



## **Report of Investigation #1**

### **Human Resources**

Prepared for:

Weslaco ISD Board of Trustees

September 10, 2021

**WARNING:** This Report (including Exhibits and Appendices) contains personal identifying information of multiple individuals.

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# Introduction and Scope of Work

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## I. Introduction

Weaver and Tidwell, L.L.P. (“Weaver”) submits this Interim Report of Investigation (“Report”) to the Board of Trustees (the “Board”) for Weslaco Independent School District (“WISD” or the “District”). This Report presents the work performed in connection with the investigation of the District’s practices and procedures concerning Human Resources, including our observations, findings and recommendations.<sup>1</sup> Weaver has made its best effort, given the available time and resources, to conduct an impartial, independent and extensive investigation. We did not conduct an exhaustive investigation into all aspects of the District’s Human Resources practices as such an investigation would require time and resources beyond those reasonably required to address the issues identified by WISD and by Weaver through the course of our investigation. Certain limitations on the information available to Weaver resulted in constraints on our investigation. We had no power to compel third parties to submit to interviews, produce documents, or otherwise provide information.

## II. Scope of Work

On January 6, 2021, Weaver submitted its Forensic Investigation Qualifications (“Statement of Qualifications”) in response to the District’s Request for Qualifications for Forensic Audit Services of the District’s Finances and Operations (RFQ #21-02-20). On February 10, 2021, Weaver was retained by the Board to provide forensic services in connection with RFQ #21-02-20. As authorized by the Board, Weaver conducted a broad investigation into concerns and issues raised by current Board members including hiring practices, job descriptions, salaries and compensation, organizational structure, as well as policies and procedures. During the course of the investigation, Weaver performed the following work steps in reaching the observations, findings and recommendations outlined in this Report:

- Conducted witness interviews with over 30 current and former District employees, Board members and third parties (including multiple discussions with many of the witnesses);
- Reviewed information pertaining to meetings of the Board during fiscal years 2015 – 2020 including meeting minutes, agendas, agenda packets and recorded videos (as available);
- Analyzed over 2.3 million email records for 27 current and former District employees;<sup>2</sup>

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<sup>1</sup> At the request of the Board, Weaver prepared two (2) separate reports of investigation for WISD. Report of Investigation #1 is focused on the scopes of work related to Human Resources. Report of Investigation #2 is focused on the scopes of work related to payments to vendors and contractors.

<sup>2</sup> Weaver also conducted various keyword searches for email data across the entire population of email data for all email accounts through remote access granted to the District’s Google Archive system.

- Analyzed over \$700 million in compensation to over 4,000 employees during fiscal years 2015 – 2020 including salaries, extra duty pay, and travel allowances, among other items;
- Reviewed personnel files for over 60 employees through a remote desktop to the District's Alio Scan database;
- Reviewed current and archived job descriptions for over 400 positions across the District, including revisions to minimum requirements for education, certifications and experience;
- Reviewed the District's Compensation Plans for fiscal years 2015 – 2020 including a review of approved pay scales and revisions thereto;
- Reviewed annual pay increases authorized by the Board, including a review of actual pay increases for administrative and professional employees based on the District's payroll register;
- Reviewed previous evaluations of the District's Human Resources practices and procedures including the Compensation Plan Review prepared by TASB in 2013;
- Reviewed the District's organizational structure during fiscal years 2015 – 2020 including a comparison of the District's organizational charts to other comparable Districts in Region One as well as across Texas;
- Reviewed the District's policies and procedures including policies on the District's website, as well as the Employee Handbook and Compensation Plan.

While Weaver performed additional work steps not included above, the above listed work steps reflect the actions performed by Weaver that formed the basis for our observations, findings and recommendations discussed throughout the remainder of this Report.

# Executive Summary

## I. Overview

The Executive Summary provides an overview of the observations, findings and recommendations from Weaver's investigation of the District's Human Resources function, including hiring practices, job descriptions, salaries and compensation, organizational structure, as well as policies and procedures. The Executive Summary is based on the set of facts and findings described in the Report, and should be read with the Report itself including the associated appendices and exhibits. Standing alone, it does not, and cannot, provide a full understanding of the facts and analysis underlying our observations and findings. In addition, while the Report itself is intended to provide the relevant basis for our observations and findings, it does not exhaustively detail all efforts undertaken by Weaver.

## II. Background

WISD is a school district in Hidalgo County, Texas encompassing the City of Weslaco and part of the City of Mercedes. The District's enrollment exceeds 17,000 students and has an annual budget over \$200 million. The District is governed by a seven-member Board with each Board member serving staggered four-year terms. Elections are held biennially in November of each year. The Board is responsible for setting policy and providing oversight, with administrative responsibilities delegated to the Superintendent. The table below summarizes the District's Board members during the period of our review.

Summary of Board of Trustees for Fiscal Years 2015 - 2021								
Trustee		Fiscal Year Ended August 31						
		2015	2016	2017	2018	2019	2020	2021
Erasmio Lopez	Place 1	Vice Pres.	Vice Pres.	President	President			
Jesse Trevino	Place 1							Secretary
Richard Rivera	Place 2					Vice Pres.	Vice Pres.	
Marcos De Los Santos	Place 2							
Adrian Gonzalez	Place 3							
Patrick Kennedy	Place 3							
Jaclyn Sustaita	Place 3							
David Fuentes	Place 4	President	President					
Jaime Rodriguez	Place 4						Vice Pres.	Vice Pres.
Andrew Gonzalez	Place 5					Secretary	Secretary	
Oscar Caballero	Place 6	Secretary	Secretary	Vice Pres.	Vice Pres.			
Armando Cuellar, Jr.	Place 6							President
Isidoro Nieto	Place 7			Secretary	Secretary	President	President	
<div> <u>Legend</u>  Active Board Member </div>								

### III. Summary of Findings

#### a. Hiring of Personnel

From our investigation of the District's hiring practices going back to September 2014, we identified a pattern of micromanagement by the Board to influence the hiring process, especially during the 2014 – 2016 time period. We observed instances where the Board rejected a candidate recommended by the Interviewing Committee and Superintendent, oftentimes approving a less qualified candidate instead. Once Melva Segura ("Ms. Segura") was hired as HR Administrator in November 2014 and then promoted to HR Director in September 2015, Ms. Segura acted as a gatekeeper for the Board, influencing the recommendations from the Interviewing Committees before the candidates went to the Board for approval.<sup>3</sup> As a result, certain hiring decisions during the period of our review appear to have been influenced by the preference of the Board, or in some instances Ms. Segura, rather than the qualifications of the candidate.

Our findings from the review of the District's hiring practices are outlined below:

1. In January 2014, the Board tabled the motion to approve the candidate recommended for the HR Administrator position by the Interviewing Committee and Superintendent, instead waiting until November 2014 to approve Ms. Segura for the position, several months after she received her Bachelor's Degree. At the time Ms. Segura was a Data Analyst in the District's Migrant Department.
2. Ms. Segura was less qualified than the candidate rejected by the Board in January 2014, and less qualified than most, if not all, of the candidates interviewed in October 2014 who had more experience in Human Resources and Business, as well as degrees in Business Administration (listed as a preference in the job description) and in some cases Master's Degrees.
3. In September 2015, less than one year after being hired as HR Administrator, Ms. Segura was promoted to HR Director, a position that required a Master's Degree. Ms. Segura did not have a Master's Degree, whereas 12 other candidates that applied for the position held Master's Degrees.

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<sup>3</sup> The findings in this Report are based upon discussions with current and former District employees who informed us that Ms. Segura had conversations with Interviewing Committee members either by phone or in-person to discuss the list of candidates for a position, including discussions related to the Board's preference for any particular candidate. We were also informed of conversations in which Ms. Segura suggested that a particular candidate be recommended because of a preference by one or more members of the Board. During our interview with Ms. Segura and her attorney, Ms. Segura indicated that there were instances where she was asked by a member of the Interviewing Committee for information or insight regarding the Board's preference for a particular candidate, or whether a candidate would be approved by the Board. According to Ms. Segura, she never directed a member of the Interviewing Committee to recommend a particular candidate and stated that her role as HR Director was to facilitate the hiring process rather than influence the process.

4. We determined that Ms. Segura had access to the interview questions for the HR Director position and emailed the questions to herself the night before her interview.<sup>4</sup>
5. Ms. Segura had been an “active volunteer” in past election campaigns for several Board members, including at least one who served on the Board when Ms. Segura was hired as HR Administrator and then promoted to HR Director.<sup>5</sup>
6. Ms. Segura’s compensation increased by 107% from November 2014 to September 2015 (less than one year) from \$48,819 as a Data Analyst to \$101,278 as HR Director.
7. While HR Administrator / HR Director, Ms. Segura submitted Professional Personnel Recommendation forms to the Superintendent requesting approval to hire family members, potentially in violation of the District’s nepotism policy. Examples identified during our investigation are provided below:

Date	Description
8/10/2015	Professional Personnel Recommendation form submitted by Ms. Segura to Dr. Alejandro requesting approval for the recommendation of Ms. Segura’s son, Rolando Segura, for the Math Teacher position at Mary Hoge Middle School.
8/18/2015	As HR Administrator, Ms. Segura signed off on the Board Agenda Item to approve the Superintendent’s Recommendation for new hires, which included Ms. Segura’s daughter, April Segura.

8. In April 2019, Eric Cavazos was reassigned from his position as an ACE Site Coordinator to a Criminal Justice / PE Teacher position at Weslaco High School. Mr. Cavazos, who was in a relationship with Ms. Segura’s daughter, was the only candidate interviewed for the position as none of the other applicants had the dual certifications required for the position. When Mr. Cavazos was hired as an ACE Site Coordinator in 2017, he was the only candidate interviewed that did not have a Master’s Degree, although a Master’s Degree was no longer a requirement for the position at that time.<sup>6</sup>
9. During the August 2020 – September 2020 time period, Ms. Segura helped to facilitate the conversion of a Music Teacher vacancy to a Health Teacher vacancy at B. Garza Middle School, which was ultimately filled by her son, Rolando Segura.<sup>7</sup> Ms. Segura referred the Principal at B. Garza Middle School to the voluntary transfer list to fill the position, which included two (2) individuals. Rolando Segura, was the only individual on the voluntary transfer

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<sup>4</sup> When we interviewed Ms. Segura, she did not recall if the list of interview questions that she emailed to herself the night prior to the interview in September 2015 were the actual interview questions used by the Interviewing Committee, but acknowledged that the document format was consistent with the format for interview questions used by the District. Based on discussions with other candidates interviewed, it does not appear that other candidates had access to the interview questions prior to the interview.

<sup>5</sup> In a lawsuit filed by Ms. Segura against the District in June 2009 that we obtained from an online resource, it was stated that Ms. Segura “was an active member of citizens that supported Weslaco School Board trustee candidates Raymond Givilancz, Charles Sellman and Oscar Caballero” for the May 2009 elections and was an “active volunteer during their campaigns and during the elections.” See Exhibit A.25.

<sup>6</sup> During our interview with Ms. Segura and her attorney, Ms. Segura stated that Mr. Cavazos was not in a relationship with her daughter, April Segura, when he was hired for the ACE Site Coordinator position in 2017. However, we identified email communications in which Ms. Segura emailed the job description for the ACE Site Coordinator position to April Segura who forwarded to Mr. Cavazos prior to the interview.

<sup>7</sup> Based on our review, it appears that Ms. Peterson approved, or was at least aware, of the conversion of the Music Teacher vacancy to a Health Teacher position at B. Garza Middle School.

list with a PE Certification. The position was never posted for external candidates to apply and Rolando Segura was ultimately reassigned to fill the position.<sup>8</sup>

10. During Ms. Segura's tenure as HR Director, we identified instances where recommendations for candidates submitted to Ms. Segura by the Interviewing Committee were not presented to the Board and it is unclear if they were presented to the Superintendent for approval.<sup>9</sup> Examples identified during our investigation are provided below:

Date	Description
8/15/2016	Recommendations submitted by the Interviewing Committee for ACE Site Coordinator positions at Margo Elementary and Cleckler-Heald Elementary. These recommendations were never presented to the Board. Instead, additional interviews were conducted resulting in the recommendation of new candidates, which were ultimately presented to and approved by the Board.
1/11/2018	Recommendation submitted by Interviewing Committee for ELA Teacher position at Mary Hoge Middle School. Ms. Segura informed the campus Principal that he would need to either recommend a different candidate or hire a permanent substitute teacher for the remainder of the semester.

11. We identified several instances during the period of our review in which candidates recommended by the Interviewing Committee and Superintendent were not approved by the Board. Examples identified during our investigation are provided below:

Date	Description
7/11/2016	The candidate recommended by the Interviewing Committee and approved by the Superintendent for the Horton AEP Principal position was not approved by the Board. <sup>10</sup> A different candidate was approved by the Board in August 2016.
11/14/2016	The candidate recommended by the Interviewing Committee and approved by the Superintendent for the ACE Site Coordinator position at Rico Elementary was not approved by the Board. The Board meeting minutes reflected that the candidate ranked second was approved by the Board instead.
6/10/2019	Recommendation submitted by the Interviewing Committee for a Math Teacher position at Mary Hoge Middle School was not approved by the Board. Ultimately, another candidate was recommended to the Board at a subsequent Board meeting.

12. We identified one instance in January 2015 in which an individual who did not apply for the position was hired for the Campus Instructional Facilitator position at Weslaco East High School. We determined that the individual was added to the list of applicants by the campus Interim Principal at that time, Dr. Raul Cantu, and included on the list of applicants to be

<sup>8</sup> Ms. Segura indicated that it was common practice for the District to look to fill a vacancy from the voluntary transfer list prior to posting a vacancy for external applicants.

<sup>9</sup> During our interview with Ms. Segura and her attorney, Ms. Segura indicated that if a candidate recommended by the Interviewing Committee was not presented to the Board for approval it would have been at the direction of the Superintendent.

<sup>10</sup> The Board meeting minutes on July 11, 2016 reflected that no action was taken by the Board as "no recommendation was made," however, the Superintendent had previously approved the agenda item for the meeting to recommend the candidate for the Horton AEP Principal position.



interviewed. We were also informed that the individual was not the highest ranked candidate by the Interviewing Committee, however, the Interviewing Committee was directed by Dr. Cantu to revise their evaluation forms.

## b. Job Descriptions

Our investigation included a review and analysis of job descriptions across all positions included in the District's Compensation Plan, as well as the District's process for creating and revising job descriptions.

Our findings from our review of the District's job descriptions are outlined below:

1. The job description for the ACE Site Coordinator position was revised in September 2016 to remove the requirement for a Master's Degree. However, the District previously hired ten (10) individuals for the ACE Site Coordinator position in August 2016, the majority of whom did not have a Master's Degree. The revised job description in September 2016 still reflected the last date revised to be June 2016.
2. In advance of an annual audit of the District's Texas ACE Program in October 2017, the job description for the ACE Site Coordinator position was revised to change the requirement for a Teaching Certificate to "preferred." We were unable to determine who directed the revision, or an explanation for why the revision was made, but noted that several of the ACE Site Coordinators did not have Teaching Certificates. The job description submitted by the HR Department for the audit also reflected the last date revised to be June 2016.
3. We identified two positions where the job descriptions were revised in conjunction with an employee being reassigned to the position from another department. In both instances, the position had not been filled in several years and the revisions appeared to be consistent with the minimum requirements recommended by TASB for the position.

Position	Revised Date	Education / Certification Requirements (Description of Revisions)
Warehouse Administrator	2/2017	<ul style="list-style-type: none"> <li>Bachelor's Degree in business, accounting, management and/or related field changed from <b>required</b> to <b>preferred</b></li> </ul>
Grant Writer	3/2021	<ul style="list-style-type: none"> <li>"Bachelor's Degree in English or Journalism" preferred revised to "Bachelor's degree from accredited university"</li> <li>Removed requirement for Master's Degree</li> <li>Removed requirement for "Valid Texas certificate in Mid Management or Principal preferred"</li> </ul>

4. The education requirements for the job descriptions for the Parent Specialist and Family Engagement Specialist positions appear to be overly narrow and misaligned with the positions.<sup>11</sup> It does not appear that the narrow education requirements were intended to hire certain candidates, rather it appears to be the result of a clerical error when the job description was revised in 2011.
5. The job descriptions for 161 of 280 positions reviewed have not been revised since September 2014, the start of our review period.

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<sup>11</sup> The job descriptions for the Parent Specialist and Family Engagement Specialist positions require a "Bachelor's Degree with a major in Journalism, Communications, Mass Media and English."

### c. Salaries and Compensation

We conducted a review of the District's annual Compensation Plan approved by the board during the period of our review, including pay increases, new positions and reclassifications of positions. During our review, we identified instances where practices and procedures followed by the HR Department did not appear to adhere to the Compensation Plan.

Our findings from the review of salaries and compensation are outlined below:

1. We identified 32 positions added to the Compensation Plan during the period of our review, including positions added for new federal programs (e.g., Texas ACE Program), promotions (e.g., Director to Executive Director) or reorganization of the District's organizational structure.
2. The Construction / Maintenance Manager position was filled in November 2018, however it did not appear to be included in the Compensation Plan approved by the Board on August 20, 2018. It appears that the Compensation Plan was revised by the HR Department to add the position on August 31, 2018, though it was not approved by the Board until December 2018.
3. We identified 17 instances in which a position was reclassified to another pay grade during the period of our review, including two positions that were reclassified twice. Pay grade reclassifications predominantly resulted in pay increases for the position.
4. The Assistant Athletic Director position was reclassified in the 2019 – 2020 Compensation Plan from pay grade 103 to pay grade 203, which has a lower pay range. However, the position retained the pay range for pay grade 103 even though it was reclassified, which was inconsistent with the Compensation Plan, as well as other pay grade reclassifications administered by the HR Department.
5. We reviewed the District's payroll register and analyzed annual pay increases for full-time administrative and professional employees. A distribution of the number of employees by range of pay increases received by year is provided below.

Distribution of Annual Pay Increases for Administrative / Professional Employees						
Range of % Pay Increase	# of Employees					Total
	FY2016	FY2017	FY2018	FY2019	FY2020	
Decrease in Pay	33	28	27	46	29	163
0% - 5%	930	622	638	926	46	3,162
5% - 10%	30	305	324	40	860	1,559
10% - 15%	21	28	28	14	21	112
15% - 20%	9	15	16	11	17	68
20% - 25%	10	12	8	7	6	43
25% - 30%	9	12	10	5	11	47
Over 30%	6	25	18	15	12	76
<b>Total</b>	<b>1,048</b>	<b>1,047</b>	<b>1,069</b>	<b>1,064</b>	<b>1,002</b>	<b>5,230</b>

6. We determined that approximately 300 employees received salaries above the maximum for their assigned pay range for 2019 - 2020, compared to approximately 250 employees for 2018 – 2019. However, we also noted that many of the positions above the maximum pay range related to part-time employees (e.g., bus drivers, cafeteria workers, etc.).<sup>12</sup>
7. Extra duty pay during the period of our review totaled \$35.8 million, with the largest amounts related to coaching stipends, summer school, and overtime pay for bus drivers and mechanics in the Transportation Department.
8. Travel allowances totaled approximately \$700,000 during the period of our review. The monthly travel allowance was increased by the Board in September 2015 from \$200 per month to \$500 per month, with 22 employees receiving travel allowances as of 2019 – 2020.
9. We identified certain positions that receive a travel allowance that do not appear to require regular travel.

**d. Organizational Structure**

We conducted a review of the District's organizational structure, including a review of the District's organizational charts during the period of our review. We also compared the District's current organizational structure to 30 comparable school districts in Region 1 and across Texas. We determined that the District's organizational structure lacks functional alignment and exhibits inconsistencies across job assignments that are not necessarily aligned to the strategic needs of the District. In some cases it appeared that the District modified the organizational structure to fit certain individuals rather than the organization as a whole.

Our findings from the review of the District's organizational structure are outlined below:

1. The District's current organizational structure includes eight (8) individuals who report directly to the Superintendent, which appeared to be above average when compared to similar school districts, though not unreasonable for the size of the District.
2. The District's operations functions are divided among four different organizations including (1) Business and Finance; (2) Support Services; (3) Employee Benefits and Risk Management and (4) Athletics and District Facilities.
3. Employee Benefits and Risk Management is separate from Human Resources even though there is overlap in functionality.
4. The Assistant Superintendent & Support Services position is poorly defined, functionally misaligned and responsible for an inconsistent scope of work.
5. The Executive Director of Athletics and District Facilities position combines two broad scopes of responsibility with minimal functional connection.

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<sup>12</sup> According to the District's Compensation Plan, employees who are reassigned to a lower pay grade as part of a reorganization can retain their salary but are not to receive annual pay increases.

