

# Agenda of Special Meeting

## The Board of Trustees Bellville ISD

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A Special Meeting of the Board of Trustees of Bellville ISD will be held August 6, 2020, beginning at 6:30 PM in the Bellville ISD Administration Building Board Room  
518 S Matthews St  
Bellville, TX 77418.

1. Call to order
2. Invocation
3. Pledge of Allegiance
4. Presentations/Recognitions
  - A. Introduction of our Newest BISD Team Members. 2
5. Open Forum/Communications
6. Reports & Discussion Items
  - A. Presentation from Huckabee Architects
  - B. Presentation from VLK Architects
  - C. Discussion of BISD's Educational Broadband System 3
  - D. Discussion of BISD's Procurement & Implementation of the SmartTag system 4
  - E. Discuss Resolution to create an Escrow Account with I&S Revenues 14
  - F. Discuss BISD Compressed Tax Rate for M&O and publication of total tax rate. 23
7. Action Items
  - A. Review & Update BISD Board Operating Procedures 27
  - B. Consider action to approve the Order of Election for the Bellville ISD School Board Election on November 3, 2020. 40
8. Executive Session
  - A. For the purpose of discussing the purchase, exchange, lease, or value of real property. (551.072)
  - B. Conduct the summative annual evaluation of the Superintendent of Schools and consider action on amendment on said contract and related actions. (551.074) 42
  - C. Consider legal advice on any item listed on Board Agenda. (551.071)
9. Reconvene Open Session
  - A. The Board will take action on items from Closed Session as needed.
    1. Consider action on amendment to the Superintendent's contract and related actions.
10. Board Report
11. Adjourn

# 2020 BISD New Employee Cohort

Hannah Baker, BISD Alumni – BHS Teacher/Coach

Emily Barrera, BISD Alumni-BJHS Assistant Principal

Kali Bauman, BHS Special Education Aide

Aaron Capps, OBP Assistant Principal

Anna Carsrud, Speech Pathologist

Candace Clayton, Returning to BISD, BHS Teacher/Coach

Frances Cline, OBP Nurse

Hannah Cole, BHS Life Skills Teacher

Theresa Dierking, BJHS Math

Troy Edmund, BISD Alumni, BJHS Teacher/Coach

Monica Flores, BHS Spanish Teacher

Abby Poss, BHS Special Education Teacher

Erin Gilmore, BISD Technology Assistant

Maria Huerta, BHS Math Teacher

Alan Jeffrey, BHS/BJHS Construction Teacher

Devon Jones, BISD Alumni, OBI Special Education Teacher

Jennifer Jurries, West End Elementary Teacher

Mason Liodice, BJHS Teacher/Coach

Sydney Lopez, OBP PE Teacher/Coach

Kristi Mathis, BHS Secretary

Michelle Majeski, BISD Alumni- OBP Special Education Teacher

Lindsey Morille, BHS 504 & Credit Recovery Coordinator/Coach

Keith Reineke, BHS Special Education Teacher/Coach

Stephanie Reynolds, OBI Secretary

Christine Self, OBP Teacher

Jason Smalley, BISD Alumni- BHS Law Enforcement Teacher

Aleida Thompson, BISD Alumni- BJHS Special Education Aide

Diane Jimenez-Velasco, BJHS Science Teacher



# BELLVILLE INDEPENDENT SCHOOL DISTRICT

## Meeting of the BISD Board of Trustees

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August 6, 2020

<b>Subject:</b>	BISD Educational Broadband System
<b>Presenter:</b>	Dr. Nicole Poenitzsch, Superintendent
<b>Board Policy:</b>	FB (Legal) Equal Educational Opportunity
<b>BISD Goal:</b>	<ol style="list-style-type: none"><li>1. Develop and attain local standards for high levels of integrated learning and performance. [LEARNING]</li><li>2. Foster a connected, collaborative, and strategic approach to continuous improvement for the district. [LEADERSHIP]</li></ol>

<b>Summary:</b>	<p>BISD owns an Educational Broadband System that was issued to the district by the FCC. The intent was to provide districts with the capabilities to provide internet access within their geographic boundaries for educational purposes. In April 2020, the FCC updated laws regarding EBS to allow district's to sell this license to corporations. Additionally, the FCC established that if district's who hold licenses do not have activities on their spectrums for 180 consecutive days prior to a determined deadline (mid January) they will lose their ability to hold the license and ownership will return to the FCC.</p> <p>BISD has engaged in a partnership with an attorney with EBS expertise to provide us with an approximate value of the license and assist in negotiating the:</p> <ul style="list-style-type: none"><li>• Build out and use of our EBS by the determined deadline;</li><li>• lease of our EBS; or</li><li>• Sell of our EBS.</li></ul>
<b>Attachments:</b>	• None
<b>Recommendation:</b>	The recommendation is for the Board to: No Action is Recommended. Through discussion we need to determine our desired outcome for our EBS.

**BELLVILLE BRAHMAS**  
LEARNERS TODAY. LEADERS TOMORROW.



# BELLVILLE INDEPENDENT SCHOOL DISTRICT

## Meeting of the BISD Board of Trustees

August 6, 2020

<b>Subject:</b>	SmartTag
<b>Presenter:</b>	Dr. Nicole Poenitzsch, Superintendent
<b>Board Policy:</b>	CH (Local) Purchasing & Acquisition
<b>BISD Goal:</b>	2. Foster a connected, collaborative, and strategic approach to continuous improvement for the district. [LEADERSHIP]

<b>Summary:</b>	<ul style="list-style-type: none"><li>• In August 2020 one of the needs expressed at the campus level during input sessions was the need for a bus tracking system to assist with ensuring parents, administrators, and the transportation director knew where students were during the arrival and dismissal processes to the greatest extent possible.</li><li>• It is not uncommon, but is unfortunate and creates fear and chaos when a student falls asleep on a bus and doesn't get off at their stop, gets on the wrong bus, doesn't get on the bus, gets off at the wrong stop, or buses are running behind schedule. Knowing where our students are and that they are safe is a priority for all.</li><li>• In December the transportation director researched and presented three companies for consideration of providing this service.</li><li>• In January, SmartTag presented to the BISD Board of Trustees.</li><li>• In February, the cost for SmartTag and discussion of moving forward with the purchase of the system was presented in a Budget Workshop, and through discussion, we received indication to move forward with only routine route buses not the entire fleet to reduce the initial cost with intentions of formally approving the purchase in March.</li><li>• In March COVID-19 caused the district to close and the focus of our meetings to shift to crisis management.</li><li>• In April, we moved forward with purchasing SmartTag in the amount of \$45,645 under the mis-assumption that we had completed the approval process.</li><li>• In April, we presented purchase of a new camera system to replace the cameras installed 10 years ago.</li><li>• In April, the Board approved the purchase of the Vision Smart camera system for \$49,938.</li><li>• In July the Superintendent was approved for purchasing authority of to \$50,000 under policy CH (Local)</li><li>• In August, in review of the procurement process the Superintendent &amp; Assistant Superintendent became aware of the misstep in the purchasing process and consulted our procurement attorney for guidance on correction. Guidance was given that it can fall within the purchasing authority of the superintendent unless the Board's intent is to navigate the legal aspect of not honoring the purchase and installment with the company.</li></ul>
<b>Attachments:</b>	<ul style="list-style-type: none"><li>• January Board Agenda</li><li>• February Budget Information</li><li>• Internal Communication</li><li>• SmartTag Invoice</li></ul>
<b>Recommendation:</b>	The recommendation is for the Board to: No Action is Recommended. The intent of this discussion is transparency in the procurement process for SmartTag.

**BELLVILLE BRAHMAS**  
LEARNERS TODAY. LEADERS TOMORROW.



BELLVILLE INDEPENDENT SCHOOL DISTRICT  
**Meeting of the BISD Board of  
Trustees**

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**BELLVILLE BRAHMAS**  
LEARNERS TODAY.<sup>5</sup>LEADERS TOMORROW.

# Agenda of Regular Meeting

## The Board of Trustees Bellville ISD

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A Regular Meeting of the Board of Trustees of Bellville ISD will be held January 30, 2020, beginning at 6:30 PM in the Bellville ISD Administration Building Board Room.

The subjects to be discussed or considered or upon which any formal action may be taken are listed below. Items do not have to be taken in the same order as shown on this meeting notice. Unless removed from the consent agenda, items identified within the consent agenda will be acted on at one time.

1. Call to order  
"I call this meeting of the Bellville Independent School District to order. Let the record show that a quorum of board members is present, that this meeting has been duly called and that Notice of this meeting has been posted in accordance with the Texas Open Meetings Act, Texas Government Code Chapter 551."
2. Invocation
3. Pledge of Allegiance
4. Open Forum/Communications
5. Presentations/Recognitions
  - A. Campus Spotlight-O'Bryant Primary School
  - B. School Board Appreciation & Recognition of Years of Service
6. Reports
  - A. Monthly Financial Report - Dennis Jurek
  - B. Superintendent's Report
  - C. Presentation of 2020-2021 BISD Secondary Course Catalog-Matthew Mahlmann
  - D. Presentation from Smart Tag on potential bus tracking & student rider service system
7. Consent Agenda Items
  - A. Approve minutes of Regular Board Meeting for December 19, 2019
  - B. Approve Budget Amendments
  - C. Approve revisions to the MOU between BISD and the Bellville Pickleball Club
8. Action Items
  - A. Consider action to approve the Order of Election for the Bellville ISD School Board Election on May 2, 2020.
  - B. Consider action to approve the Notice of General Election for the Bellville ISD

School Board Election on May 2, 2020.

C. Consider action to approve the election judges/alternates and polling place for the Bellville ISD School Board Election on May 2, 2020.

D. Consider action on the recommendation for the 2020-2021 BISD Academic Calendar

9. Personnel

A. Discuss and consider action on approval of any professional/contract personnel to be employed and/or status of current professional personnel (including campus/district administrators.(551.074))

B. Discuss and consider action on approval of resignations received.(551.074)

C. Conduct the formative evaluation of the Superintendent of Schools and consider action to amend the Superintendent's contract. (551.074)

10. Executive Session

Closed meeting will be held for the purposes authorized by the Texas Open Meetings Act, Texas Government Code Section 551.071, and those listed on this notice, concerning any and all purposes permitted by the Act, including but not limited to the sections and purposes identified on the notice:

A. Discuss new personnel and resignations. (551.074)

B. Conduct the formative annual evaluation of the Superintendent of Schools and consider action on amendment on said contract and related actions. (551.074)

11. Reconvene Open Session

A. Consider approval of Superintendents recommendation of personnel. (551.074)

B. Consider amendment of Superintendent's contract and related actions. (551.074)

12. Board Report

13. Adjourn

# CAPITAL REQUEST

Project	Request	Quoted Price
Transportation	Student Tracking System (Smart Tag)	\$62,927 Yr. 1 \$14,014 Yearly
Junior High School	Teachers Lounge	\$49,551
FFA low pro trailer	New multi use low pro trailer for Sheep/Lamb/Swine	\$23,000
Football Bleacher Railing	Bleacher Railing Visitor Side, 3 rows 5 railings	\$14,500
Maintenance	19' Scissor Lift	\$11,100
Athletics	Film Room in High School New Floor (VCT)	\$4,000
Athletics	Film Room in High School Ceiling Tiles (683)	\$4,400
Admin/Park Area	Stump Grinding (33)	\$4,300
Admin/Park Area	Stump Grinding (33)	\$4,300
Auditorium	Mid-Stage Heavy Duty Track	\$6,604
Auditorium	Rear Projector Screen	\$3,075
<b>TOTAL REQUEST</b>		<b>\$187,757</b>





Nicole Poenitzsch <npoenitzsch@bellvillebrahmas.org>

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## Smart Tag

1 message

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**Dennis Jurek** <djurek@bellvillebrahmas.org>  
To: Tiffany Sootoo <tsootoo@bellvillebrahmas.org>  
Bcc: npoenitzsch@bellvillebrahmas.org

Wed, Feb 26, 2020 at 10:47 AM

Tiffany,

The board would like to move forward with putting the Smart Tag system on the March Agenda. I need you to get a quote from Smart Tag for 24 buses. For the last 5 years we have had 17 regular ed rounds and 2-4 special needs routes for a max total of 21 routes. This would give us up to 3 spare buses for routes or trips.

