

Minutes of Meeting of Board of Trustees  
El Paso Independent School District  
March 28, 2000  
5:00 p.m.  
Education Center-Boeing

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

Absent: Mr. Richard Telles, Secretary

The meeting was called to order at 5:02 p.m. by Dr. Roark. The Pledge of Allegiance was led by Mr. Rosales.

Performance by the Guillen Middle School Marimba Ensemble (Item #1)

A musical performance was provided by the Guillen Middle School Marimba Ensemble, under the direction of Ms. Carmen Holbrook.

Recognition of EPISD 1998-99 Texas Successful Schools Awards Recipients (Item #2)

Alta Vista, Clendenin, Hillside, Houston, Hughey, Lee, Milam and Travis Elementary Schools were recognized by the Board of Trustees for having received financial awards from the 1998-99 Texas Successful Schools Award System. Each school received a framed certificate from the Board on behalf of the Texas Education Agency in recognition of having shown the greatest amount of improvement in achieving education goals during the 1998-99 school year.

Report from Representatives from the UTEP El Paso Collaborative for Academic Excellence on the Urban Systemic Program (USP) and the National Science Foundation (NSF) Grant (Item #4)

Dr. Susana Navarro, Executive Director, UTEP El Paso Collaborative for Academic Excellence, provided a report on the Urban Systemic Program (USP). She stated that the second five-year grant for the collaborative between the EPISD, Socorro ISD, Ysleta ISD, and UTEP (University of Texas at El Paso) was awarded by the National Science Foundation (NSF) in the fall of 1999. This grant builds on a previous five-year grant titled "Urban Systemic Initiative (USI)" which engages teachers, administrators, and the broad community in reforming mathematics, science, and technology.

Dr. Navarro provided information on data that was collected from the three participating school districts at the end of the first five-year USI grant period. She reviewed the increased passing rates on all portions of the TAAS mathematics test and the higher number of students enrolled in Algebra I and II, Biology, and Chemistry. Dr. Navarro reviewed some of the changes from the USI to the USP and highlighted the critical elements of the USP proposal.

Discussion followed on the professional development to be provided in the classrooms; the District's involvement in the alignment of curriculum to National Standards and TEKS; and the USP being treated as a separate program.

Dr. Anzaldua commented on the merging of the USP and stated that as the Principal Investigator for USP, it has his full attention. He added that the District Goals recently adopted by the Board include reading, math, and science as the core areas and that curriculum alignment is being addressed.

Discussion continued on the focus on feeder patterns; the College of Education at UTEP and the statewide teacher shortage; and dialogue between UTEP and the school districts to address the need for math and science teachers.

#### Public Forum (Item #5)

The following people requested to speak on Open Forum:

1. Mr. Gene Fatuch spoke in support of the principal at Bliss Elementary School and against her transfer to another school.
2. Ms. Lois Whitmeyer, a teacher at White Elementary School, spoke in support of the principal at White and questioned the procedures for principal transfers.
3. Mr. Alan Goodman, a parent from Putnam Elementary School, spoke in support of the principal at Putnam and against her transfer to another school.
4. Ms. Christina Palacio, a teacher at Burnet Elementary School, spoke in support of the principal at Burnet and against his transfer to another school.
5. Ms. Elyse Brown spoke in support of the principal at Burnet Elementary School and against his transfer to another school.
6. Ms. Adrian Ninos spoke in support of the principal at Burnet Elementary School and against his transfer to another school.
7. Ms. Laura Hicks, a teacher at Burnet Elementary School, spoke in support of the principal at Burnet and against his transfer to another school.

8. Ms. Ruth Frith, a teacher at Burnet Elementary School, spoke in support of the principal at Burnet and against his transfer to another school.
9. Ms. Jeri John, a teacher at Burnet Elementary School, spoke in support of the principal at Burnet and against his transfer to another school.
10. Mr. Charles Marquez, a parent at Burnet Elementary School, spoke in support of the principal at Burnet and against his transfer to another school.
11. Ms. Jerry Boyer, a teacher at Putnam Elementary School, spoke in support of the principal at Putnam and against her transfer to another school.
12. Ms. Margarita Pichard was not present when called to speak.
13. Ms. Debbie Powers was not present when called to speak.
14. Ms. Patricia Aguilar, parent and PTA President at Vilas Elementary School, spoke in support of the principal at Vilas and against her transfer to another school.
15. Ms. Gabbie De La Torre, a parent at Putnam Elementary School, spoke in support of a change in the school administration and about petitions that were circulated at the school.
16. Mr. Eduardo Arellano, a citizen, spoke in support of the principal at Vilas Elementary School and requested that action on item no. 17, B., be postponed until the community can be informed.
17. Ms. Gabriela Arellano, a parent at Vilas Elementary School, spoke in support of the principal at Vilas and against her transfer to another school.
18. Mr. Mark Mendoza, Principal at Burnet Elementary School and President of the Texas Association of Hispanic School Administrators (TAHSA), spoke about ethics and the principals not being personally notified of a possible transfer.
19. Ms. Emma Barrera was not present when called to speak.
20. Ms. Gail Ambriz was not present when called to speak.
21. Ms. Pat De La Garza, a parent at Putnam Elementary School, spoke against the principal at Putnam and about the petition that was circulated at the school.
22. Ms. Cecilia Piña, a parent at Hawkins Elementary School, spoke in support of the principal at Hawkins and against his transfer to another school.