#### **e. Processes and Procedures Review**

As part of the scope of work, we performed an evaluation of the processes and procedures within the HR Department. We performed walkthroughs of the District's significant human resources processes to identify where the District has procedures and internal controls designed to mitigate the inherent risks.

Our findings from our review of the HR Department's processes and procedures are outlined below:

1. The District currently does not require members of the Interviewing Committee to sign confidentiality agreements or conflict of interest disclosures prior to participating in the employee interview process.
2. The District's HR Department does not have a process to monitor the completion of required trainings for new and existing employees.
3. The process of validating the new employee information entered into the District's system by the Payroll Department is not documented. Currently a Human Resources Specialist verifies the information entered into the system but does not document the review.
4. The District may not have all contracts in place for all the required positions prior to the start of an academic year.
5. The District does not have procedures in place to update the criteria used for performance evaluations when the job descriptions and profiles are updated.

#### **IV. Recommendations**

Based on the observations and findings of our review and investigation of the District's Human Resources function, including hiring practices, job descriptions, salaries and compensation, organizational structure, and policies and procedures, we have provided the following recommendations for consideration:

1. During our review, we did not identify documentation related to the rejection of a candidate recommended by the Interviewing Committee to the HR Department for approval by the Superintendent. We recommend that the District consider implementing a process for documenting instances in which a candidate recommended by the Interviewing Committee is not approved, outlining the reasons why the candidate was not approved and include authorization from the Superintendent.
2. The duties and responsibilities for personnel within the HR Department create an environment where individuals are working in silos (i.e., one employee is responsible for job postings and applications, another employee is focused on job descriptions, etc.) We recommend that personnel in the HR Department be cross-trained on other duties and responsibilities within the HR Department.
3. Based on our discussions with personnel from the HR Department, we identified a lack of checks and balances with respect to various functions, including the absence of a process for independent verification by other employees in the department. Specific examples identified include the verification of job postings and calculation of annual pay increases. We recommend that job postings be verified for accuracy prior to being posted. We also recommend that the calculation of annual pay increases be verified either by personnel from the Payroll Department, or by another employee within the HR Department after being processed by the HR Department.

4. We recommend that the District consider implementing a formal process for reviewing and updating job descriptions as the majority of job descriptions have not been updated in the past five (5) years.<sup>13</sup>
5. We determined that many District employees were confused about the methodology for administering annual pay increases authorized by the Board. We recommend that the District review its current methodology for implementing pay increases and ensure the methodology is consistent with objectives of the Board, as well as best practices for school districts. We also recommend that the District provide additional clarity and transparency to employees regarding the process and methodology for administering pay increases.
6. The District has historically provided travel allowances to key personnel as this practice was perceived to be a cost savings measure, and a means to reduce the burden on administrators of recording mileage and submitting expense reports. We recommend that the Board review the District's current practices related to travel allowances for key personnel, including a review of positions eligible to receive travel allowances based on frequency of required travel, as well as travel allowance amounts per position relative to frequency of required travel and in comparison to other school districts.
7. We recommend that the District consider a review of the current organizational structure to ensure the functional alignment is consistent with the District's strategic vision, and goals and objectives of the Superintendent.
8. In our review of the HR Department's processes and procedures as outlined in Section E of this Executive Summary and Report, we identified and recommended certain processes and procedures for consideration to improve the District's internal controls and risk mitigation.

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<sup>13</sup> It is our understanding that during the past six (6) months job descriptions have been revised and updated prior to positions being posted.

# A. Hiring of Personnel

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## I. Background

### a. Scope of Work

We were asked to conduct a review of the District's hiring practices going back to September 2014 to determine if the District adhered to best practices to ensure the most qualified candidates were being hired from the pool of applicants.

### b. Hiring Process

As part of our review of the District's hiring practices, we interviewed various individuals from the Human Resources Department ("HR Department") to better understand the hiring process in place at the District. Outlined below is an overview of the District's hiring process based on our discussions with personnel from the HR Department and information reviewed during the course of our investigation.

1. Campus or department leadership notifies the HR Director of a vacancy and requests for the position to be filled.
2. HR Director completes and signs a Job Vacancy Posting Request form ("Vacancy Request") with information for the position that is to be posted.<sup>14</sup>
3. An HR Clerk or Computer Information Specialist within the HR Department inputs information from the Vacancy Request, as well as the District's current job description for the position, and posts the position to the Alio application portal available on the District's website ("Application Portal") to solicit applications from internal and external applicants.<sup>15</sup>
4. Once the position is closed in the Application Portal, an HR Clerk or Computer Information Specialist prepares a listing of the applicants, including information related to qualifications. The list of applicants is subsequently provided to the leadership for the campus or department.<sup>16</sup>
5. An Interviewing Committee reviews the list of applicants and selects the candidates to be interviewed. The Interviewing Committee typically consists of at least three (3) individuals, including campus or department leaders, as well as administrators (depending on the position).

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<sup>14</sup> In certain instances in which a vacancy is filled through the reassignment of another District employee and the reassignment does not include a change in pay grade (i.e., lateral transfer), it is not required to post the position. Reassignments are discussed in more detail in a subsequent section of this Report.

<sup>15</sup> Vacant positions are typically posted and open for applicants in the Application Portal for ten (10) days.

<sup>16</sup> It is our understanding that the HR Department previously provided the campuses or departments with a list of applicants that met the minimum requirements and qualifications for the position, however, at some point the process was revised to provide a list of all applicants, including their education and certification qualifications.

6. The Interviewing Committee submits a Recommendation for Employment to the HR Director identifying the individual recommended by the Interviewing Committee to be hired for the position, as well as a list of the other candidates interviewed, the individuals on the Interviewing Committee and the reason the applicant was recommended.<sup>17</sup>
7. The HR Department performs a criminal records check with the Department of Public Safety for the candidate recommended by the Interviewing Committee.
8. The HR Director submits the Recommendation of Employment from the Interviewing Committee to the Superintendent, as well as a summary of information from the candidate's application and resume (e.g., education background, work history, references, etc.).
9. Following the Superintendent's approval of the candidate recommended by the Interviewing Committee, the Secretary to the Superintendent prepares an agenda item to be presented to the Board for the Board's approval of the candidate recommended by the Superintendent.
10. As required by the Texas Education Code, the Board may accept or reject the Superintendent's recommendation, which is required to be documented in the minutes of the Board meeting in open session. If the Board rejects the Superintendent's recommendation, the Superintendent "shall make alternative recommendations until the Board accepts a recommendation."<sup>18</sup>

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<sup>17</sup> Typically the Recommendation for Employment lists other candidates interviewed in alphabetical order, however, we identified some instances where the other candidates interviewed were listed based on the ranking assigned by the Interviewing Committee following the interview process.

<sup>18</sup> Education Code 11.1513(b) and DC (Legal)-P, Update 115.

## II. Hiring of HR Administrator and HR Director Positions

### a. HR Administrator (Hired November 2014)

The District's organizational chart for fiscal year 2012 – 2013 reflected two positions titled HR Director, which were held by Melissa Nieto ("Ms. Nieto") and her brother-in-law Roman Nieto ("Mr. Nieto").<sup>19</sup> It is our understanding that the two HR Director positions divided responsibilities based on employee classifications (i.e., teachers, professionals, para-professionals, etc.). It is also our understanding that Mr. Nieto resigned from his position in June 2013.<sup>20</sup> As a result of Mr. Nieto's resignation, the District's organizational chart for fiscal year 2013 – 2014 reflected a vacancy for Mr. Nieto's position, however, the title associated with the vacancy was HR Administrator rather than HR Director.<sup>21,22</sup> Ms. Nieto continued to serve in her capacity as the lone HR Director during the 2013 – 2014 school year.

In or around October 2013, Ms. Nieto requested to open the vacant HR Administrator position, which was posted on the District's website for candidates to apply through the Alio Application Portal ("Application Portal").<sup>23</sup> The current job description for the HR Administrator position as of October 2013 had not been revised since 1998. Below are the education and certification qualifications, as well as experience requirements included on the HR Administrator job description from 1998:<sup>24</sup>

#### **D. QUALIFICATIONS/DIMENSIONS**

- **Education/Certification:**  
Master's degree in educational administration.  
Mid-management certification.
- **Experience:**  
At least five years experience as a school administrator or comparable experience directly related to staffing schools/school related sites.

In conjunction with the HR Administrator position being posted, the job description was revised in October 2013 to remove the requirement for a Master's Degree, and the experience requirement was reduced from five (5) years to a minimum of two (2) – four (4).<sup>25</sup> The updated requirements for the HR Administrator job description revised in October 2013 are provided below:<sup>26</sup>

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<sup>19</sup> See Exhibit A.1

<sup>20</sup> See Exhibit A.2

<sup>21</sup> See Exhibit A.3

<sup>22</sup> It is our understanding that prior to the District having two HR Directors, Ms. Nieto was the HR Administrator and the position remained vacant following her transition to HR Director.

<sup>23</sup> See Exhibit A.4

<sup>24</sup> See Exhibit A.4

<sup>25</sup> See Exhibit A.5

<sup>26</sup> See Exhibit A.5



### Qualifications/Experience Required:

#### Qualifications:

- Minimum: Bachelor's Degree [BBA in Business Management (*Personnel Management*) preferred]

#### Experience:

- Minimum of 2-4 years Educational Administration and/or
- Minimum of 2-4 years Credible HR Administrator Experience

The District received 14 applicants for the HR Administrator position posted in October 2013, of which six (6) candidates were interviewed.<sup>27</sup> On January 10, 2014, Ms. Nieto submitted a recommendation to the Superintendent at that time, Dr. Ruben Alejandro ("Dr. Alejandro"), recommending Sebastian Camacho ("Mr. Camacho") for the HR Administrator position.<sup>28</sup>

<b>Personnel Recommended:</b>	Sebastian Camacho	<b>Campus/Department:</b>	Human Resources Department
<b>Position:</b>	Human Resources Administrator	<b>Recommended By:</b>	Mrs. Melissa Nieto, Director of HR
<b>Degree:</b>	Bachelor of Business Administration, Texas A&M University, College Station, TX, May, 2010 Major: Management Minor: N/A		
<b>GPA:</b>	2.316		
<b>Certification:</b>	Not Required		
<b>Residence:</b>	2114 E. 22 <sup>nd</sup> Street, Weslaco, TX	<b>High School:</b>	Weslaco East HS, Weslaco, TX
<b>Justification:</b>	Replacing Roman Nieto – last day worked June 28, 2013		
<b>Pay Grade:</b>	205		
<b>Years Experience:</b>	5		
<b>Days Employed:</b>	230 (to be pro-rated)		
<b>Salary:</b>	\$ (to be pro-rated)		
<b>Job Experience:</b>	01/2013 – Present HR/Benefits Coordinator, Thank You Nurses, McAllen, TX 06/2010 – 01/2013 HR Resources Operations Supervisor, Doctors Hospital Renaissance		
<b>DPS-Criminal Records Division:</b>	DPS: Cleared as of January 13, 2014		
<b>References:</b>	Mr. Lazaro Guerra, Doctors Hospital at Renaissance, Colleague, Edinburg, TX		
<b>Candidates Interviewed:</b>	Lydia Flores Jose Guadalupe Garcia Cassandra Mata Jesus Muñoz Magdalena Ramos		
<b>Interviewing Committee:</b>	Mrs. Melissa Nieto, Human Resources Director Mr. Michael De La Rosa, Director of Employee Benefits Mr. Sergio Garcia, Executive Director, C&I Dept.		
<b>Comments:</b>	Mr. Guerra highly recommends Mr. Camacho for a position with the district and believes he will be an asset to the district.		

On January 13, 2014, Dr. Alejandro made the recommendation to the Board to hire Mr. Camacho based on the recommendation from the Interviewing Committee.<sup>29</sup> According to the meeting minutes, the Board did not approve Dr. Alejandro's recommendation and instead elected to table the agenda item and

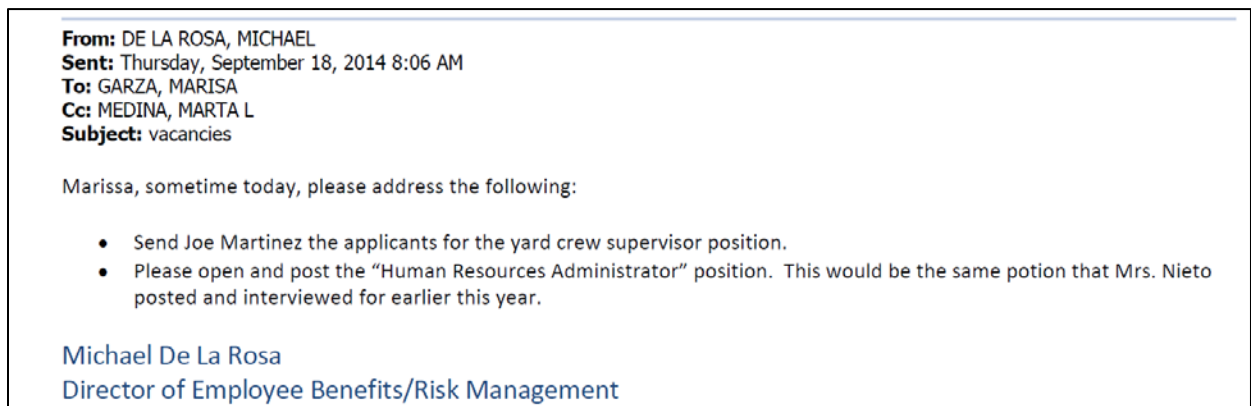
<sup>27</sup> See Exhibit A.6

<sup>28</sup> See Exhibit A.6

<sup>29</sup> See Exhibit A.7

“proceed as discussed in closed meeting.”<sup>30</sup> Due to the fact that the discussions amongst the Board took place in closed session, it is unclear why Dr. Alejandro’s recommendation to the Board to hire Mr. Camacho was not approved.

In May 2014, Ms. Nieto accepted a position as the Director of Human Services for Secondary Education at Harlingen Consolidated Independent School District and resigned from her position as the District’s HR Director effective June 30, 2014. At that time, the HR Administrator position remained vacant following the Board’s decision not to hire Mr. Camacho in January 2014. Following Ms. Nieto’s departure, the District’s Director of Employee Benefits / Risk Management, Michael De La Rosa (“Mr. De La Rosa”), served as the de facto Interim HR Director until the District hired a replacement for Ms. Nieto.<sup>31</sup> While the District did not hire a replacement for Ms. Nieto in her capacity as HR Director, the District instead sought to fill the position of HR Administrator. On September 18, 2014, Mr. De La Rosa requested for the HR Administrator position to be opened and posted, as shown below.<sup>32</sup>



Based on our review of email correspondence between personnel within the HR Department, it appeared there was some confusion about whether the position being opened and posted on the Application Portal was for the HR Administrator position or HR Director.<sup>33</sup> It also appeared that initially the HR Director position was posted instead of HR Administrator, and at least one applicant was under the impression they were applying for the HR Director position.<sup>34</sup> During our investigation, we noted that it was unusual for the District to prioritize the hiring of the HR Administrator position ahead of the HR Director position, and also unusual for the District to wait until September 2014 to re-post the vacancy for HR Administrator after the Board rejected the candidate recommended in January 2014.

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<sup>30</sup> See Exhibit A.7

<sup>31</sup> See Exhibit A.8

<sup>32</sup> See Exhibit A.9

<sup>33</sup> See Exhibit A.9

<sup>34</sup> See Exhibit A.10

On October 3, 2014, nine (9) applicants were interviewed for the HR Administrator position, with the Interviewing Committee consisting of Mr. De La Rosa, the Executive Director for Elementary Curriculum & Instruction, Xavier Salinas ("Mr. Salinas"), and the Chief Financial Officer, Andres Sanchez ("Mr. Sanchez").<sup>35</sup> Below is the list of candidates interviewed for the HR Administrator position on October 3, 2014.

<i>Human Resources Administrator Interviews Friday, October 3, 2014</i>				
<b>Time</b>	<b>Name</b>	<b>Current Position</b>	<b>Location</b>	<b>Degree</b>
10:30 am	1. Enrique Cuellar	Business Manager	Santa Maria ISD	Bachelor of Business Administration ➤ Accounting
1:00 pm	2. Abraham Gallegos	HR/Payroll Analyst	IDEA Public Schools	Bachelor of Business Administration ➤ Finance/Spanish
1:30 pm	3. Norma L. Lopez	Campus Secretary	Weslaco ISD (South Palm Gardens)	Bachelor of Applied Technology Management (BAT) ➤ Technology Management
2:00 pm	4. Maria L. Moreno	ELAR Strategist	Weslaco ISD (C&I)	Letter of Intent
2:30 pm	5. Lucy Salinas	Computer Information Specialist II	Weslaco ISD (Human Resources)	Bachelor of Multidisciplinary Studies ➤ Human Services & Humanities
	6. Paula Sanchez	8 <sup>th</sup> Grade Teacher	Weslaco ISD (B. Garza Middle School)	Letter of Intent
3:30 pm	7. Melva Segura	Migrant Data Analyst	Weslaco ISD (Migrant Department)	Bachelor of General Studies ➤ General Studies, Management, Marketing & Communications
4:00 pm	8. Felida Villarreal	HR Specialist	Sharyland ISD	Bachelor of Business Administration ➤ Business Management/Administration
4:30 pm	9. Reyna Zuniga	Former Business Office Bookkeeper	Donna ISD	Bachelor of Business Administration ➤ Accounting

On October 14, 2014, Mr. De La Rosa submitted the Interviewing Committee's recommendation to Dr. Alejandro recommending Melva Segura ("Ms. Segura") for the HR Administrator position, which was approved by the Board on November 13, 2014.<sup>36</sup> Following approval by the Board, Ms. Segura was reassigned from her current role as a Data Analyst in the Migrant Department to the HR Administrator position in the HR Department.<sup>37,38</sup> Ms. Segura's reassignment resulted in a promotion from a para-professional pay grade to a professional pay grade and an increase in salary from \$48,819 to \$74,055.<sup>39</sup> We determined that on August 16, 2014, one month prior to the vacancy being posted for the HR Administrator position, Ms. Segura received her Bachelor's Degree in General Studies from the University of Texas-Pan American.<sup>40</sup>

<sup>35</sup> See Exhibit A.11

<sup>36</sup> See Exhibit A.12

<sup>37</sup> See Exhibit A.12


<sup>38</sup> Ms. Segura was hired by the District in 1997 as an Office Clerk at Mary Hoge Middle School where she later served as a Campus Secretary and then Human Resources Secretary. In 2002, Ms. Segura started a new position in the Business Office where she worked in the Accounts Payable department and then six (6) years as a Payroll Specialist. In June 2009, Ms. Segura was reassigned to the position of Computer Information Specialist II in the Energy Management Department before transferring to a Data Analyst position in the Migrant Department.

<sup>39</sup> See Exhibit A.12

<sup>40</sup> See Exhibit A.13

**b. HR Director (Hired September 2015)**

On August 21, 2015, less than one year after Ms. Segura was hired as the HR Administrator, the HR Director position was posted on the Application Portal after remaining vacant since Ms. Nieto's departure in June 2014.<sup>41</sup> The job posting for the HR Director position listed requirements for the position to include a Bachelor's Degree and a Master's Degree, as well as five (5) years of experience, which was consistent with the job description for HR Director.<sup>42,43</sup> Below is an image of the job posting on the District's website at the time the position was posted.

Summary Information:		Print 	Contact Information:
<b>Job Title</b>	Director of Human Resources		<b>Marisa Garza</b>
<b>Vacancy #</b>	44HRDIR		HR Clerk
<b>Position #</b>			TX
<b># of Openings</b>	1		Tel: <a href="tel:956-969-6619">956-969-6619</a>
<b>Category</b>	Educational Administration		Fax: <a href="tel:956-969-6932">956-969-6932</a>
<b>Employment</b>	Professional Educational Admin		E-Mail: <a href="mailto:magarza@wisd.us">magarza@wisd.us</a>
<b>Salary</b>	Professional Educational Administrative Pay Scale		<a href="#">send-to-friend</a> <a href="#">save this job</a>
<b>Calendar Days</b>	230		<a href="#">apply now</a>
<b>Published Date</b>	08/21/2015		
<b>Closing Date</b>	09/04/2015		
<b>Location</b>	HUMAN RESOURCES DEPARTMENT TX		
<b>Experience</b>	5 years		
<b>Degrees / Certificates</b>	BACHELORS / MASTERS		

Requirements
<b>Masters degree in education or management related field.</b>
<b>Texas Mid-Management certificate (preferred).</b>
Knowledge of the selection, training and supervision of personnel.
Knowledge of wage and salary, benefits, and employee communications programs.
Knowledge of school employment law and hearing procedures.
Ability to interpret policy, procedures, and data.
Ability to manage budget and personnel.
Strong communication, public relations, and interpersonal skills.
Five years successful administrative experience or an equivalent amount of human resource management experience in the private sector.

