

Minutes of Meeting of Board of Trustees
El Paso Independent School District
October 12, 2004
5:00 p.m.
Education Center-Boeing

Present: Mr. Sal Mena, Jr., President
Dr. Lorraine O'Donnell, Vice President
Mr. Carlos Cordova, Secretary
Ms. Lisa Colquitt-Muñoz
Mr. David Dodge
Miss Leonor Garcia
Dr. Charles Roark
Mr. Charles L. Tafoya, Superintendent
Mr. Anthony Safi, School District Attorney

The meeting was called to order at 5:05 p.m. by Mr. Mena. The Pledge of Allegiance was led by Mr. Hector Martinez, Associate Superintendent, Operations. Ms. Elfida Gutierrez, Associate Superintendent, Elementary Schools Supervision and Instruction, gave the Thought for the Day.

1. Recognition of October 2004 Partner of the Month

David E. and Evelyn R. Goodman were recognized.

2. Recognition of September 2004 Volunteer of the Month and Youth Volunteer of the Month

Ms. Hortencia Galvan, a volunteer at El Paso High School, and Richard Genera, a student at Cordova Middle School, were recognized.

4. Public Forum

The following people requested to speak on Public Forum:

1. Ms. Andrea Sweetnam spoke about the acquisition of property next to Mesita Elementary School and expressed a concern with the lack of communication between the District and Stanton Street residents regarding the acquisition of their properties.
2. Mr. Sean Sweetnam read a statement by Philip Cortez, a Stanton Street neighbor, about the acquisition of property next to Mesita Elementary School and against the District acquiring property on Stanton Street for the reconstruction of Mesita.
3. Ms. Frances Wever, President, El Paso Federation of Teachers and Support Personnel, spoke about concerns regarding the District not following policies, regulations, and deadlines for grievances.
4. Mr. Stanley Milton spoke about the acquisition of property next to Mesita Elementary School and against the District acquiring property on Stanton Street for the reconstruction of Mesita.

5. Consent Agenda

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

Dr. O'Donnell - Items J., 2., 3., and 4.

Dr. Roark - Item J., 5.

Questions on Item J., 2., Budget Amendments – Hornedo Middle School (\$11,800.00)

Dr. O'Donnell requested an explanation of TexPool, and Ms. Victoria York, Principal, Hornedo Middle School, stated that the investment account contains accrued monies from campus vending machines. She advised that because Hornedo is not a Title I school and has very little State Compensatory Education (SCE) funds, the account is accessed when there is a greater need for funding than the budget allows.

Questions on Item J., 3., Budget Amendments – Coronado High School (\$12,174.00)

Dr. O'Donnell requested information on the accounts included in this transfer of funds. Ms. Marielo Morales, Principal, Coronado High School, advised that the funds would come from the local, library, and checking accounts.

Questions on Item J., 4., Budget Amendments – ESEA Title I, Part A – Alamo Elementary School (\$15,000.00)

In response to an inquiry from Dr. O'Donnell, Ms. Elfida Gutierrez, Associate Superintendent, Elementary Schools Supervision and Instruction, confirmed that this transfer was to correct an error in the location of a budget entry.

Questions on Item J., 5., Budget Amendments – Rollover of Funding for Fiscal Year 2004 Purchase Orders (\$5,682,931.00)

Dr. Roark expressed a concern about the amount of rollover related to construction projects. Mr. Dodge explained that most construction contracts are geared to completion dates rather than the fiscal year and that funds must be rolled forward with the projects. Mr. Dodge advised that these amounts had been previously budgeted and approved by the Board and are now to be carried forward. Ms. Martha Piekarski, Executive Director, Accounting Services, confirmed Mr. Dodge's comments and advised that no funds were to come from the Fund Balance.

It was moved by Mr. Cordova, seconded by Miss Garcia, and carried unanimously that the items on the Consent Agenda be approved as listed including any recommended vendors for any amounts indicated.

