

**SPECIAL BOARD MEETING**

**Minutes**

**Tuesday, October 20, 2015**

**6:00 p.m.**

**STAFF DEVELOPMENT CENTER/BOARD ROOM**

**904 Hester Avenue**

**Donna, Texas**

**I. CALL MEETING TO ORDER**

Board President Mr. Albert Sandoval called the meeting to order at 6:00 p.m. with the following board members in attendance:

Mr. Albert Sandoval, President  
Mr. Eloy Infante, Vice President  
Mr. Nick Castillo, Secretary  
Mr. Efren Cenicerros, Trustee  
Mr. Ernest Lugo, Trustee (late)  
Mrs. Tammy Ramos-Flores, Trustee  
Mr. Elpidio Yanez Jr., Trustee

The following administrators were in attendance:

Mr. Fernando Castillo, Deputy Superintendent  
Mr. Javier Villanueva, Assistant Superintendent for Human Resources  
Mrs. Velma Rangel, Chief Special Programs Officer  
Mrs. Mari Valdez, CFO  
Mr. Robert Salinas, Attorney

**PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE**

Mr. Fernando Castillo led the Pledge of Allegiance and a moment of silence.

*The order of these agenda items may be changed. Consideration of items may include deliberation and/or action.*

Mr. Robert Salinas stated that in Open Session E. Discussion and Possible Action Regarding Level III Grievance of David Robledo. Mr. Robledo has asked for a

postponement. I have reviewed the request and it is my recommendation that it be granted. Mr. Albert Sandoval stated Mr. Salinas in regards to item D. (Discussion and Possible Action Regarding Level III Grievance of Hugo Cervantes). Mrs. Robert Salinas stated item D. (Discussion and Possible Action Regarding Level III Grievance of Hugo Cervantes) is still in open session as requested. Mr. Fernando Castillo asked Mr. Hugo Cervantes himself just for clarification. Mr. Hugo Cervantes stated he wanted his Grievance in open session. Mr. Albert Sandoval stated the two item changes we are deleting item E. (Discussion and Possible Action Regarding Level III Grievance of David Robledo) and then for clarification we are doing Mr. Hugo Cervantes Level III Grievance as open session. In addition to that Board Members so we don't have this long discussion like we did last time. Pursuant to Board Policy I am requesting that Board Members please reframe their comments to the five minutes on Board Policy.

## **AS. ACADEMIC SERVICES**

### **AS.1 Discussion and Possible Action on Approval of Carl D. Perkins Basic Formula Grant NOGA #16420006108902 in the Amount of \$272,749**

Mr. Fernando Castillo recommended the board to approve the Carl D. Perkins Basic Formula Grant NOGA #16420006108902 in the Amount of \$272,749.

Trustee Castillo made a motion to approve the recommendation of Mr. Fernando Castillo. It was second by Trustee Yanez. Trustees Ramos, Infante and Cenicerros voted in favor. The motioned carried.

### **AS.2 Discussion and Possible Action on Approval of the 2015-2016 District Improvement Plan and all Campus Improvement Plans**

Mr. Fernando Castillo recommended the board to approve the 2015-2016 District Improvement Plan and all Campus Improvement Plans.

Trustee Yanez made a motion to approve the recommendation of Mr. Fernando Castillo. It was second by Trustee Castillo. Trustees Ramos, Infante, E. Lugo and Cenicerros voted in favor. The motioned carried.

## **HR. HUMAN RESOURCES**

### **HR.1 Discussion and Possible Action on Voluntary Products**

**(Year 2016)**

Mr. Fernando Castillo recommended the board to approve Voluntary Products (Year 2016) as noted in your packets.

Trustee Castillo made a motion to approve the recommendation of Mr. Fernando Castillo. It was second by Trustee Ramos. Trustees Yanez, Infante and Cenicerros voted in favor. The motioned carried.

Mr. Ernest Lugo stated real quick I did not vote on it because I wasn't too clear on which accidental product was it. Mr. Albert Sandoval stated we are already on HR.2 (Discussion and Possible Action to Retain the Law Firm of Walsh-Gallegos as Independent Counsel with Regards to the Employment Status of Superintendent Jesus René Reyna) Sir. Mr. Ernest Lugo stated oh please why don't you shut up and let me talk. Mr. Albert Sandoval stated well if you would have addressed the item. Mr. Eloy Infante stated there is no need for that guys come on not out here in front of all these people come on guys. Mr. Ernest Lugo stated I apologize I'm sorry it's just that. Let me talk. Mr. Albert Sandoval state we are moving on item HR.2 (Discussion and Possible Acton to Retain the Law Firm of Walsh-Gallegos as Independent Counsel with Regards to the Employment Status of Superintendent Jesus René Reyna) Mr. Lugo. Mr. Ernest Lugo stated okay go ahead. Mr. Albert Sandoval stated okay thank you.

