

Minutes of Meeting of Board of Trustees
El Paso Independent School District
November 13, 2001
Education Center-Boeing

Present: Mr. Dan Wever, President
Dr. Gene Finke, Vice President
Miss Leonor Garcia, Secretary
Mr. Sal Mena, Jr.
Dr. Charles Roark
Mr. Joe Rosales
Mr. Richard Telles
Dr. Gilberto Anzaldua, Superintendent
Mr. Anthony Safi, School District Attorney

The meeting was called to order at 5:02 p.m. by Mr. Wever. The Pledge of Allegiance was led by Mr. Michael Devine, EPISD Educational Diagnostician.

Discussion and Possible Action on Appointing Second Varsity Golf Coach at Coronado High School and Possibly Increasing the Number of Coaches Districtwide for School Sports Programs with High Student Participation (Item #12)

Mr. John Doran, Associate Superintendent, High School Division, reported on a request for a second golf coach at Coronado High School. He commented on an increased coaching staff at Coronado High School affecting programs in other District high schools, which will have a budget impact. Ms. Elsie Partridge, Director of Athletics, recommended the addition of another golf coach at Coronado High School and stated that there have been other requests for assistant coaches at other campuses. She requested that a second coach be added at the schools with anticipated high participation during the spring semester.

There was discussion on reviewing staffing tables and Title IX issues prior to making any assignments and whether the request for an additional golf coach at Coronado High School addressed girls' sports.

It was moved by Mr. Telles and seconded by Dr. Finke that the Board allow an additional golf coach at Coronado High School and that additional coaches for other sports be looked at as needed, subject to the approval of a budget amendment at a future Board meeting.

Discussion continued on the \$2,000.00 additional compensation anticipated for a second coach at Coronado High School and a similar situation existing at Irvin High School.

Mr. Rosales recommended amending the motion to state that schools in similar situations be allowed to hire second coaches. Mr. Telles accepted the amendment.

The amended motion reads as follows:

that the Board allow an additional golf coach at Coronado High School and that other schools in similar situations be allowed to hire second coaches, subject to the approval of a budget amendment at a future Board meeting.

The following person requested to speak to this item:

1. Ms. Martini De Groat, President, Coronado High School Golf Booster Club, spoke about the golf team at Coronado High School and expressed her appreciation to the Board for its support of an additional golf coach.

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

Public Complaint by Margie A. Regarding Special Education Services for Son, A. A., Who Attends Private School (Item #17)

Mrs. Margie Aguilar, parent of A. A., a second grade student at St. Raphael's School, provided information on speech therapy services received by her son at MacArthur Middle School during the 2000-01 school year. She stated that she was advised at the end of the school year that her son's therapy needed to continue the following school year but was not notified until after the beginning of the 2001-02 school year that a new federal law disallows private school students from receiving special education services from public schools. She requested that her son be allowed to complete the speech therapy program at MacArthur.

Mr. Safi provided information on the change to the Individuals with Disabilities Education Act (IDEA) and advised that the change at the state level occurred through a new rule adopted by the Commissioner of Education as a result of the revised federal law. He reviewed §89.1095, "Provision of Services for Students Placed by their Parents in Private Schools," which addresses dual enrollment and funding for students in need of special education services who are enrolled in private schools. This rule expired on June 30, 2001, and the new §89.1096 was implemented beginning July 1, 2001. He advised that dual enrollment was carried forward only for eligible students ages 3 and 4 and that only limited federal funds were available for other students who were eligible to receive special education services but enrolled in a private schools. The District's allocation of federal funds for these services is approximately \$20,000.00. Federal and/or state funds cannot be used for any additional expenditures for services for these students, but the District can use local funding allocations.

The law provides that a school district is to convene a meeting with representatives from private schools with students in need of special education services and the parents of those students, and they make recommendations to the District on how the limited federal funds should be expended. The EPISD sent letters to the private schools and parents. The meetings were held, and it was determined that these funds would impact more eligible students through the provision of staff development to the faculties and staffs of the private schools so services could be provided at the schools that the students attend.

There was discussion on whether the new law forbids a school district from providing special education services; Ms. Aguilar's statement that she did not receive notification of the change in IDEA until the beginning of the new school year; and parents deciding not to place their children in schools where the needed services are available.

