

Minutes of Meeting of Board of Trustees
El Paso Independent School District
April 30, 2002
5:00 pm.
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 5:50 p.m. by Mr. Wever. The Pledge of Allegiance was led by Mr. John Doran, Associate Superintendent, High Schools. Mr. Hector Martinez, Associate Superintendent, Operations, gave the Thought for the Day.

Recognition of EPISD 2000-01 Texas Successful Schools Award Recipients (Item #1)

Crockett and Schuster Elementary Schools and Lincoln Middle School were recognized by the Board of Trustees for having received financial awards from the 2000-01 Texas Successful Schools Award System. Each school received a framed certificate from the Board on behalf of the Texas Education Agency in recognition of having shown the greatest amount of improvement in achieving education goals during the 1999-2000 school year.

Recognition of EPISD 2001-02 Title I, Part A Recognized Campuses (Item #2)

Hillside and Cielo Vista Elementary Schools were recognized by the Board of Trustees for their outstanding academic performance and being 2001-02 Title I, Part A Recognized Campuses.

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

Ms. Linda Corley, teacher at the Center for Career and Technology Education, was recognized by the Board of Trustees as April 2002's Certified Employee of the Month; and Ms. Mary Winstead, food service manager at Roosevelt Elementary School, was recognized as April 2002's Non-Certified Employee of the Month. Each was presented with an engraved plaque and a check in the amount of \$150.00.

Interim Report from Redistricting Committee on Redistricting of EPISD Trustee Districts (Item #12)

Mr. Luis Mata, Redistricting Committee Chairperson, spoke about the members of the Committee and other individuals that provided data and contributed technical assistance to the committee. He compared the 1990 census data to the 2000 census data and the population change in each Trustee district. Mr. Mata reviewed the criteria for redistricting; the schedule of meetings for public input; the total population of the current Trustee districts and Hispanic population and percentages; and the existing district boundaries.

Mr. Mata provided information on the Committee's Draft 1 population total, the Hispanic population, and Hispanic percentages for each district, which meet the Department of Justice requirements. He also reviewed the new boundaries for each district and advised that District #7 will no longer extend over the Franklin Mountains into Northeast El Paso. The new, recommended boundaries will be west of the mountain. He also indicated that District #4 will gain Irvin High School and District 3 will gain Austin High School.

There was discussion on the number of community meetings to be held in May and how they will be advertised; the anticipated September 2002 submission of the new redistricting plan to the Department of Justice to ensure a response prior to the next Board election in May 2003; the resolution adopted by the Board in the spring 2001 supporting new legislation that a school board, at the time it approves a redistricting plan, can decide that only those Trustees whose terms are expiring must run for re-election; no anticipated changes to the numbers provided in the Interim Report; and there being only two split precincts in the draft plan.

Approval of *Connecting Worlds/Mundos Unidos* Two-Way Dual Language Gifted and Talented Program Magnet Proposal, Phases I and II (\$272,000.000 (Item #9)

Ms. Fara Green, Director, Gifted and Talented, provided information on the *Connecting Worlds/Mundos Unidos* Two-Way Dual Language Gifted and Talented Program, which has been piloted at Mesita Elementary School and Wiggs Middle School for the past five years. She reviewed the goals of the program and stated that the program uses a 50/50 two-way bilingual emersion model for English- and Spanish-speaking gifted and talented students who learn together in the same classroom.

Ms. Green stated that the administration recommends that the pilot program be changed to magnet status to allow any EPISD student to apply for the program. She advised that Phase 1 would be implemented in the 2002-03 school year. Mesita will have two sections at each grade level with a maximum class load of 15 students and Wiggs will extend its program to grade 8 and have at least one section per grade level with a maximum class load of 20 students. Phase II would be implemented at El Paso High School in the 2003-04 school year and allow any EPISD high school student to apply and/or to continue the program. She advised that the program has been supported by a funding partnership between the Gifted and Talented Unit, the Bilingual Education Unit, and individual campuses and anticipated that the funding will continue through those partnerships.

Ms. Green stated that all schools have an open invitation to visit a campus with the program, investigate the program, and determine if they would like to expand the magnet program to their campuses. She stated that the schools must have teacher buy-in at each grade level, community buy-in, and at least one year of preparation for each grade level.

Ms. Laila Ferris, Principal at Mesita Elementary School, provided information on the program's implementation at Mesita, the support provided by the teachers and parents, and the success of the program.

There was discussion about concerns related to neighborhood children from Mesita Elementary School being bused to Dr. Green Elementary School and the possibility of the magnet *Connecting Worlds/Mundos Unidos* program increasing the number of neighborhood children being bused out of the neighborhood and the Facilities Assessment Study determining that Mesita be razed and rebuilt.

Dr. Anzaldúa commented on the condition of the Mesita facility and the outstanding instructional program at the school; establishing a screening criteria on how students will be accepted into the magnet *Connecting Worlds/Mundos Unidos* program; and formulating a communications campaign to disseminate information to the community on the priorities for the facilities and the screening process for students.

