



Mission Consolidated Independent School District

- 1201 Bryce Drive, Mission, Texas 78572
- Telephone: (956) 323 5505 Fax: (956) 323 5634
- Website: www.mcisd.net

Notice and Agenda

The Board of Trustees of the Mission Consolidated Independent School District will hold a **Special Meeting** on **Wednesday, August 4, 2021, at 8:00 PM** in the **Bryan Elementary School Cafeteria located at, 1300 Elm Drive, Mission, TX 78572**. At this meeting, the Board may deliberate or act on any of the subjects listed on the following agenda. The President may change the order of items listed below for the convenience of the Board.

In accordance with Governor Abbott's declaration of the COVID-19 public health threat and action to temporarily suspend certain provisions of the Texas Open Meetings Act, a quorum of the District's Board of Trustees will hold its regular Board meeting by videoconference or teleconference. The public will have the option to attend and participate in the meeting remotely by videoconference or by teleconference.

Members of the public may access this meeting as follows:

<https://mcisd.webex.com/mcisd/j.php?MTID=m4be97225ac707ecf55843a831512befb>

United States Toll +1-408-418-9388

United States Toll Free 1-844-992-4726

Access Code: 146 638 9198

Further information on joining the meeting will be available at the Mission CISD's website at www.mcisd.net

Public Comment: Members of the public wishing to make public comment during the meeting must register by emailing cbarre94@mcisd.org before 4:00 p.m. on the date of the meeting. The Member of the Public (Member) must provide the following information in the email:

- 1. The subject the Member will discuss;**
- 2. A telephone number at which the Member of the Public may be reached;**
- 3. The name of the interpreter and the contact information for the interpreter if the Member requires an interpreter to provide public comment; and**
- 4. Whether the registrant will require the use of a TTY service to facilitate the public comment.**

I. Call to Order and Establish Quorum

II. Pledge of Allegiance and Moment of Silence

- 1. U. S. Flag and Texas Flag -**

III. Comments from the Public

IV. Public Comment(s) on Specific Agenda Item(s)

V. Superintendent's Updates and Recognitions

VI. Discussion and Possible Action

1. Recommendation and Approval of the Selection for:
 - a. ESSER III Grant At Risk Counselor for MHS
 - b. ESSER III Grant Academic Counselor for MHS
 - c. College and Career Counselor for MHS
 - d. ESSER III Grant At Risk Counselor for VMHS
 - e. Assistant Principal for Rafael Cantu Jr. High
 - f. Safety and Security Preparedness and Response Specialist
 2. First Reading and Adoption of Changes to Board Policy DK(LOCAL)- Assignment and Schedules 3
 3. Second Reading and Adoption of Changes to Board Policy DGBA (LOCAL)- Employee Complaints/Grievances 6
 4. Consideration and Possible Action Regarding the Sale of Real Property 17
- VII. Executive Session
1. Private Consultation with Board Attorney (Texas Gov't Code § 551.071)
 2. 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 (Texas Gov't Code §551.074)
 3. Deliberation Regarding Real Property--Closed Meeting: A Governmental Body 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 Position of Governmental Body in Negotiations with the Third Person (Texas Gov't Code §551.072)
- VIII. Action, if necessary, on Matters Discussed in Executive Session
- IX. Important Dates to Remember
1. August 11, 2021 Regular Board of Trustees Meeting at 6:30 p.m.
 2. September 1, 2021 Board of Trustees Workshop at 6:30 p.m.
 3. September 8, 2021 Regular Board of Trustees Meeting at 6:30 p.m.
- X. Adjournment

In accordance with the Texas Open Meetings Act, the Board may enter into a closed meeting to deliberate any item that is listed above that fits within an exception listed in Subchapter D. Any final action, decision, or vote on a subject deliberated in closed meeting will be taken in an open meeting held in compliance with the Texas Open Meetings Act.

