

Minutes of Meeting of Board of Trustees  
El Paso Independent School District  
June 27, 2000  
5:00 p.m.  
Education Center-Boeing

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

The meeting was called to order at 5:02 p.m. by Dr. Roark. The Pledge of Allegiance was led by Mrs. Gonzalez-Peterson.

A moment of silence was held in memory of Mr. Bill Tippin, husband of former Board member Mrs. Mary Tippin, who recently passed away.

Recognition of The El Paso Community Foundation (EPCF) for Renewal of Grant and Presentation of \$10,000 Check by EPCF to EPISD (Item #1)

Mr. Dave McIntyre, Facilitator for Visual Arts, announced that The El Paso Community Foundation had renewed an arts grant to the EPISD which will fund transportation of District students to the El Paso Museum of Art during the 2000-01 school year.

Ms. Stacy Davis Hudson, Grants Administrator, presented a check in the amount of \$10,000.00 to the District on behalf of the Board of Directors and staff of The El Paso Community Foundation. An engraved plaque was presented to The El Paso Community Foundation on behalf of the EPISD Board of Trustees.

Presentation by Dr. Gilbert Handal, Texas Tech Health Sciences Center, on Districtwide Wellness Center (Item #2)

Dr. Gilbert Handal, Texas Tech Health Sciences Center, presented information on developing Wellness Centers in the District's high schools that will cover the feeder patterns and provide immediate care for all children who do not have access to health care. He reported on the Wellness Center that will be opening at Montwood High School in the Socorro ISD.

Discussion followed on the funding source for the center in the Socorro ISD; the low enrollment in CHIP (Children's Health Insurance Program) and ways to increase the EPISD's enrollment; involving the media in promoting CHIP; and the anticipated costs to operate the Socorro ISD wellness center. Dr. Roark suggested that an ad hoc committee be appointed to look into children's health care and questioned legal counsel on the process for appointing Board committees. Mr. Safi requested a few minutes to examine the policy.

### Public Forum (Item #3)

The following people requested to speak on Open Forum:

1. Mr. Clyde Cochran addressed item no. 16, B., and spoke about Macintosh computers being replaced with PCs and Macintosh computers being the standard at advertising agencies. (Mr. Wever advised that Apple computers were being purchased on item no. 16, B.)
2. Mr. Albert Wong, Art Department Chairman, University of Texas at El Paso (UTEP), spoke in support of purchasing Macintosh computers for students.
3. Mr. Rafael Fajardo, Assistant Professor, Art Design, UTEP, spoke in support of purchasing Macintosh computers for students.
4. Mr. Hugo Calderon, Chief Designer and Owner, Creative Edge, spoke in support of purchasing Macintosh computers for students.

### Presentation by Dr. Gilbert Handal, Texas Tech Health Sciences Center, on Districtwide Wellness Center (Item #2 – continued)

In response to the question raised by Dr. Roark regarding the appointment of Board committees, Mr. Safi advised that Board Policy BDB (Local) stipulates that the Board President has the authority to appoint special committees. Dr. Roark stated that he and Dr. Anzaldúa will work together to form a committee to deal with children's health care issues. He requested that Dr. Handal be involved, along with the individuals who are seeking funding sources for the centers through grants and individuals who deal with health services and special education. Mrs. Gonzalez-Peterson and Mr. Wever volunteered to serve on the committee.

### Consent Agenda (Item #4)

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

- Mr. Telles - Item 4, E., 3., Approval of Budget Amendments – ESEA, Title I, Part A, Districtwide Funds (\$5,110,809.00)
- Mr. Wever - Item 4, A., Approval of ISM (Integrated Skills Methods, Inc.) Contracts for the Specific Reading Difficulties (SRD) Program (\$51,500.00)
  - Item 4, C., 2., Demand Service Contract Awards – Districtwide Sound/Clock/Bell Systems, #01.419 (\$94,073.85)
  - Item 4, E., 1., Approval of Budget Amendments – Region 4 Budget Transfer (\$5,300.00)
  - Item 4, F., RFP, Proposal, Bids, and Purchase Orders Requiring Board Approval
    - 1., a., Option to Extend Existing RFP, Proposal, and Bids – Maintenance Materials/Supplies Catalog Discount Proposal #32-99 (approx. \$2,600,000.00)
    - 3., SIRS CD-ROM Subscriptions, Purchase Order No. 192412 (\$45,810.00)

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. Dr. Finke was not present for the vote.

