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:	Regular Board Meeting
Place:	WISD Board Room/Virtual
Location:	319 W. 4th Street
Date:	February 15, 2022
Time:	5:30 P.M. or Immediately Following the Workshop

MEMBERS OF THE BOARD OF TRUSTEES MAY PARTICIPATE REMOTELY, PURSUANT TO TEXAS GOVERNMENT CODE 551.127, BY VIDEOCONFERENCE AT THIS REGULAR BOARD MEETING. HOWEVER, A PHYSICAL QUORUM OF THE BOARD SHALL BE PRESENT AT 319 W. 4TH STREET, WESLACO, TEXAS, 78596.

THE EXCLUSIVE WAY TO PARTICIPATE IN PUBLIC COMMENT IS TO REGISTER NO LATER THAN 5:00 P.M. ON FEBRUARY 15, 2022, AT THE FOLLOWING WEB LINK: ***https://www.wisd.us/superintendentboard/new-page***

THE MEETING WILL BE LIVESTREAMED AT THE FOLLOWING WEB LINK: **https://youtu.be/Z51D46LVYc8**

AGENDA

I. Call to Order

II. Establishment of a Quorum

III. Opening Prayer

IV. Pledge of Allegiance/Texas Pledge

V. Awards and Recognitions

VI. Proclamations

- Art Month, March 2022
- National Athletic Training Month, March 2021

VII. Public Comments

VIII. Superintendent's Report

>COVID-19 Updates
>Enrollment/Average Daily Attendance
>Measures of Academic Progress NWEA (MAP) District Interim Assessment Data

IX. Consent Agenda

A. Approval of the Minutes of the Regular Board Meeting of January 18, 2022

B. Approval of Out of Valley Trips

C. Approval to Accept Donation in the Amount of $5,000.00 from UIL Area G Secretary, Ruben Adame, for the Weslaco ISD Fine Arts Department

D. Approval to Accept Donations in the Amount of $3,000.00 for the Weslaco East High School Special Ed Life Skills Unit for Christmas Gifts & Celebration Items from Various Sponsors:

1. $500.00 from Jose and Diana Cadriel
2. $500.00 from Coastal Family Care LLC
3. $500.00 from Law Offices of Ezequiel Reyna, Jr., PC
4. $500.00 from First Care EMS LLC
5. $500.00 from G Fortitude Investment LLC
6. $250.00 from Weslaco Vision Source
7. $250.00 from Stroman & Gutierrez

E. Approval of 2022 Membership Renewal Fee for Participation in the Lower Rio Grande Valley Development Council (LRGVDC)

F. Approval of Purchase for Renewal of Frontline Software Program to be used to Track At-Risk Students and Provide Interventions

G. Approval to Purchase the Eduphoria Renewal of Texas Test Maker Item Bank for K-12 Students in All Core Contents

H. Approval of Purchase of 100 Apple iPads for Implementation of Curriculum in All Areas of the Special Education Department

I. Approval of An Amendment to the Childcare Local Match Contribution Agreement for Fiscal Year 2020-2021 Between the Weslaco Independent School District and the Lower Rio Grande Valley Workforce Development Board to Reflect an Increase in the In-Kind Contribution Amount

J. Approval of Proposal Award for Salad Bar Counter at Mary Hoge Middle School Cafeteria (RFP #22-02-11)

K. Approval of Budget Amendments

1. Assistant Superintendent for Elementary Education & Leadership – Local Fund to Cover Travel Expenses for Three Middle School Principals and Two Elementary School Principals Attending the ASCD Conference in March and June 2022

2. Transportation Department – Local Fund to Cover Cell Phone and Hot Spot Expenses

3. Weslaco East High School Band – Local Fund to Cover Upcoming Choir Competition Registration Fees

4. Cleckler-Heald Elementary School – Early Education Allotment Fund to Purchase Instructional Materials to Promote Math and Reading in Grades Pre-K3 through 3rd Grade