Discussion continued on the budget for the *Connecting Worlds/Mundos Unidos* pilot program; what funding will come from existing budgets and what will be needed from other sources; and the implementation of Phase II of the *Connecting Worlds/Mundos Unidos* magnet program.

It was moved by Dr. Finke and seconded by Mr. Mena that the Board approve the proposal for the *Connecting Worlds/Mundos Unidos* two-way dual language gifted and talented magnet program, Phases I and II, with Phase I being implemented at Mesita Elementary School and Wiggs Middle School for the 2002-03 school year at a cost of \$170,500.00, and Phase II being implemented at El Paso High School beginning with the 2003-04 school year at a cost of approximately \$101,500.00, for a total estimated amount of \$272,000.00.

At the recommendation of Mr. Safi, Dr. Finke amended his motion to include that the expenditures are subject to the final approval of the fiscal year preliminary budgets for 2002-03 and 2003-04. Mr. Mena accepted the amendment.

The amended motion reads as follows:

that the Board approve the proposal for the *Connecting Worlds/Mundos Unidos* two-way dual language gifted and talented magnet program, Phases I and II, with Phase I being implemented at Mesita Elementary School and Wiggs Middle School for the 2002-03 school year at a cost of \$170,500.00, and Phase II being implemented at El Paso High School beginning with the 2003-04 school year at a cost of approximately \$101,500.00, for a total estimated amount of \$272,000.00, subject to the final approval of the fiscal year preliminary budgets for 2002-03 and 2003-04.

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

Public Forum (Item #5)

The following people requested to speak on Open Forum:

1. Ms. Sally J. Andrade, Board President, AVANCE of El Paso, spoke about the distribution of Title I funds; a proposal presented to District in January 2002; and AVANCE assisting with the expenditure of Title I funds by expanding the program to more schools.
2. Ms. Margaret Gomez, parent at Dr. Nixon Elementary School, spoke about her children's special education placement at Fannin Elementary School, the number of students in the AIM class, and recommended that a proposed new AIM class be opened at Dr. Nixon.

Consider and Take Appropriate Action Regarding an Order Authorizing the Issuance of Approximately \$4,844,991.80 of "El Paso Independent School District Unlimited Tax Refunding Bonds, Series 2002"; Levying a Tax and Providing for the Security and Payment Thereof; Approving the Official Statement, Bond Purchase Agreement and Escrow Agreement; and Enacting Other Provisions Relating Thereto (Item #18) and Consider and Take Appropriate Action Regarding a Resolution Authorizing the Issuance of Approximately \$20,390,000 of "El Paso Independent School District Maintenance Tax Notes, Series 2002"; Specifying the Terms and Features of Said Notes; and Resolving Other Matters Incident and Related to the Issuance, Sale, Payment and Delivery of Said Notes, Including the Approval and Distribution of an Official Statement Pertaining Thereto (Item #19)

It was moved by Mr. Telles and seconded by Mr. Rosales that the Board approve the order authorizing the issuance of approximately \$4,844,991.80 of "El Paso Independent School District Unlimited Tax Refunding Bonds, Series 2002"; levy a tax and provide for the security and payment thereof; and approve the official statement, bond purchase agreement and escrow agreement; and enact other provisions relating thereto, and that the Board further approve a resolution authorizing the issuance of approximately \$20,390,000.00 of "El Paso Independent School District Maintenance Tax Notes, Series 2002"; specify the terms and features of said notes; and resolve other matters incident and related to the issuance, sale, payment and delivery of said notes, including the approval and distribution of an official statement pertaining thereto. Upon the vote, the motion carried with Dr. Roark voting against the motion.

Meeting Recessed

The meeting was recessed at 7:33 p.m. The meeting was reconvened at 8:09 p.m.

Dr. Finke rose to a point of personal privilege and requested that the official motion be read into the record and that a brief presentation on the two items be made by First Southwest Company.

Mr. Dan Roseveare, First Southwest Company, provided information on the Unlimited Tax Refunding Bonds and the Maintenance Tax Notes. He reviewed the A+ ratings received by the District from FITCH and Standard & Poor's, the interest rates, and the savings realized.

Dr. Finke read into the record the motion for the Tax Refunding Bonds and the Maintenance Tax Notes, which the Board previously approved.

There was discussion on whether the action taken by the Board constitutes "taxation without representation"; the action taken by the Board being an example of the people speaking through a representative form of government; general obligation bonds being a direct participatory democracy whereby the people themselves have to vote approval; the legality of both processes under the constitution and laws of the state of Texas.

Public Hearing Regarding Application for High School Equivalency (GED) Program at Sunset High School (Ref. Item No. 11) (Item #4) and Approval of Texas Education Agency (TEA) Application for High School Equivalency (GED) Program at Sunset High School (Ref. Item No. 4) (Item #11)

Mr. John Doran, Associate Superintendent, High Schools, stated that in order to continue providing the GED program at Sunset High School, the state was now requiring the submission of an application and its approval.

