

Minutes of Meeting of Board of Trustees
El Paso Independent School District
April 24, 2001
5:00 p.m.
Education Center-Boeing

Present: Dr. Charles Roark, President
Ms. Ada Gonzalez, Vice President¹
Mr. Richard Telles, Secretary²
Dr. Gene Finke
Miss Leonor Garcia
Mr. Joe Rosales
Mr. Dan Wever
Dr. Gilberto Anzaldua, Superintendent
Mr. Anthony Safi, School District Attorney

The meeting was called to order at 5:03 p.m. by Dr. Roark. The Pledge of Allegiance was led by Mr. Gus Reveles, a reporter with the *El Paso Times*.

Public Forum (Item #2)

There were no speakers on Open Forum.

Consent Agenda (Item #3)

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

Dr. Finke - Item 3, A., 2., Approval of Minutes – March 13, 2001, and March 27, 2001, Meetings of the Board of Trustees

Miss Garcia - Item 3, C., Construction Contract Award – Districtwide Modular Campus (relocate from White Elementary School to Guerrero Elementary School and Dr. Nixon Elementary Schools), #00.989 (\$493,000.00)

Questions on Approval of Minutes – March 13, 2001, and March 27, 2001, Meetings of the Board of Trustees (Item #3, A., 2.)

Dr. Finke, referring to the minutes of the March 13, 2001, Board meeting, inquired about the renewal of the agreement with Region 19 Education Service Center for the Migrant Education Shared Services Arrangement for 2001-02 being postponed until the second Board meeting in April 2001. Dr. Anzaldua advised that the item will probably be brought back to the Board at the May 8, 2001, Board meeting.

¹ Ms. Gonzalez arrived at 5:20 p.m., during discussion on Item #4.

² Mr. Telles departed at 8:55 p.m., following the closed meeting for Item #18.

Questions on Construction Contract Award – Districtwide Modular Campus (relocate from White Elementary School to Guerrero Elementary School and Dr. Nixon Elementary Schools), #00.989 (\$493,000.00) (Item #3, C.)

Miss Garcia questioned the cost of the modular building. Mr. Hector Martinez, Associate Superintendent of Operations, advised that the original construction cost of the modular buildings at White Elementary School was approximately \$4.5 million and that he would need to provide information on the cost for an individual building at a later ate. He stated that relocating the modular buildings is more economically viable than constructing new buildings.

It was moved by Mr. Telles, 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. March 13, 2001, Board's Employee Health/Insurance Committee Meeting and March 13, 2001, Board Finance Committee Meeting
2. March 13, 2001, and March 27, 2001, Meetings of the Board of Trustees

The Board approved the minutes of the March 13, 2001, Board's Employee Health/Insurance Committee meeting; the March 13, 2001, Board Finance Committee meeting; and the March 13, 2001, and the March 27, 2001, meetings of the Board of Trustees.

B. Approval of Human Resources Administrator to Sign Teacher Service Records

The Board authorized Carolyn Grantham, Director of Elementary Personnel in Human Resources, to sign Teacher Service Records.

C. Construction Contract Award – Districtwide Modular Campus (relocate from White Elementary School to Guerrero Elementary School and Dr. Nixon Elementary Schools), #00.989 (\$493,000.00)

The Board approved the award of Construction Contract #00.989, Districtwide Modular Campus, subject to the review and approval of the District's attorney, to Dantex Construction Co., Inc. in the amount of \$493,000.00.

D. Extension of Construction Contracts

The Board approved the time extension of an additional 365 days, or until the value of the contracts are reached, for the following construction contracts:

1. Districtwide Gas Piping Pressure Testing/Replacement, #00.832, was extended with Mustang, Inc. for the period of June 1, 2001, through May 31, 2002.
2. Districtwide Gas Piping Pressure Testing/Replacement, Phase 2, #00.888, was extended with Thermodyn Contractors for the period of July 11, 2001, through July 10, 2002.