23. Mr. Gerald Cheek, President, El Paso Council of PTAs, spoke in support of the Superintendent, the planned change in principal assignments, and doing what is best for EPISD students.
24. Ms. Emma Barrera, a parent from Alta Vista Elementary School, who was not present when previously called to speak, spoke in support of the principal at Alta Vista and against his transfer to another school.
25. Ms. Gail Ambriz, President of the Family Preservation Council/parent at Alta Vista Elementary School and who was not present when previously called to speak, spoke in support of the principal at Alta Vista and against his transfer to another school.
24. Ms. Andrea Figueroa, a teacher at Vilas Elementary School, spoke on behalf of the principal at Vilas and against her transfer to another school.

Dr. Roark took a point of personal privilege and recognized Tammy Fonce-Olivas, a reporter with the *El Paso Times*, on receiving a recent award from her peers in recognition of her outstanding work. Dr. Roark also thanked Ms. Fonce-Olivas for her coverage of the EPISD.

Presentation and Possible Action Regarding Boundary Lines Between EPISD and Canutillo ISD (Item #3)

Mr. Wever presented a petition and a request from Ms. Dona Ray and other residents that a specific area within the Canutillo ISD be annexed by the EPISD. He recommended that the administration review the information, determine whether or not all the required documentation has been submitted, and the required hearing date be scheduled for the EPISD Board of Trustees.

It was moved by Mr. Wever and seconded by Miss Garcia that the administration review the documentation submitted by the petitioners, and if all documentation is in order, that a date be scheduled for a hearing before the Board.

Mr. Safi elaborated on two requirements in the Texas Education Code regarding annexation for a petition where the area in question is inhabited. The petition is to be signed by a majority of the registered voters residing in the area and must give the metes and bounds of the territory to be detached and annexed, not simply the street addresses and the lot and block descriptions. Once the petition is complete, the Board is required by law to schedule a hearing, which can be part of a regular Board meeting. Mr. Safi reviewed the required hearing notices and other issues to be considered. He stated that at the conclusion of the hearing, the Board must make specific findings of fact based on the information presented at the hearing and either approve or disapprove the annexation proposal.

Mr. Safi advised that the Canutillo ISD Board of Trustees must go through the same process and that the hearing can be held jointly by both school boards. If both boards approve the petition, it is then presented to the County Commissioners' Court where the boundary changes are finalized and subsequently forwarded to the Texas Education Agency. If one of the school boards approves the petition and the other disapproves, then the petitioners can appeal to the Commissioner of Education, and it will be resolved at that level. He advised that at the hearing, the Board might want to consider the effect of the bond indebtedness of the other district as it relates to the corresponding percentage of the taxable value of the property that will be transferred from one district to the other.

Following discussion, legal counsel recommended that the administration review the metes and bounds that are submitted and compare them to the existing boundary map to determine if they correspond, which will take approximately two to three weeks to complete. The administration can then bring the item back to the Board with a report on the outcome of its review. Another option available to the Board is to accept the petition now, subject to the administration's confirming the metes and bounds description, and if there's a problem, it can be brought back to the Board at the next regular Board meeting.

Responding to a question from Mrs. Gonzalez-Peterson regarding why the annexation by EPISD is desired, Ms. Donna Ray, parent from Canutillo ISD, advised that they reside on seven lots in a large subdivision. All of the subdivision are part of EPISD except for these seven lots. The EPISD school is within walking distance and the Canutillo ISD school is five miles away.

Mr. Wever amended his motion to state that the Board accepts the petition as valid unless the administration advises otherwise. Miss Garcia accepted the amendment.