This Notice was posted by: 7:30 p.m., on July 29, 2021



 Dr. Carol G. Perez, Superintendent of Schools
 Mission Consolidated Independent School District

SUBJECT: Consideration and Approval of First Reading and Adoption of Changes to Board Policy DK(LOCAL)-Assignment and Schedules

PRESENTER: Lorena Garcia, Deputy Superintendent for Support Services

BACKGROUND INFORMATION

As a part of normal operations, there are occasions when the need to adjust Board Policy becomes evident due to changes in District needs or legal guidance and case law. In those instances, administration brings forward specific policies to address those needs.

ADMINISTRATIVE CONSIDERATIONS

Legal counsel worked with District Administration to further refine Policy DK(LOCAL). The primary area of change addresses clarifications in the Assignment of Relatives section of this policy. The recommended language has been provided by legal counsel.

FUNDING SOURCE AND AMOUNT

N/A

RECOMMENDATION

Approval of First Reading and Adoption of changes to Board Policy DK(LOCAL)-Assignments and Schedules.

CONTACT PERSON (S)

Lorena Garcia, Deputy Superintendent for Support Services
Craig Verley, Director of Public Relations and Marketing
David Hansen, Legal Counsel

Note: This local policy has been revised in accordance with the District's [innovation plan](#).¹

Superintendent's Authority

All personnel are employed subject to assignment and reassignment by the Superintendent or designee when the Superintendent determines that the assignment or reassignment is in the best interest of the District. Reassignment shall be defined as a transfer to another position, department, or facility that does not necessitate a change in the employment contract of a contract employee. Any change in an employee's contract shall be in accordance with policy DC.

Any employee may request reassignment within the District to another position for which he or she is qualified.

Campus Assignments

The principal's criteria for approval of campus assignments and reassignments shall be consistent with District policy regarding equal opportunity employment, and with staffing patterns approved in the District and campus plans. [See BQ series] In exercising their authority to approve assignments and reassignments, principals shall work cooperatively with the central office staff to ensure the efficient operation of the District as a whole.

In accordance with the District's local innovation plan exemption regarding SBEC certification [see DBA], the Superintendent shall have the authority to approve a request by the principal for a qualified individual with experience in a career and technical education (CTE) field to teach a CTE course. In addition, the Superintendent shall have the authority to approve the principal's request to assign a certified teacher to teach CTE courses outside his or her certified field(s). All other teaching assignments shall require certification in accordance with state law. [See DBA]

Assignment of Relatives

No employee shall be assigned to a position or supplemental duty in which he or she would supervise or otherwise be directly or indirectly responsible for the evaluation of any person related to the employee. Likewise, no employee shall be assigned to a position or supplemental duty in which he or she is supervised or evaluated by any person related to the employee.

For purposes of this policy, a relative shall be defined as the employee's spouse, child, parent, sibling, grandchild, parent-in-law, sibling-in-law, aunt, uncle, niece, and nephew.

An exception to this policy is that one relative of a head coach of an athletic program may be assigned to coach within that program; however, that coach will be evaluated by someone other than the head coach, as determined by the principal.

Modified Duty Assignments

Except as otherwise required by State or Federal law, modified duty assignments shall only be permitted for an employee who has been injured on the job. When an employee has been released by his or her physician to return to work with restrictions or limitations, the supervisor shall attempt to make a short-term modified duty assignment for the employee in accordance with the following:

1. The supervisor shall attempt to identify suitable work within the department or school consistent with the employee's stated restrictions or limitations.
2. An employee's modified duty assignment shall not exceed 60 workdays per injury.
3. If a suitable assignment consistent with the stated restrictions or limitations is not available in the employee's regularly assigned department or school, the supervisor shall contact the risk management department to determine if a suitable assignment is available in another department or school.
4. An employee on a modified duty assignment shall remain subject to all District policies and procedures.
5. An employee who cannot return to his or her regular assignment without restrictions or limitations after 60 workdays in a modified duty assignment shall be returned to inactive status and shall then be subject to the District's uniform absences policy. [See DEC(LOCAL)]

Supplemental Duties

Noncontractual supplemental duties for which supplemental pay is received may be discontinued by either party at any time. An employee who wishes to relinquish a paid supplemental duty may do so by notifying the Superintendent or designee in writing. Paid supplemental duties are not part of the District's contractual obligation to the employee, and an employee shall hold no expectation of continuing assignment to any paid supplemental duty.

