

Minutes of Meeting of Board of Trustees
El Paso Independent School District
September 25, 2001
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 5:08 p.m. by Mr. Wever. The Pledge of Allegiance was led by Dr. Anzaldúa. Mr. John Doran, Associate Superintendent, High Schools Division, gave the Thought for the Day.

Recognition of 2001 Texas Association for the Gifted and Talented (TAGT) Regional Award Recipients (Item #1)

Mr. Gene Palyu, Science Technology teacher at Cordova Middle School and President of the West Texas Association for the Gifted and Talented, was recognized as the TAGT 2001 Advocate of the Year for Region 19. Ms. Ann Renee Wilsey, parent of a gifted and talented student, was recognized as the Parent of the Year. The honorees were presented engraved plaques from the Board of Trustees.

Recognition of Sandra Chaplain, 2001 Region 19 Secondary Teacher of the Year (Item #2)

Ms. Sandra Chaplain, EPISD's Secondary Teacher of the Year and teacher at Morehead Middle School, was recognized as the 2001 Region 19 Secondary Teacher of the Year.

Awards to September Employees of the Month (Item #3)

Ms. Margarita Cortez-Olivas, teacher at Beall Elementary School, was recognized by the Board of Trustees as September's Certified Employee of the Month; and Ms. Domita Clark, paraprofessional at Raymond Telles Academy, was recognized as September's Non-Certified Employee of the Month. Each was presented with an engraved plaque and a check in the amount of \$150.00.

Children's Vision Awareness Day Resolution (Item #4)

The Children's Vision Awareness Day Resolution was read into the record by Miss Garcia.

It was moved by Miss Garcia, seconded by Mr. Telles, and carried unanimously that September 26, 2001, be designated as Children's Vision Awareness Day to recognize the importance of early childhood vision care (copy of resolution attached to the permanent file of these minutes).

Public Forum (Item #5)

The following people requested to speak on Open Forum:

1. Mr. Gerald Cheek spoke about accountability and the Board's responsibility to monitor the Superintendent and the administration, and requested that the grievance by Sandra Urias (Item #18, A.) be heard in Open Session and moved up on the agenda.

Responding to a question from Dr. Roark, Mr. Safi, referencing Board Policies DGBA (Local) and GF (Local), advised that a complaint or grievance is to be heard in a closed meeting unless the employee against whom the complaint or grievance is brought requests an open hearing.

Speakers to Grievance Hearing – Sandra A. Urias, Senior Clerk, Cielo Vista Elementary School (Item #18, A.)

The following people requested to speak to this item:

1. Ms. Sandra Urias, grievant, stated that her item is a public complaint and not a grievance. Ms. Urias was advised that she would be recognized again after the grievance hearing.
2. Mr. Hector Urias, brother of the grievant, spoke about his sister requesting an open hearing.

Meeting Closed (Item #18)

The meeting was recessed at 5:45 p.m. to a closed meeting by Mr. Wever under Sections 551.074 and 551.082 of the Texas Government Code as follows:

A. Grievance Hearing – Sandra A. Urias, Senior Clerk, Cielo Vista Elementary School

The closed meeting started at 6:00 p.m. The closed meeting ended at 7:36 p.m.

Meeting Opened

The meeting was reassembled in Open Session at 7:40 p.m.

Grievance Hearing – Sandra A. Urias, Senior Clerk, Cielo Vista Elementary School (Item #18, A.)

The following people requested to speak to this item:

1. Ms. Sandra Urias, grievant, declined the opportunity to speak.
2. Mr. Hector Urias, brother of grievant, spoke about the complaint filed by his sister.

It was moved by Dr. Roark and seconded by Dr. Finke that the Board not sustain the Superintendent's response to this grievance and that the Superintendent take additional, appropriate disciplinary action with respect to Mr. Enrique Gallegos, Associate Superintendent, Elementary Schools Division, within the District's policies. Upon the vote, the motion carried with Mr. Mena voting against the motion.

Student Tuition Waiver and Residency Status Appeals (Item #17)

A. S. G.

Ms. Gloria Boyer, Director, Pupil Services, advised that the mother of S. G. lives within the boundaries of Clint ISD and that S. G. attended MacArthur Middle School last school year and was placed in the alternative education program in May 2001. Ms. Boyer stated that because of the AEP placement and the residency of the mother, the transfer request and tuition waiver was denied. After being notified of the denial, the mother notified the District that her children live with their maternal grandmother who lives in the Ross Middle School area, which is within the EPISD boundary. The Associate Superintendent for Middle Schools upheld the decision to deny the transfer/tuition waiver request.