E. Approval of Budget Amendments

The Board approved the following amendments to the 2000-01 fiscal year budget:

1. Bonham Elementary School Budget Transfer (\$756.00). The purpose of this item is to amend the Bonham Elementary School budget in the amount of \$756.00. Sylvia S. Haynes, Principal at Bonham Elementary School, requested this amendment in a memo dated March 15, 2001. This amendment transfers funds that are not longer needed in Staff Development to purchase instructional materials.
2. ESEA Title I, Part A – Bonham Elementary School Budget Transfer (\$800.00). The purpose of this item is to transfer funds in the amount of \$800.00. Sylvia S. Haynes, Principal at Bonham Elementary School, requested this amendment in a memo dated March 14, 2001. This amendment will transfer budgeted funds from Miscellaneous Operating Costs to Instructional Supplies.
3. ESEA Title I, Part A – Cordova Middle School Budget Transfer (\$6,850.00). The purpose of this item is to transfer funds in the amount of \$6,850.00. Armando Aguirre, Principal at Cordova Middle School, requested this amendment in a memo dated March 12, 2001. This amendment will transfer budgeted funds from Travel to Instructional Supplies.
4. ESEA Title I, Part A – Irvin High School Budget Transfer (\$2,500.00). The purpose of this item is to transfer funds in the amount of \$2,500.00. Mark Rupcich, Principal at Irvin High School, requested this amendment in a memo dated March 12, 2001. This amendment will transfer budgeted funds from Substitute Teachers and Travel to Instructional Supplies.

F. Bids and Purchase Order Requiring Board Approval

The Board approved the following bids and purchase order to the recommended vendors in the amounts indicated:

1. Newspaper Advertising & Publication Rates RFP #24-01 (approx. \$45,000.00) was awarded to *El Paso Times, Inc.*, the vendor providing the best overall service and value to the District, in the estimated annual amount of \$45,000.00 (copy of bid tabulation attached to the permanent file of these minutes).
2. 2-Way Mobile Radios Bid #14-01 (\$30,700.00) was awarded to R. T. C., Inc. in the amount of \$30,700.00 (copy of bid tabulation attached to the permanent file of these minutes).
3. 2001-2002 School Individual Pictures Bid #17-01 was awarded to Campos School Portraits, L. A. Flores Photography, Lifetouch, Stewart Photography, and Visual Sports Network to provide individual school pictures for the elementary, middle, and high schools with the selection of vendor to be made by each school principal (copy of bid tabulation attached to the permanent file of these minutes).

4. Pen, Pencil, and Visual Aid Pens Bid #20-01 (\$36,298.44) was awarded to the following vendors in the amounts indicated: Corporate Express, Item 3, \$324.00, net; Office Depot, Items 1, 2, and 4-7, \$4,862.88, net; Pyramid, Items 8, 15, and 20, \$14,233.20, net; and Standard Stationery Supply, Items 8-14, 16-19, and 21-23, \$16,878.36, net, for a total amount of \$36,298.44 (copy of bid tabulation attached to the permanent file of these minutes).
5. Fertilizer and Grass Seed Bid #21-01 (\$49,085.00) was awarded to Ewing Irrigation in the amount of \$17,060.00 and Helena Chemical Co. in the amount of \$32,025.00, for a total amount of \$49,085.00 (copy of bid tabulation attached to the permanent file of these minutes).
6. Math Instructional Materials for Houston Elementary School, Purchase Order No. 211809 (\$27,511.18) were approved for purchase from Scott Foresman in the amount of \$27,511.18 (copy of purchase order attached to the permanent file of these minutes).

G. February/March Report of JJAEP Placements not Appealed to the Board of Trustees

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

Awards to April Employees of the Month (Item #1)

Ms. Inez Escobedo, teacher at Hart Elementary School, was recognized by the Board of Trustees as April's Certified Employee of the Month; and Mr. Henry Ochoa, paraprofessional at Guerrero Elementary School, was recognized as April's Non-Certified Employee of the Month. Each was presented with an engraved plaque and a check in the amount of \$150.00.

Arrival of Board Member

Ms. Gonzalez arrived at 5:20 p.m. and was present to vote in any subsequent action by the Board of Trustees.

Public Hearing and Approval of Amendment to Agreement Between EPISD and Texas Tech University Health Sciences Center at El Paso, State of Texas, for Pediatric Clinical Services at Wainwright Elementary School (School-Based Family Resource Center) (Item #4)

Ms. Judy Hunter, Assistant Director, Health Services, advised that Board Policy FFAE (Legal) states that before the District can expand or change the health care services available to a School-Based Health Center from those services that were available on January 1, 1999, the Board of Trustees must hold a public hearing. A public hearing provides an opportunity for public comment and disclosure of all information on the proposed health care services.