Work Calendar and Schedules

In accordance with the District calendar, daily time schedules for all employees shall be determined by the Superintendent or the employee's supervisor.

¹ Innovation Plan: <https://mcisd.net/>

SUBJECT: Consideration and Approval of Second Reading and Adoption of Changes to Board Policy DGBA(LOCAL)-Employee Complaints/Grievances

PRESENTER: Lorena Garcia, Deputy Superintendent for Support Services

BACKGROUND INFORMATION

As a part of normal operations, there are occasions when the need to adjust Board Policy becomes evident due to changes in District needs or legal guidance and case law. In those instances, administration brings forward specific policies to address those needs.

ADMINISTRATIVE CONSIDERATIONS

Legal counsel worked with District Administration to address a few areas of Policy DGBA(LOCAL). The primary area of change a need to clarify oral arguments before the Board at Level III, in instances where relief was provided at Level II. Clarifications are also made addressing records considered by the Board. First Reading of this item was approved by the Board of Trustees during its June meeting.

FUNDING SOURCE AND AMOUNT

N/A

RECOMMENDATION

Approval of Second Reading and Adoption of changes to Board Policy DGBA(LOCAL)-Employee Complaints/Grievances

CONTACT PERSON (S)

Lorena Garcia, Deputy Superintendent for Support Services
Craig Verley, Director of Public Relations and Marketing
David Hansen, Legal Counsel

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PERSONNEL-MANAGEMENT RELATIONS
EMPLOYEE COMPLAINTS/GRIEVANCES

DGBA
(LOCAL)

Complaints

In this policy, the terms "grievance" or "complaint" shall mean an employee's specific written statement expressing dissatisfaction with his or her wages, hours of work, or conditions of work. The term also includes an employee's specific allegations of unlawful discrimination, harassment, or retaliation based on gender, age, religion, national origin, disability, "whistleblower" complaints, or the employee exercise of rights protected by the U.S. Constitution or other state or federal law.

Other Complaint Processes

Employee complaints shall be filed in accordance with this policy, except as required by the policies listed below. Some of these policies require appeals to be submitted in accordance with DGBA after the relevant complaint process:

1. Complaints alleging discrimination, including but not limited to violations of Title IX (gender), Title VII (sex, race, color, religion, national origin), ADEA (age), or Section 504 (disability) shall be submitted in accordance with DIA.
2. Complaints alleging certain forms of harassment, including harassment by a supervisor and violation of Title VII, shall be submitted in accordance with DIA.
3. Complaints concerning retaliation relating to discrimination and harassment, or any other form of retaliation (including workers' compensation retaliatory discharge) shall be brought under this policy, but certain forms of such complaints shall be initially investigated pursuant to a report filed in accordance with DIA.
4. Complaints concerning instructional resources shall be submitted in accordance with EF.
5. Complaints concerning a commissioned peace officer who is an employee of the District shall be submitted in accordance with CKE.
6. Any complaint, including an employee's assertion that the proposed action is because the employee made a good faith report to an appropriate law enforcement authority of a District violation of a law, arising from or related to any of the following events must be addressed through the local and statutory processes described in the DF series of District policies, specifically:
 - a. Complaints concerning the proposed nonrenewal of a term contract issued under Chapter 21 of the Education Code, which shall be submitted in accordance with DFBB.

