

**Minutes of Special Meeting
September 22, 2014
The Board of Trustees
Boerne Independent School District**

A Special Meeting of the Board of Trustees of Boerne Independent School District was held Monday, September 22, 2014, beginning at 6:00 PM in the Administration Building, 123 West Johns Road, Boerne, TX 78006-2023.

I. ESTABLISH QUORUM

Ernie Pyles called the meeting to order at approximately 6:00 p.m.

A quorum was established with all board members present:

Ernie Pyles	President
Susan Allen	Vice President
Dale Adams	Secretary
Members	Maritza Gonzalez-Cooper, Alan Rich, Rich Sena and Donna Sharp

II. OPEN SESSION

A. APPROVAL OF AGENDA

MOTION WAS MADE TO APPROVE THE AGENDA AS PRESENTED;

MOTION WAS SECONDED AND CARRIED BY ALL THOSE MEMBERS PRESENT.

B. CONSENT AGENDA

**1. CONSIDER AND APPROVE REQUEST FOR TEA MAXIMUM CLASS SIZE
EXCEPTION / WAIVER**

MOTION WAS MADE TO HAVE BISD CONSIDER AND APPROVE THE REQUEST FOR TEA
MAXIMUM CLASS SIZE EXCEPTION / WAIVER AS RECOMMENDED BY THE
ADMINISTRATION.

MOTION WAS SECONDED AND CARRIED BY ALL THOSE MEMBERS PRESENT

Presenter: Sandra Radtke

C. LEVEL III HEARING ON THE GRIEVANCE OF STEVE WHITE

Board President, Mr. Ernie Pyles announced the Board was convening in Open Session at 6:14 p.m. to conduct a Level 3 hearing on the grievance of employee Mr. Steve White, pursuant to Texas Government Code 551.074. All trustees are present, were identified by name and a quorum has been previously established.

Board members were asked whether he or she is able to serve as an impartial member of this hearing body and arrive at a decision based solely upon the presentations at this meeting. Hearing no disclosure, the proceeding continued. Mr. Pyles recited the rules that would be followed pursuant to board policy DGBA (Local).

Advising the Board is Attorney Nicole Jackson of the law firm Valdez, Jackson & Treviño of San Antonio; Representing Mr. Steve White is attorney Ms. Cory Tanner; and for the BISD Administration, Mr. Craig Wood of Walsh, Anderson, Gallegos, Green & Treviño, P.C. Mr. Craig Radtke and Superintendent David Stelmazewski were also present.

Mr. Pyles directed Mr. White's attorney and the attorney representing the District to present their positions. Ms. Cory Tanner, counsel for Mr. Steve White defined two (2) grievances: (1) involving Mr. White's supervisor and his ultimate termination of employment; and (2) involving a grievance toward Mr. Craig Radtke involving a reprimand issued prior to his termination.

At the conclusion of both presentations, Mr. Pyles asked if the board had any clarifying questions. There were no questions asked.

III. CLOSED SESSION

Mr. Pyles announced that the board of Trustees would now deliberate in executive session in a room separate from the parties pursuant to Texas government Code section 551.074 – Personnel. Further, the Board would take no action in Closed Session. After deliberation, the Board would reconvene in Open Session to take action regarding this matter. The posted time was 6:36 p.m. and the recording was stopped.

- A. PURSUANT TO TEXAS GOVERNMENT CODE §551.074, THE BOARD WILL DELIBERATE REGARDING THE LEVEL III GRIEVANCE OF STEVE WHITE.
- B. PURSUANT TO TEXAS GOVERNMENT CODE §551.071, THE BOARD WILL RECEIVE ADVICE FROM ITS LEGAL COUNSEL CONCERNING THE LEVEL III GRIEVANCE OF STEVE WHITE.

IV. OPEN SESSION

Mr. Pyles and school board members returned from deliberations and declared the meeting to be in Open Session at 7:35 p.m.

- A. FORMAL ACTION ON THE LEVEL III GRIEVANCE FILED BY STEVE WHITE.