The quote need to include their purchasing cooperative bid number. The quote is needed by next week to review.

Thanks,

Dennis

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Dennis B. Jurek  
Asst. Supt. of Finance and Operations  
Bellville ISD  
(979) 865-3133

SPED

PR# 001345



by Secured Mobility, LLC

# QUOTE

BUYBOARD PRICING  
CONTRACT # 579-19

Date: 2/27/2020

Tiffany Sootoo  
Director of Transportation  
Bellville ISD  
1043 E Hacienda  
Bellville, TX 774180  
979-865-3673



Secured Mobility, LLC  
920 Rockmoor Drive  
Georgetown, TX 78628  
(512) 686-2360 Office  
(512) 864-9452 Fax  
[www.smart-tag.net](http://www.smart-tag.net)

## YEAR 1 COST

PART #	ITEM DESCRIPTION	BUYBOARD PER UNIT PRICE	# OF UNITS	LINE TOTAL
<b>Hardware</b> <i>1901.90<sup>208333</sup> Per Bus 7 SPED 17 Reg</i>				
SM-T397	Samsung Galaxy Tab Active2, 8.0 tablet computer (4G-LTE).	\$ 530.39	24	\$ 12,729.36
SM-T390	Samsung Galaxy Tab Active2, (WiFi) - requires WiFi service for internet access (item 770049 or customer-supplied service).	\$ 428.39	0	\$ -
770185	RAM Mount custom Samsung Galaxy Tab Active2 charging cradle with round base plate, SMART tag™ RFID Card Reader with RAM Mount round base plate, RAM Mount Installation Kit, and SMART tag™ wiring harness.	\$ 320.00	24	\$ 7,680.00
770025	SMART tag™ floor mount pole.	\$ 66.29	0	\$ -
770049	SMART tag™ OBD hardware (213LA) AVL/GPS Tracker with WiFi for Samsung Galaxy Tab Active WiFi Tablet (Tablet & cellular service not included in price).	\$ 101.99	0	\$ -
770044	SMART OBD™ white fleet GPS hardware, including Year 1 Service (per vehicle) - AVL/GPS Vehicle Tracker with Cloud Admin Portal.	\$ 158.80	0	\$ -
770055	SMART tag™ Reader Programmer Tablet.	\$ 249.00	0	\$ -
770043	SMART tag™ Screen Repair for Samsung Galaxy Tab Active2 - Covers repair of cracked/broken Tablet screens.	\$ 250.00	0	\$ -
770032	*Installation, includes hardware wiring, mount(s), charging cradle, and RFID card reader on school bus.	\$ 195.00	24	\$ 4,680.00
<b>Software</b>				
770065	SMART tag™ Annual Service Plan per Tablet, includes tablet cellular data service, GPS tracking, bus and student monitoring, Pre/Post Trip Inspection Reporting, State Headcount Reporting, Special Education Reporting, Technical Support, Admin Portal cloud hosting/access, Campus Portal cloud hosting/access, Parent Portal cloud hosting/access, (Base Communications Plan*) Driver/Student/Parent Alerts via email/text notifications.	\$ 347.40	24	\$ 8,337.60
770027	Initial Software License for SMART tag™ per Tablet.	\$ 289.00	24	\$ 6,936.00
770091	SMART tag™ Annual Service Subscription (per vehicle) - GPS route data daily export to Routing software database.	\$ 20.00	0	\$ -
770092	SMART tag™ Annual Software Subscription per campus - Campus Portal: SMART conduct.	\$ 616.44	0	\$ -
770093	SMART tag™ Annual Software Subscription per campus - Campus Portal: SMART dismissal.	\$ 995.00	0	\$ -
770094	SMART tag™ Annual Service Subscription - Time and Attendance scheduled exports to 3rd party system.	\$ 795.00	0	\$ -

SPED 199-34-6639-80 *Page 2 of 6* 196-023045

Reg 199-34-6639-34-996-099045

# 13,313.31 *29.165%*

# 32,332.34 *76.834%*

770095	**SMART tag™ Annual Service Subscription - Routing or SIS software database updates daily import/synchronization.	\$ 795.00	1	\$ 795.00
770096	SMART tag™ Parent email Notifications Module (see Communication Pricing on last page).	\$ 10.00	0	\$ -
770098	SMART tag™ Parent text/sms Notifications Module (see Communication Pricing on last page).	\$ 10.00	0	\$ -
770068	Mobile Phone Lookup Service per student - verifies if emergency phone number in student record is a mobile number in order to send Parent Notifications via text over email.	\$ 0.05	2250	\$ 112.50
770103	Custom Report(s) Development budget - estimated hours for developing 1 custom report. Report requirements must be based on available data.	\$ 2,000.00	0	\$ -
770108	SMART tag™ Custom API Data Client Annual Service	\$ 2,375.00	0	\$ -
<b>RFID Cards / Printers &amp; Related Items</b>				
770015	SMART tag™/HID RFID Card - Blank (non-printed).	\$ 0.88	100	\$ 88.00
770052	SMART tag™/HID RFID Card - Monochrome Black 1-sided imprint, including school district logo/artwork.	\$ 1.38	1500	\$ 2,070.00
771528	IDP Smart 31 single side ID card printer w/ encoder (3 yr warranty)	\$ 1,199.00	0	\$ -
771399	IDP Smart 51 single side ID card printer w/ encoder (3 yr warranty)	\$ 1,699.00	1	\$ 1,699.00
771040	SMART print ID Card Printing Software (1 user)	\$ 299.00	1	\$ 299.00
770026	Card Exchange Professional ID Card Printing Software.	\$ 796.00	0	\$ -
770045	Smart 31/51 Black Ribbon (estimated 1250 prints)	\$ 25.00	1	\$ 25.00
779366	Smart 31/51 Color Ribbon (estimated 250 prints)	\$ 70.00	0	\$ -
770040	Evolis Primacy single side ID card printer w/ encoder (PM1H00HSRD).	\$ 1,827.45	0	\$ -
770045	Evolis Primacy Black Ribbon (RCT023NAA).	\$ 24.18	0	\$ -
770046	Evolis Primacy Color Ribbon (R5F008AAA).	\$ 88.35	0	\$ -
779909	Smart 31/51 Cleaning Strip Kit (10 strips)	\$ 90.00	0	\$ -
770019	SMART tag™ Desktop NFC/RFID Card Reader (USB).	\$ 44.19	1	\$ 44.19
770030	SMART tag™ Clear Plastic Card Holder - Heavy Duty.	\$ 0.33	0	\$ -
770031	SMART tag™ bus yellow or black lanyard (w/breakaway and clip).	\$ 1.05	0	\$ -
770057	SMART tag™ clip on zip reel (no lanyard).	\$ 1.18	0	\$ -
<b>Training</b>				
770034	\$75 hourly rate times number of hours for web training for drivers (Driver App) and transportation department staff (Admin Portal). Number of hours quoted relates to number of drivers/staff members to train.	\$ 75.00	2	\$ 150.00
770029	***\$75 hourly rate x 8 hours x 3 days per trainer for overseeing/assisting drivers and staff during initial launch.	\$ 1,800.00	0	\$ -

**YEAR 1 TOTAL \$ 45,645.65**

One (1) year warranty on all hardware except if otherwise noted; tablet computer battery (6 months). NO warranty on screens.

\*Installation price includes hotels, meals, for install team, but does not include travel expenses.

\*\*Routing Software providers may charge for API access, and are not included with this quote.

\*\*\*On-site training and on-site launch team members does not include Travel and Expenses.

**ANNUAL RECURRING COST (After YEAR 1)**

PART #	ITEM DESCRIPTION	BUYBOARD PER UNIT PRICE	# OF UNITS	LINE TOTAL
770065	SMART tag™ Annual Service Plan per Tablet, includes tablet monthly data plan, GPS tracking, bus and student monitoring, Pre/Post Trip Inspection Reporting, State Headcount Reporting, Special Education Reporting, Technical Support, Admin Portal cloud hosting/access, Campus Portal cloud hosting/access, Parent Portal cloud hosting/access, (Base Communications Plan*) Driver/Student/Parent Alerts via email/text notifications.	\$ 347.40	24	\$ 8,337.60
770079	SMART tag™ Annual Maintenance per Tablet - Database Maintenance/ Updates/Feature Development/Technical Support for SMART tag™ Tablet Driver Mobile App and Cloud hosted services.	\$ 29.00	24	\$ 696.00
770081	SMART tag™ 1 Year Equipment Extended Warranty (per vehicle) - Covers all SMART Tag supplied hardware equipment. (Broken Tablet screens excluded).	\$ 112.24	0	\$ -
770096	SMART tag™ Monthly Software + Service Subscription per tablet- Parent email Notifications Module (see Communication Pricing on last page).	\$ 10.00	0	\$ -
770098	SMART tag™ Monthly Software + Service Subscription per tablet - Parent text/sms Notifications Module (see Communication Pricing on last page).	\$ 10.00	0	\$ -
770095	SMART tag™ Annual Service Subscription - Routing or SIS software database updates daily import/synchronization.	\$ 795.00	1	\$ 795.00
770093	SMART tag™ Annual Software Subscription per campus - Campus Portal: Campus Dismissal Module.	\$ 995.00	0	\$ -
770049	SMART tag™ OBD hardware (213LA) AVL/GPS Tracker with WiFi for Samsung Active WiFi Tablet (cellular service not included in price).	\$ 101.99	0	\$ -
770144	SMART OBD™ white fleet GPS Annual Service Renewal (per vehicle) - AVL/GPS Vehicle Tracker with Cloud Admin Portal.	\$ 102.60	0	\$ -
770049	SMART tag™ OBD hardware (213LA) including Annual Software + Service Subscription per vehicle - AVL/GPS Vehicle Tracker with Cloud Admin Portal plus WiFi service for SMART tag™ Tablet.	\$ 207.00	0	\$ -
770069	Mobile Phone Lookup Service per student - Ongoing verification of emergency phone numbers in student records as a mobile number in order to send Parent Notifications via text over email.	\$ 0.02	2250	\$ 45.00
770108	SMART tag™ Custom API Data Client Annual Service	\$ 2,375.00	0	\$ -

**ANNUAL RECURRING TOTAL \$ 9,873.60**

**BELLVILLE ISD**

518 S. MATHEWS BELLVILLE, TX. 77418

Phone: (979) 865-3133

Fax: (979) 865-8591

P.O. NUMBER 201395

ATTACHMENTS N

P.O. DATE 05-05-2020

DELIVER BY 04-30-2020

REQ NBR 001345

VENDOR NBR 12663

REF NBR

BID NBR

FEDERAL ID NBR 74-6000344

VENDOR NOTE

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BELLVILLE TRANSPORTATION DEPT  
1043 E. HACIENDA  
BELLVILLE, TX 77418  
Requestor TIFFANY SOOTOO