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- b. Complaints concerning the proposed suspension without pay from a term contract or a probationary contract issued under Chapter 21 of the Education Code during the contract term [see DFAA or DFBA].
- c. Complaints concerning the proposed termination of an employee on a probationary or term contract issued under Chapter 21 of the Education Code during the contract term, which shall be submitted in accordance with DFAA and DFBA.

Note: This policy shall apply to complaints or grievances resulting from dismissal or termination of at-will employees [see DCD] or professional employees whose probationary contracts are terminated at the end of a school year [see DFAB].

Notice to Employees The principal of each campus and other supervisors are responsible for ensuring that all employees under their supervision are informed of this policy.

Purpose
Informal Process The Board's employee complaint policy is adopted to provide a process for the prompt and orderly resolution of workplace conflicts without fear of prejudice, coercion, or retaliation. The Board encourages employees to discuss their concerns with their supervisor, principal, or other appropriate administrator who has the authority to address the concerns. Concerns should be expressed as soon as possible to allow early resolution at the lowest possible administrative level.

Informal resolution shall be encouraged but shall not extend any deadlines in this policy, except by mutual written consent.

Direct Communication with Board Members Employees shall not be prohibited from communicating with a member of the Board regarding District operations except when communication between an employee and a Board member would be inappropriate because of a pending hearing or appeal related to the employee.

Freedom from Retaliation Neither the Board nor any District employee may unlawfully retaliate against any employee for exercising the right to bring a complaint under this policy.

Whistleblower Complaints Whistleblower complaints shall be filed within the time specified by law. Time lines for the employee and the District set out in this policy may be shortened to allow the Board to make a final decision within 60 calendar days of the initiation of the complaint. [See DG]

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Complaints Against Supervisors	Complaints alleging a supervisor's violation of law may be made to the Superintendent beginning at Level Two. A complaint alleging a violation of law by the Superintendent may be made directly to the Board beginning at Level Three.
General Provisions	
Filing	Complaint forms and appeal notices may be filed by hand-delivery, by electronic communication, including e-mail and fax, or U.S. Mail. Hand-delivered filings shall be timely filed if received by the appropriate administrator or designee by the close of business on the deadline. Filings submitted by electronic communication shall be timely filed if they are received by the close of business on the deadline, as indicated by the date/time shown on the electronic communication. Mail filings shall be timely filed if they are post-marked by U.S. Mail on or before the deadline and received by the appropriate administrator or designated representative no more than three days after the deadline.
Scheduling Conferences	The District shall make reasonable attempts to schedule conferences at a mutually agreeable time. If the employee fails to appear at a scheduled conference, the District may hold the conference and issue a decision in the employee's absence.
Response	At Levels One and Two, "response" shall mean a written communication to the employee from the appropriate administrator. Responses may be hand-delivered, sent by electronic communication to the employee's e-mail address of record, or sent by U.S. Mail to the employee's mailing address of record. Mailed responses shall be timely if they are postmarked by U.S. Mail on or before the deadline.
Days	"Days" shall mean calendar days, unless otherwise noted. In calculating time lines under this policy, the day a document is filed is "day zero." The following day is "day one."
Representative	"Representative" shall mean any person who or an organization that does not claim the right to strike and is designated by the employee to represent him or her in the complaint process. The employee may designate a representative through written notice to the District at any level of this process. The representative may participate in person or by telephone conference call. If the employee designates a representative with fewer than three days' notice to the District before a scheduled conference or hearing, the District may reschedule the conference or hearing to a later date, if desired, in order to include the District's counsel. The District may be represented by counsel at any level of the process.
Immediate Supervisor	"Immediate supervisor" means the administrator or other District employee responsible for the employee's supervision and evaluation.

