

Minutes of Meeting of Board of Trustees
El Paso Independent School District
May 13, 2003
5:00 p.m.
Education Center-Boeing

Present: Mr. Dan Wever, President
Dr. Gene Finke, Vice President¹
Miss Leonor Garcia, Secretary
Mr. Carlos Cordova
Mr. Sal Mena, Jr.
Dr. Charles Roark
Mr. Charles L. Tafoya, Superintendent
Mr. Anthony Safi, School District Attorney

Absent: Mr. Richard Telles

The meeting was called to order at 5:03 p.m. by Mr. Wever. The Pledge of Allegiance was led by Dr. Finke. Ms. Marsha Lawler, Executive Director, External Funding, gave the Thought for the Day.

Meeting Closed

The meeting was recessed at 5:07 p.m. to a closed meeting by Mr. Wever under Section 551.074 of the Texas Government Code as follows:

16. Closed Meeting

A. Personnel Appointments

1. Associate Superintendent, Human Resources
2. Facilitator, Instructional/Technology, Staff Development, Curriculum & Instruction

The closed meeting started at 5:08 p.m. The closed meeting ended at 5:18 p.m.

Meeting Opened

The meeting was reassembled in Open Session at 5:19 p.m.

16. The action as a result of items discussed in closed meeting was as follows:

A. Personnel Appointments

1. Associate Superintendent, Human Resources

It was moved by Dr. Finke, seconded by Mr. Cordova, and carried unanimously that the Board accept the Superintendent's recommendation to appoint Carolyn Grantham, Interim Executive Director, Human Resources, to the position of Associate Superintendent, Human Resources. Dr. Roark and Miss Garcia were not present for the vote.

¹ Dr. Finke departed at 5:30 p.m., during the recognitions on Item #1 and returned at 7:56 p.m., during discussion in Closed Session.

1. Recognition of EPISD Middle School Humanities, Science Tech, and Accelerated Math Students Who Qualified for State or National Non-UIL Academic Competitions

Middle school students in Humanities, Science Tech, and Accelerated Math classes were recognized. (A list of the students, the competitions entered, and the awards received is attached to the permanent file of these minutes.)

Departure of Board Member

Dr. Finke departed the meeting at 5:30 p.m.

2. Recognition of Danny McKillip, Coach at El Paso High School, for Being Inducted into UTEP Track & Field Hall of Fame

Mr. Danny McKillip, coach at El Paso High School, was recognized.

3. Recognition of Coronado High School Boys and Girls Tennis "Doubles" Teams for Winning State Championships

The "doubles" tennis team members, Megan Schulbach, Nicole Fintell, Vincent Knipp, and Tyler Lyon, were recognized.

4. Presentation of "Arco de Oro" Award by United Way of El Paso to EPISD for Contributions Exceeding \$100,000.00

Ms. Deborah Zuloaga, Executive Director, United Way of El Paso, presented the award to the Board of Trustees and the District.

5. Public Forum

The following person requested to speak on Open Forum:

1. Mr. Salvador Santana, parent at Magoffin Middle School, spoke about the Student Code of Conduct and an incident involving his son at Magoffin.

6. Consent Agenda

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

Mr. Wever - Item 6, H., 8.

Questions on Item H., 8., Purchases Requiring Board Approval – Aluminum Ramps for Portable Classrooms, Purchase Order No. 266307 (\$163,054.00)

Responding to an inquiry from Mr. Wever, Mr. Terry Freiburg, Director of Purchasing, advised that no El Paso vendors had been contacted to determine if aluminum ramps were available locally.

It was moved by Mr. Mena, seconded by Mr. Cordova, and carried unanimously that the items on the Consent Agenda be approved as listed below including any recommended vendors for any amounts indicated, with the exception of item no. H., 8., Purchases Requiring Board Approval – Aluminum Ramps for Portable Classrooms, Purchase Order No. 266307 (\$163,054.00), which was postponed for two weeks in order for the administration to check into local vendors.

