

Minutes of Meeting of Board of Trustees
El Paso Independent School District
April 9, 2002
5:00 p.m.
Education Center-Boeing

Present: Mr. Dan Wever, 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

Absent: Dr. Gene Finke, Vice President

The meeting was called to order at 5:17 p.m. by Mr. Wever. The Pledge of Allegiance and the National Anthem were led by Miss Rebecca Paine, a student at Silva Magnet High School for Health Care Professions. Mr. Charles Tafoya, Associate Superintendent, Human Resources, gave the Thought for the Day.

Recognition of EPISD Student Art Awards Exhibition Participants (Item #1)

Five EPISD high school art students were recognized by the Board of Trustees for receiving awards at the 2002 El Paso Student Art Awards competition. The winners were as follows: Irene Matar, Coronado High School/Center for Career and Technology Education, winner of the Commercial Scholarship Award; Luis Zamudio, Austin High School/Center for Career and Technology Education, winner of the Junior Commercial Portfolio Award; Marcos Calderon, Austin High School/Center for Career and Technology Education, winner of Commercial Scholarship Alternate Award; Gema Camacho, Coronado High School, winner of Senior Scholarship Alternate Award; and Dasanj Aberdeen, El Paso High School, winner of the Judges' Choice Award, a special recognition in the Congressional Art Award category. Recognition was also extended to the students' art instructors. Each student was presented with an engraved plaque and congratulated individually by Dr. Anzaldua and the Board of Trustees.

Public Forum (Item #2)

Miss Garcia rose to a point of personal privilege and spoke about her concern with the lack of rules at the Board meetings such as no time limits on speakers, Board member interaction with speakers, and cell phones during Board meetings.

The following people requested to speak on Open Forum:

1. Mr. Gerald Cheek, President, El Paso Council of PTAs, spoke on behalf of Mr. Luis Mata, Chairperson of the Redistricting Committee, about the status of the Committee's work and the dates for public forums.

2. Mr. Leopoldo Sierra spoke about public entities, such as the City of El Paso, El Paso County, and school districts, commemorating the same holidays.
3. Ms. Jerry Boyer was not present when called to speak.
4. Dr. Charles Roark spoke about his concern with administrative regulations related to policies, specifically travel-related for Athletics, and requested an opportunity to review the policies and regulations.

Consent Agenda (Item #3)

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

- Dr. Roark - Item 3, C., 3., Approval of Revisions to Board Policies – DP (Local), Personnel Positions
 Item 3, D., Approval of Budget Amendments
- 4.) IDEA-B Formula (\$803,187.00)
 - 5.) ESEA Title I, Part D, Subpart 2 – Prevention and Intervention Program for Children and Youth Who Are At Risk of Dropping Out (\$14,032.00)
 - 7.) Agilent Technologies Diversity in Education Initiative (\$65,000;.00)
 - 8.) ESEA Title VI – Class Size Reduction Program (\$246,676.00)
 - 9.) ESEA Title VI – Innovative Education Program Strategies (\$108,070.00)
 - 10.) ESEA Title II, Part B – Dwight D. Eisenhower Professional Development Program (\$179,035.00)
 - 11.) ESEA Title IV – Safe and Drug-Free Schools and Communities Act (\$92,382.00)
 - 12.) IDEA-B Preschool (\$33,169.00)
 - 13.) Gang Resistance Education and Training Program (\$43,912.00)
- Item 3, E., RFPs, Bids, and Purchase Orders Requiring Board Approval
- 7.) CNC Control Milling Machine Bid #27-02 (\$32,850.00)
 - 10.) Special Education Equipment for Students, Purchase Order Nos. 236634 and 236667 (\$27,441.00)
- Item 3, G., Professional Services Contract Award – ADA/504 Consulting, #02.334 (\$30,105.00)
- Mr. Wever - Item 3, E., RFPs, Bids, and Purchase Orders Requiring Board Approval
- 2.) Library Materials, Supplies and Accessories Request for Catalog Discount RFP #14-02 (approx. \$270,000.00)
 - 3.) Office Supplies and Accessories Request for Catalog Discount RFP #15-02 (approx. \$225,000.00)

Questions on Approval of Revisions to Board Policies – DP (Local), Personnel Positions (Item #3, C., 3.)

Dr. Roark inquired about the master's degree requirement in the qualifications for a principal and recommended that more specific language be used, such as "in a field related to educational administration."