<sup>41</sup> See Exhibit A.14

<sup>42</sup> See Exhibit A.15

<sup>43</sup> The HR Director job description was revised on September 4, 2015, the same day the position was closed for applications. We noted that the requirement for "five years successful administrative experience or in an equivalent amount of human resource management experience in the private sector" was revised to be "preferred." See Exhibit A.16

The posting for HR Director was closed on September 4, 2015 with a total of 15 applications submitted through the Application Portal.<sup>44</sup> Of the 15 applicants, five (5) candidates were selected to be interviewed including Ms. Segura, the District's Director of Payroll & Business Operations, Jesus Fonseca ("Mr. Fonseca"), as well as three (3) candidates from outside the District.<sup>45</sup> Interviews of the candidates were conducted on September 10, 2015 and the Interviewing Committee consisted of three (3) individuals including Messrs. De La Rosa and Salinas (both of whom served on the Interviewing Committee for the HR Administrator position in October 2014), as well as the Assistant Superintendent for Curriculum & Instruction, Sue Peterson ("Ms. Peterson").<sup>46</sup> On September 11, 2015, Mr. Salinas submitted the Interviewing Committee's recommendation to Dr. Alejandro to hire Ms. Segura for the HR Director position, which was approved by the Board on September 14, 2015.<sup>47</sup> Below is the recommendation presented to the Board.

**REASSIGNMENT OF CERTIFIED PROFESSIONAL EMPLOYEE**

**September 14, 2015**

NAME	FROM		TO		
<i>Melva Segura</i>	Position:	Human Resources Administrator	Position:	Director for Human Resources	
	Location:	Human Resources Department	Location:	Human Resources Department	
	Job Grade:	205	Job Grade:	206	
	Days:	230	Days:	230	
	Pay:	\$76,277.20	Pay:		
			Minimum	Mid-point	Maximum
			\$95,277.50	\$111,172.80	\$127,070.40
<b>Candidates Interviewed:</b>	Melva Segura	Human Resources Administrator, Weslaco ISD			
	Tricia Cisneros	Director of Outreach, TAMU			
	Jesus Fonseca	Director of Payroll & Business Operations, Weslaco ISD			
	Berniece Trevino	Teacher, Edinburg CISD			
	Raul Izaguirre	Principal, Raul Yzaguirre School for Success, Brownsville, TX			
<b>Interviewing Committee:</b>	Xavier Salinas, Ass't. Superintendent for Support Services				
	Michael De La Rosa, Director of Employee Benefits/Risk Management Sue Peterson, Ass't. Superintendent for Curriculum & Instruction				
<b>Comments:</b>					
➤ Interviews for the position of Director for Human Resources were held on Thursday, September 10, 2015.					
➤ The top five (5) applicants were interviewed.					
➤ The Committee is recommending Melva Segura; she is currently the Human Resources Administrator and possesses the knowledge and skills required for the position.					
➤ Replacing Mrs. Melissa Nieto who resigned June 30, 2014.					

<sup>44</sup> See Exhibit A.17

<sup>45</sup> See Exhibit A.18

<sup>46</sup> See Exhibit A.18

<sup>47</sup> See Exhibit A.19

While Ms. Segura's new salary following the promotion to HR Director was placed at the bottom of the pay scale range for the position, Ms. Segura's salary increased 25% from \$76,277 to \$95,278.<sup>48</sup> In addition, the promotion included a \$6,000 annual travel allowance for the HR Director position, effectively increasing Ms. Segura's annual compensation to \$101,278 in 2015.<sup>49,50</sup>

### **III. Observations and Findings – Hiring of HR Administrator and HR Director Positions**

#### **a. Other Candidates More Qualified for HR Administrator Position**

Based on our review of the nine (9) candidates interviewed for the HR Administrator position, there were four (4) candidates interviewed with a Bachelor's Degree in Business Administration, which was listed as a preferred qualification on the job description. In addition, three (3) candidates were currently employed in a Human Resources position, either at the District or outside the District, and one (1) candidate had a Master's Degree (previously a requirement for the position).<sup>51</sup> By comparison, Ms. Segura had recently obtained her Bachelor's Degree in General Studies in August 2014, one month prior to the position being posted, and her only experience in the HR Department was as a secretary for several years prior to moving to a clerk position in the Business Office in 2002.

#### **b. Ms. Segura Did Not Meet the Minimum Requirements for HR Director Position**

The current job description for HR Director, as well as the job description in effect when the position was posted in August 2015, requires the candidate to have a Master's Degree to meet the qualifications for the position. Ms. Segura received her Bachelor's Degree in General Studies in August 2014 and did not have a Master's Degree.<sup>52,53</sup> By comparison, the District's previous HR Director, Ms. Nieto, had a Bachelor's Degree in Business Administration, a Master's Degree in Educational Leadership and Administration, and was a School Principal with the District for six (6) years before moving to the HR Director position in 2009. It is also our understanding from discussions with current and former District employees that the HR Director position was historically filled by a candidate with experience as a School Principal.

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<sup>48</sup> See Exhibit A.20

<sup>49</sup> See Exhibit A.20

<sup>50</sup> Travel allowances are discussed in more detail in a subsequent section of this Report.

<sup>51</sup> We noted that Paula Sanchez, who previously worked in the District's HR Department before becoming a teacher at the District, had a Bachelor's Degree and a Master's Degree in Educational Leadership. See Exhibit A.10.

<sup>52</sup> See Exhibit A.21

<sup>53</sup> Ms. Segura's college transcripts from The University of Texas-Pan American as of August 22, 2014 indicated that Ms. Segura had six (6) hours of in-progress Master's level credits for the 2014 Fall Semester. See Exhibit A.21



### c. Other Candidates More Qualified for HR Director Position

We determined that 12 of the candidates that applied for the HR Director position held a Master's Degree while four (4) of the applicants were administrators at the campus level. Mr. Fonseca was already a Director with the District with over 20 years of experience and had previously been the Supervisor to Ms. Segura. We also noted that all three (3) candidates that did not have a Master's Degree were included in the list of candidates interviewed, which was shared with the Board. The table below provides a summary of the candidates that applied for the HR Director position, as well as their education qualifications.

Applicant	Interviewed	Current Position	Employer	Bachelor's Degree	Master's Degree
Melva Segura	Yes	HR Administrator	WISD	Yes	No
Jesus Fonseca	Yes	Director of Payroll & Bus. Operations	WISD	Yes	No
Tricia Cisneros	Yes	Asst. Director of Office Admissions	TAMU	Yes	Yes
Berniece Trevino	Yes	Teacher	Edinburg CISD	Yes	No
Raul Izaguirre	Yes	Principal	School for Success	Yes	Yes
Marlene Caballero	No	Counselor	WISD	Yes	Yes
Maria Belen Cavazos	No	Teacher	WISD	Yes	Yes
Sandra Cerda	No	Teacher	WISD	Yes	Yes
Jessica Medellin-Angulo	No	Teacher	WISD	Yes	Yes
Jose Roger Perez	No	Campus Instruction Facilitator	WISD	Yes	Yes
Paula Sanchez	No	Teacher	WISD	Yes	Yes
Alfredo Aguilar	No	Adult Educator	Region One	Yes	Yes
Arnoldo Barrera	No	Teacher	San Diego ISD	Yes	Yes
Genevieve Navarro	No	Speech Lang. Pathologist Asst.	WISD	Yes	Yes
Adan Sabedra	No	Principal	E.E. ISD	Yes	Yes

### d. Ms. Segura Emailed Interview Questions to Herself Prior to Interview for HR Director Position

As described previously in this Report, five (5) candidates were interviewed for the HR Director position on September 10, 2015. In our review of Ms. Segura's District email data, we determined that the evening prior to her interview, Ms. Segura sent an email with a blank subject line from her District email account to her District email account with an attached Microsoft Word document titled "HR Director Questions."<sup>54</sup> The attached document appeared to include a blank evaluation form to be utilized by the Interviewing Committee to record a "total score" for each candidate, and included six (6) questions with blank spaces to rate the applicant's responses.<sup>55</sup> While it is unclear if Ms. Segura drafted the interview questions, the metadata for the Microsoft Word document showed the author to be Ms. Segura.<sup>56</sup> It was also common for

<sup>54</sup> See Exhibit A.22

<sup>55</sup> See Exhibit A.22

<sup>56</sup> See Exhibit A.23

Ms. Segura to prepare interview questions in her capacity as HR Administrator. In fact, Ms. Segura emailed interview questions to Mr. De La Rosa for the Director of Parental Involvement position on September 8, 2015.<sup>57</sup> It does not appear that the other four (4) candidates that interviewed for the HR Director position on September 10, 2015 received the interview questions in advance of the interview.

**e. Ms. Segura Previously Participated in Election Campaign for Board Member**

In 2009, Ms. Segura filed a lawsuit against the District for alleged misconduct and policy violations in connection with her being reassigned from her position as a Payroll Specialist in the Business Office to a position in the Energy Management department.<sup>58,59,60</sup> The 2009 petition filed by Ms. Segura included statements of fact regarding Ms. Segura's active involvement in the political process in Weslaco and an "active volunteer" during the May 2009 election campaigns for several Board candidates including Oscar Caballero ("Mr. Caballero").<sup>61</sup> While Mr. Caballero did not win election in 2009, he was subsequently elected and served on the Board in 2014 when Ms. Segura was promoted to HR Administrator as well as in 2015 when Ms. Segura was again promoted to HR Director. In fact, Mr. Caballero won re-election in November 2014, around the same time that Ms. Segura was promoted to HR Administrator, though we do not know the extent of Ms. Segura's involvement in Mr. Caballero's 2014 campaign, if any.

**f. Ms. Segura's Salary More than Doubled from November 2014 to September 2015**

Ms. Segura's promotion from Data Analyst to HR Administrator to HR Director during the November 2014 – September 2015 time period increased Ms. Segura's compensation by 107% within a span of ten (10) months from \$48,819 to \$101,278 (including compensation for travel allowance).

**g. Timeline of Ms. Segura's Promotions to HR Administrator and HR Director**

As described previously in this Report, we noted several unusual and / or coincidental circumstances concerning the timing of Ms. Segura being hired as HR Administrator and subsequently promoted to HR Director in less than a year. A timeline of events is included in the table below.

Date	Description
10/2013	HR Administrator position posted on Application Portal
10/2013	Job description for HR Administrator position revised to remove minimum requirement of Master's Degree (Bachelor's Degree still required)

<sup>57</sup> See Exhibit A.24

<sup>58</sup> See Exhibit A.25

<sup>59</sup> Weaver has not investigated the allegations contained in Ms. Segura's lawsuit from 2009 as this was outside of our scope of work.

<sup>60</sup> Weaver obtained a copy of the 2009 lawsuit filed by Ms. Segura through an online resource.

<sup>61</sup> See Exhibit A.25



1/13/2014	Board rejected recommendation of Superintendent and Interviewing Committee for Mr. Camacho to be hired as HR Administrator
5/2014	Ms. Nieto resigned as HR Director effective 6/30/2014 and Mr. De La Rosa takes over as Interim HR Director
8/22/2014	Ms. Segura received Bachelor's Degree in General Studies
9/18/2014	Mr. De La Rosa directed HR Department to open and post vacancy for HR Administrator position on Application Portal
10/3/2014	Nine (9) candidates interviewed for HR Administrator position
10/14/2014	Mr. De La Rosa submitted recommendation to Superintendent (Dr. Alejandro) to hire Ms. Segura for HR Administrator position
11/13/2014	Board approved hiring of Ms. Segura as HR Administrator
8/21/2015	HR Director position posted on Application Portal (had remained vacant since Ms. Nieto's resignation in May 2014)
9/4/2015	HR Director posting closed with 15 applications submitted
9/9/2015	Ms. Segura emailed interview questions for HR Director to her District email account from her District email account
9/10/2015	Interviews conducted with (5) candidates for HR Director position
9/11/2015	Mr. Salinas submitted Interviewing Committee's recommendation to Superintendent (Dr. Alejandro) to hire Ms. Segura as HR Director
9/14/2015	Board approved the recommendation to promote Ms. Segura from HR Administrator to HR Director

#### IV. Hiring of ACE Site Coordinators

We conducted a review of the hiring process for the ACE Site Coordinator position due to the fact that the position was created in 2016 as part of a federally funded program, and during our initial interviews conducted with the HR Department we were informed that a family member of Ms. Segura's was hired as an ACE Site Coordinator. In addition, during our review of job descriptions we identified multiple revisions to the ACE Site Coordinator job description that effectively lowered the minimum qualifications for education and certifications. A summary of our review of the hiring process for the ACE Site Coordinator position is provided below.

##### a. Background

In 2016, the District received a five-year grant for \$8.3 million in federal funds for the 21<sup>st</sup> Century Community Learning Centers program (referred to in Texas as the Texas Afterschool Centers on Education Program or "Texas ACE Program").<sup>62,63</sup> In addition to a Director position, the Texas ACE Program requires site coordinators to "oversee the planning, implementation, management and evaluation of the Texas ACE Program." The District planned to hire a site coordinator at each of the ten (10) elementary school campuses across the District.

##### b. Initial Hiring of ACE Site Coordinators (August 2016)

On June 26, 2016, the HR Department created a job description for the site coordinator position ("ACE Site Coordinator") based on a model template from TASB HR Services.<sup>64,65</sup> In addition, the HR Department obtained a copy of the job description for the ACE Site Coordinator position at Mercedes ISD, a District that also received funds from the Texas ACE Program.<sup>66</sup> The original job description for the ACE Site Coordinator position prepared by the District in June 2016 included the following requirements for education and certification qualifications:

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<sup>62</sup> See Exhibit A.26

<sup>63</sup> The Texas ACE Program is monitored by the Texas Education Agency and provides opportunities for communities to establish or expand activities that provide students attending low performing schools with access to academic enrichment and other activities that are specifically designed to reinforce and complement the regular academic program to help students meet the challenging state academic standards.

<sup>64</sup> See Exhibit A.27

<sup>65</sup> We reviewed the metadata of the ACE Site Coordinator job description emailed to Ms. Segura on June 27, 2016 and determined that the document was prepared on June 26, 2016 using the template from TASB HR Services, which is a fee-based membership service providing an online library of reference information, model forms, handbooks, job descriptions and salary survey data.

<sup>66</sup> See Exhibit A.28

<p><b>Primary Purpose:</b></p> <p>Oversee the planning, implementation, management and evaluation of the Texas ACE Program at the assigned center.</p> <p><b>Qualifications:</b></p> <p><b>Education/Certification:</b></p> <ul style="list-style-type: none"> <li>• Bachelor's Degree from an accredited university in education or related field</li> <li>• Master's Degree from an accredited university in education or related field</li> <li>• Valid Texas teaching certificate</li> </ul>
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The District posted the ACE Site Coordinator position on the Application Portal from July 6, 2016 to July 19, 2016 with one job posting for all ten (10) positions.<sup>67</sup> The Vacancy Request was signed by Ms. Segura and included handwritten notes (presumably from Ms. Segura) which indicated requirements for the position to include a Bachelor's Degree and a valid Texas teaching certificate ("Teaching Certificate").<sup>68</sup> The Vacancy Request signed by Ms. Segura did not list the requirement for a Master's Degree, even though it was included as a requirement on the job description.<sup>69</sup>

Job Vacancy Posting Request	
<input checked="" type="checkbox"/> HUMAN RESOURCES WEBSITE <input type="checkbox"/> ADVERTISEMENT IN NEWSPAPER	Date Posted: <u>7-6-16</u> 10 <sup>th</sup> Day: <u>7-19-16</u> Remove from Website: _____
The following vacancies have been approved by the Superintendent of Schools for posting as noted below:	
PROFESSIONAL [Teacher Pay Scale] <u>259</u> <u>21<sup>st</sup> Century CCLC Site Coordinator</u> <u>(10) vacancies @ assigned Elementary loc</u>	PROFESSIONAL [Professional Pay Scale] _____
Additional Comments: <u>New grant allocations</u>	
PARA-PROFESSIONAL [Para-Professional Pay Scale] Falls under the NCLB Act of 2001	PARA-PROFESSIONAL [Clerical-Technical Pay Scale] Does not fall under the NCLA Act of 2001
<u>* Requirements: Bachelors Degree</u> <u>Valid Texas Teaching certificate</u>	

The District received 30 applicants from the job posting and selected 20 candidates for the 10 positions. The Interviewing Committee was composed of Elizabeth Alaniz, Director of Staff Development ("Ms. Alaniz")

<sup>67</sup> See Exhibit A.29

<sup>68</sup> See Exhibit A.29

<sup>69</sup> We also noted that the supporting documentation for the job posting maintained by the HR Department included the second page of the job description for the ACE Site Coordinator but not the first page (which would have included the education and certification requirements). See Exhibit A.29

and Erica Garcia, Director of Parental Involvement (“Ms. Garcia”). Following the completion of the interview process, Ms. Alaniz submitted a Recommendation for Employment form for eight (8) candidates on August 5, 2016, which were approved on August 8, 2016 by the Interim Superintendent, Dr. Filomena Leo (“Dr. Leo”) and subsequently approved by the Board.<sup>70</sup> The two candidates recommended for the positions at Margo Elementary and Cleckler-Heald Elementary were not submitted to the Board for approval because the individuals declined the position after interviewing.<sup>71,72</sup>

On August 15, 2016, Ms. Alaniz submitted Recommendation for Employment forms to Ms. Segura for the remaining two positions at Margo Elementary and Cleckler-Heald Elementary.<sup>73</sup> The individuals recommended by the Interviewing Committee were Manuel Valdez (“Mr. Valdez”) and Eva Mireles (“Ms. Mireles”), both of whom were among the 20 candidates interviewed previously.<sup>74</sup> Ms. Segura requested for the recommendations for Mr. Valdez and Ms. Mireles to be processed and added to the agenda for the next Board meeting.<sup>75</sup> However, prior to the recommendations going to the Board for approval, another round of interviews was conducted for the positions at Margo Elementary and Cleckler-Heald Elementary. The second round of Interviews were conducted on August 18, 2016 and August 19, 2016 with seven (7) candidates including four (4) candidates who had previously interviewed for the position. The other three (3) candidates interviewed were Elizabeth Cano, Elizabeth Douglas and Irene Salas, none of whom applied for the position when it was posted in July.

CANDIDATES INTERVIEWED (alphabetize by last name)	
1. Mike Archila	12.
2. Elizabeth Cano	13.
3. Nigel Cohen	14.
4. Elizabeth Douglas	15.
5. Eva Mireles	16.
6. Sandra Quintanilla	17.
7. Irene Salas	18.
8.	19.
9.	20.
10.	21.
11.	22.
INTERVIEWING COMMITTEE (include name & title)	
1. Elizabeth Alaniz	3. Monica Vanderveer
2. Katie Reyes	4. Ruby Martinez

<sup>70</sup> See Exhibit A.30

<sup>71</sup> See Exhibit A.31

<sup>72</sup> Janet Martinez and Jaime Castaneda were initially selected by the Interviewing Committee but declined the positions as the reassignment would have resulted in a decrease in pay.

<sup>73</sup> See Exhibit A.32

<sup>74</sup> See Exhibit A.32

<sup>75</sup> See Exhibit A.33

The Interviewing Committee for the second round of interviews included Ms. Alaniz, as well as the newly hired ACE Program Director, Katie Reyes ("Ms. Reyes"), and the Principals at both elementary schools. On August 19, 2016, Ms. Alaniz submitted Recommendation for Employment forms to Ms. Segura recommending Elizabeth Cano ("Ms. Cano") for the position at Margo Elementary and Irene Salas ("Ms. Salas") for the position at Cleckler-Heald.<sup>76</sup> Ms. Cano, who was being reassigned from her previous position as Counselor Aide at Memorial Elementary, and Ms. Salas who was being reassigned from her previous position as a Data Entry Clerk at Memorial Elementary, were both approved by the Board on August 22, 2016 for the ACE Site Coordinator positions.<sup>77</sup>

In our review of District email data, we determined that Ms. Salas was told about the open ACE Site Coordinator position by Ms. Segura at the District's convocation ceremony on August 11, 2016 and followed up with Ms. Segura on August 16, 2016 to learn more about the position.<sup>78</sup> We also noted that Ms. Salas expressed optimism to another District employee about her chances of getting the position stating "the fact that [Ms. Segura] brought it up to me, makes me feel that this could be a possibility for me."<sup>79</sup>

A timeline for the hiring of the ten (10) ACE Site Coordinators is provided below.