A. Approval of Minutes

1. February 4, 2003, Board's Employee Health/Insurance Committee Meeting and February 18, 2003, Board Policy Committee Meeting
2. February 4, 2003; February 11, 2003; February 18, 2003; and February 25, 2003, Meetings of the Board of Trustees

B. Revisions to Board Policy DBB (Local), Employment Requirements and Restrictions: Medical Examinations and Communicable Diseases (copy attached to the permanent file of these minutes)

C. Proposed Board Policy EMI (Local), Miscellaneous Instructional Policies: Study of Religion (copy attached to the permanent file of these minutes)

D. Recoding and Renaming of Board Policy EIG (Local), Academic Achievement: Commencement to FMH (Local), Student Activities: Commencement and Revision of Same (copy attached to the permanent file of these minutes)

E. Approval of Affiliation Agreement with El Paso Community College (EPCC) for Health Occupation Education Program for EPCC Students

The Board approved this agreement for the use of EPISD educational facilities and resources for this program.

F. Approval of Interlocal Agreement and Addendum for the El Paso Area Libraries (EPAL) Consortium

The Board approved this agreement for the collaborative between the City of El Paso, County of El Paso, El Paso Community College, University of Texas at El Paso, Region 19 Education Service Center, the El Paso ISD, and other area school districts.

G. Approval of Budget Amendments

1. Title I, Part A – Summer Strengthening Program (\$579,350.00). This item is to pay campus staff and bus drivers for the summer strengthening program.
2. State Compensatory Education – Houston Elementary School (\$3,000.00). This item is for instructional supplies and testing materials necessary to assist teachers with the No Child Left Behind Act.
3. Andress High School (\$9,200.00). This item is to provide funding for eight individuals to attend the July 2003 AVID summer institute in California.
4. Jefferson High School (\$9,140.00). This item is to purchase printers and equipment for at-risk students.
5. Burnet Elementary School (\$2,200.00). This item is to lease a new copy machine for faculty and students.
6. White Elementary School (\$5,410.000). This item is to provide additional academic materials and supplies for students.
7. School Health and Related Services (SHARS) (\$30,695.00). This item is to pay the INTLMED contract agreement fee of 8 percent, which was approved by the Board on February 11, 2003, for continuation through May 15, 2003.