V  
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SMART TAG  
920 ROCKMOOR DR  
GEORGETOWN, TX 78628

Page: 1 of 1

vendor phone: (512) 686-2360

SEQ	QTY	UNIT	CATALOG NBR	DESCRIPTION	UNIT PRICE	DISCOUNT	FREIGHT	TOTAL PRICE
001	1.00			GPS 7 SPED 17 REG ED BUS	45,645.65000	.00	.00	45,645.65

Account Code	Encumbrance Amt	Invoice Nbr	Expend Amount
199-34-6639.34-996-099045	32,332.64		
199-34-6639.80-996-023045	13,313.01		
<b>Total:</b>	<b>\$45,645.65</b>		

Approval Path

Seq Nbr	Approver	Status	Date
1	CHRISTINE M SLOVAK	Submitted	04-30-2020
2	DENNIS B JUREK	Approved	05-05-2020
5	DENNIS B JUREK	Approved	05-05-2020

TOTAL P.O. 45,645.65

*Handwritten initials*



ORIGINATOR	DATE	REQUESTOR	DATE	APPROVER	DATE
CHRISTINE M SLOVAK	04-30-2020	CHRISTINE M SLOVAK	04-30-2020	DENNIS B JUREK	05-05-2020

  

APPROVER	DATE	APPROVER	DATE	RECEIVED BY	DATE
DENNIS B JUREK	05-05-2020	<i>Dennis Jurek</i>	05-05-2020		



# BELLVILLE INDEPENDENT SCHOOL DISTRICT

## Meeting of the BISD Board of Trustees

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August 6, 2020

<b>Subject:</b>	I&S Tax Revenue & Early Bond Pay Off
<b>Presenter:</b>	Dr. Nicole Poenitzsch, Superintendent
<b>Board Policy:</b>	CE (Legal) Annual Operating Budget
<b>BISD Goal:</b>	2. Foster a connected, collaborative, and strategic approach to continuous improvement for the district. [LEADERSHIP]

<b>Summary:</b>	<p>The increase in BISD's property values and reduction in annual bond payments have created an opportunity for BISD to maintain the same I&amp;S tax rate for the 2020-2021 school year with passage of a Defeasance Resolution per SB 2274 to reinvest the surplus I&amp;S revenue generated into an escrow account for the purposes of later paying down callable bond debt.</p>
<b>Attachments:</b>	<ul style="list-style-type: none"><li>• Tax Levy for Early Debt Retirement</li><li>• BISD Defeasance Program</li></ul>
<b>Recommendation:</b>	<p>The recommendation is for the Board to: No Action is Recommended. The intent is discussion for action consideration at our regular August Board Meeting.</p>

**BELLVILLE BRAHMAS**  
LEARNERS TODAY. LEADERS TOMORROW.

## BILL ANALYSIS

Senate Research Center

S.B. 2274  
By: Seliger  
Finance  
8/10/2009  
Enrolled

### AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Under current law, if a school district lowers its maintenance and operations tax rate and subsequently raises it to the level it was prior to the decrease, a rollback election is triggered. This is a disincentive for school districts to lower the maintenance and operations tax in order to increase the interest and sinking tax and retire bond debt.

S.B. 2274 allows a school district to reduce its maintenance and operations tax rate and subsequently raise it to the amount it was prior to the decrease without triggering a rollback election. The bill authorizes a school district to levy taxes in order to pay off bond debt early.

### RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 26.08, Tax Code, by adding Subsection (p), to provide that notwithstanding Subsections (i) (relating to the basis for the effective maintenance and operations tax rate of a school district under this section), (n) (relating to the rollback tax rate of a school district whose maintenance and operations tax rate for the 2005 tax year was \$1.50 or less per \$100 of taxable value), and (o) (relating to the rollback tax rate of a school district whose maintenance and operations tax rate is greater than \$1.50 per \$100 of taxable value), if for the preceding tax year the district adopted a maintenance and operations tax rate that was less than the district's effective maintenance and operations tax rate for that preceding tax year, the rollback tax rate of the district for the current tax year is calculated as if the district adopted a maintenance and operations tax rate for the preceding tax year that was equal to the district's effective maintenance and operations tax rate for that preceding tax year.

SECTION 2. Amends Section 45.001(a), Education Code, to authorize the governing board of an independent school district, including the city council or commission that has jurisdiction over a municipally controlled independent school district, the governing board of a rural high school district, and the commissioners court of a county, on behalf of each common school district under its jurisdiction, to issue bonds for certain purposes and levy, pledge, assess, and collect annual ad valorem taxes sufficient to pay the principal of and interest on the bonds as or before the principal and interest become due, subject to Section 45.003 (Bond and Tax Elections).

SECTION 3. (a) Provides that the change in law made by this Act applies to the ad valorem tax rate of a school district beginning with the 2009 tax year, except as provided by Subsection (b) of this section.

(b) Provides that if the governing body of a school district adopted an ad valorem tax rate for the school district for the 2009 tax year before the effective date of this Act, the change in law made by this Act applies to the ad valorem tax rate of that school district beginning with the 2010 tax year, and the law in effect when the tax rate was adopted applies to the 2009 tax year with respect to that school district.

SECTION 4. Effective date: upon passage or September 1, 2009.

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AN ACT

relating to the authority of a school district to impose ad valorem taxes.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 26.08, Tax Code, is amended by adding Subsection (p) to read as follows:

(p) Notwithstanding Subsections (i), (n), and (o), if for the preceding tax year the district adopted a maintenance and operations tax rate that was less than the district's effective maintenance and operations tax rate for that preceding tax year, the rollback tax rate of the district for the current tax year is calculated as if the district adopted a maintenance and operations tax rate for the preceding tax year that was equal to the district's effective maintenance and operations tax rate for that preceding tax year.

SECTION 2. Subsection (a), Section 45.001, Education Code, is amended to read as follows:

(a) The governing board of an independent school district, including the city council or commission that has jurisdiction over a municipally controlled independent school district, the governing board of a rural high school district, and the commissioners court of a county, on behalf of each common school district under its jurisdiction, may:

- (1) issue bonds for:

1 (A) the construction, acquisition, and equipment  
2 of school buildings in the district;

3 (B) the acquisition of property or the  
4 refinancing of property financed under a contract entered under  
5 Subchapter A, Chapter 271, Local Government Code, regardless of  
6 whether payment obligations under the contract are due in the  
7 current year or a future year;

8 (C) the purchase of the necessary sites for  
9 school buildings; and

10 (D) the purchase of new school buses; and

11 (2) may levy, pledge, assess, and collect annual ad  
12 valorem taxes sufficient to pay the principal of and interest on the  
13 bonds as or before the principal and interest become due, subject to  
14 Section 45.003.

15 SECTION 3. (a) The change in law made by this Act applies  
16 to the ad valorem tax rate of a school district beginning with the  
17 2009 tax year, except as provided by Subsection (b) of this section.

18 (b) If the governing body of a school district adopted an ad  
19 valorem tax rate for the school district for the 2009 tax year  
20 before the effective date of this Act, the change in law made by  
21 this Act applies to the ad valorem tax rate of that school district  
22 beginning with the 2010 tax year, and the law in effect when the tax  
23 rate was adopted applies to the 2009 tax year with respect to that  
24 school district.

25 SECTION 4. This Act takes effect immediately if it receives  
26 a vote of two-thirds of all the members elected to each house, as  
27 provided by Section 39, Article III, Texas Constitution. If this

Information on Defeasance / I&S Tax Rate Management Programs | August 3, 2020

Bellville Independent School District



**SPECIALIZED PUBLIC FINANCE INC.**  
FINANCIAL ADVISORY SERVICES

Victor Quiroga, Jr.  
Managing Director  
10010 San Pedro Ave, Suite 301  
San Antonio, Texas 78216  
210.239.0204 Office | 210.887.1810 Mobile  
victor@spfmuni.com

## Existing Debt Profile

Bond Issue	Interest Rate	Par Amount Issued	Outstanding Principal	Callable Principal	Call Date	Final Maturity
U/L Tax Ref Bonds, Series 2016	3.00% - 4.00%	\$ 5,170,000	\$ 3,375,000	\$ 1,875,000	2/15/2026	2/15/2037
U/L Tax Ref Bonds, Series 2015	1.60% - 4.00%	\$ 7,415,000	\$ 6,795,000	\$ 5,285,000	8/15/2024	2/15/2036
U/L Tax Ref Bonds, Series 2013	2.00% - 4.00%	\$ 8,885,000	\$ 8,560,000	\$ 7,870,000	2/15/2022	2/15/2036
		\$ 21,470,000	\$ 18,730,000	\$ 15,030,000		

## Defeasance / I&S Tax Rate Management Program

- Holding the 14.00¢ I&S tax rate in Fiscal Year 2021 and using approximately \$555,463 of I&S tax revenues would allow the District to eliminate a portion of the Series 2013 bonds and generate savings of \$284,536.67 based on current escrow reinvestment rates.
- In addition to paying off existing bonds ahead of schedule, an amount of \$9,000,000 in future bond capacity may be pursued while maintaining an a 14.00¢ I&S tax rate.
- To keep the 14.00¢ I&S tax rate for FYE 8/31/2021, the board would approve a “Defeasance Resolution” at the same meeting with the budget and tax rate is adopted.
- A preliminary Fiscal Year 2021 summary would be as follows:

Closed	Defeased Bonds							Net D/S Savings
	Issue	Maturities	Call Date	Interest Rates	Principal	Interest	Total P&I	
Est. 8/15/20	Portion of Series 2013 Refunding	2036	2/15/22	4.00%	525,000	315,000	840,000	284,537
					\$ 525,000	\$ 315,000	\$ 840,000	\$ 284,537

Note: 2020 defeasance information is as of August 3, 2020 for purposes of illustration only. Preliminary, subject to change.

