

**MINUTES OF THE WINDHAM SCHOOL DISTRICT
BOARD OF TRUSTEES**

231st MEETING

The Windham School District Board of Trustees met in session on Thursday, October 27, 2005, at the Hilton Hotel in Austin, Texas.

BOARD MEMBERS PRESENT:

Christina Melton Crain, Chairman
Don Jones, Vice Chairman
Hank Moody, Secretary
Greg Coleman
Patsy Day
Pierce Miller

BOARD MEMBERS ABSENT:

Adrian Arriaga
Judge Mary Bacon
Oliver Bell

WINDHAM STAFF MEMBERS PRESENT:

Judi Benestante, Interim Superintendent
David McNutt
Jim Hamilton

**TEXAS DEPARTMENT OF CRIMINAL
JUSTICE STAFF MEMBERS PRESENT:**

Brad Livingston, TDCJ Executive Director
Melinda Bozarth

CONVENED

Christina Melton Crain, Chairman, called the meeting of the Windham School District (WSD) Board of Trustees (Board) to order on Thursday, October 27, 2005, at 1:25 p.m. in accordance with Chapter 551 of the Texas Government Code, the Public Information Act.

Chairman Crain stated that during the meeting, the Board would be conducting business from the agenda posted in the Texas Register. A quorum of the Board was present and the 231st meeting of the Board was declared open.

CONSENT AGENDA

Chairman Crain called the Board's attention to the Consent Items on the Agenda (Attachment A), which consisted of the minutes of the July 29, 2005, meeting, multiple employment requests, and approval of excused absences.

Chairman Crain asked if there were any corrections or additions to the Consent Items. Noting there were none, she stated the Consent Items were adopted as presented.

ACTION ITEMS

1. WSDindham School District Budget and Salary Schedules for 2005-2006 School Year

Dr. Benestante introduced David McNutt, WSD Chief Financial Officer, to review and asked him to make the budget presentation. ~~Mr. McNutt explained the budget summary for the 2005-2006 School Year.~~ He noted that the line items with the largest increases included salaries, budgeted at \$58,109,438; computer equipment and software capitalized at \$155,000; and computer/software non-capitalized, budgeted at \$318,700. The majority of ~~the~~ increase in the latter will cover updating many of the computer assisted instruction (CAI) labs. This update was originally scheduled to take place ~~two~~ years ago; but due to budget cuts, was put on hold.

The following budget areas were also noted:

- ~~he t~~Transportation ~~line~~ is budgeted at \$270,000. The WSD motor pool consists of 23 vehicles, 12 of which. ~~Twelve of the vehicles have in excess of 100,000 miles, and some with~~ have as much as 190,000 miles. This request was submitted ~~made~~ in order to start replacing some of the higher mileage vehicles.
- Salaries make up 92.2 percent of the foundation school program budget.
- ~~He reviewed the grants for 2005-2006. There was one new grant was added for the coming year; and that is the \$150,000 Reading Initiative Grant from the Texas Education Agency (TEA).~~
- ~~He reviewed the~~ The post-secondary budget. ~~The budgeted amount for FY 06 is \$2,332,714. He also reviewed the~~
- ~~The budgets for Education and Recreation (E&R); and ECHO budgets. He explained that salaries may be adjusted approximately 2.2% based on the budget proposal. This money is~~ are appropriated to the TDCJ, with ~~and~~ Windham receiv ~~ing~~ these funds through memorandums of understanding ~~for each separate area.~~
- ~~He reviewed t~~ Funding for the Project RIO budget and explained that funding comes from the Texas Workforce Commission to TDCJ. WSDindham administers the program, while ~~for TDCJ.~~ Project RIO employees are on the TDCJ payroll. An additional \$145,632 will be drawn from the State Comptroller to cover ~~for~~ the State mandated employee pay raise of 4% or \$100 per month.

Mr. McNutt reviewed the Personnel Services Schedule ~~for FY 06.~~ In August, the ~~governor~~ Governor issued an ~~executive~~ Executive order ~~Order~~ that directed the Commissioner of Education to include certain funds in the computation of Foundation School Program revenue that had previously been excluded. If this goes into effect, the minimum teacher salary will increase by 2.4%. Since the WSD locality schedule is tied to the minimum salary structure, the budget reflects a 2.4% increase for all teachers and a 2.2% increase for all other administrative staff. This salary increase would cost the district approximately \$1.3 million.

