

Minutes of Meeting of Board of Trustees
El Paso Independent School District
January 22, 2002
5:00 p.m.
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 Anzaldúa, Superintendent
Mr. Anthony Safi, School District Attorney

The meeting was called to order at 5:09 p.m. by Mr. Wever. The Pledge of Allegiance was led by Mr. William Goodman, Associate Superintendent, Finance. The Thought for the Day was given by Mr. Hector Martinez, Associate Superintendent, Operations.

Recognition of 2001 EPISD Holiday Greeting Card Designer (Item #1)

Hiram Villalobos, a senior at El Paso High School, was recognized by the Board of Trustees as the winner of the 2001 EPISD Holiday Greeting Card Contest. He was presented with a framed replica of the card, an engraved plaque, and a \$100.00 gift certificate from the Art Center.

"Hats Off to Texas Trustees" School Board Recognition Month Presentation (Item #2)

In recognition of January being School Board Recognition Month, Dr. Anzaldúa expressed appreciation to the Board members. Each individual Board member was presented with a gift from a representative high school in the respective districts.

Presentation of Certificates to EPISD Board of Trustees by Region 19 Trustees as Part of School Board Recognition Month (Item #3)

Mr. Santiago Rodriguez and Mr. Marshall St. John, Trustees from the Region 19 Board of Directors, presented the members of the EPISD Board of Trustees with certificates in recognition of School Board Recognition Month.

Awards to December 2001 and January 2002 Employees of the Month (item #4)

Ms. Dorothy Schatzman, fourth-grade teacher at Clardy Elementary School, was recognized by the Board of Trustees as December 2001's Certified Employee of the Month; Ms. Esther Christo, campus patrol at Magoffin Middle School, was recognized as December 2001's Non-Certified Employee of the Month; Mr. Daniel Boerger, social studies teacher at Chapin High School, was recognized as January 2002's Certified Employee of the Month; and Ms. Auden Valenzuela, cafeteria manager at Guerrero Elementary School, was recognized as January 2002's Non-Certified Employee of the Month. Each was presented with an engraved plaque and a check in the amount of \$200.00.

Public Forum (Item #5)

The following people requested to speak on Open Forum:

1. Mr. Tim Lunz, Director, Warehouse Services, spoke about no provision being included in Board policy to compensate for earned sick leave or vacation days upon an employee's death. He requested that the Board consider amending Board Policy DEC (Local) regarding these issues.
2. Mr. Allan Sepkowitz, coach at Andress High School, spoke about a proposed compensation package that was developed by the Coaches Association for coaches in the District.
3. Ms. Nelda Valerio, parent at Burges High School, spoke about damage to her car from a rock thrown by an edge trimmer being used by a school groundskeeper; sovereign immunity; and compensation for damages to her vehicle.

Consent Agenda (Item #6)

RFP, Bids and Purchase Orders Requiring Board Approval – Surveillance Equipment Bid #91-01 (\$36,500.00) (Item #6, C., 2.)

It was moved by Dr. Roark, seconded by Mr. Telles, and carried unanimously that item no. 6, C., 2., RFP, Bids and Purchase Orders Requiring Board Approval – Surveillance Equipment Bid #91-01 (\$36,500.00), be postponed for two weeks. Miss Garcia was not present for the vote.

It was moved by Mr. Mena, seconded by Mr. Telles, 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

The Board approved the minutes of the October 4, 2001, Board Compensation Committee meeting; October 4, 2001, Board's Employee Health/Insurance Committee meeting; October 9, 2001, Board Policy Committee meeting; and October 16, 2001, Board Investigative Services Committee meeting; and the October 9, 2001; October 16, 2001; and October 23, 2001, meetings of the Board of Trustees.

B. Approval of Budget Amendments

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

1. Title I, Part A Districtwide (\$1,906,082.00). The purpose of this item is to increase the Title I, Part A Districtwide School budget in the amount of \$1,906,082.00. Marsha Lawler, Executive Director of External Funding, requested this amendment in a memo dated December 18, 2001. The Texas Education Agency approved the increase to the Notice of Grant Award on August 22, 2001.