Mr. Larry Vaslet, Principal, Sunset High School, advised that the law changed in January 2002 and students with more than five credits can no longer be served under the GED Program. Last year 110 students received their GED certification, with 39 percent moving on to El Paso Community College. He added that the main advantage of a GED, if higher education is going to be pursued, is that financial aid will be available. He reviewed the changes in the law related to the requirements for eligibility for the GED program and indicated that there is a need for the program at EPISD

There were no requests to speak to the public hearing on the High School Equivalency (GED) Program at Sunset High School.

It was moved by Mr. Mena, seconded by Mr. Rosales, and carried unanimously that the Board approve the submission of an application to the Texas Education Agency (TEA) for the formal adoption of a High School Equivalency (GED) Program at Sunset High School.

Consent Agenda (Item #6)

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

- Dr. Roark - Item 6, B., Request to Implement Mandatory Uniform Dress Code – Moreno Elementary School
- Item 6, F., 1., Bids Requiring Board Approval – 2-Way Mobile Radios Bid #19-02 (\$20,850.00)
- Item 6, G., 1., Construction Contract Awards – Indoor Air Quality (IAQ) Improvements – Crosby Elementary School, #01.322 (#632,93.00)
- Item 6, I., Employee Appeals of Denial of Benefits Under EPISD Employee Health Plan
 - 2.) Case #2002-02
 - 3.) Case #2002-03
- Mr. Mena - Item 6, F., 4., Bids Requiring Board Approval – Printer Ribbon & Toner Cartridge Bid #24-02 (\$143,484.54)

Request to Implement Mandatory Uniform Dress Code – Moreno Elementary School (Item #6, B.)

Dr. Roark asked about whether the mandatory uniform dress code would apply to special education students. Ms. Irma Ortega, Principal, Moreno Elementary School, advised that the uniform dress code will apply if a student's parents approve of the child wearing a uniform.

It was moved by Dr. Roark, seconded by Mr. Telles, and carried unanimously that the Board approve a mandatory uniform dress code for Moreno Elementary School with an effective date to be 90 days from the date of approval by the Board, with special needs students being exempted from being required to wear a uniform.

Bids Requiring Board Approval – 2-Way Mobile Radios Bid #19-02 (\$20,850.00)
(Item #6, F., 1.)

The following people requested to speak to this item:

1. Mr. Frank Longoria, President, RTC, Inc., spoke about the stipulation in the bid specifications that vendors must have been in business in El Paso for the past three years and that the vendor being recommended by the administration was a New Mexico vendor that has been doing business in El Paso for only a little over one year.

It was moved by Mr. Telles and seconded by Mr. Rosales that 2-Way Mobile Radios Bid #19-02 be awarded to RTC, Inc., in the amount of \$26,400.00.

2. Mr. Victor Quintana, Key Communications, Inc., spoke about the number of years his company has been in business and his company being in El Paso for the past 13 months. He indicated that he is a New Mexico vendor but is incorporated in Texas and that his bid was still the low bid even with the addition of the 5 percent from the Bidder's Preference Law. He requested that the Board waive the bid requirement related to El Paso residency.

Meeting Closed

The meeting was recessed at 8:44 p.m. to a closed meeting by Mr. Wever under Section 551.71 of the Texas Education Code for legal advice related to the award of Bid #19-02.

The closed meeting started at 8:44 p.m. The closed meeting ended at 8:56 p.m.

Meeting Opened

The meeting was reassembled in Open Session at 8:56 p.m.

Bids Requiring Board Approval – 2-Way Mobile Radios Bid #19-02 (\$20,850.00)
(Item #6, F., 1 continued)

Mr. Telles withdrew his motion that 2-Way Mobile Radios Bid #19-02 be awarded to RTC, Inc., in the amount of \$26,400.00. Mr. Rosales withdrew his second.

It was moved by Mr. Mena, seconded by Mr. Rosales, and carried unanimously that the bids submitted in response to 2-Way Mobile Radios Bid #19-02 be rejected and that 2-Way Mobile Radios be rebid and brought back to the Board at a future Board meeting.

Bids Requiring Board Approval – Printer Ribbon & Toner Cartridge Bid #24-02 (\$143,484.54)
(Item #6, F., 4.)

The following person requested to speak to this item:

1. Mr. Mike Wendt, Laser Tech, spoke about the toner cartridge portion of Bid #24-02, the District currently using remanufactured cartridges, and the majority of the recommended award going to a California company. He requested that the Board reconsider the bid award, disqualify the California company, and award to next low bidders that are from El Paso.

Responding to a request from Dr. Roark, Mr. Safi provided information on the out-of-state bidders law in California and advised that Texas law states that school districts are to look to the information compiled by the General Services Commission (GSC), which maintains information on all the other 49 states.