## Preliminary Calculation of FY 2021 Defeasance Funds

FY 2021 I&S Tax Rate	\$	0.1400	11.9058%
FY 2021 M&O Tax Rate	\$	1.0359	88.0942%
<hr/>			
Total FY 2020 Tax Rate	\$	1.1759	
Assumed Tax Collection Rate		98.00%	
FY 2021 Freeze-Adjusted AV	\$	1,237,133,928	
Projected I&S Tax Revenue	\$	1,697,348	
Total Frozen Revenues	\$	2,656,204	
I&S Portion of Frozen Revenues	11.9058%	\$ 309,917	at 98.00% collections
<hr/>			
Projected Total I&S Tax Revenues	\$	2,007,265	
Less: Scheduled FY 2021 Debt Service Payments			
Series 2013	\$	648,638	
Series 2016		610,410	
Series 2016		192,000	
<hr/>			
Total Debt Service	\$	1,451,048	
<hr/>			
<b>AMOUNT AVAILABLE FOR DEFEASANCE</b>	<b>\$</b>	<b>556,217</b>	



## I&S Tax Rate Model based on the Defeasement of Bonds

(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(K)	(L)	(M)
FYE 8/31	Freeze-Adj. Assessed Valuation	Est. Growth	Existing U/L Tax D/S	Less: Defeased D/S	\$9,000,000 Series 2021 8/18 2.31%	Projected Total D/S	Less: Est. State Assistance	Less: Available D/S Funds	Plus: Prelim Defeasance Cost	Less: Frozen Tax Revenues	Projected Total Net D/S	Projected I&S Tax Rate
2020	\$ 1,488,862,035		\$ 1,818,233	\$ -	\$ -	\$ 1,818,233	\$ -	\$ -	\$ -	\$ (294,059)	\$ 1,524,173	\$ 0.1400
2021	1,237,133,928	-16.91%	1,451,048	-	-	1,451,048	-	-	555,463	(309,812)	1,696,698	0.1399
2022	1,237,133,928	0.00%	1,455,938	(21,000)	571,877	2,006,814	-	-	-	(309,854)	1,696,960	0.1400
2023	1,237,133,928	0.00%	1,455,138	(21,000)	568,800	2,002,938	-	-	-	(309,317)	1,693,620	0.1397
2024	1,237,133,928	0.00%	1,456,613	(21,000)	567,800	2,003,413	-	-	-	(309,383)	1,694,030	0.1397
2025	1,237,133,928	0.00%	1,455,088	(21,000)	571,300	2,005,388	-	-	-	(309,657)	1,695,731	0.1399
2026	1,237,133,928	0.00%	1,454,263	(21,000)	569,300	2,002,563	-	-	-	(309,265)	1,693,297	0.1397
2027	1,237,133,928	0.00%	1,454,263	(21,000)	571,800	2,005,063	-	-	-	(309,612)	1,695,451	0.1398
2028	1,237,133,928	0.00%	1,457,888	(21,000)	568,800	2,005,688	-	-	-	(309,698)	1,695,989	0.1399
2029	1,237,133,928	0.00%	1,453,800	(21,000)	570,300	2,003,100	-	-	-	(309,340)	1,693,760	0.1397
2030	1,237,133,928	0.00%	1,460,413	(21,000)	566,300	2,005,713	-	-	-	(309,702)	1,696,011	0.1399
2031	1,237,133,928	0.00%	1,456,250	(21,000)	571,700	2,006,950	-	-	-	(309,873)	1,697,077	0.1400
2032	1,237,133,928	0.00%	1,452,125	(21,000)	571,400	2,002,525	-	-	-	(309,260)	1,693,265	0.1397
2033	1,237,133,928	0.00%	1,457,856	(21,000)	565,600	2,002,456	-	-	-	(309,250)	1,693,206	0.1397
2034	1,237,133,928	0.00%	1,455,200	(21,000)	569,200	2,003,400	-	-	-	(309,381)	1,694,019	0.1397
2035	1,237,133,928	0.00%	1,451,800	(21,000)	572,000	2,002,800	-	-	-	(309,298)	1,693,502	0.1397
2036	1,237,133,928	0.00%	1,456,200	(546,000)	574,000	1,484,200	-	-	-	(235,421)	1,248,779	0.1030
2037	1,237,133,928	0.00%	198,900	-	575,200	774,100	-	-	-	(127,463)	646,637	0.0533
2038	1,237,133,928	0.00%	-	-	575,600	575,600	-	-	-	(95,789)	479,811	0.0396
2039	1,237,133,928	0.00%	-	-	580,100	580,100	-	-	-	(96,514)	483,586	0.0399
2040	1,237,133,928	0.00%	-	-	578,700	578,700	-	-	-	(96,289)	482,411	0.0398
2041	1,237,133,928	0.00%	-	-	581,400	581,400	-	-	-	(96,724)	484,676	0.0400
2042	1,237,133,928	0.00%	-	-	-	-	-	-	-	-	-	-
			\$ 25,301,011	\$ (840,000)	\$ 11,441,177	\$ 35,902,188	\$ -	\$ -	\$ 555,463	\$ (5,684,961)	\$ 30,772,690	

**Assumptions:**

- (1) FY 2021 Freeze-Adj. Assessed Valuation ("AV") taken from the Austin County Appraisal District as of July 23, 2020. Projected AV assumed to remain constant.
- (2) All financing assumptions are as of July 31, 2020 for purposes of illustration only. Preliminary, subject to change.
- (3) Total frozen tax revenues of \$2,656,204 for FY 2021 taken from the Austin County Appraisal District as of July 23, 2020. Total frozen revenues are assumed to remain constant and the portion attributable to the I&S tax rate is calculated on a pro rata basis assuming a constant M&O tax rate of \$1.0359 (at 98.00% collections).
- (4) Est. tax collection rate: 98.00%



# BELLVILLE INDEPENDENT SCHOOL DISTRICT

## Meeting of the BISD Board of Trustees

August 6, 2020

<b>Subject:</b>	M&O Tax Rate for 2020-2021
<b>Presenter:</b>	Dr. Nicole Poenitzsch, Superintendent
<b>Board Policy:</b>	CE (Legal) Annual Operating Budget
<b>BISD Goal:</b>	2. Foster a connected, collaborative, and strategic approach to continuous improvement for the district. [LEADERSHIP]

<b>Summary:</b>	<p>Bellville has received notifications from TEA authorizing the district to proceed with adopting a tax rate for 2020-2021, these include the District Intent and selection of option 3 for excess local revenue (offset with state funding) and the approval of the District MCR (Maximum Compressed Rate)</p> <p>Bellville ISD Submit Certified taxable values for 2019 and 2020 to TEA who calculate and approve of the 2020-2021 tax rate. The 2020 certified property value growth of 7.19% resulted in a compression of the M&amp;O rate by 4.07 pennies, from 1.0359 (2019-2020) to \$.9952 (2020-2021). Any reduction in M&amp;O revenue that may result from the decrease in tax rate, should be offset by State contributions.</p> <p>The proposed 2020-2021 Tax rate shall consist of:</p> <table><tr><td>M&amp;O</td><td>\$0.9952</td></tr><tr><td><u>I&amp;S</u></td><td><u>\$0.1400</u></td></tr><tr><td>Total Tax Rate</td><td>\$1.1352</td></tr></table>	M&O	\$0.9952	<u>I&amp;S</u>	<u>\$0.1400</u>	Total Tax Rate	\$1.1352
M&O	\$0.9952						
<u>I&amp;S</u>	<u>\$0.1400</u>						
Total Tax Rate	\$1.1352						
<b>Attachments:</b>	<ul style="list-style-type: none"><li>• BISD Tax Rate History</li></ul>						
<b>Recommendation:</b>	The recommendation is for the Board to: No Action is Recommended. The intent is discussion for action consideration at our regular August Board Meeting.						

**BELLVILLE BRAHMAS**  
LEARNERS TODAY. LEADERS TOMORROW.



BELLVILLE INDEPENDENT SCHOOL DISTRICT  
**Meeting of the BISD Board of  
Trustees**

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**BELLVILLE BRAHMAS**  
LEARNERS TODAY. LEADERS TOMORROW.

## BELLVILLE ISD TAX RATE HISTORY

	<b>M&amp;O</b>	<b>I&amp;S</b>	<b>Combined Tax Rate</b>
2005-2006	\$1.5000	\$0.1800	\$1.6800
2006-2007	\$1.3700	\$0.2100	\$1.5800
2007-2008	\$1.0400	\$0.2400	\$1.2800
2008-2009	\$1.0400	\$0.2400	\$1.2800
2009-2010	\$1.0400	\$0.2200	\$1.2600
2010-2011	\$1.0400	\$0.2200	\$1.2600
2011-2012	\$1.0400	\$0.2200	\$1.2600
2012-2013	\$1.0400	\$0.2200	\$1.2600
2013-2014	\$1.0800	\$0.1800	\$1.2600
2014-2015	\$1.0800	\$0.1800	\$1.2600
2015-2016	\$1.1200	\$0.1400	\$1.2600
2016-2017	\$1.1200	\$0.1400	\$1.2600
2017-2018	\$1.1200	\$0.1400	\$1.2600

2018-2019	\$1.1200	\$0.1400	\$1.2600
2019-2020	\$1.0359	\$0.1400	\$1.1759
2018-2019	\$0.9952	\$0.1400	\$1.1352



# BELLVILLE INDEPENDENT SCHOOL DISTRICT

## Meeting of the BISD Board of Trustees

---

August 6, 2020

<b>Subject:</b>	Board Operating Procedures
<b>Presenter:</b>	Grant Lischka, Board President
<b>Board Policy:</b>	Applicable policies include all in the [B. Local Governance] policy series
<b>BISD Goal:</b>	<ol style="list-style-type: none"><li>1. Develop and attain local standards for high levels of integrated learning and performance. [LEARNING]</li><li>2. Foster a connected, collaborative, and strategic approach to continuous improvement for the district. [LEADERSHIP]</li><li>3. Create a culture that attracts, develops, and retains exceptional individuals to be part of our district and community. [CULTURE]</li><li>4. Cultivate connections in our schools and community to ensure all feel safe, valued, and engaged in meaningful ways. [COMMUNITY]</li></ol>
<b>Summary:</b>	The purpose of this item is to approve our Local Board Operating Procedures as discussed at our August Board Retreat and September Board Meeting.
<b>Attachments:</b>	<ul style="list-style-type: none"><li>• BISD Board Operating Procedures</li></ul>
<b>Recommendation:</b>	The recommendation is for the Board to: Update and approve the local Board Operating Procedures as discussed.

**BELLVILLE BRAHMAS**  
LEARNERS TODAY. LEADERS TOMORROW.

BELLVILLE INDEPENDENT SCHOOL DISTRICT  
LEADERSHIP TEAM. BOARD OF TRUSTEES. SUPERINTENDENT



## BOARD OPERATING PROCEDURES

LEARNERS TODAY. LEADERS TOMORROW.  
518 S. MATHEWS STREET. BELLVILLE. TX. 77418. BELLVILLEISD.ORG

# ETHICS

As a member of the Board, I shall promote the best interests of the District as a whole and, to that end, shall adhere to the following ethical standards:

## EQUITY IN ATTITUDE

- I will be fair, just, and impartial in all my decisions and actions.
- I will accord others the respect I wish for myself.
- I will encourage expressions of different opinions and listen with an open mind to others' ideas.
- I will encourage expressions of different opinions and listen with an open mind to others' ideas.
- I will be accountable to the public by representing District policies, programs, priorities, and progress accurately.

## TRUSTWORTHINESS IN STEWARDSHIP

- I will be accountable to the public by representing District policies, programs, priorities, and progress accurately.
- I will be responsive to the community by seeking its involvement in District affairs and by communicating its priorities and concerns.
- I will work to ensure prudent and accountable use of District resources.
- I will make no personal promise or take private action that may compromise my performance or my responsibilities.

## HONOR IN CONDUCT

- I will tell the truth.
- I will share my views while working for consensus.
- I will base my decisions on fact rather than supposition, opinion, or public favor.

## INTEGRITY OF CHARACTER

- I will refuse to surrender judgment to any individual or group at the expense of the District as a whole.
- I will consistently uphold all applicable laws, rules, policies, and governance procedures.
- I will not disclose information that is confidential by law or that will needlessly harm the District if disclosed.

## COMMITMENT TO SERVICE

- I will focus my attention on fulfilling the Board's responsibilities or goal setting, policymaking, and elevation.
- I will diligently prepare for and attend Board meetings.
- I will avoid personal involvement in activities the Board has delegated to the Superintendent.
- I will seek continuing education that will enhance my ability to fulfill my duties effectively.

## STUDENT-CENTERED FOCUS

- I will be continuously guided by what is best for all students of the District.

# AUTHORITY

The trustees as a body corporate have the exclusive power and duty to govern and oversee the management of the public schools of the district. The Board may only act by a majority vote of the members present at a meeting held in compliance with Government Code Chapter 551 (Open Meeting Act). Unless authorized by the Board, a member of the Board may not, individually act on behalf of the Board.

