

Minutes of Meeting of Board of Trustees  
El Paso Independent School District  
October 24, 2000  
5:00 p.m.  
Lee Elementary School (Cafetorium)

Present     Dr. Charles Roark, President  
              Mrs. Ada Gonzalez-Peterson, Vice President  
              Mr. Richard Telles, Secretary<sup>1</sup>  
              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 5:05 p.m. by Dr. Roark. The Pledge of Allegiance was led by Dr. Anzaldua.

Consent Agenda (Item #1)

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

Dr. Finke     -     Item 1, A., Approval of Budget Amendment – Comprehensive School Reform Demonstration Program (\$1,082,223.00)

                         Item 1, D., 3., Professional Services Contract Awards – Franklin High School Field House, #01.394 (\$81,600.00)

Questions on Approval of Budget Amendment – Comprehensive School Reform Demonstration Program (\$1,082,223.00) (Item #1, A.)

Dr. Finke requested an overview of the program. Mr. Bob Mena, Director, External Funding, advised that the Comprehensive School Reform Demonstration Program is a continuation grant for Alamo, Douglass, Hillside, Lee, Roberts, and Wainwright Elementary Schools; Guillen and Magoffin Middle Schools; and the School-Age Parent Center and that it is the third and final allocation for these schools. Mr. Mena then reviewed the funding process for the competitive grant. Ms. Jackie Morgan, Principal, Lee Elementary School, provided information on the “Success for All” reform model utilized at Lee School as part of the continuation grant.

Discussion followed on the development of mechanisms to evaluate innovative programs; the requirements of the grant; the budget set up; and the future of the program after grant funding is no longer available.

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<sup>1</sup> Mr. Telles departed at 9:10 p.m., during the closed meeting.

Questions on Professional Services Contract Awards – Franklin High School Field House, #01.394 (\$81,600.00) (Item #1, D., 3.)

Dr. Finke questioned what work this contract would cover. Mr. Hector Martinez, Associate Superintendent of Operations, advised that the contract is for design services for the field house and stated that the facility is anticipated to be completed by the end of August 2001.

It was moved by Mrs. Gonzalez-Peterson, 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. Approval of Budget Amendment – Comprehensive School Reform Demonstration Program (\$1,082,223.00)

The Board approved the budget amendment to the 2000-01 fiscal year to set up the Comprehensive School Reform Demonstration Program budget in the amount of \$1,082,223.00. Mr. Bob Mena, Director, External Funding, requested this amendment in a memo dated October 4, 2000. The Texas Education Agency approved the grant on September 6, 2000.

B. Bids and Purchase Order Requiring Board Approval

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

1. Office/School Paper Bid #74-00 (\$46,751.84) was awarded to the following vendors in the amounts indicated: AFP Industries, Group III, \$26,365.60, net 30; Business Forms, Group I, \$15,002.80, net 30; and School Specialty, Group II and IV, \$5,383.44, net 30, for a total amount of \$46,751.84 (copy of bid tabulation attached to the permanent file of these minutes).
2. Xerographic Paper Bid #86-00 (approx. \$394,050.00) was awarded to Xpedx, the low bidder, for an estimated annual amount of \$394,050.00, with 1 percent terms and an escalation clause effective after December 31, 2000, allowing a price escalation to the extent of an industry-wide price increase, but not to exceed a maximum price increase of \$3.00 per cwt. per calendar quarter (copy of bid tabulation attached to the permanent file of these minutes).
3. Computer Security Software for Elementary Schools, Purchase Order No. 197540 (\$39,590.64), was approved for purchase from Learning Services in the amount of \$39,590.64 (copy of purchase order attached to the permanent file of these minutes).

C. Construction Contract Award – Districtwide Security System Upgrades – Bassett, Henderson, Ross, and Terrace Hills Middle Schools, #93.755.02 (\$93,193.00)

The Board approved the award of Construction Contract #93.755.02, Districtwide Security System Upgrades – Bassett, Henderson, Ross, and Terrace Hills Middle Schools, subject to the review and approval of the District's attorney, to PyroCom Systems, Inc. in the amount of \$93,193.00.

**D. 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 for the projects described, 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:

1. 2000 Roof Replacement – Dowell and Park Elementary Schools and Charles Middle School, #01.068 (\$80,550.00) was awarded to Lopez & Lopez Architects for an 8.95 percent Basic Services Fee in the estimated amount of \$80,550.00.
2. Districtwide Boiler Replacement-2000 – Crosby, Dowell, Logan, and Stanton Elementary Schools and Magoffin, MacArthur, and Morehead Middle Schools, #01.116 (\$43,164.00) was awarded to SGB Engineering, Inc. for an 8.8 percent Basic Services Fee in the estimated amount of \$43,164.00.
3. Franklin High School – Field House, #01.394 (\$81,600.00) was awarded to Synthesis Architecture, Inc. for an 8.0 percent Basic Services Fee in the estimated amount of \$81,600.00.

