

Minutes of Meeting of Board of Trustees
El Paso Independent School District
August 12, 2003
5:00 p.m.
Education Center-Boeing

Present: Mr. Sal Mena, Jr., President
Dr. Lorraine O'Donnell, Vice President
Mr. Carlos Cordova, Secretary
Miss Leonor Garcia
Dr. Charles Roark
Mr. Charles L. Tafoya, Superintendent
Mr. Anthony Safi, School District Attorney

Absent: Mr. David Dodge
Mr. Richard Telles

The meeting was called to order at 5:25 p.m. by Mr. Mena. The Pledge of Allegiance was led by Miss Garcia. Miss Carolyn Grantham, Associate Superintendent, Human Resources, gave the Thought for the Day.

1. Community Scholars Summer Internship Program

Ms. Pauline Dow, Director, Academic Services, Canutillo ISD; Mr. David Arbuckle, General Manager, Southwestern Bell Corporation, board members of Community Scholars, Inc.; and Ms. Verónica Escobar, Executive Director, Community Scholars, provided a presentation on the Community Scholars program.

By way of videotape, Adriana Dominguez, a 1999 graduate from Andress High School, commented on her experiences as a member of the first class of Community Scholars in 1998. Ms. Dow and Mr. Arbuckle provided a PowerPoint presentation on the program's mission and developmental history; costs to fund the internship program; Community Scholars board and staff members; public and private partnerships; hiring goals for the interns; focus of activities during the two-year program; recognitions attained; program and post-program statistics; and participation by EPISD students since 1998. Jose Manderos, Burges High School, and Kelly Reed, Franklin High School, spoke about their participation in the 2003 summer program.

There was discussion on the work schedule of interns; how the program prepares the interns for the university experience; diversity in the pool of interns; establishment of partnerships beyond local school districts; the allocation of funds per intern; and application requirements.

2. Reauthorization of Child Nutrition Programs Resolution

Ms. Nancy Nordell, Director, Food Services, reviewed the rationale behind the resolution petitioning the United States Congress to provide free meals to all students whose family income is less than 185 percent of poverty.

It was moved by Dr. O'Donnell, seconded by Mr. Cordova, and carried unanimously that the Board adopt the Reauthorization of Child Nutrition Programs Resolution in support of all federal child nutrition programs and to urge the United States Congress to eliminate the program fees for reduced-price school meals and provide free meals to all children with family incomes below 185 percent of poverty.

3. Public Forum

The following people requested to speak on Open Forum:

1. Mr. Raul Garcia spoke about the lack of air conditioning at Jefferson High School during lunch and suggested using older air conditioners until the air conditioning system is repaired.
2. Mr. Juan Hernandez, parent, spoke about the Texas Association of Sports Officials (TASO) and individuals the District hires as its sports officials.
3. Mr. Trini Acevedo, concerned taxpayer, spoke about the District's football referees.
4. Mr. Jose Rodriguez, President of Football Association of Texas, spoke about TASO rules and requested the opportunity to officiate at games.
5. Mr. Ricardo Juarez, former EPISD employee, spoke about his concerns regarding the Football Chapter of the TASO.
6. Mr. Gerald Cheek expressed a concern regarding the possibility of raising taxes and its effect on the bond.
7. Mr. James Coursey spoke about the Board reconsidering the location for the South Central (Park Town) Elementary School.

4. Consent Agenda

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

Dr. O'Donnell - Item C.
Item D., 1.
Item F., 3. and 7.
Item H., 2.

Questions on Item C., Year 2 of Families 1st Learning Community Initiative from Global Information Gateway for 2003-04 (approx. \$240,000.00)

Dr. O'Donnell inquired about how Title I funds would be used, and it was explained that Title I funds were being paid to the vendor for the program and that within the program's framework, those funds could be used as necessary by the vendor.

Questions on Item D., 1., Budget Amendments – Irvin High School (\$600.00)

Dr. O'Donnell requested information on District policy regarding budget transfers from one function to another. She was advised that irrespective of the dollar amount, budget transfers that cross functions require Board approval. There was discussion on Texas Education Agency rules and Financial Accountability Guide related to budget amendments and ways to streamline the budget amendment process while staying within the law.

Questions on Item F., 3., Purchases Requiring Board Approval – Pre-Engineering Manufacturing Systems Lab Bid #30-03 (\$70,220.00)

Responding to a question from Dr. O'Donnell, Mr. Tafoya advised that the District has an articulation agreement with the El Paso Community College that allows the flexibility to cover a full range of curriculum.

