

Minutes of Meeting of Board of Trustees  
El Paso Independent School District  
September 14, 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<sup>1</sup>  
Miss Leonor Garcia  
Mr. Robert Ortega, Associate Superintendent, High Schools Supervision and Instruction  
Mr. Anthony Safi, School District Attorney

Absent: Dr. Charles Roark

The meeting was called to order at 5:00 p.m. by Mr. Mena. The Pledge of Allegiance was led by Dr. Linda Holman, Associate Superintendent, Middle Schools Supervision and Instruction, who also gave the Thought for the Day.

Items Withdrawn

It was announced that item no. 6, E., Contracted Service Agreement with New Mexico State University for Employee Graduate Preparation Program (\$167,050.00); item no. 6, H., 2., Purchases Requiring Board Approval – Educational Benchmark Software RFP #73-04 (\$311,000.00); item no. 7, A., Interdistrict Transfer Student Tuition Waiver Appeals – B.M.L. and G.W.L.; item no. 9, Letter of Agreement with the College Board for 2004 PSAT/NMSQT Early Participation Program (\$43,585.00); and item no. 20, Possible Renewal of Letter of Agreement with Paul Colbert for Legislative Services (approx. \$120,000.00), had been withdrawn from the agenda.

1. Recognition of National GAP Kids Drawing Contest Winner

Adridna Miramontes, fifth grade student at Mesita Elementary School, was recognized.

2. Recognition of September 2004 Partner of the Month

Cracker Barrel Old Country Store was recognized.

3. Public Meeting to Discuss the District's 2004 Rating Under the Schools Financial Integrity Rating System of Texas (FIRST)

Ms. Martha Piekarski, Executive Director, Accounting Services, stated that school districts are required to hold a public hearing to announce and receive input on the results of FIRST with regard to financial accountability. She provided information on the 2004 FIRST, which covers the 2002-03 fiscal year and was developed by the Texas Education Agency to achieve quality performance in the management of school districts' financial resources. She reviewed the 21 indicators, which are rated by "No" answers, and the EPISD responses to each indicator. Ms. Piekarski advised that EPISD answered "Yes" to all indicators but one and received a Superior Achievement rating.

---

<sup>1</sup>Mr. Dodge departed the meeting at 6:40 p.m., during discussion on Item 6, I., 1.

4. Presentation by Rudolph Montiel, El Paso Housing Authority, and Lisa Colquitt-Muñoz on Proposed Waiver of Taxes on Abandoned Property as Part of a Program to Provide Affordable Housing

Ms. Colquitt-Muñoz and Mr. Rudolph Montiel, Executive Director, Housing Authority of the City of El Paso (HACEP), provided a presentation on an initiative to promote affordable housing, which would involve taxing entities in the City of El Paso. Mr. Montiel stated that the HACEP was interested in providing opportunities for affordable homeownership in the central areas of the city and engaging the EPISD as a strategic partner in accomplishing this goal.

Ms. Colquitt-Muñoz provided information on an HACEP pilot strategy to revitalize inner city neighborhoods and return foreclosed properties to the tax role; the transformation of vacant properties into community assets that will impact property values of surrounding properties; and the anticipated values of newly constructed houses and rehabilitated properties. She reviewed redevelopment initiatives in Fort Worth, Texas, and Cleveland, Ohio; HACEP's proposed plan to rehabilitate or construct five homes in central El Paso for marketing to low- and moderate-income families; and current key partners. Ms. Colquitt-Muñoz stated that HACEP requests the EPISD and other city taxing entities abate any past due taxes to assure the affordability of the homes.

There was discussion on the process to be followed by HACEP to acquire and prepare property for eligible buyers; the qualification and selection process; how price of properties would be set; the plan for contracting the construction or rehabilitation of properties; and HACEP coming back to the Board when individual properties have been identified.