Date	Description
6/26/2016	HR Department created job description for ACE Site Coordinator
7/6/2016	Job posting published on Application Portal for the ten ACE Site Coordinator positions
7/19/2016	Job posting closed with 30 applicants
7/20/2016 – 8/4/2016	Interviews conducted with 20 candidates by Ms. Alaniz and Ms. Garcia
8/5/2016	Ms. Alaniz submitted Recommendation for Employment forms to Ms. Segura for the 10 candidates selected by Interviewing Committee, however two candidates declined the position
8/8/2016	The eight candidates recommended by Interviewing Committee were approved by the Interim Superintendent, Dr. Leo
8/11/2016	Ms. Segura discussed vacant position with Ms. Salas at convocation (first time Ms. Salas was aware of the position)
8/15/2016	Ms. Alaniz submitted Recommendation for Employment forms to Ms. Segura for Mr. Valdez and Ms. Mireles for the remaining two positions
8/16/2016	Ms. Salas emailed Ms. Segura to get additional information about the position
8/18/2016 – 8/19/2016	Additional interviews conducted with seven candidates for final two positions including three candidates who did not apply to the July job posting (Ms. Cano, Ms. Douglas and Ms. Salas)
8/19/2016	Ms. Alaniz submitted Recommendation for Employment forms to Ms. Segura recommending Ms. Cano and Ms. Salas
8/22/2016	Board approved the recommendations for Ms. Cano and Ms. Salas to be reassigned to ACE Site Coordinator positions

<sup>76</sup> See Exhibit A.34

<sup>77</sup> See Exhibit A.35

<sup>78</sup> See Exhibit A.36

<sup>79</sup> See Exhibit A.37

**c. Revision of ACE Site Coordinator Job Description (September 2016)**

On September 13, 2016, Ms. Segura requested the ACE Site Coordinator job description to be revised to remove the requirement for a Master's Degree. In an interview with a Computer Information Specialist in the HR Department, we were informed that the HR Department maintains copies of prior job descriptions with notes documenting any revisions made, as well as the date of the revisions. Based on our discussions with personnel in the HR Department, it was common for Ms. Segura to request for a staff member to bring a hard copy of a job description into her office to request revisions to job descriptions. Weaver received a copy of the archived hard copy job descriptions maintained by the HR Department for the ACE Site Coordinator position, including the handwritten notes indicating the job description was revised on September 13, 2016.<sup>80</sup>

*Completed  
9-13-16*

**WESLACO INDEPENDENT SCHOOL DISTRICT  
JOB DESCRIPTION**

<b>Name:</b>		<b>Wage/Hour Status:</b>	Exempt
<b>Job Title:</b>	21 <sup>st</sup> Century ACE Site Coordinator	<b>Test Used for Status:</b>	
<b>Reports to:</b>	Program Director	<b>Pay Grade:</b>	100
<b>Dept. / School:</b>	Central Office Administration	<b>Funding:</b>	265
<b>Days:</b>	226	<b>Date Revised:</b>	June 2016

**Primary Purpose:**

Oversee the planning, implementation, management and evaluation of the Texas ACE Program at the assigned center.

**Qualifications:**

**Education/Certification:**

- Bachelor's Degree from an accredited university in education or related field
- ~~Master's Degree from an accredited university in education or related field~~
- Valid Texas teaching certificate

**d. Hiring of ACE Site Coordinator - Rico Elementary (November 2016)**

In October 2016, a vacancy opened for the ACE Site Coordinator position at Rico Elementary due to the resignation of Julio Montes, who was hired in August 2016. The vacancy was posted on the Application Portal

<sup>80</sup> See Exhibit A.38

from October 27, 2016 – November 9, 2016 with 30 applications submitted.<sup>81</sup> The Interviewing Committee, which included Ms. Alaniz, Ms. Reyes and the Principal at Rico Elementary, Yolanda Hernandez (“Ms. Hernandez”) interviewed seven (7) candidates on November 11, 2016.<sup>82</sup> That afternoon, a Recommendation of Employment form was submitted to Ms. Segura to recommend Veronica Rivas (“Ms. Rivas”) for the ACE Site Coordinator position at Rico Elementary, which was signed by both Ms. Alaniz and Ms. Reyes.<sup>83</sup> In addition to identifying Ms. Rivas as the candidate being recommended for the position, the Recommendation for Employment form included the Interviewing Committee’s ranking of candidates interviewed, as shown below.<sup>84</sup>

CANDIDATES INTERVIEWED (by ranking order)	
1. Veronica Rivas	12.
2. Rebecca Ozuna	13.
3. Paul Medeles	14.
4. Eva Mireles	15.
5. Gabriela Castillo	16.
6. Eliza Garcia (no show)	17.
7. Tracy Ocanas (no show)	18.
8.	19.
9.	20.
10.	21.
11.	22.
INTERVIEWING COMMITTEE (include name & title)	
1. Elizabeth Alaniz	3. Yolanda Hernandez
2. Katie Reyes	4.

While Ms. Rivas was the candidate recommended by the Interviewing Committee pending approval by the Board on November 14, 2016, the meeting minutes reflected that the Board instead approved the hiring of Rebecca Ozuna (“Ms. Ozuna”) to fill the ACE Site Coordinator position.<sup>85</sup> Based on our discussions with individuals from the Interviewing Committee, it was unclear why the Board did not approve Ms. Rivas and they were surprised to learn the next day that Ms. Ozuna had been approved by the Board instead. Ms. Ozuna was previously an Instructional Aide at Rico Elementary and the reassignment represented a

<sup>81</sup> See Exhibit A.39

<sup>82</sup> See Exhibit A.40

<sup>83</sup> See Exhibit A.41

<sup>84</sup> See Exhibit A.41

<sup>85</sup> See Exhibit A.42



promotion and increase in salary from \$20,322 to \$50,850.<sup>86</sup> Ms. Rivas, who was not employed by the District at that time, was hired as an ACE Site Coordinator several years later for a vacancy at Margo Elementary.<sup>87</sup>

**e. Hiring of ACE Site Coordinator - F.D. Roosevelt Elementary (June 2017)**

In June 2017, the ACE Site Coordinator at Airport Elementary, Jenilee Marin ("Ms. Marin") was reassigned to the Parent Specialist position at Airport Elementary, which was approved by Ms. Segura and Dr. Canales on May 30, 2017.<sup>88,89</sup> The vacant ACE Site Coordinator position at Airport Elementary was filled by Norma Pena ("Ms. Pena") who requested to be reassigned from her current position as ACE Site Coordinator at F.D. Roosevelt Elementary ("Roosevelt Elementary").<sup>90</sup> Ms. Segura informed Ms. Alaniz and Ms. Reyes that Ms. Pena's reassignment to the ACE Site Coordinator at Airport Elementary did not require the position to be posted because the move was "lateral" and did not involve a promotion or increase in pay.<sup>91</sup> To fill the ACE Site Coordinator position at Roosevelt Elementary, Ms. Alaniz and Ms. Reyes planned to reassign Arleen Marin, who was a Family Engagement Specialist (another position funded through the Texas ACE Program), and asked Ms. Segura if the reassignment was considered a lateral move or would require the position to be posted.<sup>92</sup> The position was ultimately posted on the Application Portal from June 27, 2017 – July 10, 2017.<sup>93</sup>

On July 10, 2017, Ms. Reyes followed up with Ms. Segura to request resumes for the applicants for the ACE Site Coordinator posting in order for interviews to be conducted before the end of the week.<sup>94</sup> On July 12, 2017, the HR Department provided the resumes for the five (5) applicants to Ms. Reyes in advance of candidate interviews scheduled for July 13, 2017.<sup>95</sup> The Interviewing Committee included Ms. Reyes, along with the Assistant Superintendent for Administration and Support Services, Sergio Garcia ("Dr. Garcia"). Ms. Reyes emailed Dr. Garcia to ask if an ACE Site Coordinator should be included on the Interviewing Committee, to which Dr. Garcia responded "No, just you and me for this time."<sup>96</sup> In discussions with Dr. Garcia as part of our investigation, Dr. Garcia stated that he typically prefers to have an odd number of people on the Interviewing Committee (e.g., three (3) or five (5)) in the event the Interviewing Committee has a split

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<sup>86</sup> See Exhibit A.43

<sup>87</sup> See Exhibit A.44

<sup>88</sup> See Exhibit A.45

<sup>89</sup> It does not appear that Ms. Marin's Supervisor, Ms. Reyes, was aware of, much less approved Ms. Marin's reassignment at the time it was approved on May 30, 2017.

<sup>90</sup> See Exhibit A.46

<sup>91</sup> See Exhibit A.46

<sup>92</sup> See Exhibit A.46

<sup>93</sup> See Exhibit A.47

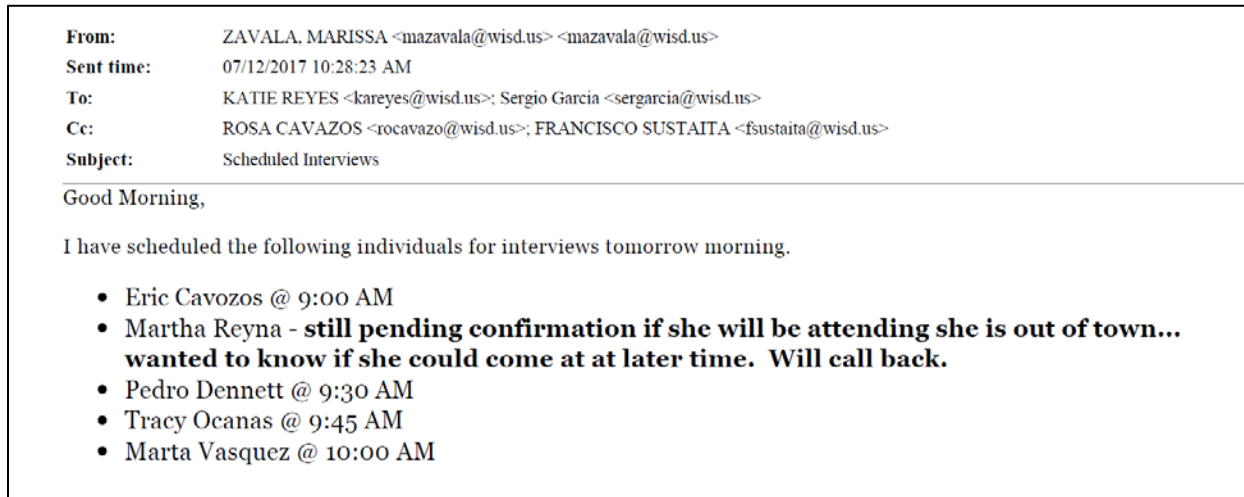
<sup>94</sup> See Exhibit A.48

<sup>95</sup> See Exhibit A.49

<sup>96</sup> See Exhibit A.50



decision. Dr. Garcia did not recall why he decided to have only two (2) individuals on the Interviewing Committee during this hiring process. The interviews were scheduled for 15 minutes each on the morning of July 13, 2017, as shown below.<sup>97</sup>



During our investigation, we were informed that one of the applicants for the ACE Site Coordinator position, Eric Cavazos ("Mr. Cavazos"), was the boyfriend of Ms. Segura's daughter, April Segura.<sup>98</sup> On July 12, 2017, the day before interviews were to be conducted, Ms. Segura forwarded the job description for the ACE Site Coordinator position to her daughter, April Segura, who forwarded it to Mr. Cavazos.<sup>99</sup> Mr. Cavazos, who at the time was employed as a Service Advisor at an auto dealership, was in the process of obtaining a probationary Teaching Certificate in the certification area of "Trade and Industrial Education: Law Enforcement / Criminal Justice 6-12."<sup>100</sup>

On July 14, 2017, the day after candidate interviews were conducted, Dr. Garcia requested for Ms. Reyes to submit their recommendation memo to the HR Department and expressed that "Ms. Segura would like it ASAP."<sup>101</sup> Ms. Reyes submitted a Recommendation for Employment form to Ms. Segura recommending Mr. Cavazos for the ACE Site Coordinator position at Roosevelt Elementary.<sup>102</sup> According to the Recommendation for Employment, "During the interview, applicant displayed professionalism and passion for the communit[y]" and "will be [a] great asset to our program and district."<sup>103</sup> Ms. Segura submitted the

<sup>97</sup> See Exhibit A.51

<sup>98</sup> During our interview with Ms. Segura and her attorney, Ms. Segura stated that Mr. Cavazos was not in a relationship with her daughter in July 2017.

<sup>99</sup> See Exhibit A.52

<sup>100</sup> See Exhibit A.53

<sup>101</sup> See Exhibit A.54

<sup>102</sup> See Exhibit A.55

<sup>103</sup> See Exhibit A.55

Recommendation for Employment to Dr. Canales for approval on July 31, 2017, which also included a recommendation from David Fuentes (“Mr. Fuentes”), who previously served as a WISD Board member and currently serves as Hidalgo County Commissioner.<sup>104</sup> The Board approved the hiring of Mr. Cavazos as ACE Site Coordinator at Roosevelt Elementary on August 7, 2017.<sup>105</sup>

Weaver conducted separate interviews with Dr. Garcia and Ms. Reyes to determine if the purported relationship between Mr. Cavazos and Ms. Segura’s daughter factored into their hiring decision in any way, or if there were any attempts by Ms. Segura to influence their decision. Both Dr. Garcia and Ms. Reyes stated that Ms. Segura did not influence their hiring decision and both indicated that they were not aware that Mr. Cavazos was in a relationship with Ms. Segura’s daughter at that time. Ms. Reyes also indicated that while Mr. Cavazos was the only applicant who did not have a Master’s Degree, a Master’s Degree was not required for the position and did not factor into the hiring decision.

## V. Observations and Findings – Hiring of ACE Site Coordinators

### a. Individuals Hired Lacked Required Qualifications Per Job Description

As described previously in this Report, the original job description for the ACE Site Coordinator position prepared by the HR Department in June 2016 listed education and certification requirements to include (1) a Bachelor’s Degree; (2) a Master’s Degree; and (3) a Teaching Certificate. Additionally, we identified several email communications in August 2016 after the ACE Site Coordinator positions were filled which also listed the same education and certification requirements (i.e., Bachelor’s Degree, Master’s Degree and a Teaching Certificate).<sup>106</sup> However, only six (6) of the ten (10) individuals hired in August 2016 held a Teaching Certificate and only one (1) candidate held a Master’s Degree as shown in the table below.

Name	Hire Date	Campus	Bachelor’s Degree	Master’s Degree	Teaching Certificate
Norma Pena	8/2016	Roosevelt	Yes	No	No
Edith Hernandez	8/2016	Memorial	Yes	Yes	Yes
Julio Montes	8/2016	Rico	Yes	No	Yes
Guillermo Lopez	8/2016	Gonzalez	Yes	No	Yes
Heraldo Gonzales III	8/2016	North Bridge	Yes	No	No
Kassandra Gonzalez (Pichardo)	8/2016	Sam Houston	Yes	No	Yes
Billy Salazar	8/2016	Ybarra	Yes	No	Yes
Jenilee Marin	8/2016	Airport	Yes	No	Yes
Irene Salas	8/2016	Cleckler-Heald	Yes	No	No
Elizabeth Cano	8/2016	Margo	Yes	No	No

When we interviewed the ACE Program Director, Ms. Reyes indicated that a Master’s Degree is not typically required for the ACE Site Coordinator position based on her experience working in the Texas ACE

<sup>104</sup> See Exhibit A.56

<sup>105</sup> See Exhibit A.57

<sup>106</sup> See Exhibit A.58

Program for several other school districts. In addition, the application submitted by the District to the Texas Education Agency in June 2016 for funding under the Texas ACE Program did not include a Master's Degree as a "desired qualification" for the ACE Site Coordinator position.<sup>107</sup> Ms. Reyes also indicated that a Teaching Certificate was not a requirement for the ACE Site Coordinator position, which is focused on community outreach and after school programs. However, the qualifications for the position according to Ms. Reyes were not consistent with the job description and job posting for the ACE Site Coordinator position, which required a Teaching Certificate.

#### **b. Candidates Recommended by Interviewing Committee Not Hired**

During the hiring of the initial ten (10) ACE Site Coordinators in August 2016 we determined that the candidates recommended by the Interviewing Committee to fill the final positions at Margo Elementary and Cleckler-Heald Elementary (Mr. Valdez and Ms. Mireles) were not recommended to the Board. Instead, another round of interviews was conducted and two candidates who did not originally apply for the position (Ms. Salas and Ms. Cano) were recommended by the Interviewing Committee after the second round of interviews and ultimately approved by the Board. We also noted that Ms. Segura approached Ms. Salas about the position even though interviews had already occurred and candidates had already been recommended.

In November 2016, Ms. Rivas was recommended by the Interviewing Committee and approved by the Superintendent for the ACE Site Coordinator position at Margo Elementary. However, the Board did not approve the hiring of Ms. Rivas and instead hired Ms. Ozuna, who was the second ranked candidate by the Interviewing Committee. At that time, Ms. Ozuna was employed by the District and Ms. Rivas was not. The Board meeting minutes for November 14, 2016 do not reflect the Board's rejection of the hiring of Ms. Rivas or that Ms. Ozuna was recommended as an alternate candidate by the Superintendent, as required by District policy regarding Superintendent recommendations.

<p><b>Superintendent Recommendation</b></p>	<p>A board may accept or reject a superintendent's recommendation regarding the selection of district personnel and shall include the board's acceptance or rejection in the minutes of the board's open meeting, in the certified agenda or tape recording of a closed meeting, or in the recording required under Government Code 551.125 or 551.127, as applicable. If a board rejects a superintendent's recommendation, the superintendent shall make alternative recommendations until the board accepts a recommendation. <i>Education Code 11.1513(b)</i></p>
<p>DATE ISSUED: 7/20/2020 UPDATE 115 DC(LEGAL)-P</p>	<p>1 of 7</p>

<sup>107</sup> See Exhibit A.59

**c. Other Candidates More Qualified for the Position**

During the hiring process for the ACE Site Coordinator position at Roosevelt Elementary in July 2017, five (5) candidates were selected to be interviewed by Dr. Garcia and Ms. Reyes. While Mr. Cavazos was the candidate recommended for the position by the Interviewing Committee, it was notable that Mr. Cavazos was the only of the five (5) candidates without a Master's Degree and without experience working in education.<sup>108</sup> A summary of the candidates interviewed for the position is provided below.

Name	Current Position	Bachelor's Degree	Master's Degree	Teaching Certificate
Eric Cavazos	Service Advisor <i>Boggus Ford</i>	Criminal Justice <i>Univ. of Phoenix</i>	N/A	Probationary
Pedro Dennett	Special Ed. Teacher <i>La Joya ISD</i>	Occupational Training & Dev. <i>Texas A&amp;M CC</i>	Rehabilitation Counseling <i>UT Pan Am</i>	Yes
Tracy Ocanas	College Prep Counselor <i>IDEA Mcallen</i>	Elementary Education <i>UT Pan Am</i>	Guidance and Counseling <i>Lamar Univ.</i>	Yes
Martha Reyna	Teacher <i>Donna ISD</i>	Business Admin. Finance <i>UT Pan Am</i>	Edu. Early Childhood <i>URGV</i>	Yes
Marta Vasquez	Teacher <i>Austin ISD</i>	Corrections <i>UT Pan Am</i>	Masters of Science <i>UT Pan Am</i>	Yes

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<sup>108</sup> See Exhibit A.49

## VI. Hiring of Principal at Horton D.A.E.P. Campus (August 2016)

As part of our investigation, we conducted a review of the hiring process for the Principal position at the Horton D.A.E.P. campus ("Horton AEP") in August 2016 based upon information included in the Board meeting minutes that appeared to indicate that the candidate selected by the Interviewing Committee was not approved by the Board. A summary of our review of the hiring process for the Horton AEP Principal position is provided below.