Ms. Sandra Marinelarena, mother of S. G., advised that S. G. had attended EPISD schools for eight years without incident. The principal at MacArthur Middle School advised her that because her son had been placed in AEP, he would not be allowed to attend MacArthur for the 2001-02 school year. Ms. Marinelarena then attempted to register S. G. at Ross Middle School and was told that she must fill out a transfer request. She stated that her children had always lived with their grandmother and attended EPISD schools, and she did not want to uproot them.

There was discussion on where S. G. resided; whether the grandmother was simply "babysitting;" the legal documentation required to show that legal guardianship had been transferred to the grandmother; and S. G.'s older siblings having been approved to attend Burges High School.

It was moved by Mr. Telles and seconded by Dr. Finke that the Board reject the administration's finding of non-residency and allow the tuition waiver requested for S. G.

Discussion continued on the discipline situation for S. G.; the offense committed being a Level 3 offense; and whether the AEP placement should be upheld.

Mr. Rosales recommended amending the motion to include that appropriate disciplinary action will continue. Mr. Telles and Dr. Finke accepted the amendment.

The amended motion read as follows:

that the Board reject the administration's finding of non-residency and allow the tuition waiver requested for S. G. with appropriate disciplinary action to be continued.

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

B. J. D. S.

It was moved by Mr. Mena, seconded by Mr. Telles, and carried unanimously that the Board reject the administration's finding of non-residency and allow the tuition waiver for J. D. S.

Consent Agenda (Item #6)

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

Mr. Telles - Item 6, J., 5., Approval of Budget Amendments – Title VI - Class Size Reduction Program (\$5,914,668.00)

Dr. Roark - Item 6, M., August Personnel Report

Mr. Wever - Item 6, J., Approval of Budget Amendments
6., Athletics Budget Amendment (\$201,600.00)
7., Bilingual Education Budget Amendment (\$202,500.00)

Questions on Approval of Budget Amendments – Title VI – Class Size Reduction Program (\$5,914,668.00) (Item #6, J., 5.)

Mr. Telles commended the District's actions of maintaining smaller student/teacher ratios.

Questions on August Personnel Report (Item #6, M.)

Dr. Roark requested that more detailed information be provided to the Board on reasons employees are leaving the District, especially those going to other school districts.

Questions on Approval of Budget Amendments – Athletics Budget Amendment (\$201,600.00) (Item #6, J., 6.)

Responding to a question from Mr. Wever, Mr. William Goodman, Associate Superintendent, Finance, advised that a coding error occurred during the final reductions to the 2001-02 preliminary budget and funds that should have been budgeted were not budgeted in Athletics. He stated that the funds will be drawn from Fund Balance.

Questions on Approval of Budget Amendments – Bilingual Education Budget Amendment (\$202,500.00) (Item #6, J., 7.)

Mr. Wever questioned whether the creation of four positions in Bilingual Education can be mandated by a District Effectiveness and Compliance (DEC) Monitoring Review as stated in the background information for this item. Dr. Anzaldúa and the administration provided information on compliance issues contained in the DEC report and funds being appropriated for the positions.

It was moved by Dr. Roark, 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 Contract Between the El Paso Independent School District and Communities in Schools (CIS) – El Paso, Inc. (\$350,000.00)

The Board approved the contract between the El Paso Independent School District and Communities in Schools-El Paso, Inc. for the provision of social work, counseling and vocational training services for the 2001-02 school year to Bowie, El Paso, and Irvin High Schools; Telles Academy; Guillen, Charles, Henderson, Lincoln, Magoffin, and Wiggs Middle Schools; Lamar Elementary School; and the Sunland Park Mall Academy in the amount of \$360,500.00.

B. Approval of Contracts with El Paso Independent School District for a Community Development Block Grant for the “Focus on First Graders” Program at Aoy, Bradley, Douglass, Johnson, Lee, Roberts, Roosevelt, Vilas and Wainwright Elementary Schools

The Board approved the contract with the City of El Paso for a Community Development Block Grant for the “Focus on First Graders” Program at Aoy, Bradley, Douglass, Johnson, Lee, Roberts, Roosevelt, Vilas, and Wainwright Elementary Schools and the individual and agency contracts as follows for contracted counseling services for the period through August 31, 2002.