## ACCESS TO INFORMATION

- When acting in the member's official capacity, a board member has an inherent right of access to information, documents, and records maintained by the district.
- A Board member shall maintain the confidentiality of information, documents, and records received from the district as required by the Family Educational Rights and Privacy Act of 1974.

## VISITS TO DISTRICT FACILITIES

- A Board member shall adhere to posted requirements for visitors to first report to the main office of a District facility, including a school campus.
- Board members are encouraged to attend special events on campuses.
- Board members shall not go into teacher's classrooms or campuses for the purpose of evaluation or investigation.
- Visits during the business day shall not be permitted if their duration or frequency interferes with the delivery of instruction or District Operations.

## REFERRING COMPLAINTS

- If employees, parents, students, or other members of the public bring concerns or complaints to an individual Board member, he or she shall refer them to the Superintendent or another appropriate administrator, who shall proceed according to the applicable complaint policies.
- When the concern or complaint directly pertains to the Board's own actions or policy, for which there is no administrative remedy, the Board member may request that the issue be placed on the agenda.
- There is no requirement that a Board negotiate or even respond to complaints. However, a Board must stop, look, and listen and must consider the perspective given.

BBE (Legal)

BBE (Local)

GF (Legal)

# LEADERSHIP

## SELECTION OF BOARD OFFICERS

- At the first meeting after each election and qualification of members, the members of the Board shall organize by selecting a President, a Vice President, a Secretary, who shall be members of the Board.
- The Board may assign a District employee to provide clerical assistance to the Board.
- Board members shall serve for a term of one year or until a successor is elected. Officers may succeed themselves in office.
- A vacancy among the officers of the Board, other than the President, shall be filled by majority action of the Board.

## ROLE AND AUTHORITY OF BOARD OFFICERS

- No Board member or officer has authority outside the Board meeting.
- No Board member can direct employees in regard to performance of duties.
- The Board President shall:
  - Preside at all Board meetings,
  - Have the right to discuss, make motions and resolutions, and vote on all matters coming before the Board.
- The Board Vice President shall:
  - Act in the capacity and perform the duties of the President of the Board in the event of the absence or incapacity of the President.
  - Automatically become President of the Board if a vacancy in that office occurs.
- The Board Secretary shall:
  - Ensure that an accurate record is kept of the proceedings of each Board meeting;
  - Ensure that notices of Board meetings are posted and sent as required by law;
  - In the absence of the President and Vice President, call the meeting to order and act as presiding officer;
  - Sign or countersign documents as directed by action of the Board.

# MEETINGS

A “meeting” means a deliberation among a quorum of a board, or between a quorum of the Board and another person, during which public business or public policy over which the Board has supervision or control is discussed or considered, or during which the board takes formal action.

## MEETING TIME & PLACE

- The notice for a Board meeting shall be given 72 hours before the meeting and shall reflect the date, time, and location of the meeting.
- Regular meetings of the Board shall normally be held on the fourth Thursday of each month at 6:30pm.
- When determined necessary and for the convenience of Board members, the Board President may change the date, time, or location of a regular meeting with proper notice.
- Notice of all meetings shall provide for the possibility of a closed meeting during an open meeting in accordance with law.

## SPECIAL OR EMERGENCY MEETINGS

- The Board President shall call special meetings at the Board President’s discretion or upon request by two members of the Board.
- The Board President shall call an emergency meeting when it is determined by the Board President or two members of the board that an emergency or urgent public necessity warrants the meeting.

## MEETING AGENDA

- The deadline for submitting items for inclusion on the agenda is the seventh calendar day before regular meetings and the third calendar day before special meetings.
- In consultation with the Board President, the Superintendent shall prepare the agenda for all Board meetings.
- Any Board member may request that a subject be included on the agenda for a meeting, and the Superintendent shall include on the preliminary agenda of the meeting all topics that have been timely submitted by a Board member.
- Before the official agenda is finalized for any meeting, the Superintendent shall consult with the Board president to ensure that the agenda and the topics included meet with the Board President’s approval.
- The Board President shall ensure that any topics the Board or individual Board members have requested to be addressed are either on that agenda or scheduled for deliberation at an appropriate time in the near future.
- The Board President shall not have authority to remove from the agenda a subject requested by a Board member without that member’s specific authorization.
- Board members are encouraged to advise the Superintendent of questions or concerns on agenda items before the Board meeting

## OPEN/CLOSED MEETING

- Every meeting of the Board shall be open to the public.
- The Board may conduct a closed meeting when the agenda subject is one that may properly be discussed in closed meeting including:
  - Attorney consultation;
  - Real property;
  - Prospective Gift;
  - Personnel Matters;
  - Employee Complaints;
  - Student Discipline;
  - Personally identifiable student information;
  - Medical or psychiatric records;
  - Security;
  - Assessment instruments;l
  - Emergency management;
  - Economic development negotiations;
  - Superintendent's contract & evaluation.
- A final action, decision, or vote on a matter deliberated in a closed meeting shall be made only in an open meeting for which proper notice has been given.

## PUBLIC PARTICIPATION

- At regular meetings the Board shall allow up to five minutes per person to hear persons who desire to make comments to the Board.
- Specific factual information or recitation of existing policy may be furnished in response to inquiries or comments, but the Board shall not deliberate on any subject that is not included on the agenda.

## RULES OF ORDER

- The Board shall observe the parliamentary procedures as found in Robert's Rules of Order;
- Voting shall be by voice or show of hands, as directed by the Board President

## PERSONAL CONDUCT

- Board members shall dress and act professionally;
- Board members shall disagree respectfully;
- Electronic devices shall be turned off/silenced. If personal emergency needs exists, the Board member shall make others on the Board aware of the need for cell phone access during the meeting.

## MINUTES

- The Board action shall be carefully recorded by the Board Secretary or designated District employee. ;
- When approved, Board Meeting Minutes shall serve as the legal record of the official Board Action.

BE (Legal)

BE (Local)

# COMMUNICATION

## REQUEST FOR INFORMATION

- Board Members shall request information and/or reports through the Superintendent;
- The Superintendent will gather information and/or reports and disseminate it in a timely manner to the entire Board

## RESPONDING TO COMPLAINTS

- When approached with a complaint, the Board member will hear the individual's concern for full understanding.
  - Repeat problem back to the individual,
  - Explain the chain of command to the individual and provide contact information for the most appropriate administrator to resolve the concern at the lowest level possible.
- The Board Member is encouraged to notify the Superintendent as quickly as possible after learning of an issue.

## ISSUING COMPLAINTS

- When the Board Member has a complaint relative to issues within the direct responsibility of the Superintendent, he/she should address the complaint directly with the Superintendent;
- The Superintendent shall work to investigate the concern and provide information or resolution to the entire Board in an appropriate and timely manner;
- When the Board Member has a complaint relative to his/her role as a parent/spouse/relative, he/she shall address the concern through the chain of command available to all other citizens seeking resolution at the lowest level possible refraining from direct involvement to the extent possible in consideration of his/her named position of significance as a Board Member;
- When the Board Member has a concern or complaint about the performance of the Superintendent, he/she shall make the Board President aware of the concern. The Board President shall determine the most appropriate avenues to address the concern which may include discussion of the Superintendent's performance with the entire Board during the closed portion of the next regularly scheduled Board meeting.

## ROUTINE COMMUNICATIONS

- The Superintendent will meet with the Board President on a routine basis;

- The Superintendent will communicate with all Board Members via regular transmittals;
- The Superintendent will communicate information in a timely fashion to all Board Members;
- Requests to the Superintendent from any Board Member will be distributed to all Board Members.

## MEDIA INQUIRIES TO THE BOARD

- The Board President shall be the official spokesperson for the Board to the media/press on issues of media attention.
- All Board Members who receive calls from the media should direct them to the Board President or designee.

## CONFIDENTIALITY OF COMMUNICATIONS

- Confidentiality will be maintained to the extent permitted by state and federal law;
- The BISD Board of Trustees encourages input; however, anonymous calls, letters, or electronic communication will not receive Board attention, discussion, or response.

# BOARD DEVELOPMENT

## EVALUATION OF THE BOARD

- Annually at a workshop/retreat/training, the Board-Superintendent team will review the district's vision, mission, goals, and operating procedures and will evaluate the Board's effectiveness.
- The evaluation of the Board and Superintendent is an indication of the success the governance team is having in meeting established goals.

## BOARD TRAINING

Within 90 days of taking oath, each board member shall:

- Complete a 1-2 hour training regarding the responsibilities of the Board and its members under the Texas Open Meetings Act;
- Complete a 1-2 hour training regarding the responsibilities of the Board and its officers and employees under the Public Information Act;
- Complete a 3 hour local orientation to become familiar with the Texas Education Code, and local Board policies and procedures, district goals and priorities, local District practices in curriculum and instruction, business and finance operations, district operations, superintendent evaluation, and the Board member roles and responsibilities.

All Board Members shall:

- Complete any training required by the State Board of Education;
- Participate in annual team-building sessions with the Board and the Superintendent;
- Receive and review the State Board of Education's framework for governance leadership;
- After each legislative session of the Texas Legislature, receive and update to the basic orientation to the Education Code from a regional education service center or any registered provider.
- Receive additional continuing education on an annual basis in fulfillment of assessed needs and based on the framework for governance leadership.

Additional Training:

- Within the first year of service, a Board Member shall receive at least ten hours of continuing education in fulfillment of assessed needs;
- After the first year of service, a Board Member shall receive at least five hours of continuing education annually in fulfillment of assessed needs;
- A Board President shall receive continuing education related to leadership duties of the Board President as some portion of the annual requirement;
- Each Board Member shall complete continuing education every two years on evaluating student academic performance.

Board's are commended for effectively implementing the Commissioner of Education's Trustee Improvement and Evaluation Tool developed under Education Code 11.182. At least 50 percent of the continuing education shall be designed and delivered by persons not employed or affiliated with a Board Member's school district.

## TEAM BUILDING

- Annually, the entire board, including all Board Members, shall participate in a 3 hour training with their Superintendent in a team-building session facilitated by a regional education service center or any registered provider.
- The team-building session shall include a review of the roles, rights, and responsibilities of the Board as outlined in the framework for governance leadership.
- The assessment of needs shall be based on the framework for governance leadership and shall be used to plan continuing education activities for the governance leadership for the year.

## REPORTING

- At the last regular Board meeting before an election of trustees, the Board President shall announce the name of each Board Member who has completed the required continuing education, and who is deficient in meeting the required continuing education as of the anniversary of the date of each Board Member's election or appointment to the Board;
- The announcement shall state that completing the required continuing education is a basic obligation and expectation of any Board Member under SBOE rule.





**BELLVILLE INDEPENDENT SCHOOL DISTRICT**  
**Meeting of the BISD Board of Trustees**

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August 6, 2020

<b>Subject:</b>	Order of Election
<b>Presenter:</b>	Dr. Nicole Poenitzsch, Superintendent
<b>Board Policy:</b>	BBBA [Legal] Conducting Elections
<b>BISD Goal:</b>	2. Foster a connected, collaborative, and strategic approach to continuous improvement for the district. [LEADERSHIP]

<b>Summary:</b>	In accordance with policy and statutory requirements for the hosting of an election, BISD must call an order to host a November 3 election for open positions. (Postponed from the previously called May 2, 2020 intended election.)
<b>Attachments:</b>	<ul style="list-style-type: none"><li>• Order of Election</li></ul>
<b>Recommendation:</b>	The recommendation is for the Board to: Approve the Order of Election for the open positions for the Bellville ISD Board of Trustees on November 3, 2020.