It was moved by Dr. Roark and seconded by Dr. Finke that the Board uphold the administration's decision to use its limited federal funds for inservice training of private school personnel rather than providing direct special education services to private school students, per the Commissioner of Education's rule regarding special education services pursuant to the Individuals with Disabilities Education Act (IDEA).

Discussion continued on the \$20,000.00 allocated for staff development sessions for the staffs and faculties of the private schools and the number of private school students currently identified as needing special education services. There was also discussion of direct services being provided to A. A. possibly opening the door for other children enrolled in private school and needing special education services; speech therapy services that would be provided to A. A. if he were enrolled in an EPISD school; using local funds to provide services for A. A., and other students in similar situations, and seeking other funding sources for A. A.'s speech therapy services through the end of the year; and the possibility of enrolling A. A. in the EPISD for one year in order for him to receive speech therapy services.

Dr. Roark and Mr. Telles called for the question.

Upon the vote, the motion carried with Dr. Roark, Miss Garcia, Dr. Finke, and Mr. Rosales voting in favor of the motion and Mr. Mena, Mr. Wever, and Mr. Telles voting against the motion.

It was moved by Mr. Rosales and seconded by Mr. Telles that local funds be used to support the parents of A. A.; that the District provide A. A. with the remaining speech therapy services he needs so there is no interruption in his educational program; and that the District assist parents who apply for special services for their children who attend private school.

There was discussion on the anticipated costs of providing special education services for students enrolled in private schools; whether EPISD speech therapists can provide services to students not enrolled in a District school or if it would be necessary to contract with an outside therapist; funds being specifically earmarked for students enrolled in the EPISD; the staff development sessions conducted with the private schools to date; and setting aside an equal amount of \$20,000.00 in local funds to cover the services for private school students.

Mr. William Goodman, Associate Superintendent, Finance, expressed concern about the cost projections for this situation and any others that may arise and recommended that the Board defer action on this issue until he has an opportunity to review the budget. Dr. Anzaldua commented that other students enrolled in private schools will probably be requesting special education services and recommended that the Board also set a dollar limit. He suggested that this item be brought back to the Board at its meeting on November 27, 2001.

Mr. Rosales withdrew his motion and Mr. Telles withdrew his second.

Meeting Closed (Item #19)

The meeting was recessed at 6:01 p.m. to a closed meeting by Mr. Wever under Section 551.071 of the Texas Government Code as follows:

B. Consultation with School District Attorney Regarding Pending or Contemplated Litigation

1. Proposed Lead-Based Paint Litigation

The closed meeting started at 6:08 p.m. The closed meeting ended at 6:36 p.m.

Meeting Opened

The meeting was reassembled in Open Session at 6:37 p.m.

Consultation with School District Attorney Regarding Pending or Contemplated Litigation – Proposed Lead-Based Paint Litigation (Item #19, B., 1.)

It was moved by Dr. Finke, seconded by Miss Garcia, and carried unanimously that the Board approve the agreement with the law firm of Provost & Umphrey, LLP, and authorize attorneys with Provost & Umphrey to file a lawsuit on behalf of the EPISD related to lead-based paint in the District's facilities.

Overview of Academy of International Business and Public Affairs at Bowie High School (Item #20)

Mr. Art Peralta, Principal, Bowie High School, provided a report on a proposed Academy of International Business and Public Affairs at Bowie High School. He reviewed the plan of action and the proposed timeline for implementation of the Academy.

Recognition of Texas Education Agency 2001-02 Texas Migrant Education Award Winners (Item #1)

The Texas Education Agency 2001-02 Texas Migrant Education Award winners were recognized by the Board of Trustees. The schools honored for "Excelling Performance" were Burleson, Lee, and Roosevelt Elementary Schools; the schools honored for "Acknowledged Performance" were Alamo, Beall, Hart, Rusk, and Wainwright Elementary Schools; and the schools honored for "Promising Performance" were Douglass Elementary School and Cordova Middle School. An engraved plaque was presented to each principal in recognition of their accomplishments.

Naming of the EPISD Planetarium (Item #2)

Mr. Mena reported on meeting of the Board School Name Committee at which a name for the EPISD Planetarium was discussed. He provided information on the nomination process and stated that the names of Col. John Paul Strapp, M.D., and Gene Roddenberry had been nominated. It was the consensus of the Board School Name Committee that the EPISD Planetarium be named after Gene Roddenberry.