2. IDEA-B Capacity Building and Improvement (\$92,122.00). The purpose of this item is to increase the IDEA-B Capacity Building and Improvement budget in the amount of \$92,122.00. Dr. Michael Kelly, Executive Director of Special Education, requested this amendment in a memo dated December 20, 2001. The funds, which flow through the Standard Application System (SAS) on an annual basis for use in the IDEA-B Capacity Building and Improvement entitlement, is amended to include the roll-forward funds. The Texas Education Agency approved the increase to the Notice of Grant Award on December 19, 2001.
3. IDEA-B Formula (\$2,351,668.00). The purpose of this item is to increase the IDEA-B Formula budget in the amount of \$2,351,668.00. Dr. Michael Kelly, Executive Director of Special Education, requested this amendment in a memo dated December 20, 2001. The funds, which flow through the Standard Application System (SAS) on an annual basis for use in the IDEA-B Formula entitlement, is amended to include the roll-forward funds. The Texas Education Agency approved the increase to the Notice of Grant Award on December 19, 2001.
4. Title VI Class Size Reduction (\$650,000.00). The purpose of this item is to amend the Title VI Class Size Reduction budget in the amount of \$650,000.00. Marsha Lawler, Executive Director of External Funding, requested this amendment in a memo dated December 18, 2001. This transfer is required to fund the teacher training program to be provided by the UTEP (University of Texas at El Paso) Continuing Education Department that was approved by the Board of Trustees on December 11, 2001. This transfer request is within the guidelines established by the Texas Education Agency.
5. IDEA-B Preschool (\$142,139.00). The purpose of this item is to increase the IDEA-B Preschool budget in the amount of \$142,139.00. Dr. Michael Kelly, Executive Director of Special Education, requested this amendment in a memo dated December 20, 2001. The funds, which flow through the Standard Application System (SAS) on an annual basis for use in the IDEA-B Preschool entitlement, is amended to include the roll-forward funds. The Texas Education Agency approved the increase to the Notice of Grant Award on December 19, 2001.
6. IDEA-B Preschool Deaf (\$7,875.00). The purpose of this item is to increase the IDEA-B Preschool Deaf budget in the amount of \$7,875.00. Carmen Corrales, Administrator of the Regional Day School Program for the Deaf, requested this amendment in a memo dated December 12, 2001. The funds, which flow through the Standard Application System (SAS) on an annual basis for use in the IDEA-B Preschool Deaf entitlement, is amended to include the roll-forward funds. The Texas Education Agency approved the increase to the Notice of Grant Award on December 19, 2001.
7. IDEA-C Early Childhood Intervention Deaf (\$3,136.00). The purpose of this item is to increase the IDEA-C Early Childhood Intervention Deaf budget in the amount of \$3,136.00. Carmen Corrales, Administrator of the Regional Day School Program for the Deaf, requested this amendment in a memo dated December 12, 2001. The funds, which flow through the Standard Application System (SAS) on an annual basis for use in the IDEA-C Early Childhood Intervention Deaf entitlement, is amended to include the roll-forward funds. The Texas Education Agency approved the increase to the Notice of Grant Award on December 19, 2001.

8. IDEA-B Formula Deaf (\$41,317.00). The purpose of this item is to increase the IDEA-B Formula Deaf budget in the amount of \$41,317.00. Carmen Corrales, Administrator of the Regional Day School Program for the Deaf, requested this amendment in a memo dated December 12, 2001. The funds, which flow through the Standard Application System (SAS) on an annual basis for use in the IDEA-B Formula Deaf entitlement, is amended to include the roll-forward funds. The Texas Education Agency approved the increase to the Notice of Grant Award on December 19, 2001.
9. IDEA-B Capacity Building and Improvement Deaf (\$2,557.00). The purpose of this item is to increase the IDEA-B Capacity Building and Improvement Deaf budget in the amount of \$2,557.00. Carmen Corrales, Administrator of the Regional Day School Program for the Deaf, requested this amendment in a memo dated December 12, 2001. The funds, which flow through the Standard Application System (SAS) on an annual basis for use in the IDEA-B Capacity Building and Improvement Deaf entitlement, is amended to include the roll-forward funds. The Texas Education Agency approved the increase to the Notice of Grant Award on December 19, 2001.
10. School Health and Related Services (SHARS) (\$28,800.00). The purpose of this item is to amend the SHARS (School Health and Related Services) budget in the amount of \$28,800.00. Dr. Michael Kelly, Executive Director of Special Education, requested this amendment in a memo dated December 12, 2001. The amendment will transfer funds from Instructional Leadership, Staff Development, and Travel functions to an Instruction function. These funds will be used to purchase consumable items to provide appropriate blood borne pathogen preventive actions and personal hygiene care. These funds will also be used for the severely disabled students to participate in a functional living skills curriculum in which food is prepared and consumed.