Hank ~~Mr.~~ Moody asked why WSDindham dropped four librarian positions. Mr. McNutt

responded that the District did not drop them; they are being funded by the E&R budget.

~~Pierce~~Mr. Miller asked what the normal carryover had been in past years. Mr. McNutt responded that last year it was approximately \$3.7 million. ~~He added, if~~ If the District can recruit and hire more people, then that figure would decrease. He explained that there must be some carryover because WSD does not receive funds in the month of September until around the 26th of the month.

~~Mr. McNutt~~He informed the Board that there were no changes to the locality schedule as it ~~is~~. ~~The locality schedule~~ was frozen September 2003. The 2.4 percent raise for the teachers would range from amount to \$57 up to \$97 per month. The employees that receive a 2.2 percent increase would receive an additional \$36 up to \$160 per month, the latter being for the Superintendent.

Patsy Day moved the Board to approve the ~~WSD Windham School District~~ budget and salary schedules for the 2005-2006 school year as presented; and that the proposed salary increase be contingent upon amendments to the Texas Education Agency Commissioner's rules section 152.1022 Title 19, Texas Administrative Code.

~~Mr. Hank~~ Moody seconded the motion. The ~~WSD Windham School District~~ budget and salary ~~s~~chedules for the 2005-2006 school year were approved as presented.

Annual Review of WSD Investment Policy, 11.12, and Approval of a Resolution Adopting the Investment Policy

Mr. McNutt explained that Melinda Bozarth, TDCJ General Counsel, researched the Investment Policy and had made some minor revisions. A resolution was added to the policy that must be approved by the Board. Mr. McNutt recommended the Board approve the WSD Investment Policy, 11.12, and the Resolution Adopting the Investment Policy.

Don Jones moved the Board approve the revisions to WSD Board Policy 11.12, WSD Investment Policy, as presented and that the Chairman and Secretary sign the resolution adopting the policy.

_____Greg Coleman seconded the motion. WSD Board Policy 11.12; WSD Investment Policy _____and ~~Resolution~~ was unanimously approved as presented.

WSD Board Policy -03.00 (rev. 1) – ~~WSD Windham School District~~

Melinda Bozarth explained that a process had begun to reformat policies adopted by the WSD Board of Trustees. This new Board Policy, 03.00, consolidates previous WSD Board approved policies BP-03.00 and BP-03.01 concerning the WSD. The changes are non-substantive, as ~~There were only minor revisions~~ changes only involving grammar and organization.

Mr. ~~Hank~~ Moody moved the Board approve new WSD Board Policy ~~the revisions to BP-03.00,~~ concerning the Windham School District as presented.

—————~~Mr. Pierce~~ Miller seconded the motion. WSD Board Policy 03.00, Windham School District
 —————was unanimously approved as presented.

WSD Board Policy -03.01 – WSD Windham School District Superintendent Qualifications

Ms. Bozarth called the Board's attention to a new WSD Board Policy BP-03.01. This supersedes old WSD Board Policy 03.02 concerning the WSD Superintendent Qualifications and Selection. There was one substantive change, which provides that the Chairman can appoint a person to serve as Superintendent on an interim basis in the event of the Superintendent's death, resignation or inability to serve. All other changes were nonsubstantive.

Mr. Miller asked Ms. Bozarth if he was correct that currently the full Board has the authority to appoint the Superintendent. Ms. Bozarth stated that was correct. Mr. Miller indicated that he had just discovered this language and wished to have a chance to discuss further with the Chairman and the General Counsel before a vote was taken. He also stated, stated that he did not want to give up the authority of the full Board to appoint the Superintendent as— There were ~~4~~four Board members absent, and he he preferred wanted to table this Board Policy be tabled until the next meeting when all members are present.

Chairman Crain stated that one of the concerns raised when the choice was made not to renew the Superintendent's contract in July, was an interim person had to be put in that position immediately. If a quorum of the Board had not been present, or the Board had not been prepared at that time to take action, ~~shethe Board~~ would have had to call reconvene a separate Board meeting and bring everyone in for that specific purpose. The intent of this revision was to ~~look at giving~~ the Chairman the option of appointing an interim person, under the and the circumstances are listed, and then thus enabling the Chairman to call a meeting immediately thereafter, at a time that would be convenient for the Board to meet, to and either approve that person or decide otherwise if they wanted to choose someone else. Mr. Miller indicated his understanding and approval of this notion.

