Notice of Called
Board of Trustees
December 8, 2005

A Called of the Board of Trustees will be held on December 8, 2005, beginning at 7:00 PM, in the Administration Building, 400 East Loop 340, Waco, TX 76705.

The subjects to be discussed or considered or upon which any formal action may be taken are listed below. Items do not have to be taken in the same order as shown on this meeting notice. For more information about public comment, see Policy BED. Unless removed from the consent agenda, items identified within the consent agenda will be acted on at one time.

I. Roll Call, Establishment of Quorum, and Call to Order --
II. Opening Ceremony --
III. Action / Discussion Items --
    A. Personnel Items - Resignations, Contract Recommendations / Renewals -- Mr. Al Bishop
    B. Conduct Workshop for Board Training Regarding New Financial Disclosure Requirements -- Dr. Monte Geren
IV. Closed Meeting --
    A. Discussion Regarding Personnel Appointment, Employment, Evaluation, Reassignment, Duties, Discipline, Dismissal, Complaint, or Charges (If Needed) --
    B. Confer With Employees of the District to Receive Information or Ask Questions (If Needed) --
    C. Discussion Regarding Student Discipline (If Needed) --
    D. Consultation with the District's Attorney (If Needed) --
V. Adjournment --

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, Texas Government Code, Chapter 551, Subchapters D and E or Texas Government Code section 418.183(f). 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. [See TASB Policy BEC(LEGAL)]

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For the Board of Trustees

ROLL CALL, ESTABLISHMENT OF QUORUM, AND CALL TO ORDER

The meeting was called to order at _____ m.

Board of Trustees Members Present: _____

_____

Board of Trustees Members Absent: _____

_____

School Personnel Present: _____

_____

_____

_____

Others Present: _____

_____

_____

BOARD PRESIDENT:

THE OPENING CEREMONY CONSISTING OF THE PLEDGE OF ALLEGIANCE

TO THE AMERICAN FLAG AND TO THE TEXAS FLAG WILL BE PROVIDED BY:

_____

(NAME, TITLE, POSITION, LVISD CAMPUS/DEPT.)



PLEDGE TO UNITED STATES FLAG. I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.



PLEDGE TO TEXAS FLAG: Honor the Texas Flag, I pledge allegiance to thee, Texas, one and indivisible.

ACTION / DISCUSSION ITEMS

Presented for:
Board action ☒ Report/Review Only ☐

Supporting documents:
None ☒ Attached ☐ Provided Later ☐

Contact Person:
N/A

Background Information:
The following items are included for board discussion and possible action.

Fiscal Implication:
N/A

Administrative Recommendation:
N/A

Personnel Items

1. Personnel Resignations, Contract Renewals, and Contract Recommendations

Presented for:
Board action ☒ Report/Review Only ☐

Supporting documents:
None ☐ Attached ☒ Provided Later ☐

Note: Additional personnel items finalized after board agendas have been printed will be submitted at the board meeting.

Contact Person:
Mr. Al Bishop

Background Information:
Board Members approve the resignations of all professional personnel.

The Board of Trustees of any independent school district may employ by contract a superintendent, a principal or principals, teachers, or other executive officers for a term not to exceed the maximum specified in this section. In those independent school districts with a scholastic population of fewer than 5,000, the term of such contracts shall not exceed three years.

The personnel department, campus principals, and management teams interview and check references on each applicant who makes application to become a member of the staff of the La Vega Independent School District.

The Board of Trustees must approve revisions to the LVISD Job Description Manual.

Fiscal Implication:
Personnel salaries are a budgeted item.

Administrative Recommendation:
Board approval of the resignations, contract renewals, contract recommendations, job descriptions or revisions to job descriptions, and revisions to the Paygrade Chart as presented.

Motion: _____

Second: _____

For: _____

Against: _____

Abstain: _____

Personnel Contracts/Resignations

PROBATIONARY CONTRACTS

The following individuals are recommended for a Probationary Contract during the period of December 12, 2005– June 30, 2006:

La Vega High School	**Ricky Porter** Math/Teacher Coach – Step 9 Replacing: Don Hanks

I hereby authorize the administration to utilize my signature stamp to issue contracts to personnel and approve resignations as recommended herein.

_____

President, La Vega ISD Board of Trustees

December 8, 2005

Conduct Workshop For Board Training Regarding New Financial Disclosure Requirements

Presented for:
Board action ☐ Report/Review Only ☒ Consent Agenda Item ☐

Supporting documents:
None ☐ Attached ☒ Provided Later ☐

Contact Person:
Dr. Monte Geren

Background Information:
See attached.

Fiscal Implication:
N/A

Administrative Recommendation:
N/A

WALSH, ANDERSON,
BROWN, SCHULZE
& ALDRIDGE, P.C.
ATTORNEYS AT LAW
AUSTIN • SAN ANTONIO • IRVING • ALBUQUERQUE

To: *Board Members and Administrators*
From: *Dorcas A. Green and Chris E. Elizalde*
Date: *November 18, 2005*
Re: *New Disclosure Requirements*

Effective January 1, if you (1) meet a new definition of "local government officer" and (2) have a employment or business relationship with a person or vendor who does business with your school district, you are required to complete a "Local Government Officer Conflicts Disclosure Statement" (Form CIS) and file the disclosure with the district's records administrator. (House Bill 914 added new provisions to the Local Government Code, Chapter 176.) The disclosure statement is designed to record any employment or business relationship a local government officer may have with a person or vendor.

