

El Paso Independent School District
Minutes of Board Policy Committee Meeting
November 16, 2004
5:00 p.m.
Education Center-Boeing

Present: Dr. Charles Roark, Board Member, Board Policy Committee Chairperson
Mr. Carlos Cordova, Board Secretary
Miss Leonor Garcia, Board Member
Mr. Sal Mena, Jr., Board President
Dr. Lorraine O'Donnell, Board Vice President
Mr. Anthony Safi, School District Attorney

Administration: Mr. Charles Tafoya, Superintendent
Miss Carolyn Grantham, Associate Superintendent, Human Resources
Dr. Linda Holman, Associate Superintendent, Middle Schools Supervision
and Instruction
Mr. Luis Villalobos, Executive Director, Accountability and Administrative
Relations

Guests: Ms. Frances Wever, El Paso Federation of Teachers and Support Personnel

The meeting was called to order at 5:03 p.m. by Dr. O'Donnell.

The topics discussed were as follows:

1A. Revision to BJA (Local), Superintendent: Qualifications and Duties

It was the consensus of the Committee to recommend approval of the policy, as written, to the Board of Trustees.

1B. Revision to CRD (Local), Insurance and Annuities Management: Health and Life Insurance

a. Dr. Roark expressed a concern with the use of "half-time" and recommended that employees be referred to as either full-time or "part-time." Mr. Tafoya stated that the use of "half-time" was a result of TRS considering anyone that works less than 30 hours per week a half-time employee but that the language could be changed to "part-time," providing there is no TRS regulation prohibiting the use of that term. The Committee concurred with the recommendation to change all references to "half-time" to "part-time."

b. Dr. Roark referenced the second paragraph in subheading Eligibility and the reference to certified employees that work more than 75 percent of a day. He requested a clarification on how certified employees that work less than 75 percent of a day would be handled.

Mr. Tafoya advised that clarification would be provided as part of the definition of a part-time employee.

c. Dr. Roark referenced the first sentence in subheading Half-Time Employees and recommended the deletion of "classic, standard, or hospital indemnity" in terms of the medical plan options. The Committee concurred with the recommendation.

d. Dr. Roark referenced subheading Doctor's Statement and recommended that "thereafter" be added immediately following "and every 30 days." The Committee concurred with the recommendation.

- e. Dr. Roark referenced the first sentence in subheading Unpaid Leave of Absence and recommended that the last portion of the sentence following “after paid leave is exhausted” be modified that “... benefit elections will terminate the last day of the month in which the employee received benefits.”

Dr. Roark referenced the second sentence and requested clarification on “premiums paid in advance.” Mr. Tafoya commented on the need for a clearly defined structure regarding an employee receiving Worker’s Compensation checks and paychecks simultaneously. Mr. Tafoya requested that the administration be allowed to review the language of this subheading.

- f. Dr. Roark referenced subheading Life and Additional Insurance and Benefit Programs. He recommended that the first sentence terminate immediately following “provided by the district” and that the second sentence be rewritten to read, “These include options upon retirement.” Dr. Roark requested that the policy include a definition of “options upon retirement.” The Committee concurred with the recommendations.

It was the consensus of the Committee that the policy be brought back to the Board Policy Committee.

1C. Revision to DBD (Local), Employment Requirements and Restrictions: Conflict of Interest

- a. Dr. Roark referenced the first sentence in the third paragraph and requested an explanation of “eliminate or restrict all transactions.” Mr. Safi stated that there was a broad intent to the language and that the second sentence provides a clarification of “transactions.”
- b. Dr. Roark referenced Item #4 in subheading Affidavit/Disclosure of Ownership or Employment and requested an explanation of purchasing transactions being reviewed periodically. Dr. O'Donnell recommended that “periodically” be replaced with “a minimum of annually.” The Committee concurred with the recommendation.
- c. Dr. Roark referred to the last line in subheading Textbooks and recommended replacing “it” with “the selection.” The Committee concurred with the recommendation.
- d. Dr. Roark referenced the second paragraph in subheading Gifts and commented on the language related to what District employees and their immediate families may accept. Mr. Safi recommended moving “the items listed below” from the end of the paragraph to immediately following “may accept.” The Committee concurred with the recommendation.

It was the consensus of the Committee to recommend approval of the revised policy, as amended, to the Board of Trustees.

1D. Revision to DC (Local), Employment Practices

- a. Dr. Roark referenced subheading Applications and inquired about whether criminal histories were required for contractual positions before hiring and if at-will employees should be included. Mr. Tafoya advised that a criminal history check is conducted on all applications for employment (see subheading Criminal History Record). Dr. Roark recommended that the policy language state that application information be verified for all applicants for employment. The Committee concurred with the recommendation.

- b. Mr. Mena referenced subheadings Reassignment of Professional and Administrative Personnel and Lateral Transfer or Reassignment. Mr. Tafoya stated that he agreed with the language related to notifying the Board at least four days prior to transfers or reassignments.

Mr. Safi reviewed the history of the revised language in subheading Reassignment of Professional and Administrative Personnel and recommended that “present recommendations” be replaced with “provide notice.” The Committee concurred with the recommendation.

It was the consensus of the Committee to recommend approval of the revised policy, as modified, to the Board of Trustees after a review by the TASB Legal Division.