C. RFP, Bids and Purchase Order Requiring Board Approval

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

1. Discount from Catalog Prices for Computer, Electronic, & Audio Visual Repair Parts RFP #95-01 (approx. \$36,500.00) was awarded to the vendors listed on the tabulation for future purchases on an "as needed" basis for a one-year period beginning January 23, 2002, for the estimated annual amount of \$36,500.00 (copy of bid tabulation attached to the permanent file of these minutes).
3. Floor Care Products Bid #113-01 (approx. \$71,150.00) was awarded to Baron Chemical Co., Inc., the low bidder, for an estimated annual amount of \$71,150.00, with 2 percent terms and an option to extend for 24 months, 12 months at a time (copy of bid tabulation attached to the permanent file of these minutes).
4. Math Manipulatives for Kindergarten Bid #114-01 (\$21,691.56) was awarded to the following vendors in the amounts indicated: AFP Industries, Item 4, \$1,185.60, net; Educator's Outlet, Items 1, 3, and 8, \$4,679.00, net; ETA/Cuisenaire, Items 5, 7, 9, 10, and 12, \$6,380.80, net; and The Science Lab, Items 2, 6, 11, and 13, \$9,446.16, 1 percent, for a total amount of \$21,691.56 (copy of bid tabulation attached to the permanent file of these minutes).

5. Noneducational Community-Based Support Services, Purchase Order No. 227954 (\$40,000.00), were approved to Life Management Center for MH/MR Services for the estimated annual amount of \$40,000.00 (copy of purchase order attached to the permanent file of these minutes).

- D. Construction Contract Award – Title IX – OCR (Office of Civil Rights) Athletic Improvements, Phase 2 (Andress, Bowie, Burges, Coronado, El Paso, Irvin, and Jefferson High Schools), #01.014.02 (\$1,376,059.00)

The Board waived the technicality of Blair-Hall Co. failing to submit a subcontractor list at the time their bid was submitted but which was subsequently provided, and approved the award of Construction Contract #01.014.02, Title IX – OCR (Office of Civil Rights) Athletic Improvements, Phase 2 (Andress, Bowie, Burges, Coronado, El Paso, Irvin, and Jefferson High Schools), subject to the review and approval of the District's attorney, to Blair-Hall Co. in the amount of \$1,376,059.00.

- E. November/December Report of JJAEP Placements not Appealed to the Board of Trustees

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

Approval of Year 4 E-Rate Statements of Work (Item #7)

- A. Project #1, USF Maintenance Service Fund
- B. Project #3, Cabling Services
- C. Project #4, Network Electronics
- D. Project #5, Server Upgrade Project
- E. Project #6, Web and File Servers
- F. Project #7, Video Solution and Installation
- G. Project #9, Web Access for School Community

Mr. Jack Johnston, Executive Director, Technology and Information Systems, stated that IBM Global Services would make a presentation on seven Statements of Work (SOWs) for the Year 4 E-Rate Program. He advised that Project #2, Fiber Wide Area Network, was approved by the Board on January 9, 2002, and that Project #8, E-Mail, was being evaluated and will be brought back at a future Board meeting.

Mr. John Milota, Project Executive, IBM Global Services, provided a scope review and the funding requirements and schedule for the seven following Statements of Work: Project #1, USF Maintenance Service Fund; Project #3, Cabling Services; Project #4, Network Electronics; Project #9, Web Access for School Community; Project #5, Server Upgrade Project; Project #6, Web and File Servers; and Project #7, Video Solution and Installation. He reviewed the financial summary of all nine SOWs, the available budget, and the current estimate for the projects. Mr. Milota requested the Board's approval to proceed with the delivery of the seven E-Rate SOWs as presented and its authorization for the administration to increase the purchase order to cover the delivery of all nine Statements of Work.

There was discussion on immersing wireless technology; the monthly invoicing process; placing signs at the schools advertising the work that is taking place at the campuses; the timeline for approving the server upgrade; the evaluation and analysis criteria on the server upgrade; and increasing the number of video carts in the schools.

It was moved by Dr. Finke and seconded by Mr. Mena that the Board approve the plans for the following Statements of Work (projects) utilizing Year 4 E-Rate funding in the amount of approximately \$36,000,000.00, with the District's portion of the funding being approximately \$3,600,000.00 or 10 percent of the cost, which is the District's local share under the E-Rate program guidelines; and that IBM Global Services be authorized to proceed with the work under these Statements of Work:

- Project #1, USF Maintenance Services Fund;
- Project #3, Cabling Services;
- Project #4, Network Electronics;
- Project #5, Server Upgrade Project;
- Project #6, Web and File Servers;
- Project #7, Video Solution and Installation; and
- Project #9, Web Access for School Community.

There was discussion on using local vendors and a 33-percent local-subcontractor participation rate; purchasing Dell computer equipment directly from the manufacturer, which will lower the local subcontractor participation; and the possibility that a local vendor might become an authorized reseller of Dell Computer equipment.

Dr. Finke amended his motion to stipulate that the \$3.6 million local share which is referenced in the motion being subject to a conforming budget amendment to be brought back to the Board for approval. Mr. Mena accepted the amendment.

The amended motion reads as follows:

that the Board approve the plans for the following Statements of Work (projects) utilizing Year 4 E-Rate funding in the amount of approximately \$36,000,000.00, with the District's portion of the funding being approximately \$3,600,000.00 or 10 percent of the cost, which is the District's local share under the E-Rate program guidelines, subject to a conforming budget amendment being brought back to the Board for approval at a future meeting; and that IBM Global Services be authorized to proceed with the work under these Statements of Work:

- Project #1, USF Maintenance Services Fund;
- Project #3, Cabling Services;
- Project #4, Network Electronics;
- Project #5, Server Upgrade Project;
- Project #6, Web and File Servers;
- Project #7, Video Solution and Installation; and
- Project #9, Web Access for School Community.

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

Meeting Recessed

The meeting was recessed at 7:10 p.m. The meeting was reconvened at 7:26 p.m.

Approval of Year 4 E-Rate Statements of Work (Item #7 continued)

The Board discussed some incorrect amounts that were included in the motion on the approval of the Year 4 E-Rate Statements of Work.

The motion was amended as follows:

It was moved by Dr. Finke, seconded by Mr. Mena, and carried unanimously that the Board approve the plans for the following Statements of Work (projects) utilizing Year 4 E-Rate funding in the amount of approximately \$60,490,000.00, with the District's portion of the funding being approximately \$6,049,000.00 or 10 percent of the cost, which is the District's local share under the E-Rate program guidelines; and with the District having already approved approximately \$1.7 million, that the Board approve the difference of approximately \$4,350,000.00, subject to a conforming budget amendment to be brought back to the Board for approval at a future meeting; and that IBM Global Services be authorized to proceed with the work under these Statements of Work:

Project #1, USF Maintenance Services Fund;
Project #3, Cabling Services;
Project #4, Network Electronics;
Project #5, Server Upgrade Project;
Project #6, Web and File Servers;
Project #7, Video Solution and Installation; and
Project #9, Web Access for School Community.

Revisions to Board Policies (Item #8)

A. DK (Local), Assignment and Schedules

It was moved by Mr. Wever, seconded by Mr. Mena, and carried unanimously that item no. 8, A., Revisions to Board Policies – DK (Local), Assignment and Schedules, be postponed for two weeks.

