

HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT  
BOARD OF TRUSTEES

Notice is hereby given that a meeting of the Board of Trustees of the Hays Consolidated Independent School District will be held on August 26, 2019 beginning at 6:30 PM at Jack C. Hays High School, 4800 Jack C. Hays Trail, Buda, Texas 78610.

If during the course of the meeting, discussion of any item on the agenda should be held in a closed session, the Board will adjourn to a closed session in accordance with the Texas Open Meetings Act, Texas Government Code Section 551, Subchapters D and E or Texas Government Code Section 418.183(f). Before any closed session 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. Policy BEC Legal attached.

The subjects to be discussed, 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. Unless removed from the consent agenda, items identified within the consent agenda will be acted on at one time.

A. **CALL TO ORDER:** Establish a quorum

B. **PLEDGE OF ALLEGIANCE TO UNITED STATES AND TEXAS FLAGS (approximately 6:30 PM)**

**United States Flag Pledge:**

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.

**Texas Flag Pledge:**

Honor the Texas flag, I pledge allegiance to thee, Texas, one state under God, one and indivisible.

Presenter: Board Secretary

C. **MISSION STATEMENT**

Presenter: Board Vice President

D. **BOARD RECOGNITION**

- The Hays CISD Education Foundation

Presenter: Tim Savoy

E. **PUBLIC FORUM**

It is the policy of the Board that, if members of the audience wish to address the Board, they must complete the Request to Speak to Board of Trustees form (green sheet) at the entrance prior to reconvening in open session. Commentaries and/or questions are limited to public forum section of the set (said) agenda as is provided in Board policy.

*Please be aware that the audio of Public Forum is recorded as part of the recording of the entire meeting and is published on the District's website without alteration. A person who chooses to speak in Public Forum is consenting to the online publication of their comments.*

F. **REQUESTS FOR INFORMATION FROM THE BOARD OF TRUSTEES**

The Board received a packet of information last week related to topics on today's agenda. Each Board member has had an opportunity to peruse the information prior to the meeting.

G. **STUDENT ACHIEVEMENT REPORT - Presentation of student growth goal**

This item was presented at the August 19, 2019 Agenda Workshop

H. **CONSENT AGENDA ITEMS**

Per Board Policy BE all items listed as consent items are considered to be routine by the Board and shall be enacted with one motion. There shall be no separate discussion unless a Board member or citizen so requests, in which event the item shall be removed as a consent item and considered as an individual item on the regular agenda.

1. Minutes of Board of Trustees Meetings  
Presenter: Dr. Eric Wright
  - a. June 10, 2019
  - b. June 11, 2019
  - c. June 17, 2019
  - d. June 24, 2019
2. Financial data through July 31, 2019  
Presenter: Randy Rau
3. Investment Report  
Presenter: Randy Rau
4. Procurements
  - a. 911 Emergency Systems and CNC Machinery for Johnson High School-Teaching Systems, Inc.  
Presenter: Sandra Dowdy
  - b. Antivirus Software District Wide  
Presenter: Dianne Borreson
  - c. Bread Products for Child Nutrition  
Presenter: Randy Rau
  - d. Bulk Fuel  
Presenter: Max Cleaver
  - e. Daily Math Fluency Kits K-5th Grade  
Presenter: Sandra Dowdy
  - f. Dairy & Other Food Service Purchases  
Presenter: Randy Rau
  - g. Medicaid & Student Health (SHARS) Billing  
Presenter: Sandra Dowdy
  - h. Produce Food Service Purchase  
Presenter: Randy Rau
  - i. Single Sign On (SSO) Solution  
Presenter: Dianne Borreson
  - j. SPED Contracted Professional Services  
Presenter: Sandra Dowdy
  - k. SPED Software  
Presenter: Sandra Dowdy
  - l. Tires/Services for Transportation  
Presenter: Max Cleaver
  - m. Transportation Supplies & Services  
Presenter: Max Cleaver
  - n. Video Surveillance Software  
Presenter: Dianne Borreson
  - o. Tracking Software for Bus Riding Students – SMART Tag  
Presenter: Max Cleaver
5. Contracts, Memorandums of Understanding and/or Agreements  
Presenter: Cabinet staff