1. City of El Paso Community Development Block Grant (\$26,222.00) in the amount of \$26,222.00.
2. Guadalupe Casteneda, Licensed Professional Counselor (\$2,750.00) in the amount of \$2,750.00.
3. Martha Dominguez, Licensed Professional Counselor (\$2,750.00) in the amount of \$2,750.00.
4. Ilyana Jacobson, Licensed Professional Counselor (\$2,750.00) in the amount of \$2,750.00.
5. Ruben Moreno, Licensed Professional Counselor (\$8,250.00) in the amount of \$8,250.00.
6. Sergio Medina, Licensed Professional Counselor (\$2,750.00) in the amount of \$2,750.00.
7. Enrique Reyes, Licensed Professional Counselor (\$2,750.00) in the amount of \$2,750.00.
8. Jorge Montes, Licensed Professional Counselor (\$1,375.00) in the amount of \$1,375.00.
9. Life Management Center for Mental Health/Mental Retardation Services (\$3,122.00) in the amount of \$3,122.00.

C. Approval of Juvenile Justice Alternative Education Program (JJAEP) Interlocal Agreement Between the El Paso and Socorro Independent School Districts

The Board approved the JJAEP Interlocal Agreement between the El Paso and Socorro Independent School Districts for the EPISD to accept discretionary expelled students from the Socorro ISD for the 2001-02 fiscal year, with the EPISD receiving \$7,500.00 from the Socorro ISD for each discretionary expelled student.

D. Approval of School Board Member/Superintendent Continuing Education Shared Services Agreement with Region 19 Education Service Center, 2001-02 (\$3,000.00)

The Board approved the School Board Member/Superintendent Continuing Education Shared Services Agreement for 2001-02 with Region 19 Education Service Center for the Horizon Package for a fee of \$3,000.00.

E. Approval of Human Resources Administrators to Sign Teacher Service Records

The Board authorized Mr. Charles L. Tafoya, Associate Superintendent, Human Resources, and Ms. Nancy Evans, Certification Officer, Human Resources, to sign Teacher Service Records.

F. Professional Services Contract Awards

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

1. Districtwide IAQ (Indoor Air Quality) Program, #02.940 (\$50,000.00) to AMEC Earth & Environmental, Inc. in the amount of \$50,000.00.
2. Districtwide IAQ (Indoor Air Quality) Program, #02.300 (\$50,000.00) to Frontera Environmental, LLC, in the amount of \$50,000.00.

G. Maintenance & Service Contract Award – Districtwide Water Softener Systems, #02.421.01 (\$38,022.30)

The Board approved the award of Maintenance and Service Contract #02.421.01, Districtwide Water Softener Systems, to Culligan-El Paso for the provision of water softener systems services in the amount of \$38,022.30, subject to the review and approval of the District's attorney.

H. Extension of Construction Contract for 2001-02 Fiscal Year – Districtwide Asbestos Abatement, Phase 12, #00.926

The Board authorized the administration to extend the contract with Environmental Reconditioning, Inc. for Districtwide Asbestos Abatement, Phase 12, #00.926, for a period through August 31, 2002, or until the value of the contract is reached.

I. 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. San Jacinto Adult Learning Center Restroom Modifications, #99.630 (\$165,892.00) was awarded to Matyear Construction, Inc. in the amount of \$165,892.00.
2. ADA/504 Compliance 2000 – Andress, Coronado, and Jefferson High Schools; Guillen Middle School; and Newman Elementary School, Phase 1, #00.875 (\$170,800.00) was awarded to Matyear Construction, Inc. in the amount of \$170,800.00.
3. Terrace Hills Middle School Remodeling of Room 107 for Handicap Accessibility, #00.880 (\$43,000.00) was awarded to JMZ Contractors, Inc. in the amount of \$43,000.00.
4. Districtwide Asbestos Abatement, Phase 13A, #01.910.01 (\$350,000.00) was awarded to Environmental Reconditioning, Inc. in the amount of \$350,000.00.
5. Districtwide Asbestos Abatement, Phase 13B, #01.910.02 (\$100,000.00) was awarded to Nickolas Environmental, Inc. in the amount of \$100,000.00.

