

Minutes of Meeting of Board of Trustees
El Paso Independent School District
September 28, 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
Dr. Charles Roark
Mr. Charles L. Tafoya, Superintendent
Mr. Anthony Safi, School District Attorney

Absent: Miss Leonor Garcia

The meeting was called to order at 5:16 p.m. by Mr. Mena. The Pledge of Allegiance was led by Mr. Hector Martinez, Associate Superintendent, Operations. Miss Carolyn Grantham, Associate Superintendent, Human Resources, gave the Thought for the Day.

1. Public Forum

The following people requested to speak on Public Forum:

1. Ms. Frances Wever, President, El Paso Federation of Teachers and Support Personnel, referenced Consent Agenda item nos. 2, B., D., and N., 2., and inquired about whether the current mail delivery regulation was still in effect; spoke about funds being available for New Mexico State University but there being no funds for clerical staff; and expressed appreciation for the assurance that permanent EPISD Food Services employees would not be affected by the proposed temporary staffing services.
2. Mr. Chris Escobar was not present when called to speak.
3. Mr. Albert Kissling, insurance agent, spoke about the District's process to have access to teachers regarding insurance and questionable practices and procedures.

2. Consent Agenda

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

Dr. Roark - Item D.
Item K.
Item L.
Item M.
Item Q.

Dr. O'Donnell - Item F.
Item N., 1.

Mr. Dodge - Item G.

Questions on Item D., Contracted Service Agreement with New Mexico State University for Employee Graduate Preparation Program (\$167,050.00)

Dr. Roark requested information on why this program was being implemented at New Mexico State University (NMSU) and not UTEP (University of Texas at El Paso). Mr. Tafoya provided information on the similar program in effect at UTEP and stated that this recommendation was for employees enrolled at NMSU that would not benefit from the program at UTEP.

Questions on Item F., Approval of Agreement with Advancement Via Individual Determination (AVID™) Center for AVID™ Membership, Materials, and Training for Andress, Bowie, Burges, Irvin, and Jefferson High Schools; and Bassett, Guillen, Henderson, Richardson, and Ross Middle Schools for 2004-05 School Year (\$70,624.00)

Dr. O'Donnell commented on the lack of Funding Source information on the executive summary.

Questions on Item G., Memorandums of Understanding Between AVANCE, Inc. and EPISD for Even Start Family Literacy Program at Lamar, Burleson, and Lee Elementary Schools (\$35,000.00)

Mr. Dodge inquired about how the program would demonstrate that the goal of the involvement of students at or above the national average in pre-literacy skills had been met. Ms. Peggy Gustafson, Specialist, External Funding, advised this goal was not part of the contract and should not have been included as part of the summary information for this item.

Questions on Item K., Fiber Network Monthly Services to BNI Solutions, LLC for Period of September 1, 2004, through August 31, 2005 (\$355,200.00)

In response to an inquiry from Dr. Roark, Ms. Terri Jordan, Executive Director, Technology and Information Systems, advised that this item is for E-Rate-eligible schools and the companion item no. 2, J., is for non-E-Rate eligible schools.

Questions on Item L., Budget Amendment – Military Family Liaison Positions (\$108,000.00)

In response to Dr. Roark's request for information on this item, Mr. Tafoya explained that 13 liaison positions would be filled to assist principals in dialogue, resolution, and support of military children at EPISD campuses. He advised that studies would be provided as the program unfolds. Miss Carolyn Grantham, Associate Superintendent, Human Resources, provided information on the work schedule for the liaisons.

Questions on Item M., Optometry, Dental, and Medical Services for Title I Qualified Recipients (approx. \$134,600.00)

Dr. Roark inquired about how the distribution of funds was determined. Ms. Rita Hadersbeck, Director, Health Services, advised that distribution was based on costs for last year, accessibility of services, and negotiations with vendors.

Questions on Item N., 1., Purchases Requiring Board Approval – Option to Extend Existing Bid – Risograph Maintenance and Repair Bid #107-02 (approx. \$100,585.32)

Dr. O'Donnell commented on the high cost of the Risograph copiers and suggested that copies be limited to at least 100 rather than just 50. Mr. Terry Freiburg, Director, Purchasing, reviewed the procedure that is to be followed at the campuses for Risograph copies.