B. PSB Fees for Water Service to Northeast High School (Chapin High School), #93.735 (\$29,821.23)

The Board approved the water works fees to the Public Service Board (PSB), subject to the review and approval of the District's attorney, for water service to the Northeast High School (Chapin High School), #93.735, in the amount of \$29,821.23.

C. Demand Service Contract Awards

The Board approved the award of the following demand service contracts, subject to the review and approval of the District's attorney, to the recommended firms for the services described and the amounts indicated:

1. Districtwide Electrical System Repairs, #00.484 (\$89,275.00) was awarded to Kendrick Electric Corporation for an estimated annual amount of \$89,275.00.
3. Education Center (Education Center-Boeing/Downtown, Professional Development Center, and James Gamble Facility) Telephone Moves, Adds, Changes (MACs) and Repairs, #01.429 (\$160,895.00) was awarded to Texas Business Systems for an estimated annual amount of \$73,980.00 for those administrative sites with a Rolm Telephone System, and to Innovative PBX Services for an estimated annual amount of \$86,815.00 for those administrative sites with a Nortel Telephone System, for a total estimated annual amount not to exceed \$160,895.00.

D. Approval of Electric Company Easement – Portion of Block 47, Cotton Place Addition, Highland Annex Modular Campus, #99.687

The Board President was authorized to execute El Paso Electric Company Easement No. 4312-2848, subject to the review and approval of the District's attorney, for a portion of Block 47, Cotton Place Addition, Highland Annex Modular Campus, #99.687, as shown on the documentation presented.

E. Approval of Budget Amendments

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

2. Texas School Libraries (\$16,250.00). The purpose of this item is to set up the budget for the Texas School Libraries in an amount of \$16,250.00. Sharon Carr, Facilitator, Library Learning Resources, requested this amendment in a memo dated May 24, 2000. The District received notification of the 25 percent Library Supplement that was provided by House Bill 1, Article III, Rider 70.

4. Title II, Part B – Dwight D. Eisenhower Professional Development Program (\$432,642.00). The purpose of this item is to set up the budget for the Title II, Part B – Dwight D. Eisenhower Professional Development Program in the amount of \$432,642.00. Bob Mena, Director of External Funding, requested this amendment in a memo dated June 8, 2000. The District received notification from the Texas Education Agency of the fiscal year 2000-01 tentative entitlement amount on March 22, 2000.

**F. RFP, Proposal, Bids, and Purchase Orders Requiring Board Approval**

The following bids and purchase order were approved as follows to the recommended vendors for the amounts indicated.

1. Option to Extend Existing RFP, Proposal, and Bids
  - b. The final option to extend Jackets, Sweaters, and Letters Bid #33-98 (approx. \$76,500.00) was approved to Champion Fashions and Neff Company for an additional 12 months beginning September 1, 2000, and ending August 31, 2001, for a total estimated annual amount of \$76,500.00, subject to the approval of the 2000-01 preliminary budget (copy of bid tabulation attached to the permanent file of these minutes).
  - c. The final option to extend Linen Supply Service Bid #42-98 (approx. \$46,000.00) was approved to Unifirst Corp. for an additional 12 months beginning August 1, 2000, and ending July 31, 2001, for an estimated annual amount of \$46,000.00, subject to the approval of the 2000-01 preliminary budget (copy of bid tabulation attached to the permanent file of these minutes).
  - d. The final option to extend Pre-Bound Book Bid #63-98 (approx. \$220,000.00) was approved to the following vendors for the discounts indicated: Associated Libraries, 30 percent discount; Bound to Stay Bound, 30 percent discount; Grolier (Children's Press, Franklin Watts & Orchard Books, & Follett), 35 percent discount; Econo-Clad Books, 34 percent discount; and Hertzberg Perma-Bound, 28 percent discount, for an estimated annual amount of \$220,000.00, subject to the approval of the 2000-01 preliminary budget (copy of bid tabulation attached to the permanent file of these minutes).
2. Annual Food Products Bid #42-00 (approx. \$4,508,163.36) was awarded to the following vendors in the amounts indicated: Fairview Foods, \$229,320.00; Farmer Bros., \$27,313.00; Intermix District., \$26,500.00; Kalil Bottling, \$31,628.00; Montana Beverage, \$13,200.00; Palo Duro dba El Paso Meat, \$218,000.00 Pilgrims Pride, \$949,337.36; and Professional Food Systems, \$3,012,865.00, for an estimated annual amount of \$4,508,163.36 (copy of bid tabulation attached to the permanent file of these minutes).
4. Library Periodical CD-ROM Subscriptions, Purchase Order No. 192769 (\$18,607.00) was approved for purchase from EBSCO Publishing, the sole source, in the amount of \$18,607.00, for a total cumulative annual amount of \$43,557.00 (copy of purchase order attached to the permanent file of these minutes).