There was discussion on the low prices bid by the California company, Discount Computer Sales, and whether it is a reputable company; the company not having a local, El Paso presence; awarding the bid to the next low bidder, which is a local vendor; and the number of pages each toner cartridge would produce.

Mr. Safi advised that the Board can consider its past relationship with a vendor in the decision of awarding a bid and that the Board could utilize that factor to bypass the bids from the California company with which it has no past relationship where it was the low bidder and go to the next low bidder, a local company with which the District has had a good relationship, meeting specifications.

Discussion continued on the next low bidders being two local vendors, Laser Tech and Professional Document Systems, and whether the best interests of the District would be served by awarding the bids to these two companies; the past relationship of the companies with the District; and the award of Item #32 of the bid being determined by the number of pages printed per printer cartridge.

It was moved by Mr. Mena, seconded by Mr. Rosales, and carried unanimously that Printer Ribbon & Toner Cartridge Bid #24-02 be awarded to the following vendors in the amounts indicated, with those items where Discount Computer Sales was the low bidder being awarded to the second low bidder and the low bid on Item #32 being determined by the number of copies per cartridge: Computer Express, Items 4, 9, 13, 15, and 18, \$23,224.20, net; Dallas Distributors, Items 11, 12, 16, 17, 19, 20, 22, and 24-16, net; Laser Tech, Items 8, 10, 28, and 30-32, \$76,722.00, net; Office Depot, Item 2, \$73.44, net; Professional Document Systems, Items 5-7, 14, 21, 23, 27, and 29, \$37,921.20, net; and Valcom Computer Center, Items 1 and 3, \$444.96, net, for a total amount of \$163,227.36 (copy of bid tabulation attached to the permanent file of these minutes).

Questions on Construction Contract Awards – Indoor Air Quality (IAQ) Improvements – Crosby Elementary School, #01.322 (\$632,793.00) (Item #6, G., 1.)

Responding to a question from Dr. Roark on the specifics of this contract, Mr. Nick Corona, Executive Director, Facilities, Maintenance and Construction, advised that the indoor air quality improvements at Crosby Elementary School is for the installation of air units to introduce tempered air into the building. He stated that during the winter, when doors and windows are closed, there is an increase in the carbon dioxide levels because of decreased levels of outside air.

It was moved by Dr. Roark, seconded by Mr. Telles, and carried unanimously that the items on the Consent Agenda that were not already approved be approved as listed, with the exception of item no. 6, I., including any recommended vendors for any amounts indicated.

A. Approval of Minutes

1. February 5, 2002, Board Policy Committee Meeting; February 12, 2002, and February 26, 2002, Board's Employee Health/Insurance Committee Meetings; February 12, 2002, Board Finance Committee Meeting; and February 19, 2002, Board Investigative Services Committee Meeting
2. February 12, 2002; February 19, 2002; and February 26, 2002, Meetings of the Board of Trustees

The Board approved the minutes of the February 5, 2002, Board Policy Committee meeting; the February 12, 2002, and February 26, 2002, Board's Employee Health/Insurance Committee meetings; the February 12, 2002, Board Finance Committee meeting; the February 19, 2002, Board Investigative Services Committee meeting; and the February 12, 2002; February 19, 2002; and February 26, 2002, meetings of the Board of Trustees.

C. Proposed Board Policy CQ (Local), Electronic Communication and Data Management

The Board approved Board Policy CQ (Local), Electronic Communication and Data Management, as presented (copy attached to the permanent file of these minutes).

D. Revisions to Board Policies

1. EIED (Local), Retention and Promotion: Graduation
2. FD (Local), Admissions and Attendance
3. FDA (Local), Admissions and Attendance: Interdistrict Transfers

The Board approved the revisions to Board Policies EIED (Local), Retention and Promotion: Graduation; FD (Local), Admissions and Attendance; and FDA (Local), Admissions and Attendance: Interdistrict Transfers, as presented (copies attached to the permanent file of these minutes).

E. Approval of Budget Amendments

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

1. Model Reading Intervention Program Grant (\$35,874.00). The purpose of this item is to amend the Model Reading Intervention Program Grant budget in the amount of \$35,874.00. Shay Shugert through the approval of Barbara Gibson, Director of Elementary Education, requested this amendment in a memo dated April 4, 2002. All training materials and services have been purchased through these accounts. No others will be needed. These unencumbered balances will be put to better use if additional reading materials are purchased for students.
2. Band Uniforms – Andress, Bowie, and Chapin High Schools (\$223,642.00). The purpose of this item is to amend the Fine Arts budget in the amount of \$223,642.00. Dr. Linda Holman, Associate Superintendent of Curriculum and Instruction, requested this amendment in a memo dated April 17, 2002. On February 26 and March 12, 2002, the Board of Trustees approved the purchase of band uniforms for Andress, Bowie, and Chapin High Schools.

