

Minutes of Meeting of Board of Trustees
El Paso Independent School District
July 11, 2000
5:00 p.m.
Education Center-Boeing

Present Dr. Charles Roark, President
 Mrs. Ada Gonzalez-Peterson, Vice President
 Mr. Richard Telles, Secretary
 Miss Leonor Garcia
 Mr. Joe Rosales
 Mr. Dan Wever
 Dr. Gilberto Anzaldua, Superintendent
 Mr. Anthony Safi, School District Attorney

Absent: Dr. Gene Finke

The meeting was called to order at 5:02 p.m. by Dr. Roark. The Pledge of Allegiance was led by Miss Garcia and Mr. Wever. Mr. Hector Martinez, Associate Superintendent of Operations, gave the Thought for the Day.

Public Forum (Item #1)

The following people requested to speak on Open Forum:

1. Mr. Danny Longo, EPISD employee and taxpayer, spoke about concerns regarding the bond election and no pay increase for hourly employees.
2. Mr. Tommy Davis, Physics teacher at Franklin High School, spoke about a \$1,000.00 stipend being approved this year for secondary science teachers, which was approved last year for math teachers.
3. Mr. Gerald Cheek, an EPISD parent, spoke about accountability and questioned recent administrative changes.

Consent Agenda (Item #2)

The following items were pulled from the Consent Agenda for discussion as follows:

- Mr. Wever - Item 2, F., 6., Contract Extensions on Maintenance and Service Agreements - Districtwide Communication Equipment Repair, #01.424 (approx. \$45,600.00)
- Miss Garcia - Item 2, C., 2., Bids Requiring Board Approval - Annual Food Service Paper Supply Bid #46-00 (\$550,667.50)
- Dr. Roark - Item 2, E., Construction Contract Awards
- 1., Districtwide Gas Piping Pressure Testing/Replacement, Phase 2, #00.888 (\$500,000.00)
 - 2., Asbestos Abatement, Phase 12, #00.926 (\$200,000.00)

It was moved by Mr. Telles, seconded by Mr. Rosales, and carried unanimously that the items on the Consent Agenda which were not removed for discussion be approved as listed including any recommended vendors for any amounts indicated.

A. Approval of Minutes

1. May 9, 2000, and May 23, 2000, Board Finance Committee Meetings
2. May 9, 2000, and May 16, 2000, Meetings of the Board of Trustees

The Board approved the minutes of the May 9, 2000, and May 23, 2000, meetings of the Board Finance Committee, and the May 9, 2000, and May 16, 2000, meetings of the Board of Trustees.

B. Approval of Budget Amendments

The Board approved the following amendments to the 1999-2000 fiscal year budget:

1. IDEA-B Capacity Building (\$45,260.00). The purpose of this item is to set up the budget for the IDEA-B Capacity Building Program in the amount of \$45,260.00. This amendment was requested by Dr. Margaret Johnson, Executive Director, Special Services, in a memo dated June 12, 2000. The Texas Education Agency approved the notice of grant award on June 7, 2000.
2. IDEA-B Formula (\$3,127,776.00). The purpose of this item is to set up the budget for the IDEA-B Formula Program in the amount of \$3,127,776.00. This amendment was requested by Dr. Margaret Johnson, Executive Director, Special Services, in a memo dated June 12, 2000. The Texas Education Agency approved the notice of grant award on June 7, 2000.
3. IDEA-B Formula Preschool (\$182,950.00). The purpose of this item is to set up the budget for the IDEA-B Formula Preschool Program in the amount of \$182,950.00. This amendment was requested by Dr. Margaret Johnson, Executive Director, Special Services, in a memo dated June 12, 2000. The Texas Education Agency approved the notice of grant award on June 7, 2000.

C. Bids Requiring Board Approval

The following bids were approved to the recommended vendors for the amounts indicated:

1. Option to Extend Existing Bid – Risograph Digital Duplicator Repair & Maintenance Bid #46-98 (approx. \$84,732.00) – The Board approved the final option to extend Risograph Digital Duplicator Repair & Maintenance Bid #46-98 to Spectrum Imaging Systems for an additional 12 months beginning September 1, 2000, and ending August 31, 2001, for an estimated annual amount of \$84,732.00, subject to the approval of the 2000-01 preliminary budget (copy of bid tabulation attached to the permanent file of these minutes).