Questions on Item N., 2., Purchases Requiring Board Approval – Pilot of Temporary Staffing Services for Food Services on Region 19 RFP #04-5680 (approx. \$67,000.00)

Dr. Roark inquired about the meaning of “temporary” and the duration of the pilot program. Ms. Nancy Nordell, Director, Food Services, advised that the program would be piloted for the rest of the year and that a temporary staffing service, not regular District employees, would help with shortages.

There was discussion on the current per-hour cost for substitute Food Services personnel, benefits not being provided to substitutes, and advertising these jobs through the Texas Work Force Commission.

Questions on Item Q., August 2004 Personnel Report

In response to Dr. Roark's request to find out why employees are leaving the District, Miss Carolyn Grantham, Associate Superintendent, Human Resources, advised that every effort was made to contact and get as much information as possible. She stated that a different approach might be necessary to make the departing employees feel more comfortable in providing the reason for leaving the District.

The following people requested to speak to Consent Agenda items:

1. Mr. Lloyd Hamilton, Lloyd Hamilton, LLC, spoke to Item O. and stated that his company would save the District money if his company was awarded the Franklin Field House contract.
2. Ms. Elena Montero, AVID™ Coordinator, Richardson Middle School, spoke to Item F. and presented six students and two parents who provided information to the Board on the progress the students achieved in the program.

It was moved by Mr. Dodge, seconded by Ms. Colquitt-Muñoz, and carried unanimously that the items on the Consent Agenda be approved as listed including any recommended vendors for any amounts indicated, with the exception of item no. N., 7., Purchases Requiring Board Approval – Irlen Syndrom Services RFP #90-04 (approx. \$33,700.00), and item no. O., Construction Contract Award – Building Addition Project #4 – Franklin Field House, #01.394 (\$1,511,100.00).

- A. Revision to Board Policy DHC (Local), Employee Standards of Conduct: Sexual Harassment/Sexual Abuse (copy attached to the permanent file of these minutes).
- B. New Board Policy CPAC (Local), Office Communications: Mail and Delivery (copy attached to the permanent file of these minutes).
- C. Approval of School Board Member/Superintendent Continuing Education Shared Services Agreement with Region 19 Education Service Center, 2004-05 (\$2,500.00)
- D. Contracted Service Agreement with New Mexico State University for Employee Graduate Preparation Program (\$167,050.00)

- E. Cooperative Agreement of Affiliation with El Paso Health and Rehabilitation Center for Health Science Technology Students in EPISD at the Center for Career and Technology Education and Silva Health Magnet High School.
- F. Approval of Agreement with Advancement Via Individual Determination (AVID™) Center for AVID™ Membership, Materials, and Training for Andress, Bowie, Burges, Irvin, and Jefferson High Schools; and Bassett, Guillen, Henderson, Richardson, and Ross Middle Schools for 2004-05 School Year (\$70,624.00)
- G. Memorandum of Understanding Between AVANCE, Inc. and EPISD for Even Start Family Literacy Program at Lamar, Burleson, and Lee Elementary Schools (\$35,000.00) for services at Lamar Elementary School in the amount of \$27,500.00 and Lee Elementary School in the amount of \$7,500.00 for a total of \$35,000.00; and the amount for Burleson Elementary School to be rendered by AVANCE in exchange for in-kind support services from the EPISD totaling approximately \$38,829.06.
- H. Interagency Cooperative Agreement with Region 19 Education Service Center-Head Start for Educationally Related Services for Children with Disabilities
- I. Renewal of Commercial Automobile and Inland Marine Insurance RFP #103-02 (\$237,986.00) to Texas Political Subdivisions Property/Casualty Joint Self-Insurance Fund, through Rogers & Belding Insurance Agency, Inc., for commercial automobile insurance coverage for a premium of \$217,016.00, and to Great American Insurance Company, through Rogers & Belding Insurance Agency, Inc., for commercial inland marine insurance coverage for a premium of \$20,970.00, effective October 1, 2004, through October 1, 2005.
- J. Continuation of Agreement Between EPISD and Time Warner Cable/BNI Solutions, LLC, with Associated Easement Agreement and Memorandum of Agreement Related to High Speed Wide Area Network RFCSP #56-03, for the Period of September 1, 2004, through August 31, 2005 (\$355,200.00)
- K. Fiber Network Monthly Services to BNI Solutions, LLC for Period of September 1, 2004, through August 31, 2005 (\$518,400.00) for use of fiber network installed under the Year 4 E-Rate grant.
- L. Budget Amendment – Military Family Liaison Positions (\$108,000.00). This item is to allow the employment of nine military family liaisons to assist principals in dialogue, resolution, and support of military children at EPISD campuses.
- M. Optometry, Dental, and Medical Services for Title I Qualified Recipients (approx. \$134,600.00) for 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 (list of providers attached to the permanent file of these minutes).
- N. Purchases Requiring Board Approval
 - 1. Option to Extend Existing Bid – Risograph Maintenance and Repair Bid #107-02 (approx. \$200,585.32), final option to extend, to Spectrum Imaging Systems (copy of bid tabulation attached to the permanent file of these minutes).