There was discussion on the policy requiring a master's degree in mid-management, which is in administration; adding mid-management requirements to the policy language; stipulating that the degree is to be from an accredited school; changes in the titles of state administrative certificates; and the administrative endorsement requiring a master's degree.

Questions on Approval of Budget Amendments (Item #3, D.)

- (4.) IDEA-B Formula (\$803,187.00). Responding to a request from Dr. Roark, Dr. Michael Kelly, Executive Director, Special Services, provided information on the services that will be provided using the IDEA-B Formula funds. He stated that this is a student entitlement, with each special education student receiving approximately \$565.00 on an average prorated basis. The funds will address needs in staffing, instructional supplies, and technology.
- (5.) ESEA Title I, Part D, Subpart 2 – Prevention and Intervention Program for Children and Youth Who Are At Risk of Dropping Out (\$14,032.00). Responding to a question from Dr. Roark, Ms. Marsha Lawler, Executive Director, External Funding, advised that the ESEA Title I, Part D, Subpart 2 funds are for students that have been adjudicated to the Delta Academy.
- (7.) Agilent Technologies Diversity in Education Initiative (\$65,000.00). Dr. Roark requested that the Board be provided information on the impact that the Agilent Program has had on minority students from Bowie High School who entered the science and education field over the past four years of the program.
- (8.) ESEA Title VI – Class Size Reduction Program (\$246,676.00). Responding to an inquiry from Dr. Roark regarding how class sizes will be reduced and at what campuses, Ms. Marsha Lawler, Executive Director, External Funding, advised that all of the ESEA budget amendments on the agenda stem from the state providing additional funding for the various programs. She stated that although Title VI has a title of "Class Size Reduction," the funds can be used in other ways, such as professional development for teachers and support for Human Resources' recruitment efforts in the elementary education area.
- (9.) ESEA Title VI – Innovative Education Program Strategies (\$108,070.00). Dr. Roark inquired about the kinds of innovative materials that will be purchased with the ESEA Title VI funds and whether private schools are allowed to apply for some of the funding. Ms. Marsha Lawler, Executive Director, External Funding, advised that the funds will be spread across, but not limited to, elementary science education, fine arts, and mathematics reform. She stated that under the law, public school districts are obligated to invite private and parochial schools to apply for some of the funds, which are used primarily for staff development.

- (10.) ESEA Title II, Part B – Dwight D. Eisenhower Professional Development Program (\$179,035.00). Responding to a question from Dr. Roark regarding where and when training will be provided and the selection of participants, Ms. Marsha Lawler, Executive Director, External Funding, advised that some of the funds will be used among four core areas of science, math, language arts, and social studies and that the respective facilitators are preparing summer programs for the teachers.
- (11.) ESEA Title IV – Safe and Drug-Free Schools and Communities Act (\$92,382.00). Dr. Roark inquired about how, where, and when these funds will be used. Ms. Marsha Lawler, Executive Director, External Funding, advised that the program is designed to help students resist gang recruitment, to decry violence as a life style, and to avoid tobacco and other drugs, including alcohol. The funds are used for youth leadership conferences where students learn appropriate techniques and share the techniques with their peers.
- (12.) IDEA-B Preschool (\$33,169.00). Dr. Roark inquired about how much of the IDEA-B Preschool funds will go to private schools. Ms. Marsha Lawler, Executive Director, External Funding, advised that state and federal law requires the allocation of some funds to private schools. She stated that Special Services has met with and sent letters to the private schools requesting their input on how funds should be spent. Those who have applied are receiving services up to the limited amount of \$2,000.00.
- (13.) Gang Resistance Education and Training Program (\$43,912.00). Responding to a question from Dr. Roark on the schools and students that will be involved in this program, Ms. Marsha Lawler, Executive Director, External Funding, advised that the training is for the District's police officers.

Questions on RFPs, Bids, and Purchase Orders Requiring Board Approval – Library Materials, Supplies and Accessories Request for Catalog Discount RFP #14-02 (approx. \$270,000.00) (Item #3, E., 2.) and Office Supplies and Accessories Request for Catalog Discount RFP #15-02 (approx. \$225,000.00) (Item #3, E., 3.)

Mr. Wever commented on the amounts of the RFPs for library and office supplies and expressed concerns about the request for catalog discount process.