3. Chapin High School Music Instruments Bid #55-00 (\$75,587.69) was awarded to the following vendors in the amounts indicated: Capshaw-Olivas Music Center, Items 6, 10, 11, 18, and 26, \$15,916.44, net; Drums Etc., Item 19, \$665.00, net; Family Music Center, Items 1 and 3, \$3,904.00, net; Interstate Music, Items 12, 14, 15, 17, and 20, \$16,757.00, net; Kurland-Salzman Music, Items 2, 7, 13, and 21, \$13,315.00, net; Music Box, Item 22, \$3,136.00, net; Music Educator, Items 5, 8, 9, 23, and 24, \$16,757.00, net; Star Music, Item 4, \$3,593.25, net; and West Manor Music, Items 16 and 25, \$1,544.00, net, for a total amount of \$75,587.59 (copy of bid tabulation attached to the permanent file of these minutes).

D. Demand Service Contract Award – Districtwide Floor Tile/Covebase Replacement, #00.955 (\$125,500.00)

The Board approved the award of Demand Service Contract #00.955, Districtwide Floor Tile/Covebase Replacement, subject to the review and approval of the District's attorney, to Belt-Con Construction, Inc., in the amount of \$125,500.00.

F. Contract Extensions on Maintenance and Service Agreements

The Board authorized the administration to execute one-year contract extensions on the following Maintenance and Service Agreements for fiscal year 1999-2000 for the period of September 1, 2000, through August 31, 2001, for contracts whose estimated annual value is greater than \$25,000.00:

1. Grease Trap Maintenance, #00.411 (approx. \$90,460.00) to Bio Remedies for the estimated basic service fee of \$90,460.00.
2. Kitchen Exhaust Systems, #00.420 (approx. \$32,216.00) to Protech Fire & Safety, LLC, for the estimated basic service fee of \$32,216.00.
3. Water Softener Systems, #00.421 (approx. \$40,929.25) to Culligan Water Conditioning for the estimated basic service fee of \$40,929.25.
4. Hazardous Waste Disposal, #00.435 (approx. \$57,074.95) to Why WasteWater, Inc., for the estimated basic service fee of \$57,074.95.
5. Districtwide Weed and Lawn Service, #00.482 (approx. \$82,600.00) to Lester-Humphrey Pest Control for the estimated basic service fee of \$82,600.00.
7. Plumbing System Repairs, #98.452 (approx. \$119,686.00) to Wyler Industrial Works, Inc., for the estimated basic service fee of \$119,686.00.

G. June Personnel Report

The June Personnel Report was approved (copy attached to the permanent file of these minutes).

Questions on Bids Requiring Board Approval – Annual Food Service Paper Supply Bid #46-00 (550,667.50) (Item #2, C., 2.)

Miss Garcia questioned the utensil packs and whether or not utensils can be ordered individually, which will save over \$100,000.00. Ms. Nancy Nordell, Director, Food Services, advised that it is more sanitary to have the utensils, straw, and napkin in individual packs.

Questions on Construction Contract Awards (Item #2, E.)

1. Districtwide Gas Piping Pressure Testing/Replacement, Phase 2, #00.888 (\$500,000.00)

Dr. Roark requested information on the Contract Award Value in the amount of \$500,000.00 and the Evaluation Bid Total in the amount of \$1.9 million. Mr. Nick Corona, Director, Planning, Engineering and Construction, advised that the contractors submit bids on unit prices only for labor rates, cost per lineal foot of pipe, valves, etc. The Operations staff develops an evaluation form with estimated quantities that will be used. The contractors then extend the amounts for each item based on the estimated quantities and the unit prices quoted in their bids. This evaluation form established Thermodyn Contractors, Inc. as the low bidder.

Discussion followed on the gas piping pressure testing currently underway with another vendor; the frequency of the testing; the testing being a requirement of the Railroad Commission; the District being in the second cycle of testing; future pressure testing possibly being done at less cost due to old pipes being repaired or replaced; and the estimated total expenditure.