It was moved by Mr. Mena, seconded by Mr. Telles, and carried unanimously that the EPISD Planetarium be named after Eugene Wesley "Gene" Roddenberry, producer and writer of the television series *Star Trek*.

Public Forum (Item #3)

The following people requested to speak on Open Forum:

1. Ms. Victoria Torres, President, Milam Elementary School PTA, spoke about the Milam School assistant principal having a double assignment (at Bonham and Milam Elementary Schools) and the counselor having to perform additional duties of assistant principal.

2. Ms. Diane Thomas, Curriculum Writer, Special Services, spoke about the audit recently conducted on the District's Special Education Unit and addressed articles recently published in the newspaper.
3. Mr. Gerald Cheek spoke about accountability in the area of special education and items being withdrawn from the agenda of the Board meeting, specifically the Superintendent's evaluation.

Items Withdrawn

It was moved by Mr. Wever and seconded by Mr. Rosales that item no. 18, Discussion of Governance Issues, and item no. 19, C., Superintendent's Evaluation, Contract, and Compensation, be withdrawn from the agenda. Upon the vote, the motion carried with Mr. Wever, Mr. Rosales, Miss Garcia, Dr. Roark, and Dr. Finke voting in favor of the motion and Mr. Telles and Mr. Mena voting against the motion.

Consent Agenda (Item #4)

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

- Dr. Finke - Item 4, F., Demand Service Contract Award – Districtwide Communication Cabling Moves, Adds, Changes (MACs) & Repairs, #02.497 (\$47,080.00)
- Dr. Roark - Item 4, D., Approval of Extension of District's Automobile and Inland Marine Insurance Policy (\$230,099.00)
Item 4, H., 5., Approval of Budget Amendments and Related Agreements – Apprenticeship Program (\$5,616.00)
- Mr. Mena - Item 4, H., 9., Approval of Budget Amendments and Related Agreements – Increase in School Per Capita Budgets (\$167,106.00)
- Mr. Safi - Item 4, I., 5., RFP and Bids Requiring Board Approval – Volunteers in Public Schools/Partners in Education Luncheon, Purchase Order Nos. 225813 and 226878 (\$27,907.00)

RFP and Bids Requiring Board Approval – Volunteers in Public Schools/Partners in Education Luncheon, Purchase Order Nos. 225813 and 226878 (\$27,907.00) (Item 4, I., 5.)

Mr. Safi stated that he had concerns about indemnity clauses included in the Authorized User Agreement for the El Paso Convention and Performing Arts Center, Purchase Order No. 225813. He advised that he had contacted the Assistant City Attorney regarding his concerns and that the City was agreeable to his suggested revisions to the agreement. He recommended that approval of this item be subject to the changes to the Authorized User Agreement as recommended by legal counsel

It was moved by Dr. Roark, seconded by Dr. Finke, and carried unanimously that the Volunteers in Public Schools/Partners in Education luncheon be approved to El Paso Convention & Performing Arts Center for the hall rental, Purchase Order No. 225813, in the amount of \$1,475.00, and to Volume Services America for catering services, Purchase Order No. 226878, in the amount of \$26,432.00 for the total amount of \$27,907.00, subject to the changes to the Authorized User Agreement as recommended by legal counsel (copy of purchase orders attached to the permanent file of these minutes).

Items Withdrawn

It was announced that item no. 4, H., 7., Approval of Budget Amendments and Related Agreements – Gifted and Talented Budget Amendment (\$45,000.00) and item no. 4, H., 8., Approval of Budget Amendments and Related Agreements – Staff Development Budget Amendment (\$75,500.00), had been withdrawn from the agenda.

Questions on Approval of Extension of District's Automobile and Inland Marine Insurance Policy (\$230,099.00) (Item #4, D.)

Dr. Roark indicated he had not received answers to questions that he submitted regarding the District's insurance policies. Mr. Charles Tafoya, Associate Superintendent, Human Resources, provided information on the District's consolidation of insurance coverage and advised that one of the insurance policies for which the District is obligated is for Automobile and Inland Marine coverage. He stated that other policies for which the District is obligated would be coming to the Board in the near future.

Questions on Demand Service Contract Award – Districtwide Communication Cabling Moves, Adds, Changes (MACs) & Repairs, #02.497 (\$47,080.00) (Item #4, F.)