E. May Report of JJAEP Placements not Appealed to the Board of Trustees

The May 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 ISM (Integrated Skills Methods, Inc.) Contracts for the Specific Reading Difficulties (SRD) Program (\$51,500.00) (Item #4, A.)

Mr. Wever asked whether dyslexia is recognized when the children are tested and if there are other companies who provide the same services. Ms. Rose Ann Martinez, ISM Consultant, advised that there are degrees of dyslexia and that the District does not diagnose dyslexia but determines if there are dyslexia characteristics. The child is referred to a private physician if a parent requests a diagnosis. Dr. Margaret Johnson, Executive Director, Special Services, advised that there has been no active search for another group to provide these services. Mr. Wever requested that the administration investigate what other companies might provide these services prior to the item coming to the Board next year.

It was moved by Mr. Wever, seconded by Mr. Telles, and carried unanimously that the Board approve the contracts with ISM Teaching Systems, Inc. for the period of August 1, 2000, through July 31, 2001, to provide services for students in the Specific Reading Difficulties (SRD) Program for the maximum cumulative amounts as follows: bilingual students, \$4,000.00; elementary schools, \$32,500.00; and middle schools, \$15,000.00.

Demand Service Contract Awards – Districtwide Sound/Clock/Bell Systems, #01.419 (\$94,073.85) (Item #4, C., 2.)

The following person requested to speak to this item:

1. Ms. Ceci Morales, owner, Texas Business Systems (TBS), requested that action on this item be postponed due to alleged errors in a competitor's bid and some confusion on a price quoted by her firm on one of the items.

Mr. Nick Corona, Director, Planning, Engineering and Construction, advised that errors were made by both Texas Business Systems and Sound & Signal Systems of Texas, Inc. He stated that the contractors bid unit prices for labor, materials, mark-ups, etc. The contractors then fill out an evaluation form which includes the unit prices, hypothetical quantities, extended prices for each item, and a sum total. Mr. Corona explained the errors made by both contractors when transferring figures to their respective evaluation forms.

It was moved by Mr. Telles, seconded by Mr. Rosales, and carried unanimously that Demand Service Contract #01.419, Districtwide Sound/Clock/Bell Systems, be returned to the administration for review and brought back to the Board.

The following person also requested to speak to this item:

2. Mr. Dean Halsey, Sound & Signal Systems of Texas, Inc., stated he felt it would be unfair to re-bid the project because his competitor has knowledge of his price quotes.

Approval of Budget Amendments – Region 4 Budget Transfer (\$5,300.00) (Item #4, E., 1.)

Mr. Wever questioned what is being purchased with the \$5,300.00. Dr. Charlotte Craig, Associate Superintendent, Region 4, advised that a commercial, heavy-duty washing machine was being purchased to replace an inoperable machine at Lincoln Middle School. She stated that a commercial machine was needed because it will be used to wash floor mops, athletic clothing, and items for the special education classes. In addition, it will be used by the custodial staffs in the surrounding schools.

It was moved by Mr. Wever, seconded by Mr. Telles, and carried unanimously that this budget amendment to the 1999-2000 fiscal year be approved to amend the Region 4 budget in the amount of \$5,300.00. Dr. Charlotte Craig, Associate Superintendent, Region 4, requested this amendment in a memo dated May 25, 2000. The amendment transfers funds from Staff Development Salaries to Plant Maintenance and Operations Supplies to purchase a washing machine for Lincoln Middle School.