2. Asbestos Abatement, Phase 12, #00.926 (\$200,000.00)

Dr. Roark questioned the District's cost to date for asbestos abatement and how much more will be required. Mr. Nick Corona, Director, Planning, Engineering and Construction, advised that asbestos abatement began ten years ago and that an estimated \$3 million had been expended. He stated that abatement is performed only when construction requires it.

Questions on Contract Extensions on Maintenance and Service Agreements – Districtwide Communication Equipment Repair, #01.424 (approx. \$45,600.00) (Item #2, F., 6.)

Mr. Wever inquired about records that are kept on equipment requiring repair. Mr. Nick Corona, Director, Planning, Engineering and Construction, advised that a history on communication equipment repairs will be provided.

It was moved by Mr. Wever, seconded by Mrs. Gonzalez-Peterson, and carried unanimously that the items on the Consent Agenda which were pulled for discussion be approved as listed including any recommended vendors for any amounts indicated.

C. Bids Requiring Board Approval

2. Annual Food Service Paper Supply Bid #46-00 (\$550,667.50) was awarded to the following vendors in the amounts indicated: Baron Chemical, Items 3, 6, 33B, 35, 37, and 40-42, \$33,558.00; Regal Chemical, Items 1, 9, 9A, 11, and 12, \$69,196.80; Southwestern Mill Dist., Items 14, 17, 18, 20-22, 24, 31, 32, 38, and 39, \$56,069.40; Shamrock Foods, Item 28A, \$5,524.80; Unipak, Items 2, 4, and 5, \$46,771.50; and Xpedx, Items 13, 15, 16, 19, 23, 28, 30, and 43, \$339,547.00, for a total amount of \$550,667.50 (copy of bid tabulation attached to the permanent file of these minutes).

E. Construction Contract Awards

1. Districtwide Gas Piping Pressure Testing/Replacement, Phase 2, #00.888 (\$500,000.00)

The Board waived the technicality of the mathematical calculation errors on the proposed evaluation form submitted by Thermodyn Contractors, Inc. and approved the award of Construction Contract #00.888, Districtwide Gas Piping Pressure Testing/Replacement, Phase 2, to Thermodyn Contractors, Inc., subject to the review and approval of the District's attorney, in the amount of \$500,000.00.

2. Asbestos Abatement, Phase 12, #00.926 (\$200,000.00)

The Board considered the bid submitted by Acme Environmental Systems to be nonresponsive for failing to provide four required unit prices for specific work scopes; acknowledged and waived the technicality that Environmental Reconditioning, Inc. did not receive Addendum No. 3; and approved the award of Construction Contract #00.926, Asbestos Abatement, Phase 12, to Environmental Reconditioning, Inc., subject to the review and approval of the District's attorney, in the amount of \$200,000.00.

F. Contract Extensions on Maintenance and Service Agreements

6. Districtwide Communication Equipment Repair, #01.424 (approx. \$45,600.00)

The Board authorized the administration to execute a one-year contract extension on Maintenance and Service Agreement #01.424, Districtwide Communication Equipment Repair, to Rio Grande Communications & Equipment Co. for the period of September 1, 2000, through August 31, 2001, for the estimated basic service fee of \$45,600.00 or until the value of the contract is reached.

Approval of Human Resources Administrators to Sign Teacher Service Records (Item #3)

It was moved by Mr. Wever, seconded by Mrs. Gonzalez-Peterson, and carried unanimously that the Board authorize Mr. José F. Ontiveros, Associate Superintendent, Human Resources, and Ms. Sylvia Hopp, Director of Elementary Personnel, Human Resources, to sign Teacher Service Records.

Approval of Contract with Communities in Schools-El Paso, Inc. for Provision of Social Work and Vocational Training Services (\$360,500.00) (Item #4)

Dr. Margaret Johnson, Executive Director, Special Services, advised that the services outlined in the contract will be funded from the 2000-01 budget and could be withheld until the preliminary budget is approved. Discussion followed on whether a signature on the contract prior to the approval of the budget will disallow the program from being cut from the 2000-01 budget. Mr. Safi advised that the Board can make the approval of the contract subject to the approval of the 2000-01 preliminary budget and instruct CIS to start work after the budget is approved.

