WESLACO INDEPENDENT SCHOOL DISTRICT
THE RIGHT CHOICE

Dr. Cris Valdez
Interim Superintendent of Schools

Board of Trustees
Armando Cuellar, Jr., *President* - Dr. Jaime Rodriguez, *Vice President* - Jesse Trevino, *Secretary*
Marcos De Los Santos - Andrew Gonzalez - Isidoro Nieto - Jaclyn Sustaita

319 W. Fourth Street / P.O. Box 266, Weslaco, TX 78599-0266 • 956-969-6503

BOARD OF TRUSTEES

Meeting:	Special Board Meeting
Place:	WISD Board Room/Virtual
Location:	319 W. Fourth Street
Date:	August 17, 2021
Time:	5:37 P.M.

THIS MEETING WAS POSTED ONLINE FOR AT LEAST 72 HOURS AS PERMITTED BY THE SUSPENDED PORTIONS OF THE TEXAS OPEN MEETINGS ACT AS APPROVED BY GOVERNOR ABBOTT. THE MEETING WAS LIVESTREAMED AT THE FOLLOWING WEB LINK: ***https://youtu.be/e_3B-C7uOLA***

MINUTES

I. Call to Order

The meeting was called to order by Mr. Armando Cuellar, Board President.

II. Establishment of a Quorum

A quorum was established. The following board members were present

Armando Cuellar, President
Jesse Trevino, Trustee
Andrew Gonzalez, Trustee
Isidoro Nieto, Trustee
Jaclyn Sustaita, Trustee

Marcos De Los Santos joined the meeting at 6:31 p.m.
Dr. Jaime Rodriguez was absent.

III. Public Comments

The public had the opportunity to participate in public comments by registering no later than 5:00 p.m. at the following web link: ***https://www.wisd.us/superintendentboard/new-page***.

There were no public comments.

IV. Discussion and Possible Action for the Board to Consider Approval of the WISD Student Handbook for the 2021-2022 School Year

A school district must have regulations and/or standards by which its students abide and procedures by which its organizations function. The Student Handbook describes the expectations for behavior and conduct for all students in the WISD community. The handbook is the Texas Association of School Boards Mode Student Handbook and is aligned to Weslaco ISD Board policy. The Student Handbook will be posted on the district's website.

Mr. Andrew Gonzalez made the motion to approve the WISD Student Handbook for the 2021-2022 school year as presented. Mr. Isidoro Nieto seconded the motion.

Mrs. Jaclyn Sustaita addressed the following concerns:

- The handbook does not include any specifics on Covid (absences, etc.).
  - According to Dr. Garcia, information was not included because everything is fluid at this time, but staff could add supplements to the handbook once the district receives more guidance.
  - Dr. Valdez suggested that an administrative practice handbook could be created for campus administration for the purpose of communicating the expectations of Covid protocols.
- The district's website is outdated.
- The website does not have a link for FAQ's.
- The Back to School Plan of Action is outdated.
  - Mr. De La Rosa is working with the Public Information team and KWES staff on an all-around Covid Communications Plan in order to disseminate information from one source only. Information would be distributed by K-WES. Staff is working diligently to update and include all new information related to Covid on the Back to School Plan.
- Information posted on the website needs to be easily accessible to parents and the community.

Dr. Valdez informed the Board that staff would prepare an update on Friday's report of all information to be provided to parents, staff, and the community.

Mr. Jesse Trevino asked staff to re-emphasize the district's grading scales used at the schools to ensure they are being followed (major assessments: elementary, middle school, high school - Exam Test Project, portfolios, benchmark, and CBA; and minor assessments: quiz, presentation, journal lab, classwork, etc.).

The Board voted unanimously in favor of the motion made by Mr. Andrew Gonzalez and seconded by Mr. Isidoro Nieto to approve the WISD Student Handbook for the 2021-2022 school year as presented.