Approval of Budget Amendments – ESEA, Title I, Part A, Districtwide Funds (\$5,110,809.00) (Item #4, E., 3.)

Mr. Telles requested information on the \$5 million. Mr. Robert Mena, Director, External Funding, advised that the money will be allocated to the schools that qualify for Title I funds, and each school's Campus Improvement Team (CIT) and principal will determine where and how the money is spent.

It was moved by Mr. Telles, seconded by Mrs. Gonzalez-Peterson, and carried unanimously that this budget amendment to the 1999-2000 fiscal year be approved to set up the budget for the ESEA, Title I, Part A, Districtwide Funds for program year 2000-01 in the amount of \$5,110,809.00. Mr. Robert Mena, Director, External Funding, requested this amendment in a memo dated June 8, 2000. The District received notification from the Texas Education Agency of the fiscal year 2000-01 planning amount for ESEA, Title I, Part A, on April 3, 2000.

RFP, Proposal, Bids, and Purchase Orders Requiring Board Approval – Option to Extend Existing Proposal and Bids, Maintenance Materials/Supplies Catalog Discount Proposal #32-99 (approx. \$2,600,000.00) (Item #4, F., 1., a.)

Mr. Wever questioned the discounts being offered by the vendors. Mr. Terry Freiburg, Director of Purchasing, explained that in addition to the discounts, quotes are obtained on all purchases over \$300.00 and the lowest quote is selected. He stated that the majority of work orders for Buildings and Grounds are less than \$1,000.00, and the requests are on an "as needed" basis as repairs are required. Mr. Freiburg reviewed the work order process.

It was moved by Miss Garcia, seconded by Mr. Telles, and carried unanimously that the Board approve the first option to extend Maintenance Materials/Supplies Catalog Discount Proposal #32-99 to the vendors as listed for purchases on an "as needed" basis for an additional 12 months beginning September 1, 2000, and ending August 31, 2001, for an estimated annual amount of \$2,600,000.00, subject to the approval of the 2000-01 preliminary budget (copy of bid tabulation attached to the permanent file of these minutes.) Mrs. Gonzalez-Peterson was not present for the vote.

RFP, Proposal, Bids, and Purchase Orders Requiring Board Approval – SIRS CD-ROM Subscriptions, Purchase Order No. 192412 (\$45,810.00) (Item #4, F., 3.)

Responding to a question from Mr. Wever regarding the use of CD-ROMs, Ms. Sharon Carr, Facilitator, Library Learning Resources, advised that each school library submits a monthly report that lists the number of “hits” made on each of the subscriptions. The “hits” range from approximately 80 to 400 per month.

It was moved by Mr. Wever, seconded by Mr. Rosales, and carried unanimously that CD-ROM subscriptions, Purchase Order No. 192412, be approved for purchase from SIRS (Social Issues Resources, Inc.), the sole source, in the amount of \$45,810.00 (copy of purchase order attached to the permanent file of these minutes). Mrs. Gonzalez-Peterson was not present for the vote.

Appointment of Board Technology Committee (Item #5)

Dr. Anzaldua commented on the District’s current Ten-Year Technology Plan which is out of date. He requested that the Board authorize the Superintendent to bring back a list of names of community and school representatives, etc., along with Board member representatives to comprise the Board Technology Committee. The Committee will be charged with the immediate review of the current Technology Plan, the development of procedures for the purchase of all technology-related hardware and software, and considering what the District’s technology issues are for immediate and long-range planning. Dr. Anzaldua recommended a three-year technology plan due to the rapid changes in technology.

It was moved by Mr. Telles, seconded by Mr. Rosales, and carried unanimously that Mr. Wever be appointed to the Board Technology Committee to work with the administration and consider recommendations from the Superintendent on technology needs for the District.

It was moved by Mr. Telles, seconded by Mr. Rosales, and carried unanimously that Mr. Rosales and Miss Garcia also be appointed to the Board Technology Committee.

Discussion and Possible Action on Extension of Resignation Deadline for Contract Employees (Item #6)

Dr. Anzaldua advised that the compensation package for the 2000-01 fiscal year has not been approved. He recommended that the Board consider extending the resignation deadline for contract employees.

It was moved by Mr. Wever, seconded by Mr. Telles, and carried unanimously that the resignation deadline be extended to August 8, 2000, for all contract employees whose compensation has not been determined for 2000-01 and that the administration be directed to so notify those employees.

