

**RESOLUTION OF CENSURE AND EXCLUSION FROM DISTRICT PROPERTY FOR
TRUSTEE CYNTHIA GUTIERREZ**

WHEREAS, the Board of Trustees of the Pharr-San Juan-Alamo Independent School District (“PSJA ISD” or the “District”) is entrusted with governing the District in an ethical, transparent, and student-centered manner; and

WHEREAS, Board Policy BBF(LOCAL) requires each Trustee to act with integrity, honor, and trustworthiness, accurately represent information, and avoid misleading colleagues or the public in official communications; and

WHEREAS, Trustee Cynthia Gutierrez has engaged in a repeated pattern of conduct that violates BBF(LOCAL) and disrupts the Board’s work; and

WHEREAS, Trustee Gutierrez has demonstrated a persistent pattern of prioritizing political gamesmanship and self-promotion over the District’s educational mission and the welfare of our students. Through repeated actions—such as misrepresenting or selectively presenting Board communications to create false impressions, sowing discord among staff and Trustees, interfering in critical administrative matters, deviating from established ceremonial protocols, and disregarding administration’s graduation procedures regarding diploma presentation and student interaction—Trustee Gutierrez has consistently placed her personal and political agendas ahead of the best interests of PSJA ISD students; and

WHEREAS, on multiple occasions Trustee Gutierrez has intentionally sown dissension and discord in open session by:

- Announcing a purported request by other Trustees for a special meeting—without confirming any actual agreement—intended to create the appearance of an urgent crisis;
- Announcing that a Trustee’s husband sought District business—knowing the Trustee’s husband had been deceased for years—with the intent to embarrass and unsettle that Trustee;
- Stirring employee unrest during a vote on staff salaries and demanding reconsideration despite having voted in favor of the raise and understanding the District’s constrained budget;
- Publicly decrying the rebid of an insurance contract—despite full knowledge of the Board’s legitimate reasons to terminate the prior vendor—to imply corruption and erode public trust;
- Attempting to instigate conflict between two Trustees and, rather than de-escalate, actively fueling the dispute;
- Interfering with administrative actions by communicating directly with a community member about a bus accident and making assertions without full knowledge of the facts, thereby potentially jeopardizing the District’s legal defense;
- Disregarding established graduation protocols by personally deviating from administration instructions during diploma presentations and student interactions, making the ceremony about

herself rather than celebrating students;
Such conduct is intended to create chaos, advance personal agendas, and distract from the District's educational mission; and

WHEREAS, these deliberate, disruptive actions significantly interfere with the orderly operation of the Board, harm the District's governance, and divert resources away from student-focused decision-making; and

WHEREAS, under **Texas Education Code § 11.151(c)**, the Board may exclude from District premises any person whose presence it deems harmful to the District's interests; and

WHEREAS, pursuant to Texas Government Code §§ 551.102 (Open Meetings Act), any exclusion of a Board member must be adopted in open session and preserve that member's right to participate remotely;

NOW, THEREFORE, BE IT RESOLVED that:

1. **Formal Censure.** The Board of Trustees hereby vehemently censures Trustee Cynthia Gutierrez for her repeated misrepresentation of Board communications, intentional sowing of discord, interference with District operations, and unfounded insinuations of corruption. This censure serves as a public rebuke, declaring her conduct inconsistent with the ethical obligations of a PSJA ISD Trustee.
2. **Exclusion from District Property and Functions (Up to Two-Year Term).** Effective June 25, 2025, and continuing through June 25, 2027, Trustee Cynthia Gutierrez is excluded from all District property and activities, including:
 - All school campuses, administrative offices, and the Board Room;
 - All District-sponsored travel (board conferences, site visits, and off-site events);
 - All commencement exercises and official graduations; and
 - All in-person continuing-education events (with required credits to be obtained only through virtual offerings or at Region 1 ESC).This exclusion is imposed pursuant to Texas Education Code § 11.151(c).
3. **Remote Participation.** Notwithstanding this exclusion, Trustee Gutierrez may participate in Board meetings only remotely—via Microsoft Teams or Zoom—in full compliance with Texas Government Code § 551.127, provided that:
 - a. A quorum of the Board is physically present at the posted meeting location;
 - b. The District provides live audiovisual means for the public to monitor Trustee Gutierrez's participation and view proceedings;
 - c. The meeting notice clearly states that Trustee Gutierrez will appear remotely; and
 - d. An audio recording of the meeting is made available.
4. **Communications Restrictions.** During the exclusion term, Trustee Gutierrez's communications related to District or Board business shall be strictly limited to written email exchanges with only the Superintendent and the Board's legal counsel. All other inquiries or comments must be submitted in writing to the Superintendent for appropriate dissemination.
5. **Review and Renewal.** The Board shall review this Resolution every six months. Absent an affirmative motion to modify or terminate the exclusion, this Resolution and its

exclusions shall automatically renew for an additional six-month period, not to exceed a cumulative term of two years.

6. **Implementation.** The Superintendent (or designee) is directed to:
 - a. Provide Trustee Cynthia Gutierrez written notice of this Resolution;
 - b. Coordinate with Technology Services to ensure reliable remote access and public-view capability; and
 - c. Enforce the exclusion by instructing District security or law enforcement to deny physical entry to Trustee Gutierrez on District premises.
7. **Severability.** If any provision of this Resolution is held invalid or unenforceable, the remaining provisions shall remain in full force and effect.

BE IT FURTHER RESOLVED that this Resolution shall be entered into the official minutes of the Board of Trustees and constitutes the Board's final action on this matter, adopted in open session on this 25th day of June, 2025, by a vote of 5 in favor and 1 against, and 1 abstention.



Diana Serna, Board President



Ramona Barron, Board Secretary