11. Proposed Amendment to Professional Services Agreement with Strategic Governmental Solutions, Inc. (IDEA Software and Support Services RFP #19-03)

Mr. Luther Jones, attorney, provided information on his review of the District's contract with Strategic Governmental Solutions, Inc. (SGS) and the proposed amendment that was drafted by the company in consultation with District staff. He reviewed the payment process covered under the current contract, which provides for a percentage payment based on projections for the coming fiscal year. Mr. Jones stated that the proposed amendment would initiate a monthly flat fee to SGS, which would qualify the District for a reimbursement from the government, plus royalty payments for any contracts of a similar nature entered into with other school districts.

There was discussion on the reimbursement process and quarterly reports to be submitted to the Board Finance Committee on reimbursements applied for, plus comparative reports on the prior percentage basis payments versus the new flat fee payments.

It was moved by Mr. Cordova, seconded by Miss Garcia, and carried unanimously that the Board approve the amendment to the Professional Services Agreement with Strategic Governmental Solutions, Inc.

5. Public Forum

The following person requested to speak on Public Forum:

1. Mr. Jorge Artalejo spoke about increasing funds for athletic programs and the lack of discipline at middle schools.

6. Consent Agenda

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

Dr. O'Donnell - Items C., 2. and 3.  
Item H. 4.  
Item G.

Mr. Dodge - Item F.  
Items I., 1. and 2.

Miss Garcia - Item J.

Questions on Item C., 2., Revisions to and Renaming of Board Policies – EIA (Local), to Academic Achievement: Grading/Permanent Record

Dr. O'Donnell inquired about averaging grades by semester for content areas at the middle and high schools. Dr. Linda Holman, Associate Superintendent, Middle Schools Supervision and Instruction, advised that elementary and middle schools average across the whole year and that Austin and Franklin High Schools have received a waiver to implement the full year grade averaging.

Questions on Item C., 3., Revisions to and Renaming of Board Policies – EIAB (Local) to Progress Reports to Parents: Make-Up Work

Dr. O'Donnell inquired about a possible conflict between the unexcused absence provisions and allowing students to take make-up tests and turn in work late. Dr. Linda Holman, Associate Superintendent, Middle Schools Supervision and Instruction, stated that if the absence is unexcused, no make-up work would be allowed.

There was discussion on the conflicting language and clarifying the language to allow consistent enforcement by all District teachers. Dr. Holman recommended that language be added to the text for subheading Late Project(s)/Assignment(s) that a late penalty may be assigned to any project or assignment "... turned in after the due date 'for an excused absence' in accordance with previously established guidelines ...." The Board concurred with the recommendation.

Questions on Item F., Contract Between El Paso Independent School District and Communities in Schools (CIS)-El Paso, Inc. – Crockett and Lamar Elementary Schools; Guillen, Henderson, and Magoffin Middle Schools; Austin, El Paso, and Irvin High Schools; Delta Academy; Telles Academy, and Sunland Park Mall Academy (\$365,000.00)

Mr. Dodge commented on the evaluation of the CIS program that was provided in the background information and reviewed some information that he believed should be supplied in the evaluation report on how the program impacts students. There was discussion on receiving information on outcomes, implementing a student survey to determine the impact of the program, developing an evaluation template to be used by CIS for its annual report, and whether the supply of this information can be negotiated into the contract.

Mr. Robert Shaw, Executive Director, CIS, reviewed the process from the Texas Education Agency that his staff is required to follow. He advised that CIS would provide answers to any questions from the Board.

There was further discussion on assembling a community group to develop questions that the Board requires answered and a report being brought back to the Board on the outcomes for last year, using the template that is to be developed.

Questions on Item H., 4., Purchases Requiring Board Approval – Printer Ribbon & Toner Cartridge Bid #76-04 (\$71,820.20)

In response to an inquiry from Dr. O'Donnell, Mr. Terry Freiburg, Director, Purchasing, advised that newly remanufactured cartridges were being used.

Questions on Item I., 1., Construction Contract Awards – Building Addition Project #4 – Franklin High School Field House, #01.3934 (\$1,511,100.00)

In response to inquiries from Mr. Dodge, Mr. Nick Corona, Executive Director, Facilities, Maintenance and Construction, advised that this Bond project was approximately \$200,000.00 over budget, that the additional funds were taken out of the contingency fund, and that it had not been processed through the Bond Accountability Committee.