**BELLVILLE BRAHMAS**  
LEARNERS TODAY. LEADERS TOMORROW.

**REVISED ORDER OF ELECTION**  
(REVISADO ORDEN DE ELECCION)

**An election is hereby ordered to be held on NOVEMBER 3, 2020 for the purpose of:**  
(Por la presente se ordena que se lleve a cabo una eleccion el dia 3 de Noviembre del 2020 con el proposito:)

**Electing School Trustee members to fill positions #1 & #2 within and throughout the territory of the Bellville Independent School District at which all registered voters of the District shall be entitled to vote. The Election Day polling places will be open from 7:00am – 7:00pm on November 3, 2020.**  
(Elijiendo a los miembros del fideicomisario de la escuela para ocupar cargos #1 & #2 dentro y en todo el territorio del distrito escolar independiente de Bellville en el cual todos los votantes inscritos del distrito tendran derecho a votar. Los lugares de votación del día de las elecciones estarán abiertos de 7:00AM a 7:00PM el 3 de Noviembre de 2020.)

**Applications for a place on the ballot shall be filed by February 14, 2020 at 5:00 P.M.**  
(Solicitudes para un lugar en la boleta tendran que presentarse para el: 14 de Febrero de 2020 de 5:00pm.)

**Early Voting by personal appearance will be conducted at:**  
(La votación anticipada por comparecencia personal se realizará en:)

**Austin County Election Office, 804 E Wendt Street, Bellville, Texas 77418**  
**Monday – Friday 8:00am – 5:30pm,**  
**Beginning on October 19, 2020 and ending on October 30, 2020.**

**Applications for a ballot by mail shall be mailed to:**  
(Las solicitudes para boletas que se votaran en ausencia por correo deberan enviarse a:)

**Kim Rinn**  
**Austin County Elections Official**  
**804 E. Wendt Street**  
**Bellville, Texas 77418**

**Applications for a ballot by mail must be received no later than the close of business on October 22, 2020.**  
(Las solicitudes para boletas que se votaran en ausencia por correo deberan recibirse para el fin de las horas de negocio el viernes, 22 de octubre 2020.)

Issued this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Member

\_\_\_\_\_  
Signature of Presiding Officer

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member



# Superintendent Evaluation

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## GOALS:

- Develop and attain local standards for high levels of integrated learning and performance. [LEARNING]
- Foster a connected, collaborative, and strategic approach to continuous improvement for the district. [LEADERSHIP]
- Create a culture that attracts, develops, and retains exceptional individuals to be part of our district and community. [CULTURE]
- Cultivate connections in our schools and community to ensure all feel safe, valued, and engaged in meaningful ways. [COMMUNITY]

## EVALUATION:

Each area of performance and progress toward goals will be awarded a numeric rating on a scale in which:  
(1)=Needs Improvement/Unsatisfactory; (2)= Satisfactory Progress/Proficient; (3)= Exceeds Expectations/Accomplished

Goal 1: [LEARNING] Develop and attain local standards for high levels of integrated learning and performance.				
AIM/ANTICIPATED OUTCOME	ACTIONS/EVIDENCE	MO Y	EOY	FEEDBACK:
BISD will perform at or above an "average"/"B" level of performance on all areas measured by the state accountability system.	<ul style="list-style-type: none"> <li>• <a href="#">Current Ratings-August 2019:</a></li> <li>• <a href="#">Academic Trends-Data Analysis:</a></li> <li>• 2020 Ratings-TBD</li> </ul>			
Engage stakeholder groups to develop a Portrait of a Graduate	<ul style="list-style-type: none"> <li>• <a href="#">Stakeholder Input Survey &amp; Results</a></li> <li>• <a href="#">Portrait of a Graduate</a></li> </ul>			
Develop coherent sequences for academic course offerings that align with student interests.	<ul style="list-style-type: none"> <li>• <a href="#">Learning Trip-Exposure to CTE Programs (Oct. 2019)</a></li> <li>• <a href="#">Survey for Student/Parent Course Interests</a></li> <li>• Course Input Data: <a href="#">Parent</a>, <a href="#">Stu-I</a>, <a href="#">Stu-II</a></li> <li>• <a href="#">Publish updated 6-12 BISD Course Catalogue for 2020-2021 Course Selection</a></li> <li>• <a href="#">Expand Course Offerings</a></li> <li>• <a href="#">Align staffing and resources to support academic programs of study: (Master Schedule, FTE's, Coding)</a></li> </ul>			



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## Goal 2: [LEADERSHIP]

Foster a connected, collaborative, and strategic approach to continuous improvement for the district.

AIM/ANTICIPATED OUTCOME	ACTIONS/EVIDENCE	MOY	EOY	FEEDBACK:
Develop an active District Advisory Council	<ul style="list-style-type: none"> <li>• <a href="#">Committee Membership Roster &amp; Meeting Dates</a></li> <li>• Development of 2020-2021 Calendar: (A, B, C)</li> <li>• <a href="#">Develop a long-range strategic improvement plan</a></li> <li>• <a href="#">District of Innovation Plan</a></li> <li>• Updated Templates for District &amp; Campus Needs Assessments &amp; Improvement Plans</li> </ul>			
Develop a Capital Improvement Plan	<ul style="list-style-type: none"> <li>• <a href="#">Board-Campus Walks</a></li> <li>• Convene Capital Assessment Committee</li> <li>• <a href="#">Draft Capital Improvement Plan</a></li> <li>• Real-Estate Management &amp; Investment Plan</li> </ul>			
Develop a Technology Integration Plan	<ul style="list-style-type: none"> <li>• <a href="#">Direction for Technology Leadership</a></li> <li>• Draft: <a href="#">Technology Integration Plan</a> inclusive of vision, refresh, and training/capacity building;</li> <li>✓ Stakeholder Input Meetings</li> </ul>			
Create Administrative Regulations to Support Awareness & Alignment of Efficient Implementation of Best Practices	Administrative Procedure Manuals for: <ul style="list-style-type: none"> <li>• Multi-tiered Systems of Support</li> <li>• 504</li> <li>• Special Education</li> <li>✓ Registration (Online in 2020)</li> <li>• Academic Grading Guidelines</li> <li>• Nursing Practices-Family Forms &amp; Medication Management</li> <li>• Campus Handbooks &amp; Code of Conduct</li> </ul>			

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## Goal 3: [CULTURE]

Create a culture that attracts, develops, and retains exceptional individuals to be part of our district and community.

AIM/ANTICIPATED OUTCOME	ACTIONS/EVIDENCE	MOY	EOY	FEEDBACK:
Develop measures to gauge employee satisfaction & increase retention	<ul style="list-style-type: none"> <li>Stakeholder input meetings;</li> <li>Stakeholder survey &amp; results;</li> <li>Employee retention &amp; attendance rates</li> </ul>			
Improve recruitment tools and onboarding processes	<ul style="list-style-type: none"> <li><a href="#">Hiring Chief Talent Officer</a></li> <li>Marketing tools (Facebook)</li> <li>Recruitment events</li> <li>Onboarding process and resources</li> <li>HR Overview (Aug. 2019)</li> <li>Update HR Overview (Summer 2019)</li> </ul>			
Enhance efforts to ensure all feel valued and appreciated	<ul style="list-style-type: none"> <li>✓ Beginning of the year goody bags</li> <li>✓ Convocation</li> <li>✓ Halloween Popcorn Hands</li> <li>✓ December Luncheons</li> <li>✓ BISD Coffee Mugs</li> </ul>			
Invest in the development of leadership capacities, collaboration, and empowerment of our administrators, campus-leaders, teachers, and staff	<ul style="list-style-type: none"> <li>✓ <a href="#">BISD Organizational Structure</a></li> <li>✓ Counselor Meetings (Every Other Month)</li> <li>✓ Principal &amp; Leadership Meetings (Monthly)</li> <li>✓ AP Meeting Agendas (Every Other Month)</li> <li>✓ Operational Director/Academic Directors (Monthly)</li> <li>✓ Student Advisory Meeting Agendas (BHS)</li> <li>• Leadership &amp; Learning Opportunities:               <ul style="list-style-type: none"> <li>○ <a href="#">Turquoise Table Book Series</a></li> <li>○ <a href="#">Learning Trip (Oct. 21-22)</a></li> <li>○ January PD-<a href="#">Enjoy Learning</a> /<a href="#">Agenda</a> / <a href="#">Feedback</a></li> <li>○ February District PD Day</li> </ul> </li> </ul>			



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## Goal 4: [COMMUNITY]

Cultivate connections in our schools and community to ensure all feel safe, valued, and engaged in meaningful ways.

AIM/ANTICIPATED OUTCOME	ACTIONS/EVIDENCE	MOY	EOY	FEEDBACK:
Promote a safe environment for all stakeholders	<ul style="list-style-type: none"> <li>• <a href="#">Former Safety Audit</a></li> <li>• 2020 Safety Audit</li> <li>• <a href="#">Safety Plan</a></li> <li>• Safety Practices</li> <li>• Communication of Safety Procedures &amp; Resources</li> </ul>			
Connect with community leaders and groups	<ul style="list-style-type: none"> <li>✓ Young Life (Aug.)</li> <li>✓ Church leaders x 4: (Aug/Sept)</li> <li>✓ EDC (Aug)</li> <li>✓ Chamber (Aug)</li> <li>✓ Lions Club (Oct.)</li> <li>• Other-TBD</li> <li>• Host "State of the District" Events (Oct/April)</li> <li>✓ District Advisory Council</li> <li>✓ Pickleball</li> </ul>			
Attend district & community events	<ul style="list-style-type: none"> <li>✓ See BISS Facebook Page</li> <li>• See NPoenitzsch Google Calendar</li> </ul>			
Enhance communication outlets with the community	<ul style="list-style-type: none"> <li>• <a href="#">BISD Facebook Page</a></li> <li>• <a href="#">Website Updates</a></li> <li>• Board Walks On Campuses &amp; <a href="#">Email Addresses</a></li> <li>• BISD Newsletters: <a href="#">Vol. 1</a>, <a href="#">Vol. 2</a>, <a href="#">Vol. 3</a></li> <li>• Bellville Times: <a href="#">Sept</a>, <a href="#">Oct</a>, <a href="#">Dec</a>, <a href="#">Jan</a>, <a href="#">BISD Hires</a></li> <li>• Community Feedback: <a href="#">Email</a></li> </ul>			

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## LEADERSHIP ATTRIBUTES:

Texas Education Code Superintendent Standards.

