetary process input provided by teaching staff



## Staff Information

- 2 Teachers
  - Pre-Kindergarten certification
  - ESL certification
- 1 Teacher
  - Bilingual certification
- 3 Instructional Aides
  - Bilingual speaking



## Current Student Information



Non-English speaking students	33
Low Socio-Economic status	88
Homeless	0



## Curriculum/Instruction



- State Curriculum Guidelines for Pre-Kindergarten followed
- District provides supplemental materials to each classroom and at each grade level where Pre-Kindergarten program is implemented
- District follows policies and procedures for compulsory attendance



## Parental Information

- District encourages parental involvement and provides opportunities for parents of Pre-Kindergarten students to participate in school-sponsored activities:
  - Family Literacy Program/Parenting
  - Parent - Teacher Organization
  - Parent Conference days
  - Field Trips



• Interpreters and babysitters are available for school meetings



## Program Evaluation

- Pre-Kindergarten program is evaluated on an annual basis
- Pre-Kindergarten is included in the comprehensive needs assessment conducted at the campus and district level
- Needs are reflected in the district and campus improvement plans



## School Board Approval

### Prekindergarten Program 2009-2010 School Year

*Indicate yes or no for each item. If the indication is no, define the area for correction.*

1. The district has written policy for the Prekindergarten program.

Yes

No

Area for Correction:

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2. Students qualify for the Prekindergarten program based on Non-English speaking, low socio-economic, and homeless criteria.

Yes

No

Area for Correction:

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3. The district provides parental involvement opportunities for parents to participate in the Prekindergarten program.

Yes

No

Area for Correction:

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4. The Prekindergarten program is evaluated annually .

Yes

No

Area for Correction:

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**Agenda Item Summary Sheet (4.A.1)**  
**Meeting Date: May 18, 2010**  
**Submitted by: Mark Pool, Superintendent**

## ***Action Required***

<b>Consent Agenda: Governance</b>	Minutes of Previous Meetings 1. April 20, 2010 – Regular Meeting
<b>Summary</b>	According to policy BE (LOCAL), BOARD MEETINGS, MINUTES, board action shall be carefully recorded by the secretary or clerk; when approved, these minutes shall serve as the legal record of official Board actions. The written minutes of all meetings shall be approved by vote of the Board and signed by the President and the Secretary of the Board.
<b>ECISD Board Policy</b>	BE (LOCAL), BOARD MEETINGS
<b>Effective Date</b>	May 18, 2010.
<b>Previous Board Action</b>	The Board approves minutes at each regular monthly meeting.
<b>Future Action Expected</b>	The Board approves minutes at each regular monthly meeting.
<b>Background Information and Significant Issues</b>	None.
<b>Fiscal Impact</b>	None.
<b>Student and Public Benefit</b>	An accurate record of all discussions and actions by the Board of Trustees is maintained.
<b>Procedural and Reporting Implications</b>	After approval minutes are filed with the official records of the District.
<b>Public Comments</b>	None.
<b>Alternatives</b>	None.
<b>Other Comments and Related Issues</b>	None

**Attachments**

Minutes of regular and special meetings held on the following dates:

1. Regular Meeting – April 20, 2010

**Contact Person(s)**

Dianne Cerny, Executive Secretary

**Action Required**

Motion, second and majority vote to approve the minutes.

**Superintendent's  
Recommendation**

I recommend you approve the minutes of previous meetings as part of the consent agenda.

**Mark Pool, Superintendent of Schools**

**MINUTES OF THE BOARD OF TRUSTEES  
EL CAMPO INDEPENDENT SCHOOL DISTRICT  
April 20, 2010**

The Board of Trustees of the El Campo Independent School District met in a regular session April 20, 2010 at 7:00 p.m. in the Board Room, 700 West Norris, El Campo, Texas.

**MEMBERS PRESENT:** Tommy Turner, Ralph Novosad, J. J. Croix, Cecil Davis, David Hodges, and James Russell. Melissa Erwin arrived at 7:10 p.m.

**MEMBERS ABSENT:** None

**OTHERS PRESENT:** Mark Pool, Carolyn Gordon, David Bright, Summer Dorotik, Rodney Montello, Brenda Tomanek, Jana Fernandez, David Rice, Cheryl Roitsch, Tammy DuBroc, Dan Hammock, Dawn M Cswaykus Korenek, Deanna Herrmann, Robin Crowell, Laura Motal, Lura Faye Motley, Laura Pustejovsky, Todd Fuechec, Delores Janik, Rhea Prasek, Carol Turner, Pat Buss

Tommy Turner called the meeting to order. Cecil Davis gave the opening prayer followed by the Pledge of Allegiance. There was a quorum present.

**PUBLIC COMMENT:** There was no public comment.

**RECOGNITION:** Mr. Pool recognized Dianne Cerny for TASBO Certification. Mr. Pool recognized the following participants at the 7<sup>th</sup> International Conference on Positive Behavior Support: Lura Faye Motley, Rhea Prasek, Laura Pustejovsky, Deanna Hermann, Laura Motal, Robin Crowell, Dawn Cswaykus Korenek, Tala Allen, Cheryl Roitsch, and Carolyn Gordon

**CONSENT AGENDA:** A motion was made by Cecil Davis and seconded by J. J. Croix to approve the Consent Agenda:

A. Governance

1. Consider Approval of the Minutes
  - a. March 23, 2010 - Regular Monthly Meeting

B. Business and Support Services

1. Report on Myatt Construction Project
2. Consider Approval of Application for Payment to Polasek Construction for Myatt Elementary Restroom Addition
3. Consider Approval of Application for Payment to Polasek Construction for Myatt Elementary Restroom Addition
4. Consider Approval of Renewal of Student Insurance
5. Consider Approval of Annual Food Service Program Evaluation
6. Review of Monthly Financial Reports

C. Personnel

1. Review of Teachers' Annual Compensation Plan Market Study

D. Curriculum and Instruction

1. Review of Special Education Program Improvement Plan

E. Students

Motion carried unanimously.

***BUSINESS AND OPERATIONS***

**REVIEW AND DISCUSS PROPOSED CAPITAL IMPROVEMENTS AND PREVENTATIVE MAINTENANCE PLAN PRIORITIES INCLUDING A PRIORITIZED LIST OF IMPROVEMENTS TO**

**AUDITORIUM**: Mr. Pool, Mr. Bright and the Board reviewed and discussed the proposed capital improvements and preventative maintenance plan priorities and a list of improvements to the auditorium.

**DISCUSS POSSIBLE PURCHASE OF NEW BAND UNIFORMS**: Mark VanGorp presented a sample band uniform and discussed the need for new uniforms with the Board.

***CURRICULUM AND INSTRUCTION***

**REPORT ON IMPLEMENTATION OF SATURDAY SCHOOL PROGRAM**: Mr. Pool and Carolyn Gordon reported on the implementation of the Saturday school program.

**REPORT ON PLANS FOR ANNUAL SUMMER SCHOOL PROGRAM**: Carolyn Gordon reported on the plans for the annual summer school program.

**REPORT ON PROPOSED WELDING CERTIFICATION COURSE**: Mr. Pool reported on the proposed welding certification course.

**SECOND SEMESTER REPORT AND DISCUSSION WITH MIDDLE SCHOOL CURRICULUM**

**FACILITATORS**: Middle School Curriculum Facilitators, Summer Dorotik, Brenda Tomanek, Jana Fernandez and Tammy DuBroc reported and discussed the Middle School curriculum.

***GOVERNANCE***

**DISCUSS DATES FOR SUMMER BUDGET WORKSHOPS**: The Board and Mr. Pool discussed the dates set for the summer budget workshops.

**DISCUSS PROPOSED SUPERINTENDENT PERFORMANCE GOALS:** Mr. Pool and the Board discussed Superintendent Performance Goals.

Cecil Davis left the meeting at 9:00 p.m.

**EXECUTIVE SESSION:** The president of the Board called for an Executive Session as authorized by Section Texas Government Pursuant to Section § 551.071 PERSONNEL MATTERS, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; to discuss the employment of the Professional administrative personnel. The Board entered executive session at 9:08 p.m. and reconvened in open session at 9:54 p.m. to take the following action:

No action taken.

#### ***PERSONNEL***

**REVIEW AND DISCUSS ELEMENTARY ENROLLMENT PROJECTIONS AND STAFFING:** Mr. Pool reviewed elementary enrollment projections and staffing followed by discussion by the Board.

**REVIEW AND DISCUSS ADMINISTRATION'S RECOMMENDATION TO EMPLOY AN ELEMENTARY SOCIAL STUDIES CURRICULUM FACILITATOR; A BILINGUAL/ESL FACILITATOR; AND AN RTI FACILITATOR:** Mr. Pool, Mrs. Gordon and the Board reviewed and discussed Administration's recommendation to employ an Elementary Social Studies Curriculum Facilitator; a Bilingual/ESL Facilitator; and an RTI Facilitator.

**REVIEW PROFESSIONAL PERSONNEL CHANGES STATUS REPORT:** Mr. Pool reviewed elementary enrollment projections and staffing followed by discussion by the Board.

#### ***SUPERINTENDENT'S REPORT***

Reports were reviewed for the following items:

- A. Governance
  - 1. Preliminary Agenda for Regular Meeting on May 18, 2010
  - 2. Monthly Calendar of Activities and Events
- B. Business and Support Services
  - 1. Foundation School Program State Funding at the End of the Fourth Six Weeks
- C. Personnel
- D. Curriculum and Instruction
- E. Students
  - 1. Report on Enrollment and Attendance at the End of fourth Six Weeks

Board Minutes

Page 3

April 20, 2010

2. Monthly DAEP Report
  3. Monthly SRO Report
- F. Community and Governmental Relations
1. Legislative Update

There being no further discussion, the meeting adjourned at 10:47 p.m.

DRAFT

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PRESIDENT

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SECRETARY

**Agenda Item Summary Sheet (4 B.1)**  
**Meeting Date: May 18, 2010**  
**Submitted by: Mark Pool, Superintendent**

***Information Only***

**Consent Agenda:  
Business and Support  
Services**

Review of Monthly Financial Reports for Month of April

**Summary**

Although there is no statutory or policy requirement for the Board to do so, reviewing the Monthly Financial Report is a good practice for the Board to follow in overseeing the management of the District.

The report provides the Board with a current comparison of actual revenue and expenditures to the budget adopted for the General Fund.

The Tax Collections Report provides the Board with the District's current tax collections for the fiscal year.

The Cash Flow Report provides the Board with both a historical and current perspective of the District's monthly cash flow.

**ECISD Board Policy**

None.

**Effective Date**

April 30, 2010

**Previous Board Action**

Approval of 2009-2010 General Operating Budget on August 25, 2009.

**Future Action Expected**

The Board will review the monthly financial statements at each regular monthly board meeting.

**Background Information and  
Significant Issues**

The audited fund balance in the General Fund (Fund 199 only) on August 31, 2009 was \$5,951,953, which is 21.25% of the approved General Fund operating expenditures (as defined in the AEIS Report) of \$28,005,136.

Fund balance designated for replacement of artificial turf at Ricebird Stadium is \$100,000, leaving an undesignated fund balance of \$5,851,953; or 20.89% of the approved General Fund operating expenditures (as defined in the AEIS Report).

The undesignated fund balance currently exceeds the 20% goal by \$250,925.80.

**Fiscal Impact**

None.

**Student and Public Benefit**

Closely monitoring actual revenue and expenditures as compared to the adopted budget each month helps to ensure the efficient use of public funds.

**Procedural and Reporting Implications** None.

**Public Comments** None.

**Alternatives** None.

**Other Comments and Related Issues**

**Financial Report.** In the General Operating Fund, we have received 75.39% of our amended revenue projections; and expended 65.99% of our amended expenditure estimates.

Compared to the same time last year, our revenue decreased by (\$2,664,407) and our expenditures increased by \$1,087,244.

	2005-2006		2006-2007		2007-2008		2008-2009		2009-2010	
	Rev	Exp	Rev	Exp	Rev	Exp	Rev	Exp	Rev	Exp
<b>Sep</b>	8.44%	7.99%	8.49%	8.16%	19.97%	10.32%	20.59%	11.53%	10.41%	10.59%
<b>Oct</b>	17.30%	15.60%	16.45%	15.08%	36.50%	17.60%	36.88%	17.18%	19.64%	17.92%
<b>Nov</b>	25.28%	23.16%	25.79%	22.03%	40.10%	24.60%	39.46%	24.10%	26.01%	25.17%
<b>Dec</b>	43.50%	30.11%	39.14%	28.13%	55.32%	32.30%	52.68%	31.52%	38.96%	32.11%
<b>Jan</b>	66.11%	37.91%	71.88%	35.58%	75.42%	42.30%	73.77%	38.60%	57.38%	39.07%
<b>Feb</b>	79.68%	46.35%	77.49%	46.72%	83.18%	51.98%	79.39%	48.85%	68.68%	50.45%
<b>Mar</b>	83.48%	53.54%	79.75%	53.89%	85.20%	58.88%	81.29%	55.83%	70.62%	58.65%
<b>Apr</b>	85.72%	60.43%	84.35%	61.00%	86.78%	66.91%	82.79%	62.87%	75.39%	65.99%
<b>May</b>	95.97%	69.63%	87.88%	68.32%	89.07%	76.81%	84.31%	69.96%		
<b>Jun</b>	97.50%	76.64%	92.93%	75.96%	90.38%	82.81%	86.04%	77.28%		
<b>Jul</b>	98.80%	83.10%	98.46%	84.97%	91.72%	88.08%	87.23%	85.52%		
<b>Aug</b>	100.16%	97.42%	100.20%	98.95%	100.03%	99.34%	99.94%	98.05%		

**NOTE:** Percentage of revenue received is down because our payment class changed. For the past two years we have been in Payment Class 3 and received 45% of our annual entitlement in September. We have been reclassified to Payment Class 2 and now receive 22% of our annual entitlement in September.

**Tax Collection Report.** Our beginning tax levy of \$13,314,729 has been adjusted by -\$105,688 giving us a new adjusted levy of \$13,209,041; and we have currently collected \$12,574,331 which amounts to 95.27% of the adjusted levy. This leaves an uncollected balance of \$624,711.

Delinquent collections YTD are \$203,024 plus \$142,820 in penalty and interest.

	2004-2005	2005-2006	2006-2007	2007-2008	2008-2009	2009-2010
Oct	1.82%	0.06%	0.048%	0.01%	0.00%	0.00%
Nov	9.09%	6.81%	6.67%	5.07%	2.58%	0.44%
Dec	37.75%	40.15%	29.49%	38.76%	32.28%	30.01%
Jan	86.24%	82.47%	86.80%	85.29%	81.82%	73.71%
Feb	93.92%	92.59%	94.40%	93.58%	93.04%	92.80%
Mar	94.82%	95.44%	95.38%	94.44%	94.06%	94.60%
Apr	95.31%	95.68%	96.11%	95.13%	94.97%	95.27%
May	95.89%	96.54%	96.69%	95.78%	95.61%	
Jun	97.30%	97.04%	97.40%	96.55%	96.69%	
Jul	97.30%	97.19%	97.64%	96.87%		
Aug	97.48%	97.59%	97.81%	97.15%	97.48%	
Sep	97.51%	97.69%	97.97%	97.31%	97.60%	

**Cash Flow Report.** The following spreadsheet shows the actual cash flow compared to the projected (historical) cash flow for the month.

Fiscal Year	Month			Year-to-Date		
	2008-2009	2009-2010	Difference	2008-2009	2009-2010	Difference
Revenue	\$478,758	\$1,514,169	\$1,035,411	\$26,559,009	\$23,894,603	(\$2,664,406)
Expenditures	\$2,146,466	\$2,320,233	\$173,767	\$19,103,846	\$19,954,985	\$851,139
Summary	(\$1,667,708)	(\$806,064)	\$861,644	\$7,455,163	\$3,939,618	(\$3,515,545)

- Attachments**
- Monthly Financial Report – April 30, 2010
  - Tax Collection Recap 2009-2010
  - Cash Flow Report 2009-2010

**Contact Person(s)** David Bright, Assistant Superintendent of Finance and Operations

**Action Required** No Action Required.

**Superintendent's Recommendation** This is an information report only.

**Mark Pool, Superintendent of Schools**

**EL CAMPO INDEPENDENT SCHOOL DISTRICT  
MONTHLY FINANCIAL REPORT  
May 18, 2010**

**Comparison of Revenue and Expenditures  
to the Budget for the General Operating Fund  
9-1-09 to 4-30-10**

**ESTIMATED REVENUE:**

	<i>Original Budget</i>	<i>Amended Budget</i>	<i>Revenue Realized</i>	<i>Revenue Balance</i>
<i>Local:</i>	\$14,121,607	\$14,187,107	\$13,628,993	(\$492,614)
<i>State:</i>	\$17,427,522	\$16,400,975	\$9,237,096	(\$8,190,426)
<i>Federal:</i>	\$1,104,861	\$1,104,861	\$1,028,515	(\$76,346)
<i>Other Resources:</i>	\$0	\$0	\$0	\$0
<i>Total:</i>	\$32,653,990	\$31,692,943	\$23,894,603	(\$7,798,340)

**ESTIMATE EXPENDITURES:**

<i>Original Budget</i>	<i>Amended Budget</i>	<i>Expended</i>	<i>Outstanding Encumbrances</i>	<i>Expenditures Year to Date</i>	<i>Balance for Year</i>
\$32,307,585	\$32,144,955	\$19,954,984	\$1,258,690	\$21,213,673	\$10,931,282

**COMPARISONS TO APRIL 30 OF PRIOR YEAR:**

	<i>2008-2009</i>	<i>2009-2010</i>	<i>Increase/ Decrease</i>
<i>Revenues:</i>	\$26,559,010	\$23,894,603	(\$2,664,407)
<i>Expenditures:</i>	\$20,126,429	\$21,213,673	\$1,087,244
<i>Cash Position:</i>	\$12,681,813	\$9,636,066	(\$3,045,747)

**PRIOR MONTH CASH POSITION as of 3/31/10:** \$10,520,016

<b>GENERAL FUND - FUND BALANCE</b>	<b>GENERAL OPERATING</b>	<b>FUND BALANCE</b>	<b>% of OPERATING</b>
GENERAL FUND - FUND BALANCE as of 8-31-05:	\$20,330,010	\$6,825,620	33.57%
GENERAL FUND - FUND BALANCE as of 8-31-06:	\$21,109,405	\$7,050,993	33.40%
GENERAL FUND - FUND BALANCE as of 8-31-07:	\$23,517,713	\$9,759,144	41.50%
GENERAL FUND - FUND BALANCE as of 8-31-08:	\$25,318,724	\$4,676,422	18.47%
GENERAL FUND - FUND BALANCE as of 8-31-09:	\$28,005,136	\$5,951,953	21.25%

**BUDGET AMENDMENTS:**

Roll forward and appropriate prior year (2008-09) High School Allotment fund balance	\$203,766
Appropriate funds from Food Service Fund Fund Balance to purchase dishwashers	\$51,000
Technology - E-rate, Appropriate for technology licenses	\$65,000
Transfer to Fund 266 - Stimulus Funds	-\$482,896

NOTE: Cash Position includes Local, State, and Federal Funds. Does not include Capital Projects.