F. Bids Requiring Board Approval

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

2. Audio Visual Equipment Bid #22-02 (\$144,527.24) was awarded to the following vendors for the amounts indicated: AVES, Items 1 and 9, \$19,758.40, net; Commercial Sales, Item 15, \$2,696.40, net; and Troxell Communications, Items 2, 8, and 10-14, \$122,072.44, net, for a total amount of \$144,527.24 (copy of bid tabulation attached to the permanent file of these minutes).
3. School Furniture Bid #23-02 (\$89,714.95) was awarded to the following vendors for the amounts indicated: Business Interiors, Items 3, 4, 6, 18, and 23, \$23,803.85; Indeco Sales, Items 10, 13, 19, 21, 22, and 24, 412,978.10; and Virco Mfg., Items 1, 2, 5, 7-9, 11, 12, and 14-17, \$52,933.00, for a total amount of \$89,714.95 (copy of bid tabulation attached to the permanent file of these minutes).
5. Burges High School Boiler Replacement Bid #36-02 (\$32,751.00) was awarded to Massey Johnson Associates in the amount of \$32,751.00 (copy of bid tabulation attached to the permanent file of these minutes).
6. Barron Elementary School Furniture Bid #40-02 (\$96,405.57) was awarded to the following vendors for the amounts indicated: Business Interiors, Items 3, 4, 24, 25, and 27, \$6,457.80; Indeco Sales, Items 1, 2, 7, 10-14, 19, 21, 22, 30, and 31, \$55,112.47; and Virco Mfg., Items 5, 6, 8, 9, 15-18, 20, 23, 28, and 29, \$34,835.30, for a total amount of \$96,405.57 (copy of bid tabulation attached to the permanent file of these minutes).

G. 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. Indoor Air Quality (IAQ) Improvements – Crosby Elementary School, #01.322 (\$632,793.00), was awarded to Thermodyn Contractors, Inc. in the amount of \$632,793.00.
2. Districtwide Drainage Improvements – Burges High School, #02.922.01 (\$137,900.00), was awarded to Silverton Construction Company in the amount of \$137,900.00.
3. 2001 Roof Replacement, Phase 2 – Alta Vista, Bradley, Clardy, Collins, Hart, Johnson, and Zavala Elementary Schools; Guillen and Henderson Middle Schools; El Paso High School; and Center for Career and Technology Education, #02.964 (\$948,742.00), was awarded to Southwestern Roofing, Inc. in the amount of \$948,742.00.
4. Gymnasium Renovations – Guillen Middle School, #02.305 (\$72,419.00), was awarded to Matyear Construction Co. in the amount of \$72,419.00.

5. Districtwide Fire Alarm Systems, Phase 7 – Beall, Bradley, Lee, and Lindbergh Elementary Schools; and Charles Middle School, #97.399.02 (\$376,842.00). The Board allowed the withdrawal of the bid and Bid Bond of High Point Electric Company, the first low bidder, due to a material mistake, and waived the technicality of El Paso A.R.C. Electric, Inc. failing to submit a duplicate copy of the bid form and awarded the bid to El Paso A.R.C. Electric, Inc. in the amount of \$376,842.00.

H. Demand Service Contract Award – Districtwide Electrical System Renovations and Upgrades, #02.994 (\$94,857.50)

The Board waived the technicality of the mathematical calculation error made by Mustang, Inc. on their proposal evaluation and approved the award of Demand Service Contract #02.994, Districtwide Electrical System Renovations and Upgrades, subject to the review and approval of the District's attorney, to Mustang, Inc. for an estimated annual amount of \$94,857.50.

J. February and March 2002 Report of JJAEP Placements not appealed to the Board of Trustees

The February and March 2002 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.

Item Withdrawn

It was announced that item no. 6, I., 1., Employee Appeals of Denial of Benefits Under EPISD Employee Health Plan – Case #2002-01, had been withdrawn from the agenda and that the employees appeals on item nos. 6, I., 2. and 3. would be heard in Closed Session.

Meeting Closed

The meeting was recessed at 9:22 p.m. to a closed meeting by Mr. Wever under Section 551.074 of the Texas Education Code to hear an employee appeal of denial of benefits under the EPISD Employee Health Plan.

The closed meeting started at 9:24 p.m. The closed meeting ended at 9:30 p.m.

Meeting Opened

The meeting was reassembled in Open Session at 9:30 p.m.

Employee Appeals of Denial of Benefits Under EPISD Employee Health Plan (Item #6, I.)

2. Case #2002-02

It was moved by Dr. Roark, seconded by Dr. Finke, and carried unanimously that the Board approve the recommendation of the administration and the Board Insurance Advisory Committee to declare the medical claim in case #2002-02 as an eligible expense under the EPISD Health Care Trust Medical Plan, which was paid at the out-of-area benefit level as determined by the District's Utilization Review/Management Company due to the hospitalization being a medical emergency at an out-of-network hospital, and pay the claim at the in-network benefit level.