It was moved by Mr. Wever and seconded by Mrs. Gonzalez-Peterson that the Board approve the contract between the El Paso Independent School District and Communities in Schools-El Paso, Inc. for the provision of social work and vocational training services for the 2000-01 school year to Bowie, El Paso, and Irvin High Schools; Telles Academy; Guillen, Charles, Henderson, Lincoln, Magoffin, and Wiggs Middle School; Lamar Elementary School; and the Sunland Park Mall Academy in the amount of \$360,500.00.

Mr. Wever withdrew his motion and Mrs. Gonzalez-Peterson accepted.

It was moved by Mrs. Gonzalez-Peterson and seconded by Miss Garcia that the Board approve the contract between the El Paso Independent School District and Communities in Schools-El Paso, Inc. for the provision of social work and vocational training services for the 2000-01 school year to Bowie, El Paso, and Irvin High Schools; Telles Academy; Guillen, Charles, Henderson, Lincoln, Magoffin, and Wiggs Middle School; Lamar Elementary School; and the Sunland Park Mall Academy in the amount of \$360,500.00, contingent upon the approval of the 2000-01 preliminary budget. Upon the vote, the motion carried with Dr. Roark voting against the motion.

Approval of Contract Between Region 19 Education Service Center and EPISD for Migrant Education Shared Services Arrangement for 2000-01 (\$676,013.00) (Item #5)

Ms. Marsha Lawler, Associate Superintendent, Curriculum, Instruction and Assessment (CI&A), presented information on migrant services provided by Region 19 Education Service Center (ESC). She referenced the Secondary Education Transition Study (SETS) for military students and highlighted the similarities between migrant students and military students. She stated that a child is considered "migrant" only if the parent is tied to the land or water. Ms. Lawler explained that if the contract is approved, Region 19 will apply for state funds to operate the program on behalf of the District's students, based on recruitment figures from last year.

Discussion followed on the District providing these services and the cost to run the program; Title I funds being used to supplement local and state funds; the expertise of staff at Region 19 to run the migrant program; where migrant parents are working; the "migrant" label being in effect for 36 months; and Project Smart, a summer migrant access resource program.

Ms. Marta Peña, Director of Migrant Education, Region 19 ESC, responded to questions from the Board and provided information on the Project Smart summer program for migrant students and families. She advised that the Migrant Program has a permanent staff of 12 individuals with 4 additional people being contracted for the summer months.

It was moved by Mrs. Gonzalez-Peterson and seconded by Miss Garcia that the Board approve the contract with Region 19 Education Service Center for a Migrant Education Shared Services Arrangement for the provision of migrant education services for eligible students in the EPISD for the period of August 1, 2000, to July 21, 2001, in the amount of \$676,013.00.

Discussion followed on the need for the EPISD to provide migrant services; a more in-depth study of the program; applications being submitted prior to the expenditure of funds; and postponing approval of the District's participation.

Mrs. Gonzalez-Peterson called for the question.

Discussion continued on who provides the services; whether the District possesses the expertise to apply for funds within the next two weeks; a prior study indicating that it would not be cost effective for the District to run the program; the Board and the administration attending events for migrant children; reviewing the New Generation System student record database; providing information by ZIP code on where the migrant students live; the increase in the number of migrant students being served since Region 19 began running the program; the regional context being of greater service to smaller districts; meeting the students at their point of need; and approving the agreement but having a presentation at the next meeting which addresses some of the Board members' concerns.

Upon the vote, the motion failed with Mrs. Gonzalez-Peterson and Miss Garcia voting in favor of the motion and Mr. Wever, Mr. Telles, Dr. Roark, and Mr. Rosales voting against the motion.

It was the consensus of the Board that this item to be placed on the agenda for the July 25, 2000, Board meeting, with additional information being provided in order for the Board to make a determination on whether the District should provide services to migrant students.

Item Withdrawn

It was announced that item no. 6, Approval of Education Center-Boeing Telephone System Expansion, #00.996 (approx. \$30,026.27) had been withdrawn from the agenda.

Approval of Procurement/Delivery Methods for Construction Contracts Exceeding \$25,000.00 – Districtwide Modular Campuses, #00.989 (Item #7)

It was moved by Miss Garcia, seconded by Mr. Wever, and carried unanimously that the competitive bid process be utilized for Project No. 00.989, Districtwide Modular Campuses, subject to the review and approval of the District's attorney, and that the advertisement and issuance of relevant documents be authorized to prospective bidders/proposers.