**E. August/September 2000 Report of JJAEP Placement not Appealed to the Board of Trustees**

The August/September 2000 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.

**Bond Counsel Report on Attorney General's Comments to Wording of 2000 Bond Proposition and Discuss and Take Appropriate Action Regarding Possible Amendment to 2000 Bond Election in Light of Such Comments (Item #2)**

Mr. Paul Braden, District bond counsel, stated that the Attorney General's Office agreed to provide an unofficial review of the District's December 12, 2000, bond proposition. He provided a summary of the comments that were received and clarification on the recommended changes to the bond proposition.

It was moved by Mrs. Gonzalez-Peterson, seconded by Dr. Finke, and carried unanimously that the Board approve the amendment to the Order Calling a Bond Election as presented by the District's bond counsel (copy attached to the permanent file of these minutes).

**Approval of Contract for Election Services for Upcoming Bond Election (Item #3)**

It was moved by Mr. Wever, seconded by Mr. Rosales, and carried unanimously that the Board approve the Contract for Election Services with the County of El Paso Elections Department for the December 12, 2000, bond election for the estimated amount of \$51,514.00.

Announcement of 2000-01 High School Graduation Dates (Item #4)

Mr. John Doran, Associate Superintendent, Northeast Region, presented the high school graduation dates for the 2000-01 school year.

It was moved by Mr. Wever, seconded by Mr. Telles, and carried unanimously that the Board approve the high school graduation dates for 2000-01 as presented by the administration.

Approval of Revisions to Board Policy EFAA (Local), Instructional Materials Selection and Adoption: Textbook Selection and Adoption ((Item #5)

Mr. Jack Winn, Assistant Director, Instructional Materials, provided information on the proposed revision to this policy. He stated that the rationale for increasing the number of members serving on the Local Textbook Adoption Committee is that the state has gone to a single-subject area adoption per year. This has increased the number of individuals required for each specific subject area. Parental representatives are also included in the numbers. He stated that the committee size will vary from year to year depending on what subject is up for adoption.

It was moved by Mr. Wever, seconded by Miss Garcia, and carried unanimously that the revisions to Board Policy EFAA (Local), Instructional Materials Selection and Adoption: Textbook Selection and Adoption, be approved as presented (copy attached to the permanent file of these minutes).

Approval of Appointments to Local Textbook Adoption Committee (LTAC) (Item #6)

It was moved by Mr. Wever, seconded by Mr. Rosales, and carried unanimously that the Board approve the recommended appointments to the Local Textbook Adoption Committee (LTAC) for the 2000-01 school year (copy of list attached to the permanent file of these minutes).

Request for Waiver from Texas Education Agency – Reimbursement of Textbook Expenses for Advanced Placement (AP) and International Baccalaureate (IB) Programs for 2000-01, 2001-02, and 2002-03 School Years (Item #7)

It was moved by Mr. Wever, seconded by Miss Garcia, and carried unanimously that the Board approve the waiver request from the Texas Education Agency to reimburse the District for textbook expenses for Advanced Placement (AP) and International Baccalaureate (IB) programs with no state-adopted AP or IB textbooks for the 2000-01, 2001-02, and 2002-03 school years.

Approval of Texas Education Agency Maximum Class Size Waiver Request and District Fall 2000 Compliance Plan – Beall, Bonham, Hart, Hawkins, and Johnson Elementary Schools (Item #8)

Mr. Joe Loya, Deputy Superintendent, advised that state-mandated class size ratio for elementary schools is 22-to-1 and that there are six classes in grades 1 and 4 which currently stand at 23-to-1. The waiver is being requested for Beall, Bonham, Hawkins, and Johnson Elementary Schools. Hart Elementary School had since dropped its request for the waiver. Mr. Loya advised that if the classes are split, seven additional teachers will be needed at a projected cost of approximately \$175,000.00.

It was moved by Mrs. Gonzalez-Peterson and seconded by Mr. Telles that the Board approve the submission of a request to the Texas Education Agency for a maximum class size waiver for Beall, Bonham, Hawkins, and Johnson Elementary Schools and the accompanying District fall 2000 compliance plan. Upon the vote, the motion carried with Mr. Wever, Miss Garcia, and Dr. Roark voting against the motion.

Approval of Contract Agreement with Region 19 Education Service Center for Technology and Media Services (\$140,441.25) (Item #9)

It was moved by Mr. Wever, seconded by Miss Garcia, and carried unanimously that the Board approve the contract agreement with Region 19 Education Service Center to provide technology and media services through August 31, 2001, for a fee of \$2.50 per student in average daily attendance or \$140,441.25.

