

Minutes of Meeting of Board of Trustees
El Paso Independent School District
September 24, 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
Mr. Charles L. Tafoya, Acting Superintendent
Mr. Anthony Safi, School District Attorney

The meeting was called to order at 5:05 p.m. by Mr. Wever. The Pledge of Allegiance was led by Miss Garcia. Mr. Luis Villalobos, Executive Director, Communications and Business Partnerships, gave the Thought for the Day.

Approval of Interlocal Agreement Between El Paso Community College and EPISD for Concurrent Dual Credit College Enrollment Program (Item #5)

Dr. Richard Rhodes, President, El Paso Community College, provided information on the Concurrent Dual Credit Enrollment Program, which will allow high school juniors and seniors to earn high school and college credit concurrently. He explained how the program works and reviewed the benefits to the students enrolled in the program. He stated that the program provides students and parents the opportunity, motivation, and incentive to obtain a higher education degree and advised that the high school student enrollment in the program would be tuition-free. Dr. Rhodes advised that a student can begin participating in the program in the junior year of high school and attain 24 hours of college credit by graduation from high school.

It was moved by Dr. Finke and seconded by Dr. Roark that the Board approve the Interlocal Agreement between the El Paso Community College and EPISD for a Concurrent Dual Credit College Enrollment Program, to allow qualified students to concurrently earn college credits and high school credits for specified courses that meet the District's graduation requirements.

Mr. Luis A. Perez, Recruiter, Recruitment & School Relations/WIT, reviewed options for receiving instruction which include a teacher in the classroom or distance education through instructional television, video conferencing, or online classes; eligibility and admission requirements; fee waivers; and textbooks. Mr. Perez reviewed the courses that are available at the various high schools and outlined the benefits for the high schools and the academic and personal benefits for the students.

It was moved by Mr. Mena that the debate be closed and an immediate vote be taken on the pending question.

Upon the vote on the main motion, the motion carried unanimously.

Grievance Hearing – Arlene Sonnen, Former Employee (Item #11, A.)

At the request of the grievant, the grievance was heard in Open Session.

Dr. Gary Brooks, representing Dr. Arlene Sonnen, briefly reviewed the chronology of events that led to the filing of Ms. Sonnen's grievance and the appeal that was submitted to the Commissioner of Education, who remanded the grievance back to the Board in April 2002 due to the poor quality of an audiotaped portion of the grievance hearing held in June 2001. Dr. Brooks provided information on the monetary relief requested by Dr. Sonnen in her grievance and the amount that was awarded by the Board. Dr. Sonnen also provided information on her interpretation of the issues related to her seeking a professional leave of absence in order to pursue her doctoral degree.

Mr. Danny Martinez, Director, Employee Relations, reviewed the process for employees returning from a leave of absence, which is to place them at the same level as the position they left. He advised that there was no minimum salary for administrators.

It was moved by Dr. Finke that the Board grant the grievant's request for payment in the amount of \$9,653.29. The motion failed for lack of a second.

It was moved by Dr. Roark and seconded by Miss Garcia that the Board affirm the previous award to Dr. Arlene Sonnen in the amount of \$2,700.00, based on the Board policy in place at that time and the clarification provided by Dr. William Wachtel, Senior Researcher. Upon the vote, the motion carried with Mr. Mena, Mr. Rosales, Mr. Telles, Mr. Wever, Miss Garcia, and Dr. Roark voting in favor of the motion and Dr. Finke voting against the motion.

