

Minutes of Meeting of Board of Trustees  
El Paso Independent School District  
March 26, 2002  
5:00 p.m.  
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 Anzaldua, Superintendent  
Mr. Anthony Safi, School District Attorney

The meeting was called to order at 5:15 p.m. by Mr. Wever. The Pledge of Allegiance was led by Mr. Wever. Ms. Linda Corral, Associate Superintendent, Middle Schools, gave the Thought for the Day.

Discussion of Compliance Issues Related to Least Restrictive Environment for EPISD Special Education Students (Item #10)

It was moved by Mr. Wever, seconded by Dr. Finke, and carried unanimously that item no. 10, Discussion of Compliance Issues Related to Least Restrictive Environment for EPISD Special Education Students, be postponed until the next regularly scheduled Board meeting on April 9, 2002.

Awards to March Employees of the Month (Item #1)

Mr. Julio Lujan, bilingual teacher at Dowell Elementary School, was recognized by the Board of Trustees as the March 2002's Certified Employee of the Month; and Mr. Eduardo Huerta, custodian at Bonham Elementary School, was recognized as the March 2002's Non-Certified Employee of the Month. Each was presented with an engraved plaque and a check in the amount of \$150.00.

Public Forum (Item #2)

The following people requested to speak on Open Forum:

1. Mr. Leopoldo Sierra was not present when called to speak.
2. Ms. Terry Sanderson, local representative for Washington National Insurance Company, spoke about services and benefits provided to EPISD employees with this insurance coverage.
3. Ms. Guillermina Jaquez, parent at Douglass Elementary School, spoke about concerns with the principal and assistant principal at Douglass School.

4. Ms. Nora Arzate, parent at Douglass Elementary School, spoke about concerns with the principal and assistant principal at Douglass School.
5. Ms. Yvonne Herrera, parent at Douglass Elementary School, spoke about concerns with the principal and assistant principal at Douglass School.
6. Mr. Gerald Cheek extended an invitation to the Superintendent and the Board to attend the annual PTA Installation Luncheon on May 8, 2002, and commended the volunteers and parents at the schools for their assistance with planning for the luncheon.

Consent Agenda (Item #3)

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

A. Approval of Minutes

1. December 3, 2001, Board Finance Committee Meeting; December 4, 2001, Board Investigative Services Committee and Board Finance Committee Meetings; December 11, 2001, Board's Employee Health/Insurance Committee Meeting; and December 11, 2001, Board Finance Committee Meeting
2. December 4, 2001; December 11, 2001; December 17, 2001; and December 18, 2001, Meetings of the Board of Trustees

The Board approved the minutes of the December 3, 2001, Board Finance Committee meeting; December 4, 2001, Board Investigative Services Committee and Board Finance Committee meetings; December 11, 2001, Board's Employee Health/Insurance Committee meeting; and December 11, 2001, Board Finance Committee meeting; and the December 4, 2001; December 11, 2001; December 17, 2001; and December 18, 2001, meetings of the Board of Trustees.

B. Approval of Budget Amendment – Medicaid Administrative Claiming (MAC) (\$8,500.00)

The Board approved the budget amendment to the 2001-02 fiscal year to amend the Medicaid Administrative Claiming (MAC) budget in the amount of \$8,500.00. Dr. Michael Kelly, Executive Director of Special Services, requested this amendment in a memo dated February 21, 2001. This amendment transfers funds from Guidance, Counseling Miscellaneous Contracted Services to Instruction Contracted Technology Services to set up computers for Special Education teachers prior to the start of the 2002-03 school year.