Approval of Plan Design Changes to EPISD Health Care Trust Medical Plan and Employee Cost Sharing (Item #10)

Ms. Elizabeth Bulos, Director, Employee Benefits, provided information on plan design changes to the EPISD Health Care Trust Medical Plan. She stated that it is anticipated that funding per employee would need to increase from the budgeted amount of \$220.00 per employee for plan year 2000 to \$260.00 per employee for plan year 2001, if the plan design changes are not approved. She advised that the \$220.00 per employee will remain intact if the proposed plan design changes are implemented.

Ms. Bulos provided comparisons of the current Preferred Provider Organization (PPO) and Exclusive Provider Organization (EPO) benefits to the proposed Select Option and Classic Option benefits and reviewed clarifications to the proposed plan design changes. She provided information on the appeals process and recommended that, as part of the restated plan document, the final appeal determination rest with the Board's Employee Health/Insurance Committee. Ms. Bulos also advised that the Classic/EPO Option is comparable to the health plan provided to state employees and reviewed the employee enrollment schedule. She reported a need to meet the January 1, 2001, implementation date due to funding considerations.

There was discussion on appeal recommendations being made to the full Board of Trustees by the Board's Employee Health/Insurance Committee; why and who initiated the proposed plan changes and whether there was employee input; the attempt to keep employees at the same basic level of benefits; the Sierra/Providence Hospital network provided in the proposed Classic and Select Options; the importance of informing employees of the options available to them; and possible appeals resulting from the proposed changes.

It was moved by Mr. Wever and seconded by Mr. Rosales that the Board approve the Restated Plan Document, which incorporates Plan Design Changes to the EPISD Health Care Trust Medical Plan; the Employee Cost Share (Rates/Contributions) for participation in the different plan options; the First Amendment to the Health Plan Services Agreement, which allows the EPISD to accept the services of LabOne as offered by AmeriBen Solutions, Inc.; and the first Amendment to the Managed Prescription Drug Program Agreement authorizing a change in the plan design from the OptiMed Plan to the ESI National Formulary Plan; and that any appeals be heard by the Board of Trustees after receiving a recommendation from the Board's Employee Health/Insurance Committee, all as recommended and presented by the administration. Upon the vote, the motion carried with Dr. Finke, Mr. Rosales, Mr. Telles,

Mrs. Gonzalez-Peterson, Miss Garcia, and Mr. Wever voting in favor of the motion. Dr. Roark recused himself from the vote.

Board of Trustees Community Meeting Welcome by Mrs. Jackie Morgan, Principal, Lee Elementary School (Item #13)

Mrs. Jackie Morgan, Principal, Lee Elementary School, extended welcoming remarks to the Board of Trustees, Dr. Anzaldua, and those present for the Board meeting. A performance was provided by the Lee Folklorico and the Lee Line Dancers.

Recognition of 2000 Texas Outstanding Teaching of the Humanities Award Recipient and Honorable Mention Award Recipients (Item #14)

Ms. Lucy B. Pfirman, Gifted and Talented teacher at Hornedo Middle School, was recognized by the Board of Trustees for being selected to receive the 2000 Outstanding Teaching of the Humanities Award. Ms. Laura Cramer, 5<sup>th</sup> grade Humanities teacher at Bliss Elementary School, and Ms. Shaleah Rose, 5<sup>th</sup> grade Humanities teacher at Guerrero Elementary School, were recognized for having received an honorable mention for the 2000 Outstanding Teaching of the Humanities Award.

Recognition of 2000 Kermezaar Student Art Show Award Winners (Item #15)

Three high school students and two middle school students were recognized by the Board of Trustees for awards received in the annual Kermezaar Student Art Show. In the Senior Category, Sonia Dominguez, junior at Jefferson High School, received First Place Best of Show; Adriana Garcia, senior at Jefferson High School, received Second Place Best of Show; and Melissa Jaffee, junior at Coronado High School, received Third Place Best of Show. In the Middle School Category, Amber Sippel, eighth grade student at Richardson Middle School, received Third Place Best of Show; and Amy Whittman, eighth grade student at Hornedo Middle School, received First Place Best in Show. Each student was presented with an engraved plaque and congratulated individually by Dr. Anzaldua and the Board of Trustees. The students' instructors and families were also recognized.

Awards to October Employees of the Month (Item #16)

Mr. Brady Williams, teacher at the Raymond Telles Academy, was recognized by the Board of Trustees as October's Certified Employee of the Month; and Ms. Jackie Widener, paraprofessional at Putnam Elementary School, was recognized as October's Non-Certified Employee of the Month. Each was presented with an engraved plaque and a check in the amount of \$150.00.