A. Minutes

1. August 2004

- a. August 10, 2004, Board's Compensation Committee Meeting and August 24, 2004, Board Finance Committee Meeting
- b. August 2, 2004; August 3, 2004; August 9, 2004; August 10, 2004; August 17, 2004; and August 24, 2004, Meetings of the Board of Trustees

2. September 21, 2004, Board Policy Committee Meeting

- B. Revision to Board Policy DNA (Local), Performance Appraisal: Evaluation of Teachers (copy attached to the permanent file of these minutes).
- C. New Board Policy FDD (Local), Admissions: School Safety Transfers (copy attached to the permanent file of these minutes).
- D. Agreement with Sun Bowl Association for Participation in 2004 Las Palmas/Del Sol Sun Bowl Parade and authorization for the Board President to sign the agreement with the Sun Bowl Association in the form presented.
- E. Interlocal Agreement with Region 19 Education Service Center, EPISD Internet Service Provider, for the Period of September 1, 2004, through August 31, 2005 (\$76,448.00), subject to the review and approval of the District's attorney.

- F. Award of Law Enforcement Liability Policy Final Payment RFP #94-04 (\$34,985.00) to Arch Specialty Insurance Company, effective October 25, 2004, through October 25, 2005.
- G. Continuation of Commodity Food Processing through West Texas Food Service Cooperative for Processing of Carry Over of Nonfat Dry Milk (approx. \$33,845.42) on the 2003-04 fiscal year contract, from Schreiber Foods, Inc.
- H. Correction to Award of Pre-Bound Book Bid #79-04 Approved by Board on September 28, 2004 for the addition of Bound to Stay Bound to the recommended award for Bid #79-04 for a 30 percent discount on hardback books, with a reference to the October 12, 2003, minutes to be added to the margin of the minutes of the September 28, 2004, Board meeting as a cross reference of this action (copy of bid tabulation attached to the permanent file of these minutes).
- I. Purchases Requiring Board Approval
 - 1. Option to Extend Existing CSP – Elementary Instructional Materials Request for Catalog Discount CSP #92-03 (approx. \$325,000.00), first option to extend, to the vendors as listed for future purchases on an as-needed basis for the discounts indicated (copy of bid tabulation attached to the permanent file of these minutes).
 - 2. Diesel Fuel for School Buses on Region 19 Bid #03-5574 (approx. \$150,000.00) was approved for purchase from Transmountain Oil Company, Inc. for the 2004-05 school year (copy of bid tabulation attached to the permanent file of these minutes).
- J. Budget Amendments
 - 1. Lee Elementary School (\$1,900.00). This item is to allow the purchase of radios for communication to ensure a safe environment at the school.
 - 2. Hornedo Middle School (\$11,800.00). This item is to provide tutoring for the after-school homework center and a substitute nurse to conduct health screenings.
 - 3. Coronado High School (\$12,174.00). This item is to allow the hiring of a coach to choreograph and supervise the “Sidekicks” dance team.
 - 4. ESEA Title I, Part A – Alamo Elementary School (\$15,000.00). This item is to correct a budget entry in the wrong account.
 - 5. Rollover of Funding for Fiscal Year 2004 Purchase Orders (\$5,682,931.00). This item is to allow these funds to be rolled back out of the Reserve for Encumbrance Account into the accounts indicated for the current fiscal year.
- K. Construction Contract Award – Andress High School Fire Alarm System Upgrade, #04.515 (\$285,368.00), to High Point Electric, Inc., subject to the review and approval of the District's attorney.
- L. Professional Services Contract Awards were made as follows, subject to the review and approval of the District's attorney, 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 Boiler Replacement 2005 (Roberts Elementary School; Canyon Hills and Guillen Middle Schools; and Jefferson High School), #05.569 (approx. \$40,800.00), to SGB Engineering, Inc.

2. Asbestos Management Services 2004/2005-1, #05.571 (approx. \$40,000.00), to Raba-Kistner Consultants (SW), Inc.
3. Asbestos Management Services 2004/2005-2, #05.572 (approx. \$40,000.00), to AMEC Earth & Environmental, Inc.
6. Revision to Board Policy DH (Local), Employee Standards of Conduct and Discussion of DH (Regulation)

Mr. Mena read a statement regarding the policy determining that there is to be a standard of dress, the regulation outlining the implementation of the policy, and calls he had received about the wearing of “blue” jeans. He recommended that “blue” jeans not be addressed specifically in regulation but left to the discretion of each campus principal.