- a. Teacher Fellows  
Presenter: Marivel Sedillo
  - b. Extra-Curricular Status of 4-H/Adjunct Faculty Status of Hays County Extension Agents  
Presenter: Dr. Michael O'Guin, Suzi Mitchell
  - c. Consideration and possible approval of unemployment insurance policy renewal, effective October 1, 2019- September 30, 2020  
Presenter: Max Cleaver
  - d. Hays County - School Resource Officers 2019-2020  
Presenter: Max Cleaver, Jeri Skrocki
6. Consideration and possible approval of the request from taxpayer to refund penalty and accrued interest in the amount of \$172.08  
Presenter: Randy Rau
  7. 2019-2020 Teacher Appraisal Calendar and List of Certified Appraisers for Teachers  
Presenter: Marivel Sedillo

**I. ACTION TAKEN ON THE FOLLOWING THREE ITEMS ON AUGUST 19, 2019**

1. Consideration and possible approval of the amended Hays CISD Employee Compensation Plan for 2019-2020 Fiscal Year  
Presenter: Marivel Sedillo
2. Consideration and possible approval of budget amendments.  
Presenter: Randy Rau
3. Consideration and possible approval of additional teaching positions for growth as necessitated per staffing guidelines  
Presenter: Marivel Sedillo

**J. ACTION ITEMS - FOR ACTION ON AUGUST 26, 2019**

1. Consideration and possible acceptance of the certified values from the appraisal districts  
Presenter: Randy Rau
2. Consideration and Possible Adoption of Ordinance for Tax Rate for 2019-2020  
Presenter: Randy Rau
3. Consideration and possible approval of a natural gas easement to service the LHS CTE Building.  
Presenter: Max Cleaver
4. Consideration and possible rejection of the competitive sealed proposals for the Dahlstrom MS (DMS) and Wallace MS (WMS) Restroom/Concession Buildings, and authorization for the administration to deliver the projects using the Construction Manager At-Risk (CMAR) method  
Presenter: Max Cleaver
5. Consideration and possible approval of a Guaranteed Maximum Price (GMP) agreement with Bartlett-Cocke in the amount of \$941,772 for the DMS and WMS Restroom/Concession Buildings, and authorization to utilize surplus bond funds to complete the project  
Presenter: Max Cleaver
6. Consideration and possible approval of a resolution authorizing the use of surplus bond proceeds to pay down debt service on the related bonds  
Presenter: Randy Rau
7. Adoption of Student Code of Conduct for the 2019-2020 school year  
Presenter: Jesus Gomez; Adrianna Price
8. Review and possible adoption of the Hays CISD Goals for 2019-2020  
Presenter: Dr. Eric Wright, Esperanza Orosco

9. TASB Policy Update 113 Affecting Local Policies

- BBE(LOCAL): Board Members - Authority
- BDD(LOCAL): Board Internal Organization - Attorney
- BJCD(LOCAL): Superintendent - Evaluation
- CI(LOCAL): School Properties Disposal
- CO(LOCAL): Food And Nutrition Management
- COA(LOCAL): Food And Nutrition Management - Procurement
- COB(LOCAL): Food And Nutrition Management - Free And Reduced-Price Meals
- CRB(LOCAL): Insurance And Annuities Management - Liability Insurance
- EHBAF(LOCAL): Special Education - Video/Audio Monitoring
- FNF(LOCAL): Student Rights And Responsibilities - Investigations And Searches

Presenter: Dr. Eric Wright

10. Consideration and possible endorsement of an individual to serve on the TASB Board of Directors – Region 13, Position B

Presenter: Dr. Eric Wright, Esperanza Orosco

11. Consideration and Possible Appointment of Texas Association of School Boards Delegate and Alternate Delegate for the Annual TASA/TASB Conference

Presenter: Dr. Eric Wright, Esperanza Orosco

K. **INFORMATION ITEMS - Review, as needed, the following informational items presented and discussed at the Board Agenda Workshop held on August 19, 2019**