DESIRED ATTRIBUTE	ACTIONS/EVIDENCE	MOY	EOY	FEEDBACK:
<p>[VALUES &amp; ETHICS] Acts with integrity, fairness, and in an ethical manner.</p> <p><a href="#">BISD Candidate Profile</a></p>	<ul style="list-style-type: none"> <li>Model integrity in decision-making, actions, and behaviors;</li> <li>Serve as an articulate spokesperson; (See Bellville Times, <a href="#">Lions Club Presentation</a>, <a href="#">GAPT Presentation</a>)</li> <li>✓ Participate in professional development; (TASA New Superintendent Academy, Region 6 Supt Meetings, Mid-winter)</li> <li>Maintain personal and emotional wellness;</li> <li>Be a courageous champion for kids</li> </ul>			
<p>[SHARED VISION] Develops a vision of learning that is shared and supported by the school community</p>	<ul style="list-style-type: none"> <li>Establish a culture that promotes learning, high expectations, and academic rigor for self, staff and students;</li> <li>Develop a shared vision; (<a href="#">Convocation Agenda/Presentation</a>, <a href="#">Board Retreat</a>, <a href="#">Leadership Retreat</a>, <a href="#">Board Workshop</a>, <a href="#">January PD</a>)</li> <li>✓ Involve all stakeholders in planning processes;               <ul style="list-style-type: none"> <li>Leadership Team Meetings</li> <li>DAC</li> <li>Board</li> <li>Visited All Campuses Nov/Dec</li> </ul> </li> <li>Encourage and model innovative thinking and risk taking and view problems as learning opportunities;</li> <li>Promote appreciation of diversity in the education community.</li> </ul>			
<p>[HUMAN RESOURCES] Implement a staff evaluation and development system to improve the performance of all staff members.</p>	<ul style="list-style-type: none"> <li>Implement a comprehensive professional development plan; (<a href="#">Hired Chief Academic Officer</a> + PD Plan in Progress)</li> <li>Implement effective strategies for the recruitment, selection, induction, development, and promotion to the staff; (<a href="#">CTO Hiring Process/Tools</a>, <a href="#">CAO Hiring Process/Tools</a>)</li> <li>Institute staff evaluation models to include both formative and summative assessment;</li> <li>Improve organizational health/morale by providing on-going support to personnel;</li> </ul>			
<p>[POLICY &amp; GOVERNANCE] Promote student success by understanding, responding to, and influencing the larger cultural context and working with the board to define mutual expectations, policies, and standards.</p>	<ul style="list-style-type: none"> <li>Demonstrate appropriate knowledge of legal issues facing education;</li> <li>Provide leadership in defining superintendent and trustees roles (<a href="#">Board YAG</a>), mutual expectations, and an effective superintendent-board relationship; (<a href="#">Retreat</a>)</li> <li>Prepare and recommend policies to improve student learning and district performance;</li> <li>Demonstrate <a href="#">effective writing</a>, speaking, and listening skills. (Newsletters: <a href="#">Vol. 1</a>, <a href="#">Vol. 2</a>, <a href="#">Vol. 3</a>)</li> </ul>			



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## LEADERSHIP ATTRIBUTES:

Texas Education Code Superintendent Standards.

DESIRED ATTRIBUTE	ACTIONS/EVIDENCE	MOY	EOY	FEEDBACK:
[COMMUNICATION & COMMUNITY RELATIONS] Promote student success by collaborating with families and community members.	<ul style="list-style-type: none"> <li>Effectively engage parents, businesses, colleges, and <a href="#">community groups</a> and leaders in attainment of district goals;</li> <li>Effectively communicate with and gather input from all stakeholders; <a href="#">Course Input</a>, <a href="#">Bellville Way Input</a>, <a href="#">Portrait of a Graduate Input</a></li> <li>Obtain and constructively respond to accurate perceptions of the district, staff, and community;</li> <li>Use effective consensus-building and conflict-management skills;</li> <li>Use proactive communication strategies to enhance and promote the district's vision. (<a href="#">Facebook Page</a>)</li> </ul>			
[ORGANIZATIONAL LEADERSHIP] Lead and manage organization operations and resources for a safe, efficient, and effective learning environment.	<ul style="list-style-type: none"> <li><a href="#">Define roles, assign functions, delegate effectively</a>, and determine accountability for goal attainment;</li> <li>Gather and analyze data to make informed decisions;</li> <li>✓ Implement change processes for organizational effectiveness; (See links in Weekly Board Updates)</li> <li>Perform effective budget planning, management, and reporting; (<a href="#">Compensation Video</a>)</li> <li><a href="#">Manage time to maximize attainment of goals.</a></li> <li><a href="#">See Superintendent Year-at-a-Glance</a></li> </ul>			
[PLANNING AND DEVELOPMENT] Design and implement strategic plans that enhance teaching and learning.	<ul style="list-style-type: none"> <li>Implement curriculum planning methods to anticipate and respond to occupational and economic trends and to achieve optimal student learning; (2020-2021)</li> <li>Ensure instructional continuity and integrity across the school district; (2020-2021)</li> <li>Develop collaborative processes to ensure implementation of effective scope, sequence, content, and alignment; (<a href="#">Chief Academic Officer</a>)</li> <li>Facilitate the use of <a href="#">technology</a> and information systems to enrich and enhance learning;</li> <li>Facilitate creative, critical-thinking, and problem-solving by all stakeholders; (<a href="#">Work in Progress</a>)</li> <li>Facilitate effective coordination of curricular and extra-curricular programs.</li> </ul>			
[INSTRUCTIONAL LEADERSHIP] Serve as an educational leader who advocates and nurtures a culture conducive to student learning and staff professional growth.	<ul style="list-style-type: none"> <li>✓ Create conditions that empower staff, students, families, and the community to strive to achieve the district's vision; (<a href="#">Work in Progress</a>; Ongoing)- <a href="#">See Feedback</a></li> <li>Develop a learning organization that supports instructional improvement, implementation of appropriate curriculum, incorporates best practice and is conducive to learning; (<a href="#">Work in Progress</a>)</li> <li>Support student programs to fulfill development, social cultural, athletic, leadership, and scholastic needs;</li> <li>Ensure students with special needs are provided quality, flexible, instructional programs and services.</li> </ul>			

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## OTHER

Summative Feedback/Comments:

Areas for Growth/Focus Moving Forward and/or Areas of Concern:

Additional Insight on Expectations for Performance Moving Forward:

### SUMMATIVE EVALUATION:

- Below Expectations
- Meets Expectations
- Exceeds Expectations

Board President's Signature & Date

\_\_\_\_\_

Superintendent's Signature & Date

\_\_\_\_\_



the Board's policies, and state and federal law. It shall be the further duty of the Superintendent to accept all resignations of employees of the District consistent with the Board's policies, except the Superintendent's resignation, which must be accepted by the Board. The Superintendent shall perform the duties of the Superintendent of Schools for the District with reasonable care, diligence, skill and expertise. All duties assigned to the Superintendent by the Board shall be appropriate to and consistent with the professional role and responsibility of the Superintendent.

**2.2 Professional Certification.** The Superintendent shall at all times during the term of this Contract, and any renewal or extension thereof, hold and maintain a valid certificate required of a superintendent by the State of Texas and issued by the State Board for Educator Certification or the Texas Education Agency and all other certificates required by law.

**2.3 Reassignment.** The Superintendent cannot be reassigned from the position of Superintendent to another position without the Superintendent's express written consent.

**2.4 Board Meetings.** Unless otherwise prohibited by law, the Superintendent shall attend, and shall be permitted to attend, all meetings of the Board, both public and closed, with the exception of those closed meetings devoted to the consideration of any action or lack of action on the Contract or the Superintendent's salary and benefits as set forth in this Contract, or the Superintendent's evaluation, or for purposes of resolving conflicts between individual Board members, or when the Board is acting in its capacity as a tribunal. There may also be times when the Board and the Superintendent agree that it is appropriate for the Superintendent not to attend a Board meeting or a portion of a Board meeting. In that case, the Superintendent will be excused from attending the meeting or portion of the meeting. In the event of illness or Board President approved absence, the Superintendent's designee shall attend such meetings.

**2.5 Criticisms, Complaints, and Suggestions.** The Board, individually and collectively, shall refer all substantive criticisms, complaints, and suggestions called to the Board's attention either: (a) to the Superintendent for study and/or appropriate action, and the Superintendent shall refer such matter(s) to the appropriate District employee or shall investigate such matter(s) and shall within a reasonable time inform the Board of the results of such efforts; or, (b) to the appropriate complaint resolution procedure as established by District Board policies.

**2.6 Legal Defense/Indemnification.** The District agrees that, to the extent permitted by state law, it shall defend, hold harmless, and indemnify the Superintendent from any and all demands, claims, suits, actions and legal proceedings brought against the Superintendent in her individual capacity or in her official capacity as agent and employee of the District if the incident in question arose while the Superintendent was acting within the course and scope of her employment and in conformity with the policies of the District. This defense and indemnity excludes criminal or other illegal acts and any other act, action or omission of the Superintendent which is determined to have been done, taken, or committed with malice or with intent to cause the injury or damage suffered by the claimant. This provision does not apply if the Superintendent is found to have materially breached her contract, to have acted with gross negligence or with intent to have violated a person's clearly established legal rights, to have acted outside the course and scope of her employment, to have engaged in criminal conduct, or to have engaged in official misconduct. This provision also does not apply to criminal investigations or proceedings. At its sole discretion, the District may fulfill the obligation under this paragraph by purchasing insurance coverage for the benefit of the Superintendent or by including the

Superintendent as a covered party under any contract providing errors and omissions insurance coverage purchased for the protection of the Board and the professional employees of the District. The Board may retain attorneys to represent the Superintendent in any proceeding for which he could seek indemnification under this paragraph, to the extent that damages are recoverable or a defense is provided under any such contract of insurance. In no event shall any individual Board member, present or future, be personally liable for defending or indemnifying the Superintendent against any such demands, claims, suits, actions and legal proceedings. The Board shall not be required to pay any costs of any legal proceedings in the event the Board and the Superintendent are adverse to each other in any such proceedings. The Superintendent shall reasonably cooperate with the District in the defense of any and all demands, claims, suits, actions and legal proceedings brought against the District. The Superintendent's obligation under this paragraph and the obligation of the District under this paragraph shall continue after the termination of this Contract .

### **III. Compensation**

**3.1 Salary.** The District shall provide the Superintendent with an annual salary in the sum of One Hundred Forty-Five Thousand and No/100 Dollars (\$145,000.00). This annual salary rate shall be paid to the Superintendent in equal installments consistent with the Board's policies.

**3.2 Salary Adjustments.** At any time during the term of this Contract, the Board may, in its discretion, review and adjust the salary of the Superintendent, but in no event shall the Superintendent be paid less than the salary set forth in Section 3.1 of this Contract except by mutual agreement of the two parties. Such adjustments, if any, shall be made pursuant to a lawful Board resolution. In such event, the parties agree to provide their best efforts and reasonable cooperation to execute a new contract incorporating the adjusted salary.

**3.3 Vacation, Holiday and Personal Leave.** The Superintendent may take, at the Superintendent's choice, with prior notice to the Board President, (i) ten (10) days of vacation annually, or (ii) the same number of days of vacation annually authorized by policies adopted by the Board for administrators on twelve-month contracts. The vacation days taken by the Superintendent will be taken at such time or times as will least interfere with the performance of the Superintendent's duties as set forth in this Contract. The Superintendent shall observe the same legal holidays as provided by Board policies for administrative employees on twelve-month contracts. The Superintendent is hereby granted the same personal leave benefits as authorized by Board policies for administrative employees on twelve-month contracts. The Superintendent's accrued and unused vacation days and personal leave days may be accumulated from year to year and carried over into subsequent years of this Contract only up to a ten (10) day limit. In other words, under this paragraph, in addition to what the Superintendent is eligible for in a particular contract year, a maximum of ten (10) additional accrued and unused vacation days and personal days will exist and be available for use by the Superintendent in each respective contract year.

**3.4 Insurance.** The Superintendent shall have access to health insurance pursuant to the group health care plan provided by the District for its administrative employees.

**3.5 Professional Growth.** The Superintendent shall devote the Superintendent's

time, attention, and energy to the direction, administration, and supervision of the District. The Board, however, encourages the continued professional growth of the Superintendent through the Superintendent's active attendance at and participation in appropriate professional meetings at the local, regional, state and national levels. The Board shall encourage the use of data and information sources, and shall encourage the participation of the Superintendent in pertinent education seminars and courses offered by public or private institutions or by educational associations, as well as the participation in informational meetings with those individuals whose particular skills, expertise, or backgrounds would serve to improve the capacity of the Superintendent to perform the Superintendent's professional responsibilities for the District.