3. Case #2002-03

It was moved by Dr. Roark, seconded by Mr. Rosales, and carried unanimously that the Board approve the recommendation of the administration and the Board Insurance Advisory Committee to declare the medical claims in case #2002-03 as an eligible expense under the EPISD Health Care Trust Medical Plan and approve the request that the claim for medical services be paid as in-network, although services were provided by an out-of-network provider and to negotiate the fees with the medical provider.

Approval of Franklin High School Choir Students to Travel to Ensenada, México, for "Festivals at Sea" Spring Competition (Item #7)

It was moved by Mr. Telles, seconded by Mr. Rosales, and carried unanimously that the Board approve the request for Franklin High School choir students to travel to Ensenada, México, on May 3 – 6, 2002, and participate in the "Festivals at Sea" spring competition.

It was moved by Mr. Wever, seconded by Dr. Roark, and carried unanimously that item no. 13, Discussion of Compliance Issues Related to Least Restrictive Environment for EPISD Special Education Students; item no. 14, Communication Procedures for Conveying Information to the Board of Trustees from the Administration on Issues Related to EPISD; and item no. 15, Presentation of Promotional Recruiting CD (Compact Disc), be postponed until May 7, 2002.

RFP, Bids, and Purchase Orders Requiring Board Approval (Item #8)

C. Computer Hardware for Special Services Bid #31-02 (\$347,266.00)

The following person requested to speak to this item:

1. Mr. Brent Lawson, Amherst Computers, spoke about being a local El Paso business and low bidder on Items 1 and 2 and second low bidder on Item 3. He requested that the bid be awarded to his company.

There was discussion on the percentage of service calls on Compaq computers versus Dell computers; Amherst Computer being able to provide local service; District computer technicians becoming Dell certified; and awarding Item 3, Laser Jet Printers, to Amherst Computers.

It was moved by Mr. Wever, seconded by Dr. Roark, and carried unanimously that Computer Hardware for Special Services Bid #31-02 be awarded to Dell Marketing LP in the amount of \$231,946.00 and Amherst Computers in the amount of \$116,280.00, for a total amount of \$348,226.00 (copy of bid tabulation attached to the permanent file of these minutes).

A. Travel Services RFP #06-02

Dr. Finke advised that as Chair of the Board Investigative Services Committee, he had requested that the administration include District travel services within the scope of the investigative auditors' review of purchasing and receivable. He stated that the audit report should be received before action is taken on Travel Services RFP #06-02.

There was discussion on one of the travel agencies currently being used by the District being one of the two agencies recommended for the RFP (request for proposal) award; the District currently using three travel agencies; and travel services continuing unchanged until the audit report is received.

It was moved by Mr. Wever, seconded by Mr. Rosales, and carried unanimously that item no. 8, A., Travel Services RFP #06-02, be postponed until May 7, 2002.

It was moved by Dr. Roark, seconded by Mr. Wever, and carried unanimously that the following bids and purchases be approved to the recommended vendors for the amounts indicated:

- B. Reading Milestones Program Bid 319-02 (\$23,669.30) was awarded to Riverdeep-The Learning Co., Items 1-24, in the amount of \$19,497.30; and Items 25-39 were awarded to Pro-Ed in the amount of \$4,172.00, pursuant to the tie-breaking procedure, for a total amount of \$23,669.30 (copy of bid tabulation attached to the permanent file of these minutes).
- D. Laptops for Special Services Bid #34-02 (\$539,600.00) was awarded to Dell Marketing LP in the amount of \$539,600.00 (copy of bid tabulation attached to the permanent file of these minutes).
- E. Apple Computers for Bassett Middle School, Purchase Order No. 235423 (\$8,129.00), were approved for purchase from Apple Computer, the sole source, in the amount of \$8,129.00 (copy of purchase order attached to the permanent file of these minutes).
- F. Computers for Sunset High School, Purchase Order No. 235910 (\$5,538.72), were approved for purchase from Dell Marketing LP, the lowest quote, in the amount of \$5,538.72 (copy of purchase order attached to the permanent file of these minutes).
- G. Apple Computers for Clendenin Elementary School, Purchase Order No. 235976 (\$5,592.00), were approved for purchase from Apple Computer, the sole source, in the amount of \$5,592.00 (copy of purchase order attached to the permanent file of these minutes).
- H. Computers for Bradley Elementary School, Purchase Order No. 236011 (\$6,260.90), were approved for purchase from Dell Marketing LP, the lowest quote, in the amount of \$6,260.90 (copy of purchase order attached to the permanent file of these minutes).

- I. Computer Equipment for Wiggs Middle School, Purchase Order No. 236050 (\$18,530.63), was approved for purchase from Dell Marketing LP, the lowest quote, in the amount of \$18,530.63 (copy of purchase order attached to the permanent file of these minutes).