Approval of Revision to Board Policy DEA (Local), Compensation and Benefits: Salaries, Wages, and Stipends, and/or Extension for Use of Compensatory Time (Item #7)

The following person requested to speak to item no. 7 and no. 8:

1. Ms. Frances Wever, President, El Paso Federation of Teachers and Support Personnel, spoke in support of holding hourly employees harmless for one year regarding their pay and about the non-payment for accumulated compensatory time, which is supposed to be paid by June 30, 2000, and that there should be an agreement on when the employee can use compensatory time, if the timeline is extended.

Mr. Joe Ontiveros, Associate Superintendent, Human Resources, provided information on the employees' use of compensatory time. He advised that revisions to another Board policy will be brought to the Board which will allow supervisors to stipulate when compensatory time will be used.

It was moved by Mr. Wever and seconded by Mr. Telles that the employees be contacted on whether or not they want to be paid for accumulated compensatory time by June 30, 2000, or if they want the compensatory time carried forward, and that the employees be notified of the ramifications of the May 1, 2000, ruling by the U. S. Supreme Court.

Discussion followed on the cost to pay employees for accumulated compensatory time by June 30, 2000; the proposed motion necessitating the notification of every affected employee within 72 hours; and the interpretation of the U. S. Supreme Court ruling being brought back to the Board in the form of a policy.

Mr. Safi provided clarification on the U. S. Supreme Court ruling and recommended that policy DEA (Local) be further amended to incorporate portions of that decision into the policy and that the recommended language be brought back to the Board at a future date.

Discussion continued on the recommended revisions to DEA (Local) which deletes the language regarding compensating employees for accumulated compensatory time; adopting a policy to be used in the 2000-01 fiscal year and the administration developing a plan for this year; eliminating the issuance of compensatory time and paying overtime for all work performed beyond 40 hours per week; and the Department of Labor (DOL) agreement and whether a possibility exists to renegotiate the agreement with the DOL. Mr. Safi stated that the DOL has not indicated any willingness to renegotiate and advised that if the Board wants a detailed discussion or review of the DOL settlement, that it be brought back to the Board at a future date as a specific agenda item.

Mr. Wever withdrew his motion and Mr. Telles accepted.

Dr. Anzaldúa requested a one-month extension on the June 30 deadline at which time the administration will provide a fiscal analysis of the cost to pay employees for accumulated compensatory time and an update regarding the DOL settlement.

It was moved by Mr. Wever, seconded by Mr. Rosales, and carried unanimously that the requirement that nonexempt employees be compensated for all accumulated, unused compensatory time by June 30, 2000, be extended for one month to July 31, 2000, and brought back to the board on July 25, 2000, with a separate agenda item on the Department of Labor (DOL) settlement agreement.



Update and Recommendation on Kitchen Equipment Bid #09-00 (Item #15)

Mr. Hector Martinez, Associate Superintendent of Operations, stated that Kitchen Equipment Bid #09-00 was originally presented to the Board on April 11, 2000, and the Board postponed approval and requested that the administration provide additional information. Mr. Martinez advised that after discussions with Border Restaurant Supply and the Deputy Superintendent and after review of the bid proposals, the administration requests that the Board authorize the revision of the bid specifications and a re-bid of the equipment.

It was moved by Mr. Telles and seconded by Dr. Finke that the Board reject all bids submitted in response to Kitchen Equipment Bid #09-00 and that the administration be directed to revise the bid specifications and re-bid the kitchen equipment.

The following people requested to speak to this item:

1. Mr. Mark Berry, attorney representing Border Restaurant Supply, spoke about the bid specifications being restrictive and requested that the Board accept the low bid submitted by Border Restaurant Supply.
2. Mr. George Veytia, Border Restaurant Supply, spoke about the kitchen equipment specified in his company's bid meeting the District's needs, his company having the low bid, and the Board awarding the bid to Border Restaurant Supply.

Discussion followed on Food Services professionals selecting what is needed in the school kitchens; whether the lower priced kitchen equipment will adversely affect the students; possible future costs to maintain the alternate kitchen equipment quoted by Border Restaurant Supply; and the drafting of the bid specifications.

Mr. Telles withdrew his motion and Dr. Finke accepted.