### a. Initial Candidate for Horton AEP Principal Position Rejected by the Board (July 2016)

In July 2016, six (6) candidates were interviewed for the Horton AEP Principal position to replace J.J. Garcia who resigned from the same position in August 2015. The Interviewing Committee conducted interviews on July 8, 2016 and July 11, 2016 and recommended Jose Mejia ("Mr. Mejia") to be hired for the position and the recommendation was added to the agenda for the Board meeting on July 11, 2016 for the Board's approval, as shown below.<sup>109</sup>

APPROVAL OF CONTRACT FOR CERTIFIED PERSONNEL

July 11, 2016

NAME:	Jose Enrique Mejia		
Position: Location: Job Grade: Days:	Principal Horton AEP 108 220		
Pay	Minimum \$80,858.89	Mid-Point \$98,263.00	Maximum \$115,667.20
Degree(s):	Master of Education ➤ Walden University, Minneapolis, Minnesota, April, 2015	Major: Teacher Leadership	GPA: 4.0
	Bachelor of Science ➤ University of Texas-Pan American December 2000	Major: Criminal Justice Minor: Political Science	GPA: 2.4
Certifications/Qualifications:	STANDARD:	Trade & Industrial Education Grades (8-12) Principal Grades (EC-12)	
Experience:	11/2016 – Present 8/2013 – 11/2015 8/2007 – 08/2013	Assistant Principal, Mission CISD Law Enforcement Teacher, Edinburg, CISD Law Enforcement Teacher, PSJA ISD	
Candidates Interviewed:	1. Carranza, Gerardo	CIF, Mary Hoge Middle School	
	2. Cavazos, Maria B.	Teacher, Sam Houston Elementary School	
	3. Guerrero, Claudia	Principal, Donna ISD	
	4. Mejia, Jose E.	Ass't. Principal, Mission CISD	
	5. Perez, Joe (Roger)	CIF, B. Garza Middle School	
	6. Reyna, Daniel	CIF, Weslaco East High School	
Interviewing Committee:	<ul style="list-style-type: none"><li>• Dr. Filomena Leo, Interim Superintendent</li><li>• Sue Peterson, Assistant Superintendent for C&amp;I</li><li>• Xavier Salinas, Assistant Superintendent for Support Services</li><li>• Sergio R. Garcia, Assistant Superintendent for Administration</li><li>• Melva Segura, HR Director</li></ul>		
Comments: ➤ References verified by the Human Resources Department. ➤ The Committee is recommending Jose Enrique Mejia for the position of Principal for Horton AEP. Mr. Mejia is an Assistant Principal at Veterans Memorial High School with the Mission CISD. ➤ The Committee was very impressed with Mr. Mejia and ranked him #1 giving him the highest overall score of all candidates. ➤ Mr. Mejia holds the credentials and experience required for the position. He will bring his knowledge and new ideas to the program at Horton AEP.			

<sup>109</sup> See Exhibit A.60

However, the meeting minutes for the July 11, 2016 Board meeting indicated that “no recommendation was made” by the Interim Superintendent, Dr. Leo, “thus no action was taken.”<sup>110</sup> The meeting minutes do not explain why Mr. Mejia was not recommended to the Board even though Mr. Mejia was recommended by the Interviewing Committee and an agenda item was included for the Board meeting.

**b. Roger Perez Approved by the Board for Horton AEP Principal (August 2016)**

On August 2, 2016, Ms. Segura submitted a Recommendation of Employment to Dr. Leo for a different candidate, Roger Perez (“Mr. Perez”) for the Horton AEP Principal position to be approved by the Board at the upcoming Board meeting on August 8, 2016.<sup>111</sup> Based on the summary recommendation included on the Board agenda item, it does not appear that additional interviews were conducted and the Interviewing Committee comments did not reflect that Mr. Perez was the highest ranked candidate.<sup>112</sup>

**REASSIGNMENT OF CERTIFIED PROFESSIONAL EMPLOYEE**

**August 8, 2016**

NAME	FROM		TO		
<i>Jose Roger Perez</i>	Position:	Campus Instructional Facilitator B. Garza Middle School 104 220 \$77,925.07 (2015-2016)	Position:	Principal	
	Location:		Horton AEP		
	Job Grade:		108		
	Days:		220		
	Pay:				
Pay Grade:			Minimum	Mid-point	Maximum
			\$80,858.80	\$98,263.00	\$115,667.20
<b>Candidates Interviewed:</b>	1. Carranza, Gerardo	CIF, Mary Hoge Middle School			
	2. Cavazos, Maria B.	Teacher, Sam Houston Elementary School			
	3. Guerrero, Claudia	Principal, Donna ISD			
	4. Mejia, Jose E.	Ass't. Principal, Mission CISD			
	5. Perez, Jose Roger	CIF, B. Garza Middle School			
	6. Reyna, Daniel	CIF, Weslaco East High School			
<b>Interviewing Committee:</b>	<ul style="list-style-type: none"><li>• Dr. Filomena Leo, Interim Superintendent</li><li>• Sue Peterson, Assistant Superintendent for C&amp;I</li><li>• Xavier Salinas, Assistant Superintendent for Support Services</li><li>• Sergio R. Garcia, Assistant Superintendent for Administration</li><li>• Melva Segura, HR Director</li></ul>				
<b>Comments:</b>					
<p>➤ Interviews for the position of Principal for Horton AEP were held on Friday, July 8, 2016 &amp; Monday, July 11, 2016. The top six (6) applicants were interviewed.</p> <p>➤ The Committee is recommending Jose Roger Perez for the position of Principal at Horton AEP. Mr. Perez is currently a Campus Instructional Facilitator at B. Garza Middle School. He holds the credentials and experience required for the position. The Committee feels he will be an asset to Horton AEP.</p> <p>➤ Replacing J.J. Garcia who resigned in August 18, 2015.</p>					

<sup>110</sup> See Exhibit A.61

<sup>111</sup> See Exhibit A.62

<sup>112</sup> See Exhibit A.63

The Interim Superintendent recommended the hiring of Mr. Perez for the Horton AEP Principal position on August 8, 2016, which was approved by the Board by a vote of 3-1.<sup>113</sup> According to the meeting minutes, the Board member that voted against the recommendation for Mr. Perez stated that they could not support the recommendation because “someone that was not recommended is a better disciplinarian.”<sup>114</sup> In addition to Mr. Mejia who was ranked first by the Interviewing Committee, another of the candidates interviewed, Daniel Reyna, had previously served as Horton AEP Principal and was involved in the formation of the program.

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<sup>113</sup> See Exhibit A.64

<sup>114</sup> See Exhibit A.64

## VII. Hiring of Campus Instructional Facilitator at WEHS (January 2015)

As part of our investigation, we conducted a review of the hiring process related to the Campus Instructional Facilitator ("CIF") position at Weslaco East High School ("WEHS") in January 2015 upon receiving information asserting that the person hired for the position, Arecelly Chavarin ("Ms. Chavarin"), was not among the top five (5) candidates ranked by the Interviewing Committee. A summary of our review of the hiring process for the CIF position at WEHS is provided below.

### a. Candidate Hired for Position Did Not Apply for Position

The vacancy for the CIF position at WEHS was posted on the Application Portal in December 2014 and closed on January 5, 2015.<sup>115</sup> On January 6, 2015, the list of applicants for the position was sent to Ms. Segura and Mr. De La Rosa, which included 16 applicants. Ms. Chavarin was not included on the list of candidates that applied for the position.<sup>116</sup> An HR Specialist Clerk reviewed the list of applicants on January 6, 2015 and contacted at least one applicant to inform them that they needed to upload the required documentation to the Application Portal in order to be considered for an interview.<sup>117</sup> On January 8, 2015, Raul Cantu ("Dr. Cantu"), who was a member of the Interviewing Committee and the Interim Principal at WEHS, revised the applicant list to add Ms. Chavarin and include her among the list of candidates to be interviewed.<sup>118,119</sup> The Interviewing Committee interviewed six (6) candidates for the position, including Ms. Chavarin, who was the only candidate interviewed that did not apply for the position.

<b>CANDIDATES INTERVIEWED (alphabetize by last name)</b>	
1. Chavarin, Aracely	7.
2. Cid, Cynthia	8.
3. Garza, Zulema	9.
4. Pena, Erica	10.
5. Perez, Maria A.	11.
6. Mireles, Annabel	12.
<b>INTERVIEWING COMMITTEE (include name &amp; title)</b>	
1. Eduardo Medina, Teacher	7.
2. David Gamboa, Instructional Facilitator	8.
3. Melisse Krink, Instructional Facilitator	9.
4. Daniel Reyna, Instructional Facilitator	10.
5. Belen Torres, Instructional Facilitator	11.
6. Raul Cantu, Interim Principal	12.

<sup>115</sup> See Exhibit A.65

<sup>116</sup> See Exhibit A.66

<sup>117</sup> See Exhibit A.67

<sup>118</sup> See Exhibit A.68

<sup>119</sup> Based upon our review of the properties information for the revised applicant list, Dr. Cantu revised the applicant list at 7:27 PM on January 8, 2015 and saved the document to his shared Google Drive. See Exhibit A.69



On January 9, 2015, Dr. Cantu submitted the Recommendation for Employment form to the HR Department recommending Ms. Chavarin for the position.<sup>120</sup> The Recommendation for Employment was signed by Dr. Cantu and included the following reason for recommending the candidate:

REASON APPLICANT WAS RECOMMENDED		
Ms. Chavarin's background and skill set will complement the current administration. Her attention to detail will be a natural fit, enabling her to function as assistant state test coordinator at Weslaco East High School.		
<b>RECEIVED</b> JAN 09 2015		
by <u>HUMAN RESOURCES</u>		
<u>ROA</u> Signature of Principal/Department Head	<u>Weslaco East</u> Location	<u>1/9/15</u> Date

**b. Interviewing Committee Did Not Rank Ms. Chavarin as Highest Ranked Candidate**

During the course of our investigation we were informed by a member of the Interviewing Committee that Ms. Chavarin was not the top choice by the Interviewing Committee and Ms. Chavarin was not even ranked among the top five (5) candidates as ranked by the Interviewing Committee. We were informed that Cynthia Cid, a campus administrator, was originally the Interviewing Committee's highest ranked candidate but Dr. Cantu directed the Interviewing Committee to revise their evaluation forms to reflect Ms. Chavarin as the highest ranked candidate.<sup>121</sup>

The recommendation was approved by the Superintendent, Dr. Alejandro, and subsequently approved by the Board on January 12, 2015.<sup>122</sup> The agenda item for the January 12, 2015 Board meeting did not indicate that Ms. Chavarin had not applied for the position, and only listed the names of the candidates interviewed without their position, education or certifications.<sup>123</sup>

Ms. Chavarin was a teacher at Weslaco High School at the time she was promoted to the CIF position at WEHS, which represented an increase in her salary from \$51,700 to \$67,355.<sup>124</sup> Based on the review of Ms. Chavarin's credentials performed by the HR Department in January 2015, Ms. Chavarin was certified for the CIF position with a valid Teaching Certificate, as well as a Principal certificate received in November 2014.

<sup>120</sup> See Exhibit A.70

<sup>121</sup> It is our understanding that the evaluation forms completed by the Interviewing Committee in January 2015 are no longer available due to document retention policies.

<sup>122</sup> See Exhibit A.71

<sup>123</sup> See Exhibit A.72

<sup>124</sup> See Exhibit A.71

## VIII. Rejection of Candidates Recommended for Teacher Positions

As part of our investigation, we identified multiple instances in which candidates recommended by the Interviewing Committee for teacher positions were not approved after being submitted to the HR Department. A summary of our review of these instances is provided below.

### a. 6<sup>th</sup> Grade ELA Position at Mary Hoge Middle School (January 2018)

On December 22, 2017, the HR Department posted a vacancy for an English / Language Arts Teacher position ("ELA Teacher") at Mary Hoge Middle School to replace Antonio Arredondo.<sup>125</sup> The position was closed on January 8, 2018 with 26 candidates submitting applications, and nine (9) candidates were interviewed by the Interviewing Committee. On January 11, 2018, the Principal at Mary Hoge Middle School, Pablo Vallejo ("Mr. Vallejo") submitted a Recommendation for Employment form to Ms. Segura recommending Selena Sandoval ("Ms. Sandoval") for the ELA Teacher position to replace Mr. Arredondo.<sup>126</sup>

Name: <u>Selena Sandoval</u>	
SSN: _____	
Position: <u>ELA Teacher</u>	
Employee Replaced/New Allocation:	<u>Antonio Arredondo</u>

CANDIDATES INTERVIEWED (alphabetize by last name)	
1. Sonia Contreras	7. Erika Salazar
2. Alana Degroot	8. Laura Flores
3. Andres Flores	9. Selina Sandoval
4. Daisy Lopez	10
5. Raul Ramos	11
6. Mark Silva	12

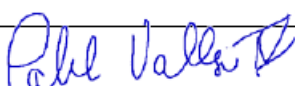
  

INTERVIEWING COMMITTEE (include name & title)	
1. Dora Lisa Zavala	7. Sylvia Kromer
2. Crystal Ayala	8.
3. Dalia Bugarin	9.
4. Diana Perez	10
5. Griselda Guerra	11
6. Cynthia Perales	12

REASON APPLICANT WAS RECOMMENDED
Applicant was the best qualified for the position.

  
 \_\_\_\_\_  
 Signature of Principal

January 11, 2018  
 Date

<sup>125</sup> See Exhibit A.73

<sup>126</sup> See Exhibit A.74

Based on discussions with Mr. Vallejo, after submitting the recommendation, Ms. Segura notified him that the candidate recommended by the Interviewing Committee, Ms. Sandoval, would not be recommended to the Board and that he would need to recommend a different candidate or hire a permanent substitute to fill the position for the remainder of the year.<sup>127</sup> In response, Mr. Vallejo submitted a memorandum to Ms. Segura on January 15, 2018 outlining the basis for the Interviewing Committee's recommendation.<sup>128</sup> Despite the Interviewing Committee's recommendation to hire Ms. Sandoval and subsequent memorandum to Ms. Segura justifying their decision, Ms. Sandoval was never recommended to the Board for the position. In addition, Ms. Sandoval would have been pre-screened by the HR Department when she submitted her application indicating that she met the requirements for the position and had a valid Teaching Certificate.<sup>129</sup>

**b. 7<sup>th</sup> Grade Math Position at Mary Hoge Middle School (June 2019)**

On May 10, 2019, the HR Department posted a vacancy for a Math Teacher position at Mary Hoge Middle School.<sup>130</sup> The Interviewing Committee interviewed 12 candidates for the vacancy and Mr. Vallejo submitted a Recommendation of Employment form to Ms. Segura on June 4, 2019 recommending Sheila Guerrero ("Ms. Guerrero") for the position.<sup>131</sup> It is our understanding that the job posting was subsequently revised to include two (2) vacant Math Teacher positions.<sup>132</sup> On June 18, 2019, Mr. Vallejo submitted another Recommendation for Employment form to Ms. Segura recommending Ms. Guerrero and Claudia Perez ("Ms. Perez") for the positions.<sup>133</sup> Based on discussions with Board members about the proceedings in Executive Session, the Board did not approve the recommendation to hire Ms. Guerrero. Ms. Segura, who was in the room with the Board for the discussion during Executive Session, subsequently informed Principal Vallejo that the Board had not approved Ms. Guerrero for the position. Based on our discussions with Principal Vallejo, there were several discussions between him and Ms. Segura following the Board meeting where they reviewed the list of candidates and Ms. Segura identified Arnulfo Alaniz ("Mr. Alaniz") as a candidate that the Board would approve.<sup>134</sup>

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<sup>127</sup> During our interview with Ms. Segura and her attorney, Ms. Segura indicated that if a candidate recommended by the Interviewing Committee was not recommended to the Board for approval it would have been at the direction of the Superintendent.

<sup>128</sup> See Exhibit A.75

<sup>129</sup> See Exhibit A.73

<sup>130</sup> See Exhibit A.76

<sup>131</sup> See Exhibit A.77

<sup>132</sup> See Exhibit A.76

<sup>133</sup> See Exhibit A.78

<sup>134</sup> Several Board members indicated that the reason Ms. Guerrero was not approved was because they wanted to get confirmation from Principal Vallejo that Ms. Guerrero was the best candidate and that all of the candidates received equal consideration. Principal Vallejo indicated that he did not receive an explanation from Ms. Segura as to why Ms. Guerrero was not approved by the Board.

On June 20, 2019, Mr. Vallejo submitted a revised Recommendation of Employment form to Ms. Segura indicating that Mr. Alaniz was the candidate recommended by the Interviewing Committee.<sup>135</sup> The same day, Ms. Segura submitted the Interviewing Committee's recommendation of Mr. Alaniz to Dr. Canales for approval, which was presented to and approved by the Board.<sup>136</sup>

**c. Ms. Segura Influenced Interviewing Committee Recommendations on Other Occasions**

In addition to the two instances described above, we received information from several current and former District employees who indicated that they received phone calls from Ms. Segura while serving on an Interviewing Committee in which Ms. Segura directed them to recommend a candidate that was favored by the Board. One individual indicated that Ms. Segura informed them of the candidate the Board wanted to be recommended and instructed them to "make it happen."

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<sup>135</sup> See Exhibit A.79

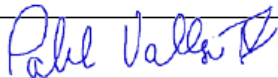
<sup>136</sup> See Exhibit A.80

## IX. Hiring and Reassignment of Ms. Segura's Family Members

During our investigation we were informed of several family members hired by the District during Ms. Segura's tenure as HR Administrator and HR Director, as well as reassigned to other positions. As a result, we investigated the hiring and reassignment of Ms. Segura's family members to determine if Ms. Segura influenced the hiring process in her position as HR Administrator / HR Director or violated any of the District's nepotism policies. A summary of our review is provided below.

### a. Hiring of Rolando Segura as 6<sup>th</sup> Grade Math Teacher (August 2015)

In August 2015, Ms. Segura's son, Rolando Segura ("Mr. Segura") was hired as a 6<sup>th</sup> Grade Math Teacher to fill a vacancy at Mary Hoge Middle School. The campus Principal, Mr. Vallejo, submitted the Recommendation for Employment to Ms. Segura on August 10, 2015 to recommend Mr. Segura after nine (9) candidates were interviewed by the Interviewing Committee.<sup>137</sup>

RECOMMENDATION FOR EMPLOYMENT	
Name:	Rolando Segur
SSN:	
Position:	Math Teacher
Employee Replaced/New Allocation:	Magarito Pompa
CANDIDATES INTERVIEWED (alphabetize by last name)	
1. Leo Cazares	7. Eliot Jackson
2. Martha Vasquez	8. Juan Perez
3. Armando Cuellar	9.
4. Alejandro Tafolla	10
5. Audria Alaniz	11
6. Daniel Flores	12
INTERVIEWING COMMITTEE (include name & title)	
1. Pablo Vallejo, IV	7.
2. Dora Lisa Zavala	8.
3. Jerry Carranza	9.
4.	10
5.	11
6.	12
REASON APPLICANT WAS RECOMMENDED	
Applicant was the most experienced and best qualified for the position.	
 Signature of Principal	
August 10, 2015 Date	

<sup>137</sup> See Exhibit A.81



On August 10, 2020, Principal Reboloso received a letter of resignation from the General Music Teacher at B. Garza Middle School, which he forwarded to Ms. Segura.<sup>143</sup> On August 21, 2020, Ms. Segura asked Principal Reboloso to call her to discuss the vacancy for the General Music Teacher position.<sup>144</sup>

<b>From:</b>	SEGURA, MELVA <msegura@wisd.us> <msegura@wisd.us>
<b>Sent time:</b>	08/21/2020 11:28:11 AM
<b>To:</b>	Gilbert Reboloso <greboloso@wisd.us>
<b>Subject:</b>	Music Vacancy
Mr. Reboloso,	
Please call me at your earliest convenience to discuss your music vacancy.	

On September 15, 2020, Principal Reboloso submitted a letter to Ms. Segura requesting that the General Music vacancy be converted to a Health Teacher position.<sup>145</sup> Principal Reboloso commented "*I hope this letter will do. Let me know if there is anything else I need to do. Thanks for all your help.*"<sup>146</sup>

<p>Mrs. Segura,</p> <p>In attempting to meet the total learning needs of the students at B. Garza, I am requesting to redirect funds that were used for our General Music teacher to be used to fund a Health teacher position. Due to us losing the General Music class, we had to move 152 students to other classes, to absorb the numbers, causing even higher class counts in Art and PE. Having a Health class will alleviate overages in said classes make B. Garza equitable to the other middle schools who offer Health.</p> <p>Respectfully,</p> <p>Gilbert Reboloso</p>
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Within minutes of receiving Principal Reboloso's request, Ms. Segura forwarded the request to Ms. Peterson for review and approval.<sup>147</sup>

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<sup>143</sup> See Exhibit A.85

<sup>144</sup> See Exhibit A.86

<sup>145</sup> See Exhibit A.87

<sup>146</sup> See Exhibit A.87

<sup>147</sup> See Exhibit A.88

**From:** SEGURA, MELVA <msegura@wisd.us> <msegura@wisd.us>  
**Sent time:** 09/15/2020 02:42:48 PM  
**To:** Susan Peterson <speterso@wisd.us>  
**Subject:** Fwd: Request letter  
**Attachments:** Letter to HR.docx

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Sue,

Please see the attached request from Mr. Rebollosa regarding his elective concerns. I think it's a great idea, this will keep all middle schools comparable in offering Health courses, what are your thoughts?

Please advise so that I move forward in assisting him in filling these gaps.