Responding to a question from Dr. Finke regarding the funding for this demand service contract, Mr. Nicholas Corona, Executive Director, Facilities, Maintenance and Construction, advised that this contract will provide maintenance service for the existing wide area network (WAN).

Questions on Approval of Budget Amendments and Related Agreements – Apprenticeship Program (\$5,616.00) (Item #4, H., 5.)

Dr. Roark inquired about the apprenticeship program that was being funded in this item. Ms. Rosa Gandara, Director, Career and Technology Education, advised that the apprenticeship program was a plumbing and air conditioning program for 21 adult apprentices where the District lends its teachers and facilities to the community program. She added that the funds from the Texas Workforce Commission will provide the teachers' salaries.

Questions on Approval of Budget Amendments and Related Agreements – Increase in School Per Capita Budgets (\$167,106.00) (Item #4, H., 9.)

Responding to a question from Mr. Mena, Mr. William Goodman, Associate Superintendent, Finance, advised that these funds are campus monies that were not expended last year and are being rolled over into the current year's budget. He stated that up to \$2,500.00 per campus that is left over from the prior year can be rolled over into the current year.

It was moved by Dr. Roark, seconded by Mr. Rosales, 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. September 4, 2001, and September 25, 2001, Board Policy Committee Meetings; September 12, 2001, Board Investigative Services Committee Meeting; and September 25, 2001, Board Finance Committee Meeting
2. September 4, 2001, and September 25, 2001, Meetings of the Board of Trustees

The Board approved the minutes of the September 4, 2001, and September 25, 2001, Board Policy Committee meetings; the September 12, 2001, Board Investigative Services Committee meeting; the September 25, 2001, Board Finance Committee meeting; and the September 4, 2001, and September 25, 2001, meetings of the Board of Trustees.

B. Approval of Renewal of Affiliation Agreements for EPISD Health Science Technology Students

1. El Paso Healthcare System, Ltd. d/b/a Del Sol Medical Center
2. William Beaumont Army Medical Center

The Board approved the renewal of the affiliation agreements with El Paso Healthcare System, Ltd. d/b/a Del Sol Medical Center and William Beaumont Army Medical Center for clinical experience sites for health science students at the Silva Magnet High School for Health Care Professions and the Health Science Technology Program/Center for Career and Technology Education to observe various health care careers and to develop skills in specific areas.

C. Approval of Contracts Between EPISD and the Upper Rio Grande Tech-Prep Youth (School-to-Careers) Consortium for Tech-Prep Grant Funding (\$40,000.00)

1. Center for Career and Technology Education (CCTE) (\$5,000.00)
2. Canyon Hills, Cordova, Guillen, Henderson, Richardson, Ross, and Wiggs Middle Schools (\$35,000.00)

The Board approved the contracts between the EPISD and the Upper Rio Grande Tech-Prep School-to-Careers Consortium for Tech-Prep grant funding in the amount of \$40,000.00.

D. Approval of Extension of District's Automobile and Inland Marine Insurance Policy (\$230,099.00)

The administration was authorized to execute the final one-year extension to the District's Automobile and Inland Marine Insurance Policy, subject to the review and approval of the District's attorney, to Zurich Insurance Company, through Rogers & Belding Insurance, for a yearly premium in the amount of \$230,099.00.

E. Construction Contract Award – PPFCO (Public Property Finance Contractual Obligations) Project, Phase 3 – Campus Improvements (Bowie and Jefferson High Schools; Henderson Middle School; and Beall, Douglass, and Vilas Elementary Schools), #99.523.03 (\$419,711.00)

The Board approved the award of Construction Contract #99.523.03, PPFCO (Public Property Finance Contractual Obligations) Project, Phase 3 – Campus Improvements (Bowie and Jefferson High Schools; Henderson Middle School; and Beall, Douglass, and Vilas Elementary Schools) subject to the review and approval of the District's attorney, to F. T. James Construction Co. in the amount of \$419,711.00.

F. Demand Service Contract Award – Districtwide Communication Cabling Moves, Adds, Changes (MACs) & Repairs, #02.497 (\$47,080.00)

The Board waived the technicality of Telecom Unlimited noting an incorrect total on their summation of the proposal evaluation form and approved the award of Demand Service Contract #02.497, Districtwide Communication Cabling Moves, Adds, Changes (MACs) and Repair Services, subject to the review and approval of the District's attorney, to Telecom Unlimited, the low bidder, for an estimated annual amount of \$47,080.00.