Mr. Pyles asked if there were any motions relating to this grievance.

Mr. Dale Adams, Board Secretary, reported there was a motion:

MR. ADAMS MADE A MOTION THAT THE BOERNE ISD SCHOOL BOARD AFFIRM THE ADMINISTRATION'S PRIOR DECISIONS AS TO BOTH GRIEVANCES FILED BY MR. STEVE WHITE. MRS. SUSAN ALLEN SECONDED THE MOTION; MOTION WAS CARRIED WITH ALL THOSE PRESENT VOTING FOR..

Mr. Pyles then stated this concludes the Level 3 grievance hearing on Steve White. The posted time was 7:38 p.m.

APPROVED: _____OCTOBER 20, 2014_____

PRESIDENT: _____

SECRETARY: _____

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V. CLOSED SESSION

A. LEVEL III HEARING ON THE GRIEVANCE OF JUANITA CHAVEZ

Board President, Mr. Ernie Pyles announced the Board was convening in Closed Session at 7:39 p.m. to conduct a Level 3 hearing on the grievance of Ms. Juanita Chavez, pursuant to Texas Government Code 551.074. All trustees are present, were identified by name and a quorum has been previously established.

Board members were asked whether he or she is able to serve as an impartial member of this hearing body and arrive at a decision based solely upon the presentations at this meeting. Hearing no disclosure, the proceeding continued. Mr. Pyles recited the rules that would be followed pursuant to board policy DGBA (Local).

Advising the Board is Attorney Nicole Jackson of the law firm Valdez, Jackson & Treviño of San Antonio;

Representing Ms. Juanita Chavez is attorney Ms. Cory Tanner;

Representing BISD Administration, is attorney Mr. Craig Radtke of Boerne ISD. Superintendent David Stelmazewski was also present.

Mr. Pyles directed Ms. Chavez's attorney and the attorney representing the District to present their positions.

At the conclusion of both presentations, Mr. Pyles asked if the board had any clarifying questions. There were no questions asked.

B. PURSUANT TO TEXAS GOVERNMENT CODE §551.074, THE BOARD WILL DELIBERATE REGARDING THE LEVEL III GRIEVANCE OF JUANITA CHAVEZ.

Mr. Pyles announced that the board of Trustees would now deliberate in executive session in a room separate from the parties pursuant to Texas government Code section 551.074 – Personnel. Further, the Board would take no action in Closed Session. After deliberation, the Board would reconvene in Open Session to take action regarding this matter.

The posted time was 8:05 p.m. and the recording was stopped

C. PURSUANT TO TEXAS GOVERNMENT CODE §551.071, THE BOARD WILL RECEIVE ADVICE FROM ITS LEGAL COUNSEL CONCERNING THE LEVEL III GRIEVANCE OF JUANITA CHAVEZ

VI. OPEN SESSION

Mr. Pyles and school board members returned from deliberations and announced the meeting to be in Open Session at 8:37 p.m.

A. FORMAL ACTION ON THE LEVEL III GRIEVANCE FILED BY JUANITA CHAVEZ

Mr. Pyles asked if there were any motions relating to this grievance.

Mr. Rich Sena reported there was a motion:

MR. SENA MADE A MOTION THAT THE BOERNE ISD SCHOOL BOARD AFFIRM THE ADMINISTRATION'S PRIOR DECISIONS AND CONFIRM MS. CHAVEZ'S TERMINATION.

MR. ALAN RICH SECONDED THE MOTION;

MOTION WAS CARRIED WITH ALL THOSE PRESENT VOTING FOR.

VII. ADJOURNMENT

Mr. Pyles announced if there were no other matters for the Board to consider, then he would entertain a motion to adjourn.

MOTION TO ADJOURN WAS MADE;

MOTION WAS SECONDED.

Meeting was adjourned at 8:39 p.m.

APPROVED: -----OCTOBER 20, 2014-----

PRESIDENT: _____

SECRETARY: _____