Mr. Corona provided a history of the project that was to be funded from interest generated from the 1992 Bond fund and originally included two buildings, the field house and a building “B,” which was composed of additional locker and restroom facilities. He advised that due to a shortage of funds, building “B” was eliminated and the project was shelved. The project was included in the 2003 Bond project and \$1.3 million was budgeted for building “A” only. During the meetings with Athletics and campus administration, it was brought to the attention of Operations personnel that there were two buildings in the project. Mr. Corona stated that the additional funds were taken from the contingency fund in order to include the second building.

There was discussion on the scope of work discussed with the citizen committee that picked the Bond projects and the need to follow the process that any changes to Bond projects go through the Bond Accountability Committee.

Mr. Hector Martinez, Associate Superintendent, Operations, reviewed the process of preparing the Franklin field house project for bid and the changes in the scope of work taking place prior to the formulation of the Bond Accountability Committee, the passage of the resolution that directs the Committee’s responsibility, and the Committee’s formal adoption last week of the procedures to review project scope changes.

Dr. Roark and Mr. Dodge requested that an individual vote be taken on this item.

Questions on Item I., 2., Construction Contract Awards – Crosby Elementary School Drop-Off Zone, #04.554 (\$62,200.00)

Mr. Dodge requested information on the budget for this project, and Mr. Nick Corona, Executive Director, Facilities, Maintenance and Construction, advised that the project was being funded through interest on maintenance tax notes. He stated that several principals had requested special projects and a list was presented to the Superintendent's Cabinet for direction on where to allocate those funds.

There was discussion on this project not being included in the original maintenance tax notes projects, projects funded by the maintenance tax notes being driven by need and by direction from the Superintendent’s Cabinet, many projects being completed prior to the Bond referendum, and the history of the interest revenue.

Mr. Walt Byers, Treasury Manager, provided information on interest earned on the maintenance tax notes proceeds over the last four years, the initial balance, and the current balance of the funds.

Discussion continued on the Board receiving a report on the plans for the remaining interest and information being provided to the Board on the special projects submitted to the Operations Unit, which are presented to the Superintendent's Cabinet and set in order of priority.

Questions on Item I., 1., Construction Contract Awards – Building Addition Project #4 – Franklin High School Field House, #02.394 (\$1,511,100.00) (continued)

Dr. O'Donnell requested that budget overages be “flagged” for the Board in the background information provided on agenda items. She inquired about the administration's recommendation that the contract not be awarded to the apparent low bidder because of the vendor's lack of experience, for which the company appears to have been given a double penalization on the evaluation score sheet. Mr. Hector Martinez, Associate Superintendent, Operations, reviewed the five criteria on the post-bid score sheet and the process used to calculate each of the categories, which are assigned a specific weight. He advised that the company with the highest total score is the responsive low bidder. Mr. Martinez clarified that “apparent” low bidder refers strictly to the price submitted at the time of the bid opening.

Departure of Board Member

Mr. Dodge departed the meeting at 6:40 p.m. and was not present for any subsequent action taken by the Board of Trustees.

Questions on Item J., Airport Lease Agreements – Education Center-Boeing (L001 A-C) and Professional Development Center (L002) (\$107,432.64)

Miss Garcia expressed a concern with the long-term effect of the lease amounts for the Education Center-Boeing and Professional Development Center facilities and urged the administration to expedite locating a site for a District-owned facility.

Questions on Item G., Award of Voluntary Benefit Plans RFP #70-04 (Basic Life, AD&D, Optional/Supplemental Life, Dependent Life, Retiree Life) and Renewal of Vision Benefit Coverage with Vision Service Plan (VSP) (RFP #70-01)

Dr. O'Donnell commented on the change from UNUM to ING Employee Benefits being centered on the fact that an onsite representative for life insurance would no longer be provided by UNUM. Ms. Elizabeth Bulos, Director, Employee Benefits, reviewed the services provided by the onsite representative, the approximate number of hours the representative worked each week, and the downgraded financial status rating for UNUM.