Questions on Item F., 7., Purchases Requiring Board Approval – NovaNET System Renewal, Purchase Order No. 273021

Dr. O'Donnell inquired about the number of NovaNET labs within the District. Mr. Jack Johnston, Executive Director, Technology and Information Systems, advised that there are currently 433 ports but that with the development of the District's own on-line academy, that number would be reduced.

Questions on Item H., 2., Maintenance and Service Contract Awards – Kitchen Exhaust Ventilation Systems, #04.420 (\$66,895.26)

Responding to a question from Dr. O'Donnell on the large disparity in bid amounts, Mr. Nick Corona, Executive Director, Facilities, Maintenance and Construction, stated that it was his opinion that the vendor submitting the higher bid was outside of their element on this particular maintenance contract. He advised that he would follow up with the vendor to determine why their bid was so much higher.

It was moved by Dr. O'Donnell, seconded by Miss Garcia, and carried unanimously that the items on the Consent Agenda be approved as listed including any recommended vendors for any amounts indicated.

A. June 2003 Minutes

1. June 10, 2003, Board Finance Committee Meeting
2. June 3, 2003; June 10, 2003; and June 24, 2003, Meetings of the Board of Trustees

B. Technology and Media Services Contract Agreement with Region 19 Education Service Center (\$155,465.00) from September 1, 2003, through August 31, 2004, for a fee of \$2.50 per student in average daily attendance.

C. Year 2 of Families 1st Learning Community Initiative from Global Information Gateway for 2003-04 (approx. \$240,000.00)Year 2 of Families 1st Learning Community Initiative from Global Information Gateway for 2003-04 (approx. \$240,000.00), the sole source.

D. Budget Amendments

1. Irvin High School (\$600.00). This item is to ensure that year-end deficit balances are covered as well as instructional materials that will be purchased.
2. Elementary Curriculum and Instruction (\$500.00). This item is to cover the cost of printing the health curriculum guides for grades six through eight.

E. Interlocal Agreement to Participate in Cooperative Purchasing Program with Region 19 Education Service Center, Purchase Order No. 273704 (\$500.00) for the period of September 1, 2003, through August 31, 2004, to cover administrative costs incurred in processing general purpose bids.

F. Purchases Requiring Board Approval

1. Lease Payments for High Speed/High Volume Copiers (ref. RFP #23-99) (approx. \$149,006.52) was awarded to Xerox Corporation, subject to the approval of the 2003-04 preliminary budget (copy of bid tabulation attached to the permanent file of these minutes).
2. Theatre Arts Production for Elementary Schools RFP #72-03 (\$32,240.00) was awarded to Theatre, Inc., with the option to extend for 24 months, 12 months at a time (copy of bid tabulation attached to the permanent file of these minutes).
3. Pre-Engineering Manufacturing Systems Lab Bid #30-03 (\$70,220.00) was awarded to Technical Laboratory Systems, Inc., including a \$1,000.00 installation charge (copy of bid tabulation attached to the permanent file of these minutes).
4. Spanish Language Supplemental Materials Bid #66-03 (\$26,225.47) was awarded to Demco Media, the low bid (copy of bid tabulation attached to the permanent file of these minutes).
5. Computers for Center for Career and Technology, Purchase Order No. 272697 (\$17,321.16), from Dell Marketing, LP, the lowest quote (copy of purchase order attached to the permanent file of these minutes).
6. Student Nutrition Accountability Program (SNAP) Service and Maintenance, Purchase Order No. 273021 (\$30,093.20), from School-Link Technologies, Inc., the sole source (copy of purchase order attached to the permanent file of these minutes).
7. NovaNET System Renewal, Purchase Order No. 273674 (\$263,375.00), from NovaNET Learning, Inc., the sole source, subject to the approval of the 2003-04 preliminary budget (copy of purchase order attached to the permanent file of these minutes).
8. Palm Pilots for Texas Primary Reading Inventory Program, Purchase Order No. 273441 (\$23,220.00), from MicroWarehouse, the lowest quote (copy of purchase order attached to the permanent file of these minutes).
9. Annual Support for CIMS Software, Purchase Order No. 273675 (\$29,952.56), from National Computer Systems, the sole source, subject to the approval of the 2003-04 preliminary budget (copy of purchase order attached to the permanent file of these minutes).
10. Commodities Storage and Delivery Service, Purchase Order No. 273676 (approx. \$320,000.00), from Professional Food Systems, subject to the approval of the 2003-04 preliminary budget (copy of purchase order attached to the permanent file of these minutes).