The amended motion reads as follows:

that the Board accepts the petition as valid, unless the administration advises otherwise after reviewing the documentation submitted by the petitioners, and if all documentation is in order, that a date be scheduled for a hearing before the Board.

Upon the vote, the motion carried unanimously.

#### Presentation by Parents on Cheerleader "Stunting" (Item #6)

Ms. Darlene Bahr, President of the Franklin High School Cheerleading Booster Club, provided information on cheerleading and referenced Bulletin 12 which addresses cheerleading. She advised that the EPISD is the only district in the states of Texas and New Mexico that prohibits "stunting." She reviewed her proposal, which addresses different aspects of cheerleader "stunting." Ms. Bahr advised that because the EPISD is ground-bound, the District's cheerleaders do not possess the necessary skills to compete for the college cheerleading scholarships. She advised that because safety is the primary issue, it should be mandatory that all persons involved in cheerleading are AACCA (American Association of

Cheerleading Coaches and Advisors) certified. This certification ensures that safety regulations are followed. She added that the cost for certification is \$55.00 per person, which includes an additional \$1 million in liability insurance. Comments favoring “stunting” were expressed by both the cheerleader sponsor and the yell leader at Bowie High School.

Discussion followed on the certification process; training camps for students; the limited competitions available to EPISD cheerleaders; cheerleading scholarships; the possible inequities between different sports; and the need for Bulletin 12 to be rewritten into policy to ensure that safety measures are in writing.

It was moved by Mr. Wever and seconded by Mr. Rosales that Bulletin 12 be replaced with Board policy, to be written by Mr. Wever with the assistance of Ms. Darlene Bahr, and brought back to the Board for consideration.

Dr. Anzaldua suggested a pilot program for cheerleader “stunting” at two high schools. He stated that current regulations prohibit “stunting” because of an accident that occurred several years ago and that the majority of the high school principals prefer the current guidelines. An evaluation of the pilot program and the costs can then be brought back to the Board and enhancements or changes made to allow a gradual phase-in at all high schools.

There was discussion on how high schools would be selected for a pilot program; the five high schools that have already indicated a desire to “stunt;” and a Board member providing input to a policy but the administration utilizing its educational expertise to develop the appropriate language. Dr. Anzaldua stressed the importance of the high school principals’ comments because these activities are their direct responsibility.

Upon the vote, the motion carried unanimously.

#### Phase 2 of Reorganization of EPISD Administrative Services (Item #12)

Dr. Anzaldua reviewed previous reports provided to the Board regarding the reorganization plan. He advised that Phase 2 of the reorganization includes Board action on recommended transfers or appointments of administrators from various schools or Units.

#### Meeting Closed (Item #17)

Prior to closing the meeting, the following person requested to speak to item no. 17, B., Possible Transfers and/or Appointments of Administrators at Various Schools/Units:

1. Ms. Linda Stevens spoke in support of the principal at White Elementary School and against her transfer to another school.

The meeting was recessed at 7:42 p.m. to a closed meeting by Dr. Roark under Sections 551.071, 551.072, 551.074, and 551.082 of the Texas Government Code as follows:

**B. Possible Transfers and/or Appointments of Administrators at Various Schools/Units, Including**

1. Alta Vista Elementary School
2. Aoy Elementary School
3. Bliss Elementary School
4. Burnet Elementary School
5. Clardy Elementary School
6. Crockett Elementary School
7. Hart Elementary School
8. Hawkins Elementary School
9. Houston Elementary School
10. Hughey Elementary School
11. Milam Elementary School
12. Putnam Elementary School
13. Roberts Elementary School
14. Vilas Elementary School
15. White Elementary School
16. Zavala Elementary School
17. Bassett Middle School
18. Canyon Hills Middle School
19. Henderson Middle School
20. Lincoln Middle School
21. Wiggs Middle School
22. Austin High School
23. Bowie High School
24. El Paso High School
25. Irvin High School
26. Jefferson/Silva High School
27. Telles Academy
28. Director, Guidance and Counseling
29. Director, Risk Management
30. Administrator, USP (Urban Systemic Program)
31. Assistant Director, Staff Development
32. Evaluator, Research and Evaluation (2 positions)
33. Region Vertical Team Leader(s)

The closed meeting was opened at 7:47 p.m. The closed meeting ended at 8:29 p.m.

**Meeting Opened**

The meeting was reassembled in Open Session at 8:32 p.m.

Possible Transfers and/or Appointments of Administrators at Various Schools/Units, Including, 1. through 33. (Item #17, B.)