The following people requested to speak to Consent Agenda items:

1. Mr. Lloyd Hamilton was not present when called to speak to Item I., 1.
2. Ms. Anna Maynard spoke about the vision benefit coverage on Item G. and stated that Benevision had submitted a proposal that matched the benefit schedule requested at a lower premium than the package being recommended and posed questions to the Board on the rationale for the administration's recommendation, the posting of the item, and who would profit from the renewal of this contract.

Mr. Pat Graham, G. P. Graham & Associates, provided information on the rationale for selecting VSP as the vision benefit provider. He advised that a survey of the providers indicated a definite preference for VSP and that the District's employees have been very satisfied with the service provided by VSP.

Dr. Roark expressed a concern about an implication of an impropriety with this RFP and requested that this allegation be investigated. Mr. Mena advised Ms. Maynard that she could bring this issue back to the next Board's Employee Health/Insurance Committee meeting in October 2004.

It was moved by Dr. Roark, 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. E., Contracted Service Agreement with New Mexico State University for Employee Graduate Preparation Program (\$167,050.00); item no. H., 2., Purchases Requiring Board Approval – Educational Benchmark Software RFP #73-04 (\$311,000.00); and item no. I., 1., Construction Contract Awards – Building Addition Project #4 – Franklin High School Field House, #01.394 (\$1,511,100.00).

A. Minutes

1. July 2004

- a. July 13, 2004, Board's Employee Health/Insurance Committee Meeting and July 27, 2004, Board Finance Committee Meeting
- b. July 13, 2004, and July 27, 2004, Meetings of the Board of Trustees

2. August 17, 2004, Board Policy Committee Meeting

B. Revisions to Board Policies (copies attached to the permanent file of these minutes).

- 1. BBF (Local), Board Members: Ethics
- 2. BQ (Local), Planning and Decision-Making Process

C. Revisions to and Renaming of Board Policies (copies attached to the permanent file of these minutes).

- 1. EEJA (Local) to Individualized Learning: Credit by Examination with Prior Instruction
- 2. EIA (Local) to Academic Achievement: Grading/Permanent Record
- 3. EIAB (Local) to Progress Reports to Parents: Make-Up Work

D. Juvenile Justice Alternative Education Program (JJAEP) Interlocal Agreement Between the El Paso, Anthony, and Canutillo Independent School Districts and El Paso County for 2004-05 School Year for the establishment and operation of a JJAEP for the 2004-05 fiscal year, with EPISD receiving \$59.00 per day from the County for each mandatory expelled student, pursuant to the terms thereof.

F. Contract Between El Paso Independent School District and Communities in Schools (CIS)-El Paso, Inc. – Crockett and Lamar Elementary Schools; Guillen, Henderson, and Magoffin Middle Schools; Austin, El Paso, and Irvin High Schools; Delta Academy; Telles Academy, and Sunland Park Mall Academy (\$365,000.00) for social work and counseling services.

G. Award of Voluntary Benefit Plans RFP #70-04 (Basic Life, AD&D, Optional/Supplemental Life, Dependent Life, Retiree Life) and Renewal of Vision Benefit Coverage with Vision Service Plan (VSP) (RFP #70-01)

The Board approved the award of Voluntary Benefit Plans RFP #70-04 to ING Employee Benefits, with a three-year rate guarantee, and which includes an Employee Assistance Program, with a one-time open enrollment for employees who previously waived coverage up to a \$50,000.00 guarantee; and the renewal of the contract with Vision Service Plan (VSP) for the period of January 1, 2005, through December 31, 2006, with a rate guarantee and no increase in current premiums.

