

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 January 21, 2020 beginning at 5:30 PM at Lehman High School, 1700 Lehman Road, Kyle, TX 78640.

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

The purpose of this meeting is an agenda workshop. Board members will have the opportunity to discuss agenda items and ask questions of the administration in preparation of the January 27, 2020 Hays CISD Board of Trustees Business Meeting.

B. **CLOSED SESSION**

1. Closed Session: Consultation with legal counsel regarding pending litigation in Cause No. 1:19-cv-00393-LY; in the United States District Court, Western District of Texas, Austin Division, pursuant to Texas Government Code Sections 551.071, 551.074, and 551.129.

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. **PUBLIC HEARING - TEXAS ACADEMIC PERFORMANCE REPORT (TAPR) - SCHEDULED FOR JANUARY 27, 2020**

Presenter: Kevin Malandrucolo, Coordinator of Accountability and Testing

1. TAPR presentation and report in preparation for the Public Hearing  
Presenter: Kevin Malandrucolo, Coordinator of Accountability and Testing
2. Public Hearing for the Hays CISD Texas Academic Performance Report (TAPR)  
Presenter: Kevin Malandrucolo, Coordinator of Accountability and Testing

**H. BOARD RECOGNITION - SCHEDULED FOR JANUARY 27, 2020**

- The Hays CISD Board of Trustees for School Board Recognition Month

Presenter: Tim Savoy

**I. 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.*

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

**K. STUDENT ACHIEVEMENT REPORT - JANUARY 21, 2020**

1. 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.  
Evidence of Attainment—A summary of efforts addressing data disaggregation will be presented including CBAs, Writing, AIMSweb, PreK reading, TELPAS, Advanced Academics and Instructional Rounds.

Presenter: Kevin Malandrucolo

**L. REVIEW OF CONSENT AGENDA ITEMS - FOR ACTION ON JANUARY 27, 2020**

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. December 16, 2019
2. December 2019 Financial Statements  
Presenter: Randy Rau
3. Budget Amendments  
Presenter: Randy Rau
4. Procurements
  - a. Library Resources  
Presenter: Sami Kinsey, Emily Herrin
  - b. Vehicles for Child Nutrition – Caldwell Country  
Presenter: Randy Rau
5. Hays County Joint Election Agreement  
Presenter: Tim Savoy

6. Hays County Election Contract

Presenter: Tim Savoy

7. Consideration and possible action in support of class size exception waivers

Presenter: Marivel Sedillo

**M. REVIEW ACTION ITEMS - FOR ACTION ON JANUARY 27, 2020**

1. Consideration and possible action, if any, resulting from closed session

Presenter: Dr. Eric Wright

a. Action, if any, regarding Cause No. 1:19-cv-00393-LY.

2. Consideration and Possible Adoption of Resolution to Initiate Amendment to Hays CISD District of Innovation Plan

Presenter: Marivel Sedillo, Dr. Eric Wright

**N. CONDUCT PUBLIC HEARING ON THE AMENDMENT TO THE HAYS CISD DISTRICT OF INNOVATION PLAN - SCHEDULED FOR JANUARY 27, 2020**

Presenter: Marivel Sedillo, Dr. Eric Wright

**O. REVIEW ADDITIONAL ACTION ITEMS - FOR ACTION ON JANUARY 27, 2020**

1. Consideration and possible appointment of the District Leadership Team to develop the amendment to the District of Innovation Plan

Presenter: Marivel Sedillo, Dr. Eric Wright

2. Consideration and possible approval of proposed employee friendly incentives

Presenter: Marivel Sedillo

3. Consideration and possible adoption of the Election Order for the May 2, 2020 trustee election

Presenter: Tim Savoy

4. Consideration and possible adoption of TASB Policy Update 114 and district initiated changes to policy BED(LOCAL) - Second Reading