Ms. Peterson responded to Ms. Segura that she had previously recommended a Health position to Principal Rebollosa, and Ms. Segura replied that she would “advise Mr. Rebollosa to go ahead and include the health position into his master schedule and refer to the teacher transfer list for replacement” [emphasis added].<sup>148</sup> Ms. Segura forwarded the email chain to Principal Rebollosa showing approval from Ms. Peterson to convert the General Music position to a Health position.<sup>149</sup>

On September 17, 2020, Ms. Segura sent another email to Principal Rebollosa containing the voluntary transfer list previously provided in May 2020.<sup>150</sup> On September 18, 2020, Principal Rebollosa provided Ms. Segura and Mr. De La Rosa a letter recommending Rolando Segura to fill the Health position at B. Garza Middle School.<sup>151</sup>

Mr. De La Rosa,

I would like to recommend Mr. Rolando Segura to fill the Health position available at my campus. The extra class will relieve the overages of my existing electives.

Respectfully,



Gilbert Rebollosa

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<sup>148</sup> See Exhibit A.89

<sup>149</sup> See Exhibit A.89

<sup>150</sup> See Exhibit A.90

<sup>151</sup> See Exhibit A.91



Ms. Peterson submitted the recommendation memorandum for Rolando Segura to Dr. Canales, which was approved on September 18, 2020.<sup>152</sup> Mr. Segura's reassignment from a 6<sup>th</sup> Grade Math Teacher at Mary Hoge Middle School to a Health Teacher at B. Garza Middle School was considered a lateral move and did not adjust Mr. Segura's salary. The Health Teacher position was not posted on the Application Portal as both Principal Reboloso and Principal Vallejo approved the reassignment and there was no increase in pay.

**c. Hiring of April Segura as Early Childhood Teacher (August 2015)**

In August 2015, the same time that Rolando Segura was hired as a 6<sup>th</sup> Grade Math Teacher at Mary Hoge Middle School, Ms. Segura's daughter, April Segura, was hired as an Early Childhood Teacher at the Early Learning Foundations Academy ("ELF Academy"). The ELF Academy was a new program approved by the Board on August 18, 2015 with approval for eight (8) teachers to be hired during the first year. April Segura was recommended by the Interviewing Committee on August 18, 2015 as one (1) of seven (7) candidates selected for the positions, out of ten (10) candidates interviewed.<sup>153</sup> On August 21, 2015, Ms. Segura prepared an addendum for the agenda item for the August 18, 2015 Board meeting for the Superintendent's approval related to personnel hires for various individuals, including April Segura.<sup>154</sup>

**d. Reassignment of April Segura (May 2016)**

On May 16, 2016, the Principal at Sam Houston Elementary, Abel Aguilar ("Mr. Aguilar") submitted a letter to Ms. Segura to inform her that he was accepting April Segura as an incoming voluntary teacher transfer from the ELF Academy to fill the vacancy following the resignation of Debbie Martinez.<sup>155</sup> It does not appear that the vacancy was posted on the Application Portal or that April Segura interviewed for the position. On May 19, 2016, Ms. Segura submitted the request for April Segura's reassignment to the Interim Superintendent, Dr. Leo, to be approved by the Board.<sup>156</sup> April Segura's reassignment was also approved by her current Supervisor at the ELF Academy, Janie Pena.<sup>157</sup>

**e. Hiring of Eric Cavazos for ACE Site Coordinator Position (August 2017)**

As described previously in this Report, Mr. Cavazos was hired as an ACE Site Coordinator in August 2017. We determined that Ms. Segura forwarded the job description for the position to April Segura, which was forwarded to Mr. Cavazos the day before he interviewed for the position. While both members of the

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<sup>152</sup> See Exhibit A.92

<sup>153</sup> See Exhibit A.93

<sup>154</sup> See Exhibit A.94

<sup>155</sup> See Exhibit A.95

<sup>156</sup> See Exhibit A.96

<sup>157</sup> See Exhibit A.96

Interviewing Committee indicated that Ms. Segura did not influence their decision for recommending a candidate, we noted that Mr. Cavazos was less qualified than the other four (4) candidates interviewed, each of whom had a Master's Degree and experience in education.

**f. Reassignment of Eric Cavazos to Criminal Justice / PE Teacher (April 2019)**

In April 2019, Mr. Cavazos was reassigned from his position as an ACE Site Coordinator to a Teacher position at Weslaco High School teaching Criminal Justice and Physical Education. The position was posted on the Application Portal from March 18, 2019 to March 29, 2019 and required applicants to be certified in both Criminal Justice and Physical Education.<sup>158</sup> While we noted the unusual combination of dual certificates required for the position, it also appeared that there was a vacancy that needed to be filled following the resignation of Ernesto Alonzo, who was also a Criminal Justice Teacher and a Coach.<sup>159</sup> While 13 candidates applied for the position, the summary of applicants prepared by the HR Department reflected that Mr. Cavazos was the only candidate with both certifications.<sup>160</sup> As a result, Mr. Cavazos was the only candidate interviewed for the position.<sup>161</sup> On April 12, 2019, Ms. Segura submitted the reassignment request for Mr. Cavazos to Dr. Canales to submit to the Board.<sup>162</sup>

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<sup>158</sup> See Exhibit A.97

<sup>159</sup> See Exhibit A.98

<sup>160</sup> See Exhibit A.99

<sup>161</sup> See Exhibit A.100

<sup>162</sup> See Exhibit A.101

## B. Job Descriptions

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### I. Background

#### a. Scope of Work

As part of our review of the HR Department's practices and procedures, we analyzed job descriptions across all positions included in the District's Compensation Plan, as well as the process for creating and revising job descriptions. We conducted interviews with personnel from the HR Department and obtained current versions of job descriptions maintained by the HR Department as of March 2021, as well as archived job descriptions maintained by the HR Department. In addition, we searched the District's email data to identify prior versions of job descriptions.

#### b. Process for Creating and Revising Job Descriptions

Based on discussions with personnel from the HR Department and our review of email communications, the HR Department utilized model job descriptions through TASB HR Services for preparing new job descriptions when positions were added to the Compensation Plan.<sup>163</sup> In addition, the District typically contacted other school districts within Region 1 to obtain job descriptions prepared by other school districts for the same (or comparable) positions. Until March 2021, electronic versions of the District's job descriptions were maintained on a thumb drive by the HR Department. Marta Medina ("Ms. Medina") was primarily responsible for maintaining the current and prior job descriptions files.

Revisions to job descriptions were typically made at the direction of the department associated with the position, though we identified instances in which Ms. Segura directed personnel from the HR Department to make revisions. When revisions were made at the direction of the department, typically the HR Department provided the current version of the job description to the department head who would return a revised version with changes indicated. Revisions made at the direction of Ms. Segura occurred via email in some instances, while in other instances Ms. Segura requested for Ms. Medina to bring a hard copy of the current job description to her office where Ms. Segura requested for the revisions to be made, with Ms. Medina recording handwritten notes on the job description of revisions.

### II. Revisions to Job Descriptions

We analyzed the current and prior versions of job descriptions to identify revisions to job descriptions and the circumstances for the revisions. The focus of our efforts was to identify positions with observed revisions to

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<sup>163</sup> TASB HR Services is a fee-based membership service providing an online library of reference information, model forms, handbooks, job descriptions and salary survey data.

the education and certification requirements included in the job description. The detail of our analysis of revisions to job descriptions is attached to this Report ([See Appendix 1](#)). A summary of revisions to job descriptions where we observed a reduction to the education and certification requirements for a position are included in the table below.

Position	Revised Date	Education / Certification Requirements (Description of Revisions)
Human Resources Administrator <sup>[164]</sup>	10/2013	<ul style="list-style-type: none"> <li>Removed requirement for “Master’s Degree and/or knowledge of school operations, staffing techniques and employment practices”</li> <li>Removed requirement for “Mid-management or other appropriate certification preferred”</li> </ul>
21 <sup>st</sup> Century ACE Site Coordinator	9/2016 10/2017 <sup>[165]</sup>	<ul style="list-style-type: none"> <li>Removed requirement for Master’s Degree (9/2016)</li> <li>Valid Texas teaching certificate changed from <b>required</b> to <b>preferred</b> (10/2017)</li> </ul>
Warehouse Administrator	2/2017	<ul style="list-style-type: none"> <li>Bachelor’s Degree in business, accounting, management and/or related field changed from <b>required</b> to <b>preferred</b></li> </ul>
Grant Writer	3/2021	<ul style="list-style-type: none"> <li>“Bachelor’s Degree in English or Journalism” preferred revised to “Bachelor’s degree from accredited university”</li> <li>Removed requirement for Master’s Degree</li> <li>Removed requirement for “Valid Texas certificate in Mid Management or Principal preferred”</li> </ul>

#### a. HR Administrator (October 2013)

As described in Section A of this Report, the job description for the HR Administrator position was revised in October 2013 in conjunction with the process to fill the position, which we understand had been vacant for some period. In fact, prior to October 2013 the job description for HR Administrator had not been revised since 1998. The HR Director at the time, Ms. Nieto, revised the job description to remove the requirement for a Master’s Degree, as well as a Mid-Management certificate. It is our understanding that the HR Administrator position is comparable to an HR Manager position, which does not typically require a Master’s Degree based on our review of other school districts. As described previously in this Report, the Board did not approve the candidate recommended by the Interviewing Committee and Superintendent in January 2014 and ultimately hired Ms. Segura to fill the position in November 2014.

#### b. ACE Site Coordinator (September 2016)

As described in Section A of this Report, the job description for the ACE Site Coordinator position was revised in September 2016 to remove the requirement for a Master’s Degree. Ms. Segura requested for Ms.

<sup>164</sup> The revisions to the job description for the HR Administrator position in October 2013 is discussed in more detail in Section A of this Report.

<sup>165</sup> While the job description for the position of 21<sup>st</sup> Century ACE Site Coordinator reflected a date last revised of June 26, 2016, we determined that the job description was revised on September 13, 2016 and again in October 2017. The job description for the 21<sup>st</sup> Century ACE Site Coordinator is discussed in more detail in a subsequent section of this Report.

Medina to make the revision on September 13, 2016. We noted that the revision occurred after the hiring of the ten (10) ACE Site Coordinators in August 2016, the majority of whom did not hold a Master’s Degree. We also noted that the revised job description continued to reflect a “date revised” of June 26, 2016 even though it had been revised in September 2016.

### c. ACE Site Coordinator (October 2017)

As part of a 2017 audit of the District’s Texas ACE Program pursuant to grant requirements, Ms. Reyes and her staff contacted the HR Department to obtain current job descriptions for certain positions funded through the Texas ACE Program. On October 24, 2017, the Secretary for the District’s Texas ACE Program, Marissa Zavala (“Ms. Zavala”), emailed Ms. Segura and Ms. Medina to request the job description for the ACE Site Coordinator position, among others.<sup>166</sup> In our review of the job description for ACE Site Coordinator provided to Ms. Zavala by the HR Department on October 24, 2017, we noted that the certification requirements for a Teaching Certificate were listed as “preferred” where it was previously required, as shown below:<sup>167</sup>

<b>Job Title:</b>	21 <sup>st</sup> Century ACE Site Coordinator	<b>Test Used for Status:</b>
<b>Reports To:</b>	Program Director	<b>Pay Grade:</b> 100 - Educ/Admin/Prof
<b>Dept./School:</b>	Central Administration Office	<b>Funding:</b> 265 - 21 <sup>st</sup> Century Grant
<b>Days:</b>	226	<b>Date Revised:</b> June 26, 2016
<b>Primary Purpose:</b>		
Oversee the planning, implementation, management and evaluation of the Texas ACE Program at the assigned center.		
<b>Qualifications:</b>		
<b>Education/Certification:</b>		
<ul style="list-style-type: none"> <li>• Bachelor’s Degree from an accredited university in education or related field</li> <li>• Valid Texas teaching certificate (preferred)</li> </ul>		

As described previously in this Report, when Mr. Cavazos was hired as the ACE Site Coordinator at Roosevelt Elementary in August 2017 (the most recent hire for the ACE Site Coordinator position as of October 2017), the job description for ACE Site Coordinator reflected that a Teaching Certificate was required.<sup>168</sup> We have not identified any information or explanation related to the revision of the ACE Site Coordinator job description submitted in October 2017 for the audit of the Texas ACE Program. Neither Ms. Reyes nor any personnel from the HR Department recalled the circumstances for how and why the revision was made, in fact Ms. Reyes indicated that she was not involved in any of the revisions to job descriptions. We noted that

<sup>166</sup> See Exhibit B.1

<sup>167</sup> See Exhibit B.1

<sup>168</sup> See Exhibit A.52

several of the ACE Site Coordinators did not have Teaching Certificates. We also noted that the date revised on the job description submitted for the audit reflected June 26, 2016, even though the job description had been revised on two separate occasions after June 2016 (September 2016 and October 2017).

**d. Warehouse Administrator (February 2017)**

On February 3, 2017, Antonio Villarreal (“Mr. Villarreal”) was reassigned from his position as Head High School Coach at Weslaco High School to the position of Warehouse Administrator.<sup>169</sup> The Warehouse Administrator position had not been filled previously and the reassignment of Mr. Villarreal appears to have been treated as a lateral transfer with Mr. Villarreal’s salary of \$112,163 remaining the same, even though the reassignment resulted in a change of pay grade from 107 to 202.<sup>170</sup> It does not appear that the Warehouse Administrator position was posted on the Application Portal, which is not required if a position is filled through a lateral transfer reassignment. We determined that on February 7, 2017, the job description for Warehouse Administrator was revised to change the requirement for a “Bachelor’s degree in business, accounting, management, and/or related field” from a requirement to “preferred.”<sup>171</sup>

**e. Grant Writer (March 2021)**

In March 2015, Ms. Segura revised the Grant Writer job description to add the requirement for a Master’s Degree, as well as on the job posting on the Applications Portal.<sup>172</sup> The Grant Writer job description had not been revised previously since 2002.<sup>173</sup> It does not appear that the Grant Writer position was filled in 2015 and remained vacant until 2021. In March 2021, personnel from the HR Department worked with Dr. Canales to update the Grant Writer job description, and obtained job descriptions from TASB HR Services, as well as from Harlingen CISD, neither of which included a requirement for a Master’s Degree.<sup>174</sup> On March 25, 2021, the Grant Writer job description was revised to remove the requirement for a Master’s Degree added by Ms. Segura in 2015, among other changes.<sup>175</sup> On or around April 1, 2021, Ms. Segura was reassigned from her position as HR Director to Grant Writer.

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<sup>169</sup> See Exhibit B.2

<sup>170</sup> See Exhibit B.2

<sup>171</sup> See Exhibit B.3

<sup>172</sup> See Exhibit B.4

<sup>173</sup> See Exhibit B.5

<sup>174</sup> See Exhibit B.6

<sup>175</sup> See Exhibit B.6

### III. Misaligned / Overly Narrow Education Requirements

During our review of the District's current and archived job descriptions, we identified certain positions where the minimum education requirements were misaligned with the position. We identified instances where the type of Bachelor's Degree required was not relevant for the position, or overly narrow in comparison to job descriptions for other positions. The job descriptions identified during our review that we identified as being potentially misaligned and / or overly narrow are summarized in the table below, and discussed in more detail throughout the remainder of this section of the Report.

Position	Revised Date	Education / Certification Requirements
Parent Specialist (Pay Grade 202)	11/29/12	<ul style="list-style-type: none"> <li>Bachelor's Degree</li> </ul>
Parent Specialist (Pay Grade 201)	9/1/11	<ul style="list-style-type: none"> <li>Bachelor's Degree with a major in Journalism, Communications, Mass Media <b>and</b> English</li> </ul>
Parent Specialist (Pay Grade 201)	6/16/98	<ul style="list-style-type: none"> <li>Bachelor's Degree with a major in Journalism, Communications, Mass Media, English</li> </ul>
Parent Specialist (Pay Grade 201)	6/8/98	<ul style="list-style-type: none"> <li>Bachelor's Degree with a major in Journalism, Communications, Mass Media, <b>or</b> English</li> </ul>
Parent Specialist (Pay Grade 201)	10/31/95	<ul style="list-style-type: none"> <li>Bachelor's Degree with a major in Journalism, Communications, Mass Media, English <b>and/or</b> minimum of three years experience in a related field.</li> </ul>
Family Engagement Specialist	6/29/2016	<ul style="list-style-type: none"> <li>Bachelor's Degree with a major in Journalism, Communications, Mass Media and English</li> </ul>
Director Instructional Television	5/24/2016	<ul style="list-style-type: none"> <li>Bachelor's Degree with a major in Journalism, Communications, Mass Media, English <b>and/or</b> minimum of six years experience in a related field.</li> <li>Master's Degree in Instructional Technology or related field or a Master's Degree in Education Administration (preferred)</li> </ul>
Television Information Officer	2/1/2012	<ul style="list-style-type: none"> <li>Bachelor's Degree with a major in Journalism, Communications, Mass Media, English <b>and/or</b> minimum of six years experience in a related field.</li> </ul>

#### a. Parent Specialist

The original job description for the Parent Specialist position created in 1995 listed education requirements of a "Bachelor's Degree with a major in Journalism, Communications, Mass Media, English and/or minimum of three years experience in a related field."<sup>176</sup> In 1998, the format for the District's job descriptions was revised to separate the experience qualifications from the education and certification qualifications and the education requirements were revised to be a "Bachelor's Degree with a major in Journalism, Communications, Mass Media **or** English."<sup>177</sup> **[emphasis added]** However, when the job description was

<sup>176</sup> See Exhibit B.7

<sup>177</sup> See Exhibit B.8

revised in 2011, the education requirements were revised to a “Bachelor’s Degree with a major in Journalism, Communications, Mass Media and English.”<sup>178</sup> **[emphasis added]** In 2012, another job description was created for the Parent Specialist position except the pay grade was listed as 202 instead of 201 and the education requirements were listed as a “Bachelor’s Degree.”<sup>179</sup> It appears that both the 2011 version and the 2012 version of the Parent Specialist job description were utilized in the years to follow.<sup>180</sup> When a Parent Specialist vacancy was posted in September 2020 on the District’s website, the Parent and Family Engagement Director, Erica Garcia, asked Ms. Segura to revise the education requirements because degrees in Journalism, Communications and Mass Media were not relevant to the Parent Specialist position.<sup>181</sup> In 2021, the HR Department gathered information from TASB in order to update the job description for the Parent Specialist position to be consistent with industry standards.<sup>182</sup>

#### **b. Family Engagement Specialist**

Similar to the Parent Specialist position, the job description for the Family Engagement Specialist position created in 2016 as part of the Texas ACE Program listed requirements for education to include a “Bachelor’s Degree with a major in Journalism, Communications, Mass Media **and** English.”<sup>183</sup> In addition to being misaligned to the position, the job description implies that all four (4) degrees are required to meet the minimum qualifications for the position. As of March 2021, the 2016 version of the job description for the Family Engagement Specialist was the current job description on file with the HR Department.

#### **c. Director Instructional Television / Television Information Officer**

We also determined that the education requirements included in job descriptions for the Director Instructional Television and Television Information Officer positions to be similar to the Parent Specialist and Family Engagement Specialist positions with respect to the type of Bachelor’s Degrees listed.<sup>184, 185</sup> While still narrow in comparison to other job descriptions, the education requirements appear to be more aligned to these positions.

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<sup>178</sup> See Exhibit B.9

<sup>179</sup> See Exhibit B.10

<sup>180</sup> See Exhibit B.11

<sup>181</sup> See Exhibit B.12

<sup>182</sup> See Exhibit B.13

<sup>183</sup> See Exhibit B.14

<sup>184</sup> See Exhibit B.15

<sup>185</sup> See Exhibit B.16



## C. Salaries and Compensation

### I. Review of Compensation Plan and Pay Scales

As part of our investigation, we performed a review of the pay scales for the “non-teacher” positions during fiscal years 2015 – 2020. The focus of our efforts was to review year-over-year changes related to positions added to the District’s Compensation Plan, as well as to review positions that were reclassified to a different pay grade. We also reviewed the salary ranges for each position on the pay scale and reviewed the annual increases relative to the Board authorized pay raises. The pay scale data relied upon in this Report is based on the information included in the annual Compensation Plans, which are included as an exhibit to this Report.<sup>186</sup> The job classifications included in our review of the District’s pay scales are summarized in the table below:

Job Classification	Job Grade
Education Administrative / Professional	100 Series
Business Administrative / Professional	200 Series
Clerical / Technical	300 Series
Manual Trades	400 Series
Instructional Aide	500 Series

A summary of our analysis of revisions in the District’s pay scales during fiscal years 2015 - 2020 related to the addition of positions to the District’s Compensation Plan, as well as pay grade reclassifications is attached to this Report ([See Appendix 2](#)).