**EL CAMPO INDEPENDENT SCHOOL DISTRICT  
TAX COLLECTION RECAP  
2009 - 2010**

<b>Reporting Period</b>	<b>Beginning Levy</b>	<b>Adjustments</b>	<b>Adjusted Levy</b>	<b>Current Tax Year Collections</b>	<b>% Collected</b>	<b>% Collected Prior Year</b>	<b>Delinquent Collections</b>	<b>Penalty &amp; Interest</b>	<b>Total Collections</b>	<b>Current Tax Year Uncollected</b>
<b>Monthly Recap</b>										
October-09			\$0	0	0.00%	0.00%	\$42,130	\$16,087	\$58,217	
November-09	\$13,314,729	-\$22,709	\$13,292,020	58,799	0.44%	2.58%	\$21,388	\$9,495	\$89,682	
December-09	\$13,314,729	-\$22,725	\$13,292,004	3,929,623	29.56%	29.69%	\$32,377	\$17,002	\$3,979,002	
January-10	\$13,314,729	-\$102,880	\$13,211,849	5,679,235	42.99%	49.52%	\$19,447	\$15,153	\$5,713,835	
February-10	\$13,314,729	-\$102,542	\$13,212,187	2,593,565	19.63%	11.21%	\$33,687	\$26,814	\$2,654,065	
March-10	\$13,314,729	-\$105,688	\$13,209,041	234,342	1.77%	0.98%	\$24,975	\$33,302	\$292,619	
April-10	\$13,314,729	-\$105,688	\$13,209,041	88,767	0.67%	0.91%	\$29,021	\$24,968	\$142,756	
<b>Year To Date</b>				<b>12,584,331</b>	<b>95.27%</b>	<b>94.97%</b>	<b>\$203,024</b>	<b>\$142,820</b>	<b>\$12,930,175</b>	<b>\$624,711</b>

**EL CAMPO INDEPENDENT SCHOOL DISTRICT**  
**Cash Flow**  
**2009-2010**

199	GENERAL FUND	Actual Sep-09	Actual Oct-09	Actual Nov-09	Actual Dec-09	Actual Jan-10	Actual Feb-10	Actual Mar-10	Actual Apr-09	Actual Apr-10	Actual May-09	Actual Jun-09	Actual Jul-09	Actual Aug-09	2008-09 Totals
<b>REVENUE:</b>															
<b>5700</b>	<b>Local Revenue:</b>														
5711	Taxes Current Year	14,181	0	51,429	3,437,085	4,967,402	2,268,489	204,970	103,476	77,641	72,324	121,528	56,576	23,876	11,050,425
5712	Taxes Prior Years	15,950	37,817	19,398	29,097	17,543	29,999	22,641	23,102	26,131	11,722	26,049	16,582	15,471	269,554
5719	Pen, Int, & Other	11,564	14,803	8,759	15,941	15,319	23,983	29,960	23,280	22,777	15,386	29,390	20,295	13,457	218,054
5720	Service to Other LEAs	0	0	0	0	0	0	0	0	0	0	0	3,090	0	3,090
5730	Tuition and Fees	0	0	0	0	0	0	0	0	0	0	0	0	4,100	4,100
5740	Other Local Sources	7,704	9,801	96,814	12,934	32,322	24,300	14,674	24,695	21,649	17,060	13,895	44,259	628,133	908,268
5750	Co/Curr Activities	25,437	12,631	76,155	-35,667	1,715	2,837	3,314	3,255	4,752	943	0	8,180	6,869	76,484
	<b>Total Local Rev:</b>	<b>74,836</b>	<b>75,053</b>	<b>252,555</b>	<b>3,459,390</b>	<b>5,034,301</b>	<b>2,349,608</b>	<b>275,558</b>	<b>177,808</b>	<b>152,950</b>	<b>117,434</b>	<b>190,862</b>	<b>148,982</b>	<b>691,906</b>	<b>12,529,975</b>
<b>5800</b>	<b>State Revenue:</b>														
5811	Available School Fund	0	63,207	3,712	18,562	29,347	29,347	3,712	101,986	7,425	84,593	126,137	78,347	148,301	826,392
5812	Foundation Entitlement	3,164,525	2,475,854	1,333,393	23,737	0	0	0	-69,289	931,826	0	-2,500	0	3,198,143	14,232,949
5812	Founda Ent-Prior Yr	0	0	0	0	0	0	0	0	0	0	0	0	0	118,073
5819	LEP Student Success Init	0	0	0	0	0	0	0	0	0	0	0	0	11,996	11,996
5820	Misc State Program Rev	0	0	3,599	0	0	0	0	0	0	0	0	0	4,298	8,004
5831	TRS On-Behalf	103,972	105,809	106,303	106,641	109,679	109,481	109,050	102,376	108,870	103,314	104,123	102,579	162,259	1,287,875
	<b>Total State Rev:</b>	<b>3,268,497</b>	<b>2,644,870</b>	<b>1,447,007</b>	<b>148,940</b>	<b>139,026</b>	<b>138,828</b>	<b>112,762</b>	<b>135,073</b>	<b>1,048,121</b>	<b>187,907</b>	<b>227,760</b>	<b>180,926</b>	<b>3,524,996</b>	<b>16,485,289</b>
<b>5900</b>	<b>Federal Revenue:</b>														
5930	Federal	0	0	151,085	4,896	0	0	4,997	0	0	0	0	0	5,600	17,123
	<b>Total Federal Rev:</b>	<b>0</b>	<b>0</b>	<b>151,085</b>	<b>4,896</b>	<b>0</b>	<b>0</b>	<b>4,997</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>5,600</b>	<b>17,123</b>
<b>7900</b>	<b>Other Res/Non-Oper</b>														
	Other Res/Non-Oper	0	0	0	0	0	0	0	0	0	0	17	0	81,771	81,788
	<b>Total Other Res:</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>17</b>	<b>0</b>	<b>81,771</b>	<b>81,788</b>
	<b>Total Revenue:</b>	<b>3,343,333</b>	<b>2,719,922</b>	<b>1,850,646</b>	<b>3,613,225</b>	<b>5,173,327</b>	<b>2,488,437</b>	<b>393,317</b>	<b>312,880</b>	<b>1,201,071</b>	<b>305,342</b>	<b>418,638</b>	<b>329,908</b>	<b>4,304,273</b>	<b>29,114,175</b>
<b>EXPENDITURES:</b>															
<b>6000</b>	<b>Expenditures:</b>														
6100	Payroll Costs	1,248,063	1,880,754	1,911,417	1,866,025	1,856,130	1,875,525	1,884,363	1,776,876	1,852,478	1,850,579	1,850,452	1,791,375	2,383,121	21,695,532
6200	Contracted Services	93,596	205,034	198,172	265,248	217,419	229,022	274,231	205,432	127,185	222,021	258,427	211,956	362,249	2,762,933
6300	Supplies & Materials	107,259	187,257	134,109	86,296	113,956	109,979	105,046	72,683	137,664	264,713	66,448	106,468	148,232	1,566,045
6400	Other Operating	41,807	40,519	33,642	29,700	35,494	72,627	43,187	27,315	35,023	61,490	72,156	657,539	64,857	1,158,292
6500	Debt Services	0	0	500	0	0	272,625	0	0	0	500	0	0	57,625	336,335
6600	Capital Outlay	75,435	125,670	0	0	28,549	3,441	2,097	0	122	17,014	30,498	24,345	-33,015	337,828
8900	Other Uses/Non Operating	0	0	0	0	0	0	0	13,960	0	61,582	0	0	0	75,542
	<b>Total Expenditures:</b>	<b>1,566,160</b>	<b>2,439,234</b>	<b>2,277,840</b>	<b>2,247,269</b>	<b>2,251,547</b>	<b>2,563,220</b>	<b>2,308,925</b>	<b>2,096,266</b>	<b>2,152,472</b>	<b>2,477,900</b>	<b>2,277,982</b>	<b>2,791,684</b>	<b>2,983,069</b>	<b>27,932,508</b>
	<b>ENDING BALANCE</b>	<b>1,777,172</b>	<b>280,688</b>	<b>-427,194</b>	<b>1,365,957</b>	<b>2,921,780</b>	<b>-74,783</b>	<b>-1,915,608</b>	<b>-1,783,386</b>	<b>-951,401</b>	<b>-2,172,558</b>	<b>-1,859,343</b>	<b>-2,461,776</b>	<b>1,321,204</b>	<b>1,181,667</b>
	<b>GF FB as of 8/31/09</b>	<b>5,748,187</b>													
		<b>7,525,359</b>	<b>7,806,046</b>	<b>7,378,852</b>	<b>8,744,809</b>	<b>11,666,589</b>	<b>11,591,806</b>	<b>9,676,198</b>	<b>11,009,742</b>	<b>8,724,797</b>	<b>6,552,239</b>	<b>4,692,896</b>	<b>2,231,120</b>	<b>3,552,324</b>	

197 HS ALLOTMENT		Actual Sep-09	Actual Oct-09	Actual Nov-09	Actual Dec-09	Actual Jan-10	Actual Feb-10	Actual Mar-10	Actual Apr-09	Actual Apr-10	Actual May-09	Actual Jun-09	Actual Jul-09	Actual Aug-09	2008-09 Totals
<b>REVENUE:</b>															
5800	State Revenue:														
5812	HS Allotment	0	107,521	25,418	0	0	0	0	0	135,456	0	0	0	0	0
	<b>Total State Rev:</b>	<u>0</u>	<u>107,521</u>	<u>25,418</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>135,456</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
<b>EXPENDITURES:</b>															
6000	Expenditures:														
6100	Payroll Costs	7,348	7,087	8,654	7,657	7,750	8,513	8,986	0	9,082	0	0	0	0	0
6200	Contracted Services	0	2,500	0	25,318	0	16,637	0	0	0	0	0	0	0	0
6300	Supplies & Materials	0	59,727	11,685	0	0	6,250	0	0	7,296	0	0	0	0	0
6400	Other Operating	0	0	190	0	0	0	0	0	0	0	0	0	0	0
	<b>Total Expenditures:</b>	<u>7,348</u>	<u>69,314</u>	<u>20,528</u>	<u>32,975</u>	<u>7,750</u>	<u>31,400</u>	<u>8,986</u>	<u>0</u>	<u>16,378</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
<b>ENDING BALANCE</b>		-7,348	30,859	35,750	2,774	-4,976	-36,376	-45,362	0	73,715	73,715	73,715	73,715	73,715	

240	FOOD SERVICE	Actual Sep-09	Actual Oct-09	Actual Nov-09	Actual Dec-09	Actual Jan-10	Actual Feb-10	Actual Mar-10	Actual Apr-09	Actual Apr-10	Actual May-09	Actual Jun-09	Actual Jul-09	Actual Aug-09	2008-09 Totals
<b>REVENUE:</b>															
5700	<b>Local Revenue:</b>														
	Earnings from Temp Dep			2,288	0	0	2,200	0	0	0	3,447	0	0	2,916	11,415
	Foundation Revenue														
	Breakfast	9,317	9,105	9,159	6,368	11,525	10,365	8,204	11,012	8,572	8,232	441	0	6,766	93,864
	Lunch	21,413	23,918	19,762	13,634	20,784	21,363	19,088	21,373	19,930	16,205	882	0	16,279	195,290
	A La Carte	15,007	13,545	10,801	8,682	12,324	13,454	10,674	13,150	10,975	11,946	1,061	0	4,759	120,965
	Adult Lunches	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Catering/Vending	106	0	160	310	545	517	0	0	0	1,229	508	173	670	3,822
	Summer Food Service	0	0	0	0	0	0	0	0	0	0	403	0	0	403
	<b>Total Local Ren:</b>	<b>45,843</b>	<b>46,569</b>	<b>42,170</b>	<b>28,994</b>	<b>45,179</b>	<b>47,899</b>	<b>37,967</b>	<b>45,535</b>	<b>39,477</b>	<b>41,059</b>	<b>3,295</b>	<b>173</b>	<b>31,390</b>	<b>425,759</b>
5800	<b>State Revenue</b>														
5829	Misc St Program Rev.	0	0	0	0	0	0	9,822	0	0	0	0	0	0	10,105
5831	TRS On-Behalf Benefit	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	<b>Total State Rev:</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>9,822</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>10,105</b>
5900	<b>Federal Revenue</b>														
5921	School Breakfast	0	30,215	32,999	27,756	21,454	29,212	31,365	22,703	28,470	29,017	26,376	3,652	6,819	235,861
5922	National School Lunch	0	96,247	102,412	80,679	64,888	91,047	97,523	69,835	86,348	87,750	77,022	11,062	25,093	726,080
5923	USDA Donated Com	5,799	5,799	6,332	5,799	5,799	5,799	5,799	6,077	5,799	8,951	6,077	6,077	23,299	93,019
5929	Fed Rev TEA-Sum Feed	0	0	0	0	0	0	0	0	0	0	0	15,702	3,365	19,067
	<b>Total Federal Rev:</b>	<b>5,799</b>	<b>132,261</b>	<b>141,743</b>	<b>114,234</b>	<b>92,141</b>	<b>126,058</b>	<b>134,687</b>	<b>98,615</b>	<b>120,617</b>	<b>125,718</b>	<b>109,475</b>	<b>36,493</b>	<b>58,576</b>	<b>1,074,027</b>
7900	<b>Other Res/Non-Oper:</b>														
7940	Other Res/Non-Oper	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	<b>Total Other Res:</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>Total Revenue:</b>	<b>51,641</b>	<b>178,829</b>	<b>183,912</b>	<b>143,228</b>	<b>137,320</b>	<b>173,957</b>	<b>182,476</b>	<b>144,150</b>	<b>160,094</b>	<b>166,776</b>	<b>112,770</b>	<b>36,666</b>	<b>89,965</b>	<b>1,509,892</b>
<b>EXPENDITURES:</b>															
6000	<b>Expenditures:</b>														
6100	Payroll & Benefits	33,976	47,704	50,672	47,049	46,454	48,305	48,938	43,913	48,523	43,859	44,428	43,441	54,108	523,711
6200	Contracted Services	380	380	126,502	99,509	93,554	149,600	97,723	0	96,972	89,248	156,050	35,455	32,289	809,554
6300	Supplies & Materials	5,799	5,826	5,889	5,831	6,015	5,865	5,906	6,205	5,861	6,463	6,116	6,107	24,142	92,719
6400	Other Operating	18	50	42	63	10	14	219	82	27	28	46	227	0	687
6600	Capital Outlay	0	0	0	0	50,781	0	0	0	0	0	0	16,800	0	16,800
	<b>Total Expenditures:</b>	<b>40,172</b>	<b>53,959</b>	<b>183,104</b>	<b>152,452</b>	<b>196,815</b>	<b>203,783</b>	<b>152,785</b>	<b>50,200</b>	<b>151,383</b>	<b>139,598</b>	<b>206,640</b>	<b>102,030</b>	<b>110,539</b>	<b>1,443,471</b>
	<b>ENDING BALANCE</b>	<b>11,469</b>	<b>136,340</b>	<b>137,148</b>	<b>127,924</b>	<b>68,429</b>	<b>38,604</b>	<b>68,294</b>	<b>219,051</b>	<b>77,004</b>	<b>104,183</b>	<b>10,313</b>	<b>-55,051</b>	<b>-75,625</b>	

511 DEBT SERVICE	Actual Sep-09	Actual Oct-09	Actual Nov-09	Actual Dec-09	Actual Jan-10	Actual Feb-10	Actual Mar-10	Actual Apr-09	Actual Apr-10	Actual May-09	Actual Jun-09	Actual Jul-09	Actual Aug-09	2008-09 Totals
<b>REVENUE:</b>														
5700 Local Revenue:														
5711 Taxes Current Year	2,074	0	7,370	492,538	711,833	325,076	29,372	15,135	11,126	10,578	17,775	8,275	3,492	1,615,679
5712 Taxes Prior Years	1,414	4,313	1,990	3,281	1,904	3,688	2,334	2,206	2,890	827	2,518	1,121	1,191	23,522
5719 Pen, Int, & Other	1,017	1,284	736	1,061	665	2,830	3,342	2,469	2,191	1,594	3,526	1,926	1,183	19,999
5742 Earnings Fm Temp Dep	292	311	308	416	1,136	1,166	1,346	1,917	1,342	2,012	1,991	2,095	1,065	16,360
<b>Total Local Rev:</b>	<b>4,798</b>	<b>5,908</b>	<b>10,403</b>	<b>497,295</b>	<b>715,538</b>	<b>332,760</b>	<b>36,395</b>	<b>21,728</b>	<b>17,549</b>	<b>15,012</b>	<b>25,810</b>	<b>13,417</b>	<b>6,931</b>	<b>1,675,560</b>
5800 State Revenue:														
5829 St Rev Dist By TEA	0	0	10,827	0	0	0	0	0	0	0	0	0	58,275	143,165
<b>Total State Rev:</b>	<b>0</b>	<b>0</b>	<b>10,827</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>58,275</b>	<b>143,165</b>
7900 Other Res/Non-Oper:														
7940 Other Res/Non-Oper Rev	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Total Other Res:</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Total Revenue:</b>	<b>4,798</b>	<b>5,908</b>	<b>21,230</b>	<b>497,295</b>	<b>715,538</b>	<b>332,760</b>	<b>36,395</b>	<b>21,728</b>	<b>17,549</b>	<b>15,012</b>	<b>25,810</b>	<b>13,417</b>	<b>65,206</b>	<b>1,818,725</b>
<b>EXPENDITURES:</b>														
6000 Expenditures:														
6500 Debt Service														
6511 Bond Principal	0	0	0	0	0	295,000	0	0	0	0	0	0	420,000	700,000
6521 Interest on Bonds	0	0	0	0	0	523,284	0	0	0	0	0	0	531,159	1,067,569
6599 Other Debt Fees	0	0	500	0	0	0	400	0	0	0	0	0	0	900
<b>Total Expenditures:</b>	<b>0</b>	<b>0</b>	<b>500</b>	<b>0</b>	<b>0</b>	<b>818,284</b>	<b>400</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>951,159</b>	<b>1,768,469</b>
<b>ENDING BALANCE</b>	<b>4,798</b>	<b>10,705</b>	<b>31,436</b>	<b>528,731</b>	<b>1,244,269</b>	<b>758,745</b>	<b>794,740</b>	<b>882,471</b>	<b>812,289</b>	<b>827,301</b>	<b>853,111</b>	<b>866,527</b>	<b>-19,426</b>	
<b>Total Approved Budget 199, 197, 240, 511</b>														
<b>TOTAL REVENUE</b>	<b>3,399,772</b>	<b>3,012,180</b>	<b>2,081,207</b>	<b>4,253,749</b>	<b>6,026,184</b>	<b>2,995,154</b>	<b>612,188</b>	<b>478,758</b>	<b>1,514,169</b>	<b>487,130</b>	<b>557,218</b>	<b>379,990</b>	<b>4,459,444</b>	<b>32,442,792</b>
<b>TOTAL EXP</b>	<b>1,613,680</b>	<b>2,562,507</b>	<b>2,481,972</b>	<b>2,432,696</b>	<b>2,456,112</b>	<b>3,616,687</b>	<b>2,471,097</b>	<b>2,146,466</b>	<b>2,320,233</b>	<b>2,617,498</b>	<b>2,484,622</b>	<b>2,893,714</b>	<b>4,044,768</b>	<b>31,144,447</b>
<b>ENDING BALANCE</b>	<b>1,786,091</b>	<b>2,235,764</b>	<b>1,834,999</b>	<b>3,656,052</b>	<b>7,226,125</b>	<b>6,604,592</b>	<b>4,745,683</b>	<b>7,434,843</b>	<b>3,939,619</b>	<b>1,809,251</b>	<b>-118,152</b>	<b>-2,631,876</b>	<b>-2,217,199</b>	

**Agenda Item Summary Sheet (4 B.2)**  
**Meeting Date: May 18, 2010**  
**Submitted by: Mark Pool, Superintendent**

## ***Information Only***

**Consent Agenda:  
Business and Support  
Services**

Review of Checks Written – April 2010

**Summary**

Although there is no statutory or policy requirement for the Board to review the bills paid during the previous month, a monthly review providing the Board an opportunity to ask questions regarding specific expenditures is a good practice for the Board to follow in overseeing the management of the District.