It was moved by Dr. Finke, seconded by Mrs. Gonzalez-Peterson, and carried unanimously that the Board reject all bids submitted in response to Kitchen Equipment Bid #09-00 and that the administration be directed to revise the bid specifications and re-bid the kitchen equipment.

Approval of Exception to Board Policy DEA (Local), Compensation and Benefits: Salaries, Wages, and Stipends Regarding Rate of Pay for Employees Affected by Reorganization (Item #8)

Mr. Joe Ontiveros, Associate Superintendent, Human Resources, provided information on hourly and daily employees have not yet been reassigned as part of the reorganization. It is recommended that these employees be "held harmless" for one year.

It was moved by Mr. Wever and seconded by Mr. Telles that the Board approve an exception to Board Policy DEA (Local), Compensation and Benefits: Salaries, Wages, and Stipends, to "hold harmless" for one year two certified employees and approximately nine noncertified employees and that they receive their current rate of pay for 2000-01 for an approximate cost of \$108,500.00.

### Meeting Closed

The meeting was recessed at 7:00 p.m. to a closed meeting by Dr. Roark under Section 551.074 of the Texas Government Code for advice from legal counsel.

The closed meeting was opened at 7:05 p.m. The closed meeting ended at 7:21 p.m.

### Meeting Opened

The meeting was reassembled in Open Session at 7:21 p.m.

Dr. Anzaldúa recommended that hourly and daily employees listed in the two memos provided to the Board be “held harmless” for one year.

Mr. Wever withdrew his motion and Mr. Telles accepted.

It was moved by Mr. Wever and seconded by Mr. Rosales that the Board approve an exception to Board Policy DEA (Local), Compensation and Benefits: Salaries, Wages, and Stipends, to “hold harmless” for one year two certified employees and approximately nine noncertified employees as listed and that they receive their current rate of pay for 2000-01, with consideration of days on duty for 1999-2000, for an approximate cost of \$108,500.00. Upon the vote, the motion carried with Dr. Roark voting against the motion.

### Approval of Revisions to Board Policies (Item #9)

- A. CDA (Local), Other Revenues: Investments
- B. FNCA (Local), Student Conduct: Dress Code
- C. GRA (Local), Relations with Governmental Entities: Local Governmental Authorities

Dr. Yolanda Rey, Associate Superintendent, Policy and Planning, reviewed the revisions to these policies which were recommended by the Texas Association of School Boards (TASB) and to provide clarification.

CDA (Local) has been revised to include additional language addressing guaranteed investment contracts. FNCA (Local) has been revised to include language which addresses dress code violations and corresponding disciplinary actions. GRA (Local) has been revised to include language which addresses the issue of principals cooperating fully with requests from officers from the Department of Protective and Regulatory Services or other lawful authorities regarding the conditions of an interview or questioning when it is a part of a child abuse investigation.

Mr. Safi advised that the new language provides general guidelines and the circumstances under which the principal will allow a law enforcement interviewer to conduct an on-campus interview one-on-one with the student with no one else being present on behalf of the administration.

Dr. Rey suggested additional language that states a principal may request that a staff member of the same gender as the student be present during the interview or questioning.

It was moved by Mr. Wever, seconded by Mrs. Gonzalez-Peterson, and carried unanimously that revisions to Board Policies CDA (Local), Other Revenues: Investments; FNCA (Local), Student Conduct: Dress Code; and GRA (Local), Relations with Governmental Entities: Local Governmental Authorities, be approved as presented with additional language to GRA (Local) as recommended (copies attached to the permanent file of these minutes).

Mr. Safi clarified that if a request from the principal to have a staff member present during the interview is denied, the principal is still under an obligation to cooperate.

Approval of Payment of Dues for 2000-01 Equity Center Membership (\$9,500.00) (Item #10)

It was moved by Mr. Wever, seconded by Mrs. Gonzalez-Peterson, and carried unanimously that the Board approve the District's 2000-01 membership with Equity Center in the amount of \$9,500.00.