G. Professional Services Contract Awards

The Board approved the award of the following professional services contracts, subject to the review and approval of the District's attorney, to the recommended consulting firms for the preparation of plans, specifications, bid documents and other additional program elements as may be required for the construction and installation of the projects described for the designated Basic Services Fee, with additional services listed in the contract to be paid at established hourly rates only if authorized in writing by the owner for services the owner cannot provide.

1. Districtwide ADA Handicap Accessibility, #02.923 (approx. \$33,400.00), to ASA Architects for an 8 percent Basic Services Fee in the estimated amount of \$33,400.00.
2. Districtwide ADA/504 Compliance, #02.924 (approx. \$33,400.00), to BPLW Architects & Engineers for an 8 percent Basic Services Fee in the estimated amount of \$33, 400.00.

H. Approval of Budget Amendments and Related Agreements

The Board approved the following amendments to the 2001-02 fiscal year budget:

1. New Instructional Facility Allotment – Chapin High School (\$90,000.00). The purpose of this item is to provide Chapin High School the second installment of the New Instructional Facility Allotment (NIFA) in the amount of \$90,000.00. Dr. Carla Gonzales, Principal at Chapin High School, requested this amendment in a memo dated October 25, 2001. These funds will be made available from the District's contingency reserve.

2. Texas Workforce Commission – Adult Literacy (\$240,000.00). The purpose of this item is to set up the San Jacinto Adult Education Center/Texas Workforce Commission budget in the amount of \$240,000.00. Blanca Andrade, Administrator at the San Jacinto Adult Education Center, requested this amendment in a memo dated October 1, 2001. The Texas Workforce Commission (TWC) provides federal funding for adult education services, including English as a second language, basic education, general educational development (GED) preparation, or vocational training. Funding for this program is provided by TWC through one-year individual contracts for dislocated workers who are referred by TWC to the Adult Literacy Program.
3. Temporary Assistance for Needy Families – State (\$68,278.00). The purpose of this item is to set up the budget for the Temporary Assistance for Needy Families (TANF)-State in the amount of \$68,278.00. Blanca Andrade, Administrator at the San Jacinto Adult Learning Center, requested this amendment in a memo dated October 8, 2001. The Texas Education Agency approved the Notice of Grant Award on October 2, 2001.
4. Temporary Assistance for Needy Families – Federal (\$205,361.00). The purpose of this item is to set up the budget for the Temporary Assistance for Needy Families (TANF)-Federal in the amount of \$205,361.00. Blanca Andrade, Administrator at the San Jacinto Adult Learning Center, requested this amendment in a memo dated October 8, 2001. The Texas Education Agency approved the Notice of Grant Award on October 2, 2001.
5. Apprenticeship Program (\$5,616.00). The purpose of this item is to set up the budget for the Apprenticeship Program in the amount of \$5,616.00. Rosa Gandara, Director of Career and Technology Education, requested this amendment in a memo dated September 24, 2001. The Texas Workforce Commission approved the Notice of Grant Award on September 17, 2001.
6. Paso del Norte Health Foundation “Que Sabrosa Vida” (\$13,000.00) and Memorandum of Agreement. The purpose of this item is to set up the budget for the Paso del Norte Health Foundation “Que Sabrosa Vida” in the amount of \$13,000.00. Marsha Lawler, Executive Director of External Funding, requested this amendment in a memo dated October 9, 2001. A memorandum of agreement was made and entered into on November 1, 2001, by and between Paso del Norte Health Foundation and the EPISD.
9. Increase in School Per Capita Budgets (\$167,106.00). The purpose of this amendment is to increase the fiscal year 2001-02 per capita school budgets in the amount of \$167,106.00. The increase is the carry-over of unused funds budgeted in the prior fiscal year. Function 11 of each school’s per capita budget will be increased by the amount indicated. The total amount was designated in the General Fund Balance at August 31, 2001.