It is very helpful to the administration and helps in conducting an effective board meeting if questions are identified and asked prior to the meeting.

These bills have already been paid, and were previously authorized by the Board when you adopted the 2009-2010 General Operating Budget.

**ECISD Board Policy**

None.

**Effective Date**

April 30, 2010

**Previous Board Action**

Approval of 2009-2010 General Operating Budget on August 25, 2009 authorizing the expenditure of funds.

**Future Action Expected**

The Board will review the checks written for the previous month prior to each regular monthly board meeting.

**Background Information and  
Significant Issues**

None.

**Fiscal Impact**

Historical comparison of monthly check totals:

	2005-2006	2006-2007	2007-2008	2008-2009	2009-2010
<b>September</b>	\$384,211.71	\$597,731.27	\$589,273.28	\$808,126.97	\$655,949.80
<b>October</b>	\$625,347.36	\$642,432.03	\$804,931.69	\$778,762.11	\$970,451.63
<b>November</b>	\$606,581.82	\$742,766.77	\$750,671.57	\$1,140,664.10	\$750,661.87
<b>December</b>	\$395,396.80	\$658,798.47	\$1,211,146.13	\$1,030,485.01	\$853,561.12
<b>January</b>	\$602,847.58	\$2,339,695.79	\$1,045,238.51	\$995,619.31	\$880,591.27
<b>February</b>	\$596,279.24	\$775,240.17	\$1,993,265.44	\$1,128,501.50	\$874,019.06
<b>March</b>	\$484,835.73	\$1,924,176.33	\$660,962.20	\$1,107,119.75	\$694,107.70
<b>April</b>	\$497,466.55	\$1,955,246.06	\$777,024.72	\$779,634.45	\$846,903.79
<b>Subtotal YTD</b>	<b>\$4,192,966.79</b>	<b>\$9,636,086.89</b>	<b>\$7,832,513.54</b>	<b>\$7,768,913.20</b>	<b>\$6,526,246.24</b>
<b>May</b>	\$779,559.59	\$947,243.08	\$867,612.30	\$1,105,700.63	
<b>June</b>	\$888,976.15	\$841,401.34	\$1,529,388.36	\$816,384.98	
<b>July</b>	\$656,773.62	\$485,322.31	\$803,678.77	\$813,160.04	
<b>August</b>	\$753,650.96	\$1,415,904.27	\$1,161,873.57	\$873,588.10	

<b>Student and Public Benefit</b>	Close monitoring of monthly bills paid and monthly cash flow helps to ensure the efficient use of public funds.
<b>Procedural and Reporting Implications</b>	None.
<b>Public Comments</b>	None.
<b>Alternatives</b>	None.
<b>Other Comments and Related Issues</b>	Beginning in August of 2007, wire payments for the energy management performance contract, maintenance tax notes, and principal and interest on existing debt were included for the first time with the list of checks written for that month. These wire transfers will show up twice per year (March and August) when we pay principal and interest on debt.
<b>Attachments</b>	List of checks written during the month of April are available in electronic format and were emailed to each member of the Board.
<b>Contact Person(s)</b>	David Bright, Assistant Superintendent of Finance and Operations
<b>Action Required</b>	No action required. This is an information report only.
<b>Superintendent's Recommendation</b>	Information only. <b>Mark Pool, Superintendent of Schools</b>

**Agenda Item Summary Sheet (4 C.1)**  
**Meeting Date: May 18, 2010**  
**Submitted by: Mark Pool, Superintendent**

## ***Action Required***

<b>Personnel</b>	Approval of New Facilitator Positions – Elementary Social Studies; Bilingual/ESL/Migrant; and Response to Intervention
<b>Summary</b>	<p>Last month I brought you a proposal for the addition of three new positions to our professional support personnel along with a plan to fund these positions from designated revenues.</p> <p><b>Elementary Social Studies.</b> The Elementary Social Studies Position would be created to split the current position of Elementary English Language Arts/Social Studies into two positions.</p> <p>Prior to the implementation of our curriculum facilitator positions two years ago we had two curriculum coordinators for K-12 English language arts and mathematics. The obvious was so apparent, i.e., when we ask one person to do too much the end result is that some grade levels or some areas of the curriculum suffer; or that person's support to the classroom teachers is spread so thin that no one really benefits. When we created the curriculum facilitators positions we took a bold new approach to providing curriculum support for our classroom teachers. At the time, in an attempt to be conservative, we combined the ELA and social studies curriculum for grades K-5. In this area we are once again, however, experiencing the obvious by asking that person in that position to do twice as much as the elementary mathematics and science facilitators.</p> <p>This year support for the elementary social studies curriculum and common assessment has suffered because of the implementation of the new Texas Essential Knowledge and Skills (TEKS) in the English language arts curriculum. Next year we will be implementing new TEKS in the social studies curriculum. With these ongoing revisions of the curriculum at the state level it has become more obvious that we need to split this into two positions.</p> <p>With the new end-of-course exams coming at the high school level and the continuation of the comprehensive social studies TAKS test in the eighth grade, there is a concern of the secondary principals that our successful performance in social studies may not continue if the curriculum is not supported at the elementary level.</p> <p><b>Bilingual/Migrant/ESL.</b> As noted last month one of my major areas of concern is the lack of support we provide to the 9.2% of our students who have limited English proficiency. This is particularly true at the lower elementary grade levels when the enrollment at Myatt is made up of 21.8% LEP students and the</p>

enrollment at Hutchins is 16.5%. From all indications we will see these numbers continue to increase in the future.

When I met with our bilingual teachers earlier this year one of the major concerns they expressed to me was the lack of professional support; i.e., someone in the district that they could go to whose sole responsibility was to provide them with the support they needed in the classroom. We provide this support for other populations —special education, gifted and talented education, dyslexia, etc.

**Response to Intervention.** I think our teachers have done an exceptional job this year as we have started the implementation of our Response to Intervention (Rtl) program. We have had a process improvement team working with Dr. Bryan Cole and others to develop a district wide process for providing appropriate academic and behavioral interventions for struggling learners at the appropriate level. We plan to fully implement the process they have developed in the 2010-2011 school year.

Members of our process improvement team have spent hours looking at best practices and visiting other districts that are ahead of us in the implementation process. Based upon their findings they have identified the need of having someone to coordinate and facilitate this process for the entire district. As we have discovered this year it is extremely difficult, if not impossible, to implement this program with fidelity and integrity by asking the case managers on each campus to take on the responsibilities of this position in addition to their regular classroom instructional responsibilities.

Right now the greatest need for Rtl professional support is at the elementary level. There may be a need in the future to have an elementary and a secondary Rtl Facilitator, but we would like to try it for at least a year with one facilitator for the entire district.

<b>ECISD Board Policy</b>	CE, ANNUAL OPERATING BUDGET BJA, SUPERINTENDENT QUALIFICATIONS AND DUTIES
<b>Effective Date</b>	May 18, 2010
<b>Previous Board Action</b>	The Board discussed the addition of these facilitator positions at the regular meeting on April 20, 2010.
<b>Future Action Expected</b>	Authorizing the funding for these positions in the 2010-2011 General Operating Budget.

<b>Background Information and Significant Issues</b>	Please refer to information provided and discussed at the regular meeting last month.
<b>Fiscal Impact</b>	<p>Depends on experience of individuals selected to fill these positions.</p> <p>As noted last month, these positions would be paid from designated revenue funds; with the exception of 50% of the social studies facilitator which would be funded locally.</p> <ul style="list-style-type: none"> <li>• Elementary Social Studies Facilitator – 50% local and 50% State Compensatory Education funds</li> <li>• Bilingual/Migrant/ESL Facilitator – 50% federal Migrant funds and 50% State Compensatory Education funds</li> <li>• Response to Intervention Facilitator – 100% State Compensatory Education funds</li> </ul>
<b>Student and Public Benefit</b>	Improved professional support for our classroom teachers that should result in improved achievement for our students.
<b>Procedural and Reporting Implications</b>	Accounting of designated funds.
<b>Public Comments</b>	None.
<b>Alternatives</b>	None.
<b>Other Comments and Related Issues</b>	<p>Proposed job descriptions for the Bilingual/Migrant/ESL Facilitator and Response to Intervention Facilitator were provided last month.</p> <p>Note: These are professional support and not administrative positions.</p>
<b>Attachments</b>	None.
<b>Contact Person(s)</b>	<p>Mark Pool, Superintendent of Schools</p> <p>Carolyn Gordon, Assistant Superintendent of Curriculum and Instruction</p>
<b>Action Required</b>	Motion, second and majority vote to approve the positions of Elementary Social Studies Facilitator, Bilingual/Migrant/ESL Facilitator, and Response to Intervention Facilitator.
<b>Superintendent's Recommendation</b>	<p>I recommend that the Board approve the positions of Elementary Social Studies Facilitator, Bilingual/Migrant/ESL Facilitator, and Response to Intervention Facilitator as a part of the consent agenda.</p> <p><b>Mark Pool, Superintendent of Schools</b></p>

**Agenda Item Summary Sheet (5 C)**  
**Meeting Date: May 18, 2010**  
**Submitted by: Mark Pool, Superintendent**

## ***Action Item***

<b>Business and Operations</b>	Consider Approval of Contract for Repair or Replacement of Bleachers in Ricebird Gymnasium
<b>Summary</b>	I have this on the agenda in the event that we are able to take some action at the meeting. Proposals are not due until 2:00 p.m. on Tuesday, May 18, the day of our meeting, so I will not have any information until that time.
<b>ECISD Board Policy</b>	CH (LEGAL), PURCHASING AND ACQUISITION
<b>Effective Date</b>	May 18, 2010
<b>Previous Board Action</b>	The Board authorized the administration to seek proposals at the regular meeting on February 23, 2010.
<b>Future Action Expected</b>	None.
<b>Background Information and Significant Issues</b>	<p>The rollers on the current bleachers are worn out and will damage the new floor if not replaced.</p> <p>Proposals will be accepted for the replacement of the wheel assemblies on the existing bleachers and the replacement of the lower sections of seating with provisions for handicap seating in the new bleachers. This gives us an option depending on the difference in cost.</p> <p>Malcolm Gaus has been able to get the following opinion with regards to compliance with handicap accessibility requirements:</p> <ul style="list-style-type: none"><li>• Replacement of the floor is considered a maintenance item and in itself does not trigger the need to comply with the provisions of the Texas Accessibility Standards (TAS).</li><li>• Replacement of the bleachers would require that we install handicap accessible bleachers.</li><li>• If we only changed the wheels on the existing bleachers and did not change out the motor guide we would not have to make the existing bleachers handicap accessible.</li><li>• If we changed out the motor guide on the existing</li></ul>

bleachers we would have to make them handicap accessible, which they are not now.

We not want to be put in the position of having to provide an elevator or some kind of lift to make the upper sections handicap accessible, so we need to provide adequate handicap accessibility in the lower bleacher sections.

<b>Fiscal Impact</b>	The budget estimate we have at this time is \$98,396 for delivery and installation of four groups of bleachers with handicap accessibility.
<b>Student and Public Benefit</b>	The bleachers should be replaced or the wheels replaced on the existing bleachers so that we do not damage the new floor.
<b>Procedural and Reporting Implications</b>	If the Board accepts a proposal for replacement of the gym floor we will enter into a contract with the contractor that is selected.
<b>Public Comments</b>	None.
<b>Alternatives</b>	None at this time.
<b>Other Comments and Related Issues</b>	The earliest we could have new bleachers installed would probably be mid-September, so there may be some volleyball games played with upper level seating only. We might also have to play a couple of games in the practice gym during installation.
<b>Attachments</b>	None.
<b>Contact Person(s)</b>	David Bright, Assistant Superintendent for Finance and Operations Jeff Balcar, Director of Maintenance Bob Gillis, Athletic Director
<b>Action Required</b>	Motion, second and majority vote to take action to repair or replace the existing bleachers.
<b>Superintendent's Recommendation</b>	No recommendation at this time.

**Mark Pool, Superintendent of Schools**

**Agenda Item Summary Sheet (5 D)**  
**Meeting Date: May 18, 2010**  
**Submitted by: Mark Pool, Superintendent**

## ***Action Required***

<b>Consent</b>	Consider approval of Renewal of Property and Casualty Insurance
<b>Summary</b>	<p>We last bid this insurance in the spring of 2002. At that time the lowest bid was from North American Solutions, program administrators for the Property Casualty Alliance of Texas at \$165,892. [The previous year our cost was \$76,882.] There were only two other bids submitted: Coregis at \$209,282; and Texas Political Subdivisions at \$215,550. The bid package included an option of extending the policy contract for three years.</p> <p>In 2008 we approved an addendum to the Interlocal Agreement approved in 2003, which gave us the opportunity to extend our policy contract for three more years; i.e., 2008-2009, 2009-2010, and 2010-2011.</p> <p>We have the opportunity to extend our interlocal agreement with PCAT (<i>Property Casualty Alliance of Texas</i>) for another three years. However, David has updated our property and transportation schedules and when we received our new quote it did not reflect the update. He asked them for another quote, which we may have before the meeting. David has asked that I leave this item on the agenda in case he receives the requested information in time.</p>
<b>ECISD Board Policy</b>	CK (LOCAL), SAFETY PROGRAM / RISK MANAGEMENT CRB (LEGAL), INSURANCE AND ANNUITIES MANAGEMENT: LIABILITY INSURANCE
<b>Effective Date</b>	July 1, 2010
<b>Previous Board Action</b>	The Board annually considers bids on property and casualty insurance or the option of extending the current policy contract though an interlocal agreement.
<b>Future Action Expected</b>	The Board annually considers bids on property and casualty insurance or the option of extending the current policy contract though an interlocal agreement.
<b>Background Information and Significant Issues</b>	In the past we have contacted local agencies to see if they were interested in bidding on our property and casualty insurance with little or no response.

<b>Fiscal Impact</b>	Unknown at this time.
<b>Student and Public Benefit</b>	Protection of district assets from property loss and or liability claims.
<b>Procedural and Reporting Implications</b>	Compete and return renewal documents
<b>Public Comments</b>	None.
<b>Alternatives</b>	Forego the guaranteed rate and prepare a bid package to secure bids for next year.
<b>Other Comments and Related Issues</b>	We have been told that we will probably receive another big dividend from PCAT.
<b>Attachments</b>	None.
<b>Contact Person(s)</b>	David Bright, Assistant Superintendent of Finance
<b>Action Required</b>	Motion, second and majority vote to approve renewal of property and casualty insurance with Property Casualty Alliance of Texas; North American Solutions, Program Administrator.
<b>Superintendent's Recommendation</b>	No recommendation at this time. <b>Mark Pool, Superintendent of Schools</b>

**Agenda Item Summary Sheet (5 G)**  
**Meeting Date: May 18, 2010**  
**Submitted by: Mark Pool, Superintendent**

## ***Discussion Only***

**Business and Operations**      Discuss Possibility of Tiered Bus Routes

**Summary**

Transportation Director, Brett Schoppe, has been working with the new Edulog transportation routing software we purchased to see how we can gain efficiency in the way we plan our bus routes. He has come up with a suggestion that will save the district a considerable amount of money over an extended period of time.

By going to a two- or three-tier system, or a combination of the two, we can eliminate five to twelve buses from the fleet. (We are going to be able to eliminate one bus from the fleet with no changes.) A tiered system would require different start and dismissal times on different campuses, but would allow us to run two or three bus routes (known as “zone” runs) with a single bus.

As the attached information shows, using a two-tier system would reduce the fleet from 33 to 28 routes; eight of those would be rural routes and twenty would be double zone runs. A three-tier system would reduce the fleet from 33 to 21 routes with eight of those being rural routes and thirteen being triple zone runs. The reality of the situation would probably be a combination of the two with some double zone routes and some triple zone routes.

**ECISD Board Policy**      CNA (LEGAL), TRANSPORTATION MANAGEMENT:  
STUDENT TRANSPORTATION

**Effective Date**      2010-2011 School Year

**Previous Board Action**      None.

**Future Action Expected**      If the Board believes this idea is something worth pursuing we will bring a formal recommendation to the Board for action at the next regular meeting.

**Background Information and Significant Issues**      During the 2004-2005 school year we standardized the school day on all campuses to begin at 8:00 a.m. and end at 3:15 p.m. When the State mandated four years of English language arts, math, science, and social studies to graduate from high school, we went to an eight period day and extended the school day on all campuses by 15 minutes. We currently start at 8:00 a.m. and

dismiss at 3:30 p.m.

I have visited with all campus principals about this proposal and they agree that making these adjustments will allow us to retain the objectives we were trying to accomplish with the standard school day, plus additional advantages.

Under the tiered bus route proposal middle school and high school classes would start at 7:30 a.m. and dismiss at 3:00 p.m. The three elementary schools would continue to start at 8:00 a.m. and dismiss at 3:30 p.m.

The eight rural buses would arrive before 7:30 a.m. and would not leave until after 3:30 p.m. Since most of our rural high school students drive, this would primarily impact middle school students by requiring them to remain at school for 30 minutes after their instructional time ended; i.e., 3:00 – 3:30 p.m. Rural elementary students would arrive 30 minutes before their instructional time begins; i.e., 7:30 – 8:00 a.m. Since many of our rural children eat breakfast at school this is not a huge problem.

The zone route buses would transport secondary students first and then make a second and/or third run to pick up elementary students. Secondary students would be taken home first in the afternoon (many of whom do not ride the bus in the afternoon anyway because of after school extracurricular activities) and make a second and/or third run to deliver elementary students.

**Fiscal Impact**

David Bright has calculated the potential savings using a two- or three-tier system based on the fact that we would be reducing the overall fleet and therefore would need to replace fewer buses. Fewer buses would also save on the total cost of insurance. Since we would not significantly reduce the actual number of miles traveled, fuel, maintenance, and personnel costs would remain relatively unchanged.

David has projected a ten year savings of \$304,974 for a two-tier system and \$642,706 for a three-tier system.

Since most buses are replaced every eighteen years, the 18-year savings for a two-tier system would be \$586,656; and the 18-year savings for a three-tier system would be \$1,457,845.