H. Purchases Requiring Board Approval

1. Option to Extend Existing RFP – Discount from Catalog Prices for Trophies, Medals and Plaques RFP #84-02 (approx. \$101,000.00), the final option to extend, to Crown Awards, Meza Trophies & Plaques, and Roy Lown Inc. (copy of bid tabulation attached to the permanent file of these minutes).
3. Bilingual Education Reading Materials RFCSP #74-04 (approx. \$500,000.00) was awarded to the vendors as listed for the discounts indicated for future purchases on an as-needed basis, 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).
4. Printer Ribbon & Toner Cartridge Bid #76-04 (\$71,820.20) was awarded as follows: Bye-Mo'r, Inc., Item 16, \$370.80, net 30; Computer Express, Items 3, 6, 7, 10, 11, 14, 15, 21, 22, 24, and 25, \$36,271.80, net 30; Corporate Express, Item 1 and 2, \$266.40, net 30; Dallas Distributors, Items 18 and 20, \$11,772.00, net 30; El Paso Triad, Item 23, \$2,718.00, net 30; Professional Document Systems, Items 4 and 5, \$5,610.00, net 30; and V-Quest Office Machines & Supplies, Items 8, 9, 12, 13, 17, 19, and 26, \$14,672.20, net 30 (copy of bid tabulation attached to the permanent file of these minutes).
5. Annual Small Kitchen Equipment Bid #82-04 (\$26,067.34) was awarded to Global Service Supply in the amount of \$1,042.77 and National Restaurant Supply in the amount of \$25,024.57 (copy of bid tabulation attached to the permanent file of these minutes).
6. Baseball, Softball, and Track Equipment and Supplies Bid #83-04 (\$70,951.86) was awarded as follows: Aluminum Athletic Equipment, Item 129, \$1,404.00, net 30; Athlete's World, Items 1, 3, 14, 15, 20, 23-26, 30, 31, 35, 42, 45, 49-51, 57, 61, 70, 71, 78, 79, 81, 82, 85, 86, 94-98, 100, 101, 105, 107a-c, 108a-c, 114, 119, 120, and 122, \$49,180.76, net 30; Cannon Sports, Items 37, 41, 44, 74, 92, 112, 113, 116, 125, 127, and 128, \$4,772.56, net 30; Chamizal Trading Corp., Items 5, 22, 28, and 118, \$883.50, net 30; Collegiate Pacific, Items 10, 12, and 43, \$1,217.75, net 30; Greg Larson, Items 4, 11, 16, 29, 66, and 124, \$1,450.44, net 30; M-F Athletic, Items 46, 53, 56, 58, 59, 62-65, 67-69, 75, 80, 83, 84, 87-91, 93, 99, 102-104, \$7,928.35, net 30; Mex-Tex of El Paso, Items 19, 48, 72, and 73, \$933.66, net 30; Mojo Sports, Item 38, \$258.00, net 30; Rock's T-Shirts, Items 52, and 106a-e, \$3,559.84, net 30; Sports Supply Group, Items 6-9, 18, 21, 27, 39, 40, 47, 54, 55, 60, 111, 115, 117, 121, 123, and 126, \$5,282.00, net 30; and Sportime International, items 109 and 110, \$3,081.00, net 30 (copy of bid tabulation attached to the permanent file of these minutes).

I. Construction Contract Awards

2. Crosby Elementary School Drop-Off Zone, #04.554 (\$62,200.00)

The Board waived the technicality of EPCON, Inc. for failing to attend the mandatory pre-bid meeting on August 11, 2004, and approved the award of Construction Contract #04.554, subject to the review and approval of the District's attorney, to EPCON, Inc.

J. Airport Lease Agreements – Education Center-Boeing (L001 A-C) and Professional Development Center (L002) (\$107,432.64) was approved as follows: Education Center-Boeing, L001 A-C, for the annual amount of \$81,392.52, and the Professional Development Center, L002, for the annual amount of \$26,040.12.

6. Consent Agenda (items considered separately)

I., 1. Construction Contract Awards – Building Addition Project #4 – Franklin High School Field House, #01.394 (\$1,511,100.00)

It was moved by Dr. Roark and seconded by Dr. O'Donnell that this item be taken to the Bond Accountability Committee for input and discussion and brought back to the Board for further consideration. Upon the vote, the motion carried with Mr. Mena abstaining.

C., 3. Revisions to and Renaming of Board Policies – EIAB (Local) to Progress Reports to Parents: Make-Up Work

It was moved by Mr. Dodge, seconded by Miss Garcia, and carried unanimously that the Board reconsider the motion on the revisions to and renaming of EIAB (Local).

It was moved by Dr. Roark, seconded by Dr. O'Donnell, and carried unanimously that the revisions to and renaming of EIAB (Local) be approved as modified.