#### a. Positions Added to Compensation Plan

We identified 32 job positions that were added to the District’s Compensation Plan during the 2015 – 2020 time period. Certain positions were added due to federal programs and grants awarded to the District (e.g., 21<sup>st</sup> Century / Texas ACE Program), while in other cases the new position was the result of a change in title due to promotion or organizational restructuring (e.g., Chief Financial Officer position converted to Assistant Superintendent of Business and Finance). A summary of the 32 job positions added to the District’s Compensation Plan is provided in the table below.

Position	Year Added	Pay Grade	Employee Hired	Reason Added
Director, Guidance and Counseling	2015-2016	106	N/A	Not Filled
Director, Curriculum	2015-2016	106	N/A	Not Filled
Director, Assessment and Accountability	2015-2016	108	Claudia Alanis	New Position
Secretary – Advanced Academics	2015-2016	305	Ruby Lopez	New Position
Secretary – Fine Arts	2015-2016	305	N/A	Not Filled
Secretary – Band	2015-2016	305	Francisco Calderon	New Position
Secretary – ECHS	2015-2016	306	N/A	Not Filled

<sup>186</sup> See Exhibit C.1

Position	Year Added	Pay Grade	Employee Hired	Reason Added
Secretary – Assessment and Accountability	2015-2016	308	Graciela Rodriguez	New Position
Shop Foreman	2015-2016	406	Jose Munoz	Promotion / Reorganization
Instructional Assistant – District Dance	2015-2016	501	Marisol Rodriguez	New Position
21 <sup>st</sup> Century Site Coordinator	2016-2017	100	Norma Pena Julio Montes Guillermo Lopez Heraldo Gonzales Edith Hernandez Kassandra Pichardo Billy Salazar Elizabeth Cano Jenilee Marin Irene Salas	21 <sup>st</sup> Century ACE Grant Awarded
Assistant Athletic Coordinator	2016-2017	103	Andres Cantu	New Position
21 <sup>st</sup> Century Family Engagement Specialist	2016-2017	201	Elvira Gutierrez	21 <sup>st</sup> Century ACE Grant Awarded
Food Service District Dietician	2016-2017	202	Laura Garza	New Position
Director, 21 <sup>st</sup> Century ACE Program	2016-2017	203	Katie Reyes	21 <sup>st</sup> Century ACE Grant Awarded
Assistant Superintendent of Business and Finance	2016-2017	208	Andres Sanchez	Title Change from CFO
Secretary – 21 <sup>st</sup> Century ACE Program	2016-2017	305	Marissa Zavala	21 <sup>st</sup> Century ACE Grant Awarded
Strategist – Bilingual	2018-2019	104	Carolina Lopez	New Position
Supervisor, Special Education	2018-2019	104	Edna Ramirez-Perez	New Position
Principal, CTE ECHS	2018-2019	107	Marco Zamora	New Position
Assistant Superintendent, Elementary Education & Leadership	2018-2019	109	Abel Aguilar	Promotion / Reorganization
Assistant Superintendent, Secondary Education & Leadership	2018-2019	109	Susan Peterson	Promotion / Reorganization
Coordinator, Student Support Services	2019-2020	105	Raul Cantu	New Position
Director, Fine Arts Programs	2019-2020	106	Ronald Bissett	Promotion
Gear Up Facilitator (197 Days)	2019-2020	101	Lisa Calderon Maria Flores Emily Martinez Jasmine Vallejo	South Texas College Grant Awarded
Migrant Education Intervention Specialist	2019-2020	103	Maria Moreno	New Position
Executive Director, Athletics & Facilities	2019-2020	109	Oscar Riojas	Promotion / Reorganization
Construction/Maintenance Manager	2019-2020	203	Jesus Carrillo	Hired 11/2018 (Prior to Position being added)
HR Staffing Specialist	2019-2020	203	N/A	New Position
Case Management Clerk – Sp. Ed.	2019-2020	302	Elizabeth Pena	New Position
Secretary – Executive Director of Curriculum	2019-2020	308	Angelica Mejia	Promotion / Reorganization
Secretary – Executive Director of Technology	2019-2020	308	Clara Reyes	Promotion / Reorganization

## b. Reclassification of Pay Grades for Positions

In our review of the Compensation Plans, we identified 19 instances in which positions were reclassified to different pay grades from one year to the next. We determined that the majority of the pay grade reclassifications resulted in an increase in compensation for the position according to the pay scales. A summary of our analysis of pay grade reclassifications is provided below.

Position	Year Changed	Pay Grade (Prior)	Pay Grade (Revised)	% Change (Mid-Point)
Telecommunication Technician	2015-2016	306	308	22.9%
Television Technician	2015-2016	309	310	7.5%
Director of Transportation	2016-2017	410	203	9.9%
Director of Maintenance	2016-2017	410	203	9.9%
Assistant Athletic Director	2017-2018	107	103	-16.6%
Director, Athletics	2017-2018	108	109	14.0%
Director of Transportation	2018-2019	203	204	11.4%
Director of Maintenance	2018-2019	203	204	11.4%
Athletic Trainer	2019-2020	00	101	N/A
Technology/Instructional Coach	2019-2020	00	101	N/A
Campus Technology Coordinator (CTC)	2019-2020	00	101	N/A
Assistant Athletic Director	2019-2020	103	203	0.0%
Director, Assessment and Accountability	2019-2020	108	107	-3.9%
Assistant Superintendent, Elementary Education & Leadership	2019-2020	109	110	6.9%
Assistant Superintendent, Secondary Education & Leadership	2019-2020	109	110	6.9%
Deputy Superintendent	2019-2020	110	111	15.3%
Human Resources Analyst / Compensation Specialist	2019-2020	312	203	16.0%

## c. Pay Increases Authorized by the Board

We reviewed the Board meeting minutes to identify annual pay increases authorized by the Board.<sup>187</sup> The pay increases authorized by the Board for positions on the teacher pay scale (i.e., teachers, librarians, nurses, etc.) were typically a fixed amount while the pay increases for administrative, professional and para-professional positions were typically approved as a percentage increase applied to the midpoint. Below is a summary of the annual pay increases authorized by the Board during FY2015 – FY2020.

Job Classification	Job Grade	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
Authorized by Board (% Increase Applied to Midpoint)						
Teachers, Librarians, Nurses and Campus Technology Coordinators	00 Series	\$1,000	\$1,000 / \$1,107	\$1,200 / \$1,107	\$750	\$3,400 - \$4,000
Education Administrative / Professional	100 Series	2%	2%	2%	\$750	5%
Business Administrative / Professional	200 Series	2%	2%	2%	\$750	5%
Clerical / Technical	300 Series	3%	5%	5%	\$750	7%
Manual Trades	400 Series	3%	5%	5%	\$750	7%
Instructional Aide	500 Series	3%	5%	5%	\$750	7%

<sup>187</sup> See Exhibit C.2

#### d. Review of Administration of Pay Raises

We reviewed the administration of pay raises authorized by the Board, as well as the methodology utilized by the HR Department for calculating pay raises. Based on discussions with personnel from the HR Department, as well as our review of the District's Compensation Plan, the methodology for calculating annual pay raises approved by the Board for administrative and professional employees is outlined below:

1. A cost of living adjustment to accommodate inflationary changes in market competitive pay is applied to the Prior Year Midpoint for each pay grade, calculated as 0.5 times the Board authorized pay increase based on the job classification, resulting in the Cost of Living Adjusted Midpoint.
2. The Cost of Living Adjusted Midpoint is then increased by the full amount of the Board authorized pay increase based on the job classification, resulting in the Pay Raise Adjusted Midpoint.
3. The difference between the Pay Raise Adjusted Midpoint and the Prior Year Midpoint is calculated for each pay grade (in terms of dollars, not percent) and added to the salary for each employee assigned to that pay grade.

Our review also included an analysis of the District's payroll register to quantify the actual pay increase received for administrative and professional employees during FY2015 – FY2020. The table below summarizes the distribution of employees' pay increase amounts based on their percentage increase in pay each year.<sup>188, 189</sup>

Distribution of Annual Pay Increases for Administrative / Professional Employees						
Range of % Pay Increase	# of Employees					Total
	FY2016	FY2017	FY2018	FY2019	FY2020	
Decrease in Pay	33	28	27	46	29	163
0% - 5%	930	622	638	926	46	3,162
5% - 10%	30	305	324	40	860	1,559
10% - 15%	21	28	28	14	21	112
15% - 20%	9	15	16	11	17	68
20% - 25%	10	12	8	7	6	43
25% - 30%	9	12	10	5	11	47
Over 30%	6	25	18	15	12	76
<b>Total</b>	<b>1,048</b>	<b>1,047</b>	<b>1,069</b>	<b>1,064</b>	<b>1,002</b>	<b>5,230</b>

<sup>188</sup> In many, if not all, instances where we calculated a decrease in pay, there were other factors contributing to the change in pay (e.g., change in position, reclassification of pay grade, etc.)

<sup>189</sup> Our analysis of pay increases for administrative and professional employees does not include employees on the teacher pay scale, as well as employees paid on an hourly basis. In addition, our analysis only includes salary related items from the District's payroll register and does not include extra duty pay, travel allowances or expense reimbursements, among other items.

## II. Findings and Observations

### a. Construction / Maintenance Manager Position (November 2018)

We determined that Jesus Carrillo ("Mr. Carrillo") was hired by the District in November 2018 as a Construction / Maintenance Manager, however, this position was not included in the Compensation Plan approved by the Board on August 20, 2018 for the 2018 – 2019 fiscal year.<sup>190,191,192</sup> It appears that the position was subsequently added to the District's Compensation Plan by the HR Department on August 31, 2018, although it does not appear to have been approved by the Board at that time.<sup>193</sup> The notes to the revised Compensation Plan indicated that the position was presented to the Board for approval with the 2018 – 2019 budget information.<sup>194</sup> We did not identify Board approval of the revised 2018 – 2019 Compensation Plan until the Board meeting on December 10, 2018, which was after the Board approved the hiring of Mr. Carrillo for the Construction / Maintenance Manager position.<sup>195</sup>

### b. Pay Grade Reclassification for Assistant Athletic Director Position (2019-2020)

In our analysis of pay grade reclassifications, we determined that the Compensation Plan approved for the 2019 – 2020 fiscal year included the reclassification of the Assistant Athletic Director position from pay grade 103 to pay grade 203.<sup>196</sup> However, the pay range for the position remained consistent with pay grade 103 despite the reclassification to 203. As a result, the Compensation plan reflected a midpoint salary of \$87,961 for the Assistant Athletic Director position while other positions classified under pay grade 203 with 230 days reflected a midpoint salary of \$80,019. Through discussions with HR Department personnel, we learned that the inconsistency was raised with Ms. Segura who responded that it was not a mistake and was being done to keep the compensation consistent with the pay scale from when the employee was initially hired. We also identified an internal working copy of the Compensation Plan, which included a notation for the Assistant Athletic Director position based on the directive given by Ms. Segura.<sup>197</sup>

At the time the Compensation Plan for fiscal year 2019 – 2020 was approved, the Assistant Athletic Director position was filled by Andres Cantu ("Mr. Cantu"), who was hired into the position in January 2017.

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<sup>190</sup> See Exhibit C.3

<sup>191</sup> See Exhibit C.4

<sup>192</sup> See Exhibit C.5

<sup>193</sup> See Exhibit C.6

<sup>194</sup> See Exhibit C.6

<sup>195</sup> See Exhibit C.7

<sup>196</sup> We also noted that the title of the position was revised from Assistant Athletic Director to "Asst. Director, Athletics (Non-Coaching)."

<sup>197</sup> See Exhibit C.8

While the Compensation Plan allows for an employee to retain their salary if the employee is “reassigned to a lower pay grade as a result of reorganization,” the Compensation Plan also indicates “their reassignment will reflect the lower pay grade assigned.”<sup>198</sup>

### **c. Pay Increases Related to Pay Grade Reclassifications**

Due to the reclassification of positions between pay grades, we observed certain positions that received substantial pay increases in addition to the annual pay increases authorized by the Board. For example, the midpoint compensation for the Director of Maintenance and Director of Transportation positions each increased 9.9% in 2016 and another 11.4% in 2018 as a result of pay grade reclassifications. The Compensation Plan states that “pay-grade assignments may be changed based on changes in the job duties assigned (increased or reduced) or changes in the competitive job market.” However, we did not identify any supporting documentation for reclassification of these positions and it does not appear that the job description for the Director of Transportation position has been revised since 2013.<sup>199</sup>

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<sup>198</sup> See Exhibit C.9

<sup>199</sup> See Exhibit C.10

### III. Payroll Register Review

We conducted a review of the District's payroll register for fiscal years 2015 – 2020, as well as analyzed the payroll register by employee. A summary of our analysis of the District's payroll register by employee by year is attached to this Report (**See Appendix 3**). A summary of the District's payroll register by compensation type is provided in the table below.

Summary of Payroll Register by Compensation Type - Fiscal Years 2015 to 2020							
Account Description	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	2019-2020	Total
SALARIES	\$ 107,086,280	\$ 108,028,341	\$ 112,022,618	\$ 114,085,289	\$ 114,211,539	\$ 120,126,061	\$ 675,560,128
EXTRA DUTY PAY	4,978,929	6,807,615	6,514,322	6,103,898	5,970,754	5,450,924	35,826,442
EMPLOYEE ALLOWANCE	41,400	127,300	142,700	141,200	116,877	126,200	695,677
(Blank)	37,550	120,946	52,248	73,088	63,424	86,365	433,620
SICK LEAVE PAY	51,730	72,810	28,470	55,100	49,880	86,710	344,700
GROUP HEALTH & LIFE INS.	35,542	21,476	37,132	16,780	15,354	26,097	152,381
TRS CARE	-	-	12,706	8,575	-	-	21,281
OTHER PAYROLL DED. WITH.	400	2,460	1,600	2,540	922	699	8,621
P/R DEDUCTION LIABILITY	3,499	1,212	281	-	14	3,152	8,158
MISC. CONTRACTED SERVICES	-	-	-	-	-	2,100	2,100
FURNITURE & EQUIPMENT	-	-	-	1,500	-	112	1,612
PROFESSIONAL SERVICES	51	-	1,100	-	-	-	1,151
TRAVEL - EMPLOYEE ONLY	-	-	1,050	-	-	-	1,050
CONTRACTED MAINT & REPAIR	-	97	-	655	-	-	752
RENTALS-OPERATING LEASES	17	-	-	9	-	-	26
OTHER RECEIVABLES	(200)	-	-	94	-	-	(107)
<b>Total</b>	<b>\$ 112,235,199</b>	<b>\$ 115,182,257</b>	<b>\$ 118,814,227</b>	<b>\$ 120,488,726</b>	<b>\$ 120,428,763</b>	<b>\$ 125,908,420</b>	<b>\$ 713,057,593</b>

#### a. Analysis of Salaries Relative to Pay Scales

We conducted additional analysis of the salaries paid by the District by comparing the salaries for FY2019 and FY2020 for administrative, professional and para-professional positions ("Administrative / Professional Positions") to the approved pay scales to determine if individuals are being paid above the pay ranges defined in the Compensation Plan.<sup>200,201</sup> We also compared our findings to a similar analysis conducted in 2013 by TASB as part of a formal Compensation Plan Review of the District ("2013 TASB Compensation Plan Review").<sup>202</sup>

The 2013 TASB Compensation Plan Review concluded that 344 employees (approximately 15%) of the Administrative / Professional Positions were paid above the maximum range defined in the pay scales.<sup>203</sup> The 2013 TASB Compensation Plan Review noted that employees reassigned to a lower level of job responsibility have not had corresponding adjustments made to their pay and continue to receive the same pay increases

<sup>200</sup> In addition to reviewing the most recent fiscal year (2019 – 2020), we also reviewed the prior fiscal year (2018 – 2019) due to potential anomalies related to COVID-19.

<sup>201</sup> Administrative / Professional Positions refer to positions included in job classification groups 100 to 500, and does not include teachers, nurses, librarians, substitutes, etc.

<sup>202</sup> See Exhibit C.11

<sup>203</sup> See Exhibit C.11

as those inside the range.<sup>204</sup> The detail of our analysis comparing employee salaries for Administrative / Professional Positions to the pay scales for FY2019 and FY2020 is attached to this Report ([See Appendices 4 and 5](#)). A summary of our analysis of salaries paid above the maximum pay range, including a comparison to the 2013 TASB Compensation Plan Review, is provided in the table below.

Pay Group	2013 (TASB Study)	2019 (Weaver Analysis)	2020 (Weaver Analysis)
100's – Educational Admin. / Professionals	7	2	9
200's – Business Admin. / Professionals	5	0	1
300's - Clerical / Technical	140	60	85
400's – Manual Trades	133	179	190
500's – Instructional Trades	59	5	22
<b>Total</b>	<b>344</b>	<b>246</b>	<b>307</b>

Based on our review, there continue to be a large number of employees being paid over the maximum pay range for their position. However, it is important to note that while the District's Compensation Plan states "no employee may be paid over the maximum of the assigned pay range," the Compensation Plan also states if an employee is paid over the maximum due to reassignment as a result of reorganization, the employee can retain their salary but won't receive additional pay raises. Weaver has not made any determinations related to employees being paid over the maximum pay range as this would require each instance to be evaluated on a case-by-case basis.

#### **b. Analysis of Salaries Compared to Employee Listing**

We conducted an analysis of employee payments during fiscal years 2015 – 2020 and compared employee names and employee numbers to the employee listing for the corresponding year to verify that the individual was in fact employed by the District. We did not identify any instances in which individuals paid in the payroll register were not included in the employee listing (i.e., ghost employees).

#### **c. Extra Duty Pay**

In addition to analyzing employee salaries, we analyzed compensation related to extra duty pay during fiscal years 2015 – 2020 based on information contained in the District's payroll register. We determined that the majority of compensation for extra duty pay is related to coaching stipends for the Athletic Department, summer school, and overtime pay for bus drivers and mechanics in the Transportation Department. A summary of our analysis of extra duty pay by employee by year is attached to this Report ([See Appendix 6](#)). A summary of extra duty pay by organization / location is provided in the following table.