**Student and Public Benefit**

Anytime we can save money by doing something more efficiently everyone in the system benefits.

**Procedural and Reporting Implications**

None.

**Public Comments**

None.

**Alternatives**

None.

**Other Comments and Related Issues**

In addition to the money saved by going to tiered bus routes, changing the start and dismissal times for the secondary campuses has the following added vantages:

- Not having younger elementary children on the same bus with the older secondary children;
- Could possibly help with the breakfast congestion in the elementary cafeterias in the mornings because not all children would be arriving at the same time;
- Would help with dismissal times for out-of-town extracurricular activities and being able to have buses back in time for those out-of-town trips, in most cases eliminating the need for early dismissal and loss of instructional time;
- Extra time for some of our rural route students either before or after school that could be used for tutorials;
- High school student drivers should be off the streets when elementary parents are delivering and picking up their children. (Less traffic congestion —particularly on Norris Street)
- Secondary students are home before their younger elementary siblings that they supervise in the afternoons.

Some of the disadvantages might be:

- Secondary students and teachers having to be at school 30 minutes earlier;
- Secondary teachers with elementary children having to drop them off at school earlier;
- Families separated on bus zone bus routes;
- Parents who pick up their secondary children having to wait for their elementary children to be dismissed.

**Attachments**

- Memo from David Bright and Brett Schoppe re: Transportation Tier Scheduling Proposal
- Current Regular Education Transportation Counts
- Map Showing Projected Zone

**Contact Person(s)**

David Bright, Assistant Superintendent of Finance and Operations

Brett Schoppe, Director of Transportation

**Action Required**

No action required.

**Superintendent's Recommendation**

This item is for discussion only.

**Mark Pool, Superintendent of Schools**

April 30, 2010

TO: Mr. Pool  
FROM: David Bright, Brett Schoppe  
SUBJECT: **Transportation – Tier Scheduling Proposal**

Below is a summary of the savings we could experience by moving to Tier Scheduling in Transportation.

**Projected Tier Scheduling**

	<b>Current</b>	<b>2 Tier System</b>	<b>3 Tier System</b>
Bell System	1	2	2-3
Routes	37		
Buses	33	28	21
Rural Runs	8	8	8
Zone Runs		20	13
Layers	N/A	Double	Triple
Fleet Reduction	1	5	12

**Benefits:** Improved linear density, improved discipline management.

**Estimated Bus Replacement Savings**

*(Based on an \$80,000 average bus cost plus 3% annual increase and replacing buses over an 18 year period)*

	<b>10 Yr Cost</b>	<b>18 Yr Cost</b>	<b>10 Yr Savings</b>	<b>18 Yr Savings</b>
<b>Current – 36 Buses</b>				
Replacing 2 buses per yr for 18 yrs	\$1,834,221	\$3,746,310		
<b>2 Tier System – 31 Buses (13-2, 5-1)</b>				
Replacing 1.7 per yr for 18 yrs	\$1,568,413	\$3,245,125	\$265,808	\$ 505,185
<b>3 Tier System – 24 Buses (6-2, 12-1)</b>				
Replacing 1.3 per yr for 18 yrs	\$1,275,911	\$2,474,393	\$558,310	\$1,271,917

**Estimated Insurance Savings**

*(Based on \$708 per year per bus plus 3% annual increase)*

<b>Current – 1 bus</b>		<b>\$8,116</b>	<b>\$16,577</b>
<b>2 Tier System – 5 buses over 2 years</b>		<b>\$39,166</b>	<b>\$81,471</b>
<b>3 Tier System – 12 buses over 4 years</b>		<b>\$84,396</b>	<b>\$185,928</b>

**Estimated Savings Projection**

<b>2 Tier System</b>	<b>\$304,974</b>	<b>\$586,656</b>
<b>3 Tier system</b>	<b>\$642,706</b>	<b>\$1,457,845</b>

Current Regular Ed Transportation Counts  
2009 - 2010

4/30/2010

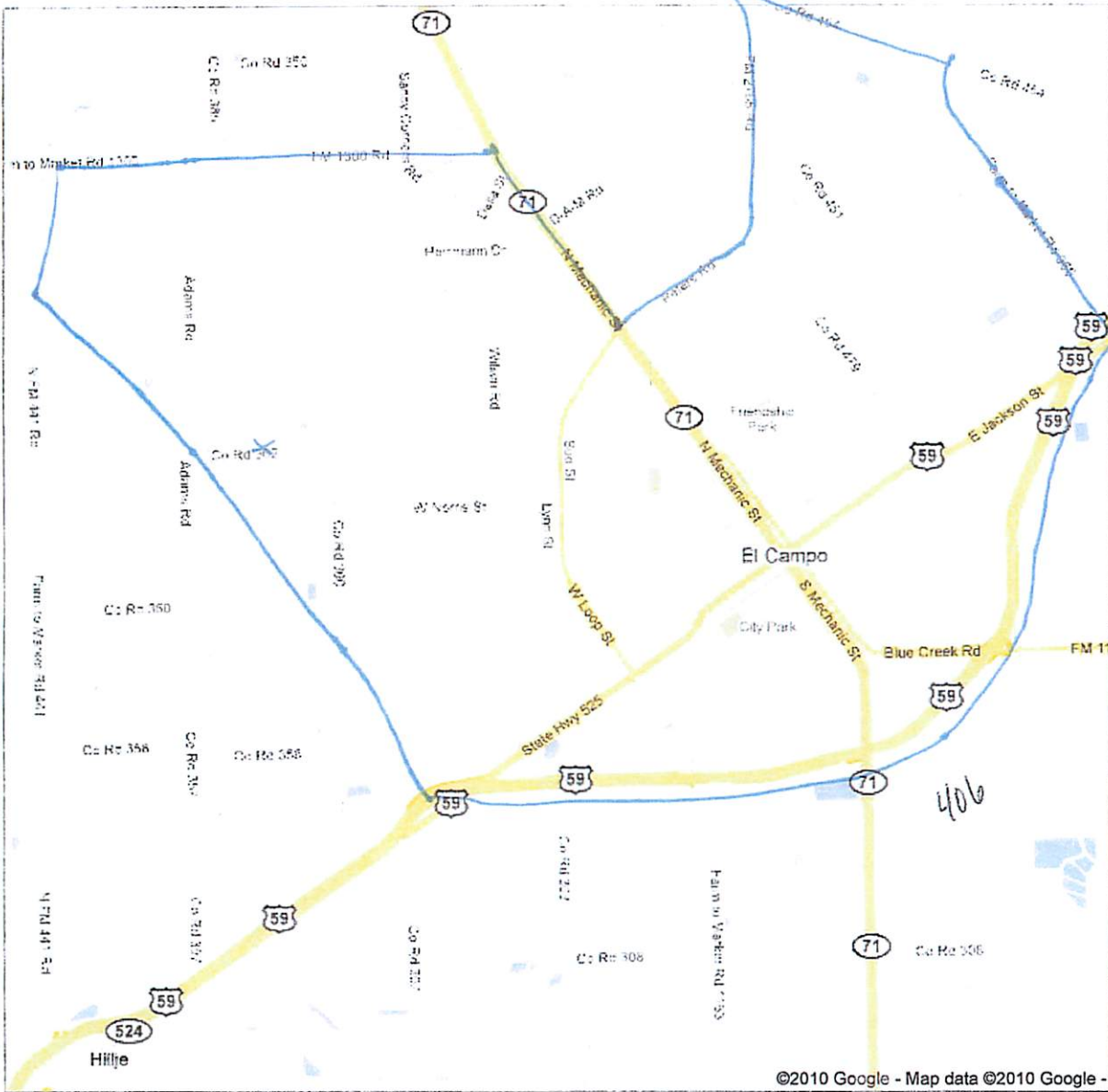
	Zone	Rural	Ineligible	Campus Total
HS	625	132	9	766
MS	379	152		531
Hutchins	269	94	30	393
Myatt	657	118	42	817
NS	235	93	38	366

	Zone	Rural
<b>Secondary Totals</b>	<b>1004</b>	<b>284</b>
<b>Elementary Totals</b>	<b>1161</b>	<b>305</b>

# of Riders	119	2873
<b>Total # of Riders</b>		<b>2992</b>



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Projected Zone

**Agenda Item Summary Sheet (5 A)**  
**Meeting Date: May 18, 2010**  
**Submitted by: Mark Pool, Superintendent**

## ***Action Item***

**Business and Operations**      Consider Approval of Contract to Reroof Auditorium

**Summary**

At the regular meeting on February 23, 2010, the Board authorized the administration to seek proposals for reroofing the auditorium. The auditorium roof is one of the roofs identified for replacement this year in our Preventative Maintenance Plan and has recently experienced ongoing problems with leaks that are beginning to cause some interior water damage.

We had looked at a couple of alternatives that were reported at the February meeting for budget purposes. The estimate we had for replacing the roof with a built up roof system, like the existing roof and all of the other roofs in the district, was \$99,982.19. As an alternative we looked at a single ply roof overlay of the existing roof that was quoted at \$47,411.00.

RWS Architects assisted us with the bid proposals that were opened at 2:00 p.m. on Thursday, April 13<sup>th</sup>. The proposals asked for a base bid and two alternates. The proposal also required that the existing roof be removed, the metal deck inspected and replaced where necessary, and new insulation board laid before the roof was installed.

The base proposal was for a built up roof that includes layers of insulation board, blackboard, and fiberglass felts surfaced with a "tar like" adhesive and gravel. (Although more expensive, this is generally considered to be superior to any one-ply system.)

Alternate No. 1 was for a Duro-Last roofing system like the single ply overlay that was quoted for budget purposes. The original quote was for a 40 mil membrane, but we specified a 60 mil membrane in the bid specifications. (The quote we received in February did not include removal, inspection, and replacement of rusted deck and insulation.)

Alternate No. 2 had the same specifications with regards to removal of the existing roof, inspection of the deck and replacement where necessary, and new insulation. The difference was the single-ply membrane, which was a 60 mil PVC Thermoplast membrane.

**ECISD Board Policy**      CH (LEGAL), PURCHASING AND ACQUISITION

**Effective Date**      May 18, 2010

<b>Previous Board Action</b>	The Board authorized the administration to seek proposals at the regular meeting on February 23, 2010.
<b>Future Action Expected</b>	None.
<b>Background Information and Significant Issues</b>	<p>We had eight different roofing companies to show interest in this project and pick up bid proposal packets. We also held a pre-bid meeting when most, if not all, contractors were present. We had five contractors to actually submit proposals.</p> <p>Because of the possibility of some deck damage due to previous leaks in the existing roof, we specified that the existing roof be completely removed and the deck inspected. Any areas of the deck that are damaged due to excessive rusting will be replaced.</p> <p>A \$4,000 owner contingency is built into the proposal for deck replacement and a minimum of 500 sf of deck replacement is included in the base proposal. The proposals provide a unit price per ten square feet for replacement of deck above the 500 sf minimum, or deduction for every ten square feet below the minimum 500 sf.</p> <ul style="list-style-type: none"> <li>• For every ten square feet of deck replacement above 500 sf a unit price will be applied toward the owner contingency.</li> <li>• If deck replacement is less than 500 sf the district will retain the owner contingency plus a credit of the unit price for every ten square feet that is not replaced.</li> </ul>
<b>Fiscal Impact</b>	<p>We currently have \$100,000 in the preliminary budget for 2010-2011 for this project.</p> <p>We could fund this project from our current fund balance. Based on our original budget and our audited fund balance as of August 31, 2009, our undesignated fund balance is at 20.89% (+\$250,925.80) of our general operating expenditures.</p> <p>See "Alternatives" for information on the cost of each roofing system based on the lowest bid submitted.</p>
<b>Student and Public Benefit</b>	The auditorium is used by lots of different people in the community. The new roof is recommended to prevent further interior water damage from current and future roof leaks.
<b>Procedural and Reporting Implications</b>	Following approval by the Board we will enter into a contract with the contractor that is selected.
<b>Public Comments</b>	None.

**Alternatives**

Based on the low bid:

- Built up Roof System.....\$109,400
- Single-Ply, Type A .....\$79,000
- Single-Ply Type B .....\$82,000

**Other Comments and Related Issues**

The existing roof was supposed to have 1” of insulation. However, when two different core samples were taken it was discovered that the insulation was compressed and the actual thickness was closer to 0.75”. The specifications call for three inches of insulation, which should increase the R-value (thermal resistance) from R7 to R19. Malcolm Gaus has predicted that we should see considerable improvement in energy efficiency because of the increased insulation.

The proposal called for a 15 year warranty that is currently under review by the district’s attorney. (In the past we have specified 10 year warranties, with the exception of the new science building.)

The proposer with the low bid has done work in the district in the past. They re-roofed Ricebird Gym about three years ago. They are also specifying a TREMCO roof, which is the manufacturer of the majority of the roofs in the district. With our other TREMCO roofs the company comes to the district at least once per year (often twice) for as long as the roof is under warranty to inspect the roof and do any routine maintenance.

**Attachments**

- Proposal Tabulation Sheet
- ABG Contracting Group, Inc.’s Proposal
- TREMCO Warranty

**Contact Person(s)**

David Bright, Assistant Superintendent for Finance and Operations

Jeff Balcar, Director of Maintenance

**Action Required**

Motion, second and majority vote to enter into a contract with ABG Contracting Group, Inc. for the replacement of the roof on the high school auditorium.

**Superintendent’s Recommendation**

I recommend that the Board enter into a contract with ABG Contracting Group, Inc. for the replacement of the roof on the high school auditorium.

**Mark Pool, Superintendent of Schools**

**PROPOSAL TABULATION**  
**EL CAMPO HIGH SCHOOL AUDITORIUM REROOFING**  
**EL CAMPO INDEPENDENT SCHOOL DISTRICT**  
**COMPETITIVE SEALED PROPOSALS RECEIVED: MAY 13, 2010 AT 2:00 P.M.**  
**RWS PROJECT NO. 1038**

PROPOSERS	ABG CONTRACTING GROUP, INC.	AR CONTRACTORS	JACO ROOFING	JOLLY ROOFING
BASE PROPOSAL	\$ <u>109,400</u>	\$ <u>171,500</u>	\$ <u>No Bid</u>	\$ _____
COMPLETION TIME	<u>7/23/2010</u> <u>47 Days</u>	<u>8/1/2010</u> <u>45 Days</u>	<u>7/1/2010</u> <u>21 Days</u>	_____
ALTERNATES				
No. 1-"Single Ply Roofing Membrane System- Type A"	-\$ <u>30,400</u>	-\$ <u>36,845</u>	≠ # <u>88,397</u>	-\$ _____
No. 2-"Thermoplastic Membrane Roofing System - Type B"	-\$ <u>27,400</u>	-\$ <u>41,845</u>	-\$ <u>N/A</u>	-\$ _____
UNIT AND OTHER PRICES Roof Deck Replacement	+\$ <u>65</u> /SF of deck -\$ <u>65</u> /SF of deck	+\$ <u>100</u> /SF of deck -\$ <u>75</u> /SF of deck	+\$ <u>51.30</u> /SF of deck -\$ <u>51.30</u> /SF of deck	+\$ _____ /SF of deck -\$ _____ /SF of deck
ADDENDA	<u>1-4</u>	<u>1-4</u>	<u>1-4</u>	_____
PROPOSER'S PROPOSED SURETY	<u>✓</u>	<u>✓</u>	<u>✓</u>	_____
PROPOSER'S PROPOSED SUBSTITUTE SUBCONTRACTORS	<u>✓</u> _____ Yes No	<u>✓</u> _____ Yes No	<u>✓</u> _____ Yes No	_____ _____ Yes No
PROPOSAL BOND	<u>✓</u> _____ Yes No	<u>✓</u> _____ Yes No	<u>✓</u> _____ Yes No	_____ _____ Yes No
FELONY CONVICTION NOTICE	<u>✓</u> _____ Yes No	<u>✓</u> _____ Yes No	<u>✓</u> _____ Yes No	_____ _____ Yes No
CONFLICT OF INTEREST QUESTIONNAIRE	<u>✓</u> _____ Yes No	<u>✓</u> _____ Yes No	<u>✓</u> _____ Yes No	_____ _____ Yes No
CERTIFICATION OF CRIMINAL HISTORY	<u>✓</u> _____ Yes No	<u>✓</u> _____ Yes No	<u>✓</u> _____ Yes No	_____ _____ Yes No

**PROPOSAL TABULATION**  
**EL CAMPO HIGH SCHOOL AUDITORIUM REROOFING**  
**EL CAMPO INDEPENDENT SCHOOL DISTRICT**  
**COMPETITIVE SEALED PROPOSALS RECEIVED: MAY 13, 2010 AT 2:00 P.M.**  
**RWS PROJECT NO. 1038**

PROPOSERS	MONUMENT CONSTRUCTORS	RAIN KING, INC.	RAIN SEAL MASTER ROOFING	VINCENT'S ROOFING
BASE PROPOSAL	\$ _____	\$ <u>174,100</u>	\$ <u>188,978</u>	\$ _____
COMPLETION TIME	_____	<u>8/15/2010</u> <u>90 Days</u>	<u>8/1/2010</u> <u>60 Days</u>	_____
ALTERNATES				
No. 1-"Single Ply Roofing Membrane System- Type A"	-\$ _____	-\$ <u>50,000</u>	-\$ <u>No Bid</u>	-\$ _____
No. 2-"Thermoplastic Membrane Roofing System - Type B"	-\$ _____	-\$ <u>60,000</u>	-\$ <u>38,461</u>	-\$ _____
UNIT AND OTHER PRICES Roof Deck Replacement	+\$ _____/SF of deck -\$ _____/SF of deck	+\$ <u>40</u> /SF of deck -\$ <u>40</u> /SF of deck	+\$ <u>85</u> /SF of deck -\$ <u>85</u> /SF of deck	+\$ _____/SF of deck -\$ _____/SF of deck
ADDENDA	_____	<u>1-4</u>	<u>1-4</u>	_____
PROPOSER'S PROPOSED SURETY	_____	<u>✓</u>	<u>✓</u>	_____
PROPOSER'S PROPOSED SUBSTITUTE SUBCONTRACTORS	_____ Yes      No	<u>✓</u> Yes      No	<u>✓</u> Yes      No	_____ Yes      No
PROPOSAL BOND	_____ Yes      No	<u>✓</u> Yes      No	<u>✓</u> Yes      No	_____ Yes      No
FELONY CONVICTION NOTICE	_____ Yes      No	<u>✓</u> Yes      No	<u>✓</u> Yes      No	_____ Yes      No
CONFLICT OF INTEREST QUESTIONNAIRE	_____ Yes      No	<u>✓</u> Yes      No	<u>✓</u> Yes      No	_____ Yes      No
CERTIFICATION OF CRIMINAL HISTORY	_____ Yes      No	<u>✓</u> Yes      No	<u>✓</u> Yes      No	_____ Yes      No

EL CAMPO HIGH SCHOOL AUDITORIUM REROOFING
FOR
EL CAMPO INDEPENDENT SCHOOL DISTRICT

SUBMITTED BY: ABG CONTRACTING GROUP INC.