H. Purchases Requiring Board Approval

1. Annual Food Service Paper/Supply Bid #25-03 (\$929,825.83) was awarded as follows: Baron Chemical, Items 3, 8, 9, 39, 42-44, 45, and 47, \$90,961.20, net; Dispos-O Products, Items 14, 37, 40, 41, 53, 54, and 57, \$408,707.50, net; DPI Distribution Plus, Inc., Item 33, 35, and 50-52, \$14,229.72, net; Professional Food Systems, Items 7, 22, 23, 30, 38, and 58, \$8,461.31, net; Shamrock Foods, Items 10-13, 16-18, 24, and 34, \$176,797.10, 1 percent; Southwestern Mills Dist., Items 1, 6, 15, 19-21, 25-29, 31, 32, 36, 46, 48, 49, 55, and 56, \$169,752.50, 1 percent; and Unipak, Items 2, 4, and 5, \$60,916.50, 1 percent, with the amount of \$661,989.45 being subject to the approval of the 2003-04 preliminary budget (copy of bid tabulation attached to the permanent file of these minutes).
 2. 2003-04 School Individual Pictures Bid #26-03 was awarded to A. C. Photography, Campos School Portraits, L. A. Flores Photography, Lifetouch, and Stewart Photography with the selection of vendor to be made by each school principal (copy of bid tabulation attached to the permanent file of these minutes).
 3. CNC (Computer Numerical Control) Machining Training Center Bid #28-03 (\$31,806.00) was awarded to Intelitek (copy of bid tabulation attached to the permanent file of these minutes).
 4. Imagesetter for Print Shop Bid #29-03 (\$25,063.00) was awarded to El Paso Litho Plate Co., Inc., the low bidder, on a three-year lease/purchase, to be expensed in each budget year subject to the approval of each year's funding, with the 2002-03 fiscal year amount to be in the amount of \$8,354.00 (copy of bid tabulation attached to the permanent file of these minutes).
 5. Pre-Engineering Manufacturing Systems Lab Bid #30-03 (\$54,650.00), was awarded to Technical Laboratory Systems, Inc., Item Nos. 1 through 3 only (copy of bid tabulation attached to the permanent file of these minutes).
 6. Fertilizer and Grass Seed Bid #32-03 (\$29,020.00) was awarded to Ewing Irrigation in the amount of \$24,620.00 and Helena Chemical Co. in the amount of \$4,400.00 (copy of bid tabulation attached to the permanent file of these minutes).
 7. "Read 180" Software for Irvin High School, Purchase Order No. 265758 (\$34,660.00), from Scholastic, Inc., the sole source (copy of purchase order attached to the permanent file of these minutes).
 9. Waterford Early Reading Program for Houston Elementary School, Purchase Order No. 267057 (\$25,033.00), from Pearson Education, the sole source (copy of purchase order attached to the permanent file of these minutes).
 10. Advanced Placement Summer Institute Training, Purchase Order Nos. 267505, 268185, 268218, and 268247 (\$43,670.00), from the University of Texas at El Paso (UTEP), the sole source, for Gifted and Talented, Purchase Order No. 267505, in the amount of \$29,830.00; Secondary Education (Social Studies), Purchase Order No. 268185, in the amount of \$4,840.00; Secondary Education (Math), Purchase Order No. 268218, in the amount of \$3,150.00; and Secondary Education (English), Purchase Order No. 268247, in the amount of \$5,850.00 (copies of purchase orders attached to the permanent file of these minutes).
- I. Right-of-Entry Agreement with El Paso Water Utilities at Lee Elementary School and Austin High School, subject to the review and approval of the District's attorney, for water-well test hole drilling.

J. Construction Contract Award – Districtwide Boiler Replacement-2003 – Alamo, Clendenin, Cooley, Putnam, and Vilas Elementary Schools, #03.612 (\$420,084.00), was awarded to Wyler Industrial Works, Inc. in the amount of \$420,084.00.

K. April 2003 Personnel Report (copy attached to the permanent file of these minutes).

7. Progress Report on EPISD International Baccalaureate Program Located at Coronado High School

Ms. Fara Green, Director, Gifted and Talented, reported on the District's IB program, which is 1 of 23 sites in Texas, and stated that the first group of IB candidates will graduate in May 2003.

Ms. Marielo Morales, Principal, Coronado High School, commented on her observation of the IB program as the new principal at the school. Matthew Nance, and S. Smith, seniors in the inaugural class of the IB program at Coronado, spoke about their experience and success with the program and thanked the District for its support.

8. Amendment to 2002-03 Instructional School Calendar

It was moved by Miss Garcia, seconded by Mr. Wever, and carried unanimously that the Board amend the 2002-03 Instructional School Calendar and approve teachers electing to work an additional four hours on Thursday, May 29, 2003, and a full day on Friday, May 30, 2003, as an option to fulfilling their work day requirements for the 2002-03 school year.

9. Approval of 2003-04 Instructional School Calendar

Ms. Alicia Ayala, Chair, Districtwide Education Improvement Council (DEIC) Calendar Committee, provided information on the development of the 2003-04 Instructional School Calendar, analyzed the input received from an employee/parent survey, and reviewed the calendar month by month.

It was moved by Mr. Mena, seconded by Mr. Cordova, and carried unanimously that the Board approve the 2003-04 Instructional School Calendar as recommended by the Districtwide Education Improvement Council.