2. Pilot of Temporary Staffing Services for Food Services on Region 19 RFP #04-5680 (approx. \$67,000.00) was awarded to ItsQuest Professional Staffing Solutions on an as-needed basis (copy of bid tabulation attached to the permanent file of these minutes).
 3. Asset Management System Implementation RFP #72-04 (approx. \$28,880.00) was awarded to Miratek, International Technology Consulting (copy of bid tabulation attached to the permanent file of these minutes).
 4. Pre-Bound Book Bid #79-04 (approx. \$400,000.00) was awarded as follows: Hardbacks: Davidson Titles, 30 percent discount; Demco Media, 26 percent discount; Follett Library Resources, 30 percent discount; Perfection Learning Corp., 28 percent discount; Perma-Bound, 26 percent discount; and Sagebrush Corp., 34 percent discount, Paperbacks: Follett Library Resources, 30 percent discount; Perfection Learning Corp., 28 percent discount; Perma-Bound, 26 percent discount; and Sagebrush Corp., 31 percent discount, with the option to extend 24 months, 12 months at a time (copy of bid tabulation attached to the permanent file of these minutes).
 5. Music Instruments Bid #81-04 (\$189,676.40) was awarded as follows: Brook Mays Music, Items 1-4, 6-8, and 27, \$40,362.00, net 30; Capshaw-Olivas Music, Items 9, 10, 17, and 31, \$11,453.00, net 30; Midwest Musical Imports, Items 12, 13, 15, 23, and 30, \$30,520.00, net 30; National Educational Music, Items 5, 14, 16, 19-22, 24, and 29, \$88,996.40, net 30; and West Manor Music, Items 11, 18, 25, 26, and 28, \$18,345.00, net 30 (copy of bid tabulation attached to the permanent file of these minutes).
 6. School Furniture Bid #88-04 (\$105,561.90) was awarded as follows: Business Interiors, Item 22, \$2,020.00, net 30; Harrison Brown Interior Solutions, Items 2-5, 20, 21, and 24, \$32,244.60, net 30; Indeco Sales, Inc., Items 1, 6, 9, 11-13, and 23, \$42,367.30, net 30; School Specialty, Items 14-17 and 25, \$8,645.00, net 30; and Virco Mfg., Items 7, 8, 10, 18, and 19, \$20,295.00, net 30 (copy of bid tabulation attached to the permanent file of these minutes).
 8. Office/School Paper Bid #91-04 (\$42,847.52) was awarded as follows: AFP Industries, Items 4-10, \$28,186.40, net 30; Bye-Mo'r, Inc., Item 11, \$12,239.52, net 30; Office Depot, Item 1, \$1,958.40, net 30; Olmsted-Kirk Paper Co., Item 3, \$162.00, net 30; and School Specialty, Item 2, \$301.20, net 30 (copy of bid tabulation attached to the permanent file of these minutes).
 9. Credit by Exam (CBE) Tests, Purchase Order No. 301679 (approx. \$70,000.00), was approved for purchase from Texas Tech University (copy of purchase order attached to the permanent file of these minutes).
- P. Maintenance and Service Contract Award – Districtwide Automatic Fire Sprinkler System, #05.423 (\$43,610.00)

The Board waived the technicality of the second low bidder, Garick Fire Protection, Inc., failing to submit AIA Document A305 titled Contractors Qualifications Statement five days prior to the bid opening date and approved the award of Maintenance and Service Contract #05.423, to Garick Fire Protection, Inc., subject to the review and approval of the District's attorney.