The following information is designed to help board members and designated educators understand this new requirement.

1. *What is a conflicts disclosure statement?*

   A form designed to record any employment or business relationship a local government officer may have with a person or vendor doing business with the school district. The form is available on the Ethics Commission web site, www.ethics.state.tx.us

2. *Who is a "local government officer?"*

   A **local government officer** is defined as:
   - member of the governing body
   - director
   - superintendent
   - administrator
   - president
   - other person designated as the executive officer of the local governmental entity

3. *Are all "local government officers" required to file the conflicts disclosure statements?*

   No. The statement must be filed (a) by a "local government officer," **if**

   - a vendor or other person has contracted with or is considering doing business with the district **and** the vendor has an employment or other business relationship with the local government officer or family member (related in the first degree), resulting in

the officer or family member receiving taxable income **OR**

- if the vendor has given to the officer or family member gift(s) with an aggregate value of more than $250 in a 12 month period. ("Gifts" exclude food, lodging, transportation, or entertainment accepted as a guest.)

4. *What is the time frame that the disclosure form must be completed?*

"Local government officers"must complete a conflicts disclosure statement by 5:00 p.m. on the seventh business day after the date on which the officer becomes aware that:

- he/she has a **employment or other business relationship** with a vendor or other person doing business with the school district

5. *Where is this form filed?*

The disclosure statement is filed with the "records administrator" of the local governmental entity, i.e., the superintendent or other person responsible for maintaining the records of the local governmental entity.

6. *How often must I update this disclosure statement?*

The statement must be filed by September 1st of each year that the local governmental officer has a relationship or affiliation with person doing business with the school district.

7. *What are there penalties if this form is not completed?*

The district "may reprimand, suspend, or terminate the employment of an employee who fails to comply with a requirement adopted under this section." There are also criminal sanctions available (Class C misdemeanor) for knowingly violating the new disclosure requirements.

8. *Do we need to amend our board policy?*

Yes. These changes will updated by TASB Policy Service in Update 77.

9. *Is there more?*

Yes. The law includes additional requirements for vendors. More information is available on the Ethics Commission web site, www.ethics.state.tx.us. The text of HB 914 may be found at www.capitol.state.tx.us

Schwartz & Eichelbaum, P.C.
Client Alert
December 2, 2005

The Third Time is a Charm

In an effort to bring clarity and simplicity to a complex issue, we over/understated the requirements for trustees and superintendents in our last communication about the implementation of H. B. 914, conflicts disclosure and vendor questionnaire.

The receipt of $250 in gifts from a vendor is not the ONLY circumstance under which trustees and superintendents must file the conflicts disclosure. That form must also be completed any time a vendor has contracted with the district OR the district is "considering doing business" with a vendor AND the vendor has an employment or other business relationship with the trustee or superintendent that results in the trustee or superintendent or a family member within the first degree receiving taxable income from the vendor.

While the district does not have any requirement under the statute to affirmatively inform vendors of their responsibilities to file the conflicts questionnaire, because the notion of "seeking a contract with the district" is incredibly vague, superintendents would be well-advised to ask any/every vendor that approaches them whether they have filed the questionnaire.

Finally, there is nothing in the statute related to void contracts; however, the district is always entitled to include a provision in all of its purchasing contracts that the contract will be void if the vendor has not filed the required conflicts questionnaire within the time stated in the law.

This new statute promises to be a headache for everyone and a "gotcha" for school personnel. It contains very vague terms: what is an "affiliation" that the vendor must disclose in relation to a trustee or superintendent? What is required to be "seeking a contract" with the school district?

CLOSED MEETING

A. Discussion Regarding Personnel Appointment, Employment, Evaluation, Reassignment, Duties, Discipline, Dismissal, Complaint, or Charges (If Needed)

B. Confer with Employees of the School District to Receive Information or to Ask Questions (If Needed)

C. Discussion Regarding Student Discipline (If Needed)

D. Consultation with District's Attorney (If Needed)

Presented for:
Board action ☐ Report/Review Only ☒

Supporting documents:
None ☒ Attached ☐ Provided Later ☐

Contact Person:
Dr. Monte Geren

Background Information:
The Board may enter into a closed meeting after the following requirements have been met:

1. A quorum of the Board has first been convened in open meeting for which notice has been given.
2. The presiding officer has publicly announced in open meeting that a closed meeting will be held.
3. The presiding officer has identified the section or sections of the Open Meetings Act or other applicable statutes that authorize the holding of such closed meeting.

Fiscal Implication:
N/A

Administrative Recommendation:
N/A

A closed meeting was declared at _____.m. on _____, 2005 to

discuss: _____

_____

The closed meeting ended at _____.m. on _____, 2005.

ADJOURNMENT

Motion: _____

Second: _____

For: _____

Against: _____

Abstain: _____

Date and Time: _____