B. Bid and Purchase Orders Requiring Board Approval

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

1. Additional Expenditure Request on Existing Bid – Annual Food Service Paper/Supply Bid #41-01 (additional \$100,000.00). The Board approved an additional expenditure on Annual Food Service Paper/Supply Bid #41-01 to be expensed on an as-needed basis to the vendors as previously awarded: Group II (plastic bags, Items 2-6), \$16,000.00; Group IV (trays, Items 10-13), \$18,000.00; Group V (food containers, Items 14-20), \$16,000.00; and Group IX (plastic utensils and wipes, Items 37-44), \$50,000.00, for an estimated additional amount of \$100,000.00 (copy of bid tabulation attached to the permanent file of these minutes).
  2. Cognitive Tutor™ in Geometry Program for Jefferson High School, Purchase Order No. 229512 (\$20,000.00), was approved for purchase from Carnegie Learning, Inc., the sole source, in the amount of \$20,000.00 (copy of purchase order attached to the permanent file of these minutes).
  3. SuccessMaker® Software for Alta Vista Elementary School, Purchase Order No. 233946 (\$39,010.00), was approved for purchase from NCS Pearson, Inc., the sole source, in the amount of \$39,010.00 (copy of purchase order attached to the permanent file of these minutes).
  4. Pre-Engineering Manufacturing Systems Lab for Center for Career and Technology Education, Purchase Order No. 234754 (\$55,295.00), was approved for purchase from Technical Laboratory Systems, Inc., the sole source, in the amount of \$55,295.00 (copy of purchase order attached to the permanent file of these minutes).
- C. Approval of Extension of Building Lease Agreement – Dyer Street Warehouse, #L-003 (\$96,057.72)
- The Board approved a 12-month extension to the current lease agreement between the El Paso Independent School District and River Oaks Properties Ltd. (Lease No. 003), a Texas Limited Partnership, subject to the review and approval of the District's attorney, for the lease of a 31,200 square foot structure located at 5631 Dyer Street in the amount of \$8,004.81 per month or a total annual amount of \$96,057.72.
- D. Approval of Electric Company Easement – Portion of Tract 4E, A. F. Miller Survey #214, Title IX – Office of Civil Rights (OCR) (Morehead Middle School Baseball Field), #01.014.01

The Board President was authorized to execute El Paso Electric Company Easement No. 4157-2990, subject to the review and approval of the District's attorney, for a portion of Tract 4E, A. F. Miller Survey #214, Title IX Office of Civil Rights (OCR), which is located on EPISD property at the Morehead Middle School baseball field, as shown on the documentation presented.

Mid-Year review of 2001-02 Campus Improvement Plans (Item #4)

Ms. Linda Corral, Associate Superintendent, Middle Schools, explained the purpose of the mid-year review of the Campus Improvement Plans (CIPs) and provided information on using the reviews in the evaluation of the principals.

Purchase Orders Requiring Board Approval (Item #5)

It was moved by Mr. Mena, seconded by Mr. Rosales, and carried unanimously that the following purchase orders be approved to the recommended vendors in the amounts indicated:

- A. Apple Computers for Hillside Elementary School, Purchase Order No. 232937 (\$13,281.00), were approved for purchase from Apple Computer, the sole source, in the amount of \$13,281.00 (copy of purchase order attached to the permanent file of these minutes).
- B. Printers and Floppy Drives for Hillside Elementary School, Purchase Order No. 234431 (\$14,481.32), were approved for purchase from ICHI Corporation, the lowest quote, in the amount of \$14,481.32 (copy of purchase order attached to the permanent file of these minutes).
- C. Apple Computers for Lee Elementary School, Purchase Order No. 234711 (\$9,030.00), were approved for purchase from Apple Computer, the sole source, in the amount of \$9,030.00 (copy of purchase order attached to the permanent file of these minutes).
- D. Computers for Campus Libraries, Purchase Order No. 235474 (\$18,990.00), were approved for purchase from Desert Communications, Inc. in the amount of \$18,990.00 (copy of purchase order attached to the permanent file of these minutes).

Approval of Agreement Between EPISD and BNI Solutions, LLC and/or Time Warner Cable, with Associated Easement Agreement and Memorandum of Agreement Related to Fiber Network Internet Access Services E-Rate Project (Item #6)

Mr. Jack Johnston, Executive Director, Technology and Information Systems, provided information on an agreement with BNI Solutions, LLC for the Fiber Network Internet Access Services E-Rate Project. He advised that BNI will be the prime contractor with Time Warner being the subcontractor.

There was discussion on Desert Communications, Inc., a local El Paso contractor, having no involvement with this Statement of Work; the Fiber Network Internet Access Services E-Rate Project being the exterior cabling project for the 52 E-Rate approved campuses; and a breakdown being provided at a future Board meeting on what E-Rate funds have been expended locally and otherwise.

It was moved by Mr. Telles, seconded by Dr. Finke, and carried unanimously that the Board approve the agreement between EPISD and BNI solutions, LLC and the associated Easement Agreement and Memorandum of Easement related to the Fiber Network Internet Access Services E-Rate Project.

Item Withdrawn

It was announced that item no. 7, Community Meetings Held Regarding Proposed School Attendance Zone Boundary Changes, had been withdrawn from the agenda.

**Presentation on FCA (Fellowship for Christian Athletes)/Student Bible Study Clubs in EPISD Schools (Item #8)**

This item was placed on the agenda at the request of Mr. Mena so that information on the Fellowship for Christian Athletes (FCA) Program in the EPISD could be provided to the Board.