TO: Board of Trustees
El Campo Independent School District
700 West Norris Street
El Campo, Texas 77437

The undersigned Proposer hereby proposes to furnish all labor, equipment, and materials and perform the Work for the completion of the above named project in strict accordance with the Proposal Documents dated April 19, 2010, prepared by RWS Architects Incorporated and their Consultants, as stated below:

I BASE PROPOSAL: The lump sum of ONE HUNDRED AND NINE THOUSAND FOUR HUNDRED 00/100 (\$109,400.00) Dollars.

II COMPLETION TIME: The Base Proposal shall be substantially completed on or before 7-23-2010, subject to receipt of the fully executed Agreement or Notice to Proceed by 6-7-2010, and subject to extensions of time granted in accordance with the Conditions of the Contract. The proposer will be substantially complete in 47 calendar days.

III ALTERNATES: For the Work identified as Alternatives, the undersigned agrees to complete said Work as follows:

- No. 1 - "Single Ply Roofing Membrane System-Type A" ..... DEDUCT \$30,400.00
No. 2 - "Thermoplastic Membrane Roofing System-Type B" ..... DEDUCT \$27,400.00

IV UNIT AND OTHER PRICES: For the work identified below, the undersigned agrees to complete said work as follows:

- ROOF DECK REPLACEMENT: The Base Proposal shall include replacement of a minimum of 500 square feet of metal decking as indicated on the drawings Sheet A1.0. Decking shall be of similar profiles and gauge so the flutes meet flutes and provide similar coverage and attachment to the existing structure. This unit price shall establish the unit price to be added to or deducted from the Contract Sum for each 10 square feet of deck required to be removed and replaced above the minimum amount to be included in the Base Proposal: increase \$65.00 /10 square feet of deck; decrease \$65.00 /10 square feet of deck.

V ACKNOWLEDGMENTS: In submitting this Proposal, the Proposer represents, as more fully set forth in the Contract Documents, that:

- This Proposal will remain subject to acceptance for 30 days after the day of Proposal opening;
The Owner has the right to waive irregularities and to reject this or any other Proposal;
The Proposer accepts the provision of the Special Owner Requirements regarding disposition of Proposal Security;
The Proposer has examined copies of the Proposal Documents;
The Proposer has visited the site and become familiar with the general, local and site conditions;
The Proposer is familiar with federal, state, and local laws and regulations;
The Proposer will sign and return the Agreement with the Bonds, Insurance, and other documents required by the Proposal Requirements within 5 days after they are presented to the Proposer for signature;
This Proposal is genuine and not made in the interest of or on behalf of an undisclosed

person, firm or corporation;

- The Proposer accepts the provisions of the El Campo Independent School District regarding the qualifications of the Bonding companies (Surety and reinsurers).
- The Proposer has received and included in this Proposal the information included in the Addenda numbered 1-2-3-4, dated 5-3-2010 / 5-11-2010 / 5-12-2010 / 5-12-2010 respectively.

VI PROPOSER'S PROPOSED SURETY: NGM INSURANCE COMPANY

VII PROPOSAL FORM SUBMITTED ON MAY-13- 2010.

VIII The Proposer shall include the following documents with their Proposal:

- Document 00300 – Proposal Form
- Document 00401 – Felony Conviction Notice
- Document 00410 – Proposal Bond
- Document 00420 – Conflict of Interest Questionnaire

IX BY ABG CONTRACTING GROUP INC. (SEAL)  
(Firm Name)

ALESANDRO GONZALEZ - PRESIDENT  
(Printed Name of Person Authorized to Sign) (Title)

MIGUEL ANTONIO GONZALEZ - PRESIDENT  
(Original Signature of Person Authorized to Sign) (Title)

Business Address: 10223 BROADWAY SUITE P #351  
PEARLAND, TX 77584

Phone No.: 281-431-7223 Fax No.: 281-431-5182

WARRANTY NUMBER:  
 OWNER:  
 ADDRESS:  
 BUILDING DESCRIPTION:  
 ADDRESS:  
 ROOF AREA:  
 DATE OF JOB COMPLETION:  
 INSTALLATION PRICE:  
 ROOFING SYSTEM:  
 INSTALLATION CONTRACTOR:  
 ADDRESS:

Tremco Incorporated (hereinafter "Tremco") hereby warrants to the above-named Owner that, subject to the terms, conditions, and limitations stated herein, it will repair leaks and provide the following services to the Owner on the roofing system on the building (hereinafter "TRS") for a period of fifteen (15) years from the date of job completion. TRS shall be defined as the weatherproofing assembly and its components, which includes the following: membrane, insulation, flashings, all sheet metal-related details, and termination details as specified by Tremco. The services being offered by Tremco include the following:

#### **A. INSPECTIONS AND HOUSEKEEPING**

In years, two (2), five (5), and ten (10) of this warranty, Tremco shall provide roof inspections, and limited housekeeping services, except as excluded in Section C and Section D on the TRS. (If a TremCare Service Agreement has been purchased for the TRS in addition to this warranty, these inspections and the related reporting will be carried out as part of the TremCare Service Agreement. The warranty and the TremCare Service Agreement will remain in effect for the warranty period simultaneously.)

Roof inspection services shall include the following:

1. Visual inspection of the roof membrane and roof surface conditions.
2. Inspection of the flashing systems including, but not limited to, the metal edge system, base flashings on equipment and adjoining walls, counterflashings and termination details, soil stacks and vents, and inspection of rooftop projections, and equipment including, but not limited to, pitch pans, HVAC equipment, sky lights, and access hatches.

Roof inspection services do not include:

1. Inspection for water damage or mold growth.
2. Detection or identification of mold.

General rooftop housekeeping services shall include the following: Removal of incidental debris. All debris will be disposed of at the Owner's approved on-site location.

#### **B. ROOF INSPECTION REPORTS**

Tremco will provide roof inspection reports to the Owner based upon the inspections as defined in paragraph A. The reports shall become part of the roof database maintained on the Tremco TRS. Tremco will be excused from performing under this warranty if prevented or delayed by events not within its control, including events such as floods, fires, accidents, riots, explosions, governmental order, acts or omissions of contractors or other third parties, inability to access the TRS, etc. Roof inspection reports will not address the presence of water damage to any building components other than the TRS or the presence of mold.

#### **C. OWNER'S RESPONSIBILITIES**

It is agreed by the parties that Tremco, by this warranty, does not assume possession or control of any part of the TRS. Control and ownership of the TRS and all parts of the building remains solely with the Owner. The Owner is solely responsible for all requirements imposed by any federal, state or local law, ordinance or regulation, and all repair, maintenance, and other work with respect to the TRS and the building, except as expressly stated by this warranty.



**Quality Assurance Program**

### **C. OWNER'S RESPONSIBILITIES**

*It is agreed by the parties that Tremco, by this warranty, does not assume possession or control of any part of the TRS. Control and ownership of the TRS and all parts of the building remains solely with the Owner. The Owner is solely responsible for all requirements imposed by any federal, state or local law, ordinance or regulation, and all repair, maintenance, and other work with respect to the TRS and the building, except as expressly stated by this warranty.*

*General roof top housekeeping does not eliminate or replace the building Owner's responsibility for keeping effluent and debris from the roof surface. Customer production-related materials are excluded as part of the housekeeping services. If scheduled cleaning is insufficient to maintain the roof integrity, Owner must pay for additional cleaning/inspections or assume responsibility for such cleanings. Owner agrees that all debris on or removed from the roof is the sole property of Owner, and it is the sole responsibility of Owner to properly dispose of said debris.*

*The Owner shall, at all times, exercise reasonable care in the use and maintenance of the TRS.*

*In order to protect the investment this TRS represents, the building Owner must fulfill his responsibilities as outlined in the attached Owner's Manual. Lack of care and maintenance can have significantly damaging effects on the system's overall performance and is cause for cancellation of this warranty.*

*Care and maintenance guidelines include, but are not limited to:*

- ♦ Regular ongoing inspection by the Owner - This will allow for implementation of good housekeeping practices and early detection of problems such as any physical damage.*
- ♦ Verification that no alterations or unauthorized repairs have been made to the roofing system.*

*If alterations are being considered, the Owner must notify Tremco in order for the proper authorized follow-up to be completed.*

*The Owner shall report all leaks which occur in the TRS within the warranty period by contacting Tremco at 1-800-422-1195 and in writing to Tremco Incorporated at 3735 Green Road, Beachwood, Ohio 44122, as soon as possible (however, in no event more than thirty (30) days) after leakage is or should have been discovered. Immediate repair of leaks is critical to prevent water damage and mold growth. In no event is Tremco responsible for any repairs to any part of the building other than the TRS. The liability or expense for such repair is to be assumed and paid by the Owner. If the leak is not within the coverage of this warranty, Tremco shall advise the Owner, and the Owner shall have repairs performed within thirty (30) days according to Tremco specifications by a Tremco certified or approved applicator. The Owner agrees to provide Tremco with unrestricted ready access to the TRS and all areas of the building on which the TRS is located.*

### **D. WARRANTY EXCLUSIONS**

*This warranty does not cover any leaks or damage or failure of the TRS or any part thereof as a result of:*

- 1. Natural or accidental disasters including, but not limited to, damage caused by lightning, hailstorms, floods, hurricane force winds (74 mph or greater), tornadoes, earthquakes, fire, vandalism, animals, penetration of the membrane, or chemical attack by outside agents.*
- 2. Use of materials not specified by Tremco, or unauthorized repairs to the TRS.*
- 3. Any intentional or negligent act on the part of the Owner or any third party including, but not limited to, misuse, traffic, storage of or discharge of materials or effluent on the roof. Any repair of these items will be at Owner's expense.*
- 4. Distortion, expansion or contraction of the TRS caused by faulty original construction or design of building components including parapet walls, copings, chimneys, skylights, vents or roof deck, or lack of positive, proper, or adequate drainage resulting in ponding water on the roof.*

## E. WARRANTY LIMITATIONS

Tremco shall have no responsibility and or liability under this warranty until all bills for installation, supplies, and services sold in connection with the TRS have been paid in full.

The Owner's rights under this warranty are specific to the Owner and are not transferable.

Tremco's obligations under this warranty may be voided by Tremco based on any of the events described in Section D, change in usage of the building without the prior written approval of Tremco, repairs, alterations, penetrations of or attachments to the TRS without the prior written approval of Tremco, building settlement, deterioration, cracking or failure of the roof deck, coping and parapet walls, infiltration or condensation of moisture in, through or around walls, copings, underlying structure, hardware or equipment, or failure of the Owner to comply with its obligations described in this warranty.

## F. OTHER TERMS

THIS WARRANTY IS IN LIEU OF ANY AND ALL OTHER WARRANTIES, OBLIGATIONS OR AGREEMENTS, EXPRESSED OR IMPLIED, INCLUDING ANY IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR ANY PARTICULAR PURPOSE, AND ANY RIGHTS OR REMEDIES AGAINST ANY PERSON OR ENTITY UNDER THE UNIFORM COMMERCIAL CODE OR OTHERWISE WITH RESPECT TO THE SALE OF GOODS AND/OR SERVICES. THE REMEDIES AND OBLIGATIONS STATED IN THIS WARRANTY ARE THE SOLE AND EXCLUSIVE REMEDIES OF AND OBLIGATIONS TO THE OWNER FOR ANY AND ALL MATTERS ARISING WITH RESPECT TO OR IN ANY WAY CONNECTED WITH THE TRS, OR ITS COMPONENT PRODUCTS, OR ANY GOODS OR SERVICES RELATED THERETO, REGARDLESS OF THE SOURCE OR PROVIDER OF SUCH GOODS OR SERVICES. THE OWNER SHALL PROVIDE WAIVERS OF SUBROGATION UPON REQUEST. NO REPRESENTATIVE OF TREMCO INCORPORATED, OR ANY EMPLOYEE, AGENT OR AFFILIATED COMPANY ("AFFILIATE") HAS AUTHORITY TO VARY OR ALTER THESE TERMS. IN NO EVENT SHALL TREMCO INCORPORATED OR ANY AFFILIATE BE LIABLE FOR ANY DAMAGE TO THE BUILDING ITSELF (OTHER THAN THE TRS), THE CONTENTS OF THE BUILDING, OR ANY OTHER SPECIAL, INCIDENTAL OR CONSEQUENTIAL DAMAGES. THE TOTAL LIABILITY OF TREMCO INCORPORATED, AND ANY AFFILIATE OVER THE LIFE OF THE WARRANTY, SHALL NOT IN ANY EVENT EXCEED IN DOLLAR VALUE THE INSTALLED CONTRACT PRICE OF THE TRS AS IT APPEARS ABOVE AND THIS TOTAL LIABILITY SHALL BE PRO-RATED ON A STRAIGHT LINE BASIS OVER THE LIFE OF THE WARRANTY, AND TREMCO'S LIABILITY SHALL NOT EXCEED SUCH PRO-RATED AMOUNT. NEITHER TREMCO INCORPORATED OR ANY AFFILIATE SHALL BE LIABLE FOR ANY DAMAGES WHICH ARE BASED UPON NEGLIGENCE, BREACH OF WARRANTY, STRICT LIABILITY OR ANY OTHER THEORY OF LIABILITY OTHER THAN THE EXCLUSIVE LIABILITY SET FORTH IN THIS WARRANTY.

The Owner agrees that this warranty, and the services and remedies set forth herein, are exclusive, and there are no other warranties between the Owner and Tremco or any affiliate. Any unresolved issues under this warranty shall be submitted to the exclusive jurisdiction of the courts of Cuyahoga County, Ohio, and governed by Ohio law.

TREMCO INCORPORATED  
ROOFING & BUILDING MAINTENANCE DIVISION

By:

Title: Warranty Administrator

Date:

**Agenda Item Summary Sheet (5 B)**  
**Meeting Date: May 18, 2010**  
**Submitted by: Mark Pool, Superintendent**

## ***Action Item***

**Business and Operations** Consider Approval of Contract to Remediate Moisture Issues and Replace Hardwood Floor in Ricebird Gymnasium

**Summary** I have this on the agenda in the event that we are able to take some action at the meeting. Proposals are not due until 2:00 p.m. on Tuesday, May 18, the day of our meeting, so I will not have any information until that time.

**ECISD Board Policy** CH (LEGAL), PURCHASING AND ACQUISITION

**Effective Date** May 18, 2010

**Previous Board Action** The Board authorized the administration to seek proposals at the regular meeting on February 23, 2010.

**Future Action Expected** None.

**Background Information and Significant Issues** No additional information is available at this time.

**Fiscal Impact** Our original estimate for replacement of the hardwood floor only was \$100,000 - \$110,000.

**Student and Public Benefit** The floor in the gymnasium is a safety issue.

**Procedural and Reporting Implications** If the Board accepts a proposal for replacement of the gym floor we will enter into a contract with the contractor that is selected.

**Public Comments** None.

**Alternatives** None at this time.

**Other Comments and Related Issues** None.

**Attachments**

- Gym Floor Graphics

**Contact Person(s)**

David Bright, Assistant Superintendent for Finance and Operations

Jeff Balcar, Director of Maintenance

Bob Gillis, Athletic Director

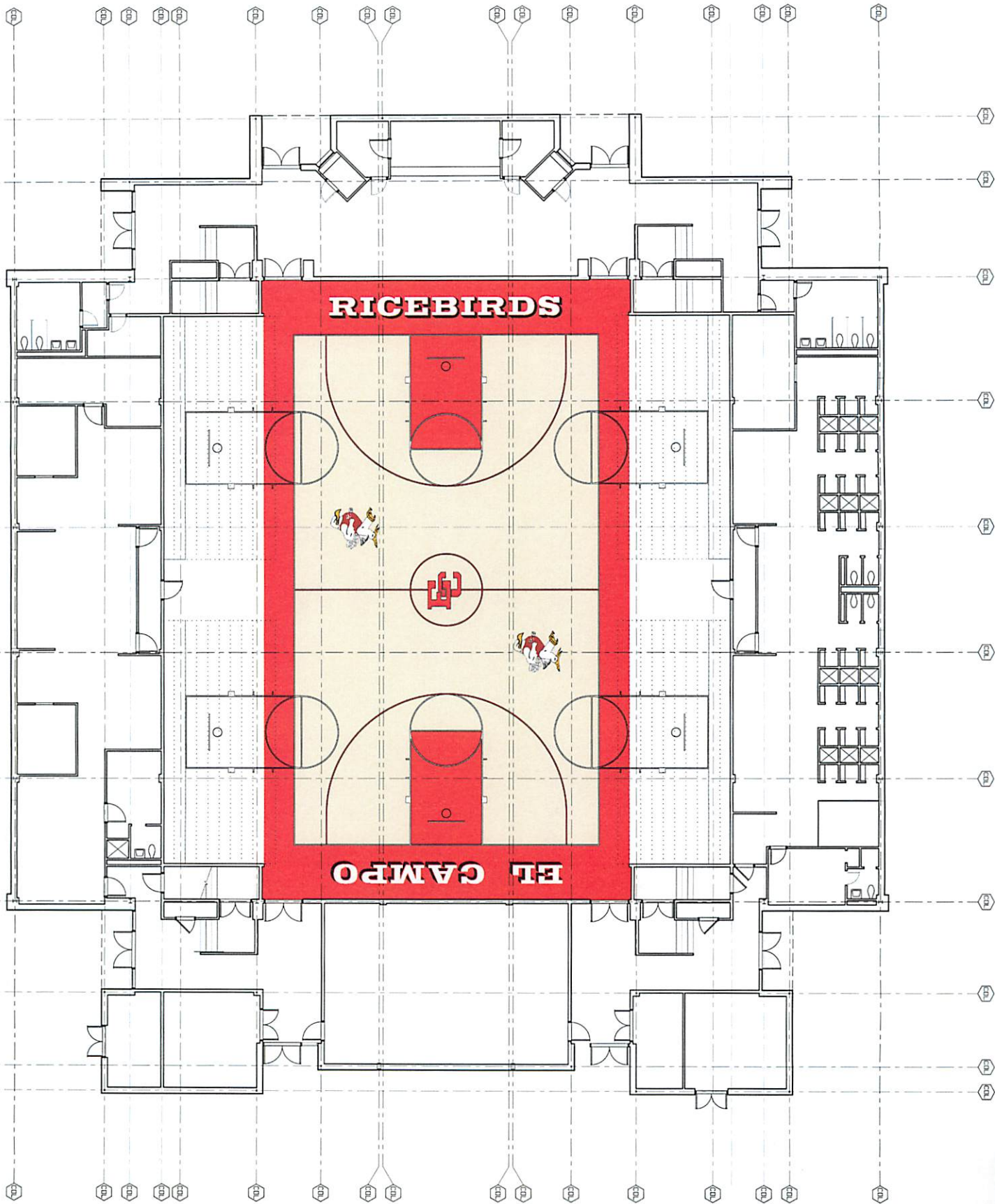
**Action Required**

Motion, second and majority vote to enter into a contract for the remediation of moisture infiltration and replacement of the hardwood floor in Ricebird Gymnasium.

**Superintendent's Recommendation**

No recommendation at this time.