**HR.2 Discussion and Possible Action to Retain The Law Firm of Walsh-Gallegos as Independent Counsel with Regards to the Employment Status of Superintendent Jesus René Reyna**

Mr. Efren Cenicerros stated basically what is your function going to be in this case. Mr. Resendez stated my understanding is to gather the information, review the information and advice the Board on all the legal issues involved. And give the Board the options in regards to the status is what your options are in regards to your Superintendent who is currently on Administrative leave. Mr. Efren Cenicerros stated what kind of time frame are we looking at? Mr. Resendez stated we are ready to start tomorrow. Mr. Efren Cenicerros stated I'm talking about is this going to drag on weeks. Mr. Resendez stated we are talking about a week to a week and a half at the most. Mr. Efren Cenicerros stated also who are you going to be. Who is going to hire you? Mr. Resendez stated the Board. I am ethically directly responsible to the Board and that's it. I will take my direction from the Board. (Mr. Resendez gave more information on the procedures that will be in place and his contact information.)

Trustee Infante made a motion to approve to retain The Law Firm of Walsh-Gallegos as Independent Counsel with regards to the employment status of Superintendent Jesus René Reyna. It was second by Trustee Castillo. Trustees Ramos, Yanez and E. Lugo voted in favor. The motioned carried.

Mr. Albert Sandoval informed the Board that he had a former request that Mr. Cervantes wants his Grievance in closed session. Mr. Robert Salinas informed the Board that they had gotten informed just very recently that Coach Cervantes now desire to have his hearing in Executive Session or closed session. Mr. Robert Salinas asked Coach Cervantes with permission of the Board if this was Coach Cervantes desire is this your request to have it in Executive Session or closed session. Mr. Albert Sandoval stated for the record Coach Cervantes has requested to be in closed session.

**II. The Board Convened into EXECUTIVE SESSION as Authorized by Texas Government Code Sections 551.071, 551.072, 551.073, 551.074, 551.075, 551.076, 551.082, 551.083 and 551.084. (6:26 p.m.)**

- A. Discussion of Superintendent's Recommendation of Personnel**
- B. Discussion and Possible Action on the Ratification of the Approval of Teacher Employment Recommendations**
- C. Discussion of District Personnel**
- D. Conduct Level III Grievance of Hugo Cervantes**
- E. Conduct Level III Grievance of David Robledo**
- F. Discussion and Private Consultation with Attorney Regarding Pending or Contemplated Litigation, Settlement Matters, and/or Matters Where the Professional Duty Under State Board Requires Private Consultation with the School Attorney**

The board reconvened back into open session at 7:42 p.m.

**III. OPEN SESSION - Take possible action on matters discussed in Executive Session.**

**A. Approval of Superintendent's Recommendation of Personnel**

Mr. Fernando Castillo recommended the board to approve Superintendent's Recommendation of Personnel as discussed we have one recommendation for a para professional which is a bus aide and two recommendation for termination of an at will employee as discussed in Executive.

(Board Members needed clarification on the recommendation.)

Mr. Fernando Castillo recommended the board to approve Superintendent's Recommendation for employment bus aide as noted.

Trustee Castillo made a motion to approve the recommendation of Mr. Fernando Castillo. It was second by Trustee Ramos. Trustees Infante and Cenicerros voted in favor. The motioned carried.

Mr. Fernando Castillo recommended the board to approve Superintendent's Recommendation of termination.

Trustee Castillo made a motion to approve the recommendation of Mr. Fernando Castillo. It was second by Trustee Ramos. Trustee Infante voted in favor. Trustees Yanez (Mr. Yanez said a few words about the individual/employee and to have given her the curtesy to resign.) and Cenicerros (Mr. Cenicerros said a few words about the individual/employee agreeing with Mr. Yanez.) voted against. The motioned carried.

**B. Discussion and Possible Action on the Ratification of the Approval of Teacher Employment Recommendations**

No action on this item.

**C. Approval of District Personnel**

No action on this item.

**D. Discussion and Possible Action Regarding Level III Grievance of Hugo Cervantes**

Mr. Fernando Castillo recommended the board to approve regarding Level III Grievance of Hugo Cervantes Administration recommends to uphold the Level III decision.

Trustee Infante made a motion to approve the recommendation of Mr. Fernando Castillo. It was second by Trustee Sandoval. Trustees Castillo, Ramos, Yanez, E. Lugo and Cenicerros voted against. The motioned failed.

Trustee Cenicerros made a motion that Mr. Cervantes be reinstated as Head Coach at Donna High School. The motioned failed. (Level II Grievance is held as heard.)

**E. Discussion and Possible Action Regarding Level III Grievance of David Robledo**

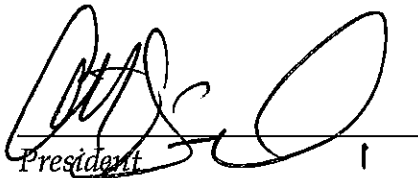
This item was deleted (postponed).

**F. Approval Regarding Pending or Contemplated Litigation, Settlement Matters, and/or Matters Where the Professional Duty Under State Board Requires Private Consultation with the School Attorney**

No action on this item.

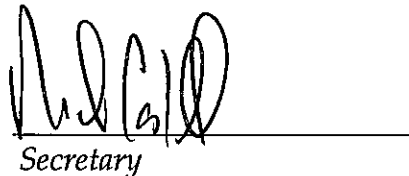
**VI. ADJOURN**

Trustee Infante made a motion to adjourn the meeting. It was second by Trustee Yanez. Trustees Ramos, Cenicerros and Castillo voted in favor. The motion carried. The meeting adjourned at 7:47 p.m.



President  
Board of Trustees  
Donna ISD

or



Secretary

Date Approved: November 10, 2015