Ms. Cheryl Hernandez, a parent at Burges High School, provided the Board members with a packet of information on religion and prayer in public schools. She provided background information on her children's attempts to establish a Bible Study Club at Burges High School. She reviewed her letter to Mr. Mena regarding her concerns and the steps she took that led to the establishment of a Bible Study Club at the Burges.

Ms. Lourdes Johnson, who accompanied Ms. Hernandez, commented on legal and local Board policies and stated that the language in the policies is vague and confusing. She added that the equal treatment of noncurriculum-related student groups also needs to be clarified.

Mr. Safi reviewed the minimum requirements set out by the Equal Access Act for school districts in providing fair opportunities for students to conduct meetings for noncurriculum-related groups. He advised that the elements of fair opportunity are stated verbatim in Board Policy FNA (Legal).

There was discussion on Board policies being enforced by the administration through Bulletins and Administrative Regulations; campus principals being provided information regarding student bible study groups; and Ms. Hernandez and Ms. Johnson meeting with the Superintendent regarding student Bible Study Clubs at District schools.

The Superintendent was directed to meet with Ms. Hernandez and Ms. Johnson to address their concerns.

**Presentation on *Breaking the Cycle/Rompiendo El Ciclo* Dropout Prevention and Intervention Project by New Beginnings, Inc. (\$640,350.00) (Item #9)**

Mr. Chilo Madrid, New Beginnings, Inc., provided information on the *Breaking the Cycle/Rompiendo El Ciclo* Dropout Prevention and Intervention Project. He stated that the project is an intensive, grass-roots prevention and intervention effort that emphasizes parental engagement at all levels of student attendance and retention. He also provided information on other dropout prevention programs that have been reviewed. Mr. Madrid advised that the *Breaking the Cycle/Rompiendo El Ciclo* Program involves early identification, case management, and parental engagement. He recommended a pilot project for the EPISD that will implement science- and evidence-based approaches and involve approximately 300 students and 400-plus parents from 14 elementary, middle, and high schools.

Dr. Anzaldua stated that some internal review was needed in order to determine whether the program is sole source, funding sources for the program, and whether the program duplicates existing programs and services. He also advised that it will be necessary to consult with legal counsel regarding the sole source issue.

There was discussion on the possibility of using Title I or Title IV funds for the program; bringing this item back to the Board at the next regularly scheduled Board meeting on April 9, 2002; and the program including a training component for parents.

Approval of Proposal from Prestige Consulting Services for the Provision of Strategic Planning Project Follow-On and Technical Support Services (approx. \$91,800.00) (Item #11)

It was moved by Mr. Mena and seconded by Mr. Rosales that the Board approve the proposal submitted by Gilbert Moreno, Prestige Consulting Services, for the provision of Strategic Planning Project follow-on and technical support services in the amount of approximately \$91,800.00, subject to a corresponding budget amendment being brought back to the Board for approval at a subsequent meeting.

Dr. Roark stated that because the recommendation had not been discussed by the Board Strategic Planning Committee, he wanted the opportunity to meet with Mr. Moreno and staff to review the proposal.

Mr. Gilbert Moreno, Prestige Consulting Services, reviewed the series of services that he would be engaging in with the District, including building stakeholder awareness and ownership of the Strategic Plan and providing direction on implementing and addressing the major strategic initiatives.

Mr. Safi advised that Mr. Moreno would be removing a sentence from the contract regarding a disclaimer dealing with the loss of data or delays in system availability.

There was discussion on the need for a "D-Day" in order for action on the Strategic Plan to begin; the meaning of "Hot 5 project management tool," which refers to the top five priorities changing over time; and how the District's Strategic Plan will play into the presentation of a general obligation bond issue before the public.

Upon the vote, the motion carried with Dr. Roark voting "present."

Approval of Interlocal Agreement with the City of El Paso for Park Town School Project, #01.516 (#3,532,900.00)/Documentation on New Layout, Design, and Proposals for Project (Item #12)

Mr. Hector Martinez, Associate Superintendent, Operations, provided information on the proposed Interlocal Agreement with the City of El Paso for the Park Town School Project, which sets forth the terms of joint development and use of the City's Armijo Park facility and incorporated building improvements at Aoy and Roosevelt Elementary Schools. He advised that the associated construction documents for the project are currently at 85 percent completion. Mr. Martinez stated that at the February 26, 2002, Board meeting, the Board directed the administration to investigate the possibility of revising the project scope to include the construction of a new school facility to replace Aoy and Roosevelt Elementary Schools. He advised that four options were being proposed that address a new school facility in the project concept.