RFPs and Purchase Orders Requiring Board Approval (Item #8)

- A. Instructional Materials Request for Catalog Discount RFP #39-00 (approx. \$335,000.00)
- B. Athletic/Physical Education Supplies Request for Catalog Discount RFP #40-00 (approx. \$200,000.00)

Mr. Wever questioned the requests for catalog discounts. He stated that the District should buy in large quantities and that catalog purchases by individual campuses is not cost effective. Mr. Terry Freiburg, Director of Purchasing, advised the Texas School Performance Review recommended that catalog bids be done for all small purchases between \$200.00 and \$300.00. Mr. Freiburg added that under the catalog process, zero discounts are allowed when there is a discounted price catalog.

Mr. Joe Loya, Deputy Superintendent, advised that a review is being conducted to reduce the large number of vendors accepted on the list for catalog purchases. If the catalog process continues, criteria will be developed to qualify vendors, and the vendors will be required to submit a bid every time a purchase is to be made from the list of qualified vendors.

- C. PC Computers for Putnam Elementary School and El Paso High School, Purchase Order Nos. 186877 and 190850 (\$30,357.50)

Mr. Wever questioned Putnam Elementary School receiving only 9 computers instead of the 14 computers requested. Mr. Terry Freiburg, Director of Purchasing, advised that 5 of the 14 computers requested were being purchased with other funding. The purchase order for the 5 computers was created because the funding source will be lost if the equipment is not received by July 20, 2000.

- E. Lost Textbook Payment and Replacement, Purchase Order Nos. 193674, 193677, and 193853 (\$130,405.07)

Mr. Wever questioned the \$16,000.00 in lost textbooks at Andress High School and how to remedy the situation. Mr. John Doran, Associate Superintendent, Northeast Region, advised that the situation is being addressed.

It was moved by Mr. Wever, seconded by Mr. Telles, and carried unanimously that the following RFPs and purchase orders be approved to the recommended vendors for the amounts indicated:

- A. Instructional Materials Request for Catalog Discount RFP #39-00 (approx. \$335,000.00) was awarded to the vendors listed on the tabulation in the discount amounts indicated for future purchases on an "as needed" basis for the 2000-01 fiscal year for the estimated amount of \$335,000.00, subject to the approval of the 2000-01 preliminary budget (copy of bid tabulation attached to the permanent file of these minutes).
- B. Athletic/Physical Education Supplies Request for Catalog Discount RFP #40-00 (approx. \$200,000.00) was awarded to the vendors listed on the tabulation in the discount amounts indicated for future purchase on an "as needed" basis for the 2000-01 fiscal year for the estimated amount of \$200,000.00, subject to the approval of the 2000-01 preliminary budget (copy of bid tabulation attached to the permanent file of these minutes).

- C. PC Computers for Putnam Elementary School and El Paso High School, Purchase Order Nos. 186877 and 190850 (\$30,357.50) were approved for purchase from Dell Marketing LP for Putnam Elementary School, Purchase Order No. 186877, in the amount of \$11,422.62; and from Dell Financial Services LP for El Paso High School, Purchase Order No. 190850, in the amount of \$18,914.88, for a total amount of \$30,357.50 (copy of purchase orders attached to the permanent file of these minutes).
- D. Computer Equipment for Urban Systemic Program (USP) Mentors, Purchase Order No. 192522 (\$24,245.14) was approved for purchase from Dell Financial Services LP, the lowest quote, in the amount of \$24,245.14 (copy of purchase order attached to the permanent file of these minutes).
- E. Lost Textbook Payment and Replacement, Purchase Order Nos. 193674, 193677, and 193853 (\$130,405.07) was approved as follows: Replacement of Lost Textbooks to Houghton Mifflin Co., Purchase Order No. 193674, in the amount of \$12,712.20, and Glencoe/McGraw-Hill Publishing, Purchase Order No. 193677, in the amount of \$23,598.81; and Payment for Lost Textbooks to the Texas Education Agency, Purchase Order No. 193853, in the amount of \$94,094.06, for a total amount of \$130,405.07 (copy of purchase orders attached to the permanent file of these minutes).