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<sup>204</sup> See Exhibit C.11



Summary of Extra Duty Pay by Organization / Location - Fiscal Years 2015 to 2020							
Organization / Location	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	2019-2020	Total
WESLACO ISD ATHLETIC DEPT.	\$ 1,333,506	\$ 1,596,722	\$ 1,628,498	\$ 1,544,398	\$ 1,513,278	\$ 1,617,829	\$ 9,234,232
SUMMER SCHOOL	1,142,520	1,289,713	1,301,110	885,710	814,897	421,245	5,855,195
WISD TRANSPORTATION DEPARTMENT	221,881	392,557	569,401	631,636	658,521	614,429	3,088,425
WESLACO HIGH SCHOOL	417,538	569,459	512,684	520,670	491,601	522,096	3,034,048
WESLACO EAST HIGH SCHOOL	347,974	499,132	399,867	379,868	400,002	300,529	2,327,373
MARY HOGE MIDDLE SCHOOL	125,286	173,890	108,578	125,610	125,959	135,253	794,576
GARZA MIDDLE SCHOOL	113,670	167,626	111,195	113,868	125,397	131,480	763,236
CUELLAR MIDDLE SCHOOL	136,602	159,982	109,907	111,617	116,960	123,385	758,454
A. N. RICO ELEMENTARY	77,530	119,992	141,910	136,386	155,449	109,322	740,589
CENTRAL MIDDLE SCHOOL	89,650	160,407	118,666	106,919	112,357	116,131	704,131
MARGO ELEMENTARY	76,050	122,963	128,176	127,551	111,824	114,578	681,143
NORTH BRIDGE ELEMENTARY	89,085	126,945	108,098	106,934	101,833	93,843	626,738
CLECKLER-HEALD ELEMENTARY	65,105	98,660	113,035	122,754	113,292	94,757	607,602
AIRPORT ELEMENTARY	49,160	80,710	74,607	120,984	164,016	117,526	607,004
RODOLFO 'RUDY' SILVA, JR ELEM	60,493	176,295	104,697	97,664	88,540	73,389	601,078
GONZALEZ ELEMENTARY	82,810	101,320	111,134	114,603	100,489	89,822	600,172
SAM HOUSTON ELEMENTARY SCHOOL	76,380	111,068	95,815	100,840	87,632	90,200	561,935
PFC. MARIO YBARRA ELEMENTARY	51,576	95,765	95,443	97,263	110,107	88,402	538,555
MEMORIAL ELEMENTARY	43,660	86,730	94,454	97,052	98,189	98,887	518,972
WISD K-WES STUDIO	47,184	57,029	70,733	59,832	75,248	70,374	380,400
ROOSEVELT ELEMENTARY	68,800	109,414	90,570	97,688	-	850	367,321
WISD WAREHOUSE/PRINT SHOP	54,423	48,510	51,268	56,194	76,069	53,847	340,312
CUSTODIAL DEPARTMENT	34,726	55,862	37,130	34,790	38,500	55,679	256,688
WISD SPECIAL EDUCATION DEPT.	37,950	51,550	38,150	39,050	44,250	39,011	249,961
WISD LANGUAGE ARTS DEPARTMENT	-	1,100	75,681	72,393	52,950	2,625	204,749
CATE EARLY COLLEGE HIGH SCHOOL	7,380	21,557	69,779	26,491	22,971	27,999	176,178
WISD SAFETY & SECURITY DEPT.	23,178	16,962	23,440	45,736	26,549	24,223	160,088
WISD MAINTENANCE DEPARTMENT	15,348	55,110	10,992	12,728	12,283	33,042	139,503
BOOT CAMP	18,500	28,354	20,326	21,508	17,848	11,523	118,059
WISD FINE ARTS CENTER	19,297	22,836	14,254	16,870	20,073	15,883	109,215
WESLACO ISD BUSINESS OFFICE	4,963	11,955	10,781	10,931	11,937	25,518	76,084
PERSONNEL DEPARTMENT	4,112	6,885	6,811	18,527	27,830	(551)	63,614
WISD STAFF DEVELOPMENT DEPT.	-	49,444	-	-	-	63	49,507
WISD FINE ARTS DEPARTMENT	-	-	-	-	-	44,153	44,153
21ST CENTURY ELF ACADEMY	-	8,500	6,100	7,934	9,812	10,656	43,002
WISD ENERGY MANAGEMENT DEPT.	5,004	18,360	2,421	1,777	4,052	11,099	42,714
SOUTH PALM GARDENS HIGH SCHOOL	6,936	12,856	5,375	3,500	4,585	6,727	39,979
WISD BOARD OF TRUSTEES	6,289	6,143	8,236	8,472	5,661	5,112	39,912
WESLACO ISD TECHNOLOGY DEPT.	-	16,800	14,376	-	750	5,959	37,886
WISD FOOD SERVICE DEPARTMENT	3,443	8,802	3,343	3,847	4,345	13,942	37,723
HORTON ALTERNATIVE SCHOOL	3,000	12,700	3,200	2,000	4,400	6,997	32,297
GIFTED & TALENTED EDUCATION	2,500	2,500	6,700	3,000	2,900	7,200	24,800
WISD SUPERINTENDENT'S OFFICE	4,436	6,236	2,549	4,268	3,440	405	21,334
READING STRATEGIST	-	1,100	-	2,650	9,750	7,254	20,754
WISD TITLE 1 MIGRANT DEPT.	2,313	11,995	2,331	584	-	135	17,358
JOE CALVILLO CATE COMPLEX	4,400	5,800	5,500	-	79	1,101	16,880
STATE COMPENSATORY EDUCATION	-	1,800	-	125	3,525	4,947	10,397
WISD ADMINISTRATION OFFICE	3,119	4,694	2,537	-	-	9	10,359
EXECUTIVE DIRECTOR - C&I	-	-	-	9,176	-	-	9,176
WISD TITLE 1 REGULAR DEPT.	-	1,900	463	-	-	2,990	5,353
WESLACO ISD BILINGUAL INSTR.	-	1,100	4,000	-	-	214	5,314
*OTHER (LESS THAN \$5,000)	1,150	19,823	-	1,500	601	8,835	31,909
<b>Total</b>	<b>\$ 4,978,929</b>	<b>\$ 6,807,615</b>	<b>\$ 6,514,322</b>	<b>\$ 6,103,898</b>	<b>\$ 5,970,754</b>	<b>\$ 5,450,924</b>	<b>\$ 35,826,442</b>

\*Weaver combined extra duty pay for organizations totaling less than \$5,000 into the category "Other" for presentation purposes.

#### d. Travel Allowances

We conducted additional review of the compensation in the District's payroll register categorized as "employee allowance" which appears to be related to travel allowances for certain employees. It is our understanding that the District has historically paid travel allowances for key personnel in positions that require frequent travel, and this practice goes back to at least the 1990s. It is also our understanding that the travel allowances are additional taxable compensation intended to compensate employees for fuel and mileage costs related to travel without having to maintain travel logs to submit for reimbursement. On September 29, 2015, the Board increased the monthly travel allowance for key personnel from \$200 to \$500, with the Athletic Director to receive \$600 per month.<sup>205</sup> A summary of the employees that received travel allowances during the period of our review is provided below.

Summary of Travel Allowances by Employee - Fiscal Years 2015 to 2020									
Last Name	First Name	Job Title	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	2019-2020	Total
RIOJAS	OSCAR	DIRECTOR OF ATHLETICS	\$ 3,600	\$ 6,900	\$ 7,200	\$ 7,200	\$ 7,200	\$ 7,200	\$ 39,300
SANCHEZ	ANDRES	ASST. SUPERINTENDENT OF BUS. AND FINANCE	2,400	5,700	6,000	6,000	6,000	6,000	32,100
GARCIA	SERGIO	ASSISTANT SUPERINTENDENT OF ADMINISTR.	2,400	5,700	6,000	6,000	6,000	6,000	32,100
PENA	JUANITA	EXECUTIVE DIRECTOR FOR C & I	2,400	5,700	6,000	6,000	6,000	6,000	32,100
GARZA	NEIL	DIRECTOR OF SPECIAL EDUCATION	2,400	5,700	6,500	5,500	6,000	6,000	32,100
BURGET	MICHAEL	COORDINATOR-HEAD FOOTBALL COACH/ATHLETIC	2,400	5,700	6,000	6,000	6,000	6,000	32,100
DE LA ROSA	MICHAEL	EXECUTIVE DIRECTOR OF EMPLOYEE BENEFITS	2,400	5,700	6,000	6,000	6,000	6,000	32,100
AVILA	SANDRA	DIRECTOR OF CAREER AND TECHNOLOGY	2,400	5,700	6,000	6,000	6,000	6,000	32,100
CABRERA	NORMA	DIRECTOR OF ADVANCED ACADEMICS/COL.READ.	2,400	5,700	6,000	6,000	6,000	6,000	32,100
PENA	DORA	DIRECTOR OF FOOD SERVICE	2,400	5,700	6,000	6,000	6,000	5,500	31,600
PETERSON	SUSAN	ASSISTANT SUPERINTENDENT OF C & I	1,600	5,700	6,000	6,000	6,000	6,000	31,300
ESCALON	MELISSA	DIRECTOR OF SAFETY AND SECURITY	2,600	5,700	5,500	5,500	5,500	5,500	30,300
MORALES	YVETT	SCHOOL PRINCIPAL	-	5,500	6,000	6,000	6,000	6,000	29,500
MARTINEZ	CARLOS	EXECUTIVE DIRECTOR OF TECHNOLOGY	-	5,500	6,000	6,000	6,000	6,000	29,500
SEGURA	MELVA	DIRECTOR OF HUMAN RESOURCES	-	5,500	6,000	6,000	6,000	6,000	29,500
LOPEZ	GEORGE	DIRECTOR OF MIGRANT PROGRAMS	-	500	6,000	6,000	6,000	6,000	24,500
VILLARREAL	RAYMOND	DIRECTOR-TITLE I REGULAR	2,400	5,700	6,000	6,000	-	-	20,100
ALANIS	CLAUDIA	DIRECTOR OF ASSESSMENT AND ACCOUNTABILIT	2,400	5,700	6,000	5,500	-	-	19,600
VILLARREAL	ANTONIO	COORDINATOR-HEAD FOOTBALL COACH/ATHLETIC	2,400	5,700	6,000	5,000	-	-	19,100
AGUILAR	ABEL	ASST SUPER FOR ELEM EDUC & LEADERSHIP	-	-	500	6,000	6,000	6,000	18,500
CANTU	RAUL	SCHOOL PRINCIPAL	-	5,500	6,000	6,000	-	-	17,500
MUNOZ	ARMINDA	DIRECTOR OF PUBLIC INFORMATION	-	5,500	6,000	5,500	-	-	17,000
ALANIZ	ELIZABETH	DIRECTOR OF STAFF DEVELOPEMENT	-	5,500	6,000	5,000	-	-	16,500
SALINAS	XAVIER	ASSISTANT SUPERINTENDENT OF SUPPORT SERVICES	2,400	5,700	4,500	-	-	-	12,600
GAMBOA	DAVID	SCHOOL PRINCIPAL	-	-	-	-	6,000	6,000	12,000
SALINAS	MICHAEL	COORDINATOR-HEAD FOOTBALL COACH/ATHLETIC	-	-	2,500	6,000	3,177	-	11,677
STROMAN	ROY	COORDINATOR-HEAD FOOTBALL COACH/ATHLETIC	-	-	-	-	3,000	6,000	9,000
GARLIC	JOHNNY	SCHOOL PRINCIPAL	-	-	-	-	1,500	6,000	7,500
TREVINO	ELIAS	DIRECTOR OF BILINGUAL EDUCATION	-	-	-	-	500	6,000	6,500
LEO	MARIA	INTERIM SUPERINTENDENT	-	1,400	2,000	-	-	-	3,400
DAVILA	EDELMIRO	ASSISTANT SUPERINTENDENT	2,400	-	-	-	-	-	2,400
<b>Total</b>			<b>\$ 41,400</b>	<b>\$ 127,300</b>	<b>\$ 142,700</b>	<b>\$ 141,200</b>	<b>\$ 116,877</b>	<b>\$ 126,200</b>	<b>\$ 695,677</b>

<sup>205</sup> See Exhibit C.12

#### **IV. Observations and Findings – Payroll Register Review**

##### **a. Travel Allowances Paid to Non-Travel Positions**

In addition to the increase in travel allowances in September 2015 from \$200 / month to \$500 / month, we observed an increase in the number of employees that receive a travel allowance. There were 22 employees that received travel allowances in FY2020 compared to 17 employees in FY2015. In addition, it appears that some of the positions that receive the monthly travel allowance are not required to travel as part of their regular duties, such as Director of Human Resources, Executive Director of Technology, Executive Director of Employee Benefits, among others. We were also informed that certain individuals who receive a travel allowance may also rent a car or use a fleet vehicle for travel within the District.

## D. Organizational Structure

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### I. Organizational Structure Review

#### a. Scope of Work

As part of our scope of work approved by the Board, we conducted a review of the District's organizational structure, including a review of the District's organizational charts during the period of our review.<sup>206</sup> We also compared the District's current organizational structure to 30 comparable school districts in Region 1 and across Texas.<sup>207</sup>

#### b. Background

Not all school districts should be organized exactly the same way. They must meet a variety of student demographics, community needs, and financial situations. To an extent, school districts must also adapt to the personnel available. In some circumstances an individual job holder may take on additional responsibilities or duties outside of the scope of their job description. But all districts should adhere to general principles of organizational structure, as described below.

#### c. Functional Alignment

School districts should assign leadership responsibilities within like functions. Direct reports to a superintendent should oversee the component departments necessary to efficiently and effectively execute their responsibilities. For example, a chief financial officer should be responsible for accounting, budget, procurement, fixed assets and financial reporting. School districts all have common functions including finance, curriculum and instruction (or teaching and learning), human resources, support services, and information technology. Not every activity in a school district fits neatly into a specific category, but components within functions should largely report to the same chain of command.

#### d. Consistent Organization Assignments

Individuals in school district leadership roles should be selected and assigned to most effectively and efficiently meet the needs of the district. A district should not accommodate an individual in a leadership capacity who cannot meet all the requirements of his or her assignment by transferring functions to another column, nor should a district accommodate an individual with specific abilities or interests outside of the individual's responsibilities by transferring those functions into that individual's scope of work. A

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<sup>206</sup> See Exhibit D.1

<sup>207</sup> See Exhibit D.2

superintendent's direct reports should be assigned responsibilities that are strategically aligned to the needs of the district. If a leadership position becomes vacant, the job responsibilities of that position should be such that a successor can be recruited with minimal changes to the current scope of work (e.g., an assistant superintendent for curriculum and instruction should have a common set of competencies and responsibilities across all school districts).

## II. Observations and Findings - Organizational Structure Review

### a. Positions Reporting Directly to Superintendent

The District has maintained a consistent organizational structure since June 19, 2017 (effective for the 2017-18 academic year). The organizational chart consists of eight columns reporting to the superintendent: four assistant superintendents, two executive directors and two directors. A superintendent's span of control of eight direct reports is reasonable for a district the size of WISD, although higher than average when compared to the 30 Texas districts of similar size in our comparative sample.<sup>208</sup>

School District	Deputy Supt.	Asst. Supt	Exec. Director	Director	Other	Total
Number of Positions Reporting Directly to Superintendent						
Weslaco ISD	0	4	2	2	0	8
Abilene ISD	1	2	1	0	0	4
Beaumont ISD	0	1	3	0	0	4
Brownsville ISD	2	0	0	0	0	2
Bryan ISD	1	1	5	0	2	9
Crowley ISD	2	0	4	0	3	9
Donna ISD	0	5	0	0	0	5
Edinburg CISD	1	3	0	0	3	7
Hallsville ISD	0	2	0	0	3	5
Harlingen CISD	0	4	0	0	5	9
Idea Public Schools	0	0	0	0	10	10
La Joya ISD	0	3	0	0	5	8
Laredo ISD	0	6	2	0	2	10
Los Fresnos CISD	0	0	3	3	3	9
McAllen ISD	0	5	0	3	1	9
Mission CISD	2	0	0	0	0	2
New Caney ISD	0	0	7	0	0	7
Pharr-San Juan-Alamo ISD	0	0	0	0	1	1
Prosper ISD	N/A	N/A	N/A	N/A	N/A	0
Rio Grande City CISD	0	4	1	1	0	6
Rockwall ISD	0	0	1	0	8	9
Roma ISD	1	0	1	0	3	5
San Benito CISD	0	3	0	3	1	7
Schertz-Cibolo-U City ISD	1	0	0	0	2	3
Sharyland ISD	0	3	1	1	2	7
Texas College Prep. Academies	0	0	0	0	6	6

<sup>208</sup> The District's organizational chart for 2016 – 2017 included 11 direct reports to the Superintendent plus campus principals, totaling 32 direct reports.

School District	Deputy Supt.	Asst. Supt	Exec. Director	Director	Other	Total
Tomball ISD	0	1	0	2	4	7
Tyler ISD	1	2	1	0	1	5
United ISD	1	0	0	0	3	4
Wylie ISD	1	3	0	1	1	6

**b. Organizational Structure Lacks Functional Alignment**

The District's organizational structure lacks functional alignment and exhibits inconsistencies across job assignments that are not necessarily aligned to the strategic needs of the district. WISD exhibits specific points for consideration where the organizational structure is not functionally aligned, does not have consistent assignment of responsibilities, or a combination of both.

**c. Operational Functions Divided among Four Different Organizations**

Food services and warehouse report to the Assistant Superintendent for Business and Finance; Registration and Enrollment report to the Assistant Superintendent for Administration and Support Services; Safety and Security and Transportation report to the Executive Director of Employee Benefits and Risk Management; Custodians, Energy Management and Construction/Maintenance report to the Executive Director of Athletics & District Facilities.

**d. Employee Benefits and Risk Management Separated from Human Resources**

Employee benefits and risk management are human resources functions with some crossover to administration/payroll and operations. The Executive Director for Employee Benefits and Risk Management also oversees safety and security, and transportation, largely student-facing, not employee-facing functions.

**e. Assistant Superintendent for Administration & Support Services Position Misaligned**

The Assistant Superintendent for Administration & Support Services position is poorly defined, functionally misaligned and responsible for an inconsistent scope of work. The position is responsible for curriculum areas (fine arts and career and technology education), education support services (parental involvement, after-school care), student services (health services), administrative functions (registration/enrollment), and policy and governance.

**f. Athletics and Facilities Not Functionally Aligned**

The Executive Director of Athletics and District Facilities position combines two broad scopes of responsibility with minimal functional connection. The athletics director of a large school district with multiple high school campuses plays a strategic role in the success of a school district and the integration of interscholastic athletics into the broader school community. While such a position might oversee the

scheduling and operation of athletics facilities, the additional responsibilities over a district's custodial, energy management and maintenance program are not within the athletics director job description (and would not be included in such a description if a job vacancy was posted). In our review of 30 districts similar to WISD, there is no instance of such a combination of duties. Prior to the 2019 - 2020 academic year, energy management and maintenance were the responsibility of the Assistant Superintendent for Administration and Support Services. Further, in a majority of the 30 districts in our comparison set, the athletics director is not a direct report to the superintendent.

#### **g. Summary of Findings**

The above observations are not based upon the knowledge, skills, abilities, or experience of any individual holding a leadership position, rather this is an analysis solely of how district functions are organized. A superintendent of schools serves as both the academic and operational leader of a complex entity and should make organizational and personnel decisions that best serve her or his vision and goals of the district. In our assessment, we believe that WISD would benefit from considering the functional alignment of the current structure and assess whether or not that structure meets the strategic needs of the district.

## E. Processes and Procedures Review

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### I. Overview

As part of the scope of work, we performed an evaluation of the processes and procedures within the HR Department. We performed walkthroughs of the District's significant human resources processes to identify where the District has procedures and internal controls designed to mitigate the inherent risks within each of the following processes:

- Position control
- Recruiting and Selection
- EEOC Compliance
- New Hire Onboarding
- New Employee Set-up
- Faculty and Staff Contract Renewals
- Employee Changes
- Job Classification/Reclassification
- Employee Separation
- Employee Disciplinary Actions

Where internal controls were identified, we mapped them to the inherent risks within the processes and identified areas where the District should consider revising processes and procedures to implement additional internal controls and procedures. These additional procedures should help the District manage and monitor risk within these key processes.

As part of the evaluation, we identified the following findings, including the potential risk exposure and our recommendations for improvement:

**Finding 1 - Confidentiality and Conflict Disclosures:** The District currently does not require members of the Interviewing Committee to sign confidentiality agreements or conflict of interest disclosures prior to participating in the employee interview process.

**Risk – Moderate:** Interviewing Committee members may disclose information about candidates or potential candidates for positions within the District without appropriate authorization. Additionally, Interviewing Committee members may have influence over hiring decisions within the District for positions where applicants/candidates have familial or business relationships with Committee members.

**Recommendation:** The District should consider implementing procedures in the candidate evaluation process for Interviewing Committee members and other District employees who participate in the hiring process to complete a confidentiality agreement and conflict of interest disclosure. Confidentiality agreements should be completed prior to reviewing a list of candidates, and conflict of interest disclosures should be completed once the candidate list is complete.

**Finding 2 – Monitoring Employee Training:** The District's HR Department does not have a process to monitor the completion of required trainings for new and existing employees. Monitoring the completion of training is currently the responsibility of the employee's supervisor.



**Risk – High:** Required training, including, HIPAA, FERPA, sexual harassment, information security, etc. may not be completed by new employees in a timely manner, and existing employees may not be current on completing ongoing training.

**Recommendation:** The HR Department should implement processes and procedures to monitor the completion of required trainings for all employees. Completing the required trainings should be part of a new hire checklist. Additionally ongoing/refresher training should be monitored by the HR Department to ensure that District employees have current compliance training and continuing education training for their professional certificates. This could be included as part of the annual employee evaluations.

**Finding 3 – New Employee Setups:** The process of validating the new employee information entered into the District's system by the Payroll Department is not documented. Currently, a Human Resources Specialist verifies the information entered into the system but does not document the review.

**Risk – Low:** Employee information, deductions, voluntary payroll elections, etc. may not be entered into the system accurately.

**Recommendation:** The HR Department should include on a new hire checklist the verification of employee information entered into the District's systems to ensure that employee pay rates, deductions and benefit selections are complete and accurate.

**Finding 4 – Employee Contracts:** The District's HR Department does not have processes in place to monitor the contracts signing process to ensure all employees sign their contracts. The HR Department relies on employee supervisors to notify the Department when contracts are not signed in a timely manner.

**Risk – High:** The District may not have all contracts in place for all the required positions prior to the start of an academic year.

**Recommendation:** The HR Department should implement procedures to track the completion of contracts once they have been sent to employees to sign and return. The HR Department should maintain a list of issued contracts and follow-up on outstanding contracts on a regular basis to ensure that contracts are in place for positions necessary for the next academic year.

**Finding 5 – Updates to Performance Evaluation Criteria:** The District does not have procedures in place to update the criteria used for performance evaluations when job descriptions and profiles are updated.

**Risk – Moderate:** Performance evaluation for employees may be conducted using criteria that are not applicable to the job position and responsibilities, creating a review that is not aligned with expectations of the position and providing District Administration with a false perception of employee performance.

**Recommendation:** As part of the process to update job profiles and descriptions, the criteria for employee performance evaluations should be updated. Both the updates to the job profile/description and the performance evaluation criteria should be submitted to District Administration for approval. The performance evaluation criteria should also be provided to employees at the same time as the job descriptions are provided.

## Exhibits and Appendices

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