V. Discussion and Possible Action for the Board to Consider Approval of the WISD Student Code of Conduct for the 2021-2022 School Year

Chapter 37 of Texas Education Code mandates that school districts develop and adopt a Student Code of Conduct. A district committee composed of school administrators reviewed the TASB Model Student Code of Conduct and aligned it to the district policies. This document will assist district administrators and staff in managing student behavior. It also provides information to the parents and students regarding standards of conduct, consequences of misconduct and procedures for administering discipline. The document will be posted on the district's website.

Mr. Isidoro Nieto made the motion to approve the WISD Student Code of Conduct for the 2021-2022 school year as presented. Mr. Andrew Gonzalez seconded the motion.

Mr. Trevino addressed the following concern:

- Student athletes who are taking college courses and participating in UIL activities are being penalized due to the pass/fail eligibility grading system used throughout the six-weeks. It was his understanding that this was going to change for this school year.

- Dr. Valdez informed the Board that the administration has already started discussions on the grading system.
- Mr. Desi Rodriguez will be meeting with both Athletic Coordinators and Principals to discuss this issue.
- Staff will provide an update to the Board on what steps they plan to take on the grading process.

The Board voted unanimously in favor of the motion made by Mr. Isidoro Nieto and seconded by Mr. Andrew Gonzalez to approve the WISD Student Code of Conduct for the 2021-2022 school year.

VI. Discussion and Possible Action for the Board to Consider Approval of Proposal Award for Specific and Aggregate Stop Loss Insurance for the District's Self-Funded Employee Benefit Program (RFP #21-07-37)

Specific and aggregate stop loss is an integral component of the District's Self-Funded Employee Benefit program. The District self-funds all medical and Rx claims for each employee up to $125,000. Individual Stop-Loss insurance (ISL) reimburses the District for all claims over $125,000 with no limit. The District had nineteen (19) individuals who met the specific deductible of $125,000 for this plan year. The District received approximately $3.4 million in stop loss claims as of July 31. Due to the premium increase, the District will increase its specific deductible to $150,000.

A request for proposals (RFP) was conducted and the District received seven (7) proposals with different specific deductible options and various "lasers". Valley Risk evaluated and ranked the proposals and best and final offers were sent to the top five (5) companies, including the incumbent, Blue Cross Blue Shield. Based on the best and final offers, Sun Life provides the best value to the District based on premium and "lasers".

Mr. Andrew Gonzalez made the motion to approve the proposal from Sun Life through SA Benefit Services and Jeff Everitt & Associates for Specific and Aggregate stop loss insurance for the District's self-funded employee benefit program. Mr. Jesse Trevino seconded the motion and it passed unanimously.

VII. Discussion and Possible Action for the Board to Consider Renewal of the District's Employee Voluntary Insurance Products; OR Authorize Administration to Solicit Proposals for Same (RFP #21-10-08)

Last year the District conducted a Request for Proposals (RFP) for voluntary employee benefits which include Accident, Cancer, Disability, Critical Illness, Hospital Indemnity (GAP), Term Life & AD&D, and Vision. As set forth in the RFP, the district requests proposals for one (1) year with the option to renew for two (2) additional one (1) year terms and a minimum of a two-year rate guarantee where applicable. This would be the second renewal option. As per provisions in the RFP, the renewal rates for these products are flat. All voluntary insurance products are administered on a calendar year basis. It is the Board's discretion to renew all or individual voluntary insurance products.

Mr. Andrew Gonzalez made the motion to approve the renewal of the voluntary insurance products as presented. Mr. Isidoro Nieto seconded the motion.

Voluntary Product	Insurance Company	Servicing Agents
Accident	United Healthcare	Jeff Everitt, Tamez Financial Group, Yvonne Ortegon Insurance
Cancer	Colonial Life	Jeff Everitt, Tamez Financial Group, Yvonne Ortegon Insurance
Critical Illness	Voya	Jeff Everitt, Tamez Financial Group, Yvonne Ortegon Insurance
Disability	Cigna	Jeff Everitt, Tamez Financial Group, Yvonne Ortegon Insurance
Hospital Indemnity	United Healthcare	Jeff Everitt, Tamez Financial Group, Yvonne Ortegon Insurance
Term Life & AD&D	Lincoln Financial	Jeff Everitt, Tamez Financial Group, Yvonne Ortegon Insurance
Vision	Superior Vision	Jeff Everitt, Tamez Financial Group, Yvonne Ortegon Insurance

Questions/Concerns from the Board:

>Why have three agents instead of one? How many years have the agents been serving the District?
- The selection of agents is at the discretion of the Board. The district will work with the agents selected.
- There have been different agents throughout the years.
- The agents up for renewal have been with the district for 3 to 4 years.