Approval of EPISD Kindergarten Learning Continuum (New Elementary Report Card) and Pilot of Prekindergarten/First and Second Grade Learning Continuums During the 2000-01 and 2001-02 School Years (Item #10)

Ms. Meg Birk, kindergarten teacher at Rusk Elementary School and member of the Report Card Steering Committee, provided information on the Kindergarten Learning Continuum (KLC), which is the new kindergarten report card. She stated that the Kindergarten Progress Report currently in use is outdated, and the new report card will show parents the progress in the classroom and student expectations.

Ms. Elba-Maria Stell, kindergarten teacher at Cooley Elementary School, reported on the accountability provided in the KLC. She advised that the Continuum is structured to be used in the first and second grades. Mr. Eugenio Hinojosa, Chairperson, Report Card Steering Committee, clarified that the Learning Continuum can be used through the fifth grade.

Discussion followed on establishing a program to monitor students' progress from year to year; having an instrument that provides an objective assessment; the KLC being used at ten pilot campuses; resources available to assist children having difficulty reading; and the KLC being used Districtwide.

Mr. Hinojosa reviewed the timeline for the development of the KLC and recommended a Districtwide implementation of the KLC; piloting continuums for prekindergarten and first grade during the 2000-01 school year; and implementing the continuums for prekindergarten, kindergarten, and first grade in 2001-02.

It was moved by Mr. Wever, seconded by Mr. Telles, and carried unanimously that the Board approve the implementation of the Kindergarten Learning Continuum beginning with the 2000-01 school year and the piloting of the Prekindergarten and First Grade Learning Continuums during the 2000-01 school year and the Second Grade Learning Continuum during the 2001-02 school year.

Presentation on 2000-01 Preliminary Budget and Employee Compensation (Item #9)

Mr. Joe Loya, Deputy Superintendent, presented the information on the preliminary budget and a proposal for compensation adjustments. He reviewed the organizational changes over the last year and advised that the District is on target with the Board goals and objectives. There is a healthy fund balance, an excellent tax collection rate, and current year savings. Mr. Loya stated that some of the budget challenges facing the District are a \$3 million step increase for teachers, nurses, librarians, and counselors; an unexpected \$3 million for Workers' Compensation; a \$1.4 million in health care premiums; a bond election; an increase in fuel costs; the need for academic space; and the teacher shortage. Additional challenges are the decreases in enrollment, demographic changes, a need for new schools; an increase in accountability standards; rigorous exit exams, and staff development.

Mr. Loya presented the proposed compensation package for 2000-01. He introduced an option for a one-time, performance incentive pay (PIP) to be paid on a downward scale, starting at 5 percent for those with the lowest compensation to 2 percent for those with the highest compensation, with a minimum of \$500.00 and a maximum of \$750.00. He proposed a five-year plan to compress the years-in-service schedule from 29 years to 25 years; a three-year plan to increase entry level pay; and a five-year plan to compete with the average pay at the top ten school districts. Mr. Loya reviewed the criteria and pros and cons for the PIP.

Mr. Loya advised that the current total for the 2000-01 preliminary budget is \$323,843,043.00, an increase of \$6,810,607.00 over last year. He provided a comparison of the expenditures and revenues for fiscal year 2000 to fiscal year 2001. He stated that there is an approximate \$2.3 million decrease in revenues for fiscal year 2001, which will result in a shortfall of \$3,771,043.00 over the current proposed budget. Approximately \$4.2 million will be available for fiscal year 2001 if the projected 2000 year-end balance of \$8 million is used to fund unexpected costs for 2001, such as Workers' Compensation, health care, and the unfunded step increase for teachers. He reviewed the financing option for the PIP and compensatory time balances for 2000-01.

Mr. Loya reviewed four options for the years 2002 through 2005 that are an attempt to make the District's salaries/wages competitive with other districts. He reviewed proposed figures for an entry-level adjustment for teachers, market equity, and a reduction of the 25-year schedule; and the projected year-end fund balances. Option 1 will refinance debt with no tax increase; Option 2 will increase taxes by \$.017 to maximize Tier II funding; Option 3 will refund the contractual obligations with no tax increase; and Option 4 will increase taxes to maximize Tier II funding and refinance contractual obligations.