Public Forum (Item #2)

The following people requested to speak on Open Forum:

1. Ms. Patricia Christmann, parent at Cordova Middle School, spoke against moving the principal at Cordova.
2. Mr. Ruben Escandon, PTA President, Cordova Middle School, spoke about the Cordova School community being involved in the selection process for a new principal.
3. Ms. Frances Wever, President, El Paso Federation of Teachers and Support Personnel, spoke about \$1,000.00 coming to employees from the state, dependent health insurance premiums when both parents work for the District, and the staff and faculty at Cordova Middle School supporting the current principal.
4. Ms. Cynthia Conroy and Ms. Lola Rodriguez, parents at Silva Magnet High School for Health Care Professions, spoke about AP (advanced placement) courses being offered at Jefferson High School but not at Silva.
5. Ms. Jerry Boyer, President, El Paso Classroom Teachers Association, spoke about bilingual teachers at Hart Elementary School losing their bilingual stipends.
6. Ms. Julie Moreno, Literacy Leader, Hart Elementary School, was not present when called to speak.

7. Mr. James Coursey spoke against the location selected for the Park Town School.
8. Ms. Josefina Acosta spoke in favor of the Park Town School but expressed concern about the lack of communication with the community.
9. Mr. Mark Alvarado, outreach worker in South El Paso, requested that the Board reconsider its decision on the location of the Park Town School and spoke about placing an item on the agenda of the next Board meeting in order for the community to provide input.
10. Mr. Sal Balcorte, Centro de Salud Familiar La Fe, requested that the Board reconsider its decision on the location of the Park Town School and spoke about the need to unify the community in South El Paso.
11. Mr. Martin Silva, owner of Silva Supermarket, spoke about the site selected for the Park Town School and not being allowed the opportunity to provide input into the selection and requested that the Board reconsider its decision on the location for the school.
12. Ms. Esperanza Yee, property owner in South El Paso, spoke about her concern with the site selection of the Park Town School and requested that the Board reconsider its decision on the location for the school.
13. Mr. Juan Mata was not present when called to speak.
14. Ms. Lucy Lucero, grandparent at Cordova Middle School, spoke against moving the principal at Cordova.
15. Mr. Jesus Gardea, parent at Cordova Middle School, spoke against moving the principal at Cordova.
16. Mr. Carlos Cordova spoke against moving the principal at Cordova Middle School.
17. Ms. Annette Amparan spoke against moving the principal at Cordova Middle School and requested that he be allowed to finish out the school year.
18. Mr. Danny Gutierrez, student at Cordova Middle School, spoke against moving the principal at Cordova.

Meeting Closed (Item #11)

The meeting was recessed at 7:30 p.m. to a closed meeting by Mr. Wever under Sections 551.071 and 551.074 of the Texas Government Code as follows:

B. Personnel

2. Transfer of Principals – Wiggs and Cordova Middle Schools

The closed meeting started at 7:36 p.m. The closed meeting ended at 8:17 p.m.

Meeting Opened

The meeting was reassembled in Open Session at 8:21 p.m.

Personnel – Transfer of Principals - Wiggs and Cordova Middle Schools (Item #11, B., 2.)

It was moved by Mr. Telles and seconded by Dr. Finke that the Board accept the recommendation of the Acting Superintendent to move Ione Grimm from Principal at Wiggs Middle School to the position of Facilitator in Staff Development and that she be retained at her current level of pay and number of days on duty for the remainder of the 2002-03 school year. Upon the vote, the motion carried with Mr. Mena abstaining from the vote.

Report on Preliminary Research Findings of the El Paso Children's Health Study Prepared by the United States Environmental Protection Agency (Item #1)

The following people requested to speak to this item:

1. Mr. Bob Geyer spoke about the results of the El Paso Children's Health Study, which indicate a higher prevalence of respiratory problems at Clendenin Elementary School.
2. Ms. Pat de la Garza was not present when called to speak.

Mr. Hector Martinez, Associate Superintendent, Operations, reviewed the District's role in the facilitation of the study. He commented on the standard indoor air quality monitoring that has been conducted with the assistance of the local office of the Texas Department of Health.

Dr. Lucas Neas, Principal Investigator with the Environmental Protection Agency (EPA), provided a brief overview of the results of the Children's Health Study. He reviewed the chronology of the study; the various air pollutants that were measured; the questionnaires distributed to all fourth and fifth grade students in the 54 elementary schools; and the responses received. Dr. Neas advised that respiratory symptoms in the El Paso area do not differ much from other similar communities. He reviewed other environmental aspects that will be studied in the future.