J. Approval of Budget Amendments

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

1. CSR (Comprehensive School Reform) Cycle 2 – Dr. Nixon Elementary School (\$138,685.00). The purpose of this item is to set up the CSR Cycle 2 – Dr. Nixon Elementary School Program budget in the amount of \$138,685.00. Marsha Lawler, Executive Director, External Funding, requested this amendment in a memo dated August 27, 2001. The Texas Education Agency approved this grant on August 2, 2001.
2. Adult Basic Education – State (\$196,623.00). The purpose of this item is to set up the Adult Basic Education – State Program budget in the amount of \$196,623.00. Blanca Andrade, Administrator, San Jacinto Adult Learning Center, requested this amendment in a memo dated August 28, 2001. The Texas Education Agency approved this grant on August 16, 2001.
3. Adult Basic Education – Federal (\$637,413.00). The purpose of this item is to set up the Adult Basic Education – Federal Program budget in the amount of \$637,413.00. Blanca Andrade, Administrator, San Jacinto Adult Learning Center, requested this amendment in a memo dated August 28, 2001. The Texas Education Agency approved this grant on August 16, 2001.
4. Adult Basic Education – Federal In-Service (\$12,940.00). The purpose of this item is to set up the Adult Basic Education – Federal In-Service Program budget in the amount of \$12,940.00. Blanca Andrade, Administrator, San Jacinto Adult Learning Center, requested this amendment in a memo dated August 28, 2001. The Texas Education Agency approved this grant on August 16, 2001.

5. Title VI – Class Size Reduction Program (\$5,914,668.00). The purpose of this item is to set up the Title VI – Class Size Reduction Program budget in the amount of \$5,914,668.00. Marsha Lawler, Executive Director, External Funding, requested this amendment in a memo dated September 4, 2001. The Texas Education Agency approved this grant on August 22, 2001.
 6. Athletics Budget Amendment (\$201,600.00). The purpose of this item is to increase the Athletics budget in the amount of \$201,600.00. Elsie Partridge, Director of Athletics, requested this amendment in a memo dated September 13, 2001. Due to a clerical coding error, these funds were not included in the Athletics budget. These funds are necessary to provide equipment for individual sports at nine high schools. The funds will be made available from the Fund Balance account.
 7. Bilingual Education Budget Amendment (\$202,500.00). The purpose of this item is to amend the Bilingual Education budget in the amount of \$202,500.00. William Goodman, Associate Superintendent of Finance, requested this amendment in a memo dated September 11, 2001. This amendment will transfer funds from the Contingency Reserve to fund the positions of one director, two facilitators, and one clerk in order to abide by mandates set by the Texas Education Agency during the District Effectiveness and Compliance (DEC) monitoring review.
 8. Superintendent's Budget Amendment (\$4,870.00). The purpose of this item is to amend the Superintendent's budget in the amount of \$4,870.00. William Goodman, Associate Superintendent of Finance, requested this amendment in a memo dated September 11, 2001. This amendment will transfer funds from Plant Maintenance and Operations to General Administration to cover the expenses of a Canon copier.
- K. Approval of Optometry, Dental, and Medical Services for Title I Qualified Recipients (\$61,400.00)

The Board approved the initiation of purchase orders to the optometrists, dentists, and physicians as listed in the amounts indicated for the provision of student vision, hearing, dental, and spinal screenings for a total amount of \$61,400.00 (copy of list and amounts attached to the permanent file of these minutes).

L. Bid and Purchase Order Requiring Board Approval

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

1. Annual Small Kitchen Equipment Bid #82-01 (\$170,973.05) was awarded to the following vendors in the amounts indicated: Caldarella's, Inc., 8 items, \$13,368.49; Lee Equipment, 37 items, \$12,302.35; National Restaurant Supply, 163 items, \$142,867.16; and Pasco Brokerage, 8 items, \$2,435.05, for a total amount of \$170,973.05 (copy of bid tabulation attached to the permanent file of these minutes).
2. SIRS (Social Issues Resources Series, Inc.) CD-ROM Subscriptions, Purchase Order No. 220947 (\$50,760.00) was approved for purchase from SIRS (Social Issues Resources, Inc.), the sole source, in the amount of \$50,760.00 (copy of purchase order attached to the permanent file of these minutes).

M. August Personnel Report

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

Update on Strategic Planning Process (Item #7)

Mr. Luis Villalobos, Executive Director, Communications and Business Partnerships, provided information on the status of the strategic planning process and an upcoming orientation session and workshops.