>Can the Board go out for proposals to see if the market is more competitive?
- The Board can either renew or go out to bid.

>Why are agents soliciting their products via emails to district employee?
- According to Mr. Mike De La Rosa, the emails were reminders to staff who had not shown up to re-enroll. The agents will drop the products if the employees miss the window to re-enroll. He will follow up on the emails addressed.

A vote was called on the motion made by Mr. Andrew Gonzalez and seconded by Mr. Isidoro Nieto to approve the renewal of the voluntary insurance products as presented. Voting in favor of the motion were Mr. Isidoro Nieto and Mr. Andrew Gonzalez. Mrs. Jaclyn Sustaita and Mr. Jesse Trevino abstained. Mr. Trevino wants to make sure the District is getting the best prices in the market. Board President Armando Cuellar voted in favor of the motion. Motion Carried.

VIII. Discussion and Possible Action for the Board to Consider Renewal of the District's Employee Voluntary Whole Life Insurance Product; OR Authorize Administration to Solicit Proposals for Same (RFP #21-10-15)

Last year the Board opted to solicit a Request for Proposals (RFP) for Whole Life Insurance as an option to the employee's voluntary benefit program. After evaluation, Allstate was recommended as submitted by Jeff Everitt & Associates, Tamez Financial Group, and Ortegon Insurance. The maximum face amount was set at $25,000 to avoid any additional medical history or physical exams.

Dr. Valdez recommended that the Board approve the renewal of the District's Whole Life Insurance product with Allstate.

Mr. Jesse Trevino made the motion to authorize the Administration to solicit proposals. Mrs. Jaclyn Sustaita seconded the motion.

Mr. Trevino wanted to know why the same three (3) agents were listed for this product.

Mr. De La Rosa explained that this proposal was separate and apart from the previous proposal approved. According to Mr. De La Rosa, several proposals were received for this product and all proposals were evaluated based on premium, age banded. Allstate was the most competitive of all the proposals submitted. The agents were included with the proposal as selected by the previous Board. The selection of agents is at the discretion of the Board. Mr. De La Rosa clarified that a breakdown on the number of proposals received, list of companies, and the different options available is usually presented when the Board awards the proposal. Since the Board awarded this proposal last year, the administration is bringing it back as a renewal so there is nothing to compare.

Mrs. Sustaita wanted to know if employees would be without insurance coverage if the Board directed staff to go out for proposals. Mr. De La Rosa replied that the District has enough time to conduct an RFP, evaluate the proposals, and bring back for the Board to make their selection before open enrollment, which runs through late October through early December. He pointed out that it is standard practice to recommend a renewal for the second year, especially if the district has not had any issues with the company.

A vote was called on the motion made by Mr. Jesse Trevino and Mrs. Jaclyn Sustaita to authorize the Administration to solicit proposals. Voting on the motion were Mr. Jesse Trevino and Mrs. Jaclyn Sustaita. Voting against the motion were Mr. Isidoro Nieto, Mr. Andrew Gonzalez, and Board President Armando Cuellar.

Mr. Andrew Gonzalez made a motion to approve the recommendation of the Administration. Mr. Isidoro Nieto seconded the motion. Voting in favor of the motion were Mr. Isidoro Nieto, Mrs. Jaclyn Sustaita, and Mr. Andrew Gonzalez. Mr. Jesse Trevino abstained. Motion carried.

Mr. Trevino commented, "I will abstain because when we sit here and handpick people as a Board we take the credibility or system out of a true bid, I just think that's wrong when we sit here and handpick."