Mr. Nick Corona, Executive Director, Facilities, Maintenance and Construction, advised that the original project scope was to be funded with 1992 bond fund accrued interest proceeds and called for the continuation of the community school concept. The District would have use of the Aoy and Roosevelt Elementary Schools facilities during the school day and the community would have access to areas after school hours. Mr. Corona reviewed the improvements that were included in the original project scope and those included in the revised project scope, which calls for the construction of a new elementary school to replace both Aoy and Roosevelt Elementary Schools.

Mr. Corona reviewed Option 1, which will require the acquisition of land; the razing of the existing Roosevelt Elementary School, with the students being relocated while construction is underway; and the closure of Sixth Street from Campbell to Florence Streets, with the anticipation of performing an extensive traffic study. He stated that Aoy would continue as a school during construction, but that after the construction is completed, the building would be used for other purposes.

Mr. Corona advised that Option 2 will also require the purchase of the same properties; the closure of Florence Street between Fourth Street and Father Rahm; and the continued use of Aoy and Roosevelt Elementary Schools during the construction phase. He stated that once construction was completed, Roosevelt would be demolished for construction of the playground and/or parking area and Aoy would be used for other purposes.

There was discussion on the age of the Aoy and Roosevelt Elementary School buildings; the projected cost for a traffic study; and the need to move forward on the project.

It was moved by Mr. Telles and seconded by Dr. Roark that the Board approve the Interlocal Agreement between the City of El Paso and the EPISD for improvements and upgrades to be constructed at City-owned Armijo and Boys Club Park for the Park Town School Project, #01.516, in the amount of \$3,532,900.00, subject to the review and approval of the District's attorney.

Discussion followed on available funding for the original scope of work for the Park Town School Project; the added cost of revising the scope of the project to include a new school; and the budgeting process that would provide the necessary funds for the revised project.

Mr. Martinez advised that approval is not needed for the Interlocal Agreement if the Board is abandoning the original scope of work. He stated that it might be one year before a new project would be ready for bid.

Mr. Telles withdrew his motion and Dr. Roark withdrew his second.

Mr. Corona continued his presentation of the options on the proposed new design for the Park Town School Project. He reviewed Option 3, which will require the same land acquisition; the closure of Father Rahm between Campbell and Florence Streets; and the razing of Roosevelt Elementary School, with the students being relocated on a temporary basis. He stated that Aoy Elementary School would remain in use during the construction, with the building being used for other purposes after the construction of the new school is completed.

Mr. Corona advised that Option 4 was considered only because it does not require any street closures. Both Aoy and Roosevelt Elementary Schools would remain open during construction, with Roosevelt being demolished afterward for a playground and parking area. He stated that this option was the least desirable because rezoning would be required to allow construction to the property line.

There was discussion on negotiations underway with the Mayor's Office regarding the street closures and the revitalization of downtown El Paso being assisted with the building of a new school in South El Paso.

Mr. Eugenio Mesta, Perspectiva, spoke about having been hired by Alianza, a group of nonprofit organizations, to develop a master plan for the redevelopment of South El Paso. Ms. Carmen Felix, Executive Director, Southside Low Income Housing Development Corporation, spoke about a comprehensive plan for South El Paso that includes the community, schools, and churches. She expressed a desire to work with the EPISD on recommendations for improvements.

It was moved by Dr. Roark, seconded by Mr. Mena, and carried unanimously that the Board direct the administration to begin the development process for a new elementary school in South El Paso, to include participation by the community and the Alianza nonprofit organizations, with Mr. Richard Telles to be the Board's representative, and that a report be brought back to the Board in April.

Upon the vote, the motion carried unanimously.

#### Meeting Closed (Item #13)

The meeting was recessed at 7:50 p.m. to a closed meeting by Mr. Wever under Section 551.074 of the Texas Government Code as follows:

##### A. Personnel Appointments

1. Principal, Barron Elementary School
2. Director, Secondary Education, Curriculum and Instruction

##### B. Superintendent's Personnel Recommendations

- I. Issuing Probationary Contracts for Teachers and Librarians
- II. Issuing Probationary Contract for Fourth-Year Teacher
- III. Proposed Termination of Probationary Contracts for Certified Teachers
- IV. Issuing Continuing Contracts
- V. Proposed Termination of Continuing Contracts for Certified Teachers
- VI. Issuing Probationary Contracts for Certified Professional Personnel
- VII. Issuing Term Contracts for Certified Professional Personnel

The closed meeting started at 7:57 p.m. The closed meeting ended at 8:42 p.m.