Approval of Instructional Materials Costs Exceeding \$25,000.00 Requiring Board Approval (Item #10)

It was moved by Mr. Mena, seconded by Mr. Rosales, and carried unanimously that the Board approve the purchase of the following instructional materials and/or training costs to the recommended vendors for the amounts indicated:

- A. Fast Track Reading Program from The Wright Group (\$50,400.00)

The Board approved the purchase of the Fast Track Reading Program from The Wright Group, the sole source, in the amount of \$50,400.00.

- B. *First Explorers* Supplemental Reading Materials, Sets 1 and 2, Spanish Version, from The Wright Group (\$39,500.00)

The Board approved the purchase of *First Explorers* supplemental reading materials, sets 1 and 2, Spanish version, from The Wright Group, the sole source, in the amount of \$39,500.00.

- C. *High Point* Reading Series, Basic and Levels A – C Sets, from Hampton-Brown (\$116,618.00)

The Board approved the purchase of the *High Point* Reading Series, Basic and Levels A through C, from Hampton-Brown, the sole source, in the amount of \$116,618.00.

- D. *Accelerated Beginning Spanish Reading* Program for Bilingual Prekindergarten Classes from Estrellita (\$40,425.00)

The Board approved the purchase of the *Accelerated Beginning Spanish Reading* program for bilingual prekindergarten classes from Estrellita, the sole source, in the amount of \$40,425.00.

- E. Pair-It Books Series from Steck-Vaughn (\$47,630.00)

The Board approved the purchase of the Pair-It books Series from Steck-Vaughn, the sole source, in the amount of \$47,630.00.

- F. Full Option Science System (FOSS™) for Grade 2 from Delta Education (\$69,193.20)

The Board approved the purchase of the Full Option Science System (FOSS™) for grade 2 from Delta Education, the sole source, in the amount of \$69,193.20.

Approval of Revision to 2001-02 Teacher Salary Schedule Related to Retired Teachers Returning to Service (Item #16)

It was moved by Mr. Mena, seconded by Mr. Rosales, and carried unanimously that the Board approve a revision to the 2001-02 Teacher Salary Schedule that caps in-state teaching experience at 20 years for retired teachers returning to service, effective May 1, 2002.

Discussion and Possible Revision to Board Policies (Item #17)

- A. DC (Local), Employment Practices
- B. DK (Local), Assignment and Schedules

There was discussion on the Board waiving policy when the appointment of the Bond Elementary School principal was made and that being an individual situation and not having set a precedent; the Board being willing to look at waiving the policy on a case-by-case basis; the intent of the three-year time frame to determine the impact on the campuses of revisions made to the policies by the Board related to a three-year limitation on promotions within a campus and employees following a former administrator to a new location; evaluating the policies when the three-year period ends in six months; and bringing the policies to the Board Policy Committee in six months.

Award of Servers for Web Access Bid #33-02 – E-Rate Statement of Work #9, Web Access for a School Community (Item #20)

It was moved by Mr. Mena, seconded by Dr. Finke, and carried unanimously that the Servers for Web Access Bid #33-02 – Year 4 E-Rate Statement of Work #9, Web Access for a School Community be awarded to QA Systems for two file servers in the amount of \$77,561.00.

Year 4 E-Rate Statement of Work #8, E-Mail Project (Item #21)

- A. Reconsideration and Possible Revision of Board's Action on April 9, 2002, on Year 4 E-Rate Statement of Work #8, E-Mail Project
- B. Purchase of Hardware for Year 4 E-Rate Statement of Work #8, E-Mail Project
- C. Purchase of Software for Year 4 E-Rate Statement of Work #8, E-Mail Project

Mr. James Damm, the District's E-Rate Consultant, referenced the presentation made to the Board Finance Committee prior to the Board meeting and reviewed the progress on the procurement process that has been followed since April 9, 2002, related to expending Year 4 E-Rate funds. He advised that the administration's recommendation is that the Board reaffirm the selection of Novell GroupWise as the software selection for the E-Mail solution under Statement of Work #8 with DTSI (Diversified Technical Services, Inc.) and SHI.

It was moved by Dr. Finke and seconded by Mr. Wever that the Board reaffirm the selection of Novell "GroupWise" as the software selection for the E-Mail solution under Statement of Work #8 and direct IBM Global Services to enter into agreements with DTSI for hardware in the amount of \$287,826.90 and SHI for software in the amount of \$69,664.00. No vote was taken on this motion.

There was discussion on SHI being located in Austin, Texas; keeping the purchase of hardware and software in El Paso; the \$13,000.00 difference between the low bid from SHI and the bid submitted by DTSI; other local firms having lower bids than DTSI; the lowest local bidder being Avnet Enterprise Solutions Division with a \$3,000.00 difference from SHI's bid; Amherst Corporate Computer Sales & Solutions employing 32 people locally; DTSI being the only fully incorporated local company with a business relationship already established with IBM Global Services; and utilization of local companies that have a history with the District.