10. Approval of Esperanza Program from Valley Speech, Language and Learning Center for First Grade Spanish-Speaking Students (\$39,969.85)

Ms. Antonia Tapia, Director, English Language Acquisition, and Ms. Christina Gonzalez, Facilitator, Elementary Education, provided information on this reading intervention program for struggling readers and reviewed the differences between the Esperanza program and other bilingual programs. Ms. Elfida Gutierrez, Associate Superintendent, Elementary Schools Division, reported that EPISD teachers had requested the program after having networked with bilingual teachers from other area school districts.

There was discussion on the process of identifying dyslexic Spanish-speaking students; whether the program had been reviewed by the District's reading consultants; input from facilitators and teachers on the value of the program; the need for the program to be implemented when school resumes in August; and postponing approval of the program until more information can be brought to the Board.

It was moved by Dr. Roark and seconded by Mr. Wever that this item be postponed for two weeks to allow for further review and input into the program. Upon the vote, the motion carried with Miss Garcia voting against the motion.

11. Approval of *Scholastic Red* Comprehensive Online Reading Program from Scholastic, Inc. for Elementary Teachers (\$52,300.00)

Mr. Wever inquired about the registration process for the program. Ms. Esther Natera, Director, Staff Development, provided information on the registration process and the number of teachers that had registered to participate. She reported that teachers will be able to access the course for one-year and reviewed the accountability and monitoring process that will provide support to the teachers.

It was moved by Mr. Mena and seconded by Mr. Cordova that the Board approve the sole source purchase of this program, including reading comprehension online course registration fees, consultant fees for teacher training, and program support materials.

Discussion followed on the consequences of not completing the course; the cost for districtwide teacher access of the program; and the Board supporting the program.

It was moved by Mr. Mena and seconded by Mr. Cordova that the debate be closed and an immediate vote be taken on the pending question. Upon the vote, the motion carried with Dr. Roark and Mr. Wever voting against the motion.

Upon the vote on the main motion, the motion carried with Mr. Wever voting against the motion.

12. Approval of Additional Purchase of *Measuring Up™ to the Texas Essential Knowledge and Skills* (TEKS) and *Success Strategies for the TAKS* (Texas Assessment of Knowledge and Skills) for Elementary Schools, Purchase Order Nos. 266334, 266484, 266981, 266982, 267198, and 268103 (\$26,604.95)

It was moved by Mr. Mena, seconded by Mr. Cordova, and carried unanimously that this additional purchase be approved from People's Publishing Group, Inc., the sole source, for Schuster Elementary School in the amount of \$6,927.97; Bradley Elementary School in the amount of \$6,083.33; Dr. Green Elementary School in the amount of \$11,193.88; Crockett Elementary School in the amount of \$749.84; and Alta Vista Elementary School in the amount of \$1,649.935 (copy of purchase orders attached to the permanent file of these minutes).

13. Approval of Instructional Materials Requiring Board Approval

Questions on Item D., Electronic Handheld Dictionaries from Franklin Electronic Publishers (approx. \$43,400.00)

Dr. Roark inquired about the grade levels that would be using the electronic dictionaries and how they will be safeguarded. Ms. Antonia Tapia, Director, English Language Acquisition, stated that the dictionaries are used at all levels Districtwide and are part of each school's inventory.

Responding to a question from Mr. Wever regarding the late purchase, Ms. Linda Corral, Associate Superintendent, Middle Schools, stated that many schools received additional Title I money in March 2003, which must be spent prior to the end of the school year.