G. Construction Contract Awards were made as follows, subject to the review and approval of the District's attorney:

1. Districtwide ADA (Americans with Disabilities Act) Deficiencies, Phase 1 – Guillen and Wiggs Middle Schools; and Bowie, Burges, and El Paso High Schools, #02.370 (\$565,000.00), to Dantex Construction Co., Inc.
2. Coronado High School Tennis Court Resurfacing, #03.712 (\$37,352.00), to Silverton Construction Co., Inc.

H. Maintenance and Service Contract Awards were made as follows, subject to the review and approval of the District's attorney and the approval of the 2003-04 preliminary budget:

1. Fire Suppression Systems, #04.410 (\$29,976.95), to Protech Fire & Safety.
2. Kitchen Exhaust Ventilation Systems, #04.420 (\$66,895.26), to Protech Fire & Safety.
3. Portable Fire Extinguishers, #04.453 (\$26,551.50), to Protech Fire & Safety.

I. July 2003 Personnel Report (copy attached to the permanent file of these minutes).

5. Contract with El Paso County Elections Department for Election Services for October 4, 2003, Bond Election

It was moved by Mr. Cordova, seconded by Mr. Mena, and carried unanimously that the Board approve this contract in the estimated amount of \$65,602.00 (copy attached to the permanent file of these minutes).

6. Tobacco Compliance Grant Award and Acceptance Agreement from Texas Comptroller of Public Accounts (\$4,000.00)

It was moved by Dr. O'Donnell, seconded by Mr. Cordova, and carried unanimously that the Board approve the award of this grant to provide tobacco prevention education to sixth grade students.

7. 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 High Schools (\$21,474.09)

It was moved by Mr. Mena, seconded by Mr. Cordova, and carried unanimously that this additional purchase be approved for EPISD high schools from People's Publishing Group, Inc., the sole source.

8. Proposed Compensation Proposal for 2003-04

Mr. James Damm, EPISD Consultant for Finance, reviewed the proposal made to the Board's Compensation Committee on August 5, 2003, with subsequent modifications. He reviewed starting pay, bonuses and stipends, and additional costs for teachers and the strategy to be used for teachers. He reviewed the proposals for hourly and daily employees, which include an insurance supplement that will mirror that proposed for teachers; parity adjustments and supplements for daily employees; a one-time stipend for all District employees to assist with health insurance; and compensation stipulations for new hires effective September 1, 2003. Clarification was provided on the interpretation of the TRS supplement allotments, which were still in the process of change by the state.

Mr. Damm advised that the direct employee compensation proposal for teachers, coaches and the Fine Arts supplements; hourly employees and an hourly health insurance supplement; daily employees; the high school student activities managers supplement; and the daily employees' health insurance supplement totaled \$5.729 million; and the indirect employee compensation proposal for increases to the health insurance plan and Workers' Compensation and the additional cost for TRS Care totaled \$6.090 million.

Mrs. Frances Wever, El Paso Consultation Association Compensation Committee, expressed concerns with the proposed teacher compensation schedules. She addressed the schedules not being compressed, the multi-year step for zero- and first-year teachers; and 524 teachers who will not receive any pay increase. She also addressed the pay steps for hourly employees. She requested that there be a review of the savings realized between the teachers who retired and newly-hired teachers replacing them.

There was discussion on the TASB (Texas Association of School Boards) Compensation Study as implemented by the District in 2002-03; the multi-year step for beginning teachers; the Board providing direction for the administration's review; clarification on the final amount of state revenue; other local school districts' handling of the loss of state revenue; and continuing a hiring freeze.

9. Reimbursement Resolution for Fiber Internet Access

Mr. James Damm, EPISD Consultant for Finance, advised that if the bond election on October 4, 2003, is passed, this resolution will provide the Board the option to allow the reimbursement of \$540,000.00 in operating funds approved by the Board to extend the fiber Internet access.

It was moved by Mr. Cordova and seconded by Mr. Mena that the Board approve the Resolution Expressing Intent to Reimburse Expenditures to be Incurred for fiber Internet access (copy of resolution attached to the permanent file of these minutes). Upon the vote, the motion carried with Dr. Roark voting against the motion.