**Mark Pool, Superintendent of Schools**



**Agenda Item Summary Sheet (5 E)**  
**Meeting Date: May 18, 2010**  
**Submitted by: Mark Pool, Superintendent**

## ***Action Item***

**Business and Operations**      Consider Approval of Purchase of Band Uniforms

**Summary**      Last month high school band director, Mark Van Gorp, asked the Board to consider ordering new uniforms now so they will be ready to use during next fall's 2010 marching season. Since the band uniforms were not requested in the 2009-2010 budget, and they have not been able to scrub the budget in other areas to come up with the necessary funds, the only way to have the uniforms before the beginning of school is to order them now and pay for them with General Fund fund balance. We would then budget for the formal wear in the 2010-2011 budget and order it after September 1, 2010, the beginning of the next fiscal year.

**ECISD Board Policy**      CE (LOCAL), ANNUAL OPERATING BUDGET

**Effective Date**      May 18, 2010

**Previous Board Action**      Presentation of proposed new uniforms by band director, Mark Van Gorp.

**Future Action Expected**      Budget for formal wear.

**Background Information and Significant Issues**      We can do the auditorium roof, gym floor, bleachers, and order the new uniforms and still have an undesignated General Fund fund balance of between 19-20% of our General Operating Expenditures.

Project	General Operating Expenditures	General Fund Fund Balance	Percentage of General Operating Expenditures
	\$28,005,136	\$5,951,953	21.25%
Turf	\$100,000	\$5,851,953	20.90%
Roof	\$110,000	\$5,741,953	20.50%
Floor	\$110,000	\$5,631,953	20.11%
Bleachers	\$100,000	\$5,531,953	19.75%
Uniforms	\$60,000	\$5,471,953	19.54%

<b>Fiscal Impact</b>	Marching Uniforms .....\$57,062.55 Formal Concert Wear ..... <u>\$15,336.00</u> TOTAL .....\$72,398.55
<b>Student and Public Benefit</b>	New band uniforms.
<b>Procedural and Reporting Implications</b>	If approved Mr. Van Gorp will place order for uniforms.
<b>Public Comments</b>	None.
<b>Alternatives</b>	None.
<b>Other Comments and Related Issues</b>	None.
<b>Attachments</b>	None.
<b>Contact Person(s)</b>	David Bright, Assistant Superintendent for Finance and Operations Rich DuBroc, High School Principal
<b>Action Required</b>	Motion, second and majority vote to approve the purchase of band uniforms from the General Fund fund balance.
<b>Superintendent's Recommendation</b>	I recommend the Board approve the purchase of new band uniforms and authorize the use of current General Fund fund balance for the purchase. <b>Mark Pool, Superintendent of Schools</b>

**Agenda Item Summary Sheet (5 F)**  
**Meeting Date: May 18, 2010**  
**Submitted by: Mark Pool, Superintendent**

## ***Information Item***

**Business and Operations**      Status Report from ReMax Realtor on Sale of Old Middle School

**Summary**

At a special meeting of the Board of Trustees on Wednesday, November 4, 2009, the Board interviewed, evaluated, and ranked proposals from real estate brokers in response to the District's Request for Qualifications to market the old middle school property. The proposals were ranked in the following order.

- (1) Re/Max Professionals – John Petty
- (2) The Real Estate Service – Melissa Rod

On Thursday, November 5<sup>th</sup>, the administration met with John Petty who provided the District with a proposed Commercial Real Estate Listing Agreement. The contract was reviewed and revised by the district's legal counsel and the district approved the contract with ReMax Realtor, John Petty, on November 17, 2009.

The listing agreement with Mr. Petty was for twelve months. Since it has been six months since the district entered into this Agreement I have asked Mr. Petty to come to the board meeting to provide you with a status report.

**ECISD Board Policy**      CH (LEGAL), PURCHASING AND ACQUISITION,  
PROFESSIONAL SERVICES

**Effective Date**      May 18, 2010

**Previous Board Action**      February 19, 2008 – Board authorized the sale of the old middle school property located at 1401 MLK Blvd., El Campo, Wharton County, Texas pursuant to *Texas Local Government Code § 272.001*.

September 15, 2009 – The Board approved a Request for Qualifications and weighted evaluation criteria for securing the services of a professional real estate broker to assist the district with marketing the old middle school property.

November 4, 2009 – The Board interviewed, evaluated and ranked those real estate brokers to responded to the RFQ.

November 17, 2009 – The Board approved a Real Estate Listing Agreement with John Petty, ReMax Realtors.

<b>Future Action Expected</b>	If the property has not sold by November 2010, the Board will have to make a decision as to whether or not to renew the listing agreement.
<b>Background Information and Significant Issues</b>	None.
<b>Fiscal Impact</b>	Broker fee is 6.00% of the sale price.
<b>Student and Public Benefit</b>	The use of a Real Estate Broker should help the district to market the old middle school property and get it back on the tax roll.
<b>Procedural and Reporting Implications</b>	None.
<b>Public Comments</b>	None.
<b>Alternatives</b>	None.
<b>Other Comments and Related Issues</b>	None.
<b>Attachments</b>	None.
<b>Contact Person(s)</b>	David Bright, Assistant Superintendent of Finance
<b>Action Required</b>	No action required.
<b>Superintendent's Recommendation</b>	This is an information item only. <b>Mark Pool, Superintendent of Schools</b>

**Agenda Item Summary Sheet (6 A)**  
**Meeting Date: May 18, 2010**  
**Submitted by: Mark Pool, Superintendent**

## ***Discussion Item***

<b>Curriculum and Instruction</b>	Discuss High School Curriculum and Instruction
<b>Summary</b>	The Board first had the opportunity to discuss the high school's curriculum and instruction issues with the High School Principal and core content Curriculum Facilitators at the regular meeting on September 15, 2009. They will provide the Board with a second semester update at this month's meeting.
<b>ECISD Board Policy</b>	None.
<b>Effective Date</b>	May 18, 2010
<b>Previous Board Action</b>	September 15, 2009.
<b>Future Action Expected</b>	The Board will occasionally meet with campus administrators and curriculum facilitators to discuss our instructional programs.
<b>Background Information and Significant Issues</b>	None.
<b>Fiscal Impact</b>	None.
<b>Student and Public Benefit</b>	These discussions should help us all to stay focused on improving student academic performance.
<b>Procedural and Reporting Implications</b>	None.
<b>Public Comments</b>	None.
<b>Alternatives</b>	None.
<b>Other Comments and Related Issues</b>	None.
<b>Attachments</b>	None.

**Contact Person(s)** Carolyn Gordon, Assistant Superintendent of Curriculum and Instruction  
Rich DuBroc, High School Principal  
B.J. Swenson, English Language Arts Curriculum Facilitator  
Debbie Hamman, Mathematics Curriculum Facilitator  
Sheri Janke, Science Curriculum Facilitator  
Marcia Palt, Social Studies Curriculum Facilitator

**Action Required** No action required.

**Superintendent's Recommendation** This is an information item only. .  
**Mark Pool, Superintendent of Schools**

**Agenda Item Summary Sheet (6 B)**  
**Meeting Date: May 18, 2010**  
**Submitted by: Mark Pool, Superintendent**

## ***Discussion Item***

**Curriculum and Instruction** Report on Restructuring Myatt Elementary Accelerated Reading Program

**Summary**

One of the major concerns of the Process Improvement Team that developed our district process for Response to Intervention (RtI) was the lack of appropriate tier two interventions, particularly in math, at Myatt Elementary School. They were also concerned about the need to continue to utilize our Reading Specialists as tier one interventions through the RtI process. To address this concern we want to establish a reading and math intervention program similar to our Grand Central Station Programs on the other campuses. (The Grand Central Station Program currently is not designed to serve kindergarten and first grade students.)

We currently have two reading specialists at the first grade (Sherry Pietsch and Judy Lezak) and one for kindergarten (Linda Harrison). Ms. Harrison is retiring this year providing us with an excellent opportunity to address the problem of a lack of appropriate interventions without additional personnel units. To do so, Ms. Pietsch has agreed to move to the kindergarten reading specialist in Ms. Harrison's position. This leaves us with one reading specialist in kindergarten (S. Pietsch) and one in first grade (J. Lezak). We then plan to reassign or hire someone as a reading and math intervention specialist.

We will still have three teachers working with students who need the additional support outside of their regular classroom; but the program will be restructured so that instead of three reading specialists we will have two reading specialists (for tier one reading interventions) and one reading and math intervention specialist (for tier two reading and math interventions).

**ECISD Board Policy** None.

**Effective Date** May 18, 2010

**Previous Board Action** None.

**Future Action Expected** None.

**Background Information and Significant Issues** None.

<b>Fiscal Impact</b>	These programs are funded with designated funds.
<b>Student and Public Benefit</b>	This restructuring provides us with the opportunity to provide struggling learners with appropriate interventions at the Myatt campus like they would receive through Grand Central Station on the other campuses.
<b>Procedural and Reporting Implications</b>	None.
<b>Public Comments</b>	None.
<b>Alternatives</b>	None.
<b>Other Comments and Related Issues</b>	None.
<b>Attachments</b>	None.
<b>Contact Person(s)</b>	Carolyn Gordon, Assistant Superintendent of Curriculum and Instruction Liz Graves, Myatt Elementary Principal
<b>Action Required</b>	No action required.
<b>Superintendent's Recommendation</b>	This is an information item only. . <b>Mark Pool, Superintendent of Schools</b>

## ***Action Required***

### **Governance**

### Canvass Election Returns

### **Summary**

According to policy BBB(LEGAL), BOARD MEMBERS, ELECTIONS – CANVASS RETURNS for an election held on the uniform election date in May, the local canvass must occur not later than the 11<sup>th</sup> day after election day (May 19) and not earlier than the later of:

1. The third day after election day; (May 11)
2. The date on which the early voting ballot board has verified and counted all provisional ballots, if a provisional ballot has been cast in the election; or
3. The date on which all timely received ballots cast from addresses outside of the United States are counted, if a ballot to be voted by mail in the election was provided to a person outside of the United States.

This means that the official local canvass of returns can take place at the regular board meeting on May 18, 2010, as long as the ballot board has verified and counted all provisional ballots and counted all timely received ballots cast from addresses outside the United States.

Two members of the Board constitute a quorum for purposes of canvassing an election.

After completion of a canvass, the presiding officer shall prepare a certificate of election for each candidate who is elected to an office for which the official result is determined by that authority's canvass. A certificate of election must contain:

1. The candidate's name;
2. The office to which the candidate is elected;
3. A statement of election to an unexpired term, if applicable;
4. The date of the election;
5. The signature of the officer preparing the certificate; and
6. Any seal used by the officer preparing the certificate to authenticate documents that the officer executes or certifies.

The authority preparing a certificate of election shall promptly deliver it to the person for whom it is prepared, subject to the submission of a recount petition.

<b>ECISD Board Policy</b>	BBB(LLEGAL), BOARD MEMBERS, ELECTIONS
<b>Effective Date</b>	May 18, 2010
<b>Previous Board Action</b>	The Board annually canvasses the returns of the School Board Trustee Election.
<b>Future Action Expected</b>	The Board annually canvasses the returns of the School Board Trustee Election.
<b>Background Information and Significant Issues</b>	The Board will have the opportunity to view the official election results before certifying the election.
<b>Fiscal Impact</b>	None.
<b>Student and Public Benefit</b>	District voters will be assured that the Board of Trustees has reviewed the election results before certifying the election.
<b>Procedural and Reporting Implications</b>	Provide the newly elected Trustees with a <i>Certificate of Election</i> and record the results of the canvass of precinct returns in the official minutes of the Board of Trustees.
<b>Public Comments</b>	None.
<b>Alternatives</b>	None.
<b>Other Comments and Related Issues</b>	None.
<b>Attachments</b>	<ul style="list-style-type: none"> <li>• Summary of Precinct Returns</li> </ul>
<b>Contact Person(s)</b>	David Bright, Assistant Superintendent of Finance and Operations
<b>Action Required</b>	Motion, second and majority vote to certify the election returns.
<b>Superintendent's Recommendation</b>	<p>I recommend that you take the necessary action to certify the returns of the Trustee Election held on Saturday, May 8, 2010.</p> <p><b>Mark Pool, Superintendent of Schools</b></p>

## SUMMARY OF PRECINCT RETURNS

### El Campo I.S.D. Trustee Election May 8, 2010

I, the undersigned, the presiding officer of the canvassing authority for the El Campo, Texas, Independent School District Trustee Election, held on May 8, 2010, in Wharton County, Texas, do hereby certify that the following is a total of all votes received by each candidate and votes received “for” and “against” each measure as shown by the precinct returns.

<b>Pos. No.</b>	<b>Name of Candidate</b>	<b>Early Voting</b>	<b>El Campo Voting</b>	<b>Glen Flora Voting</b>	<b>Total Votes</b>
4	Ralph Novosad	452	214	2	668
5	La Keta Jo Dennis	273	142	12	427
	R. Cecil Davis	289	142	0	431

Dated, this 10<sup>th</sup> day of May, 2010.

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Presiding Officer, El Campo I.S.D.

517-4148 Summary of Returns (186)  
Prescribed by Secretary of State  
Section 67.004 (b)(2), V.T.C.A., Election Code

## ***Action Required***

<b>Governance</b>	Reorganization of the Board of Trustees
<b>Summary</b>	<p>According to board policy at the first meeting after each election and qualification of Trustees, the members of the Board shall organize by electing a President, a Vice-President, and a Secretary. These officers are elected by a majority vote of the members present and voting.</p> <p>Board officers shall serve for a term of one year or until a successor is elected. Officers may succeed themselves in office.</p>
<b>ECISD Board Policy</b>	<p>BDAA (LEGAL), OFFICERS AND OFFICIALS: DUTIES AND REQUIREMENTS OF BOARD OFFICERS</p> <p>BDAA (LOCAL), OFFICERS AND OFFICIALS: DUTIES AND REQUIREMENTS OF BOARD OFFICERS</p>
<b>Effective Date</b>	May 18, 2010
<b>Previous Board Action</b>	Reorganization of the Board occurs annually following the canvass of the School Board Trustee Election.
<b>Future Action Expected</b>	Reorganization of the Board occurs annually following the canvass of the School Board Trustee Election.
<b>Background Information and Significant Issues</b>	<p>According to policy BDAA (LEGAL), the Board President shall have the following duties and powers:</p> <ol style="list-style-type: none"><li>1. Call a meeting of the Board, giving public notice not earlier than the 30<sup>th</sup> day or later than the tenth day before the meeting, to discuss and adopt the budget and proposed tax rate. <i>Education Code 44.004</i></li><li>2. Ensure that the annual financial statements are published as required by law. <i>Local Gov't Code 140.006</i></li><li>3. Execute an oil and/or gas lease or sell, exchange, and convey the minerals in land belonging to the District, approved by resolution of the Board. <i>Education Code 11.153</i></li><li>4. Execute the deed for the sale of property, other than minerals, held in trust for free school purposes. <i>Education Code 11.154(b)</i></li></ol>

According to policy BDAA (LOCAL), in addition to the duties required by law, the President of the Board shall:

1. Preside at all Board meetings unless unable to attend.
2. Have the right to discuss, make motions and resolutions, and vote on all matters coming before the Board,
3. Appoint all Board committees, unless otherwise provided by policy or Board consensus.

The Vice-President of the Board shall:

1. Act in capacity and perform the duties of the President of the Board in the event of the absence or incapacity of the President.
2. Become President only upon being elected to the position.

The Secretary of the Board shall:

1. Ensure that an accurate record is kept of the proceedings of each Board meeting.
2. Ensure that notices of Board meetings are posted and sent as required by law.
3. In the absence of the President and Vice-President, call the meeting to order and act as presiding officer.
4. Sign or countersign documents as directed by action of the Board.

**Fiscal Impact**

None.

**Student and Public Benefit**

Students and taxpayers benefit by having highly qualified officers elected by the Board to carry out the duties listed in ECISD policy.

**Procedural and Reporting Implications**

Newly elected officers of the Board will be so noted on all official documents and correspondence.

**Public Comments**

None.

**Alternatives**

None.

**Other Comments and Related Issues**

None.

**Attachments**

- Memorandum to Board of Trustees from Mark Pool re: Nominations and Elections of Board Officers.
- TASB Leadership Team Services Q & A on Electing Board Officers
- Article from April 1997 *Texas Lone Star* – “Leading the Leaders”
- TASB Resource for support when selecting the school board president – “The Board President’s Job”

**Contact Person(s)**

Mark Pool, Superintendent of Schools

**Action Required**

Through a nomination and election process, the Board will elect a president, vice-president, and secretary.

**Superintendent’s Recommendation**

I recommend that you the necessary action(s) be taken to elect a president, vice-president, and secretary.

**Mark Pool, Superintendent of Schools**

# EL CAMPO INDEPENDENT SCHOOL DISTRICT

ROBERT MARK POOL, Superintendent

**DAVID BRIGHT**  
ASSISTANT SUPERINTENDENT  
FOR FINANCE

700 WEST NORRIS STREET  
EL CAMPO, TEXAS 77437  
(979) 543-6771 – FAX (979) 543-1670

**CAROLYN GORDON**  
ASSISTANT SUPERINTENDENT  
FOR INSTRUCTION

## Memorandum

**TO:** Board Members  
**FROM:** Mark Pool  
**DATE:** May 18, 2010  
**RE:** Nominations and Elections of Board Officers

- Nomination(s) for President are accepted and recorded.
- If the current president is nominated, it would be in order to ask the sitting vice president to conduct the election; if the vice-president is also nominated, then the secretary; and if the secretary is also nominated then a temporary chair (someone not nominated by the president) could be selected by the Board.
- According to Roberts Rules of Order, *Before proceeding to an election, if nominations have been made from the floor, the chair should inquire if there are any further nominations. If there is no response he/she declares the nominations closed.*
- If more than one person is nominated for the office, the chair shall call for by show of hands and record the votes cast for each nominee. Candidates are voted upon in the same order in which they were nominated.
- If only one candidate is nominated for the office, the chair shall call for a motion that the candidate be elected by acclamation. The motion then requires a second and majority vote to pass.
- According to policy, *officers are elected by a majority vote of the members present and voting.* Local policy also states that the president has the right to discuss, make motions and resolutions, and vote on all matters coming before the Board—but is not required to.
- Once the president has been elected then the procedures above are followed for vice president and then secretary.

## Q & A: Electing Board Officers

The law requires the board to reorganize by electing a president and secretary at the first meeting after an election and qualification of Trustees. Local policy may also provide for the election or appointment of other officers and committees the board deems necessary. This usually occurs at the first regular meeting after an election but may also occur at a special meeting provided the election results have been canvassed, and newly elected Trustees have signed and filed the required Statement of Officer and have taken the oath of office. While boards are required to reorganize after an election, the board may also organize at other times. (Atty.Gen.Op.MW-531,1982)

Here are answers to some questions about how to conduct board officer elections smoothly.

### **Q. How do we conduct officer elections if our president and vice president are no longer on the board?**

- A.** Some districts have adopted a local policy that states the secretary will conduct the election of a president pro tem. Others have a policy that designates the secretary to act as the president pro tem and conduct the election of a president. Check your local policy (at code BDAD in TASB Localized Policy Manuals) to see if your district has provided for a temporary chair when the president is not reelected to the board.