10. Teacher Retirement System "On-Behalf" Payments (\$13,781,000.00). The purpose of this item is to authorize book entries in the District's fiscal year 2001 books to reflect the Teacher Retirement System (TRS) "On-Behalf" payments as required by the Texas Education Agency in the amount of \$13,781,000.00. Richard Romero, Director of Budget, requested this authorization in a memo dated October 17, 2001. These payments represent the matching amounts that are paid by the state of Texas for District employees' retirement accounts. Although the state pays these amounts, the District must account for the payments, which is normally done at year-end in a final amendment. The final amendment for the fiscal year 2001 did not reflect this adjustment. This entry is necessary to reflect accurately the District's revenues and expenditures in the Fiscal Year 2001 Audit Report.
11. Technology and Information Systems Year 4 E-Rate Projects (\$1,700,000.00). On October 23, 2001, the Board of Trustees approved IBM Global Services beginning work on Year 4 E-Rate projects as funded by the Universal Services Administration Corporation, Schools and Libraries Division; amendments to the IBM contract; and the procurement methodology on the projects. The total commitment for the first phase is \$1,700,000.00. Of this amount, \$1,034,194.00 will be made available from existing Technology and Information Systems funds and the remaining \$665,806.00 will be made available from the District's fund balance.

I. RFP and Bids Requiring Board Approval

The Board approved the following RFP and bids to the recommended vendors for the amounts indicated:

1. Janitorial Supplies & Equipment (Region 19 RFP #01-5244) (approx. \$25,000.00) was awarded to The Hoover Co., Regal Chemical & Supply Co., and SEPCO d/b/a Showtime, Lot 5, items 179-186, for the estimated annual amount of \$25,000.00, with the option to extend for two additional years, one year at a time (copy of bid tabulation attached to the permanent file of these minutes).
2. Xerographic Paper Bid #93-01 (approx. \$411,705.00) was awarded to Xerox, the low bidder, for an estimated annual amount of \$411,705.00, with an escalation clause allowing a price increase to the extent of an industrywide paper price increase but not to exceed a maximum increase of up to 7.5 percent per carton per quarter (copy of bid tabulation attached to the permanent file of these minutes).
3. Paper Towel and Toilet Tissue Bid #96-01 (approx. \$144,430.00) was awarded to Baron Chemical in the estimated amount of \$138,455.00 and Southwestern Mill in the estimated amount of \$5,975.00, for a total estimated annual amount of \$144,430.00 (copy of bid tabulation attached to the permanent file of these minutes).
4. AS/400 Computer Systems Maintenance, Purchase Order No. 223870 (\$23,600.00) was approved from Secure Data Corporation, the lowest quote, in the amount of \$23,600.00 (copy of purchase order attached to the permanent file of these minutes).

J. October Personnel Report

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

Presentation of Preliminary Draft of Final Summary of EPISD Strategic Plan (Item #5)

Mr. Gilbert Moreno, Prestige Consulting Services, Strategic Planning Consultant, provided an overview of the summary draft of the 5-Year Strategic Planning Project and highlights of the draft plan. He reviewed the project status and the next steps to be taken. Mr. Moreno briefly discussed the phases and timelines, the community input process, cross-cutting issues, the team of "strategic thinkers," and the critical success factors. He reviewed the 13 goals for the key strategic areas of student academic success, organization and management effectiveness, financial and academic accountability, and technology.

Mr. Moreno provided information on the Chairs of the four master planning teams and the master plan templates, which include tactics or activities, timetables, resources needed, persons accountable/contributors, and completion criteria. He discussed the Strategic Plan innovations, the areas of excellence, and the accountability plan, which includes establishing accountability benchmarks, formalizing a review process, establishing an oversight and working group, and developing a more comprehensive public relations program. Mr. Moreno reviewed the steps that are to be taken and the meetings that will be held in the next 30 days.

Dr. Roark expressed concern about the communication of the meeting dates and requested that information be provided to the Chair of the Strategic Planning Committee on scheduled meetings.

There was discussion on curriculum and instruction; whether language in the Strategic Plan specifically addressed districtwide curriculum; prior sessions with the Board on the five-year curriculum action plans; the Strategic Plan specifically addressing the development of a districtwide curriculum; and including precise language regarding curriculum in the Strategic Plan so that future Board members will know the importance placed on that issue by the current Board of Trustees.

Announcement of 2001-02 High School Graduation Dates (Item #6)

Mr. John Doran, Associate Superintendent, High School Division, presented the high school graduation dates for the 2001-02 school year.