10. Final Payment for Construction Contracts Exceeding \$100,000.00

It was moved by Mr. Mena, seconded by Mr. Cordova, and carried unanimously that the Board approve the final payment for the following construction contracts in the amounts indicated as recommended by the administration, subject to the review and approval of the District's attorney.

- A. Indoor Air Quality (IAQ) Improvements - Education Center-Boeing Print Shop, #02.344 (\$20,855.75, total cost \$262,892.00), to P. A. Contractors, Inc.
- B. Indoor Air Quality (IAQ) Improvements - Education Center-Boeing Second Floor, #03.549 (\$9,221.45, total cost \$184,429.00), to Funk & Company.
- C. Indoor Air Quality (IAQ) Improvements - Hillside Elementary School, #02.658 (\$27,075.05, total cost \$534,262.00), to P. A. Contractors, Inc.
- D. Northeast Regional Tennis Center Parking Lot, #02.727 (\$6,450.00, total cost \$129,000.00), to Conde, Inc.

11. Procurement/Delivery Methods for Construction Contracts Exceeding \$15,000.00

It was moved by Miss Garcia, seconded by Dr. Roark, 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. Playfield Renovations - Clendenin Elementary School; and Guillen and Richardson Middle Schools, #03.604
- B. Playfield Renovations - Beall and White Elementary Schools; and Hornedo Middle School, #03.613

Item Withdrawn

It was announced that item no. 12, C., Proposed Termination of Probationary Contract Teacher, had been withdrawn from the agenda.

Meeting Closed

The meeting was recessed at 8:25 p.m. to a closed meeting by Mr. Mena under Sections 551.071, 551.072, 551.074, and 551.082 of the Texas Government Code as follows:

12. Closed Meeting

- A. Grievance Hearing – Samuel Finlayson, Paraprofessional, Henderson Middle School
- B. Personnel Appointments
 - 1. Executive Director, K-12 Instruction
 - 2. Interim Principal, Ross Middle School
- D. Acquisition of Real Property – South Central (Park Town) Elementary School
- E. Proposed Sale of Real Property – Education Center-Downtown/Blue Flame Building and EPISD Interest in Parking Garage, Project #03.315
- F. Consultation with School District Attorney – Aaron B. b/n/f Mike B., Petitioner, vs. El Paso Independent School District, Respondent, Before a Special Education Hearing Officer for the State of Texas; Docket No. 291-SE-0503

The closed meeting started at 8:44 p.m. The closed meeting ended at 10:36 p.m.

Meeting Opened

The meeting was reassembled in Open Session at 10:37 p.m.

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

- A. Grievance Hearing – Samuel Finlayson, Paraprofessional, Henderson Middle School

It was moved by Mr. Mena, seconded by Mr. Cordova, and carried unanimously that the Board uphold the Superintendent's termination of Samuel Finlayson, an at-will employee.

- B., 1. Executive Director, K-12 Instruction

It was moved by Mr. Cordova, seconded by Mr. Mena, and carried unanimously that the Board accept the Superintendent's recommendation to appoint Elizabeth Montes, Director of High School Instruction, High Schools Division, to the position of Executive Director, K-12 Instruction.

- B., 2. Interim Principal, Ross Middle School

It was moved by Mr. Mena, seconded by Mr. Cordova, and carried unanimously that the Board accept the Superintendent's recommendation to appoint Alex Sanchez, Instructional Support Specialist for Pupil Transportation, to the position of Interim Principal, Ross Middle School, and that to the extent required, Board Policy DC (Local) be waived for this interim appointment.

D. Acquisition of Real Property – South Central (Park Town) Elementary School

It was moved by Dr. Roark, seconded by Mr. Mena, and carried unanimously that the Board authorize the administration to finalize the purchase of (1) the westerly 60 feet of Lot 3, Lot 4, and Lot 5, Block 49, Campbell Addition, El Paso, El Paso County, Texas, for a final purchase price of \$100,000.00, and further authorized the payment of actual qualified moving expenses, not to exceed \$2,500.00, incurred by the current owner; and (2) Lot 7, Block 49, Campbell Addition, El Paso, El Paso County, Texas, for a final purchase price of \$9,400.00, both subject to the review and approval of the District's attorney.

Meeting Adjourned

The meeting was adjourned at 10:40 p.m.

Date Approved: September 23, 2003