It was moved by Mr. Mena, seconded by Mr. Cordova, and carried unanimously that the following instructional materials and/or training be approved for purchase from the recommended sole source vendors for the amounts indicated for the remainder of the 2002-03 school year:

- A. Educational Curriculum Materials from Scholastic, Inc. (approx. additional expenditure \$163,000.00)
- B. Educational Materials from McGraw-Hill (approx. additional expenditure \$140,000.00)

- C. FOSS Science Instructional Materials from Delta Education (approx. additional expenditure \$77,000.00)
- D. Electronic Handheld Dictionaries from Franklin Electronic Publishers (approx. \$43,400.00)
- E. Interactive Educational Curriculum Materials from LeapFrog School House (approx. \$41,800.00)

14. Purchases Requiring Board Approval

Questions on Item A., Auctioneering Services RFP #07-03

Dr. Roark inquired about the commission rates offered by the two responders, and an explanation was provided. There was discussion on negotiating the costs for auctioneering services; the average gross sale at the District's surplus property sales; and the pros and cons of using an auctioneer.

It was moved by Dr. Roark that the administration be directed to negotiate the commission rates with the responders. The motion died for lack of a second.

It was moved by Mr. Mena and seconded by Miss Garcia that the following purchases be approved to the recommended vendors for the amounts indicated. Upon the vote, the motion carried with Dr. Roark voting against the motion.

- A. Auctioneering Services RFP #07-03 was awarded to Auctions Unlimited at a 10 percent commission rate on gross sales (copy of bid tabulation attached to the permanent file of these minutes).
- B. Medical Supplies Bid #23-03 (\$48,468.25) was awarded as follows, with Item #27 being awarded to Moore Medical, pursuant to the tie-breaking procedure: A-Athletic Medical, Items 19-21, 23, 30, 31, 43, and 53, \$5,291.28, net; Alert Services, Items 8 and 54, \$306.96, net; Border Healthcare, Items 15, 26, 41, 44, and 56, \$3,386.76, net; Corporate Express, Items 17, 39, and 59, \$5,955.36, net; Micro Bio-Medics, Items 1, 3, 6, 7, 11, 13, 16, 28, 29, 36, 37, 40, 48, and 61, \$12,497.57, net; Moore Medical, Items 2, 5, 9, 20, 24, 24, 25, 27, 38, 45, 46, 49, 50, 52, 55, and 50, \$7,760.64, net; Nova Safety Products, Items 33-35, \$8,456.00, 2 percent 10, net 30; School Health, Items 4, 12, 18, 22, 51, 57, and 58, \$2,557.68, net; and William MacGill, Items 42 and 47, \$2,256.00, net (copy of bid tabulation attached to the permanent file of these minutes).
- C. Wireless Mobile Lab for Chapin High School, Purchase Order No. 260454 (\$34,855.00), from Dell Marketing LP, the lowest quote (copy of purchase order attached to the permanent file of these minutes).
- D. Apple Wireless Mobile Lab for Hillside Elementary School, Purchase Order No. 266348 (\$28,198.00), from Apple Computer, the sole source (copy of purchase order attached to the permanent file of these minutes).
- E. Wireless Computer Lab for Dowell Elementary School, Purchase Order No. 266553 (\$21,336.00), from Dell Marketing LP, the lowest quote (copy of purchase order attached to the permanent file of these minutes).
- F. Client/Server Workstations for Guillen Middle School, Purchase Order No. 267016 (\$23,250.00), from I-NEXT, Inc., the lowest quote (copy of purchase order attached to the permanent file of these minutes).
- G. Laptops for Staff Development, Purchase Order No. 267573 (\$46,066.00), from Gateway Companies, Inc., the lowest quote (copy of purchase order attached to the permanent file of these minutes).

- H. Apple Computers for Johnson Elementary School, Purchase Order No. 267346 (\$16,426.55), from Apple Computer, the sole source (copy of purchase order attached to the permanent file of these minutes).
 - I. Apple Computers for Hawkins Elementary School, Purchase Order No. 268229 (\$18,683.00), from Apple Computer, the sole source (copy of purchase order attached to the permanent file of these minutes).
15. Approval of Procurement/Delivery Methods for Construction Contracts Exceeding \$15,000.00