7. Interdistrict Transfer Student Tuition Waiver Appeals

B. N. M. S. and R. L. S.

Mr. and Mrs. Lynn Shafer provided information on their request for tuition waivers for interdistrict transfers for their daughter, N.M.S., and their son, R.L.S. The transfers were denied because the students live outside the EPISD boundaries.

It was moved by Miss Garcia, seconded by Dr. Roark, and carried unanimously that the Board uphold the administration's decision to deny the tuition waiver request for the interdistrict transfer of N. M. S. to Bassett Middle School and R. L. S. to Bliss Elementary School for the 2004-05 school year.

8. Legal Counsel for 2004 Property Value Study

It was moved by Miss Garcia, seconded by Mr. Cordova, and carried unanimously that the Board approve Linebarger Goggan Blair & Sampson, LLP as the legal counsel for the property value study appeal for 2004 and approve the contract for said services as presented.



10. Pilot of Employee Priority Preschool Collaborative Classroom Program for Children with Disabilities at Kohlberg Elementary School (\$77,500.00)

It was moved by Mr. Cordova, seconded by Miss Garcia, and carried unanimously that the Board approve this pilot program at Kohlberg Elementary School, which will provide alternative service options for preschool students with disabilities.

Dr. Roark requested that a presentation be provided for the Board on the status of special education in the District.

12. Memorandum of Understanding and Empowerment Zone Grant Award for Guillen, Henderson, and Wiggs Middle Schools (\$45,000.00)

It was moved by Mr. Mena, seconded by Dr. Roark, and carried unanimously that the Board approve this Memorandum of Understanding with the El Paso Empowerment Zone Corporation and the Empowerment Zone Grant awards.

13. Interlocal Agreement Between EPISD and Region 19 Education Service Center for Services Under the McKinney-Vento Homeless Assistance Program (\$152,516.00)

It was moved by Ms. Colquitt-Muñoz, seconded by Miss Garcia, and carried unanimously that the Board approve this interlocal agreement for tutoring and other services to be provided for homeless children, effective September 1, 2004, through August 31, 2005, with the EPISD reimbursing Region 19 for an amount not to exceed \$152,516.00. Dr. Roark was not present for the vote.

14. Cooperative Learning Structures for English Language Learners Training by Kagan Professional Development for EPISD Bilingual Teachers (\$20,000.00)

It was moved by Dr. O'Donnell, seconded by Miss Garcia, and carried unanimously that the Board approve the training by this sole source vendor. Dr. Roark was not present for the vote.

15. EPISD's Participation in the Texas Building and Procurement Commission Bid #985-A5 Copier Rental Program (approx. \$223,277.21)

Mr. Terry Freiburg, Director, Purchasing, requested approval of this contract for 90 days in order to pay copier bills for August 2004. Responding to an inquiry from Dr. O'Donnell regarding the hiring of a consultant to review the District's copier needs, Mr. Freiburg advised that information on a consultant would be brought back to the Board at the next meeting.

It was moved by Dr. O'Donnell, seconded by Mr. Cordova, and carried unanimously that the Board approve the District's participation in the TBPC copier rental program for a period of 90 days.

16. Sole Source Instructional Materials, Training, or Software Purchases

It was moved by Mr. Mena, seconded by Ms. Colquitt-Muñoz, and carried unanimously that the Board approve the following sole source purchases in the amounts indicated.