#### Meeting Opened

The meeting was reassembled in Open Session at 8:42 p.m.

#### Personnel Appointments – Principal, Barron Elementary School (Item #13, A, 1.)

It was moved by Mr. Wever, seconded by Mr. Rosales, and carried unanimously that the Board accept the Superintendent's recommendation to appoint Jamey Wiggs, Principal at Hughey Elementary School, to the position of Principal, Barron Elementary School. Miss Garcia was not present for the vote.



Personnel Appointments – Director, Secondary Education, Curriculum and Instruction (Item #13, A., 2.)

It was moved by Mr. Telles, seconded by Mr. Mena, and carried unanimously that the Board accept the Superintendent's recommendation to appoint Elizabeth Montes, an independent consultant, to the position of Director, Secondary Education, Curriculum and Instruction.

Superintendent's Personnel Recommendations (Item #13, B.)

I. Issuing Probationary Contracts for Teachers and Librarians

It was moved by Mr. Mena, seconded by Mr. Rosales, and carried unanimously that the Board accept the Superintendent's recommendation that classroom teachers and librarians who have been employed for less than three successive school years and who have not been employed as teachers or librarians in public education for at least five of the last eight years prior to employment with the District, be issued the next regular Probationary Contract in accordance with Board Policy DCA (Legal), Employment Practices: Probationary Contracts.

II. Issuing Probationary Contract for Fourth-Year Teacher

It was moved by Mr. Mena, seconded by Mr. Wever, and carried unanimously that the Board accept the Superintendent's recommendation that Omar Iglesias and Mary B. Gonzalez, classroom teachers who have teaching certificate deficiencies, be issued fourth-year Probationary Contracts and that the Board determine that there is doubt whether they should be issued Continuing Contracts.

III. Proposed Termination of Probationary Contracts for Certified Teachers

It was moved by Mr. Wever, seconded by Mr. Telles, and carried unanimously that the Board accept the Superintendent's recommendation that Noe Chavez, Michael Fischer, and Susan Stapel, who are employed under Probationary Contracts, be given notice of the termination of their probationary employment contracts. These terminations are deemed to be in the best interests of the school district.

IV. Issuing Continuing Contracts

It was moved by Mr. Mena, seconded by Mr. Wever, and carried unanimously that the Board accept the Superintendent's recommendation that teachers and librarians who have been employed for three consecutive years under Probationary Contracts or who have been employed as teachers in public education for at least five of the last eight years prior to employment with the District and who have completed all requirements for certification in their teaching fields be issued Continuing Contracts in accordance with Board Policy DCC (Legal), Employment Practices: Continuing Contracts.

V. Proposed Termination of Continuing Contracts for Certified Teachers

It was moved by Mr. Mena, seconded by Miss Garcia, and carried unanimously that the Board accept the Superintendent's recommendation that Luz Amparan, who is employed under a Continuing Contract, be given notice of the proposed termination of her continuing employment contract. This proposed termination is deemed by the Superintendent to be for good cause, which is defined as the failure to meet the accepted standards of conduct for the profession as generally recognized and applied in similarly situated school districts in the state.

VI. Issuing Probationary Contracts for Certified Professional Personnel

It was moved by Mr. Mena, seconded by Mr. Wever, and carried unanimously that the Board accept the Superintendent's recommendation that full-time professional employees, other than classroom teachers and librarians, who are required to hold a valid certificate or permit issued by the Texas Education Agency or the State Board for Educator Certification for their assignment, and nurses, and who have been employed for less than three successive school years with the District and have not been employed in public education for at least five of the last eight years, prior to employment with the District, be offered the next appropriate One-Year Probationary Contract in accordance with Board Policy DCB (Legal), Employment Practices: Term Contracts.

VII. Issuing Term Contracts for Certified Professional Personnel

It was moved by Mr. Mena, seconded by Dr. Finke, and carried unanimously that the Board accept the Superintendent's recommendation that full-time professional employees, other than classroom teachers and librarians, who are required to hold a valid certificate or permit issued by the Texas Education Agency or the State Board for Educator Certification for their assignment, and nurses, and who have been employed for three consecutive years with the District, or who have been employed in public education for at least five of the last eight years prior to employment with the District, or who are currently employed by the District under a Term Contract, be offered the appropriate One-Year Term Contract in accordance with Board Policy DCB (Legal), Employment Practices: Term Contracts.

Meeting Adjourned

The meeting was adjourned at 8:47 p.m.

Date Approved: May 28, 2002