In regards to the qualifications and selection section, and the evaluation and termination sections, Ms. Bozarth explained that she had decided to lay these out in separate policies. make the qualifications and selection section and the evaluation and termination section separate policies.—Mr. Miller noted he saw no asked what the down side reason for them not to be included into this policy for easy reference by the Board. was to having these all together where you can see them in one place.

Mr. Miller moved that WSD Board Policy BP-03.01, WSD Superintendent Qualifications be tabled until the next meeting.

*Mr. Moody seconded the motion. The Board voted unanimously to table WSD Board
 —————Policy 03.01 until the January 2006 meeting.*

Chairman Crain clarified that Ms. Bozarth and Mr. Miller would get together prior to the January Board meeting to work out any issues. Mr. Miller and Ms. Bozarth agreed to do so.

WSD Board Policy -03.02 (rev. 1) – Windham School District Superintendent Responsibilities and Authority

Ms. Bozarth explained that this policy ~~has been consolidated~~ reformatted and supersedes WSD Board Policies ~~BP-03.03, BP-03.05 and BP-03.06. This is a consolidation of those policies.~~ There were no substantive changes with the exception of the addition of the section on litigation settlement authority and these cases in which cases are brought to the WSD ~~Windham School District~~ Board of Trustees for discussion. The language is very consistent with the policy adopted by the Texas Board of Criminal Justice on the same manner.

~~Greg Coleman~~ *Greg Coleman moved that the Board approve the WSD Board Policy 03.02, concerning the Windham School District Superintendent Responsibilities and Authority as presented.*

*Mr. Jones seconded the motion. ~~WSD~~ WSD Board Policy BP-03.02—Windham School District Superintendent Responsibilities and Authority was unanimously approved as
———presented.*

INFORMATION ITEMS

1. Bi-Monthly Investment Report

Mr. McNutt ~~explained~~ ~~David~~ explained that the investment reports covered the period beginning May 31, 2005, through August 31, 2005. The balance for TexPool at the end of August ~~was \$~~ was \$2,357,181, and \$1,351,805 for LOGIC. He stated that the interest earned during the period ranged from 3.06 to 3.48 percent. He added that \$3,787,338 was withdrawn from LOGIC during the month of August in order to make payroll.

2. Overview of the WSD Human Resources Department

Dr. Jim Hamilton, Administrator of the WSD Human Resources Department, gave a PowerPoint presentation regarding the WSD Human Resources Department. In his ~~presentation~~ presentation, ~~he gave~~ an overview of the staffing demographics of the District as of August 31, 2005, was provided (Attachment B).

~~There have been two hire dates~~ Since these totals were prepared, there have been 2 hire dates. ~~As such~~ and the District now has 68 vacant positions. He informed the Board that the District has 12 vacant Counselor positions and is having difficulty filling those positions. ~~He explained that~~ The Human Resources Department utilizes several resources for recruiting. ~~These~~ to include the Teacher Job Bank, TASANET, Texas Education Agency, State Education Service Centers, Universities and the Texas Workforce Commission.

Dr. Hamilton reviewed the goals and challenges for 2005-2006. The Human Resources Department plans to reinstate an active recruiting schedule at job fairs, career days and university recruitment centers. Plans are underway to establish a committee to research, develop and implement creative strategies to improve the applicant pool and minority recruitment. A feasibility committee will be established to study and possibly develop a ~~Principal assessment which~~ assessment, which is applicable to the WSD mission, goals and instructional programs. The Human Resources department plans to work with Regional Administrators to enhance training and mentoring of new Principals.

~~Mr. Jones asked about recruiting along the ethnicity lines of the prison population.~~

3. Interim Superintendent's Report

a. Update on WSD's Hurricane Rita Response

Dr. Benestante reviewed the District's response to Hurricane Rita. Administrative Leave was granted for several units (Attachment C). Approximately 40 WSD employees in the Beaumont area could not return to work on Monday, September 26th because of the damages sustained to the units in their area. For the next week, WSD administrative staff met daily, developing a five-stage plan to allow for the people in the Beaumont and Jasper areas to work ~~because there were no students.~~ As ~~the~~ students had been ~~disbursed~~ perseed to the Palestine and South Texas areas, WSD administrative staff traveled to Palestine and met with the Wardens to ~~make arrangements~~ arrange for extra

classroom space for these students and teachers. As of October 27th, all schools in the Beaumont and Jasper areas were up and running. Dr. Benestante thanked the TDCJ staff for their help during this emergency situation.