Consent Agenda (Item #3)

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

- Dr. Finke - Item 3, D, Approval of Budget Amendments
- 2.) Accelerated Reading Instruction Program (\$1,748,000.00)
 - 3.) Telecommunications Infrastructure Fund Board Grant PS11C for Silva Magnet High School for Health Care Professions; Telles Academy; JJAEP (Telles) Middle School; and Delta Academy (\$98,918.00)
 - 4.) Telecommunications Infrastructure Fund Board Grant LB12 for School Libraries (\$700,000.00)
- Item 3, H., Construction Contract Award – Districtwide E-Rate Air Conditioning Project #02.508 (\$500,000.00)
- Mr. Wever - Construction Contract Award – Districtwide E-Rate Air Conditioning Project #02.508 (\$500,000.00)

Questions on Approval of Budget Amendments - Accelerated Reading Instruction Program (\$1,748,000.00) (Item #3, D., 2.); Telecommunications Infrastructure Fund Board Grant PS11C for Silva Magnet High School for Health Care Professions; Telles Academy; JJAEP (Telles) Middle School; and Delta Academy (\$98,918.00) (Item #3, D., 3.); and Telecommunications Infrastructure Fund Board Grant LB12 for School Libraries (\$700,000.00) (Item #3, D., 4.)

Mr. Wever inquired about the amounts for the budget amendments. Dr. Linda Holman, Associate Superintendent, Curriculum and Instruction, advised that the amendments will set up the budgets for programs previously approved by the Board.

Questions on Construction Contract Award – Districtwide E-Rate Air Conditioning Project #02.508 (\$500,000.00) (Item #3, H.)

Mr. Wever inquired about there being only one bidder on this project. Mr. Nick Corona, Executive Director, Facilities, Maintenance and Construction, provided information on the efforts made to encourage contractors' participation in this job order contract. He advised that Technology and Information Systems was looking at consolidating servers into one location, which would make this contract unnecessary.

Mr. Jack Johnston, Executive Director, Technology and Information Systems, advised that the servers installed at the campuses have had a high degree of failure due to heat-related problems and that a "server farm" was being considered. He stated that a determination would be made soon on what it will take to move all the servers to a central location.

It was moved by Dr. Roark and seconded by Mr. Telles that item no. 3, H., Construction Contract Award – Districtwide E-Rate Air Conditioning Project #02.508 (\$500,000.00), be postponed until the next Board meeting. Dr. Roark withdrew his motion.

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

A. Revisions to Board Policies

1. BBE (Local), Board Members: Authority
2. CFD (Local), Accounting: Activity Funds Management

The Board approved revisions to Board Policies BBE (Local), Board Members: Authority, and CFD (Local), Accounting: Activity Funds Management, as presented (copies attached to the permanent file of these minutes).

B. Approval of Shared Services Agreements with the Canutillo, Clint, Fort Hancock, San Elizario, Socorro, Tornillo, and Ysleta Independent School Districts for Services at the Regional Day School Program for the Deaf

The Board approved the Shared Services Agreements for the Regional Day School Program for the Deaf with the Canutillo, Clint, Fort Hancock, San Elizario, Socorro, Tornillo, and Ysleta Independent School Districts for supplemental funding to pay the excess costs for operating the Regional Day School Program for the Deaf for the 2002-03 school year.

C. Approval of Affiliation Agreements for EPISD Health Science Technology Students

1. HIS of Mountain View (Trans-Health)
2. Region 19 Education Service Center, Head Start
3. Regent Care Center of El Paso

The Board approved the affiliation agreements with HIS of Mountain View (Trans-Health); Region 19 Education Service Center, Head Start; and Regent Care Center of El Paso to allow additional sites for health science technology students at the Center for Career and Technology Education and Maxine L. Silva Magnet High School for Health Care Professions to obtain practical healthcare experience.