When neither the president nor vice president are present to conduct the election of officers and the district has not made provisions in local policy, the secretary conducts an election to select a temporary chair. When selected, the temporary chair conducts the election of the president, then relinquishes the chair to the new president who conducts elections for remaining offices.

### **Q. What if our secretary is no longer on the board or isn't present to conduct the election of a temporary chair?**

- A.** If there is no secretary present, any member (perhaps the most veteran member present) may assume the chair to conduct an election of a temporary chair. The temporary chair then conducts the election for president. The new president then conducts any remaining elections.

### **Q. Can we call other board members to talk about who we think might make a good president?**

- A.** The Texas Open Meetings Act requires a school board to conduct an open meeting, pursuant to proper notice, whenever a quorum of the board discusses or takes action on public business, unless the board is deliberating a topic that falls within an explicit exception to the Act. A meeting may occur even if a quorum is not gathered in a single location, and board members can violate the Open Meetings Act by meeting in groups of less than a quorum or telephoning each other for the purpose of discussing public business. Although an individual might express to other members his or her interest in filling a position, or a member might express an interest in nominating or supporting another member for an office, discussions promoting an individual for office or seeking support for that individual might be construed as deliberations among a quorum of the board outside a properly posted public meeting.

## Board Reorganization

### Page 2

#### **Q. Can we nominate more than one person for a particular office?**

- A. Yes, you may nominate more than one person for an office. In fact, the presiding officer should take care to ensure that all who wish to make a nomination have had a chance before declaring nominations closed.

#### **Q. Does a nomination have to be seconded to be official?**

- A. Unlike a motion, a nomination does not require a second. It is acceptable, however, for another member who supports that nominee to second the nomination.

#### **Q. We've never had more than one nomination for an office. How do we make sure members know that they can make additional nominations?**

- A. To open nominations from the floor, the chair states:

*"Nominations are now in order for the office of President."*

After hearing a nomination, the chair restates the nomination just as he or she would when a motion is made:

*"Mr. A is nominated for the office of president."*

The chair then asks if there are other nominations:

*"Are there any further nominations for the office of president?"*

The chair restates each nomination until it appears that there are no more. To be certain that no one wishes to make another nomination, the chair should repeat:

*"Are there further nominations for President? Then if not, (pause, to allow any additional nominations) nominations are closed."*

#### **Q. Can I move to close nominations after I've nominated my choice for an office?**

- A. A motion to close nominations is not appropriate until all wishing to make nominations have had a reasonable opportunity to do so. If you did make such a motion, the president should still ask if there are others wishing to make nominations. Only if no one else responds should your motion be recognized. A motion to close nominations is not necessary in a body the size of school boards since few nominations are likely to be made in the first place. However, if such a motion is honored, it requires a second and a two-thirds approval vote in order to cease nominations.

#### **Q. It's very important that we have a qualified president, but it is sometimes sensitive bringing up a nominee's weaknesses in open session. Is there a way to avoid embarrassing a nominee and still discuss the merits of those nominated for an office?**

- A. Because boards often require that their officers perform specific leadership duties, it may be advisable to discuss the qualifications, experience, or willingness to serve of the nominees for a given office before voting. Since there is an exception to the Open Meetings Act which allows the board to deliberate the appointment of a public officer in a closed meeting, the board may choose to go into closed session to discuss the merits of nominees for a given office before returning to open session to take the vote.

## Board Reorganization

### Page 3

#### Q. Can we take a secret ballot when voting for board officers?

A. No. Texas law does not allow a school board to take any votes by secret ballot.

#### Q. When we have more than one nomination for an office, how do we conduct the voting?

A. Check your local policy to see if your board has specified a method of voting for board officers. If not, and if your board has designated *Robert's Rules of Order, Newly Revised* as a guide for meeting, then any member may move to adopt one of the methods described in *Robert's Rules* or the president may simply ask consent of the body to use a particular method. *Robert's Rules* describes two methods that would be appropriate for school boards.

In the *Viva Voce* method, when there is more than one nominee for an office, candidates are voted on in the order nominated. The chair asks for all in favor of a particular nominee, then for all opposed, before moving on to the next nominee. If the first nominee does not receive a majority of "yes" votes, the second name is announced and the "yes" and "no" votes called for. Voting continues for each nominee until one receives a majority. When one has received a majority, the remaining nominees need not be announced and voted on.

In a *Roll Call* election, members are called upon one at a time to announce the nominee of their choice. However, if there is more than one nominee for an office, there may not be a majority of votes cast for any one candidate. In this case, voting would continue until one nominee receives a majority. (*Robert's Rules* cautions that the nominee receiving the lowest number of votes is never removed from the next ballot, though, unless the bylaws require or unless he/she withdraws, because that person may turn out to be a compromise candidate upon which all can agree.)

#### Q. Can we adopt a different procedure for electing officers?

A. Yes, your local board may designate the specific method that you think will work best for you. Check your local policy at BDA and the sections immediately thereafter or any written team operating procedures to see if you have specified a preferred method of voting.

In most district policies that designate *Robert's Rules of Order* as a guide, a provision is also made for suspending procedural rules by a majority vote at any board meeting. So, if a board does not have a policy that mandates the voting method and wishes to use a different method of electing officers than outlined in *Robert's Rules* it may choose to suspend the rules and vote to use a different procedure for a given meeting.

If you have other questions about how to conduct your election of officers, call Leadership Team Services at 800-580-8272, or send an e-mail to [lts@tasb.org](mailto:lts@tasb.org).



# Leading the leaders

## Board president selection is a critical responsibility

by Rita Reynolds-Gibbs

*Editor's note: This article first appeared in the April 1997 edition of Texas Lone Star (page 22). Please note that Bettye Stripling is now former president and current member of the Richardson ISD Board; Charles Scoma is a former member of the Birdville ISD Board; and Steven Copenhaver is former president and current member of the Round Rock ISD Board.*

The selection of school board president is as important a board responsibility as selecting a superintendent, developing policy, or adopting district goals. In May, the majority of Texas school boards will fill this critical position. Few boards, however, receive training in how to select a president, so we asked some experienced board presidents for their advice on the subject.

### An important role.

"As the board president goes, so goes the board," said Bettye Stripling, [former] Richardson ISD Board president [and current board member]. Bill Pursley, City View ISD Board president, elaborated on the importance of the role: "The board president is a

leader in all facets of the operation of the board, including communication with other board members and the superintendent, leadership in consensus building, moderating, and speaking on behalf of the board.

"This is important because the board president is looked upon to be all these things and more. Therefore, success or failure of the board functioning together as a team lies directly on the board president's shoulders."

Stripling added that "the role is more important than I realized a few years ago. The perception of the community is one of seeing the president as having a very strong effect on the general tone and personality of the board. This perception is probably more true than I realized."

Former Victoria ISD Board President Theresa Gutierrez noted that "the role is important because the president must reiterate all viewpoints and make certain all board members are included in the decision-making process. The board president must maintain a delicate balancing act, one of conducting the business of the board, while maintaining a sense of fairness

The board recognizes the leadership role of the board president and adheres to law and local policies regarding the duties and responsibilities of the board president and other officers.

—Framework for School Board Development: Unity

At the first meeting after each election and qualification of trustees, the members of the Board shall organize by electing:

1. A president, who shall be a member of the Board.
2. A secretary, who may or may not be a member of the Board.
3. Such other officers and committees as the Board may deem necessary.

—Texas Education Code, §11.061(c), Selection of Officers

In addition to the required post-election organization, the Board may also organize at other times.

—Attorney General's Opinion MW-531 (1982), Reorganization

and objectivity to the educational stakeholders.”

### Time, thought, and energy.

The selection of the board president is critical to the success of the board and ultimately the success of the district. The board president’s primary job is to ensure that the board, in cooperation with the superintendent, effectively and efficiently completes its responsibilities “to govern and oversee the management of the public free schools of the District.” TEC §11.05(b). It stands to reason that the work of the board, with the superintendent as partner, greatly affects district results. Consequently, the board president, the liaison between the board and the administration, is critical to the success of the district, as well.

In selecting its leader, the board should give this important decision the time, thought, and energy it deserves. Each school board must select a leader who best meets the board’s agreed-upon criteria—someone who possesses the general knowledge, skills, and attitudes necessary to be an effective leader of leaders.

### The selection process.

Given the importance and complexity of the president’s job, the board must enter into the selection process with commitment and purpose. “The position of board president should be dealt with in depth,” noted Gutierrez. “Much forethought and planning should be given to the selection of leader. This is not a reward for past experience.”

Tommye Quebe, Plainview ISD Board president, cautioned: “Don’t select someone just because they have had the job for the past five years and no one else wants it.”

Nor should it be based on popularity, added Charles

Scoma, [former] Birdville ISD Board president.

Gutierrez concluded: “Selection of the board president is earned by demonstrating the characteristics and qualifications for the position.” All agree the selection process should focus on the legal and local job requirements, the expectations of the community, and current climate of the district and the board.

### A team procedure.

The selection process and selection criteria will vary from district to district. However, it is important that all members of the board participate and agree. A team procedure is an effective tool for this purpose. The procedure can be as simple or as involved as a board desires. What is important is that the team procedure establish, preferably in writing, the steps the board will complete together and the criteria the team will consider to identify the best person for the job.

An agreed-upon team procedure keeps the team purposefully focused, minimizes misunderstandings, improves team efficiency and effectiveness, and serves as a record of team agreement. In determining criteria that will be used in the selection, Gutierrez recommended that “an effective board president selection process should involve honest dialogue among all board members.”

This should take place in an open meeting. Gutierrez suggested the dialogue include a discussion and listing of skills, knowledge, attitudes, and personal qualities of a good president. The list of desired qualifications should be based on the presidential job roles and responsibilities and their relationship to the needs of the district and the board.

City View’s Pursley summarized the final steps to take after establishing criteria for selection. “The board should accept nominations, discuss the nominee’s qualifications, and vote.” This should take place in a public meeting; however, an exception to the Texas Open Meetings Act allows the board to deliberate on “the appointment . . . of a public officer” (Government Code §551.074) in closed session. This allows the board to discuss qualifications privately prior to electing a president or other officer in open session.

### Developing selection criteria.

The presidents interviewed agreed that a solid knowledge of boardsmanship and the public schools is important in selecting the board’s leader, and some time on the board is usually needed to obtain these. Glenda Marsh, board president of Angleton ISD, said she believes a president should have broad knowledge of school board issues. Plainview’s Quebe noted that

basic knowledge of laws, rules, and regulations of school districts is important. Wayne Este, Hunt ISD Board president, said he believes a president needs to have knowledge of the state as well as local policies on boardsmanship.

A natural first step in determining selection criteria would be to examine the job description. There is no official job description for school board president. A statement of legal job requirements can be found in Policy BDAB (Legal). However, this statement of the board president’s job requirements is limited. It addresses the review and signing of official district documents, the notification of the commissioner in designated instances, and the calling of the budget hearing.

Certainly, these are important duties, but the job of board president is more involved than what is expressed in the legal policy, and, generally, in its companion local policy. Given the void, boards must develop

## TASB CAN PROVIDE ASSISTANCE

### BEFORE SELECTION.

TASB Leadership Team Services has a generic list of board president job responsibilities that was developed by experienced Texas school board presidents. The list can serve as a basis for board dialogue in the determination of criteria for selection. To receive a copy of this list by fax, call Lydia Garcia in TASB Leadership Team Services at 800-580-8272 or check the TASB Web Site at [www.tasb.org](http://www.tasb.org).

TASB Leadership Team Services offers sessions on developing team operating procedures for individual school boards or clusters of school boards.

### AFTER SELECTION.

TASB Leadership Team Services will sponsor new board president training at the annual Summer Leadership Institute, June 17-19 in San Antonio. For more information, call TASB Leadership Team Services at 800-580-8272. ★

their own presidential job description.

A review of other key presidential roles and responsibilities provides a broader picture of the job. The board president fulfills four major presidential roles for the board. These are presiding officer of all board meetings, liaison with the superintendent, team leader, and board spokesperson. Each role requires knowledge, skills, and attitudes specific to the role.

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The most visible role of the president is probably that of presiding officer of the school board meetings. This role requires the president to carefully prepare for and skillfully lead meetings.

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#### **Presiding officer of the district.**

The most visible role of the president is probably that of presiding officer of the school board meetings. This role requires the president to carefully prepare for and skillfully lead meetings.

The board president must have knowledge of effective meeting practices, be skilled in using the board's adopted rules of order, and be able to work with the board and the superintendent in setting the board's activity calendar and meeting agendas.

The board president is responsible for maintaining open communication and including all board members in the process before, during, and after the meeting. "These skills

and tools," stated Quebe, "assist the board president in staying focused, keep the board focused on its policy decisions, and allow the administration to carry out the school district operations."

Before the meeting, following policy and board procedures, "The board president sets the board meeting agenda with guidance from the superintendent," said Marsh. Hunt ISD's Este clarified the importance of this role. "To effectively carry out this responsibility, the board president must be informed, well organized, and prepared to conduct board meetings," Este said. "Being prepared and organized encourages others to want to be part of the team."

Stripling added: "Proper organization and control of the board meetings make for good, sound decisions for students, and sound fiscal decisions. It increases respect among board members and between the board and the community."

During the meeting, the skillful board president guides participants through the agenda in an effective and efficient manner. Effective refers not only to the completion of the tasks, but also the inclusion and ownership of the tasks by the board and others. Steve Copenhaver, [former] Round Rock ISD Board president [and current member], explained: "It is important that the board president maintain order while ensuring all members have equal access to information and equal voice." Gutierrez added that "the president must moderate the varying points of view of individual board members."

Stripling agreed, noting that "the board president must be willing to give up the need to talk to every issue at board meetings and serve as a facilitator to move the meeting along to a successful conclusion."

## **Governance Guides**

### **Selecting a Board President**

- Prepare for the election of a president at least a month in advance.
- Meet as a board and formulate the steps the board will take to elect the president.
- Meet as a board and determine the selection criteria that best meet the needs of the district and the board. Consider the following as you develop criteria:
  1. Board policy
  2. Key presidential job responsibilities
  3. Critical issues facing the district and the board and what leadership skills are necessary to meet those issues
  4. Board experience, knowledge, availability, and commitment to the job
- Share the agreed-upon selection criteria with all members of the board.
- Nominate candidates for president in an open meeting.
- Discuss, in the public meeting, candidates' qualifications based on selection criteria.
- Vote for the nominee who best meets the board's agreed-upon criteria for president.
- Accept majority decision.
- Encourage the new president to participate in leadership training.
- Continue to develop the leadership skills in all board members to ensure the continuity of excellence in board performance. ★

#### **Board liaison to the superintendent.**

As board liaison to the superintendent, the board president is the keystone that aligns the work of the board with that of the superintendent. In this capacity, the board president works closely with the superintendent to arrange the board's annual activity calendar and meeting agendas to reflect school district priorities and requirements.

To successfully carry out this role, the board president

must be able to clearly and assertively articulate the board's expectations to the superintendent while being open to and hearing the expectations of the superintendent. It requires the board president to actively listen, strive for agreement, mediate points of view, and assertively state the board's position.

"The board president helps to keep the communication open between the board and the superintendent," said

Stripling. “Good communication between the superintendent and the board limits misunderstandings and promotes effective decision making. It also eliminates uneasiness among staff and community.”

#### Team leader of the board.

The board, by law, must act as a body corporate in governing and overseeing the management of the public schools of the district. The president ensures that board tasks are completed through participation and agreement of all team members in open meetings. “The effective board president has an attitude of ‘teamsmanship’ and encourages all members to be part of the team,” explained Este. “[The president] should be friendly and trustworthy, and one who will encourage others to share thoughts and ideas and be effective in communicating to all.”

The diversity of board members increases the challenge of this role. The effective board president/team leader promotes openness and respect for different values and opinions. Scoma noted that “the president provides leadership in dealing with sensitive board issues, is fair in relationships, and is a consensus builder.”

Dixie Surratt, Panhandle ISD Board president, remarked that “it takes good communication skills, being willing to listen, being a good mediator, recognizing and using the talents of others, accepting opinions of all board members, and being responsive.” Added Gutierrez: “The president must maintain harmony among the board members,

between the board and the administration, and between the board and the public. Teamwork and harmony are essential elements in the achievement of the district’s vision.”

Gutierrez continued: “I look for a school board president who has experience and skill in bringing diverse people together. This person should have the ability to place personal feelings aside and work for the betterment of the district. It takes patience, tolerance, acceptance of diversity, acceptance of different philosophies, and time to serve. All these are qualities I would look for in an effective president.”

#### The board spokesperson.

It is important that the board speaks with one voice to its publics, the staff, and the media through the board’s spokesperson. The board president is traditionally the board’s spokesperson. The effective board president/spokesperson “must clearly convey the board’s majority opinion,” said Gutierrez.

This role requires the board president to have the ability to think on his or her feet and communicate clearly. Round Rock’s Copenhaver suggested that the effective board president “must be able to maintain an impersonal attitude. No matter what the board president thinks personally, he suppresses bias and thinks before he acts or speaks.”

Stripling agreed: “The board president should be well informed about the district, not agenda-driven, easy to talk to and with, and not overly reactive to situations.”

“Of course,” added Marsh, “the board president, like all board members, must

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be willing to refer staff and the public to the appropriate employees of the district to solve problems as opposed to trying to solve them as a board member.”

#### Final considerations.

City View’s Pursley summed up many of the presidents’ responses: “Other factors I think the board should consider when selecting the best person for the job of board president are experience, willingness to serve, ability to serve, time to serve, and willingness to be open-

minded. The job of board president isn’t a Sunday stroll in the park. It takes time sacrifice, family sacrifice, sometimes viewpoint sacrifice, and a willingness to bear an awesome responsibility to direct the leadership of those who educate our children.”

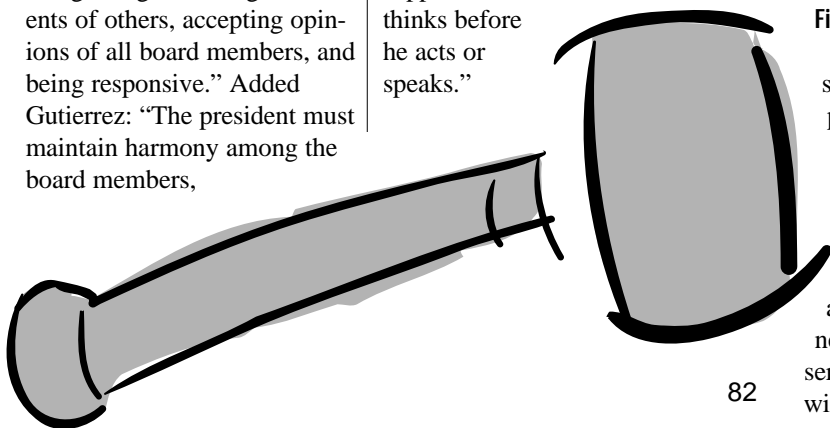
Experienced presidents conclude that it is wise to identify the candidate who best meets the criteria established by the board. Este advised, “Never select a candidate who has an agenda of his own.”