Dr. Anzaldua stated that the criteria for the recommended reassignment of administrators included the needs of the school community; the character of the school; the administrator's background, experience, and ability to lead; and what will best serve the needs of the students. He advised that during the first year's transition, no administrator will be docked any pay and each will be held harmless regarding salary. He added that Vilas Elementary School and Irvin High School are not included in the recommendation and that the principalships at Austin and Bowie will not be assigned but will be advertised as vacancies.

Dr. Anzaldua recommended the following administrative transfers to the Board:

1. Wilfredo Tolentino from Principal at Houston Elementary to Principal at Alta Vista Elementary
2. Rick Luna from Principal at Alta Vista Elementary to Principal at Aoy Elementary
3. Mark Mendoza from Principal at Burnet Elementary to Principal at Bliss Elementary
4. Nancy Farley from Principal at Bliss Elementary to Principal at Burnet Elementary
5. Robert Gonzalez from Principal at Roberts Elementary to Principal at Clardy Elementary
6. Jesse Armendariz from Principal at Milam Elementary to Principal at Crockett Elementary
7. Soledad Aguilar from Principal at Aoy Elementary to Principal at Hart Elementary
8. Rosie Natividad from Principal at Clardy Elementary to Principal at Hawkins Elementary
9. Elco Ramos from Principal at Jefferson/Silva High to Principal at Houston Elementary
10. Jamey Wiggs from Principal at White Elementary to Principal at Hughey Elementary
11. Manny Mendoza from Principal at Crockett Elementary to Principal at Milam Elementary
12. Julio Ramirez from Principal at Lincoln Middle to Principal at Roberts Elementary
13. Margaret Frederick from Principal at Hughey Elementary to Principal at White Elementary
14. Alicia Ayala from Principal at Putnam Elementary to Principal at Zavala Elementary
15. James Stephens from Principal at Canyon Hills Middle to Principal at Bassett Middle
16. Dianne Jones from Principal at Austin High to Principal at Canyon Hills Middle
17. Rudy Hernandez from Principal at Bassett Middle to Principal at Henderson Middle
18. Efren Yturalde from Principal at Telles Academy to Principal at Lincoln Middle
19. Oscar Santaella from Principal at Bowie High to Principal at El Paso High
20. Ralph Chavez from Principal at Henderson Middle to Principal at Jefferson/Silva High
21. Sam Villarreal from Principal at Hawkins Elementary to Principal at Telles Academy
22. Ralph Yturalde from Executive Director of Employee Relations to Principal at Putnam Elementary
22. Lillian Crouch from Executive Director of Human Resources to Director of Risk Management



It was moved by Mrs. Gonzalez-Peterson, seconded by Dr. Finke, and carried unanimously that the Board approve the transfers and appointments of administrators as recommended and presented by the Superintendent effective June 1, 2000.

Consent Agenda (Item #7)

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

A. Approval of Minutes

1. February 8, 2000, Board Finance Committee Meeting and February 17, 2000, Board's Compensation Committee Meeting
2. February 8, 2000; February 15, 2000; February 20, 2000; and February 22, 2000, Meetings of the Board of Trustees

The Board approved the minutes of the February 8, 2000, Board Finance Committee Meeting; the February 17, 2000, Board's Compensation Committee Meeting; and the February 8, 2000; February 15, 2000; February 20, 2000; and February 22, 2000, meetings of the Board of Trustees.

B. Approval of Budget Amendments

1. Austin High School Per Capita Budget Transfer (\$10,100.00). The purpose of this item is to amend the budget for Austin High School in the amount of \$10,100.00. Dianne Jones, Principal at Austin, requested this amendment in a memo dated February 7, 2000. This amendment will transfer funds to purchase a circulation desk for a central circulation area in the library.
2. Burges High School Title I Budget Transfer (\$17,800.00). The purpose of this item is to amend the budget for Burges High School Title 1 in the amount of \$17,800.00. Bob Mena, Director of External Funding, requested this amendment in a memo dated February 14, 2000. The funds will be used to purchase printers and software for classrooms and instructional programs.
3. "Qué Sabrosa Vida" Grant (\$25,000.00). The purpose of this item is to set up the budget for the "Qué Sabrosa Vida" Grant in the amount of \$25,000.00. Bob Mena, Director of External Funding, requested this amendment in a memo dated March 1, 2000. This grant is being funded by the Paso Del Norte Health Foundation.