D. Approval of Budget Amendments

The Board approved the following amendments to the 2002-03 fiscal year budget:

1. Alta Vista Family Preservation Grant (\$40,832.00). The purpose of this item is to set up the budget for the Alta Vista Family Preservation Grant in the amount of \$40,832.00. The Board approved the Subcontractual Agreement with El Paso Center for Children, Inc. for the Family Preservation Council's "El Paso Families: Together & Safe" Project at Alta Vista Elementary School on September 10, 2002. Marsha Lawler, Executive Director, External Funding, requested this amendment in a memo dated August 23, 2002.
2. Accelerated Reading Instruction Program (\$1,748,000.00). The purpose of this item is to set up the Accelerated Reading Instruction Program in the amount of \$1,748,000.00. The Board approved the continuation of the Student Success Initiative: Accelerated Reading Instruction Program Grant for Grades K – 3 on September 10, 2002. Marsha Lawler, Executive Director, External Funding, requested this amendment in a memo dated August 23, 2002.
3. Telecommunications Infrastructure Fund Board Grant PS11C for Silva Magnet High School for Health Care Professions; Telles Academy; JJAEP (Telles) Middle School; and Delta Academy (\$98,918.00). The purpose of this item is to set up the budget for Telecommunications Infrastructure Fund Board Grant PS11C in the amount of \$98,918.00. The Board approved the grant on September 10, 2002. Charles Geach, Administrator II, Training & Instructional Technology, requested this amendment in a memo dated September 6, 2002.
4. Telecommunications Infrastructure Fund Board Grant LB12 for School Libraries (\$700,000.00). The purpose of this item is to set up the budget for Telecommunications Infrastructure Fund Board Grant LB12 for School Libraries in the amount of \$700,000.00. The Board approved the submission of Telecommunications Infrastructure Fund Board (TIFB) Non-Competitive Grant for Texas Public School Libraries on June 25, 2002. The Statement of Grant Award was received on August 31, 2002, and the Board approved the grant on September 10, 2002. Sharon Carr, Facilitator, Library Learning Resources, requested this amendment in a memo dated September 11, 2002.

E. Approval of Optometry, Dental, and Medical Services for Title I Qualified Recipients (\$149,925.00)

The Board approved the initiation of purchase orders to the optometrists, dentists, and physicians as presented in the amounts indicated for the provision of student vision, hearing, dental, and spinal screenings for a total amount of \$149,925.00 (copy of list and amounts attached to the permanent file of these minutes).

F. Purchases Requiring Board Approval

The Board approved the following purchases to the recommended vendors for the amounts indicated:

1. School Furniture Bid #98-02 (\$66,264.70) was awarded to the following vendors in the amounts indicated: Business Interiors, Items 2, 3, and 16, \$15,200.10, net; Indeco Sales, Items 5, 6, and 17-19, \$15,328.60, net; and Virco Mfg., Items 1, 4, and 7-15, \$35,736.00, net, for a total amount of \$66,264.70 (copy of bid tabulation attached to the permanent file of these minutes).
2. TAKS (Texas Assessment of Knowledge & Skills), SDAA (State-Developed Alternative Assessment), and RPTE (Reading Proficiency Tests in English) Reports, Purchase Order No. 247759 (\$25,000.00), were approved for purchase from National Computer Systems (NCS) in the amount of \$25,000.00 (copy of purchase order attached to the permanent file of these minutes).
3. Credit By Exam (CBE) Tests, Purchase Order No. 247763 (\$65,000.00), were approved for purchase from Texas Tech University in the amount of \$65,000.00 (copy of purchase order attached to the permanent file of these minutes).

G. Approval of Right-Of-Entry Agreement with El Paso Water Utilities

The Board President was authorized to execute an El Paso Water Utilities Right-of-Entry Agreement, subject to the review and approval of the District's attorney, for waterwell test hole drilling located on EPISD property at Bowie High School, Guillen Middle School, and Wainwright Elementary School.