Ms. Rosie Higgs, Nurse/Administrator, Wainwright Family Resource Center (WFRC), reviewed the health care services provided at the WFRC for all EPISD students, 3 to 18 years of age, and their younger siblings. Ms. Hunter reviewed information on federal laws related to information that is kept confidential from parents and the accessibility of medical records to

parents; information concerning grant funds to be used; the titles of persons who will have access to student medical records; and security measures that will be used at the WFRC to protect the privacy of students' medical records.

Ms. Marsha Lawler, Associate Superintendent, Curriculum, Instruction and Assessment (CI&A), advised that a public meeting was also held on April 18, 2001, at Wainwright Elementary School which also delineated the changes to the services provided at the WFRC.

It was moved by Dr. Finke, seconded by Ms. Gonzalez, and carried unanimously that the Board approve the amended agreement between the EPISD and Texas Tech University Health Sciences Center at El Paso, State of Texas, for expanded clinical services at the School-Based Family Resource Center at Wainwright Elementary School.

Approval of Funding to EPISD Students' Participation in Community Scholars Program (approx. \$76,000.00) (Item #5)

Dr. Anzaldua provided information on the Community Scholars Program, which is a countywide leadership program that involves junior and senior high school students. He advised that the cost to support the program is approximately \$6,800.00 per student, and if the Board approves the funding of the program for EPISD students, a corresponding budget amendment will need to be brought back to the Board for approval.

It was moved by Mr. Rosales, seconded by Mr. Wever, and carried unanimously that the Board approve the expenditure of approximately \$76,000.00 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 Summer School Materials for Mathematics Instruction, Grades 1 – 8 (\$71,526.55) (Item #6)

Ms. Marsha Lawler, Associate Superintendent, Curriculum, Instruction and Assessment (CI&A), advised that these materials will fill a deficit that exists in the materials available for summer school math instruction. She stated that the effectiveness of these materials will be evaluated this summer.

It was moved by Mr. Telles, seconded by Mr. Rosales, and carried unanimously that *Moving with Math* materials for the summer school mathematics classes be approved for purchase from Math Teachers Press, Inc., the sole source, in the amount of \$71,526.55 (copy of materials list attached to the permanent file of these minutes).

Presentation of Employee Retention Study – *Employee Dropouts: Professional Leavers in EPISD 1996-2000* and Approval of Recommendations for Retention of Employees (Item #7)

Ms. Marsha Lawler, Associate Superintendent, Curriculum, Instruction and Assessment (CI&A), and Mr. Tim Holt, Evaluator, Research and Evaluation, provided information on an Employee Retention Study that was conducted by the District. Ms. Lawler reviewed the reasons that employees voluntarily leave the District and provided recommendations on ways to retain and recruit teachers.

There was discussion on where employees were relocating; providing a comparison of compensation paid in school districts countywide; and how the District is going to address the issue of employee leavers.

Dr. Anzaldúa commented on incentives the Board could consider to encourage employees to remain with the District; communicating information to the school sites on employee recognitions; and encouraging employees to read the *AdCom*, an internal District publication.

Discussion continued on professional development for administrators and establishing a teacher mentor program; new teachers transitioning from a university to the classroom; demonstrating the value of teachers; providing better compensation; the District's current workforce nearing retirement age; recruiting people to EPISD; working with UTEP (University of Texas at El Paso) on an alternative certification program; and providing a defrayed tuition for paraprofessionals to earn a teaching degree.

It was moved by Mr. Telles and seconded by Dr. Finke that the Board approve the recommendations for the retention of professional employees, as delineated in the EPISD study *Employee Dropouts Professional Leavers in EPISD 1996-2000*, provided that any recommendations having a fiscal impact or requiring an interlocal agreement be brought back to the Board for specific approval at a future meeting.

Ms. Gonzalez suggested that the establishment a teachers' task force be added to the list of recommendations.

Mr. Telles agreed to the amendment.