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	<p>The Superintendent may authorize a complaint over dismissal of an at-will employee from District employment or termination of a probationary contract at the end of a school year to be initially filed with the Superintendent or designee according to the time lines and other requirements for filing a complaint at Level One.</p>
Consolidating Complaints	<p>Complaints arising out of an event or a series of related events shall be addressed in one complaint. Employees shall not file separate or serial complaints arising from any event or series of events that have been or could have been addressed in a previous complaint.</p> <p>When two or more complaints are sufficiently similar in nature and remedy sought to permit their resolution through one proceeding, the District may consolidate the complaints.</p>
Untimely Filings	<p>Complaints that are not filed in accordance with the time lines shall be dismissed. No administrator shall have the authority to extend a deadline for filing a complaint. The employee may appeal the dismissal by seeking review within ten days, starting at the level at which the complaint was dismissed. Such appeal shall be limited to the issue of timeliness. All appeals challenging the determination of timeliness shall be filed in writing and shall state the reason the employee believes the complaint was timely filed.</p>
Costs Incurred	<p>Each party shall pay its own costs incurred in the course of the complaint.</p>
Failure to Attend Hearing	<p>Failure of the employee or designated representative to attend a scheduled hearing shall constitute a waiver of the right to relief at the level and shall affirm the decision of the lower level, if applicable. The failure of an employee or designated representative to attend a scheduled hearing shall also constitute a waiver of the employee's right to proceed to a higher grievance level.</p>
Content of Written Grievance	<p>All employee complaints and appeals must be submitted on the grievance form approved by the District and must include all of the information listed below and detailed on the form. Each complaint or appeal must contain:</p> <ol style="list-style-type: none">1. The employee's name.2. The employee's campus or position.3. The date of the event or action that gave rise to the complaint.4. A detailed statement of the decision or action that gave rise to the complaint or appeal. The statement must include a factual description of all the circumstances that gave rise to the complaint.

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5. A detailed statement specifically identifying how the employee has been harmed by that decision or action. The employee has the burden to prove the allegations of the complaint or appeal and to demonstrate the harm.
6. Copies of all documents that the employee shall rely upon during the grievance process and an explanation of what each document shall prove. If the employee does not have copies of documents at the time the complaint or appeal is filed, the employee shall have the opportunity to provide copies of the documents at the Level One conference, but an explanation of the documents shall be required on the original complaint. No new documents shall be accepted after the Level One conference unless the employee did not know the document existed before the time of the Level One conference.
7. Identification of the specific policy or policies, constitutional or statutory provisions, or administrative regulations alleged to be violated or misapplied, or the specific type of discrimination alleged to have been committed and facts to support the allegation.
8. A description of any efforts to resolve the problem informally including to whom the employee spoke, the date of the meeting, and the responses.
9. The specific remedy the employee is seeking through the grievance process.
10. The date of filing.
11. Signatures of the employee and representative, if any. The employee's signature must appear on each grievance form.
12. The name, address, and telephone number of the employee's representative. This information may be added to the grievance record whenever the employee chooses to have representation.

A complaint or appeal that is incomplete in any material aspect shall be dismissed but may be refiled with all the required information provided the refiling is within the designated time for filing.

Audio Recording

As provided by law, an employee shall be permitted to make an audio recording of a conference or hearing under this policy at which the substance of the employee's complaint is discussed. The employee shall notify all attendees present that an audio recording is taking place.

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Level One

Complaint forms must be filed:

1. Within 15 days of the date the employee first knew, or with reasonable diligence should have known, of the decision or action giving rise to the complaint or grievance; and
2. With the lowest level administrator who has the authority to remedy the alleged problem.

In most circumstances, employees on a school campus shall file Level One complaints with the campus principal; other District employees shall file Level One complaints with their immediate supervisor.

If the complaint is not filed with the appropriate administrator, the receiving administrator must note the date and time the complaint form was received and, within one business day, forward the complaint form to the appropriate administrator.

The appropriate administrator shall investigate as necessary and schedule a conference with the employee within seven days after receipt of the written complaint. If the deadline for the conference falls on a day that the central administration office is not open, the deadline shall extend to the next day that the central administration office is open. The administrator may set reasonable time limits for the conference.