Approval of Amendments to EPISD Health Care Medical Plan (Item #11)

- A. Preferred Provider Organization (PPO) In-Network Benefit Schedule/Exclusive Provider Organization (EPO) Benefit Schedule for Wellness Coverage
- B. Preferred Provider Organization (PPO)/Exclusive Provider Organization (EPO) Out-of-Network Benefit Schedule
- C. Texas True Choice Hospital Bill Audit Program

Mr. Joe Ontiveros, Associate Superintendent, Human Resources, reviewed the amendments to the EPISD Health Care Medical Plan. Amendment "A" will eliminate the limitation on wellness care, which is currently set at \$250.00 per year; Amendment "B" will allow for negotiated claims at 23 percent or better on out-of-network care, after the deductible has been satisfied; and Amendment "C" will allow hospital bill audits on considered and paid out-of-network and/or out-of-area claims.

Concerns were expressed regarding the discounts, percentages, and savings that are proposed and the hiring of another company to handle hospital issues which the providing company should manage. Mr. Wever explained the amendments and their benefit to the District and employees. Ms. Elizabeth Bulos, Director, Employee Benefits, provided information on the proposed amendments and reviewed the issues that led to the review of the District's medical plan.

It was moved by Mr. Wever and seconded by Mr. Telles that the Board approve the plan amendment to the Preferred Provider Organization (PPO) In-Network Benefit Schedule and the Exclusive Provider Organization (EPO) Benefit Schedule to remove the current \$250.00 limit for wellness coverage effective July 1, 2000; the plan amendment to the Preferred Provider Organization (PPO) and the Exclusive Provider Organization (EPO) Benefit Schedule to allow for negotiated claims, where a discount of more than 23 percent is agreed to, to be paid at 80 percent after the deductible has been met effective July 1, 2000; and the amendment to the Texas True Choice contract to allow for the Hospital Bill Audit Program at 35 percent of savings effective July 1, 2000. Upon the vote, the motion carried with Mrs. Gonzalez-Peterson voting against the motion and Dr. Roark declaring a conflict of interest and not voting.

Approval of Blanket Student/Athletic Accident Insurance, Catastrophic Insurance, and Voluntary Student Accident Insurance (Item #12)

It was moved by Mrs. Gonzalez-Peterson, seconded by Mr. Rosales, and carried unanimously that the Board award Blanket Student/Athletic Accident Insurance Coverage to Student Insurance, Inc., underwritten by Life Insurance Company of North America of Philadelphia and through the Rick Hernandez Agency, for coverage under Option 3, Class 6 for all UIL activities and sports events, including football, for an annual premium of \$132,000.00 and a maximum benefit of \$25,000.00, effective August 1, 2000, through July 31, 2001; Catastrophic Insurance coverage to Student Insurance, Inc., underwritten by American National Insurance Company of Texas and through the Rick Hernandez Agency, for coverage under Option 2 for an annual premium of \$11,350.00, with a lifetime benefit of \$5,000, 000.00 and a \$25,000.00 deductible, effective August 1, 2000, through July 31, 2001; and Voluntary Student Accident Insurance coverage to Student Insurance, Inc., underwritten by Life Insurance Company of North America of Philadelphia and through the Rick Hernandez Agency, for the three options and benefit schedules presented.

Approval of Change Orders (Item #13)

It was moved by Mr. Wever, seconded by Mr. Rosales, and carried unanimously that the change orders to the following firms be approved for the amounts indicated.

- A. Change Order No. 3 to Northeast High School (Chapin High School), #93.735 (\$461,254.00) to Banes General Contractors, Inc., subject to the review and approval of the District's attorney, for the construction modifications/revisions requested by the school's administration and originally approved by the Board on May 9, 2000, in the estimated amount of \$387,000.00, for the revised amount of \$461,254.00.
- B. Change Order No. 1 to IAQ (Indoor Air Quality)/HVAC Construction Contract for Repair Services – Middle and High Schools, #99.679.02 (\$37,452.02) to Thermodyn Contractors, Inc., subject to the review and approval of the District's attorney, to reimburse the contractor for additional work performed due to the deteriorated condition of the HVAC systems in the amount of \$37,452.02.