I. Professional Services Contract Awards

The Board approved the award of the following professional services contracts, subject to the review and approval of the District's attorney, to the recommended consulting firms for the preparation of plans, specifications, bid documents and other additional program elements as may be required for the construction and installation of the projects described for the designated Basic Services Fee, with additional services listed in the contract to be paid at established hourly rates only if authorized in writing by the owner for services the owner cannot provide.

1. Districtwide ADA (Americans with Disabilities Act) Consulting Services, #03.537 (approx. \$30,000.00), to ADA Consulting in the amount of \$30,000.00.
2. TEM (Transmission Electron Microscopy) Asbestos Analysis Service, #03.539 (\$20,000.00), to J3 Resources, Inc. in the amount of \$20,000.00.

Construction Contract Award – Districtwide E-Rate Air Conditioning Project, #02.508 (\$500,000.00) (Item #3, H.)

It was moved by Mr. Mena, seconded by Dr. Roark, and carried unanimously that item no. 3, H., Construction Contract Award – Districtwide E-Rate Air Conditioning Project, #02.508 (\$500,000.00), be postponed and brought back to the Board at a future meeting.

Approval of Purchase and License Agreement and Addendum with *epixtech, inc.* for Horizon Sunrise Web-Based Library Database Management System (\$356,533.23) (Item #4)

It was moved by Mr. Mena, seconded by Mr. Rosales, and carried unanimously that the Board approve the Purchase and License Agreement and Addendum with *epixtech, inc.* for the Horizon Sunrise Web-Based Library Database Management System, to enable District librarians to circulate materials, catalog new materials, and conduct other managerial procedures on the Web and allow patrons access to the District's library collections in the amount of \$356,533.23.

Approval of Proposal from The Strategy Group, Inc. for Pilot of Families 1st Learning Community Initiative (Item #6)

It was moved by Mr. Rosales, seconded by Mr. Telles, and carried unanimously that the Board approve the proposal and funding for the pilot of the Families 1st Learning Community Initiative from The Strategy Group, Inc., the sole source, in the amount of \$150,000.00.

Approval of Legal Counsel for 2002 Property Value Study (Item #7)

It was moved by Mr. Mena, seconded by Dr. Finke, and carried unanimously that the Board approve Linebarger Hard Goggan Blair Graham Pena & Sampson, LLP, as the legal counsel for the property value study appeal for 2002 and approve the contract for said services as presented.

Purchases Requiring Board Approval (Item #8)

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

- A. Computers for Chapin High School, Purchase Order No. 2472238 (\$27,005.40), were approved for purchase from Dell Marketing LP, the lowest quote, in the amount of \$27,005.40 (copy of purchase order attached to the permanent file of these minutes).
- B. Apple Computers for Elementary Schools Receiving TIFB (Telecommunications Infrastructure Fund Board) Grants, 12 Purchase Order Nos. (\$245,196.00), were approved for purchase from Apple Computer, the sole source, in the amount of \$245,196.00 (copy of purchase order attached to the permanent file of these minutes).

Request to Rescind Award of High Speed/High Volume Optical/Digital Duplicator Bid #73-02 (Item #9)

It was moved by Mr. Rosales, seconded by Mr. Telles, and carried unanimously that the Board approve the administration's request to rescind the award of High Speed/High Volume Optical/Digital Bid #73-02 and that the administration re-evaluate the bid.

Disposition of District-Leased Vehicle for Superintendent (Item #10)

Mr. Safi suggested that the Board consider coming back to this item after Closed Session because this item involves a recommendation by the administration to pay off the District-leased automobile and advertising it for sale on a sealed-bid basis and there are issues that need to be discussed under item no. 11, E., Voluntary Exit Agreement with Former Superintendent and Possible Amendment Thereof.