IX. Discussion and Possible Action for the Board to Approve a Resolution Regarding Extension of Leave for COVID-19

The Family First Coronavirus Response Act provided for emergency paid leave for COVID-19 related reasons expired on December 31, 2020. In December of 2020, the Board approved a resolution to extend the leave to employees which expired at the end of the 2021-2022 school year. Considering the recent COVID-19 surge, it is of the utmost importance to allow employees who have tested positive, or who have been identified as being in known close contact to stay home without penalizing them. Thus, the Administration is recommending that the Board approve a resolution to extend certain leave benefits relating to COVID-19 for the 2021-2022 school year.

Mrs. Jaclyn Sustaita made the motion to approve the resolution to extend certain leave benefits relating to COVID 19. Mr. Andrew Gonzalez seconded the motion.

Mrs. Sustaita wanted to know if employees who were out in the summer due to Covid going to be eligible for this leave since some employees start their contract before the school year starts.

Mr. De La Rosa clarified that the resolution is for the 2021-2022 school year, so Human Resources and Payroll staff will have to go back and credit/swap the days they were out due to Covid because some employees begin the school year in July.

Mr. Isidoro Nieto wanted to know if the resolution needed to be changed to reflect the beginning dates for employees who begin work prior to August. Mr. De La Rosa replied that employees have different start dates, and since the resolution states the leave will take effect at the beginning of the school year, it should include these employees as well.

Mr. Andrew Gonzalez wanted to know if virtual learning would be an option for a student whose parents teach for the district and test positive for Covid, since the entire household would need to isolate at home for precautionary measures. Mr. De La Rosa replied that there is no virtual learning available at this time based on current TEA and State guidelines.

Mrs. Jaclyn Sustaita commented that districts received the ESSER grant to be able to fund learning due to the pandemic. She asked staff to follow up to see if ESSER funds could be used to help the students who need to stay home when they are sick.

According to Mr. Abel Aguilar, all the ESSER funds have been earmarked as presented to the Board in previous meetings. Staff will keep the Board informed in case there are any changes or savings to the allocations. The administration will follow up with the State in inquire about using ESSER funding to provide remote learning to students when they are sick.

Dr. Valdez commented that it was very important for the district to take care of the students. Staff will call TEA and research this option further. She shared that the Texas Virtual School Network is going to make remote/virtual learning available for high schools only and districts will receive ADA funding for a full day. Staff is looking into this option as well. Staff will provide an update to the Board on the options available.

The Board voted unanimously in favor of the motion made by Mrs. Jaclyn Sustaita and seconded by Mr. Andrew Gonzalez to approve the resolution to extend certain leave benefits relating to COVID-19.

X. Discussion and Possible Action to Authorize Administration to File a Claim Regarding a Settlement Arising from a Class Action Antitrust Lawsuit Called In Re: Blue Cross Blue Shield Antitrust Litigation MDL 2406, N.D. Ala. Master File No. 2:13-cv-20000-RDP

Weslaco ISD received a notice of a class action lawsuit. This settlement, arising from a class action antitrust lawsuit called In re: Blue Cross Blue Shield Antitrust Litigation MDL 1406, N.D. Ala. Master File No. 2:13-cv-20000-RDP (the "Settlement"), was reached on behalf of individuals and companies that purchased or received health insurance provided or administered by a Blue Cross Blue Shield company. Class representatives ("Plaintiffs") reached a settlement on October 16, 2020 with Blue Cross Blue Shield Association ("BCBSA") and Settling Individual Blue Plans. The District is eligible to file a claim and may receive a cash payment from the cash action settlement.

Mr. Andrew Gonzalez made the motion to authorize administration to file a claim regarding a Settlement arising from a class action Antitrust Lawsuit called In Re: Blue Cross Blue Shield Antitrust Litigation MDL 2406, N.D. Ala. Master File No. 2:13-cv-20000-RDP. Mr. Isidoro Nieto seconded the motion and it passed unanimously.

XI. Discussion and Possible Action for the Board to Consider Approval of Additional Portable Air Cleaning Units for Use in School Libraries, Cafeterias and Gymnasiums

Due to the continued situation regarding the Coronavirus Pandemic and the District's concern for the safety of the students and the staff, the Administration requested to purchase up to 200 additional portable air cleaning units from Texas Air Products from McAllen, Texas for the use in school libraries, cafeterias and

gymnasiums. The additional units will be in addition to the two prior purchases of 1,100 and 140 ordered in March and July 2021.