Approval of Funding for EPISD Students' Participation in Community Scholars Program (approx. \$73,200.00) (Item #7)

It was moved by Mr. Rosales, seconded by Dr. Roark, and carried unanimously that the Board approve the expenditure of approximately \$73,200.00 for EPISD students to participate in the Community Scholars Program, subject to a corresponding budget amendment being brought back to the Board for approval.

Approval of Purchase of *Everyday Mathematics* Program for EPISD K-5 Students (\$39,000.00) (Item #8)

It was moved by Mr. Mena, seconded by Mr. Rosales, and carried unanimously that the *Everyday Mathematics* program for EPISD K-5 students be approved for purchase from SRA/McGraw-Hill, the sole source provider from the University of Chicago, in the amount of \$39,000.00. Dr. Roark was not present for the vote.

Approval of Purchase of *Engine-Uity* Products for K-3 Gifted and Talented Curriculum Implementation (\$64,912.50) (Item #9)

It was moved by Mr. Mena, seconded by Mr. Telles, and carried unanimously that *Engine-Uity* products for the implementation of the K-3 Gifted and Talented curriculum be approved for purchase from Engine-Uity, Ltd., the sole source, in the amount of \$64,912.50. Dr. Roark was not present for the vote.

Approval of 2001-02 EPISD Student Code of Conduct and Student Handbook (Item #10)

It was moved by Mr. Mena and seconded by Mr. Telles that the Board approve the 2001-02 Student Code of Conduct and Student Handbook as presented by the administration.

Ms. Emily Barksdale, Facilitator, Secondary Education, provided information on the process followed in developing the 2001-02 Student Code of Conduct and the Student Handbook. She reviewed the changes that were made to last year's versions.

Mr. Safi discussed information on directory information listed in the Student Handbook which includes information that the District will release about a student unless a parent directs that it not be released. Following this discussion, it was the consensus of the Board that a student's E-mail address not be included in directory information.

Mr. Safi commented further on language in the Student Handbook regarding the computation of grade point averages. He stated that the language in the Student Handbook reflects current District practice but this language is not reflected in current Board policy. He advised that the Student Handbook and Board policy should be in agreement.

Ms. Barksdale provided information on the changes in the Student Handbook regarding physical examinations and health screenings that are required for participation in athletics. She advised that the Student Handbook is more descriptive than the Board policy in that it specifies a July 1 date for these physical exams. Mr. Safi provided a comparison of the language in the Student Handbook to that of Board Policy FFAA (Local). He recommended that if the Board is in agreement with the language contained in the Student Handbook, then policy FFAA (Local) should be amended.

There was discussion on reviewing Board Policy FFAA (Local) at the next Board meeting; whether class ranking is handled the same at all District high schools; whether accessibility to Advanced Placement (AP) classes is available to all interested students; ensuring that sufficient AP classes are available; and revising appropriate Board policies.

It was moved by Dr. Roark, seconded by Mr. Telles, and carried unanimously that the Board postpone consideration of the motion to approve the 2001-02 Student Code of Conduct and Student Handbook for two weeks pending the evaluation of Board policy and the establishment of consistency between Board policy and the 2001-02 Student Handbook.

Approval of Contract (March 2000 Edition) with U. S. Army Cadet Command for Junior Reserve Officers' Training corps (JROTC) Units in EPISD (Item #11)

It was moved by Mr. Mena, seconded by Mr. Rosales, and carried unanimously that the Board approve the March 2000 edition of the contract with the U. S. Army Cadet Command for Junior Reserve Officers' Training Corps (JROTC) units in the EPISD with the deletion of the final clause of the final sentence of paragraph 2, d., as presented.

2000-01 Year-End Report on District's Energy Conservation Program (Item #13)

Mr. Donald Thompson and Mr. Dan Eiland, Energy Managers, presented the results of the Energy Conservation Program for the year 2000-01. They reported that the District had a savings of \$3,434,768.00 in energy costs for the period of August 1, 2000, through July 31, 2001. The savings realized over the 11 years the program has been in effect total \$24,946,980.00.

Approval of Procurement/Delivery Methods for Construction Contracts Exceeding \$25,000.00 – Districtwide Floor Tile/Covebase Replacement, Phase 2, #02.770 (Item #14)

It was moved by Mr. Mena, seconded by Dr. Roark, and carried unanimously that the competitive bid process be utilized for Project #02.770, Districtwide Floor Tile/Covebase Replacement, Phase 2, 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.