4. Texas After-School Initiative for Middle Schools (\$225,000.00). The purpose of this item is to set up the budget for the Texas After-School Initiative for Middle Schools in the amount of \$225,000.00. Bob Mena, Director of External Funding, requested this amendment in a memo dated March 6, 2000. This grant was approved by the Texas Education Agency on January 31, 2000.
5. Student Success Initiative: Accelerated Reader Instruction Program (\$561,460.00). The purpose of this item is to set up the budget for the Student Success Initiative: Accelerated Reader Instruction Program in the amount of \$561,460.00. Bob Mena, Director of External Funding, requested this amendment in a memo dated March 3, 2000. This grant is being funded by the Texas Education Agency.

C. March Report of JJAEP Placements not Appealed to the Board of Trustees

The March Report of JJAEP Placements not Appealed to the Board of Trustees was approved as presented. As the information contained in this report is confidential under the Privacy Laws, the report will be filed in the Office of the Superintendent.

Approval of Coronado High School Band to Travel to Toronto, Canada, to Participate in Festival of Music (Item #8)

Mr. Nick Cobos, Principal at Coronado High School, and Mr. Kenneth Capshaw, Coronado Band Director, provided information on the request for the Coronado High School band to travel to Toronto, Canada, on May 11 - 15, 2000, to perform in the Festival of Music.

It was moved by Mr. Wever, seconded by Dr. Finke, and carried unanimously that the Board approve the request for the Coronado High School band students to travel to Toronto, Canada, on May 11-15, 2000, to participate in the Festival of Music.

Approval of Amendment to 1999-2001 Student Code of Conduct (Item #9)

Dr. Margaret Johnson, Executive Director, Special Services, advised that after the high school principals participated in a workshop on the 1999-2001 Student Code of Conduct, concerns were expressed regarding a high school senior's placement in the Alternative Education Program (AEP) during the last instructional days and their participation in graduation exercises and graduation-related activities. She stated that a proposed amendment to the Student Code of Conduct was developed and reviewed by Mr. Safi.

Mr. Nick Cobos, Principal at Coronado High School, provided information on the high school principals' concerns regarding seniors placed in a disciplinary AEP just prior to graduation being allowed to participate in graduation ceremonies and related graduation activities. He stated that the principals believe that allowing this participation may result in some seniors taking advantage of the opportunity to engage in destructive activities on campus during the last few days of school, being placed in an AEP, and still being allowed to participate in the graduation ceremonies.

Discussion followed on the term “just prior to the time of graduation” being the last six weeks of school; having AEP placements reviewed by the Superintendent; and the parents’ rights to appeal the placement. Mr. Safi provided information on the parents’ appeal rights in a JJAEP offense and in an AEP placement as it is currently provided in the Student Code of Conduct. Discussion continued on the specific offenses listed in the proposed amendment and the principal or assistant principal conducting the investigation and hearing in every situation; and the number of anticipated cases.

It was moved by Miss Garcia and seconded by Dr. Roark that the Board approve the amendment to the 1999-2001 Student Code of Conduct as presented by the administration regarding the participation/non-participation in graduation ceremonies and related graduation activities by graduating seniors who are placed in alternative education programs.

Discussion continued on the lengthy appeal process; having someone other than the principal review the case; assuring that every qualified student has the opportunity to participate in his/her graduation; and adding an appeal process to the motion.

Dr. Roark suggested amending the motion to state that the amendment to the Student Code of Conduct is subject to an appeal process being established by the administration. Miss Garcia accepted the amendment.

The amended motion reads as follows:

that the Board approve the amendment to the 1999-2001 Student Code of Conduct as presented by the administration regarding the participation/non-participation in graduation ceremonies and related graduation activities by graduating seniors who are placed in alternative education programs, subject to an appeal process being established by the administration.

Upon the vote, the motion, as amended, carried unanimously.

Voluntary Incentive Plan for Early Retirement of District Personnel as Proposed by Educators Preferred Corporation (EPC) (Item #10)

Mr. Joe Loya, Associate Superintendent, Finance, provided background information on a proposal submitted by Educators Preferred Corporation (EPC) for an early retirement program and the questions raised regarding the legality of such a program. He stated that the Attorney General’s office advised that it is legal to have this type of program in a school district. Mr. Loya requested direction from the Board on whether the administration should pursue a more detailed analysis of the preliminary plan. He stated that the analysis will probably take a long period of time and that the deadline required by law for notifying teachers may not be met. Mr. Safi advised that this is a voluntary plan which would be offered to those groups of employees designated by the Board to encourage early employee retirements or resignations.

Discussion followed on the company putting up a bond to cover any possible financial loss experienced by the District; whether the administration should spend its time and resources analyzing the plan; and the fee to be paid to EPC to manage the entire buy-out program.