The following person requested to speak to this item:

1. Ms. Frances Wever, President, El Paso Federation of Teachers and Support Personnel, spoke against a bonus or one-time pay incentive and endorsed a permanent wage increase.

Meeting Recessed

The meeting was recessed at 8:30 p.m. The meeting was reconvened at 8:37 p.m.

Process and Evaluation Instrument for Evaluation of Superintendent (Item #11)

Dr. Anzaldua commented on the Superintendent Appraisal Report used by the Board in previous years and stated that the categories are the Administrative Leadership Domains recommended by the Commissioner of Education. He recommended a timeframe for his evaluation, that his evaluation be linked to the goals adopted by the Board in February 2000, and that the evaluation be conducted the first Tuesday in August.

It was the consensus of the Board that Dr. Roark and Mr. Rosales meet with Dr. Anzaldua to review the evaluation instrument and determine if a new instrument should be drafted. Dr. Anzaldua advised that copies of the evaluation instruments recommended by TASA (Texas Association of School Administrators) and TASB (Texas Association of School Boards) will also be provided when they are received.

Meeting Closed (Item #12)

Dr. Roark declared a conflict of interest on item no. 12, D., and stated that he would recuse himself from the discussion of this item.

The meeting was recessed at 8:45 p.m. to a closed meeting by Dr. Roark under Sections 551.071, 551.074 and 551.082 of the Texas Government Code as follows:

- A. Grievance Hearing – Francisca Petersen, Clerical Assistant 4, Finance
- B. Proposed Termination of Continuing Contract Teacher
- C. Dr. Yolanda M. Rey, Plaintiff vs. Jim Nelson, Commissioner of Education, and El Paso Independent School District, Defendants; No. GNO-01515; 98th District Court, Travis County, Texas; and Yolanda M. Rey v. El Paso Independent School District; In the United States District Court, Western District of Texas
- D. Frank Ulloa, Plaintiff vs. El Paso Independent School District, Defendant; In the 327th Judicial District Court, El Paso County, Texas; Cause No. 98-2006

The closed meeting was opened at 8:50 p.m. The closed meeting ended at 9:55 p.m.

Meeting Opened

The meeting was reassembled in Open Session at 9:55 p.m.

Grievance Hearing – Francisca Petersen, Clerical Assistant 4, Finance (Item #12, A.)

It was moved by Mrs. Gonzalez-Peterson and seconded by Mr. Telles that the Board uphold the Superintendent's decision to deny the request by Francisca Petersen to be upgraded to an Hourly Pay Level 5. Upon the vote, the motion carried with Dr. Roark voting against the motion.

Proposed Termination of Continuing Contract Teacher (Item #12, B.)

It was moved by Mrs. Gonzalez-Peterson, seconded by Mr. Rosales, and carried unanimously that the Board approve giving notice of the proposed termination of employment and the grounds therefor to Mr. Julio Lugo, a continuing contract teacher.

Dr. Yolanda M. Rey, Plaintiff vs. Jim Nelson, Commissioner of Education, and El Paso Independent School District, Defendants; No. GNO-01515; 98th District Court, Travis County, Texas; and Yolanda M. Rey v. El Paso Independent School District; In the United States District Court, Western District of Texas (Item #12, C.)

It was moved by Mr. Telles, seconded by Mr. Rosales, and carried unanimously that the Board approve the proposed settlement of all pending litigation involving a release from Dr. Yolanda M. Rey to the EPISD, a release from the EPISD to Dr. Yolanda M. Rey of its claims, a final day on duty for Dr. Rey of July 11, 2000, and retirement effective July 31, 2000.

Frank Ulloa, Plaintiff vs. El Paso Independent School District, Defendant; In the 327th Judicial District Court, El Paso County, Texas; Cause No. 98-2006 (Item #12, D.)

It was moved by Mr. Telles, seconded by Mr. Rosales, and carried unanimously that the Board authorize the District's legal counsel, Mr. Anthony Safi, to continue to negotiate and solicit an alternative proposal and report back to the Board at the meeting of July 25, 2000. Having recused himself from the discussion of this item, Dr. Roark abstained from the vote.

Meeting Adjourned

The meeting was adjourned at 10:02 p.m.

Date Approved: September 12, 2000