Employee Conflict of Interest Report and Approval of Employees' Disclosure of Interest in a Business Entity Affidavits (Item #15)

It was moved by Mr. Mena, seconded by Mr. Rosales, and carried unanimously that the Board approve the Employee Disclosure of Interest in a Business Entity affidavits as presented.

Purchase Orders Requiring Board Approval (Item #16)

Questions on Purchase Orders Requiring Board Approval – SuccessMaker™ Software Upgrade – Henderson Middle School, Purchase Order No. 225153 (\$36,358.25) (Item #16, A.)

Responding to questions from the Board, Mr. Rudolfo Hernandez, Principal at Henderson Middle School, provided information on the SuccessMaker™ software upgrade for its 55 station licenses and the services provided by the software. Mr. Jack Johnston, Executive Director, Technology and Information Systems, provided information on the background of the software, and there was discussion on whether the software program was reviewed by Curriculum and Instruction; the availability of a site license rather than purchasing individual computer station licenses; the number of computers at Henderson School with the software; the review process followed by the faculty at Henderson School; whether the program fits within the TAKS (Texas Assessment of Knowledge and Skills); and the state compensatory funding source.

It was moved by Dr. Roark to postpone approval of the SuccessMaker™ software upgrade for Henderson Middle School, Purchase Order No. 225153, in the amount of \$36,358.25 for two weeks to allow more information to be provided to the Board. The motion died for lack of a second.

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

- A. SuccessMaker™ Software Upgrade – Henderson Middle School, Purchase Order No. 225153 (\$36,358.25), was approved from NCS Pearson, the sole source, in the amount of \$36,358.25 (copy of purchase order attached to the permanent file of these minutes).

B. Purchase Orders for Computer Equipment

1. Computers for Putnam Elementary School, Purchase Order No. 225161 (\$16,748.06), were approved for purchase from Dell Marketing LP, the lowest quote, in the amount of \$16,748.06 (copy of purchase order attached to the permanent file of these minutes).
2. Apple Computers for Henderson Middle School, Purchase Order No. 223599 (\$88,515.00), were approved for purchase from Apple Computer, the sole source, in the amount of \$88,515.00 (copy of purchase order attached to the permanent file of these minutes).
3. Apple Computers for Park Elementary School, Purchase Order No. 225328 (\$10,728.00), were approved for purchase from Apple Computer, the sole source, in the amount of \$10,728.00 (copy of purchase order attached to the permanent file of these minutes).
4. Apple Computers for Hornedo Middle School, Purchase Order No. 226286 (\$47,700.00), were approved for purchase from Apple Computer, the sole source, in the amount of \$47,700.00 (copy of purchase order attached to the permanent file of these minutes).

Meeting Closed (Item #19)

The meeting was recessed at 9:50 p.m. to a closed meeting by Mr. Wever under Sections 551.071 and 551.074 of the Texas Government Code as follows:

A. Personnel Appointments

1. Executive Director, Special Education
2. Principal, Jefferson High School

B. Consultation with School District Attorney Regarding Pending or Contemplated Litigation

2. Muntasser Alspini, Plaintiff v. El Paso Independent School District, Defendant; County Court at Law No. Three, El Paso County, Texas; Cause No. 2000-1066

The closed meeting started at 9:52 p.m. The closed meeting ended at 10:18 p.m.

Meeting Opened

The meeting was reassembled in Open Session at 10:19 p.m.

Personnel Appointment – Executive Director, Special Education (Item #19, A., 1.)

It was moved by Dr. Finke, seconded by Miss Garcia, and carried unanimously that the Board accept the Superintendent's recommendation to appoint Dr. Michael Kelly, Director of Special Education with the City of York School District in York, Pennsylvania, to the position of Executive Director, Special Education.

Personnel Appointment – Principal, Jefferson High School (Item #19, A., 2.)

It was moved by Miss Garcia and seconded by Mr. Rosales that the Board accept the Superintendent's recommendation to appoint Maria Ponce-Kreye, Assistant Principal at Coronado High School, to the position of Principal, Jefferson High School. Upon the vote, the motion failed with Mr. Rosales, Dr. Finke, and Miss Garcia voting in favor of the motion; Mr. Mena, Mr. Wever, and Dr. Roark voting against the motion; and Mr. Telles voting present.

Date Approved: February 12, 2002