It was moved by Dr. Roark, seconded by Mr. Dodge, and carried unanimously that the revisions to Board Policy DH (Local), Employee Standards of Conduct, be approved as presented (copy attached to the permanent file of these minutes).

There was discussion on “blue” jeans being inappropriate in the classroom setting; principals being given the latitude to determine when “blue” jeans would be suitable attire; tattoos and body piercing being out of place on a campus; prohibiting the routine wearing of “blue” jeans during the daily course of teaching; “blue” jeans being allowed only on specified casual days; all District personnel being role models for the students; and a regulation, not the principals, establishing the standard of dress for teachers.

Mr. Tafoya concurred with the comments regarding role models and stated that “blue” jeans would be appropriate for certain categories of employees such as maintenance and custodial due to the nature of their work, that specific days be designated when “blue” jeans could be worn, and “blue” jeans not be allowed more than 20 percent of the time.

Discussion continued on teachers securing permission from the principal to wear “blue” jeans for a special planned project, enforcing the 20-percent rule, suitable attire being subjective, principals deciding what is and is not appropriate on their campuses, there being a Districtwide policy on dress, protective equipment being available at campuses for science teachers, and teachers and other employees needing to know the guidelines they are to follow.

Mr. Tafoya stated that principals should identify appropriate times for “blue” jeans, that there be parameters for the principals to follow to set the standard of dress at their campuses, and that there be a limit on the number of days “blue” jeans can be worn as an appropriate dress for daily instruction. He advised that the administration will work with the El Paso Consultation Association to determine what days and activities “blue” jeans would be appropriate.

7. EPISD Contributions From and To EPISD Fund

Mr. Tafoya commented on the EPISD Fund previously being funded 100 percent by the District and that following advice from legal counsel, there was a reevaluation of the District’s involvement in and support of the EPISD Fund. He advised that the proposed \$25,000.00 allocation would go toward the operational cost of the Fund.

It was moved by Dr. Roark, seconded by Mr. Dodge, and carried unanimously that the Board approve the District’s contribution to the EPISD Fund in the amount of \$25,000.00 for operational expenses of the Fund, in consideration of the EPISD Fund’s continued financial support of the students and teachers of the District.

8. Intensive Reading Instruction Initiative Grant Award under Rider 51(a) of the 2004-05 Legislative Appropriations Act (House Bill 1) for Grades 4-5 in 18 EPISD Elementary Schools and the Provision of Intensive Reading Intervention Program by Voyager Expanded Learning (\$167,302.80)

It was moved by Miss Garcia, seconded by Dr. O'Donnell, and carried unanimously that the Board approve this grant and the provision of the reading intervention program by this sole source vendor.

9. New Century Education Corporation Continuing Service Agreement for New Century Integrated Instructional System Software for Title I and Title II Services for Students Attending Private Schools (\$29,934.00)

It was moved by Dr. O'Donnell, seconded by Mr. Cordova, and carried unanimously that the Board approve this continuing services agreement. Mr. Dodge was not present for the vote.

10. Revised Budget for District's Costs for Year 7 (2004) E-Rate Projects

Ms. Terri Jordan, Executive Director, Technology and Information Systems, provided information on a required revision to the District's obligation for the 2004 E-Rate (Year 7) projects, which was discovered while responding to Selective Review questions from the Schools and Libraries Division (SLD).

It was moved by Mr. Cordova and seconded by Dr. O'Donnell that the Board approve an adjustment in the appropriation of each account identified for E-Rate support services in the Technology and Information Systems budget for the District's share of funding for Year 7 (2004) E-Rate projects in the corrected total amount of \$562,892.00, and that a reference to the October 12, 2004, minutes be added to the margin of the minutes of the February 3, 2004, Board meeting as a cross reference of this action.

Mr. Dodge requested that a "place marker" be assigned to the line item contingency account for this E-Rate funding to reserve the matching funds amount out of undesignated Fund Balance.

Upon the vote, the motion carried unanimously.

11. Additional Expenditure Request for Success for All™ Program at Lee, Roberts, and Wainwright Elementary Schools (approx. \$35,000.00)

It was moved by Miss Garcia, seconded by Mr. Dodge, and carried unanimously that the additional expenditure request for this program be approved from Success for All Foundation, Inc., the sole source.