**3.6 Civic Activities.** The Superintendent is encouraged to participate in community and civic affairs. The expense of such activities, subject to Board approval, shall be borne by the District.

**3.7 Expenses.** The District shall pay the Superintendent five hundred dollars (\$500.00) per month during the term of this Contract for reasonable in-district expenses incurred by the Superintendent in the continuing performance of the Superintendent's duties under this Contract. The District agrees to pay the actual and incidental costs incurred by the Superintendent for out-of-district travel for school district business. Such actual or incidental costs may include, but are not limited to, gasoline, hotels and accommodations, meals, rental car, and other expenses incurred in the performance of the business of the District. The Superintendent shall comply with all procedures and documentation requirements in accordance with Board policies.

**3.8 Moving Expenses:** The District will reimburse Superintendent for reasonable and customary moving expenses incurred not to exceed seven thousand five hundred dollars (\$7,500.00). The Superintendent agrees to obtain and reasonably select from three quotes for such services.

**3.9 Organizational Membership Dues:** The District will annually pay dues/membership in selected key professional organizations that will benefit the Superintendent and the school district. The District shall pay the Superintendent's membership dues to the American Association of School Administrators, the Texas Association of School Administrators, and the Texas Association of School Business Officials, as well as other memberships, specifically approved by the Board from time to time, as necessary to maintain and improve the Superintendent's professional skills or to represent the school district's interests.

**3.10 Cell Phone:** The District will provide a flat fee of one hundred fifty dollars (\$150.00) per month for a cell phone to be used by the Superintendent.

**3.11 Residency Requirement:** As a condition of this Contract, by January 15, 2020, the Superintendent shall reside within the boundaries of Bellville ISD. Prior to January 15, 2020, if reasonably necessary, the Superintendent may request a modification to this time line and the Board shall review and consider such a request in a duly called board meeting.

**3.12 Consultant and/or Other Work Activities.** The Superintendent agrees to devote her time, skill, labor, and attention to performing her duties, and may only undertake consulting work, speaking engagements, writing, lecturing, teaching, and other professional work/duties and

obligations that do not conflict or interfere with the Superintendent's professional responsibilities to the District with formal board approval. Consultation and/or other work activities performed or provided by the Superintendent under the terms and conditions of this paragraph shall be consistent with state and federal law.

#### **IV. Annual Performance Goals**

**4.1 Development of Goals.** On or before September 1st of every year during the term of this Contract, the Superintendent and the Board shall develop the goals for the District. The goals approved by the Board shall be reduced to writing and shall be among the criteria on which the Superintendent's performance will be reviewed and evaluated.

#### **V. Review of Performance**

**5.1 Time and Basis of Evaluation.** At a minimum, beginning in the school year 2019-2020, the Board shall evaluate and assess in writing the performance of the Superintendent annually in January, during this Contract. The evaluation and assessment shall be related to the duties of the Superintendent as outlined in the Superintendent's job description and to the adopted annual goals outlined in Subsection 4.1. The Superintendent shall provide a written reminder to the Board of its evaluation obligation at least thirty (30) days prior to the Regular Called Board Meetings in January. The evaluation format and procedure shall be in accordance with the Board's policies and state and federal law. Unless the Superintendent specifically requests otherwise in accordance with applicable law, all meetings, conferences, and discussions by the Board concerning the Superintendent's performance shall be held in closed, executive session and shall be considered confidential to the extent permitted by law. In the event the Board deems that the evaluation instrument, format and/or procedure is to be modified by the Board and such modifications would require new or different performance expectations, the Superintendent shall be provided a reasonable period of time to demonstrate such expected performance before being evaluated. Nothing herein shall prohibit the Board or the Superintendent from sharing the content of the Superintendent's evaluation with their respective legal counsel.

#### **VI. Extension or Nonrenewal of Employment Contract**

**6.1 Extension/Nonrenewal.** Extension or nonrenewal shall be in accordance with Board policy, Texas Education Code Chapter 21, Subchapter E, and applicable law. Contract extension, may be, but is not required to be considered during the month of January of each respective contract year. A mid-contract year informal review of the Superintendent's performance may be held by the Board in order to make any contract extension decision.

## **VII. Termination of Employment Contract**

7.1 **Mutual Agreement.** This Contract may be terminated by the mutual agreement of the Superintendent and the Board in writing, upon such terms and conditions as may be mutually agreed upon.

7.2 **Retirement or Death.** This Contract shall be terminated upon the retirement or death of the Superintendent.

7.3 **Dismissal for Good Cause.** The Board may dismiss the Superintendent during the term of the Contract for good cause in accordance with state law and Board policy.

7.4 **Termination Procedure.** In the event the Board proposes the termination of this Contract for "good cause," the Superintendent shall be afforded all the rights as set forth in the Board's policies, and state and federal law.

7.5 **Resignation of Superintendent.** The Superintendent may leave the employment of the District at the end of a school year without penalty by filing a written resignation with the Board pursuant to this paragraph. The resignation must be addressed to the Board and filed with the Board President not later than the 90<sup>th</sup> day before the first day of instruction of the following year. The Superintendent may resign, with the consent of the Board, at any other time.

## **Article VIII. Miscellaneous**

8.1 **Controlling Law.** This Contract shall be governed by the laws of the State of Texas and shall be performable in Austin County, Texas, unless otherwise provided by law.

8.2 **Complete Agreement.** This Contract embodies the entire agreement between the parties hereto and cannot be varied except by written agreement of the undersigned parties, except as expressly provided herein.

8.3 **Conflicts.** In the event of any conflict between the terms, conditions and provisions of this Employment Contract and the provisions of the Board's policies, or any permissive state or federal law, then, unless otherwise prohibited by law, the terms of this Contract shall take precedence over the contrary provisions of the Board's policies or any such permissive law during the term of the Contract.

8.4 **Savings Clause.** In the event any one or more of the provisions contained in this Contract shall, for any reason, be held to be invalid, illegal, or unenforceable, such invalidity, illegality, or unenforceability shall not affect any other provision thereof, and this Contract shall be construed as if such invalid, illegal, or unenforceable provision had never been contained herein. All existing agreements and contracts, both verbal and written, between the parties hereto regarding the employment of the Superintendent have been superseded by this Contract, and this Contract constitutes the entire agreement between the parties unless amended pursuant to the terms of this Contract.

BELLVILLE INDEPENDENT SCHOOL DISTRICT

By: \_\_\_\_\_

*Grant Lischka*  
Grant Lischka, President  
Board of Trustees  
Bellville Independent School District

ATTEST:

By: \_\_\_\_\_

*Kenneth Stein*  
Kenneth Stein, Secretary  
Board of Trustees  
Bellville Independent School District

Executed this 10<sup>th</sup> day of July, 2019.

SUPERINTENDENT

By: \_\_\_\_\_

*Nicole Poenitzsch*  
Nicole Poenitzsch

Executed this 10 day of July, 2019.



**FIRST AMENDMENT TO  
SUPERINTENDENT'S EMPLOYMENT CONTRACT**

THE STATE OF TEXAS                   §  
  § KNOW ALL MEN BY THESE PRESENTS:  
COUNTY OF AUSTIN                   §

WHEREAS, the Board of Trustees ("Board") of the Bellville Independent School District, met on January 30, 2020;

WHEREAS, at the meetings held on January 30, 2020, the District, pursuant to his Contract of Employment ("Contract"), offered Dr. Nicole Poenitzsch an amendment to her Contract;

WHEREAS, Dr. Poenitzsch accepted the amendment to the Contract;

NOW, THEREFORE, pursuant to the authority of § 11.201 of the Texas Education Code, the general laws of the state of Texas and Section 8.2 of the Contract, the Board and Dr. Poenitzsch agree as follows:

I.

Section 1.1. of the Superintendent's Contract of Employment executed on July 10, 2019 is amended as follows:

- 1.1 **Term.** The Board, by and on behalf of the District, does hereby employ the Superintendent, and the Superintendent does hereby accept employment as Superintendent of Schools for the District on a 12-month basis commencing on July 15, 2019, and ending on June 30, 2023. In all years of this Contract, the contract year shall be from July 1st through June 30th. The District may, by action of the Board, and with the consent and approval of the Superintendent, extend the term of this Contract as permitted by state law. Failure to reissue the Contract for an extended term shall not constitute nonrenewal under Board policy.

II.

Section 3.11 of the Superintendent's Contract of Employment executed on July 10, 2019 is amended as follows:

3.11 **Residency Requirement:** As a condition of this Contract, by June 15, 2020, the Superintendent shall reside within the boundaries of Bellville ISD. Prior to June 15, 2020, if reasonably necessary, the Superintendent may request a modification to this timeline and the Board shall review and consider such a request in a duly called board meeting.

This Amendment is fully effective January 30, 2020, upon final execution of the signatures listed below.

EXECUTED on this 5 day of June, 2020.

BELLVILLE INDEPENDENT SCHOOL DISTRICT

By:  \_\_\_\_\_

Grant Lischka, President  
Board of Trustees  
Bellville Independent School District

SUPERINTENDENT

By:  \_\_\_\_\_

Nicole Poenitzsch  
Bellville Independent School District

# 2020-21 COMPENSATION SCENARIOS (5)

Group 1		Group 2		Group 3		Group 4	
Tch, Lib, Nurses, Counselors	184	Paras, Auxiliary, Specialized	145	Administrators	20	Part-Time Not Defined	0
% inc	flat rate inc	% inc	flat rate inc	% inc	flat rate inc	% inc	flat rate inc
0.00%	\$0	0.00%	\$0	0.00%	\$0	0.00%	\$0
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
\$204,600	COVID Stipend	\$72,150	COVID Stipend	\$24,200	COVID Stipend	\$0	COVID Stipend

% inc **\$300,950**

SALARY INCREASE ESTIMATION							
	0 yrs	10 yrs	20 yrs	average	average	average	average
TEACHER	\$44,000	\$49,000	\$55,000	\$20,438	\$32,255	\$18,050	\$26,436
TEACHER	187	187	187	187	209+/-	170+/-	260
TEACHER							
INSTRUCTIONAL AID							
OFFICE STAFF							
TRANSPORTATION							
MAINTENANCE							
FOOD SERVICE							
SPECIALIZED STAFF							
ADMINISTRATOR							
	SALARY	days	RAISE	COVID Stipend	COVID %		
TEACHER	\$44,000	187	\$0.00	\$1,100.00	2.50%		
TEACHER	\$49,000	187	\$0.00	\$1,100.00	2.24%		
TEACHER	\$55,000	187	\$0.00	\$1,100.00	2.00%		
INSTRUCTIONAL AID	\$20,438	187	\$0.00	\$450.00	2.20%		
OFFICE STAFF	\$32,255	209+/-	\$0.00	\$650.00	2.02%		
TRANSPORTATION	\$18,050	170+/-	\$0.00	\$400.00	2.22%		
MAINTENANCE	\$26,436	260	\$0.00	\$550.00	2.08%		
FOOD SERVICE	\$18,037	176+/-	\$0.00	\$400.00	2.22%		
SPECIALIZED STAFF	\$56,550	197+/-	\$0.00	\$1,100.00	1.95%		
ADMINISTRATOR	\$81,286	226+/-	\$0.00	\$1,100.00	1.35%		