Mr. Gilbert Moreno, Prestige Consulting Services, Strategic Planning Consultant, reviewed activity on Strategic Planning since the last update was provided to the Board on August 14, 2001. He advised that Key Project highlights will be brought forward into the fourth phase of the process, which will be planning workshops. He reviewed survey instruments that were distributed at the request of the Strategic Planning Committee to approximately 600 randomly selected teachers and the focus group meetings that were held in the community.

There was discussion on the teacher surveys; the availability of aggregated data from the surveys; providing data and comments for the survey questions; the anticipated response rate from teachers to the survey; and scheduling alternative dates for two Strategic Thinking/Planning Sessions.

Approval of District's Participation in Federal National Mortgage Association (Fannie Mae) Employer Assisted Housing Program (Item #8)

Dr. Anzaldua announced an opportunity for the EPISD to participate in the Fannie Mae (Federal National Mortgage Association) Employer Assisted Housing Program through a partnership with the City of El Paso. Participation in the program would be at no cost to the District or its employees, and Dr. Anzaldua advised that the EPISD would be the only school district in the state to participate in such a program. The program would provide affordable housing to employees, initially to teachers and principals, with the possibility of other employees participating in future years. Dr. Anzaldua stated that the Mayor of El Paso indicated that approximately 300 units could be available for purchase, with the City providing a loan for the down payment, with the down payment being forgiven if the employee remains with the District for a specified amount of time. This would be an incentive for future employees that are in the market for a home.

Ms. Sandra Sanchez-Almanzan, a representative from Fannie Mae, provided information on the specifics of the Fannie Mae Program and the bond authority that will be issued by the City's Housing Finance Corporation. She stated that El Paso has not previously conducted a targeted revenue bond issuance and plans to target a portion of these bonds in certain neighborhoods. Ms. Sanchez-Almanzan stated that the neighborhoods have not been defined but the area will fall within the El Paso Independent School District.

There was discussion on the type of properties teachers will have the opportunity to purchase; the down payment being the first impediment to purchasing a house; and the Fannie Mae Program providing an opportunity to purchase a first home with a favorable mortgage rate and which provides the down payment and closing costs.

It was moved by Mr. Telles and seconded by Mr. Wever that the Board approve the District's participation with the City of El Paso in the Federal National Mortgage Association (Fannie Mae) Employer Assisted Housing Program, provided that said participation will be at no direct expense to the District.

Discussion continued on restrictions that may be associated with selling the houses; examples of prorated reimbursement to the Housing Finance Corporation if an employee leaves the District prior to the specified time; the purchaser being a first-time home buyer or not having owned a house within the last four years; and the program providing a recruiting tool for the District.

Mr. Mena called for the question.

Upon the vote, the motion carried unanimously.

EPISD Employee and Student Travel Guidelines (Item #9)

Dr. Roark expressed a concern with a stipulation in the travel guidelines that charge (credit) card receipts would not be acceptable documentation for reimbursement. He recommended that the guidelines include that credit card receipts will be accepted if a detailed receipt is provided.

It was moved by Mr. Mena, seconded by Mr. Telles, and carried unanimously that the EPISD Employee and Student Travel Guidelines be approved as amended to allow the submission of credit card receipts for reimbursement.

Revisions to Board Policies (Item #10)

- A. BBG (Local), Board Members: Compensation and Expenses
- B. CKB (Local), Safety Program/Risk Management: Accident Prevention and Reports
- C. DEE (Local), Compensation and Benefits: Expense Reimbursement
- D. DMD (Local), Professional Development: Professional Meetings and Visitations
- E. FMG (Local), Student Activities: Travel
- F. FNCJ (Local), Students Rights and Responsibilities: Sexual Harassment/Sexual Abuse

It was moved by Mr. Telles and seconded by Mr. Rosales that revisions to Board Policies BBG (Local), Board Members: Compensation and Expenses; CKB (Local), Safety Program/ Risk Management: Accident Prevention and Reports; DEE (Local), Compensation and Benefits: Expense Reimbursement; DMD (Local), Professional Development: Professional Meetings and Visitation; FMG (Local), Student Activities: Travel; and FNCJ (Local), Students Rights and Responsibilities: Sexual Harassment/Sexual Abuse, be approved as presented.