Resolution for the Adoption of "Commitment for the Children" (in connection with EPISD 2000 Bond Election) (Item #17)

Mr. Luis Villalobos, Executive Director, Communications and Business Partnerships, commented on the resolution, which was requested by the 2000 Bond Committee, and stated that the resolution will serve as an accountability instrument for the District as it implements bond projects, if the bond proposition is approved on December 12, 2000. Mr. Henry Stokes, member of the 1992 and 2000 Bond Committees, voiced his support of the bond election and stated that he was confident that projects planned for the schools will be fulfilled.

It was moved by Dr. Finke, seconded by Miss Garcia, and carried unanimously that the Board adopt the Resolution for the Adoption of "Commitment for Children" and approve the form of commitment attached thereto in connection with the EPISD 2000 bond election, as requested and recommended by the 2000 Bond Committee.

#### Public Forum (Item # 18)

The following people requested to speak on Open Forum:

1. Ms. Georgiana Garcia was not present when called to speak.
2. Mr. Gerald Cheek, President, El Paso Council of PTAs, spoke in support of the bond election.
3. Mr. Glen Walker, parent at Chapin High School, praised the Board of Trustees and the faculty and staff at Chapin for the work accomplished at the school.

#### Meeting Recessed

The meeting was recessed at 7:15 p.m. The meeting was reconvened at 7:30 p.m.

Grievance Hearing – Jerry Boyer, Teacher, Putnam Elementary School/President, El Paso Classroom Teachers Association; Patricia Bulos, Teacher, MacArthur Middle School/President, Association for Texas Professional Educators; Margie LaPuma, Paraprofessional, Highland Annex/President, ESP-El Paso/Texas State Teachers Association; Rosemary Salazar, Teacher, MacArthur Middle School/President, El Paso Teachers Association (Item #11)

Mr. Gary Weiser, attorney for the Board, advised that the issue to be determined is whether this grievance was timely filed. Legal counsel for both sides will address that issue and the Board will make a determination.

Mr. Wever and Miss Garcia recused themselves from the grievance hearing proceeding. Dr. Roark reviewed the guidelines for the grievance hearing and announced that each side will be allowed ten minutes to present its case.

Mr. Safi reviewed the grievance deadlines and advised that the grievants' informal conference and filing of a Step 1 complaint were submitted well beyond the ten-school calendar days and five-day deadline, respectively. Mr. Kevin O'Hanlon, who was representing the grievants, stated that the delay in filing the initial grievance was caused by the administration's untimely response to a Public Information Act request, which he stated was a request for information needed in order to file the grievance. Once the requested information was received, the grievance was filed.

Mr. Weiser clarified action available to the Board and advised that the Board can take no action, which would uphold the Superintendent's position, or it can remand the grievance back to the Superintendent if it is determined that further information is needed.

Discussion followed on the submission of the Public Information Act request being interpreted as the initial grievance submission; the arguments by the grievants' attorney regarding the need to have all relevant information prior to filing a grievance; and whether there is a dispute on the date the grievance was filed.

It was moved by Dr. Finke and seconded by Mr. Rosales that the Board uphold the Superintendent's Step 4 response that the grievance was untimely filed and, therefore, is not grievable. Upon the vote, the motion carried with Mrs. Gonzalez-Peterson, Dr. Roark, Mr. Telles, Mr. Rosales, and Dr. Finke voting in favor of the motion. Mr. Wever and Miss Garcia recused themselves from the vote.

Meeting Closed (Item #12)

The meeting was recessed at 8:10 p.m. to a closed meeting by Dr. Roark under Sections 551.074 and 551.082 of the Texas Government Code as follows:

- A. Grievance Hearing – Dianne M. Jones, Former Principal, Canyon Hills Middle School
- B. Personnel Appointment – Director, Planning, Engineering and Construction

The closed meeting was opened at 8:20 p.m. The closed meeting ended at 9:13 p.m.

Departure of Board Member

Mr. Telles departed the meeting at 9:10 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 9:15 p.m.

Grievance Hearing – Dianne M. Jones, Former Principal, Canyon Hills Middle School (Item #12, A.)

No action was taken by the Board of Trustees (pursuant to Board Policy DGBA (Local)), thus upholding the Superintendent's decision in this grievance.

Personnel Appointment – Director, Planning, Engineering and Construction (Item #12, B.)

It was moved by Mr. Wever, seconded by Dr. Finke, and carried unanimously that the Board accept the Superintendent's recommendation to appoint Robert Anderson, architect in the Facilities Services Department at UTEP (University of Texas at El Paso), to the position of Director, Planning, Engineering and Construction.

Meeting Adjourned

The meeting was adjourned at 9:16 p.m.

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President

Date Approved: November 28, 2000

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Secretary