The amended motion reads as follows:

that the Board approve the recommendations for the retention of professional employees, as delineated in the EPISD study *Employee Dropouts Professional Leavers in EPISD 1996-2000*, with the addition of a recommendation that a teacher task force be formed, and that the District look into the state program that assists with college tuition for paraprofessionals seeking to become teachers, provided that any recommendations having a fiscal impact or requiring an interlocal agreement be brought back to the Board for specific approval at a future meeting.

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

Revisions to Board Policy FMC (Local), Student Activities: Organizations and Clubs (Item #8)

Mr. Luis Villalobos, Executive Director, Communications and Business Partnerships, advised that the revisions to FMC (Local) include additional language for prohibiting certain types of student clothing on campus and the assurance that information on the prohibitions is clearly communicated to the students and parents.

Miss Garcia questioned the word "evidence" in the new language, and there was discussion that the word "signify" more clearly states the intent of the policy.

It was moved by Miss Garcia and seconded by Mr. Wever that the revisions to Board Policy FMC (Local), Student Activities: Organizations and Clubs, be approved with the use of word “signify” instead of “evidence.”

Discussion followed on the term “gang” not being used derogatorily; the policy addressing the clothing that signifies the negative aspects of gang affiliation; the connotation of “gangs;” and whether the policy stipulates that actual clothing or photographs will be displayed. Mr. Safi provided information on the definition of a “gang” as provided in the Education Code. He advised that legislation has branded the term with a negative connotation. He stated that he believed the intent of the policy was that a list is to be posted which will provide a description of the prohibited apparel.

Dr. Roark recommended that the motion be amended to include that the phrase “a list of” be placed before the words “specific examples” (relating to examples of prohibited apparel). Ms. Gonzalez and Mr. Wever accepted the amendment.

The amended motion reads as follows:

that the revisions to Board Policy FMC (Local), Student Activities: Organizations and Clubs, be approved with the use of word “signify” instead of “evidence” and the inclusion of the phrase “a list of” being placed before the words “specific examples” (relating to examples of prohibited apparel) (copy attached to the permanent file of these minutes).

There was further discussion on the policy dictating the notification process for students and parents and providing each campus the flexibility to identify prohibited apparel associated that school community.

Dr. Roark clarified that the motion stipulates that each campus principal shall post at his or her campus a list of specific examples of clothing and other items that are prohibited due to them signifying membership in a gang.

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

Nomination of Trustee to Fill Position on TASB Board of Trustees (Item #9)

It was moved by Mr. Wever, seconded by Miss Garcia, and carried unanimously that Dr. Gene Finke be nominated to fill the position in District 19 on the TASB (Texas Association of School Boards) Board of Trustees, which will be vacated by Ms. Ada Gonzalez.

District’s Participation in Litigation Affecting Plaintiff Intervenor’s Position on School Finance System Equity Issues and Authorization for Plaintiff Intervenor’s Committee to Select Legal Counsel for Any Such Litigation (Item #10)

Dr. Anzaldua provided information on the *Edgewood* school finance litigation, and the “Robin Hood” bill passed by the Texas Legislature in 1993-94. This Bill established Chapter 41 districts, which are property rich school districts, and redistributed the wealth in an attempt to equalize the difference between high property wealth districts and low property wealth districts. He stated that approximately 130-150 Chapter 41 districts have filed a lawsuit to reverse all of the provisions of the “Robin Hood” bill. Dr. Anzaldua advised that EPISD has been asked to participate as an intervenor to keep the bill’s provisions as they currently exist.

It was moved by Mr. Wever, seconded by Miss Garcia, and carried unanimously that the Board authorize the EPISD's participation in any litigation affecting the Alvarado Plaintiff-Intervenors' position on equity issues and authorize the Plaintiff Intervenors Committee to select counsel for any such litigation.

Salary and Wages for the Early Release of Employees as a Result of Gas Leak on April 4, 2001, and High Wind Advisory on April 10, 2001 (Item #11)

It was moved by Miss Garcia and seconded by Mr. Wever that the Board approve the administration's recommendations on the handling of lost work hours due to a gas leak emergency on April 4, 2001, and a high wind advisory on April 10, 2001 (copy of recommendations attached to the permanent file of these minutes).

Dr. Anzaldua stated that the majority of staff and hourly employees were available to work on these dates but were unable to because of unsafe conditions. He advised that the Fair Labor Standards Act does not restrict the District from requiring hourly employees to make up lost hours, but in order to be fair to all employees, he recommended that the Board approve the administration's recommendation regarding the lost hours on those dates.

The following person requested to speak to this item:

1. Ms. Frances Wever, President, El Paso Federation of Teachers and Support Personnel, commended the District on the protection of its employees and students and in support of the employees not being punished for situations that were beyond their control.

Meeting Closed

The meeting was recessed at 6:36 p.m. to a closed meeting by Dr. Roark under Section 551.071 of the Texas Government Code for legal advice.

The closed meeting was opened at 6:40 p.m. The closed meeting ended at 6:48 p.m.

Meeting Opened

The meeting was reassembled in Open Session at 6:48 p.m.

Dr. Roark advised that the Board is interested in a policy being developed regarding emergency situations and the policy being brought back to the Board at a future date.

Upon the vote, the motion carried unanimously.

Discussion and Possible Action on Financial Exigency and Preliminary Budget Forecast for 2001-02 (Item #12)

Dr. Anzaldua provided information on the District's finances and the preliminary budget forecast for 2001-02. He reviewed external and internal factors that might reduce budget flexibility in District programs, services, or personnel. He advised that there are continuing Workers' Compensation claims totaling approximately \$2.4 million; critical and unanticipated utility costs totaling \$4.5 million; unanticipated capital expenditures, such as mold and

asbestos cleanup; uncertainty of state funding for pay increases; and deferred maintenance, with \$4 million in Priority One issues. Dr. Anzaldua added that Priority 2 projects in the facility study total approximately \$200 million and that no money is available at this point for pay increases.

Discussion followed on no new revenue sources being available; funds that might become available from the lead-based paint lawsuit being filed by several school districts; funds requested through the E-Rate application; reducing Workers' Compensation claims; information being provided to the Board on program and personnel changes anticipated due to financial exigency; the confidential, individual appraisal forms on each principal being made available to the Board members; and information being provided on staffing areas and programs that might be eliminated.

It was moved by Mr. Telles, seconded by Dr. Finke, and carried unanimously that the Board, pursuant to all applicable provisions of the Texas Education Code (including Sections 21.157 and 21.211) and policies of the El Paso Independent School District, finds that a need for financial exigency and/or a need for program and/or personnel changes exists and directs the Superintendent to take the appropriate action in response to the declared finding by consideration of program and/or personnel expenditures for reduction, reallocation and/or elimination and to bring specific recommendations back to the Board at a future meeting.

Approval of Resolution Designating Temporary Investment Officer and Resolution Amending Authorized Representatives for the Texas Local Government Investment Pool (TexPool)
Item #13)

It was moved by Mr. Wever, seconded by Mr. Telles, and carried unanimously that the Board approve the Resolution designating the Superintendent as an investment officer of the EPISD; and the Resolution Amending authorized Representatives for the Texas Local Government Investment Pool (TexPool) which designates the Superintendent as an authorized representative of the District.

Approval of Additional Funding for 2000-01 Electricity Budget (approx. \$410,600.00)
(Item #14)

It was moved by Mr. Wever, seconded by Mr. Telles, and carried unanimously that the Board approve the award of electricity services to El Paso Electric Company, the sole source utility in the El Paso area, subject to the review and approval of the District's attorney, for an estimated annual amount of \$7.1 million, contingent upon a conforming budget amendment being brought to the Board of Trustees for approval.

Professional Services Contract Award – Park Town School Project (Aoy and Roosevelt Elementary Schools), #01.516 (\$279,100.00) (Item #15)

It was moved by Mr. Telles, seconded by Mr. Rosales, and carried unanimously that the Board approve the award of Professional Services Contract #01.516 to Lucero Melendez Architects, subject to the review and approval of the District's attorney, for the preparation of plans, specifications, bid documents and other additional program elements as may be required for the construction of the Park Town School Project (Aoy and Roosevelt Elementary Schools) for a Basic Services Fee in the estimated amount of \$279,100.00, with additional services listed in the contract to be paid at established hourly rates only if authorized in writing by the owner for services that the owner cannot provide.

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

Questions on RFP and Purchase Orders Requiring Board Approval – Apple Wireless Computer Lab at Hawkins Elementary School, Purchase Order No. 211120 (\$23,226.00) (Item #16, B., 6.)

Mr. Wever commented on the innovative rationale for purchasing new computer equipment at Hawkins Elementary School.

RFP and Purchase Orders Requiring Board Approval – PC Computers for Beall Elementary School, Purchase Order No. 211070 (\$13,113.84) (Item #16, B., 13.)

Mr. Wever questioned the need to spend \$5,000.00 for specialized, flat-screen monitors for a half-size classroom at Beall Elementary School. Ms. Gloria Vega, Principal, Beall Elementary School, stated that 15-20 students will work at eight tables with eight computers; that there will be In-Focus machines, scanners, and hands-on equipment in the mini lab; and that there will be no room available for the monitors.

It was moved by Mr. Telles and seconded by Ms. Gonzalez that PC computers for Beall Elementary School, Purchase Order No. 211070, be approved for purchase from Dell Marketing LP, the lowest quote, in the amount of \$13,113.84.

Discussion followed on the possibility of personnel from the Operations Unit reconfiguring the classroom to make more space available; using the \$5,000.00 to purchase more technology equipment; how the computers will be set up; and personnel from Technology and Information Systems reviewing the situation.

It was moved by Dr. Finke and seconded by Mr. Wever that the motion to approve PC computers for Beall Elementary School, Purchase Order No. 211070, for purchase from Dell Marketing LP, the lowest quote, in the amount of \$13,113.84 be postponed for one week in order for the administration to look at different options. Upon the vote, the motion carried with Ms. Gonzalez voting against the motion.

It was moved by Mr. Wever, seconded by Miss Garcia, and carried unanimously that the following RFP and purchase orders be approved to the following vendors in the amounts indicated:

- A. Telecommunication Cabling Moves, Adds, and Changes Demand Service RFP #19-01 (approx. \$100,000.00) was awarded to Texas Business Systems, the low bidder, for the estimated amount of \$100,000.00 to be expended through August 31, 2001 (copy of bid tabulation attached to the permanent file of these minutes).
- B. Purchase Orders for Computer Equipment
 1. Apple Laptop Computers for Dr. Green Elementary School, Purchase Order No. 210571 (\$19,536.00), were approved for purchase from Apple Computer, the sole source, in the amount of \$19,536.00 (copy of purchase order attached to the permanent file of these minutes).

2. Apple Computers for Collins Elementary School, Purchase Order No. 210649 (\$18,648.00), were approved for purchase from Apple Computer, the sole source, in the amount of \$18,648.00 (copy of purchase order attached to the permanent file of these minutes).
3. Apple Computers for Lamar Elementary School, Purchase Order No. 210906 (\$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).
4. Apple Computers for Dowell Elementary School, Purchase Order No. 210970 (\$21,312.00), were approved for purchase from Apple Computer, the sole source, in the amount of \$21,312.00 (copy of purchase order attached to the permanent file of these minutes).
5. Apple Computers for Aoy Elementary School, Purchase Order No. 211101 (\$8,441.00), were approved for purchase from Apple Computer, the sole source, in the amount of \$8,441.00 (copy of purchase order attached to the permanent file of these minutes).
6. Apple Wireless Computer Lab at Hawkins Elementary School, Purchase Order No. 211120 (\$23,226.00), using Apple computer equipment, was approved for purchase from Apple Computer, the sole source, in the amount of \$23,226.00 (copy of purchase order attached to the permanent file of these minutes).
7. Apple Computers for Rivera Elementary School, Purchase Order No. 211201 (\$16,872.00), were approved for purchase from Apple Computer, the sole source, in the amount of \$16,872.00 (copy of purchase order attached to the permanent file of these minutes).
8. Apple Computers and Printers for Schuster Elementary School, Purchase Order Nos. 211214 and 211215 (\$17,689.50), were approved as follows: Apple computers, Purchase Order No. 211214, from Apple Computer, the sole source, in the amount of \$7,990.00; and printers, Purchase Order No. 211215, from Amherst Computer Products, the lowest quote, in the amount of \$9,699.50, for a total amount of \$17,689.50 (copy of purchase orders attached to the permanent file of these minutes).
9. Apple Computers for Fannin Elementary School Elementary School, Purchase Order No. 211236 (\$7,992.00), were approved for purchase from Apple Computer, the sole source, in the amount of \$7,992.00 (copy of purchase order attached to the permanent file of these minutes).
10. Apple Computers for Lee Elementary School, Purchase Order No. 211413 (\$36,711.00), were approved for purchase from Apple Computer, the sole source, in the amount of \$36,711.00 (copy of purchase order attached to the permanent file of these minutes).

11. Apple Computers for Hillside Elementary School, Purchase Order No. 212586 (\$19,839.00), were approved for purchase from Apple Computer, the sole source, in the amount of \$19,839.00 (copy of purchase order attached to the permanent file of these minutes).
12. PC Computers for Special Services, Purchase Order No. 206657 (\$7,076.32), were approved for purchase from Dell Marketing LP, the lowest quote, in the amount of \$7,076.32 (copy of purchase order attached to the permanent file of these minutes).
14. PC Computers for Roberts Elementary School, Purchase Order No. 211648 (\$56,646.85), were approved for purchase from Dell Marketing LP, the lowest quote, in the amount of \$56,646.85 (copy of purchase order attached to the permanent file of these minutes).
15. PC Computers for Business Education at Andress and Coronado High Schools, Purchase Order No. 212551 (\$77,298.00), were approved for purchase from Desert Communications, Inc., the lowest quote, in the amount of \$77,298.00 (copy of purchase order attached to the permanent file of these minutes).
16. PC Laptops for Delta and Telles Academies and Franklin High School, Purchase Order No. 206655 (\$8,084.04), were approved for purchase from Dell Marketing LP, the lowest quote, in the amount of \$8,084.04 (copy of purchase order attached to the permanent file of these minutes).
17. Printers for Hart Elementary School, Purchase Order No. 210728 (\$5,831.25), were approved for purchase from ICHI Corporation, the lowest quote, in the amount of \$5,831.25 (copy of purchase order attached to the permanent file of these minutes).
18. Printers for Aoy Elementary School, Purchase Order No. 211204 (\$5,730.00), were approved for purchase from Amherst Computer Products, the lowest quote, in the amount of \$5,730.00 (copy of purchase order attached to the permanent file of these minutes).

Grievance Hearing – John Carpenter and Robert Smith, Teachers, Coronado High School (Item #17)

Dr. Roark reviewed the procedures to be followed in the grievance hearing. He advised that the administration and the grievants would each be given ten minutes to make their presentations.

Ms. Lillian Crouch, Director, Risk Management, presented on behalf of the administration. She provided details on the timelines and the rationale for the grievance and stated that John Carpenter and Robert Smith, teachers at Coronado High School, filed the grievance on October 10, 2000, alleging that their pay was not calculated correctly.

Dr. William Wachtel, Senior Researcher, Research and Evaluation, reviewed the Board's action at its August 8, 2000, meeting regarding the compensation schedule for 2000-01. He stated that the base pay adjustments included a two-step or equivalent for teachers and librarians. The employees whose 1999-2000 annual base compensation exceeded the maximum scheduled amount on the actual 2000-01 schedule were also to receive the equivalent two-step increase, effective August 9, 2000. Dr. Wachtel reviewed the amounts above maximum for TBA and TGD and stated that both grievants received the appropriate amount over their 1999-2000 base compensation.

Ms. Frances Wever, President, El Paso Federation of Teachers and Support Personnel, represented the grievants. She advised that Robert Smith and John Carpenter hold bachelors degrees, both are on Level 3 of their particular salary schedules, and both have exceeded their top pay levels. She stated that the Federation's interpretation of the Board's action on August 8, 2000, is that a salary schedule was adopted with 27 years being the top salary for a bachelor's (TBA) and 30 years being the top salary for a master's (TGD). People with more years than the maximum number on their respective salary schedules are to be given \$1,270.00 for the regular; \$1,370.00 for Level 2; and \$1,430.00 for Level 3. It was assumed that the amount was to be in addition to the top salary on the 2000-01 salary schedules because the salary schedules for 1999-2000 were no longer in existence.

Ms. Wever provided an overview of the salaries for both grievants and stated that the longevity stipends for Mr. Carpenter and Mr. Smith were added to their base compensation amount for 1999-2000 rather than to 2000-01.

Dr. Wachtel stated that administration went through numerous processes and were in compliance with the Board's directive.

A review of the videotape of the August 8, 2000, Board meeting was requested. There was discussion on the pay for other employees falling in the same category as the grievants being handled in the same way; and the approximately \$75,000.00 financial impact to the budget if the Board votes in favor of the grievants.

Meeting Recessed

The meeting was recessed at 7:48 p.m. by Dr. Roark in order to set up for the viewing of the videotape. The meeting was reconvened in Open Session at 8:00 p.m.

Grievance Hearing – John Carpenter and Robert Smith, Teachers, Coronado High School (Item #17 continued)

The Board viewed the portion of the videotape of the August 8, 2000, Board meeting relating to the approval of the 2000-01 compensation proposal.

Discussion followed on the portion of the videotape that was viewed and whether the document the Board members were viewing during the point of clarification was the plan presented by the El Paso Consultation Association or by the administration.

The Board viewed the videotape a second time. There was further discussion on the compensation document; reference being made to the Consultation 3 proposal; and reference made to 27 years for bachelor's and 30 years for master's degrees, which indicates the 2000-01 salary schedules.

It was moved by Mr. Wever and seconded by Dr. Finke that the Board approve paying the teachers the longevity increases to the top scale of 27 years and 30 years in the amounts of \$1,270.00, \$1,370.00, or \$1,430.00, depending on the categories, and based on the 2000-01 salary schedules. Upon the vote, the motion carried with Mr. Wever, Miss Garcia, Dr. Roark, Mr. Telles, Mr. Rosales, and Dr. Finke voting in favor of the motion and Ms. Gonzalez voting "present."

Meeting Closed (Item #18)

The meeting was recessed at 8:25 p.m. to a closed meeting by Dr. Roark under Sections 551.071, 551.072, and 551.074 of the Texas Government Code as follows:

- A. Proposed Termination or Resignation of Continuing Contract Teacher
- B. Proposed Nonrenewal of Certified Professional Administrators
- C. Proposed Acquisition of Property – Northwest Elementary School E-7

The closed meeting started at 8:34 p.m. The closed meeting ended at 8:55 p.m.

Departure of Board Member

Mr. Telles departed the meeting at 8:55 p.m. and was not present for any subsequent action taken by the Board of Trustees.

Meeting Opened

The meeting was reassembled in Open Session at 8:55 p.m.

Proposed Termination or Resignation of Continuing Contract Teacher (Item #18, A.)

It was moved by Mr. Wever and seconded by Dr. Finke that the Board accept the resignation letter from Mr. Luis Moreno with his resignation to be effective at the end of contract year 2000-01. Upon the vote, the motion carried with Ms. Gonzalez voting against the motion.

Proposed Nonrenewal of Certified Professional Administrators (Item #18, B.)

It was moved by Miss Garcia, seconded by Mr. Wever, and carried unanimously that the Board approve the nonrenewal of term contracts for those professional administrators who have been notified of their proposed nonrenewal and who have not requested a hearing and that they be notified that their term employment contracts will not be renewed, unless selected for a professional administrative position and subsequently issued a term contract; and that said employees be encouraged to apply for available teaching positions.

Proposed Acquisition of Property – Northwest Elementary School E-7 (Item #18 C.)

It was moved by Dr. Finke, seconded by Mr. Rosales, and carried unanimously that the Board authorize the Superintendent to obtain surveys and an appraisal and to proceed with negotiations for the acquisition of approximately 15 acres from Colony Partners, et al., pursuant to Board Policy CDB (Local), with the final price and terms to be subject to Board approval at a future meeting.

Retaining Legal Counsel to Advise Board of Trustees in Connection with Upcoming Personnel Hearings (Item #19)

It was moved by Dr. Finke, seconded by Mr. Rosales, and carried unanimously that the Board President and the Superintendent be authorized to retain legal counsel to advise the Board in connection with an upcoming personnel hearing involving the proposed nonrenewal of a term contract.

Meeting Adjourned

The meeting was adjourned at 8:59 p.m.

Date Approved: June 26, 2001