Dr. Roark requested an amendment to BBG (Local) that wording in Items #1 and #2 dealing with receipts be revised to state that credit card receipts are sufficient documentation for reimbursement.

Mr. Telles and Mr. Rosales accepted the amendment.

The amended motion reads as follows:

that revisions to Board Policies CKB (Local), Safety Program/ Risk Management: Accident Prevention and Reports; DEE (Local), Compensation and Benefits: Expense Reimbursement; DMD (Local), Professional Development: Professional Meetings and Visitation; FMG (Local), Student Activities: Travel; and FNCJ (Local), Students Rights and Responsibilities: Sexual Harassment/Sexual Abuse, be approved as presented; and that Board Policy BBG (Local), Board Members: Compensation and Expenses be approved with the wording in Items #1 and #2 dealing with receipts being revised to state that credit card receipts are sufficient documentation for reimbursement (copies of policies attached to the permanent file of these minutes).

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

Approval of EPISD Gifted and Talented Five-Year Improvement Plan, 2001-06 (Item #11)

Dr. Linda Holman, Associate Superintendent, Curriculum and Instruction, introduced the presentation on the Gifted and Talented Five-Year Improvement Plan and advised the development process for the plan was an ongoing process for approximately two and a half years. She stated that the Improvement Plan is in accordance with state guidelines.

Ms. Fara Green, Director, Gifted and Talented, provided information on the composition of the Gifted and Talented Task Force and the work undertaken by its members to develop the five-year improvement plan, which is aligned to the state plan and will move the EPISD into recognized and exemplary status. She reviewed the plan's mission statement and philosophy, which relate back to state law, and its five goals.

There was discussion on the language in Goal 4 – Professional Development; existing language ensuring that more people with the required training are included; the availability of specific curriculum guides; depth and complexity being added to the Gifted and Talented curriculum and the curriculum being student-based and research-based learning.

Discussion continued on providing training in Gifted and Talented strategies to both bilingual and regular education teachers; the selection process for the Gifted and Talented program; and application forms being available in both English and Spanish.

It was moved by Dr. Finke, seconded by Mr. Mena, and carried unanimously that the Board approve the EPISD Gifted and Talented Five-Year Improvement Plan 2001-06 as presented.

Report on El Paso Regional Day School Program for the Deaf (Item #12)

Ms. Linda Corral, Associate Superintendent, Middle School Division, and Ms. Carmen Corrales, Administrator, Regional Day School Program for the Deaf (RDSPD), provided an overview of the District's Deaf Education program.

There was discussion on the number of students in the Deaf Education program; information being provided on the number of students at each of the three program sites (Burgess High School, Ross Middle School, and Hillside Elementary School); and the Deaf Education program being moved from Austin High School to Burgess High School.

Approval of Shared Services Agreements with the Canutillo, Clint, Fort Hancock, San Elizario, Socorro, Tornillo, and Ysleta Independent School Districts for Services at the Regional Day School Program for the Deaf (Item #13)

It was moved by Mr. Mena, seconded by Mr. Rosales, and carried unanimously that the Board approve the Shared Services Agreements for the Regional Day School Program for the Deaf with the local participating districts (Canutillo, Clint, Fort Hancock, San Elizario, Tornillo, and Ysleta Independent School Districts) for supplemental funding to pay the excess costs for operating the Regional Day School Program for the Deaf for the 2001-02 school year.

Identification of the Acute Areas of Teacher Shortage in the EPISD for the 2001-02 School Year (Item #14)

Mr. Safi reviewed the legislative initiative that addresses the teacher shortage problem and allows school districts to identify areas of acute teacher shortage in order to hire retired teachers. He advised that the area of teacher shortage must be identified, and the district needs to maintain documentation on its recruiting efforts and demonstrate that the recruiting efforts have been exhausted and they are still unable to hire sufficient qualified personnel.

Mr. Charles Tafoya, Associate Superintendent, Human Resources, reported that the Commissioner of Education provides school districts some latitude in using alternative placement methods in identified critical areas. There was discussion on whether there would be a preference for hiring a noncertified person or a retired certified person and the need for noncertified individuals to make a commitment to acquire the necessary certification.