Presenter: Eric Wright

a. (LOCAL) Policies Listed

a. BE(LOCAL): BOARD MEETINGS

b. CCGB(LOCAL): AD VALOREM TAXES - ECONOMIC DEVELOPMENT

c. CDA(LOCAL): OTHER REVENUES - INVESTMENTS

d. CH(LOCAL): PURCHASING AND ACQUISITION

e. CKC(LOCAL): SAFETY PROGRAM/RISK MANAGEMENT - EMERGENCY PLANS

f. CKE(LOCAL): SAFETY PROGRAM/RISK MANAGEMENT - SECURITY PERSONNEL

g. CQ(LOCAL): TECHNOLOGY RESOURCES

h. CQB(LOCAL): TECHNOLOGY RESOURCES - CYBERSECURITY

i. DFFA(LOCAL): REDUCTION IN FORCE - FINANCIAL EXIGENCY

j. DH(LOCAL): EMPLOYEE STANDARDS OF CONDUCT

k. EHBB(LOCAL): SPECIAL PROGRAMS - GIFTED AND TALENTED STUDENTS

l. FDE(LOCAL): ADMISSIONS - SCHOOL SAFETY TRANSFERS

m. FFAA(LOCAL): WELLNESS AND HEALTH SERVICES - PHYSICAL EXAMINATIONS

n. FFB(LOCAL): STUDENT WELFARE - CRISIS INTERVENTION

o. FFBA(LOCAL): CRISIS INTERVENTION TRAUMA-INFORMED CARE

p. FL(LOCAL): STUDENT RECORDS

q. GBAA(LOCAL): INFORMATION ACCESS - REQUESTS FOR INFORMATION

r. GKA(LOCAL): COMMUNITY RELATIONS - CONDUCT ON SCHOOL PREMISES

**P. INFORMATION**

1. Bond 2020 Overview

Presenter: Tim Savoy

**Q. RECAP OF BOARD MEMBERS' REQUESTS FOR INFORMATION**

Presenter: Board Secretary

**R. BOARD REFERENCE DOCUMENTS**

**S. UPCOMING BOARD MEETINGS**

Monday, January 27, 2020 - Business Meeting Lehman High School

Monday, February 17, 2020 - Agenda Workshop Lehman High School

Monday, February 24, 2020 - Business Meeting Lehman High School

Monday, March 23, 2020 - Agenda Workshop Lehman High School

Monday, March 30, 2020 - Business Meeting Lehman High School

Monday, April 20, 2020 - Agenda Workshop Johnson High School

Monday, April 27, 2020 - Business Meeting Johnson High School

Monday, May 18, 2020 - Agenda Workshop Johnson High School

Tuesday, May 26, 2020 - Business Meeting Johnson High School

Monday, June 15, 2020 Agenda Workshop Johnson High School

Monday, June 22, 2020 Business Meeting Johnson High School

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

**T. ADJOURN**

This notice was posted in compliance with the Texas Open Meetings act on: January 17, 2019 at 2:00 PM

Exceptions for Closed Meetings

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

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| 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. <i>Gov't Code 551.071</i> [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. <i>Gov't Code 551.072</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 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. <i>Gov't Code 551.073</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Personnel Matters                           | <p>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. <i>Gov't Code 551.074</i></p> <p>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. <i>Atty. Gen. Op. MW-129 (1980), Atty. Gen. Op. H-496 (1975)</i></p> |
| 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. <i>Gov't Code 551.082</i>                                                                                                                                                                                                                                                                                                                                                                                          |
| 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. <i>Gov't Code 551.082</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Personally Identifiable Student Information | <p>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.</p> <p>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]</p> <p>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. <i>Gov't Code 551.0821</i></p>                  |
| Medical or Psychiatric Records              | <p>A board that administers a public insurance, health, or retirement plan is not required to conduct an open meeting to deliberate:</p> <ol style="list-style-type: none"><li>1. The medical records or psychiatric records of an individual applicant for a benefit from the plan; or</li><li>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.</li></ol> <p><i>Gov't Code 551.0785</i></p>                                                                                                                                                                                                                                                                                                                                              |
| Security                                    | <p>A board is not required to conduct an open meeting to deliberate:</p> <ol style="list-style-type: none"><li>3. The deployment, or specific occasions for implementation, of security personnel or devices; or</li><li>4. A security audit.</li></ol> <p><i>Gov't Code 551.07</i></p> <p>A board is not required to conduct an open meeting to deliberate:</p> <ol style="list-style-type: none"><li>5. Security assessments or deployments relating to information resources technology;</li><li>6. Network security information as described by Government Code 2059.055(b); or</li><li>7. The deployment, or specific occasions for implementation, of security personnel, critical infrastructure, or security devices.</li></ol> <p><i>Gov't Code 551.089</i></p>                                                                        |

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| 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:<br>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<br>9. To deliberate the offer of a financial or other incentive to such a business prospect.<br><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><br>“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><br>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><br>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><br>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>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |