

Minutes of Meeting of Board of Trustees
El Paso Independent School District
May 8, 2001
5:00 p.m.
Education Center-Boeing

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

The meeting was called to order at 4:59 p.m. by Dr. Roark. The Pledge of Allegiance was led by Mr. Hector Martinez, Associate Superintendent of Operations. Mr. Martinez also gave the Thought for the Day.

Report(s) from Outgoing Board of Trustees Member(s) (Item #1)

Ms. Gonzalez spoke about her tenure as a member of the EPISD Board of Trustees.

Canvassing of Votes and Declaring Results of May 5, 2001, Board of Trustees Election (Item #2)

Dr. Anzaldua presented for the Board's review the Order Canvassing Returns and Declaring Results of Trustee Election of the May 5, 2001, Board of Trustee Election for Districts 1, 3, and 4.

It was moved by Dr. Finke, seconded by Mr. Rosales, and carried unanimously that the Assistant Secretary's report and certification of election results be accepted (copy attached to the permanent file of these minutes); that the Order Canvassing Returns and Declaring Results of Trustee Election be adopted (copy attached to the permanent file of these minutes); and that the Board make the following declarations: (1) Richard R. Telles, Sr., District 1, is elected to the Board of Trustees; (2) Salvador M. Mena, Jr., District 3, is elected to the Board of Trustees; and (3) Leonor Garcia, District 4, is elected to the Board of Trustees, for a four-year term; and it was further moved, in accordance with the Order Declaring Unopposed Candidate Elected to the Office of Trustee for Position (District 5), that the Board declare that Dr. Charles E. Roark, District 5, is elected to the Board of Trustees for a four-year term.

Oath of Office to Board of Trustees Members (Item #3)

Judge Max Higgs administered the Oath of Office to Dr. Charles E. Roark, Trustee, District 5, and Miss Leonor Garcia, Trustee, District 4. Judge Phil Martinez administered the Oath of Office to Mr. Richard R. Telles, Sr., Trustee, District 1, and Mr. Salvador M. Mena, Jr., Trustee, District 3.

Reorganization of Board of Trustees (Item #4)

To comply with Board Policy BDA (Local), the next order of business was the reorganization of the Board by conducting the election officers.

Dr. Anzaldua asked for nominations for the office of president. Mr. Rosales nominated Mr. Dan Wever, and Miss Garcia nominated Dr. Gene Finke. It was moved by Mr. Wever, seconded Mr. Rosales, and carried unanimously that nominations for the office of president cease. Dr. Anzaldua called for the vote for the office of president. Mr. Wever, Mr. Mena, Dr. Roark, Mr. Telles, and Mr. Rosales, voted for Mr. Wever, and Miss Garcia and Dr. Finke voted for Dr. Finke. Mr. Wever was declared President of the Board of Trustees.

Mr. Wever assumed his position as president and asked for nominations for the office of vice president. Mr. Rosales nominated Dr. Gene Finke. It was moved by Dr. Roark, seconded by Miss Garcia, and carried unanimously that Dr. Finke be elected to the office of vice president by acclamation. Dr. Finke was declared Vice President of the Board of Trustees.

Mr. Wever asked for nominations for the office of secretary. Mr. Telles nominated Miss Leonor Garcia. It was moved by Mr. Telles, seconded by Mr. Rosales, and carried unanimously that Miss Garcia be elected to the office of secretary by acclamation. Miss Garcia was declared Secretary of the Board of Trustees.

Appointment of Assistant Secretary to the Board of Trustees (Item #5)

It was moved by Mr. Mena, seconded by Mr. Rosales, and carried unanimously that Superintendent Gilberto Anzaldua be named Assistant Secretary to the Board of Trustees.

Recognition of Regional Day School Program for the Deaf's Community Partners (Item #6)

The Regional Day School Program for the Deaf's community partners were recognized by the Board of Trustees for the assistance they provide to the Regional Day School Program for the Deaf program. A framed certificate was presented to each representative on behalf of the Board.

Recognition of Austin High School's Food Service Manager and Staff for Service and Professionalism During April 4, 2001, Natural Gas Leak Evacuation (Item #7)

Mrs. Bobbie Surowic, Food Service Manager at Austin High School, and her staff were recognized by the Board of Trustees for their professionalism and the service they provided to community residents on April 4, 2001, during an evacuation caused by a natural gas leak. An engraved plaque was presented to Mrs. Surowic and her staff on behalf of the Board.

Recognition of Coronado High School Administration by El Paso Municipal Police Officers Association for Support in Providing a Safe Environment for Students (Item #8)

Mr. Nick Cobos, Principal, Coronado High School, and Mr. Henry Dorantes, Assistant Principal, Coronado High School, were recognized by the El Paso Municipal Police Officers Association for their support in providing a safe environment for Coronado High School students. An engraved plaque was presented to each administrator on behalf of the El Paso Municipal Police Officers Association.

Presentation of 30-, 35-, and 40-Year Service Award Pins (Item #9)

District employees who were employed by the EPISD for 30, 35, and 40 years were recognized by the Board of Trustees and presented with service pins for their years of service. The names of the recipients are attached to the permanent file of these minutes.

Recognition of Retiree with Most Years of Service (Item #10)

Mr. Andres Salcido, Custodial Inspector, who was to be recognized by the Board of Trustees for 43 years of service to the El Paso ISD, was not present at the meeting.

Meeting Recessed

The meeting was recessed at 6:25 p.m. The meeting was reconvened at 6:42 p.m.

Public Forum (Item #11)

The following people requested to speak on Open Forum:

1. Mr. Jamey Douthit, Douthit House Moving, spoke about submitting bids on the relocation of portable classrooms.
2. Mr. Rick Little, Little Enterprises, spoke about the services his company currently provides in moving the District's portable classrooms.
3. Mr. Raul Garcia spoke about an alleged situation at a school during the May 5, 2001, election and the inaccessibility to restroom facilities.

Consent Agenda (Item #12)

It was moved by Dr. Roark, seconded by Dr. Finke, and carried unanimously that the items on the Consent Agenda be approved as listed including any recommended vendors for any amounts indicated.

A. Request to Implement Mandatory Uniform Dress Code – Putnam Elementary School

The Board approved a mandatory uniform dress code for Putnam Elementary School with an effective date to be 90 days from the date of approval by the Board.

B. Approval of Budget Amendment – State Compensatory Education (SCE) – Cordova Middle School Budget Transfer (\$3,000.00)

The Board approved a budget amendment to the 2000-01 fiscal year to amend the Cordova Middle School State Compensatory Education (SCE) budget in the amount of \$3,000.00. Armando Aguirre, Principal at Cordova Middle School, requested this amendment in a memo dated February 28, 2001. The amendment transfers funds from Staff Development Substitute Teachers to Instructional General Supplies. The transfer will allow Cordova to initiate an aggressive study skills program targeting students who are borderline passing the TAAS test.

C. Approval of Electric Company Easement – Portion of Tract 8A, A. F. Miller Survey #211 (Coronado High School), #01.515

The Board President was authorized to execute an El Paso Company Easement, #01.515, subject to the review and approval of the District's attorney, for a portion of Tract 8A, A. F. Miller Survey #211, as shown on the documentation presented, which is located on EPISD property at Coronado High School.

D. Construction Contract Awards

The Board approved the award of the following construction contracts, subject to the review and approval of the District's attorney, to the recommended construction contracting firms for the construction/installation of the projects described for the amounts indicated:

1. Hart Elementary School – New Library, #00.815 (\$513,488.87), was awarded to Silverton Construction Company, Inc. in the amount of \$513,488.87.
2. Tennis Court Improvements – Bowie High School, #00.978 (\$165,400.00), was awarded to W. R. Albert Construction, Inc. in the amount of \$165,400.00.

E. Water Works Construction Fees to PSB (Public Service Board) for Fire Hydrant Installation – Hart Elementary School - New Library, #00.815 (\$37,026.10)

The Board approved the payment of water works construction fees for Construction Contract #00.815, Fire Hydrant Installation – Hart Elementary School - New Library, subject to the review and approval of the District's attorney, to the PSB (Public Service Board) in the amount of \$37,026.10.

F. Professional Services Contract Award – Quality Assurance (Material) Testing Services - Josephine F. Barron Elementary School, #01.680 (\$23,784.00)

The Board approved the award of Professional Services Contract #01.680 to Raba-Kistner Consultants, Inc., subject to the review and approval of the District's attorney, to conduct quality assurance (material) testing services in connection with Josephine F. Barron Elementary School in the amount of \$23,784.00.

G. Bid Requiring Board Approval – Audio Visual Equipment Bid #22-01 (\$135,013.16)

Audio Visual Equipment Bid #22-01 was awarded to the following vendors in the amounts indicated: AVES, Items 6-7 and 12, \$27,561.60, net; Du Motion, Items 5, 10, and 11, \$43,576.00, 1 percent 10/net 30; Gorman Distributors, Item 3, \$5,166.00, net; Heffernan Audio Visual, Items 1 and 4, \$5,756.00, net; Office Depot, Item 14, \$978.00, net; and Troxell Communications, Items 2, 8, 9, and 13, \$51,975.56, net, for a total amount of \$135,013.16, with \$67,506.58 of the total amount being subject to the approval of the 2001-02 budget.

H. April Personnel Report

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

Proposed Board Policies (Item #13)

A. COC (Local), Food Services Management; Vending Machines

Mr. Hector Martinez, Associate Superintendent of Operations, provided information on proposed Board Policy COC (Local). He advised that revisions had been made to the information that was distributed to the Board in their packets and that some of the provisions included in COC (Local) will be addressed in an additional proposed policy, CO (Local), Food Services Management. Both policies will address vending machine services at all District campuses.

There was discussion regarding information on specific drinks that had been included with the original documents but were eliminated in the revised information; concerns with referring to products by brand name; and providing more time for the Board to review the proposed revisions to the policy.

It was moved by Dr. Roark and seconded by Mr. Telles that action on proposed Board Policy COC (Local), Food Services Management; Vending Machines, be postponed until the May 22, 2001, Board meeting in order for clarification to be provided to the Board.

The following people requested to speak to this item:

1. Dr. Darrell Williams, Texas Tech Health Science Service Center – El Paso, spoke in favor of the recommendations to the policy that were provided by the Coalition for Healthy Eating in Schools.
2. Ms. Rita Hadersbeck, school nurse at Mesita Elementary School, spoke on behalf of the recommendations from the Coalition for Healthy Eating in Schools and encouraged participation in wellness programs.
3. Mr. Tommy Tinajero, Paso del Norte Foundation, spoke about the results of soda consumption and requested that the Coalition for Healthy Eating in Schools be provided a copy of the final recommendations to the policy that were being presented by the administration.

Upon the vote, the motion carried unanimously.

B. DNB (Local), Performance Appraisal: Evaluation of Other Professional Employees

Mr. Luis Villalobos, Executive Director, Communications and Business Partnerships, advised that this new policy addresses the consideration that written evaluations of a professional employee's performance can be considered in decisions affecting contract status.

It was moved by Dr. Roark and seconded by Dr. Finke that action on proposed Board Policy DNB (Local), Performance Appraisal: Evaluation of Other Professional Employees, be postponed until the May 22, 2001, Board meeting and that information be provided to the Board on the reasons that an exception is being provided for probationary contract employees.

Mr. Wever inquired about whether the proposed policy had been reviewed by the El Paso Consultation Association.

Dr. Roark amended his motion to read that action on proposed Board Policy DNB (Local), Performance Appraisal: Evaluation of Other Professional Employees, be postponed until the second meeting in June 2001 or until after the El Paso Consultation Association has had an opportunity to review the policy. Mr. Telles seconded the amendment.

The amended motion reads as follows:

that action on proposed Board Policy DNB (Local), Performance Appraisal: Evaluation of Other Professional Employees, be postponed until the second meeting in June 2001, or until after the El Paso Consultation Association has had an opportunity to review the policy, and that information be provided to the Board on the reasons that an exception is being provided for probationary contract employees.

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

Approval of Procurement/Delivery Method for Construction Contract Exceeding \$25,000.00 – 2000 Roof Replacement - Charles Middle School, #01.068

It was moved by Dr. Roark, seconded by Mr. Rosales, and carried unanimously that the competitive bid process be utilized for Project No. 01.068, 2000 Roof Replacement - Charles Middle School, 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.

Approval of Extension of Agreement to Provide Audit Services for 2000-01 Fiscal Year (Item #15)

Dr. Anzaldua advised that this will be the third and final extension on the agreement with KPMG, LLP, the District's external auditors. Following the audit for the 2000-01 fiscal year, the District will issue a new RFP (request for proposal) for external audit services.

It was moved by Mr. Rosales, seconded by Dr. Finke, and carried unanimously that the Board approve the third and final year option to extend the agreement with KPMG, LLP, for audit services for fiscal year 2000-01 for the estimated amount of \$76,500.00.

Approval of Lost Textbook Payment and/or Replacement from TEA or Publishers/Depositories (Item #16)

There was discussion on the possibility of differentiating between textbooks being purchased to replace "lost" textbooks and the purchase of "new" textbooks and the process to collect for lost textbooks.

It was moved by Miss Garcia and seconded by Mr. Rosales that the Board approve the payment for lost and/or replacement textbooks and the additional estimated expenditure for future reimbursements and/or replacement as follows:

- A. Lost Textbook Replacement, Purchase Order Nos. 214717, 214728, 214729, and 2147390 (\$39,971.01), as follows: Southwest School Book Depository, Inc., Purchase Order No. 214727, in the amount of \$19,706.74; McDougal Little, Purchase Order No. 214728, in the amount of \$7,286.04; Glencoe/McGraw-Hill Publishing, Purchase Order No. 214729, in the amount of \$7,733.48; and Houghton Mifflin Co., Purchase Order No. 214730, in the amount of \$5,244.75, for a total amount of \$39,971.01 (copy of purchase orders attached to the permanent file of these minutes).
- B. Additional Estimated Expenditure for Future Reimbursements and/or Replacement Orders (approx. \$167,410.99), from either the Texas Education Agency or the publishers/depositories listed, as dictated by the results of the annual textbook inventory (copy of publishers/depositories list attached to the permanent file of these minutes).

Upon the vote, the motion carried with Dr. Roark voting against the motion.

Purchase Orders for Computer Equipment Requiring Board Approval (Item #17)

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

- A. Apple Computer Equipment for Magoffin Middle School, Purchase Order No. 209204 (\$35,701.00), was approved for purchase from Apple Computer, the sole source, in the amount of \$35,701.00 (copy of purchase order attached to the permanent file of these minutes).
- B. Apple Computer Equipment for Bassett Middle School, Purchase Order No. 210942 (\$39,883.00), was approved for purchase from Apple Computer, the sole source, in the amount of \$39,883.00 (copy of purchase order attached to the permanent file of these minutes).
- C. Apple Computers for Henderson Middle School, Purchase Order No. 211342 (\$15,984.00), were approved for purchase from Apple Computer, the sole source, in the amount of \$15,984.00 (copy of purchase order attached to the permanent file of these minutes).
- D. Apple Computers for Zavala Elementary School, Purchase Order No. 211524 (\$9,768.00), were approved for purchase from Apple Computer, the sole source, in the amount of \$9,768.00 (copy of purchase order attached to the permanent file of these minutes).
- E. Apple Wireless Mobile Lab for Coldwell Elementary School, Purchase Order No. 210567 (\$16,199.00), was approved for purchase from Apple Computer, the sole source, in the amount of \$16,199.00 (copy of purchase order attached to the permanent file of these minutes).
- F. Apple Wireless Mobile Lab for Stanton Elementary School, Purchase Order No. 211505 (\$25,209.00), was approved for purchase from Apple Computer, the sole source, in the amount of \$25,209.00 (copy of purchase order attached to the permanent file of these minutes).

- G. Technology Equipment for Bassett Middle School, Purchase Order No. 209101 (\$8,271.89), was approved for purchase from Hewlett Packard Co., the lowest quote, in the amount of \$8,271.89 (copy of purchase order attached to the permanent file of these minutes).
- H. PC Computers for Austin High School, Purchase Order No. 211336 (\$6,733.08), were approved for purchase from Dell Marketing LLP, the lowest quote, in the amount of \$6,733.08 (copy of purchase order attached to the permanent file of these minutes).
- I. PC Computers for Bradley Elementary School, Purchase Order No. 214711 (\$6,750.00), were approved for purchase from Desert Communications, Inc., the lowest quote, in the amount of \$6,750.00 (copy of purchase order attached to the permanent file of these minutes).
- J. PC Computers for Special Services, Purchase Order No. 214712 (\$6,750.00), were approved for purchase from Desert Communications, Inc., the lowest quote, in the amount of \$6,750.00 (copy of purchase order attached to the permanent file of these minutes).
- K. PC Computers for Lindbergh Elementary School, Purchase Order No. 214713 (\$9,592.00), were approved for purchase from Desert Communications, Inc., the lowest quote, in the amount of \$9,592.00 (copy of purchase order attached to the permanent file of these minutes).
- L. PC Computers for Rusk Elementary School, Purchase Order No. 214714 (\$6,750.00), were approved for purchase from Desert Communications, Inc., the lowest quote, in the amount of \$6,750.00 (copy of purchase order attached to the permanent file of these minutes).
- M. Mobile Writing Labs for Stanton Elementary School, Purchase Order No. 215020 (\$12,542.93), were approved for purchase from ClassroomDirect.com, the lowest quote, in the amount of \$12,542.93 (copy of purchase order attached to the permanent file of these minutes).
- N. Printers for Andress, Bowie, and Coronado High Schools, Purchase Order No. 214018 (\$10,815.00), were approved for purchase from Amherst Computer Products, the lowest quote, in the amount of \$10,815.00 (copy of purchase order attached to the permanent file of these minutes).

Item Withdrawn

It was announced that item no. 18, C., 1., Personnel Appointments – Associate Superintendent, Human Resources, had been withdrawn from the agenda.

Meeting Closed (Item #18)

The meeting was recessed at 7:34 p.m. to a closed meeting by Mr. Wever under Sections 551.071, 551.074, and 551.082 of the Texas Government Code as follows:

- A. Appeal of Student AEP Placement – H. R.

B. Grievance Hearings

1. Stanton Bulloch, Teacher, El Paso High School
2. Arlene Sonnen, Facilitator, Staff Development

C. Personnel Appointments

2. Principal, Kohlberg Elementary School
3. Director, Gifted and Talented, Curriculum, Instruction and Assessment

D. El Paso ISD vs. Eugenio R. Hinojosa, Jr., TEA Docket No. 084-LH-401

E. Consultation with School District Attorney Regarding Contemplated Litigation – Contractual Disputes Regarding the Completion of Moreno Elementary School, #93.734

The closed meeting started at 7:40 p.m. The closed meeting ended at 8:18 p.m.

Meeting Opened

The meeting was reassembled in Open Session at 8:18 p.m.

Appeal of Student AEP Placement – H. R. (Item #18, A.)

It was moved by Miss Garcia and seconded by Mr. Telles that H. R. be placed in the alternative program at Morehead Middle School, with a contract to be written to include information and penalties for not following the contract stipulations, and if other disciplinary infractions occur, then an alternate placement will be made for H. R. through December 2001. Upon the vote, the motion carried with Dr. Roark voting against the motion.

Meeting Closed

The meeting was again recessed at 8:22 p.m. to a closed meeting under the authority previously cited. The closed meeting started at 8:25 p.m. The closed meeting ended at 9:00 p.m.

Meeting Opened

The meeting was reassembled in Open Session at 9:00 p.m.

Grievance Hearings – Stanton Bulloch, Teacher, El Paso High School (Item #18, B., 1.)

It was moved by Dr. Finke and seconded by Mr. Rosales that the Board uphold the Superintendent's Step 4 responses to the grievance filed by Stanton Bulloch. Upon the vote, the motion carried with Dr. Roark and Mr. Wever voting against the motion.

Meeting Closed

The meeting was again recessed at 9:01 p.m. to a closed meeting under the authority previously cited. The closed meeting started at 9:03 p.m. The closed meeting ended at 9:27 p.m.

Meeting Opened

The meeting was reassembled in Open Session at 9:27 p.m.

Grievance Hearings – Arlene Sonnen, Facilitator, Staff Development (Item #18, B., 2.)

It was moved by Dr. Finke and seconded by Dr. Roark that the Board reject the Superintendent's recommendation in the grievance filed by Arlene Sonnen.

In response to a question from Mr. Wever, Dr. Roark clarified that the intent of the motion is to grant the grievant's request for payment in the amount of \$2,700.00.

Upon the vote, the motion carried unanimously.

Meeting Closed

The meeting was again recessed at 9:30 p.m. to a closed meeting under the authority previously cited. The closed meeting started at 9:35 p.m. The closed meeting ended at 9:45 p.m.

Meeting Opened

The meeting was reassembled in Open Session at 9:45 p.m.

Personnel Appointments – Principal, Kohlberg Elementary School (Item #18, C., 2.)

It was moved by Mr. Mena, seconded by Mr. Telles, and carried unanimously that the Board accept the Superintendent's recommendation to appoint Steven Lane, Assistant Principal at Ross Middle School, to the position of Principal, Kohlberg Elementary School.

Personnel Appointments – Director, Gifted and Talented, Curriculum, Instruction and Assessment (Item #18, C., 3.)

It was moved by Miss Garcia, seconded by Mr. Telles, and carried unanimously that the Board accept the Superintendent's recommendation to appoint Fara Green, Certification Officer in Human Resources, to the position of Director of Gifted and Talented, Curriculum, Instruction and Assessment.

El Paso ISD vs. Eugenio R. Hinojosa, Jr., TEA Docket No. 084-LH-0401 (Item #18, D.)

It was moved by Dr. Finke, seconded by Mr. Rosales, and carried unanimously that the Board approve the settlement proposal made by Eugenio Hinojosa.

Consultation with School District Attorney Regarding Contemplated Litigation – Contractual Disputes Regarding the Completion of Moreno Elementary School, #93.734 (Item #18, E.)

It was moved by Mr. Mena and seconded by Mr. Rosales that the Board authorize the law firm of Mounce, Green, Myers, Safi & Galatzan, P.C. to proceed with litigation, if necessary, in this matter. Upon the vote, the motion carried with Dr. Roark voting against the motion.

Retaining Additional Legal Counsel in Connection with Upcoming Grievance Hearing (Item #19)

It was moved by Mr. Mena, seconded by Miss Garcia, and carried unanimously that the Board authorize the Superintendent and the Board President to obtain additional legal counsel, if needed, for an upcoming grievance hearing.

Meeting Adjourned

The meeting was adjourned at 9:50 p.m.

Date Approved: July 10, 2001