- Q. August 2004 Personnel Report (copy attached to the permanent file of these minutes).

2. Consent Agenda (items considered separately)

N., 7. Purchases Requiring Board Approval – Irlen Syndrome Services RFP #90-04 (approx. \$33,700.00)

It was moved by Mr. Mena and seconded by Ms. Colquitt-Muñoz, that RFP #90-04 be awarded to Irlen Center-Albuquerque, with the option to extend 24 months, 12 months at a time (copy of bid tabulation attached to the permanent file of these minutes). Upon the vote, the motion carried, with Mr. Dodge recusing himself from the vote.

O. Construction Contract Award – Building Addition Project #4 – Franklin Field House, #01.394 (\$1,511,100.00)

It was moved by Dr. O'Donnell and seconded by Ms. Colquitt-Muñoz that the Board approve the award of Construction Contract #01.394, subject to the review and approval of the District's attorney, to Lloyd Hamilton, LLC in the amount of \$1,486,234.00.

Dr. Roark expressed concern about the District moving outside the scope of work that was presented to the public during the Bond election.

Upon the vote, the motion carried, with Dr. Roark voting against the motion.

3. Intradistrict Transfer Appeal – S.A.DLG.

Ms. Pat De La Garza provided information on the medical transfer to Hornedo Middle School that she had requested for her daughter, S.A.DLG., a special education student. Ms. De La Garza claimed that the transfer request was due to the inferior indoor air quality (IAQ) at her daughter's home school, Morehead Middle School, and that her autoimmune system would be adversely affected if she is required to attend Morehead.

There was discussion on medical transfers having been approved for S.A.DLG. since the 1998-99 school year; there being no evidence of an IAQ problem at Morehead; S.A.DLG. currently being home-schooled; and an ARD (admission, review and dismissal) committee meeting having been held at Green Elementary School last school year.

Mr. Safi referenced Board Policy FDD (Local) and advised that placement decisions for a special education student are to be made by the ARD committee at the student's home campus. He recommended that this issue be referred to the ARD committee at Morehead Middle School.

It was moved by Mr. Dodge, seconded by Mr. Mena, and carried unanimously that the Board ask the administration to have an ARD committee convened at Morehead Middle School to consider the placement of S.A.DLG.

4. Possible Renewal of Letter of Agreement with Paul Colbert for Legislative Services (approx. \$120,000.00)

Mr. Tafoya commented on the legislative lobbying services that Mr. Paul Colbert had provided the District last year and the limited resources available to the District for the coming year. He recommended that the Board discontinue the contract with Mr. Colbert and allow EPISD staff to assume the responsibility of petitioning for legislative funding.

Mr. Colbert provided information on the services he had provided to the EPISD and highlighted the work benefiting the District that he believed he accomplished during last session of the legislature.

There was discussion on Mr. Colbert working for only two school districts; the importance of the District having representation not only when the legislature is in session, but at all times; information provided by Mr. Colbert to the District; and postponing action on this issue in order for the Board to study the situation in more depth.

It was moved by Dr. Roark that the agreement with Paul Colbert be renewed and that the amount of the contract be negotiated by the administration. The motion died for lack of a second.

It was moved by Dr. O'Donnell and seconded by Ms. Colquitt-Muñoz that the renewal of the Letter of Agreement with Paul Colbert be postponed for further study. Upon the vote, the motion carried, with Dr. Roark voting against the motion.