It was moved by Dr. Roark, seconded by Mr. Telles, and carried unanimously that the Board rule that the following subject areas are areas of acute teacher shortage in the EPISD for the 2001-02 school year: Mathematics (secondary – grades 6-12); Science (secondary – grades 6-12); Special Education (all levels); Languages other than English (secondary – grades 6-12); Bilingual/English as a Second Language (all levels); Technology Applications (secondary – grades 6-12); Early Childhood; Family and Consumer Sciences; and General Business; that the Board direct the administration to maintain documentation that it has developed procedures outlining its recruitment efforts through a variety of means, and that after exhausting these recruitment efforts, it has been unable to employ sufficient qualified individuals in the above named subject areas; and that the Board direct the administration to develop criteria that outline the manner in which preference will be given to certified applicants who are not retirees.

Item Withdrawn

It was announced that item no. 15, Approval of Removal of E-Rate Funding Contingency Placed on Award of RFP #99-00, High Speed Internet Access Service, on January 9, 2001, had been withdrawn from the agenda.

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

Risograph Maintenance & Repair Bid #85-01 (\$70,200.36) (Item #16, C.)

The following people requested to speak to this item:

1. Mr. Marcelo Plesant, President, Spectrum Imaging Systems, spoke about the benefits that his company offers; his company providing Risograph maintenance services to the EPISD for the last seven years; and Spectrum being the only company in the city of El Paso authorized to receive support from Riso Corp. Mr. Plesant requested that the Board either award the Bid #85-01 to Spectrum Imaging Systems or rebid the maintenance and repair service.
2. Mr. Orlando Benevidez, President, Southern New Mexico Office Machines, spoke about reasons his firm should be awarded Bid #85-01 and stated that his company had been able to repair machines that had been declared obsolete and not repairable.

There was discussion on whether Spectrum was the low bidder; Southern New Mexico Office Machines submitting the lowest bid even with the 5 percent bidder's preference law figured into the cost; issuing a rebid with the State of Texas General Services Commission Contract amounts being included in the bid specifications; the letters of recommendation provided by District schools supporting Southern New Mexico Office Machines; and the number of employees in each company.

Discussion continued on concerns about the distance the Las Cruces, New Mexico, vendor would have to travel to service machines in El Paso; the claim that the Riso Corp. does not allow the use of used parts to repair machines; the levels stipulated in the State of Texas General Services Commission Contract referring to the age of the machines; both vendors quoting a flat rate; the number of factory-trained technicians working for each of the vendors; and the ability of a company with only one factory-trained technician having the manpower to service a school district the size of the EPISD.

Mr. Mena called for the question.

It was moved by Dr. Finke and seconded by Dr. Roark that this item be postponed until the next Board meeting and that the administration conduct a survey of the schools regarding the service provided by each of the vendors in question. Upon the vote, the motion carried with Mr. Mena, Miss Garcia, and Mr. Wever voting against the motion.

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

- A. Bowie High School Stool Table Bid #79-01 (\$48,641.60) was awarded to Indeco Sales, Inc. in the amount of \$48,641.60 (copy of bid tabulation attached to the permanent file of these minutes).
- B. Computer Workstations Bid #84-01 (\$126,114.30) was awarded to Dell Marketing LP in the amount of \$126,114.30 (copy of bid tabulation attached to the permanent file of these minutes).

- D. Computer Parts for Apple Computer Equipment, Purchase Order No. 220905 (\$70,000.00) were approved for purchase from Apple Computer, the sole source, for the estimated annual amount of \$70,000.00 (copy of purchase order attached to the permanent file of these minutes).
- E. Computers for Sunset High School, Purchase Order No. 220946 (\$10,091.80) were approved for purchase from Dell Marketing LP, the lowest quote, in the amount of \$10,091.80 (copy of purchase order attached to the permanent file of these minutes).
- F. Apple Computers for Fannin Elementary School, Purchase Order No. 221281 (\$9,880.00) were approved for purchase from Apple Computer, the sole source, in the amount of \$9,880.00 (copy of purchase order attached to the permanent file of these minutes).

Item Withdrawn

It was announced that item no. 18, B., 1., b., Personnel Appointments – Director, Guidance Services, had been withdrawn from the agenda.