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

It was moved by Mr. Wever, seconded by Mr. Telles, and carried unanimously that the Board approve the competitive bid method for the 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. Renovations to Hercules Cottages – Task Masters Program, #00.733
- B. Stadium Lighting Repairs – Irvin High School, #00.841
- C. Drainage Improvements – Whitaker Elementary School, #00.856

### Bid and Purchase Orders Requiring Board Approval (Item #16)

#### A. Library Book Bid #52-00 (approx. \$350,000.00)

Mr. Wever commented on the lack of back-up information on the current vendor's poor service record and questioned why the low bid was not selected. Ms. Sharon Carr, Facilitator, Library Learning Resources, reviewed the unsatisfactory response time provided by the current vendor and the option of an additional discount on processing offered by the recommended vendor. She explained the book bindings available, the binding preferred for the school libraries, and the "tattle tape" detection strips used primarily in middle and high schools that have security systems.

It was moved by Mr. Telles, seconded by Dr. Finke, and carried unanimously that Library Book Bid #52-00 be postponed and brought back to the Board at a future Board meeting with additional information on specific costs.

#### B. Apple Computers for the Business Image Management and Multimedia (BIM&M) Lab for the Center for Career and Technology Education, Purchase Order No. 191971 (\$48,234.00)

It was moved by Mr. Wever, seconded by Mrs. Gonzalez-Peterson, and carried unanimously that Apple computers for the Business Image Management and Multimedia (BIM&M) Lab for the Center for Career and Technology Education, Purchase Order No. 191971, be approved for purchase from Apple Computer, Inc., the sole source, in the amount of \$48,234.00 (copy of purchase order attached to the permanent file of these minutes).

### Items Withdrawn

It was announced that item no. 16, C., Computer Equipment for Urban Systemic Program (USP) Mentors, Purchase Order No. 192522 (\$24,245.14), and item no. 16, D., Business Education Computer Labs for Chapin High School, Purchase Order No. 192530 (\$84,986.00), had been withdrawn from the agenda.

### Meeting Closed (Item #17)

The meeting was recessed at 8:32 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 – Javier Diaz, Counselor, Sunset High School
- B. Dr. Yolanda M. Rey, Plaintiff vs. Jim Nelson, Commissioner of Education, and El Paso Independent School District, Defendants; No. GNO-01525; 98<sup>th</sup> District Court, Travis County, Texas, and Action Regarding Proposed Nonrenewal of Term Contract

The closed meeting was opened at 8:37 p.m. The closed meeting ended at 9:12 p.m.

### Meeting Opened

The meeting was reassembled in Open Session at 9:13 p.m.

Grievance Hearing – Javier Diaz, Counselor, Sunset High School (Item #17, A.)

It was moved by Mr. Telles, seconded by Mr. Wever, and carried unanimously that the Board approve a negotiated compensation adjustment in the amount of \$793.11 with an extra day on duty for the 1999-2000 school year for Javier Diaz in settlement of his grievance.

Dr. Yolanda M. Rey, Plaintiff vs. Jim Nelson, Commissioner of Education, and El Paso Independent School District, Defendants; No. GNO-01525; 98<sup>th</sup> District Court, Travis County, Texas, and Action Regarding Proposed Nonrenewal of Term Contract (Item #17, B.)

It was moved by Mr. Telles and seconded by Mr. Wever that the Board authorize the Superintendent and legal counsel to negotiate a resolution with Dr. Yolanda Rey and that a recommendation be brought back to the Board at a future date.

Mrs. Gonzalez-Peterson recommended amending the motion to state that failing negotiations, Dr. Yolanda Rey be notified of the nonrenewal of her contract effective June 30, 2000, subject to directives of the court. Mr. Telles and Mr. Wever accepted the amendment.

The amended motion reads as follows:

that the Board authorize the Superintendent and legal counsel to negotiate a resolution with Dr. Yolanda Rey and that a recommendation be brought back to the Board at a future date and that failing negotiations, Dr. Rey be notified of the nonrenewal of her contract effective June 30, 2000, subject to directives of the court.

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

Special Funding for School Building Repairs and Improvements Resolution (Item #18)

It was moved by Dr. Finke, seconded by Mr. Telles, and carried unanimously that the Board adopt the Special Funding for School Building Repairs and Improvements Resolution and that the resolution be submitted to the Texas Association of School Boards (TASB) for consideration by the TASB Board of Trustees and the TASB Delegate Assembly (copy of resolution attached to the permanent file of these minutes).

Meeting Adjourned

The meeting was adjourned at 9:17 p.m.

Date Approved: August 8, 2000