b. Texas Association of School Board's (TASB) Media Honor Roll Recipients

Dr. Benestante stated that WSD recently had the privilege of nominating top media contacts from ~~two~~ Texas newspapers to the Texas Association of School Boards' Media Honor Roll. This honor is reserved for media representatives statewide who deserve recognition for fair and balanced reporting of news about public schools. Media representatives from hundreds of Texas newspapers, ~~and~~ radio and television stations were honored by their local school ~~districts, districts~~ and their names were published in the August/September issue of TASB's *Texas Lone Star* magazine. ~~Two of WSD's~~ ~~Windham's~~ honorees represented the Beaumont Enterprise ~~;~~ Reporter Vanessa Everett and photographer Dave Smith, ~~took their quest~~ for a unique story about prison education behind the razor wire of the Stiles Unit; ~~and~~ ~~Windham's next two honorees~~ ~~represented~~ the Wichita Falls Times Record News ~~;~~ Reporter Robert Morgan and photographer Torin Halsey, for a series of ~~prepared an entire newspaper section of eight~~ articles about the Cognitive Intervention Program.

Dr. Benestante stated that unfortunately none of the Media Honor Roll recipients were able to attend this presentation; therefore, a framed certificate of recognition and a copy of the August/September issue of the *Texas Lone Star* magazine will be mailed to each honoree.

c. Budget Activity Update

Mr. McNutt gave a brief overview of the budget activity summary. This report covered budget activity through August 31, 2005. For WSD to receive its full appropriation the District must earn 15,141,659 contact hours and that is out of the best 180 days of instruction. Out of the best 180 days, WSD actually earned 16,446,573 contact hours. In comparing this to the District's performance measure of 16,638,655, WSD earned 98.8%. Windham is appropriated \$57,569,745. If WSD were able to receive funding for all earned contact hours, the District would have earned \$68,400,000. He stated that overall Windham had a good year.

d. WSD Programs by Unit

Dr. Benestante briefly reviewed ~~the handout of~~ the WSD Programs by Unit.

e. Staff Activities

Dr. Benestante informed the Board that, in August, she was asked by Representative Ray Allen to attend a meeting with the Legislative Budget Board (LBB) regarding HB 2837 ~~by Representative Ray Allen~~. The bill addresses the effectiveness of the vocational programs and all programming that is done at Windham. Since that initial meeting, Dr. Benestante has met with Diane Rath, Commissioner of the Texas Workforce Commission, and they planned a meeting with all of the people that are involved in this

initiative. The group ~~includes,~~includes representatives from the Texas Workforce Commission, the Investment Council, Parole Division, Governor's Office, Tourism Bureau for Economic Development, Health and Human Services and Windham. ~~All of~~ ~~€~~These individuals will be part of a team that will address the three areas of the bill, which are: are ~~the~~ effective programming of Windham, a strategic plan and data collection.

On October 3-5, 2005, the Superintendent of Schools and Assistant Superintendent for Federal Programs from the California Department of Corrections visited ~~WSD in~~Windham and ~~They~~ ~~toured~~ the Huntsville, Luther and Pack Units. This ~~They wanted to visit was~~ to review the education programs in Texas prisons, ~~because they had heard such good things about our programs.~~

Dr. Benestante reported ~~informed the Board that~~ she had been named to the Systems Integration of Technical Advisory Committee (SITAC),₂ and attended a meeting on October 6th. This committee looks at the improvement and coordination of multiple groups to see what is being done in the areas of training, staff development and the effectiveness of putting people to work.

She also noted~~informed the Board that~~ she had been asked to make a presentation at the American Correctional Association (ACA) 2006 Winter Conference, in January, adding that. ~~She added that~~ she has₂ also been asked to be an auditor for ACA.

In closing, Dr. Benestante stated that the Region V Correctional Education Association Conference was recently held on the campus of Sam Houston State University in Huntsville. Over 400 correctional educators from all over the United States attended the conference. Dr. Shirley Neeley, Commissioner of Education of the Texas Education Agency,₂ and State Representative Lois Kolkhorst, ~~Texas House of Representatives,~~ were among the distinguished guests~~many~~ that brought greetings during the opening session. She thanked TDCJ for its help with the conference.

ADJOURNMENT

Chairman Crain asked for questions or comments. There being none, the 231st meeting of the WSD Board of Trustees was adjourned at 2:36 p.m.

Chairman

Secretary