Mr. Isidoro Nieto made the motion to approve the purchase of up to 200 additional portable air cleaning units from Texas Air Products from McAllen, Texas. Mr. Andrew Gonzalez seconded the motion.

Mr. Americo Garza provided the following information in response to board member inquiries:

>Due to the size of classrooms and the space necessary for appropriate placement of desks, Mrs. Sustaita wanted to know how staff plans to fit the unit in the classroom.

- A layout is not available because not all classrooms are identical. The units were sized based on an average classroom.
- The units have casters that will allow staff to move them around to other areas as needed. Staff will be able to place the units in the hallway temporarily in case there is high traffic of students congregating due to inclement weather.
- Staff requested approval of up to 200 units but will only order the units needed. The count of units needed at this time is 139.
- The cost of each unit is $1,700.50 for a total of $350,000.00 for all 200 units. This order will be paid with ESSER II funds.
- The units should arrive within 8-9 weeks from now.
- The 140 units ordered in the summer should arrive by September 8-24.
- The district has spent a little over $1 million on all units. Most of the units were purchased with ESSER III funds.
- The district will have a total of 1,440 units, which includes the 200 units requested.
- WHS is short 50 units.
- WEHS is short 10 units.
- All elementary and middle schools have air cleaning units in their classrooms.
- Staff is targeting the cafeterias where students tend to congregate during the lunch hour. They are also making sure the air is cleaned every 15 minutes to provide a safety environment for the students.

The Board voted unanimously in favor of the motion made by Mr. Isidoro Nieto and seconded by Mr. Andrew Gonzalez to approve the purchase of up to 200 additional portable air cleaning units from Texas Air Products from McAllen, Texas.

Mr. Marcos De Los Santos joined the meeting at 6:31 p.m.

XII. Closed Meeting to Discuss:

The Board convened in closed meeting at 6:41 p.m. to discuss the following items:

A. Personnel Matters (Tex. Gov't Code 551.074)

1. Employment of Personnel – Certified Professional & Non-Contractual Personnel
2. Resignations/Retirements
3. Deliberation Regarding the Appointment, Employment, Evaluation, Reassignment, Duties, Discipline, or Dismissal of Proposed Termination of a District Employee

    1. Discussion of Renewal of One-Year Contract for Non-Certified Staff for the 2021-2022 School Year
    2. Deliberation Regarding Employment Contract for Dr. Cris Valdez, Interim Superintendent of Schools

B. Consultation with Attorney: a) Pending or Contemplated Litigation: b) a Settlement Offer: or c) a Matter in Which the Duty of the Attorney to the Weslaco ISD under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas Clearly Conflicts with Chapter 551 of the Texas Government Code (Tex. Gov't Code 551.071)

XIII. Closed Meeting to Conduct Level Three Grievance Requested by F. Cabrera Pursuant to Weslaco ISD Policy FNG (Local)

Mr. Andrew Gonzalez left the meeting at 7:04 p.m.

XIV. Reconvene in Open Meeting: The Board returned to open meeting at 8:10 p.m.

XV. Possible Action on Level Three Grievance Requested by F. Cabrera Pursuant to Weslaco ISD Policy FNG (Local)

Mr. Jesse Trevino made the motion to uphold the Level II grievance. Mrs. Jaclyn Sustaita seconded the motion. Voting in favor of the motion were Mr. Isidoro Nieto, Mrs. Jaclyn Sustaita, Mr. Jesse Trevino, and Mr. Marcos De Los Santos. Motion carried.

A. Possible Action, If Necessary, on Items Discussed in Closed Meeting:

1. Discussion and Possible Action on New Employment - Certified Professional & Non-Contractual Personnel

Dr. Valdez recommended that the Board approve employment of certified professional and non-contractual personnel as discussed in closed meeting.