5. Revision to and Final Draft of EPISD 5-Year Strategic Plan

Mr. Gilbert Moreno, EPISD Strategic Plan Consultant, Prestige Consulting Services, reviewed the EPISD Strategic Plan Accountability Process, Strategic Initiative Owners Team and Strategic Update Mandate, Strategic Plan Stakeholder Input Process, Strategic Plan Review Process, and V2004-1.32 Goal Summary. Mr. Moreno requested that the Board approve the final draft of the Strategic Plan and the naming of ten new members to the Strategic Plan Accountability Committee.

It was moved by Dr. Roark and seconded by Mr. Cordova that the Board approve Version 2004-1.32, Final Draft, of the EPISD 5-Year Strategic Plan as presented and that the Board also approve the recommendation to name replacements to the Strategic Plan Accountability Committee.

Mr. Dodge commented on measures for student achievement and questioned whether these measures address the Strategic Plan's goals. He stated that he had several questions and requested that they be addressed either to him or the Board as a whole.

Upon the vote, the motion carried unanimously.

6. Information on Modification to 2004-05 Instructional School Calendar

Ms. Elizabeth Montes, Executive Director, K-12 Curriculum and Ms. Elfida Gutierrez, Associate Superintendent, Elementary Schools Supervision and Instruction, provided an update on a modification to the instructional school calendar to reflect early release every nine weeks for elementary grades.

7. Tobacco Compliance Grant Award from Texas Comptroller of Public Accounts for EPISD Police Services and Tobacco Grant Acceptance Agreement and Compliance Standards (\$5,000.00)

It was moved by Dr. O'Donnell, seconded by Mr. Cordova, and carried unanimously that the Board approve the grant award and the grant acceptance agreement and compliance standards.

8. Teacher Supply Reimbursement Grant Program Award from the Texas Education Agency through Region 20 Education Service Center (\$60,000.00)

It was moved by Dr. O'Donnell, seconded by Mr. Cordova, and carried unanimously that the Board approve the grant award, with the EPISD to provide a local funding match in the amount of \$60,000.00, for a total amount of \$120,000.00.

9. Texas Reading First Initiative for Grades K-3 Continuation Grant Award and Purchases of Goods and Services Thereunder (\$3,383,134.00)

It was moved by Mr. Cordova, seconded by Ms. Colquitt-Muñoz, and carried unanimously that the Board approve the grant award in the amount of \$3,383,134.00 and the purchase of goods and services from the grant specific vendors as follows: Region 19 Education Service Center, \$63,920.00; Harcourt School Publishers, \$1,256,974.90; Harcourt Achieve Rigby, \$146,050.00; and Voyager Expanded Learning, Ltd., \$398,724.90, for a total amount of \$1,865,669.90.

10. Network Monitoring and Customer Technical Support Agreement for Video Conferencing Equipment to BNI Solutions, LLC, for the Period of September 1, 2004, through August 31, 2005 (\$40,000.00)

Mr. Tim Holt, Director, Instructional Services, Technology and Information Systems, provided information on the inventory that had been conducted on the video conferencing carts at the campuses. He stated that an inventory checklist had been sent to each campus and that an accounting had been provided for all carts and equipment.

It was moved by Mr. Cordova, seconded by Mr. Dodge, and carried unanimously that the Board approve the support agreement from this sole source vendor, subject to the review and approval of the District's attorney.

11. Participation in the Texas Building and Procurement Commission Bid #985-A5 Copier Rental and Bid #985-A3 Copier Lease Programs (\$933,000.00)

Mr. Terry Freiburg, Director, Purchasing, provided information on the research conducted on the options available for copiers and the inquiry about the volume of copies made at the schools. He stated that the consensus was that the lease contract provided the better value for the District.

There was discussion on the recommendation to split the copier program between rentals and leases being consistent with the recommendation made previously to the Board; the Board's approval on September 14, 2004, of the rental contract for 90 days; the savings that could be realized by placing leased copiers in some locations; rental cancellation terms; and the guarantee that leased machines must be operable.