Meeting Closed (Item #18)

The meeting was recessed at 10:12 p.m. to a closed meeting by Mr. Wever under Sections 551.071, 551.072, 551.074, and 551.082 of the Texas Government Code as follows:

B. Personnel Appointments

- 1. Personnel
 - a. Executive Director, Research and Evaluation
- 2. 2001-02 Compensation for Nonexempt (Hourly) Clerical Employees Previously Placed in Lower Pay Level Positions as a Result of Reorganization
- 3. Issuing Term Contract for Assistant Director, Health Services

C. Proposed Termination of Continuing Contract Teacher

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

- 1. Ruth Nuñez, Plaintiff v. Patricia Simms and Glenna Archer, Defendants; In the United States District Court, Western District of Texas, El Paso Division; Case No. EP01CA0336 – Request for Legal Representation
- 2. Ruth Nuñez, Charging Party, vs. El Paso Independent School District, Respondent; EEOC Charge No. 361A10145

E. Proposed Sale or Exchange of Property Owned by EPISD at the Following Locations:

- 1. Southeast Corner of Intersection of Wild Willow Drive and Turnstone Drive, 6.50 Acres
- 2. North of Intersection of Buckley Drive and Cactus Bloom Way, 0.32 Acres
- 3. Along Lawndale Drive, North of Lot 26, Block 5, Mesa Hills Unit One, 3.13 Acres

The closed meeting started at 10:18 p.m. The closed meeting ended at 10:56 p.m.

Meeting Opened

The meeting was reassembled in Open Session at 10:58 p.m.

Personnel Appointments – Executive Director, Research and Evaluation (Item #18, B., 1., a.)

It was moved by Mr. Rosales, seconded by Mr. Mena, and carried unanimously that the Board accept the Superintendent's recommendation to appoint Art Jordan, Bilingual Education Evaluator in Research and Evaluation, to the position of Executive Director, Research and Evaluation.

2001-02 Compensation for Nonexempt (Hourly) Clerical Employees Previously Placed in Lower Pay Level Positions as a Result of Reorganization (Item #18, B., 2.)

It was moved by Dr. Finke, seconded by Mr. Rosales, and carried unanimously that the Board approve an exception to Board Policy DEA (Local), Compensation and Benefits: Salaries, Wages, and Stipends, for the 2001-02 school year for the four nonexempt (hourly) clerical employees as presented and that effective September 26, 2001, they receive a rate of pay for the 2001-02 school year in accordance with the hourly pay rates of the positions they occupied prior to their transfers resulting from the 2000 administrative reorganization.

Issuing Term Contract for Assistant Director, Health Services (Item #18, B., 3.)

It was moved by Dr. Roark, seconded by Mr. Rosales, and carried unanimously that the Board deny the request to issue a One-Year Term Contract for the 2001-02 school year to Judith Hunter, Assistant Director, Health Services.

Proposed Termination of Continuing Contract Teacher (Item #18, C.)

It was moved by Miss Garcia, seconded by Mr. Rosales, and carried unanimously that the Board approve giving notice of the proposed termination of employment to Jose Luis Lozoya, a continuing contract teacher.

Consultation with School District Attorney Regarding Pending or Contemplated Litigation – Ruth Nuñez, Plaintiff v. Patricia Simms and Glenna Archer, Defendants; In the United States District Court, Western District of Texas, El Paso Division; Case No. EP01CA0336 – Request for Legal Representation (Item #18, D., 1.)

It was moved by Miss Garcia, seconded by Mr. Rosales, and carried unanimously that the Board authorize payment for the law firm of Mounce, Green, Myers, Safi & Galatzan, P.C. to represent Mrs. Glenna Archer and Mrs. Patricia Simms in the lawsuit filed by Ruth Nuñez to the extent that their legal fees are not paid by any insurance that may be applicable.

Proposed Sale or Exchange of Property Owned by EPISD (Item #18, E.)

It was moved by Dr. Finke, seconded by Mr. Wever, and carried unanimously that the Board declare the following land owned by the District as surplus property, which will not be needed for school purposes as identified in the Districtwide Surplus Property Survey Report, and authorize the administration to proceed with the notice and publication of the land offerings for sale or exchange in accordance with Board policies and procedures, including Board Policy CDB (Legal) and (Local), with any recommendation to accept an offer being brought back to the Board for final approval:

1. southeast corner of intersection of Wild Willow Drive and Turnstone Drive, 6.50 acres;
2. north of intersection of Buckley Drive and Cactus Bloom Way, 0.32 acres; and
3. along Lawndale Drive, north of Lot 26, Block 5, Mesa Hills Unit One, 3.13 acres.

Meeting Adjourned

The meeting was adjourned at 11:05 p.m.

Date Approved: November 13, 2001