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

- A. Districtwide Loanstar Program Lighting Renovation – Austin, Bowie, Burges, and El Paso High Schools, #03.639
- B. Districtwide Asphalt Playcourt Surfaces, Phase 1 – Clardy, Houston, and Lee Elementary Schools; and MacArthur Middle School, #02.363
- C. Districtwide Asphalt Playcourt Surfaces, Phase 2 – Burnet, Collins, Park, Polk, Rivera, Schuster, and White Elementary Schools, #02.364

Item Withdrawn

It was announced that item no. 16, E., Proposed Sale of Real Property – Education Center-Downtown/Blue Flame Building and EPISD Interest in Parking Garage, Project #02.315, had been withdrawn from the agenda.

Meeting Closed

The meeting was recessed at 7:27 p.m. to a closed meeting by Mr. Wever under Sections 551.071, 551.072, and 551.074 of the Texas Government Code as follows:

16. Closed Meeting

- B. Extension of Days on Duty for Interim Director, Elementary Personnel, Human Resources
- C. Acquisition of Real Property – South Central (Park Town) Elementary School
- D. Acquisition of Claimed Interest in EPISD Surplus Property – Portion of Tract C, Block 3, Upper Valley Surveys, Willows Property
- F. Consultation with School District Attorney Regarding Pending Litigation – Silva's Super Market, Inc., Silva Diversified, Inc. and Silva Investment Partnership, Plaintiffs vs. El Paso Independent School District, Defendant; In the 120th Judicial District Court, El Paso County, Texas; Cause No. 2003-1388
- G. Consultation with School District Attorney – State of Texas vs Nicolas P. Corona; Citation No. 44006053, Municipal Court No. 3, El Paso, Texas

The closed meeting started at 7:44 p.m. The closed meeting ended at 8:46 p.m.

Arrival of Board Member

Dr. Finke returned to the meeting at 7:56 p.m. and was present to vote in any subsequent action by the Board of Trustees.

Meeting Opened

The meeting was reassembled in Open Session at 8:47 p.m.

16. The action as a result of items discussed in closed meeting was as follows:

B. Extension of Days on Duty for Interim Director, Elementary Personnel, Human Resources

It was moved by Mr. Wever, seconded by Dr. Finke, and carried unanimously that the Board approve the Superintendent's recommendation to increase the days on duty for Al Quintela for the 2002-03 school year, from 217 days to 223 days, through June 30, 2003, and that he be compensated for the 6 days at his current daily rate of pay.

D. Acquisition of Claimed Interest in EPISD Surplus Property – Portion of Tract C, Block 3, Upper Valley Surveys, Willows Property

It was moved by Mr. Wever, seconded by Dr. Roark, and carried unanimously that the Board authorize the administration to accept a transfer and/or disclaimer for this property, subject to the review and approval of the District's attorney, in exchange for a payment by the District in the amount of \$1,500.00, with any interest in the property being relinquished by Inter-Venture Co., Inc. and its successors in interest.

F. Consultation with School District Attorney Regarding Pending Litigation – Silva's Super Market, Inc., Silva Diversified, Inc. and Silva Investment Partnership, Plaintiffs vs. El Paso Independent School District, Defendant; In the 120th Judicial District Court, El Paso County, Texas; Cause No. 2003-1388

It was moved by Dr. Roark, seconded by Mr. Wever, and carried unanimously that the Board authorize the law firm of Mounce, Green, Myers, Safi & Galatzan, PC to represent the District in this case.

G. Consultation with School District Attorney – State of Texas vs Nicolas P. Corona; Citation No. 44006053, Municipal Court No. 3, El Paso, Texas

It was moved by Mr. Wever and seconded by Mr. Mena that the Board authorize the payment of a fine in the amount of \$145.75 issued by the El Paso Fire Department to Nicolas P. Corona as the designated District representative. Upon the vote, the motion carried with Dr. Roark voting against the motion.

Meeting Adjourned

The meeting was adjourned at 8:50 p.m.

Date Approved: July 22, 2003