CERTIFIED PROFESSIONAL PERSONNEL		
Name	**Position**	**Location**
1. Lawrence Ellison	Physical Education Teacher	Weslaco East High School
ADDENDUM		
1. Michael J. Evans	AVID Teacher	Weslaco East High School
2. Erika Lyle	5th Grade Teacher	Silva Elementary School
3. Claudia I. Rodriguez	Kinder Teacher	Gonzalez Elementary School
4. Efrain D. Reyna	Assistant Principal	Weslaco East High School

NON-CONTRACTUAL PERSONNEL - ADDENDUM		
Name	**Position**	**Location**
1. Richard A. Carmona	Security Guard	Weslaco High School
2. Jennifer Del Rio	Special Education Aide	Sam Houston Elementary School
3. Ramiro Dena, Jr.	Bus Driver	Transportation Department
4. Andrea A. Garces	Special Education Aide	Margo Elementary School
5. Selene Garcia	Special Education Aide	Sam Houston Elementary School
6. Destiny Gutierrez	Special Education Aide	Gonzalez Elementary School
7. Mariselva Guzman	Special Education Aide	Silva Elementary School
8. Xavier I. Trevino, Jr.	Security Guard	Weslaco East High School

REASSIGNMENT - ADDENDUM		
1. Marco Perez	**To:** Food Service Attendant Memorial Elementary School	**From:** Security Guard Weslaco High School
2. Jose Angel Reyes	**To:** Technical Assistant B. Garza Middle School	**From:** Special Education Aide Weslaco East High School

Mr. Marcos De Los Santos made the motion to approve certified professional and non-contractual personnel as recommended. Mr. Jesse Trevino seconded the motion and it passed unanimously.

2. Discussion and Possible Action on Resignations

Dr. Valdez recommended that the Board approve the resignations as discussed in closed meeting.

Name	Position/Location	Reason/Effective Date
1. Herica Jimenez	Nurse Weslaco High School	Herica Jimenez resigned to accept a position that aligns to her field of education. Her last day of employment is August 27, 2021.

Mr. Isidoro Nieto made the motion to approve the resignations as presented. Mr. Marcos De Los Santos seconded the motion and it passed unanimously.

3. Discussion and Possible Action on Renewal of One-Year Contract for Non-Certified Staff for the 2021-2022 School Year

Dr. Valdez recommended that the Board approve the renewal of one-year contracts for non-certified staff for the 2021-2022 school year as discussed in closed meeting.

Accelerated Learning Program				
Name	**CNT 20-21**	**CNT 21-22**	**Position**	**Campus**
1. Elizabeth Cano	NONC	NONC	Accelerated Learning Campus Coordinator	Cleckler-Heald Elementary School
2. Michelle De Los Santos	NONC	NONC	Accelerated Learning Campus Coordinator	Silva Elementary School
3. Heraldo Gonzales	NONC	NONC	Accelerated Learning Campus Coordinator	North Bridge Elementary School
4. Edith Hernandez	NONC	NONC	Accelerated Learning Campus Coordinator	Memorial Elementary School
5. Rebecca Ozuna	NONC	NONC	Accelerated Learning Campus Coordinator	Rico Elementary School
6. Norma Pena	NONC	NONC	Accelerated Learning Campus Coordinator	Gonzalez Elementary School
7. Kassandra Pichardo	NONC	NONC	Accelerated Learning Campus Coordinator	Sam Houston Elementary School
8. Katie Reyes	NONC	NONC	Accelerated Learning Campus Coordinator	SFA Complex
9. Veronica Rivas	NONC	NONC	Accelerated Learning Campus Coordinator	Margo Elementary School

Mr. Marcos De Los Santos made the motion to approve the renewal of one-year contracts for non-certified staff for the 2021-2022 school year as presented. Mrs. Jaclyn Sustaita seconded the motion and it passed unanimously.

4. Discussion and Possible Action Regarding Employment Contract for Dr. Cris Valdez, Interim Superintendent of Schools

   Mr. Marcos De Los Santos made the motion to approve the employment contract for Dr. Cris Valdez, Interim Superintendent of Schools as discussed in closed meeting. Mr. Isidoro Nieto seconded the motion and it passed unanimously.

XVI. Adjournment

The meeting adjourned at 8:15 p.m.