Meeting Closed (Item (11))

The meeting was recessed at 9:15 p.m. to a closed meeting by Mr. Wever under Sections 551.071, 551.074, and 551.082 of the Texas Government Code as follows:

B. Personnel

1. Personnel Appointment – Acting Executive Director, Human Resources

C. Proposed Termination of Continuing Contract Teacher

D. Proposed Termination of Term Contract Employee

E. Voluntary Exit Agreement with Former Superintendent and Possible Amendment Thereof

F. Consultation with School District Attorney

1. Dianne Jones, Manuel Mendoza, Mark Mendoza, Efren Yturralde, and Elco Ramos, Plaintiffs vs. El Paso Independent School District, Defendant; In the 41st Judicial District Court, El Paso County, Texas; Cause No. 2000-2704
2. Francisco Gaitan, Plaintiff vs. El Paso Independent School District, Defendant; In the 34th Judicial District Court, El Paso County, Texas; Cause No. 2000-3409
3. Roshern Amie, Plaintiff vs. El Paso Independent School District, Defendant; In the County Court at Law No.7, El Paso County, Texas; Cause No., 2001-1581
4. Juan Manuel Balli, Jose R. Sanchez, and Jose A. Viera, Plaintiffs vs. El Paso Independent School District, Defendant; In the 210th Judicial District Court, El Paso County, Texas; Cause No. 2001-2510
5. Betty C. Grinstead v. El Paso Independent School District; In the 41st Judicial District Court, El Paso County, Texas; Cause No. 2002-087
6. Dr. James Nardone v. El Paso Independent School District; 346th Judicial District Court, El Paso County, Texas; No. 97-4237

Mr. Rosales recused himself from the discussion on item no. 11, F., 1., Consultation with School District Attorney - Dianne Jones, Manuel Mendoza, Mark Mendoza, Efren Yturralde, and Elco Ramos, Plaintiffs vs. El Paso Independent School District, Defendant; In the 41st Judicial District Court, El Paso County, Texas; Cause No. 2000-2704.

The closed meeting started at 9:22 p.m. The closed meeting ended at 10:05 p.m.

Departure of Board Member

Mr. Telles departed the meeting at 10:06 p.m. and was not present for any subsequent action taken by the Board of Trustees.

Meeting Opened

The meeting was reassembled in Open Session at 10:06 p.m.

Personnel – Personnel Appointment – Acting Executive Director, Human Resources (Item #11, B., 1.)

It was moved by Mr. Mena, seconded by Mr. Rosales, and carried unanimously that the Board accept the Acting Superintendent's recommendation to appoint Carolyn Grantham, Director of Elementary Personnel in Human Resources, to the position of Acting Executive Director for Human Resources effective September 25, 2002, to oversee the unit and assist with the duties of the Associate Superintendent for Human Resources.

Proposed Termination of Continuing Contract Teacher (Item #11, C.)

It was moved by Mr. Rosales, seconded by Mr. Mena, and carried unanimously that the Board authorize the Acting Superintendent to give Dietra Lied notice of the proposed termination of her continuing contract, and to settle the matter with the terms set out in a letter signed by the District's legal counsel and legal counsel for Ms. Lied dated September 19, 2002.

Proposed Termination of Term Contract Employee (Item #11, D.)

It was moved by Mr. Rosales, seconded by Dr. Finke, and carried unanimously that the Board authorize the Acting Superintendent to give Dr. J. Michael Kelly notice of the proposed termination of his term contract and authorize the Acting Superintendent to decide on the timing of giving the notice of proposed termination.

Disposition of District-Leased Vehicle for Superintendent (Item #10)

It was moved by Mr. Rosales and seconded by Mr. Mena that the Board approve the pay-off of the District-leased automobile and advertise it "for sale" on a sealed bid basis, with a minimum bid of \$26,000.00. Upon the vote, the motion carried with Dr. Roark and Dr. Finke voting against the motion.

Meeting Adjourned

The meeting was adjourned at 10:14 p.m.

Date Approved: February 4, 2003