The president must be a team player who is prepared to forward the board’s agenda. Stripling cautioned that “automatic rotation is not necessarily a good plan to follow. Many people are not qualified, inclined, trained, or motivated to hold the position.” Pursley added that if the current board president is doing a good job, is willing to continue, and everyone is satisfied, there may be no reason to change leadership.

On the other hand, Scoma and Surratt recommended developing leadership among all board members so the responsibilities can be shared and others will be prepared to follow in the president’s footsteps.

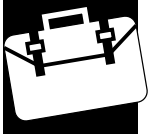
As leader of the district’s governing body, the board president is critical to the success of the board and the district regardless of the criteria each team develops. With that in mind, the selection of the board president should be viewed as a major board responsibility and addressed by all board members with commitment and purpose.★

*Rita Reynolds-Gibbs is a senior consultant for TASB Leadership Team Services.*





## The Board President's Job



### The Board President's Effective Practices Checklist

This checklist represents the experiences of effective school board presidents and superintendents. It is intended to be a tool to support school boards when selecting the school board president.

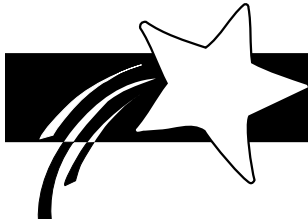
#### I. General Job Responsibilities

- Knows legal responsibilities of the board president
- Knows locally desired responsibilities of the board president
- Has knowledge of all legally referenced policies that address local school governance
- Has general knowledge of the district's policies and how to locate information related to district policies

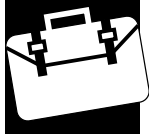
#### II. Liaison Between the Superintendent and the School Board

Makes agreements and establishes procedures with the superintendent addressing the following:

- The board president's responsibilities addressed in Policy BDAA (LEGAL), BDAA (LOCAL)
- The board president's board meeting responsibilities addressed in the BE series
- Board member training and orientation, Policy BBD (LEGAL), Policy BBD (LOCAL), BBD (EXHIBIT)
- Board internal committees, Policy BDB (LEGAL), BDB (LOCAL)
- The hiring of and communicating with legal counsel, Policy BDD (LEGAL), BDD (LOCAL)
- The development and monitoring of board policies, Policy BF (LEGAL), BF (LOCAL)
- The evaluation of the superintendent, Policy BJCD (LEGAL), BJCD (LOCAL)
- The board's responsibilities related to the district's planning and decision-making process, Policy BQ (LEGAL), BQ (LOCAL)
- The board's responsibilities related to the campus-level planning and decision-making process, Policy QBQ (LEGAL), Policy QBQ (LOCAL)
- The board's responsibilities related to district reports, Policy BR (LEGAL), BR (LOCAL)
- A tentative board activity calendar that broadly outlines the board's major responsibilities



## The Board President's Job



### III. Team Leader of the Board

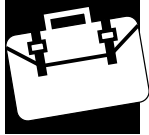
- \_\_\_ Knows the essential characteristics of effective teams
- \_\_\_ Knows board's legal responsibilities
- \_\_\_ Knows board's agreed upon "Code of Ethics"
- \_\_\_ Communicates the board president's responsibilities to the board as a whole
- \_\_\_ Ensures that candidate training sessions are offered by the district
- \_\_\_ Ensures that an effective local new board member training is conducted in compliance with, but not limited to, state regulations
- \_\_\_ Ensures that the entire team participates in at least one team-building session annually
- \_\_\_ Ensures the entire team participates in a team self-assessment
- \_\_\_ Ensures that the team has agreed upon a team mission, goals, and team improvement activities including goals for continuing education
- \_\_\_ Ensures that all team members are provided the same information at the same time, including regular updates from the superintendent
- \_\_\_ Provides for the establishment of agreed upon team-operating procedures
- \_\_\_ Gains team agreement on a board activity calendar that sets general time lines for the implementation and completion of the board's key responsibilities
- \_\_\_ Guides the board in developing policy and team procedures that ensure the board's timely and effective performance of board responsibilities in these roles:
  - \_\_\_ conducting district planning
  - \_\_\_ establishing campus-level planning
  - \_\_\_ monitoring progress related to district and campus goals and objectives
  - \_\_\_ orienting new board members
  - \_\_\_ conducting the superintendent evaluation
  - \_\_\_ completing a team-building session
  - \_\_\_ conducting a team self-assessment
  - \_\_\_ fulfilling team and individual member continuing education requirements
  - \_\_\_ developing policy
  - \_\_\_ getting and approving budget goals
  - \_\_\_ communicating with the district's community

### IV. Presiding Officer

- \_\_\_ Establishes agreed upon board meeting responsibilities and procedures with all team members
- \_\_\_ Knows the behaviors of a competent presiding officer
- \_\_\_ Demonstrates behaviors of a competent presiding officer
- \_\_\_ Sets agreed upon procedures with the superintendent for their shared preparation of the agenda
- \_\_\_ Knows the adopted rules of order
- \_\_\_ Effectively uses the adopted rules of order
- \_\_\_ Proofs the draft of the agenda before it is distributed to members
- \_\_\_ Studies each agenda item and its corresponding resource material before the board meeting



## The Board President's Job



- \_\_\_ Seeks advice from a skilled parliamentarian when necessary
- \_\_\_ Estimates length of time needed for each presentation or discussion item
- \_\_\_ Effectively enforces use of the agenda and time frame
- \_\_\_ Focuses board discussions on the district mission and goals
- \_\_\_ Ensures each board meeting is posted in accordance with the Texas Open Meetings Act
- \_\_\_ Ensures a policy is in place addressing the public's participation in the board meeting
- \_\_\_ Exercises the following options if the board is unable to come to a consensus on an issue:
  - \_\_\_ requests an administrative report for a future meeting
  - \_\_\_ refers the item to a special committee for study and recommendations by a certain date
  - \_\_\_ postpones the item according to Robert's Rules of Order
- \_\_\_ Facilitates meeting discussion through open-ended and probing questions
- \_\_\_ Ensures that all board members have the opportunity during the meeting to speak on an issue
- \_\_\_ Ensures that no individual dominates the meeting discussion
- \_\_\_ Calls an end to meeting discussions when all sides have been heard and no need exists to discuss an issue further
- \_\_\_ After each meeting, debriefs with the superintendent and makes adjustments as necessary
- \_\_\_ Ensures that all agreements made in the meeting are kept and that any promised follow-ups are completed
- \_\_\_ Ensures that closed meetings follow the requirements of the Texas Open Meetings Act

### V. Board Spokesperson

- \_\_\_ Ensures the board speaks with one voice to its constituency by naming the president as the board spokesperson
- \_\_\_ Establishes, through team agreement, a board policy that names the board president as board spokesperson
- \_\_\_ Ensures the establishment of team agreements about the board spokesperson's role and responsibilities
- \_\_\_ Accurately reports the board's message to its constituency
- \_\_\_ Follows the agreed upon chain-of-command procedures when serving as board spokesperson
- \_\_\_ Communicates to the team the constituency's concerns and positive feedback about the board and the district
- \_\_\_ Knows how to organize and write a speech that clearly communicates the board's message
- \_\_\_ Demonstrates the ability to effectively present a speech as board spokesperson
- \_\_\_ Demonstrates the ability to effectively communicate the board's message to the media in a clear and concise manner
- \_\_\_ Effectively represents the board at community and state functions
- \_\_\_ Other: \_\_\_\_\_

**Agenda Item Summary Sheet (7 B)**  
**Meeting Date: May 18, 2010**  
**Submitted by: Mark Pool, Superintendent**

## ***Action Required***

<b>Governance</b>	Oath of Office for New Trustees
<b>Summary</b>	<p>The <i>Texas Constitution</i> requires that newly elected and appointed Trustees, before taking the oath or affirmation of office and entering upon the duties of office, shall sign the required officer's statement. The statement shall be retained with the official records of the office.</p> <p>The <i>Texas Constitution</i> and the <i>Texas Education Code § 11.061</i> further require that after the officer's statement has been signed and certificates of election have been issued, but before entering upon the duties of the office, the Trustee shall take the oath or affirmation of office and shall file it with the President of the Board.</p>
<b>ECISD Board Policy</b>	BBB (LEGAL), BOARD MEMBERS: ELECTIONS
<b>Effective Date</b>	May 18, 2010
<b>Previous Board Action</b>	The <i>Oath of Office</i> is administered to newly elected members of the Board following the annual School Board Trustee Election.
<b>Future Action Expected</b>	The <i>Oath of Office</i> is administered to newly elected members of the Board following the annual School Board Trustee Election.
<b>Background Information and Significant Issues</b>	<p>The <i>Texas Government Code §602.002, 602.006</i> specifies individuals who may administer the oath of office, one of whom is a notary public.</p> <p>Dianne Cerny is a notary public and will be administering the oath of office to the newly elected trustees.</p>
<b>Fiscal Impact</b>	None.
<b>Student and Public Benefit</b>	Students and taxpayers benefit by having highly qualified Trustees elected to oversee the management of the District.
<b>Procedural and Reporting Implications</b>	According to policy, the <i>Officer's Statement</i> shall be retained with the official records of the office; and the <i>Oath of Office</i> shall

be filed with the President of the Board.

**Public Comments**

None.

**Alternatives**

None.

**Other Comments and Related Issues**

None.

**Attachments**

- (1) Copy of *Officer's Statement*
- (2) Copy of *Oath of Office*.

**Contact Person(s)**

Mark Pool, Superintendent of Schools

**Action Required**

Newly elected Trustees will take the oath or affirmation of office.

**Superintendent's Recommendation**

I recommend that the necessary action(s) be taken to administer the *Oath of Office* to newly elected Trustees.

**Mark Pool, Superintendent of Schools**

### **Officer's Statement**

*"I, \_\_\_\_\_, do solemnly swear (or affirm) that I have not directly or indirectly paid, offered, promised to pay, contributed, or promised to contribute any money or thing of value, or promised any public office or employment for the giving or withholding of a vote at the election at which I was elected or as a reward to secure my appointment or confirmation, whichever the case may be, so help me God."*

Texas Constitution, Article XVI, Section 1(b)

### **Oath of Office**

*"I, \_\_\_\_\_, do solemnly swear (or affirm), that I will faithfully execute the duties of the office of School Board Trustee for the El Campo Independent School District of the State of Texas, and will to the best of my ability, preserve, protect, and defend the Constitution and laws of the United States and of this state, so help me God."*

Texas Constitution, Article XVI, Section 1(a)

OFFICER'S STATEMENT

"I, \_\_\_\_\_, do solemnly swear (or affirm) that I have not directly or indirectly paid, offered, promised to pay, contributed, or promised to contribute any money or thing of value, or promised any public office or employment for the giving or withholding of a vote at the election at which I was elected or as a reward to secure my appointment or confirmation, whichever the case may be, so help me God."

*Tex. Const. Art. XVI, Sec. 1(b)*

OATH OF OFFICE

"I, \_\_\_\_\_, do solemnly swear (or affirm), that I will faithfully execute the duties of the office of School Board Trustee for the \_\_\_\_\_ School District of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this state, so help me God."

*Tex. Const. Art. XVI, Sec. 1(a)*

**Agenda Item Summary Sheet (7 D)**  
**Meeting Date: May 18, 2010**  
**Submitted by: Mark Pool, Superintendent**

## ***Action Required***

<b>Governance</b>	Board of Trustees Code of Ethics
<b>Summary</b>	Criteria number 7.4 of the <i>TASB Board Effectiveness Audit</i> states that “ <i>the board has adopted and annually reaffirms an ethics statement or code of conduct for board members.</i> ”
<b>ECISD Board Policy</b>	BBF(LOCAL): BOARD MEMBERS, ETHICS
<b>Effective Date</b>	May 18, 2010
<b>Previous Board Action</b>	<p>The Board previously adopted BBF (LOCAL) in Update 63. The policy was issued on June 22, 2000.</p> <p>The Board annually reaffirms the ethics statement in the meeting when school board election results are canvassed and after the newly elected members have been installed.</p>
<b>Future Action Expected</b>	The ethics statement will be reviewed and reaffirmed or changed each May following the board election.
<b>Background Information and Significant Issues</b>	<p>One good way for the board to articulate and agree on certain basic assumptions and expectations about its functioning is to adopt a code of conduct or a statement of ethical principles for its individual members to follow. Such a statement outlines basic ideals in behavior board members intend to be guided by.</p> <p>The value of adopting a code of conduct or ethics statement is not simply in having an ideal against which to measure board member actions. It also lies in the discussion among the members in deciding what to include in the document. Few types of discussion are more fruitful in helping board members to understand the personal priorities and motivations of their body corporate colleagues. Such an understanding can be crucial in isolating potential sources of conflict.</p> <p>Any such document the board adopts should be adopted by unanimous consent. If any member cannot consent to be governed by each principle on the document, the board must continue working on the document until unanimous consent is reached. If unanimous consent cannot be reached, the board should not adopt such a document.</p> <p>Once adopted, the board should reaffirm annually the document to ensure that all members continue to agree to be governed by it. This is especially necessary if there are new members on the board who were not part of the initial adoption.</p>

Many boards adopt their ethics statement or code of conduct as a matter of district policy. If the board can reach unanimous agreement, adoption as policy is a good idea. It sets a clear example for the staff and community to follow and respect. Alternately, the board may wish simply to include the statement as part of its written operating procedures or in a board handbook.

<b>Fiscal Impact</b>	None.
<b>Student and Public Benefit</b>	Students and taxpayers will benefit from the Board having a written document by which members of the Board agree to govern by so that they do so in a responsible and ethical manner.
<b>Procedural and Reporting Implications</b>	None.
<b>Public Comments</b>	None.
<b>Alternatives</b>	None.
<b>Other Comments and Related Issues</b>	None.
<b>Attachments</b>	Copy of policy BBF (LOCAL), BOARD MEMBERS: ETHICS
<b>Contact Person(s)</b>	Mark Pool, Superintendent of Schools
<b>Action Required</b>	Motion, second and unanimous vote reaffirming Code of Ethics. If there is not unanimous consensus then the Board will need to work on the document until everyone agrees, or not adopt a Code of Ethics.
<b>Superintendent's Recommendation</b>	I recommend that you take the necessary action to reaffirm the Code of Ethics found in policy BBF (LOCAL), or adopt a new/revised one. <b>Mark Pool, Superintendent of Schools</b>

As a member of the Board, I shall promote the best interests of the District as a whole and, to that end, shall adhere to the following ethical standards:

**E**QUITY  
IN ATTITUDE

- I will be fair, just, and impartial in all my decisions and actions.
- I will accord others the respect I wish for myself.
- I will encourage expressions of different opinions and listen with an open mind to others' ideas.

**T**RUSTWORTHINESS  
IN STEWARDSHIP

- I will be accountable to the public by representing District policies, programs, priorities, and progress accurately.
- I will be responsive to the community by seeking its involvement in District affairs and by communicating its priorities and concerns.
- I will work to ensure prudent and accountable use of District resources.
- I will make no personal promise or take private action that may compromise my performance or my responsibilities.

**H**ONOR  
IN CONDUCT

- I will tell the truth.
- I will share my views while working for consensus.
- I will respect the majority decision as the decision of the Board.
- I will base my decisions on fact rather than supposition, opinion, or public favor.

**I**NTEGRITY  
OF CHARACTER

- I will refuse to surrender judgment to any individual or group at the expense of the District as a whole.
- I will consistently uphold all applicable laws, rules, policies, and governance procedures.
- I will not disclose information that is confidential by law or that will needlessly harm the District if disclosed.

**C**OMMITMENT  
TO SERVICE

- I will focus my attention on fulfilling the Board's responsibilities of goal setting, policymaking, and evaluation.
- I will diligently prepare for and attend Board meetings.
- I will avoid personal involvement in activities the Board has delegated to the Superintendent.
- I will seek continuing education that will enhance my ability to fulfill my duties effectively.

**S**TUDENT-  
CENTEREDFOCUS

- I will be continuously guided by what is best for all students of the District.

## ***Action Required***

<b>Personnel</b>	Consider approval of probationary contracts for new personnel.
<b>Summary</b>	<p>Recommendations will be presented to fill the following position(s):</p> <ol style="list-style-type: none"><li>1. Two Second Grade Classroom Teachers (additional second grade classroom and vacancy created by Latrina King's resignation)</li><li>2. Two Third Grade Classroom Teachers (additional third grade classrooms)</li><li>3. Head Basketball Coach / Secondary Math Teacher (vacancy filled by Phillip Spenrath's resignation and math intervention vacancy created by reassignment of Pam Hunt to fill vacancy created by Grace McCown's retirement)</li><li>4. High School Science Inclusions Teacher / Girls Coach (special education request for high school science inclusion teacher and redistribution of girl's coaching assignments)</li></ol> <p>Personnel Recommendation Data Summary Sheets will be furnished for each candidate that is being recommended.</p>
<b>ECISD Board Policy</b>	DCA (LEGAL). EMPLOYMENT PRACTICES: PROBATIONARY CONTRACTS
<b>Effective Date</b>	May 18, 2010
<b>Previous Board Action</b>	None.
<b>Future Action Expected</b>	Contract renewals will be considered next March.
<b>Background Information and Significant Issues</b>	A probationary contract employee may be terminated at the end of the contract period if the Board determines that such termination will serve the best interests of the District. The Board shall give the employee notice of its decision to terminate the employment not later than the 45 <sup>th</sup> day before the last day of instruction required under the contract. The Board's decision to terminate a probationary employee at the end of a contract period is final and may not be appealed.
<b>Fiscal Impact</b>	Salary and Benefits

<b>Student and Public Benefit</b>	We are ethically bound to provide the best instructors possible for the children we serve.
<b>Procedural and Reporting Implications</b>	Probationary contracts will be issued following action by the Board.
<b>Public Comments</b>	None.
<b>Alternatives</b>	None.
<b>Other Comments and Related Issues</b>	<p>In some cases members of the Board may need to abstain from voting on some employees due the nepotism laws. Rules regarding nepotism may be reviewed at ECISD policy DBE (LEGAL). EMPLOYMENT REQUIREMENTS AND RESTRICTIONS: Nepotism</p> <p>The nepotism prohibitions described in this policy shall not apply to the confirmation or appointment of an individual to a position if the individual is employed in the position immediately before the election or appointment of the Trustee to whom the individual is related in a prohibited degree and that prior employment is continuous for at least thirty days if the Trustee is appointed; or six months if the Trustee is elected.</p> <p>If a person continues in a position under this exception, the Trustee who is related to the employee shall not participate in any deliberation or voting on the appointment, reappointment, employment, reemployment, change in status, compensation, or dismissal of the employee, if the action applies only to the employee and is not taken regarding a bona fide class or category of employee.</p>
<b>Attachments</b>	Personnel Recommendation Data Summary Sheets (not released to public)
<b>Contact Person(s)</b>	<p>Mark Pool, Superintendent of Schools</p> <p>Mauri Couey, Hutchins Elementary Principal</p> <p>Rich DuBroc, High School Principal</p> <p>Bob Gillis, Athletic Director</p>
<b>Action Required</b>	Motion, second and majority vote to approve administration's recommendations for personnel contracts.
<b>Superintendent's Recommendation</b>	<p>I recommend that you approve administration's recommendations for personnel contracts.</p> <p><b>Mark Pool, Superintendent of Schools</b></p>