

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 October 28, 2019 beginning at 5:30 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. **CLOSED SESSION**

1. Information concerning the possible grant of an utility easement to the City of Uhland, Texas - Tx. Gov't Code §551.072
2. Personnel: Consider Employment, Resignations, Extended Leaves, additional Positions and Other Personnel Matters, Tex. Gov't Code §551.074

C. **RECONVENE IN OPEN SESSION (approximately 6:30 PM)**

D. **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

E. **MISSION STATEMENT**

The mission of Hays CISD is to nurture students to become extraordinary citizens through unique, personal educational experiences through an innovative community of learners while celebrating our diversity and legacy.

Presenter: Board Vice President

F. **SOCIAL CONTRACT**

The Board will:

1. Serve as District Ambassadors
2. Be Professional
3. Collaborate as a Team and Respect the Body Corporate
4. Promote Discussion and Respect Each Other
5. Assume Positive and Noble Intentions

Presenter: Board Member

G. **BOARD RECOGNITION**

- The College Board National Merit Scholars and National Achievement Scholars Program Student Honorees

- Soleil Johnson - Congress of Future Medical Leaders

Presenter: Tim Savoy

H. **PUBLIC FORUM**

It is the policy of the Board that, if members of the public wish to address the Board in Public Forum, they must complete and submit the Request to Address the Board of Trustees form (green sheet). This form may be obtained and at the entrance to the Board room and must be submitted to Tim Savoy, Chief Information Officer at the entrance prior to reconvening in open session. Public participation in Board meetings is limited to the Public Forum portion of the meeting 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.*

I. **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.

J. **STUDENT ACHIEVEMENT REPORT - PRESENTED OCTOBER 21, 2019 - Bilingual Education/ESL Program Evaluation**

Student Goal—Hays CISD believes in the achievement of every student. The District will evaluate and address the individual needs of each student. Student performance will be evaluated in academics, college, career, and military readiness. Our staff believes in the education of the whole child and believes that success is based on more than the results of a single test, including social and emotional learning, strong interpersonal skills, and the development of positive members of society.

BE/ESL Program Evaluation: All school districts required to conduct a bilingual education or English as a second language (ESL) program shall conduct an annual evaluation in accordance with Texas Education Code (TEC), §29.053, collecting a full range of data to determine program effectiveness to ensure student academic success. The annual evaluation report shall be presented to the board of trustees before November 1 of each year and the report shall be retained at the school district level in accordance with TEC, §29.062.

Presenter: Patricia Melgar Cook, Jesus Gomez

K. **STUDENT ACHIEVEMENT REPORT - Social Emotional Learning in the District**

Student Goal—Hays CISD believes in the achievement of every student. Our staff believes in the education of the whole child and believes that success is based on more than the results of a single test, including social and emotional learning, strong interpersonal skills, and the development of positive members of society.

Presenter: Charlotte Winkelmann

L. **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 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. September 16, 2019

b. September 23, 2019

2. August 2019 Financial Statements

Presenter: Randy Rau

3. Budget Amendments

Presenter: Randy Rau

4. Procurements
 - a. Accuplacer TSI & EPP Testing - College Board
Presenter: Sami Kinsey and Charlotte Winkelmann
 - b. Playground Supplies & Materials - Lea Park & Play and TF Harper
Presenter: Max Cleaver
 - c. Technology Equipment & Supplies - GTS
Presenter: Dianne Borreson
5. Consideration and possible approval of investment brokers
Presenter: Randy Rau
6. Consideration and possible adoption of Investment Policy Resolution
Presenter: Randy Rau

M. ACTION ITEMS

1. Consideration and possible action, if any, resulting from closed session
 - a. Consideration and possible approval of a resolution authorizing a utility easement to be granted to the City of Umland, Texas at the Umland Elementary School site
Presenter: Max Cleaver
 - b. Personnel: Consideration and action, if any, upon Employment, Resignations, Extended leaves, Additional Positions and Other Personnel Matters
Presenter: Dr. Eric Wright
2. Consideration and Possible Approval of Release of Positions for 3 Orchestra Leaders at Middle School
Presenter: Marivel Sedillo
3. Review and Possible Adoption of District Performance Objectives and Student Performance Goals Contained in the District and Campus Improvement Plans
Presenter: Dr. Eric Wright, Sami Kinsey
 - a. District Performance Goals and Objectives 2019-2020
 - b. District Improvement Plan - 2019-2020 Goals/Performance Objectives/Strategies
4. Consideration and possible adoption of academic school calendars for 2020-2021 and 2021-2022
Presenter: Tim Savoy
5. Second Reading - Consideration and Possible Adoption of Proposed Changes to Policy FL (Local) Student Records
Presenter: Tim Savoy
6. Second Reading - Consideration and Possible Adoption of Proposed Changes to Policy FC (Local) School Attendance Areas
Presenter: Tim Savoy
7. Consideration and possible approval of minor change to School Attendance Zone for Proposed Mill Creek Subdivision
Presenter: Tim Savoy
8. Consideration and possible approval of Method of Procurement and Selection of Construction Manager at Risk for Major 2020 Bond Projects
Presenter: Max Cleaver
9. Consideration and Possible Approval of Assignment of Architects for Major 2020 Bond Projects
Presenter: Max Cleaver
10. Consideration and possible approval of the Hays High School No. 3 Plat
Presenter: Max Cleaver

N. INFORMATION - DISCUSSED ON OCTOBER 21, 2019

1. Update the Board on the 2017 Bond and Construction projects
Presenter: Max Cleaver

O. BOARD REFERENCE DOCUMENTS

P. UPCOMING BOARD MEETINGS

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

Q. ADJOURN

This notice was posted in compliance with the Texas Open Meetings act on: October 25, 2019 at 2:00 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"> 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 9. To deliberate the offer of a financial or other incentive to such a business prospect. <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>