Mr. Jack Johnston, Executive Director, Technology and Information Systems, advised that SHI is the appointed vendor for software from the Texas Department of Information Resources. He stated that SHI, Avnet, and Amherst have a local presence in El Paso and that Comnet Systems, Inc. is also a local vendor, but it does not have a business partnership with IBM Global Services.

It was moved by Mr. Mena, seconded by Mr. Rosales, and carried unanimously that the Board approve the selection of Novell "GroupWise" as the software selection for the E-Mail solution under Statement of Work #8 and direct IBM Global Services to enter into agreement with DTSI for the hardware in the amount of \$287,826.90 and for the software in the amount of \$82,493.76.

Mr. Damm clarified that the actual installation and integration of the software and hardware will be done through IBM Global Services and that a subcontractor has been selected for that work.

Authorization to Dispose of Network Electronics Replaced Under E-Rate Program (Item #22)

It was moved by Mr. Mena and seconded by Mr. Telles that the Board authorize the administration to dispose of network electronic equipment replaced under Year 4 E-Rate Statements of Work with the issuance of a bid for such equipment and that the results of the bid be brought back to the Board for approval.

Mr. James Damm, the District's E-Rate Consultant, provided information on the disposal of network electronics coming out of the E-Rate schools and stated that some items, as determined by staff and IBM Global Services, will be used internally and not put to auction.

Responding to a request from Dr. Roark, Mr. Damm advised that a list of the items to be auctioned will be brought back to the Board.

It was moved by Mr. Wever, seconded by Dr. Roark, and carried unanimously that item no. 22, Authorization to Dispose of Network Electronics Replaced Under E-Rate Program, be postponed for one month. Mr. Mena was not present for the vote.

Meeting Closed (Item #23)

The meeting was recessed at 10:32 p.m. to a closed meeting by Mr. Wever under Sections 551.071, 551.074, and 551.082 of the Texas Government Code as follows:

- A. Grievance Hearing – Elco Ramos, Principal, Houston Elementary School

B. Personnel Appointments

1. Director, Secondary Personnel, Human Resources
2. Principal, JJAEP Middle School

C. 2002-03 Compensation for Contract employees Previously Placed in Lower Pay Level Positions as a Result of Reorganization or Other Personnel Actions

D. Texas Department of Health Notice of Alleged Violation, Case No. 200201046-a

The closed meeting started at 10:32 p.m. The closed meeting ended at 11:24 p.m.

Meeting Opened

The meeting was reassembled in Open Session at 11:24 p.m.

Grievance Hearing – Elco Ramos, Principal, Houston Elementary School (Item #23, A.)

It was moved by Dr. Finke and seconded by Mr. Wever that the Board uphold the Superintendent's Supplemental Step 4 Response by the Superintendent's designee to this grievance. Upon the vote, the motion carried with Dr. Roark, Miss Garcia, Dr. Finke, and Mr. Wever voting in favor of the motion and Mr. Telles and Mr. Mena voting against the motion. Mr. Rosales recused himself from the vote.

Personnel Appointments – Director, Secondary Personnel Human Resources (Item #23, B., 1.)

It was moved by Mr. Mena, seconded by Mr. Telles, and carried unanimously that the Board accept the Superintendent's recommendation to appoint Nancy Evans, Certification Officer in Human Resources, to the position of Director, Secondary Personnel, Human Resources.

Personnel Appointments – Principal, JJAEP Middle School (Item #23, B., 2.)

It was moved by Mr. Mena, seconded by Mr. Telles, and carried unanimously that the Board accept the Superintendent's recommendation to appoint Richard Chavez, Assistant Principal at Ross Middle School, to the position of Principal, JJAEP Middle School.

2002-03 Compensation for Contract Employees Previously Placed in Lower Pay Level Positions as a Result of Reorganization or Other Personnel Actions (Item #23, C.)

It was moved by Dr. Finke, seconded by Dr. Roark, and carried unanimously that the Board approve an exception to Board Policy DEA (Local), Compensation and Benefits: Salaries, Wages, and Stipends, for one year for the contract employees as presented and that they receive a rate of pay for the 2002-03 school year in accordance with the daily pay levels of the positions they occupied prior to their transfers.

Texas Department of Health Notice of Alleged Violation, Case No. 200201046-a (Item #23, D.)

It was moved by Dr. Roark, seconded by Mr. Mena, and carried unanimously that the Board authorize the administration to process payment to the Texas Department of Health in the amount of \$10,000.00 for administrative penalties in connection with the asbestos release incident at Houston Elementary School and further approve a commitment for increased asbestos training for District custodial staff in exchange for an additional reduction of the fine by the Texas Department of Health.

Meeting Adjourned

The meeting was adjourned at 11:35 p.m.

Date Approved: July 9, 2002