It was moved by Miss Garcia and seconded by Mr. Wever that the Board reject this proposal now and for the future.

Discussion continued on the possible need to consider this issue at a more appropriate time and the formula provided by EPC in its proposal.

Dr. Roark suggested amending the motion to state that this particular recommendation is rejected and that the administration be directed to come back with a recommendation for the Board's consideration at a more appropriate date. Miss Garcia accepted the amendment, but Mr. Wever rejected the proposed amendment due to his desire that there be at least a two-year period of no early buy-outs.

Dr. Roark further recommended that the motion include that a plan might begin sometime after two years. Miss Garcia and Mr. Wever accepted the amendment.

The amended motion reads as follows:

that the Board reject this proposal as presented but that the administration plan a program that can be offered for Board consideration which will be effective in approximately two years.

Upon the vote, the motion, as amended, carried unanimously.

Award of Professional Services Contract – Northeast Elementary School, E-9, #98.832 (approx. \$493,780.00) (Item #13)

It was moved by Dr. Roark, seconded by Mr. Rosales, and carried unanimously that the Board approve the award of Professional Services Contract #98.832 to Perspectiva, subject to the review and approval of the District's attorney and the conditions and acknowledgements noted in the consultant's letter dated March 16, 2000, for the preparation of plans, specifications, bid documents and other additional program elements as may be required for the construction of Northeast Elementary School E-9 for a Basic Services Fee of 8.51 percent of the estimated construction cost of \$5,800,000.00, or \$493,780.00.

Approval of Revisions to Board Policy DFBB (Local), Term Contracts: Nonrenewal (Item #11)

Dr. Yolanda Rey, Associate Superintendent, Policy and Planning, and Mr. Joe Ontiveros, Associate Superintendent, Support Services, reviewed proposed revisions to Board Policy DFBB (Local) located in the "Reduction in Force" and "Hearing" sections.

Mr. Safi reviewed the appeal processes for terminating teachers' contracts and the nonrenewal of term contracts.

It was moved by Mrs. Gonzalez-Peterson, seconded by Mr. Wever, and carried unanimously that the revisions to Board Policy DFBB (Local), Term Contracts: Nonrenewal, be approved as presented (copy attached to the permanent file of these minutes).

Approval of Procurement/Delivery Methods for Construction Contracts Exceeding \$25,000.00 (Item #14)

It was moved by Mr. Rosales, seconded by Miss Garcia, and carried unanimously that the Board approve the procurement/delivery method recommended for solicitation of the following construction projects, subject to the review and approval of the District's attorney, and authorize the advertisement and issuance of relevant documents to prospective bidders/proposers:

- A. The competitive bid process was approved for Kitchen Exhaust Systems Upgrade – Whitaker Elementary School, #00.795. (The project number for this construction project was corrected to #00.795.)
- B. The competitive bid process was approved for Heating System Upgrade – Bonham Elementary School, #00.781.
- C. The competitive bid process was approved for Evaporative Cooling Renovations (Administrative Area) – Lee Elementary School, #00.863.
- D. The competitive bid process was approved for Districtwide Backflow Preventer Installations, Phase II, #00.864.

Periodic Change Order Report – March 2000 (Item #15)

Mr. Nick Corona, Director, Planning, Engineering and Construction, presented a summary of the number and value of the change orders approved for construction projects funded out of the 199X Operating Fund, the 79-92 Bond Funds, and 170X PPFCO (Public Property Finance Contractual Obligations) Funds through February 29, 2000. Mr. Corona also reviewed the format changes to the report which were requested by the Board.

Grievance Hearing – Cecilia C. Uribe, ESOL Teacher at Lincoln Middle School, on behalf of all EPISD ESOL Teachers (Item #16)

Responding to a request from a person to speak to this item, Mr. Safi advised the Board that under Board Policy DGBA (Local), there are restrictions against the introduction of any material in connection to a grievance which has not been previously developed and made part of the grievance record. It was determined that the person could make only general comments and not address any specifics.

The following person requested to speak to this item:

1. Ms. Esther Natera, an EPISD facilitator, personally acknowledged ESOL teachers and attested to their dedication and expertise.

Mr. Ralph Yturralde, Executive Director, Employee Relations, provided background information on the grievance filed by Cecilia C. Uribe, an ESOL (English for Speakers of Other Languages) teacher. He stated that as part of the salary proposal for the 1996-97 school year, the administration recommended that ESOL stipends not be awarded to newly employed ESOL teachers and that incumbent ESOL teachers keep the ESOL stipend only through the 1998-99 school year. This recommendation was made because there was no longer a shortage of ESOL teachers, and the stipend was not needed to attract ESOL teachers to the District. This concept was approved by the Board with the adoption of the compensation package on June 25, 1996. In February 1999, ESOL teachers who were still receiving a stipend were notified in writing that the stipend would not continue for the 1999-2000 school year. A grievance was subsequently filed.