- A. Pearson Education Group and Its Subsidiaries (approx. \$982,000.00)
  - 1. Pearson Scott Foresman for Scott Foresman-Addison Wesley Mathematics
  - 2. Pearson Scott Foresman for ESL (English as a Second Language) Textbooks, Teacher Workshops, and Spanish Vocabulary Materials
  - 3. Globe Fearon for Reading and Writing Materials
  - 4. Pearson Prentice Hall for Prentice Hall Connected Mathematics Workbooks, Materials, and Staff Training and Inservice
  - 5. Pearson Digital Learning (formerly Electronic Education) for Waterford Early Reading Program, Waterford Math & Science, and Knowledge Box
  - 6. Celebration Press for English and Spanish Reading Materials
  - 7. Modern Curriculum Press for English and Spanish Instructional Reading Materials
  - 8. Dale Seymour Publications for Mathematics, Science, and Instructional Materials
- B. Wilson Reading System® and Foundations®/Wilson Language Basics from Wilson Language Training Corporation (WLTC) (approx. \$65,000.00)
- C. Physics Apparatus, Computer Interfacing, and Software from Pasco® (approx. \$50,000.00)
- D. Thinking Maps® Training from Thinking Maps, Inc. (approx. \$40,000.00)
- E. Math Products Including Everyday Counts Calendar Math, Summer Success Math and Reading, Math Handbooks, and Partner Games from Great Source® Education Group (approx. \$250,000.00)
- F. Customized Mathematics Training Including Training Materials from ASM Associates (approx. \$60,000.00)
- G. Lesson Study Guidelines and Toolkit from MathStar from Learning Study Management Consultants (approx. \$75,000.00)
- H. Math Solutions Professional Development Programs from Marilyn Burns Education Associates (\$90,000.00)
- I. Classroom Performance System Hardware and Software from E-Instruction (approx. \$115,000.00)
- J. History Alive!® Products and Professional Development Services from Teachers Curriculum Institute (approx. \$40,000.00)
- K. Jane Schaffer Model to Teach Writing from Jane Schaffer Enterprises (approx. \$40,000.00)
- L. Foundations of Physical Science and Foundations of Physics from CPO Science, A Division of Delta Education LLC (approx. \$75,000.00)
- 17. Interlocal Agreement Between the EPISD and the El Paso City-County Health and Environmental District for Use of District Facilities During Public Health Emergencies

It was moved by Ms. Colquitt-Muñoz, seconded by Mr. Cordova, and carried unanimously that the Board approve this interlocal agreement for the use of District facilities during emergencies as defined in the agreement, subject to the review and approval of the District's attorney.

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

It was moved by Mr. Cordova, seconded by Ms. Colquitt-Muñoz, 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. Aoy Elementary School (E-5), #03.616/04.861
- B. Northwest Middle School (MS-4), #04.827
- C. Mesita Elementary School Reconstruction, #04.829
- D. Western Hills Elementary School Reconstruction, #04.833
- E. Multi-Purpose Classrooms #1 (Burleson, Clardy, and Hillside Elementary Schools), #04.834
- F. Multi-Purpose Classrooms #2 (Bond, Fannin, Crosby, and Lamar Elementary Schools), #04.835
- G. Multi-Purpose Classrooms #3 (Lee, Moreno, Newman, and Dr. Nixon Elementary Schools), #04.836
- H. Multi-Purpose Classrooms #4 (Park, Stanton, Travis, and White Elementary Schools), #04.859
- I. Building Addition Project #1 (Austin and Bowie High Schools), #04.860
- J. Building Addition Project #2 (Burgess, Chapin, and El Paso High Schools), #04.840
- K. Building Addition Project #3 (Coronado High School), #04.841
- L. Building Addition Project #5 (Irvin and Jefferson High Schools), #04.847
- M. Building Addition Project #6 (Lincoln Middle School), #04.848
- N. Building Addition Project #7 (Terrace Hills Middle School), #04.849
- O. Building Addition Project #8 (Dr. Green, Guerrero, Putnam, and Vilas Elementary Schools), #04.850
- P. Athletic Fields Project #2 (Chapin High School), #04.851
- Q. Athletic Fields Project #2 (Morehead and Richardson Middle Schools; and Beall, Clendenin, and Roberts Elementary Schools), #04.852
- R. Paving Projects #1 (Andress, Irvin, and Jefferson High Schools; Terrace Hills Middle School; and Logan Elementary School), #04.853
- S. Paving Project #2 (Bassett Middle School; and Newman, Stanton, and Whitaker Elementary Schools), #04.854

19. Final Payments for Construction Contracts Exceeding \$100,000.00

It was moved by Ms. Colquitt-Muñoz, 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. Districtwide ADA (Americans with Disabilities Act) Deficiencies, Phase 3 (Bassett and Charles Middle Schools; and Andress and Irvin High Schools), #02.372 (\$45,813.67, total cost \$1,034,700.32), to Dantex Construction Co.
- B. Districtwide ADA (American with Disabilities Act) Deficiencies, Phase 4 (Canyon Hills, Lincoln, Morehead, and Terrace Hills Middle Schools; and Coronado High Schools), #02.373 (\$41,346.34, total cost \$785,791.74), to Dantex Construction Co.
- C. Drainage Improvements – Lamar Elementary School and Wiggs Middle School, #03.646 (\$20,600.93, total cost \$315,367.50), to Karlsruher, Inc. dba CSA Engineers & Construction.