1. Beginning School Enrollment Report
2. Purchasing Coop Fees
3. Update the Board on the 2017 Bond and Construction projects

L. **BOARD REFERENCE DOCUMENTS**

M. **UPCOMING BOARD MEETINGS**

Monday, September 16, 2019 Agenda Workshop Hays High School

Monday, September 23, 2019 Business Meeting Hays High School

Monday, October 21, 2019 Agenda Workshop Hays High School

Monday, October 28, 2019 Business Meeting Hays High School

Monday, November 11, 2019 Agenda Workshop Hays High School

Monday, November 18, 2019 Business Meeting Hays High School

Monday, December 16, 2019 Business Meeting Lehman High School

*Official Board of Trustees information may be obtained at [www.hayscisd.net](http://www.hayscisd.net)*

N. **ADJOURN**

This notice was posted in compliance with the Texas Open Meetings act on: August 23, 2019 at 4:00 PM

Exceptions for Closed Meetings

A board may conduct a closed meeting for the purposes described in the following provisions.

- Attorney Consultation A board may conduct a private consultation with its attorney only when it seeks the attorney's advice about pending or contemplated litigation or a settlement offer or on a matter in which the duty of the attorney to the board under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the requirement for open meetings. *Gov't Code 551.071* [See BE for permissible methods of communication for attorney consultations]
- Real Property A board may conduct a closed meeting to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the board's position in negotiations with a third person. *Gov't Code 551.072*
- Prospective Gift A board may conduct a closed meeting to deliberate a negotiated contract for a prospective gift or donation to a district if deliberation in an open meeting would have a detrimental effect on the board's position in negotiations with a third person. *Gov't Code 551.073*
- Personnel Matters A board is not required to conduct an open meeting to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee or to hear a complaint or charge against an officer or employee. However, a board may not conduct a closed meeting for these purposes if the officer or employee who is the subject of the deliberation or hearing requests a public hearing. *Gov't Code 551.074*
- The closed meeting exception for personnel matters does not apply when a board discusses an independent contractor who is not a school employee, such as an engineering, architectural, or consultant firm, or when a board discusses a class or group of employees, not a particular employee. *Atty. Gen. Op. MW-129 (1980), Atty. Gen. Op. H-496 (1975)*
- Employee-Employee Complaints A board is not required to conduct an open meeting to deliberate in a case in which a complaint or charge is brought against a district employee by another employee and the complaint or charge directly results in the need for a hearing. However, a board may not conduct a closed meeting for this purpose if the employee against whom the complaint or charge is brought makes a written request for an open hearing. *Gov't Code 551.082*
- Student Discipline A board is not required to conduct an open meeting to deliberate in a case involving discipline of a public school child. However, a board may not conduct a closed meeting for this purpose if the child's parent or guardian makes a written request for an open hearing. *Gov't Code 551.082*
- Personally Identifiable Student Information A board is not required to conduct an open meeting to deliberate a matter regarding a student if personally identifiable information about the student will necessarily be revealed by the deliberation. Directory information about a public school student is considered to be personally identifiable information about the student for this purpose only if a parent or guardian of the student, or the student if the student has attained 18 years of age, has informed a district that the directory information should not be released without prior consent. [See FL]
- This exception does not apply if an open meeting about the matter is requested in writing by a parent or guardian of the student or by the student if the student has attained 18 years of age. *Gov't Code 551.0821*
- Medical or Psychiatric Records A board that administers a public insurance, health, or retirement plan is not required to conduct an open meeting to deliberate:
1. The medical records or psychiatric records of an individual applicant for a benefit from the plan; or
  2. A matter that includes a consideration of information in the medical or psychiatric records of an individual applicant for a benefit from the plan.
- Gov't Code 551.0785*
- Security A board is not required to conduct an open meeting to deliberate:
3. The deployment, or specific occasions for implementation, of security personnel or devices; or
  4. A security audit.
- Gov't Code 551.07*
- A board is not required to conduct an open meeting to deliberate:
5. Security assessments or deployments relating to information resources technology;
  6. Network security information as described by Government Code 2059.055(b); or
  7. The deployment, or specific occasions for implementation, of security personnel, critical infrastructure, or security devices.
- Gov't Code 551.089*