Absent extenuating circumstances, the administrator shall provide the employee a written response within seven days following the conference. The written response shall set forth the basis of the decision. In reaching a decision, the administrator may consider information provided at the Level One conference and any other relevant documents or information the administrator believes will help resolve the complaint.

Level Two

If the employee is not satisfied with the decision from Level One, or if the time for a response has expired, the employee may request a conference with the Superintendent or designee to discuss the grievance and appeal the Level One decision.

The request must be filed in writing on a form provided by the District, within seven days following receipt of the written response at Level One. If the administration does not provide a written response and the time for providing the response has expired, the employee's request must be filed within seven days following the expiration of the administration's time for providing a written response to the employee's Level One grievance.

After receiving notice of the appeal, the Level One administrator shall prepare and forward a record of the Level One complaint to

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An employee shall not be allowed to appeal the decision of a hearing officer at Level One or Level Two when the decision has granted all of the relief requested by the employee.

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the Level Two administrator. The employee may request a copy of the Level One record.

The Level One record shall include:

1. The original complaint form and any attachments.
2. All other documents submitted by the employee at Level One.
3. The written response issued at Level One and any attachments.
4. All other documents relied upon by the Level One administrator in reaching the Level One decision.

The request must state specifically what portion of the Level One decision the employee disagrees with and specifically why the employee disagrees with the decision. Documents used at Level One that support the Level Two appeal must also be identified. The request must include a copy of the Level One decision and the original complaint, including all attachments and documents that the employee used at Level One and an explanation of what they prove.

The relief available to the employee at Level Two shall be limited to that requested by the employee at Level One. New or additional relief requested at Level Two shall not be considered except at the discretion of the Superintendent or designee.

The Superintendent or designee shall schedule a conference within seven days after receipt of the written appeal notice is filed. If the deadline for the conference falls on a day that the central administration office is not open, the deadline shall extend to the next day that the central administration office is open. The conference shall be limited to the issues and documents presented at Level One and shall be identified in the Level Two appeal notice. The employee or the representative shall have 20 minutes to present the employee's appeal.

The Superintendent or designee shall provide the employee a written response within seven days following the conference. The written response shall set forth the basis of the decision. In reaching a decision, the Superintendent or designee may consider the Level One record, information provided at the Level Two conference, and any other relevant documents or information the Superintendent or designee believes will help resolve the complaint.

Recordings of the Level One and Level Two conferences, if any, shall be maintained with the Level One and Level Two records.

Level Three

If the employee is not satisfied with the decision from Level Two, or if the time for a response has expired, the employee may submit to

the Superintendent or designee a request to place the matter on the agenda of a future Board meeting. An employee requesting a Level Three grievance hearing may request that opportunity to make an oral argument before the Board at the meeting where the grievance is to be considered. In the alternative, an employee may present his or her Level Three grievance to the Board solely in the form of a written petition with supporting evidence. A grievance submitted to the Board in writing shall only be discussed in a closed session unless otherwise required to be discussed in open session under this policy and shall not require the employee or representative to attend the hearing. If the employee does not specifically request the opportunity to make an oral argument before the Board, then no oral argument shall be heard, and the Board shall consider the written record only. If the employee appeals to Level Three despite receiving all relief requested at Level Two, the employee is not entitled to oral argument before the Board, and the Board shall consider only the written record, the employee's Level III written complaint, and the Administration's response with supporting documentation(if any).

The appeal notice must be in writing on a form provided by the District and filed within seven days following receipt of the written Level Two response or, if no response was received, within seven days of the Level Two response deadline. If the appeal notice is untimely, not on the District's form, or incomplete in any material way, the Superintendent, after consultation with the Board President, may dismiss the complaint and provide written notice of dismissal to the complainant.

The Superintendent or designee shall inform the employee of the date, time, and place of the Board meeting at which the employee's complaint shall be an agenda item for presentation to the Board.