22. Retaining Separate Legal Counsel in Connection with Upcoming Grievance Hearing

Mr. Safi stated that a grievance had been filed where legal counsel represents the grievant. He recommended that the Board authorize retaining additional legal counsel so that if the grievance comes to the Board there is an attorney advocating for the administration and a separate attorney advising the Board. Mr. Safi suggested that because of his prior representation of the District in connection with this grievance and related matters, the separate legal counsel be to advise the Board.

It was moved by Dr. Roark, seconded by Dr. O'Donnell and carried unanimously that the Board President and Superintendent be authorized to retain separate legal counsel to advise the Board in connection with an upcoming grievance that is anticipated will be appealed to the Board, and that there be an effort to establish consistency with that representation.

#### Meeting Closed

The meeting was recessed at 7:33 p.m. to a closed meeting by Mr. Mena under Sections 551.071 and 551.074 of the Texas Government Code as follows:

#### 21. Closed Meeting

##### A. Personnel Appointments and Reassignments

1. Principal, Austin High School
2. Principal, Telles Academy
3. Principal, Henderson Middle School
4. Principal, Cooley Elementary School
5. Director, Special Education

##### B. Consultation with School District Attorney Regarding Pending Litigation – El Paso Independent School District, Appellant vs. Lillian W. Crouch, Appellee; Court of Appeals, Eighth District of Texas, El Paso, Texas; No. 08-04-00131-CV

The closed meeting started at 7:41 p.m. The closed meeting ended at 8:04 p.m.

#### Meeting Opened

The meeting was reassembled in Open Session at 8:05 p.m.

#### 21. The action was as follows:

##### A. Personnel Appointments and Reassignments

##### 1. Principal, Austin High School

It was moved by Mr. Mena, seconded by Mr. Cordova, and carried unanimously that the Board accept the Superintendent's recommendation to reassign Cheryll Felder from the position of Principal at Austin High School to the position of Assistant Director in Pupil Services and that she receive a rate of pay for the 2004-05 school year in accordance with the daily pay level that she would have received in her previous position; and accept the Superintendent's recommendation to appoint Angelo Pokluda, Principal at Richardson Middle School, to the position of Principal at Austin High School.

##### 3. Principal, Henderson Middle School

It was moved by Mr. Cordova, seconded by Ms. Colquitt-Muñoz, and carried unanimously that the Board accept the Superintendent's recommendation to appoint Lydia Muñoz, Assistant Principal at Henderson Middle School, to the position of Principal, Henderson Middle School.

4. Principal, Cooley Elementary School

It was moved by Mr. Cordova, seconded by Ms. Colquitt-Muñoz, and carried unanimously that the Board accept the Superintendent's recommendation to appoint Norma (Gina) Gonzalez, Bilingual Education Facilitator, Department of English Language Acquisition, to the position of Principal, Cooley Elementary School.

5. Director, Special Education

It was moved by Miss Garcia, seconded by Mr. Cordova, and carried unanimously that the Board accept the Superintendent's recommendation to appoint Samuel Forsythe, Principal at Burnet Elementary School, to the position of Director, Special Education.

B. Consultation with School District Attorney Regarding Pending Litigation – El Paso Independent School District, Appellant vs. Lillian W. Crouch, Appellee; Court of Appeals, Eighth District of Texas, El Paso, Texas; No. 08-04-00131-SV

It was moved by Dr. Roark, seconded by Dr. O'Donnell, and carried unanimously that the Board approve the settlement that was reached in concept at the court-ordered mediation session.

Meeting Adjourned

The meeting was adjourned at 8:09 p.m.

Date Approved: October 26, 2004