Assessment Instruments	A board shall conduct a closed meeting to discuss or adopt individual assessment instruments or assessment instrument items. <i>Education Code 39.030(a)</i>
Emergency Management	A board is not required to conduct an open meeting to deliberate information confidential under Government Code 418.175–418.182, relating to Homeland Security. However, a board must make a tape recording of the proceedings of a closed meeting held to deliberate the information. <i>Gov't Code 418.183(f)</i>
Economic Development Negotiations	A board is not required to conduct an open meeting: <ol style="list-style-type: none"> <li>8. To discuss or deliberate regarding commercial or financial information that the board has received from a business prospect that the board seeks to have locate, stay, or expand in or near a district and with which the board is conducting economic development negotiations; or</li> <li>9. To deliberate the offer of a financial or other incentive to such a business prospect.</li> </ol> <i>Gov't Code 551.087</i>
Procedures for Closed Meetings	If a closed meeting is allowed, a board shall not conduct the closed meeting unless a quorum of the board first convenes in an open meeting for which proper notice has been given [see BE] and the presiding officer has publicly announced that a closed meeting will be held and has identified the section or sections of the Open Meetings Act or other applicable law under which the closed meeting is held. <i>Gov't Code 551.101</i>
Vote for Final Action	A final action, decision, or vote on a matter deliberated in a closed meeting shall be made only in an open meeting for which proper notice has been given. <i>Gov't Code 551.102</i> [See BE]
Certified Agenda or Recording	A board shall either keep a certified agenda or make a recording of the proceedings of each closed meeting, except for private consultation with a district's attorney. The certified agenda must include a statement of the subject matter of each deliberation, a record of any further action taken, and an announcement by the presiding officer at the beginning and end of the closed meeting indicating the date and time. A presiding officer shall certify that a certified agenda is a true and correct record of the proceedings. If a recording is made, it must include announcements by the presiding officer at the beginning and end of the meeting indicating the date and time. <i>Gov't Code 551.103</i> "Recording" means a tangible medium on which audio or a combination of audio and video is recorded, including a disc, tape, wire, film, electronic storage drive, or other medium now existing or later developed. <i>Gov't Code 551.001(7)</i> Closed meetings may not be recorded by an individual trustee against the wishes of a majority of a board. <i>Zamora v. Edgewood Indep. Sch. Dist., 592 S.W.2d 649 (Tex. App.—San Antonio, 1979, writ ref'd n.r.e.)</i>
Preservation	A board shall preserve the certified agenda or recording of a closed meeting for at least two years after the date of the meeting. If a legal action involving the meeting is brought within that period, the board shall preserve the certified agenda or recording while the action is pending. <i>Gov't Code 551.104(a)</i>
Public Access	A certified agenda or recording of a closed meeting is available for public inspection and copying only under a court order issued as a result of litigation involving an alleged violation of the Open Meetings Act. <i>Gov't Code 551.104(b), (c)</i>
Prohibitions	No board member shall participate in a closed meeting knowing that neither a certified agenda nor a recording of the closed meeting is being made. <i>Gov't Code 551.145</i> No individual, corporation, or partnership shall without lawful authority disclose to a member of the public the certified agenda or recording of a meeting that was lawfully closed to the public. <i>Gov't Code 551.146</i> No board member shall knowingly call or aid in calling or organizing a closed meeting that is not permitted under the Open Meetings Act, close or aid in closing a regular meeting to the public except as permitted under the Open Meetings Act, or participate in a closed meeting that is not permitted under the Open Meetings Act. <i>Gov't Code 551.144(a)</i>
Affirmative Defense	It is an affirmative defense to prosecution under Subsection 551.144(a) that a board member acted in reasonable reliance on a court order or a written interpretation of the open meetings law contained in an opinion of a court of record, the attorney general, or the board's attorney. <i>Gov't Code 551.144(c)</i>