12. Interlocal Agreement with Region 19 Education Service Center for Professional Development and Customized Services for Teachers and Support Personnel in Educating Students with Disabilities (\$50,000.00)

It was moved by Dr. O'Donnell, seconded by Miss Garcia, and carried unanimously that the Board approve this interlocal agreement.

4. Public Forum (continued)

The following person requested to speak on Public Forum:

5. Mr. Pete Euzarraga, football coach, Jefferson High School, and Vice President, El Paso Coaches Association, thanked the Board for bringing coaches' stipends in line with other school districts.

3. Recognition of Allan D. Sepkowitz, Head Football Coach at Andress High School

Coach Allan Sepkowitz was recognized for his 200th football victory. Mr. Kenneth Owen, Director, Athletics, spoke about the accomplishments of Coach Sepkowitz during his 29 years as head football coach at Andress. Coach Sepkowitz was presented with a plaque and a football signed by the Andress football team.

13. Amendment to EPISD Apprenticeship Program

Mr. Nick Corona, Executive Director, Facilities, Maintenance and Construction, provided a history of the District's apprenticeship program and stated that it has become difficult for the District to manage the large number of officially recognized apprenticeable occupations.

It was moved by Mr. Dodge and seconded by Miss Garcia that the Board approve a change in the EPISD apprenticeship program to include only 17 trades proposed by the Operations Unit, with the provision that 4 additional trades (cabinetmaker, drywall applicator, pipe fitter, and protective-signal installer) be included at a later date, and that the requirement for sponsorship or participation in the apprenticeship program be modified to take effect only on projects where the construction costs will exceed \$100,000.00, subject to the review and approval of the District's attorney.

Mr. Dodge commented on the number of reduced trades being the major trades used by the District and the minimum \$100,000.00 construction cost normally involving professional construction organizations that participate in apprenticeship programs.

Upon the vote, the motion carried unanimously.

14. Final Payment for Construction Contract Exceeding \$100,000.00 – Renovation of Fire Damaged Greenhouse – Coronado High School, #02.308 (\$7,471.00, total cost \$149,420.00)

It was moved by Dr. O'Donnell, seconded by Ms. Colquitt-Muñoz, and carried unanimously that the Board approve this final payment to Silverton Construction Co., Inc., subject to the review and approval of the District's attorney.

Meeting Closed

The meeting was recessed at 6:45 p.m. to a closed meeting by Mr. Mena under Sections 551.071, 551.072, and 551.074 of the Texas Government Code as follows:

15. Closed Meeting

A. Acquisition of Property

1. Proposed Middle School MS-5 and Proposed Elementary School E-15 (Northwest El Paso)
2. Mesita Elementary School Project

B. Claims by Luz Sanchez, Former EPISD Bus Driver

The closed meeting started at 6:55 p.m. The closed meeting ended at 7:40 p.m.

Meeting Opened

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

15. The action was as follows:

A. Acquisition of Real Property

1. Proposed Middle School MS-5 and Proposed Elementary School E-15 (Northwest El Paso)

It was moved by Dr. O'Donnell, seconded by Ms. Colquitt-Muñoz, and carried unanimously that the Board authorize the Superintendent to proceed with negotiations for the purchase of approximately 35 acres in northwest El Paso, being a portion of H. G. Foster Survey No. 262, El Paso County, El Paso, Texas, with the final purchase price and terms of the acquisition to be presented to the Board for approval at a future meeting, and further authorize the Superintendent to proceed with the filing of eminent domain proceedings for the acquisition of property, if required.

2. Mesita Elementary School Project

It was moved by Mr. Dodge, seconded by Ms. Colquitt-Muñoz, and carried unanimously that the Board authorize the Superintendent to obtain property appraisals and proceed with negotiations for the purchase of Lots 14 through 23 of Block 54, Kern Place, El Paso County, El Paso, Texas, with the final terms of the purchase to be presented to the Board for approval at a future meeting.

B. Claims by Luz Sanchez, Former EPISD Bus Driver

It was moved by Miss Garcia, seconded by Mr. Dodge, and carried unanimously that the Board approve the settlement of this claim by Luz Sanchez as recommended by the administration.

Meeting Adjourned

The meeting was adjourned at 7:43 p.m.

Date Approved: November 23, 2004