The Board shall consider only those issues and documents presented at Level Two and identified in the Level Three appeal.

The Superintendent or designee shall provide the Board the Level Two record. The employee may request a copy of the Level Two record.

The Level Two record shall include:

1. The Level One record.
2. The notice of appeal from Level One to Level Two.
3. The written response issued at Level Two and any attachments
4. All other documents relied upon by the administration in reaching the Level Two decision.

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Board Policies that pertain to the subject matter of the Complaint shall be deemed a part of the record considered by the Board. Where the Complaint concerns Board actions or deliberations taking place at public meetings of the Board of Trustees, Board Meeting Agendas, Minutes and Recordings of the relevant portions of the relevant public meetings, shall be deemed a part of the record considered by the Board.

The request must state specifically what portion of the Level Two decision the employee disagrees with and specifically why the employee disagrees with the decision. The request must also include a copy of the original complaint, documents relied upon at Level One, the Level One decision, the Level Two appeal, documents relied upon at Level Two, the Level Two decision, and the Level Three appeal. Documents used at Level Two that support the Level Three appeal must also be identified.

If at the Level Three hearing the administration intends to rely on evidence not included in the Level Two record, the administration shall provide the employee notice of the nature of the evidence at least three days before the hearing.

The relief available to the employee at Level Three shall be limited to that requested by the employee at Level One or granted to the employee at Level Two. New or additional relief requested by the employee at Level Two or Level Three shall not be considered.

The Board may hear the complaint in open or closed meeting but shall hear it in open meeting if the employee makes a request to that effect. However, if the employee's complaint is against another District employee, the option to request an open meeting lies with the employee against whom the complaint or charge is being brought.

The employee shall be allotted ten minutes to argue his or her position to the Board according to the procedures established by the Board for the presentation. The administration's presentation, if any, shall also be limited to ten minutes.

The Level Three presentation before the Board, including the employee's or the employee's representative's argument, any presentation from the administration, and questions from the Board with responses shall be recorded by audio tape. The Board's deliberations shall not be recorded.

The Board shall consider the grievance but is not required to respond or take any action on the matter. It may give notice of its decision orally or in writing at any time up to and including the next regularly scheduled Board meeting. ~~Announcing the Board's deci-~~

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sion or announcing the effect of the Board inaction in the employee's presence constitutes communication of the decision. If for any reason the Board fails to reach a decision regarding the grievance by the end of the next regularly scheduled meeting, the lack of a response by the Board shall uphold the administrative decision at Level Two.

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SUBJECT: Sale or Surplus Real Property

PRESENTER: Lorena Garcia, Deputy Superintendent for Support Services

BACKGROUND INFORMATION

As per CDB(Legal) a board may, by resolution, authorize the sale of any property, other than minerals, held in trust for free school purposes. The board president shall execute a deed to the purchaser reciting the board resolution authorizing the sale.

Before land owned by a district may be sold or exchanged for other land, notice to the general public of the offer of the land for sale or exchange must be published in a newspaper of general circulation in either the county in which the land is located or, if there is no such newspaper, in an adjoining county.

The notice must include a description of the land, including its location, and the procedure by which sealed bids to purchase the land or offers to exchange the land may be submitted. The notice must be published on two separate dates and the sale or exchange may not be made until after the 14th day after the date of the second publication.

ADMINISTRATIVE CONSIDERATIONS

Administration is recommending the sale of two surplus properties listed below:

1101 Dunlap	Lots 7 & 8, Block 186, Mission Original Townsite \$209,242 appraised value
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FUNDING SOURCE/AND AMOUNT

N/A

RECOMMENDATION

That the Board of Trustees discuss and take possible action regarding the sale of surplus real property.

CONTACT PERSON(S)

Lorena Garcia, Deputy Supt. for Support Services
Rumalda Ruiz, Asst. Supt. for Finance
Ricardo Rivera, Asst. Supt. for Operations

1101 Dunlap