It was moved by Mr. Mena, seconded by Ms. Colquitt-Muñoz, and carried unanimously that the Board approve the District's participation in the TBPC Bid #985-A5, Copier Rental Program and TBPC Bid #985-A3, Copier Lease Program, on a limited and case-by-case basis, both utilizing, but not limited to, the following vendors: Danka Office Imaging; El Paso Triad; International Copy Machines Inc.; Ikon Office Solutions, Inc.; Kodak; Sharp; Konica; Canon; PTS Office Systems, Inc.; Office Machines; Pitney Bowes; Xerox Corporation; Kyocera Mita; Minolta; Pitney Bowes; and Xerox, for an estimated total amount of \$710,000.00 for the remainder of the 2004-05 fiscal year (copy of bid tabulation attached to the permanent file of these minutes).

12. Lease and Maintenance Payments for High Speed/High Volume Optical/Digital Duplicator (Ref. Bid #108-02) (\$144,464.64)

Mr. Terry Freiburg, Director, Purchasing, advised that these duplicators are located in the District's Print Shop. He reviewed the high-tech copy work made possible by these machines.

It was moved by Mr. Dodge, seconded by Mr. Mena, and carried unanimously that payments for the high speed/high volume optical/digital duplicator be approved to Danka Office Imaging on the five-year lease/maintenance agreement in the amount of \$72,800.64 and to Xerox Corporation on the maintenance agreement in the amount of \$71,664.00 (copy of bid tabulation attached to the permanent file of these minutes).

13. Sole Source Purchases Requiring Board Approval – TAKS (Texas Assessment of Knowledge and Skills), SDAA (State-Developed Alternative Assessment), and RPTE (Reading Proficiency Tests in English) Reports and Data Tapes (\$46,000.00)

It was moved by Dr. O'Donnell, seconded by Mr. Cordova, and carried unanimously that the Board approve these sole source purchases from National Computer Systems.

14. Purchase Requiring Board Approval – Art Supply Bid #87-04 (\$101,898.90)

It was moved by Mr. Dodge, seconded by Ms. Colquitt-Muñoz, and carried unanimously that Art Supply Bid #87-04 be awarded to the vendors as listed in the amounts indicated, with Items #66, #67, #71, and #73 being awarded to Sax Arts & Crafts and Items #69 and #72 being awarded to Triarco Arts & Crafts, pursuant to the tie-breaking procedures: AFP Industries, Items 4, 7, 8, 21, 24, 27, 37, and 39, \$4,197.60, net 30; Bye-Mo'r, Inc., Item 62, \$6,228.00, net 30; Dick Blick, Items 30 and 64, \$117.84, net 30; Elgin School Supply Co., Inc., Items 40, 55, and 59, \$1,678.68, net 30; Kirschner Brush Mfg. Co., Items 9 and 33, \$246.00, 1 percent 10, net 30; Office Depot, Items 3, 19, and 22, \$1,297.80, net 30; Oriental Trading Co., Items 13 and 61, \$7,329.60, net 30; Pyramid School Products, Items 2, 5, 14-16, 20, 29, 36, 41, 49, 51-53, 58, 63, and 75, \$24,478.62, net 30; S & S Worldwide, Item 35, \$104.40, net 30; Sax Arts & Crafts, Items 1, 12, 18, 23, 25, 26, 28, 31, 32, 34, 38, 43-48, 50, 56, 57, 65-68, 70, 71, 73, 74, and 76-79, \$44,697.72; Standard Stationery, Items 6, 10, 11, 42, 54, and 60, \$10,955.28, net 30; and Triarco Arts & Crafts, Items 17, 69, and 72, \$567.36 (copy of bid tabulation attached to the permanent file of these minutes).

Meeting Closed

The meeting was recessed at 7:42 p.m. to a closed meeting by Mr. Mena under Sections 551.071 and 551.074 of the Texas Government Code as follows:

15. Closed Meeting

A. Personnel Appointment – Chief Business Officer

The closed meeting started at 7:55 p.m. The closed meeting ended at 8:00 p.m.

Meeting Opened

The meeting was reassembled in Open Session at 8:03 p.m.

15. The action was as follows:

A. Personnel Appointment – Chief Business Officer

It was moved by Mr. Dodge, seconded by Dr. O'Donnell, and carried unanimously that the Board accept the Superintendent's recommendation to appoint Kenneth Parker to the position of Chief Business Officer.

Meeting Adjourned

The meeting was adjourned at 8:03 p.m.

Date Approved: October 26, 2004