Ms. Frances Wever, President, El Paso Federation of Teachers and Support Personnel, commented on a previous Board making decisions that encumber future Boards. She stated that the decision regarding ESOL stipends was made by the Board three years ago and that the current Board was not given the opportunity to address the issue. She said that the ESOL stipend was never mentioned during budget discussions for 1999-2000. She then reviewed the additional college credits that are required for ESOL certification and stated that this is the reason ESOL teachers believed they were provided the stipend. Mrs. Wever also indicated that there are currently ESOL teachers in the District that have emergency certification and that there is a shortage of ESOL teachers.

Discussion followed on the number of teachers in the classroom who are not ESOL certified; teachers who have met requirements but are on permits because they have not passed the ExCET exam; the EPISD being the only district in Texas in 1996 that offered an ESOL stipend; and the number of ESOL teacher applicants and the positions available.

Mr. Safi advised that every year the Board approves the employee compensation package, which includes compensation, extra performance pay, and stipends for that specific year. He added that Board of Trustees in 1996 could not make a decision on compensation or stipends for 1999 that would bind the Board in 1999.

Discussion continued on the Board's awareness of the ESOL stipends during the 1999-2000 budget process; there being no specific motion to discontinue the ESOL stipends; the grievance materials referring to the August 1999 Board packet but which do not appear to relate to the grievance, the response, or the appeal; the need for further information regarding current supply and demand for ESOL teachers; the possible need to remand the grievance back to the administration for additional information; and whether reinstatement of the ESOL stipend will require additional days on duty for ESOL teachers. Mr. Safi recommended that the Board adjourn to a closed meeting for legal advice.

### Items Withdrawn

It was announced that item no. 17, A., Grievance Hearing – Rosezina Leal, Clerical Assistant 4, Occupational Center, and item no. 17, E., Consultation with Legal Counsel Regarding Adversary No. 99-3027; Donald S. Leslie, Chapter 7, Trustee, Plaintiff vs. El Paso County Tax Assessor Collector, Account No. S365-999-0110-2700, had been withdrawn from the agenda.

### Meeting Closed

The meeting was recessed at 10:36 p.m. to a closed meeting by Dr. Roark under Sections 551.071, 551.072, 551.074, and 551.082 of the Texas Government Code for advice from legal counsel and additional items as follows:

#### C. Superintendent's Personnel Recommendations

- I. Issuing Probationary Contracts for Teachers and Librarians
- II. Issuing Probationary Contracts for Teachers and Librarians Who Have Removed Certificate Deficiencies
- III. Issuing Continuing Contracts
- IV. Proposed Termination of Continuing Contract for Certified Teachers
- V. Issuing Probationary Contracts for Certified Professional Personnel
- VI. Issuing Term Contracts for Certified Professional Personnel
- VII. Proposed Nonrenewal of Term Contracts for Certified Professional Administrators

#### D. Acquisition of Real Property for School Site – Northeast Elementary School E-9

The closed meeting was opened at 10:41 p.m. The closed meeting ended at 11:52 p.m.

### Meeting Opened

The meeting was reassembled in Open Session at 11:53 p.m.

Grievance Hearing – Cecilia C. Uribe, ESOL Teacher at Lincoln Middle School, on behalf of all EPISD ESOL Teachers (Item #16 – continued)

It was moved by Mrs. Gonzalez-Peterson, seconded by Mr. Rosales, and carried unanimously that this grievance be remanded back to the administration and that it be brought back to the Board at the next Board meeting with additional information.

### Superintendent's Personnel Recommendations (Item #17, C.)

It was moved by Dr. Finke and seconded by Mr. Wever that the Board accept the Superintendent's personnel recommendations to include items I. Through VII. Upon the vote, the motion carried with Dr. Roark voting "present."

I. Issuing Probationary Contracts for Teachers and Librarians

The Board accepted the Superintendent's recommendation that classroom teachers and librarians who have been employed for less than three successive school years and who have not been employed as teachers or librarians in public education for at least five of the last eight years prior to employment with the District be issued the next regular Probationary Contract in accordance with Board Policy DCA (Legal), Employment Practices: Probationary Contracts.