B. FDB (Local), Admissions and Attendance: Intradistrict Transfers

Mr. Luis Villalobos, Executive Director, Communications and Business Partnerships, reviewed revisions to FDB (Local). He stated that Board Policy FE (Local) was eliminated and the contents re-coded to FDB (Local) and FDC (Local), with FDB (Local) receiving the special education language.

Dr. Roark questioned reference to the "Board's designees ..." in subheading Assignments. Mr. Safi advised that the language in FDB (Local) is built on language in §25.031 of the Texas Education Code and states that the Board or "its designee" may assign and transfer a student from one school facility or classroom in the district to another.

Dr. Roark questioned the language in subheading Reasons/Criteria for Transfer Eligibility regarding a special education student's placement being designated by the student's ARD (admission, review, and dismissal) committee. He expressed a concern that no language is included which addresses the parent's right to appeal an ARD committee's decision.

There was discussion on language being added to FDB (Local) to address the ARD appeal process; subheading Petitions and Objections containing information on procedures for a parent to appeal to the Board of Trustees on an assignment issue; and the review of parents' rights and the appeal process at the beginning of every ARD committee meeting.

It was moved by Mr. Wever, seconded by Mr. Telles, and carried unanimously that item no. 8, B., FDB (Local), Admissions and Attendance: Intradistrict Transfers, be postponed for two weeks.

Item Withdrawn

It was announced that item no. 9, Academic Excellence Indicator Systems (AEIS) Report for 2000-01, had been withdrawn from the agenda.

Approval of Solicitation of Proposals for the Provision of External Audit Services, 2002-05 (Item #10)

It was moved by Mr. Mena, seconded by Dr. Roark, and carried unanimously that the administration be authorized to solicit proposals from audit firms for the provision of audit services for fiscal year 2002, with the option for annual renewals through fiscal year 2005.

Approval of Procurement/Delivery Methods for Construction Contracts Exceeding \$25,000.00 (Item #11)

- A. Ten Portable Classrooms, #02.925
- B. Use of Reclaimed Water for Irrigation, Phase 2 (Guerrero and Johnson Elementary Schools; Hornedo and Morehead Middle Schools; and Franklin High School), #02.920
- C. Crosby Elementary School – Indoor Air Quality Improvements, #01.322
- D. Bowie High School – Cooling Towers Replacement, #02.542
- E. Hillside Elementary School – Indoor Air Quality Improvements, #02.658
- F. Education Center-Boeing – Chiller Replacement, #02.698

It was moved by Mr. Mena, seconded by Mr. Wever, and carried unanimously that the Board approve the competitive bid method for the solicitation of the construction projects as listed, subject to the review and approval of the District's attorney, and authorize the advertisement and issuance of relevant documents to prospective bidders/proposers.

Meeting Closed (Item #12)

The meeting was recess at 7:42 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 Appointment – Principal, Telles Academy
- B. Consultation with School District Attorney – Cecilia M. Chavez, Nora Montez, and Jose Rosales v. El Paso Independent School District; Cause No. 98-3002; County Court at Law No. 3, El Paso County, Texas

Mr. Rosales recused himself from discussion on item no.12, B., Consultation with School District Attorney – Cecilia M. Chavez, Nora Montez, and Jose Rosales v. El Paso Independent School District; Cause No. 98-3002; County Court at Law No. 3, El Paso County, Texas.

The closed meeting started at 7:45 p.m. The closed meeting ended at 8:08 p.m.

Meeting Opened

The meeting was reassembled in Open Session at 8:08 p.m.

Personnel Appointment – Principal, Telles Academy (Item #12, A.)

It was moved by Mr. Rosales, seconded by Miss Garcia, and carried unanimously that the Board accept the Superintendent's recommendation to appoint Albert Nava, Assistant Principal at Bowie High School, to the position of Principal at the Telles Academy.

Meeting Adjourned

The meeting was adjourned at 8:09 p.m.

Date Approved: April 9, 2002