1E. Revision to DK (Local), Assignment and Schedules

- a. Dr. Roark referenced subheading Work Calendars and Schedules and requested clarification of the last sentence. Mr. Tafoya advised that the language allows flexibility for supervisors to offer flex scheduling on the campuses when necessary.
- b. Mr. Safi referenced subheading Other Transfers or Reassignments of Professional and Administrative Personnel and recommended that “present recommendations” be replaced with “provide notice” to conform with the change in DC (Local). The Committee concurred with the recommendation.

It was the consensus of the Committee to recommend approval of the revised policy, as modified, to the Board of Trustees after a review by the TASB Legal Division.

1F. Renaming of EIAA (Local), Academic Achievement: Examinations to Grading/Progress Reports to Parents

Dr. Roark referenced the second paragraph and expressed a concern about the procedure to be used for a student who is not present for the final exam but has an excused absence. Mr. Tafoya advised that there is an established policy through the Student Code of Conduct. Mr. Safi recommended the inclusion of a cross-reference to existing EIAB (Local), Make-Up Work. The Committee concurred with the recommendation.

Mr. Tafoya commented on the weight of the final exam and recommended additional language that stipulates that the final exam will count no more than 10 percent of the final grade. The Committee concurred with the recommendation.

It was the consensus of the Committee to recommend approval of the policy, as modified, to the Board of Trustees.

1G. Revision to EIE (Local), Academic Achievement: Retention and Promotion

- a. Dr. Roark referenced subheading Accelerated Instruction and inquired about the title change and the definition of accelerated instruction. Mr. Safi advised that the local policy language is clarified in the legal policy.
- b. Dr. Roark referenced the first sentence in subheading Second Failure – GPC and recommended that “the campus principal of student test results” be moved from the end of the sentence to immediately following “the District shall notify.” He referenced the last sentence and recommended adding the word “required” immediately following “a student is.” The Committee concurred with the recommendations.

- c. Dr. Roark referenced the first paragraph in subheading Third Failure – GPC and recommended deleting the words “The GPC described” at the beginning of the first sentence and starting the sentence with “The Grade Placement Committee (GPC).” The Committee concurred with the recommendation.

Dr. Roark referenced the third paragraph and inquired about the legality of including language that would permit the truancy judge to be provided with truancy and delinquency information on students with whom he would be dealing. Mr. Safi suggested that this information be provided informally rather than in policy.

Dr. Roark referenced the last sentence in the third paragraph and recommended the addition of “by certified mail” immediately following “to the parent or guardian.” Mr. Tafoya recommended that progress reports be provided at three-week intervals rather than six weeks. The Committee concurred with the recommendations.

- d. Dr. Roark referenced page 7 of 8 and inquired about the procedure to obtain the grades for students that transfer from private schools and recommended that language be added that addresses private school students transferring into the District. Mr. Tafoya stated that a procedure could be set up that would quickly acquire those private school records by assigning that as part of the duties of the At-Risk Coordinator at the campus. The Committee concurred with the recommendation.

It was the consensus of the Committee that the revised policy, as modified, be recommended for approval to the Board of Trustees.

1H. Renaming and Revision to FD (Local), Admissions and Attendance

It was the consensus of the Committee to recommend approval of the policy, as written, to the Board of Trustees.

1I. Revision, Recoding, and Renaming of FDD (Local) to FEC (Local), Attendance: Attendance for Credit

It was the consensus of the Committee to recommend approval of the policy, as written, to the Board of Trustees.

1J. Revision to FMG (Local), Student Activities: Travel

Dr. Roark referenced the last paragraph on page 1 of 3 and expressed a concern with the associate superintendent being permitted to approve student trips. Dr. O'Donnell commented that student trips should be under the purview of the administration and not the Board. She recommended that language be added that the trips must demonstrate educational value that ties to the curriculum. Dr. Roark recommended that language be added that the Board be allowed to review the trip request if a Board member learns of information about the trip that should be discussed by the Board as a whole.

Mr. Tafoya requested that the administration be allowed time to develop additional language and examples of trip documentation templates.

It was the consensus of the Committee to bring the revised policy back to the Board Policy Committee.

1K. Review of TASB Policy Manual Update 73

Mr. Safi provided information on a nepotism decision made by the Attorney General and stated that, to the extent that the Board of Trustees has delegated hiring authority to the superintendent, the school district cannot hire relatives of the superintendent but can hire relatives of trustees. He stated that Update 73 has rewritten legal policy to reflect the Attorney General's opinion. Mr. Safi advised that if the Board wishes to have a local prohibition against the hiring of trustees' relatives, this could be done in the form of a local policy. If the Board is content with the change in the interpretation, then a local policy would not be required.

Responding to an inquiry from Mr. Tafoya, Mr. Safi clarified that to the extent that the Board has reserved hiring authority for grades 107 and 208 and above, the Board cannot hire relatives of trustees but can hire relatives of the superintendent.

Mr. Tafoya requested that Mr. Safi develop additional language to DC and DK (Local) stipulating a prohibition against the District hiring relatives of the superintendent at any level. The Committee concurred.

Meeting Adjourned

The meeting was adjourned 5:55 p.m.

Date Approved: December 14, 2004