II. Issuing Probationary Contracts for Teachers and Librarians Who Have Removed Certificate Deficiencies

The Board accepted the Superintendent's recommendation that qualifying classroom teachers and librarians who have teaching certificate deficiencies be issued Probationary Contracts contingent upon removal of the certificate deficiencies.

III. Issuing Continuing Contracts

The Board accepted the Superintendent's recommendation that classroom teachers and librarians who have been employed for three consecutive years under Probationary Contracts, or who have been employed as teachers or librarians in public education for at least five of the last eight years prior to employment with the District, and who have completed all requirements for certification in their teaching fields be issued Continuing Contracts in accordance with Board Policy DCC (Legal), Employment Practices: Continuing Contracts.

IV. Proposed Termination of Continuing Contract for Certified Teachers

The Board accepted the Superintendent's recommendation that Don Wofford and Edmundo Reveles, who are employed under a Continuing Contract, be given notice of the proposed termination of their continuing employment contracts. These proposed terminations are deemed by the Superintendent to be for good cause, which is defined as the failure to meet the accepted standards of conduct for the profession as generally recognized and applied in similarly situated school districts in this state.

V. Issuing Probationary Contracts for Certified Professional Personnel

The Board accepted the Superintendent's recommendation that full-time professional employees, other than classroom teachers and librarians, who are required to hold a valid certificate or permit issued by the Texas Education Agency or the State Board for Educator Certification for their assignment, and nurses, and who have been employed for less than three successive school years with the District and have not been employed in public education for at least five of the last eight years prior to employment with the District, be offered the next appropriate One-Year Probationary Contract in accordance with Board Policy DCB (Legal), Employment Practices: Term Contracts.



VI. Issuing Term Contracts for Certified Professional Personnel

The Board accepted the Superintendent's recommendation that full-time professional employees, other than classroom teachers and librarians, who are required to hold a valid certificate or permit issued by the Texas Education Agency or the State Board for Educator Certification for their assignment, and nurses, and who have been employed for three consecutive years with the District, or who have been employed in public education for at least five of the last eight years prior to employment with the District, or who are currently employed by the District under a Term Contract, be offered the appropriate One-Year Term Contract in accordance with Board Policy DCB (Legal), Employment Practices: Term Contracts, with the exception of those persons identified in item no. VII.

VII. Proposed Nonrenewal of Term Contracts for Certified Professional Administrators

The Board accepted the Superintendent's recommendation that the following professional employees who are employed under a One-Year Term Contract be given notice of the proposed nonrenewal of their contracts at the end of the 1999-2000 school year. These employees' current term contracts, if not renewed, will expire on June 30, 2000. This recommended action is deemed in the best interest of the District for reasons as stated in Board Policy DFBB (Local), Term Contracts: Nonrenewal, specifically, reason #8, Reduction in Force.

Cynthia Acosta  
Celia M. Aguilar  
Christine Althoff  
Patricia Avila  
Pamela Clarkson  
Wesley Clarkson  
Willeta Corbett  
Fernando Cordova  
Luis C. Cortes  
Charlotte B. Craigo  
John Doran  
Joanne Foster  
Charles E. Geach  
Barbara Gibson  
Andrea Goldman  
Martha Suzanne Gomez  
Fara E. Green  
Mercedes Guzman  
Dolores C. Hernandez  
Yolanda M. Hernandez  
Jerald Hiatt  
Eugenio Hinojosa  
Charles Hopp

Margaret Johnson  
Alicia Loya  
Mary L. Martinez  
Barbara Miller-Cager  
Esther Natera  
Diana Peña  
Sylvia Quinata  
Maria C. Ramirez  
Celina Raymond  
Yolanda M. Rey  
Erline Schecter  
Mary Schmidt  
Harriet S. Schneider  
J. Vodene Schultz  
Kathleen Seufert  
Sharon Shugert  
Eliza Simental  
Carolyn Tilghman  
Alicia R. Torres  
Dolores Tovar  
Susan Yturalde  
Amparo Woo

Acquisition of Real Property for School Site – Northeast Elementary School E-9 (Item #17, D.)

It was moved by Mr. Wever, seconded by Mr. Rosales, and carried unanimously that the Board authorize the Superintendent to proceed with negotiations for the purchase of approximately 15 acres of property from the El Paso Water Utilities/Public Service Board to be used as the site for Northeast Elementary School E-9, subject to the final approval of the purchase price and terms by the Board of Trustees.

Meeting Adjourned

The meeting was adjourned at 12:00 a.m., March 29, 2000.

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President

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Secretary

Date Approved: May 9, 2000