5. CTE Department – State Vocational Fund to Pay for Hotel and Registration Fees for Professional Development Conference for CTE Early College High School Principal

6. Mario Ybarra Elementary – Early Education Allotment Fund to Purchase Instructional Materials and Desks & Chairs to Promote Math and Reading in Grades Pre-K3 through 3rd Grade

7. González Elementary - Early Education Allotment Fund to Purchase Instructional Materials to Promote Math and Reading in Grades Pre-K3 through 3rd Grade

8. Dr. Margo Elementary - Early Education Allotment Fund to Purchase Instructional Materials and Desks & Chairs to Promote Math and Reading in Grades Pre-K3 through 3rd Grade

9. González Elementary – Local Fund to Cover Expenses for Two Teachers to Attend a Workshop at Region One

10. Parental Involvement Department – Local Fund to Set Up a Budget for Student Supplies and Uniforms at North Bridge Elementary for Donation from Love of Christ Lutheran Church

11. Business Office – Athletics Fund to Increase the Athletics Budget to Purchase Supplies and Uniforms for the Fall Sports

12. Business Office – Local Fund to Set Up a Budget to Purchase a 4-Year Maintenance Agreement for the AED's Districtwide

13. Business Office – Local Fund to Provide Funds for Several Fine Arts Programs from WHS and WEHS Competing at the State Level, Including Band, Choir, Mariachi, and the WEHS Starlettes, in Addition to the Jr. FFA Students

14. Business Office – Local Fund to Cover Administrative Fees for Appeal Services of Property Values to the State Comptroller

L. Approval of Monthly Tax Adjustments for December 2021

X. Discussion Items:

A. Interim Financial Report for the Five Months Ended January 31, 2022

B. Acknowledgement of Hidalgo County Tax Office Collection Report for December 2021: Current Taxes and Delinquent Taxes

XI. Discussion and Possible Action Items:

A. Discussion and Possible Action for the Board to Consider Approval of a Resolution Regarding Wage Payments to District Employees During District Closing Throughout the 2021-2022 School Year Due to Inclement Weather Conditions

B. Discussion and Possible Action for the Board to Consider Approval of Revisions to the Weslaco ISD Compensation Plan for Fiscal Year 2021-2022 to Reflect Stipends for Assistant Directors for Fine Arts Programs and Change to the Title and Job Description of Construction/Maintenance Manager

C. Discussion and Possible Action for the Board to Consider Approval of: 1) The Administration's Ranking Recommendation for the Installation of the Security Access Controls System at All Middle Schools (CSP #22-01-10), and 2) To Authorize the Administration to Negotiate and Approve the Contract

D. Discussion and Possible Action for the Board to Consider Approval for the Replacement of the HVAC Units and Related Roofing Project at the Weslaco East High School Gymnasiums (CSP #21-10-05) as Follows:

1. A Deductive Change Order for the Unspent Balance of the Owner's Contingency, and
2. Final Completion of the Project – Including Rain and Delay Days

E. Discussion and Possible Action for the Board to Consider Approval of a Contract with the Law Firm of Flores & Pelaez-Prada PLLC, on a Contingency Fee Basis, and a Corresponding Resolution, Related to Possible Property Damage to District's Property Caused by Hurricane Hanna

F. Discussion and Possible Action for the Board to Consider Approval of the Communication Process Between the Superintendent and the Board of Trustees to Function as a Body Corporate

XII. Closed Meeting to Discuss:

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

1. Employment of Certified Professional Personnel
2. Resignations/Retirements
3. Deliberation Regarding the Appointment, Employment, Evaluation, Reassignment, Duties, Discipline, or Dismissal of a Public Officer or Employee (Tex. Gov't Code 551.074 and 551.071)
4. Discussion and Consideration of the Level Three Grievance Held on February 9, 2022 Regarding J. Calderon Pursuant to Policy DGBA (Local)

B. Consultation with Attorney Regarding: 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. Reconvene in Open Meeting:

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

1. Discussion and Possible Action on Employment of Certified Professional Personnel
2. Discussion and Possible Action on Resignations/Retirements
3. Discussion and Possible Action on the Level Three Grievance Held on February 9, 2022 Regarding J. Calderon Pursuant to Policy DGBA (Local)

XIV. Closed Meeting to Conduct a Level Three Grievance Requested by D. Garza Pursuant to Weslaco ISD Policy DGBA (Local)

XV. Reconvene in Open Meeting:

A. Possible Action on Level Three Grievance Requested by D. Garza Pursuant to Weslaco ISD Policy DGBA (Local)

XVI. Adjournment

Note: The Board of Trustees may, at any time during this meeting, retire to a closed meeting pursuant to §551.071(2) of the Texas Government Code to seek the advice of its attorney on any subject slated for discussion, where the duty of the attorney to the Board of Trustees under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the requirements of the Texas Open Meetings Act. At this meeting, the Board of Trustees may receive information from, give information to, ask questions of, or receive questions from any third person, including an employee of the governmental body, about the public business items slated for discussion. The Board of Trustees may at any time during this meeting elect to deliberate in open session on any matter, which is slated for discussion in executive session. The Board of Trustees will reconvene in open session to take appropriate action on any matter deliberated in executive session.

Note: If any accommodation for a disability is required, notify the Superintendent's Office at (956-969-6915), prior to the meeting date.

PUBLIC NOTICE OF ENTERING CONTINGENT FEE CONTRACT (Sec. 2254.1036)

The Weslaco Independent School District will be entering into a contingent fee contract for legal services and provides the following information to the public:

A. The District has recently received a decision by its insurance carrier regarding a claim for damages to District Facilities due to wind and/or hail storms. The District needs a law firm to make a determination on whether the reports and decision provided by the insurance carrier is accurate and provides proper value and coverage for all the damages sustained by the District pursuant to District's Insurance Policy. If the law firm determines that the reports provided and the coverage decision made by the insurance company is in breach of the District's Insurance Policy and/or violates the Texas Insurance Code the District would pursue a claim to recover all the damages the District is legally entitled under its Insurance Policy and the laws governing conduct of Insurance Carriers who do business in Texas.

B. The Law Firm of Flores & Pelaez-Prada has specialized in representing commercial property owners, homeowners, school districts, municipalities, and small business in claims against insurance companies. They have handled over 12,000 property insurance claim disputes. They have a combined almost 40 years experience in representing clients. They have experience in high stakes complex litigation and have a specialized knowledge and training in claims against insurance companies. Insurance claim disputes make up 95% of their practice.

C. Members of the District became familiar with the Law Firm of Flores & Pelaez-Prada at the Region One School Boards Conference and Texas Association of School Board event over the past year where Flores & Pelaez Prada presents educational presentations on storm damage claims.

D. The District does not have in house counsel to provide representation. This type of representation is of a specialized nature that only a few law firms are able to provide. The District does not have the personnel nor the administration to access the coverage disputes or determine the nature and full extent of the damage to the District Facilities.

E. The District will not incur any cost and expense in retaining this Law Firm. If the District did not retain these law firms the District would be responsible for hiring and retaining contractors to determine the extent of the damages to the District Facilities. These law firms will cover this entire cost for the District. If the District retained a law firm and paid them by the hour and all the firms expenses it will result in a large incurred expense the District will have to float until an outcome is reached on the claim. If the case is lost or dismissed under an hourly rate the District would likely be out hundreds of thousands of dollars in expenses with no recourse. If the case is lost or dismissed under a contingent agreement, only the Law Firm will incur the loss and the District is protected. Under a contingent agreement, the District is protected from expenses regardless of the outcome of the case.

F. Based upon on all the above reasons and in saving large amounts of time, resources, and expenses for the District it is in the best interest of the District to retain legal services on a contingent basis.