Mr. Terry Freiburg, Director, Purchasing, advised that catalog discount bids are being initiated because many of the vendors are at the \$25,000.00 threshold requiring bidding, and this is an alternate method for the schools to purchase from these vendors.

Dr. Anzaldúa advised that Mr. Freiburg is anticipating purchases and bringing them to the Board when the threshold is being approached.

Ms. Sharon Carr, Facilitator, Library Learning Resources, provided information on the vendors included in the Library Materials, Supplies and Accessories RFP #14-02. She reviewed items that are ordered from The Bookery, Brodart, Highsmith, Davidson's, and Southwest Books. Mr. Freiburg advised that there are 30 recommended vendors on the library materials RFP. The vendors for Office Supplies and Accessories RFP #15-02 were reduced to the first, second, and third low bids.

Questions on RFPs, Bids, and Purchase Orders Requiring Board Approval – CNC Control Milling Machine Bid #27-02 (\$32,800.00) (Item #3, E., 7.)

Responding to a question from Dr. Roark, Ms. Rosa Gandara, Director, Career and Technology Education, advised that a CNC milling machine is a computerized machine that is used in the metal trades classes.

Questions on RFPs, Bids, and Purchase Orders Requiring Board Approval – Special Education Equipment for Students, Purchase Order Nos. 236634 and 236667 (\$27,441.00) (Item #3, E., 10.)

Dr. Roark requested information on the equipment that is to be purchased. Ms. Mary Helen McMinn, Assistant Director, Central Special Education Assessment, advised that the equipment includes tricycles and pacers (walkers), that will be used by students moving from Moreno Elementary School to their home schools. She stated that federal and state law, as well as local policy, require that these students be placed in the least restrictive environment (LRE).

There was discussion on decisions being made by ARD (admission, referral and dismissal) committees without full parental consent; the impact on the education of regular education students in classrooms with children with special needs; the belief that federal law encourages but does not mandate LRE; revisiting the issue of LRE; the positive environment at Moreno Elementary School; and the possibility that LRE could be a hardship for some special needs students.

Questions on Professional Services Contract Award – ADA/504 Consulting, #02.334 (\$30,105.00) (Item #3, G.)

Responding to a question from Dr. Roark regarding the services that the ADA/504 consultant will provide for the District, Mr. Nick Corona, Executive Director, Facilities, Maintenance and Construction, advised that the Texas Architectural Barriers Act (TABAA) requires that construction documents be submitted for review if the estimated construction cost is \$50,000.00 or more. He stated that the failure of a building owner to comply might result in administrative penalties of up to \$5,000.00 for each violation per day. Mr. Corona advised that the consultant, ADA Consulting, has a registered accessibility specialist license with the Texas Department of Licensing and Regulation. The consultant reviews the contract documents and, once construction is completed, inspects the project.

There was discussion on what plans were reviewed by the consultant for the fee already paid; the number of hours spent on the reviews; and whether this is a sole source item.

Mr. Hector Martinez, Associate Superintendent, Operations, advised that a list of the projects reviewed by ADA Consulting can be provided in addition to the anticipated projects that will be sent for review. He stated that the contract is a set fee for the review of the plans and the inspection of the completed projects.

Questions on Request to Implement Mandatory Uniform Dress Code – Moreno Elementary School (Item #3, B.)

Mr. Mena stated that he had received calls from State Representative Paul Moreno about concerns he had with the implementation of a mandatory uniform dress code at Moreno Elementary School and requested that the item be postponed. Dr. Anzaldúa indicated that Mr. Moreno is not a parent at the school and that the school administration had followed all the rules and procedures established by Board policy. Mr. Mena requested that the item be postponed for two weeks to allow him time to consult with Mr. Moreno about his concerns.

It was moved by Dr. Roark, seconded by Mr. Telles, 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. 3, B., Request to Implement Mandatory Uniform Dress Code – Moreno Elementary School, and item no. 3, E., 3., RFPs, Bids, and Purchase Orders Requiring Board Approval – Office Supplies and Accessories Request for Catalog Discount RFP #15-02 (approx. \$225,000.00).

A. Approval of Minutes

1. January 15, 2002, and January 22, 2002, Board Finance Committee Meetings
2. January 8, 2002, and January 22, 2002, Meetings of the Board of Trustees

The Board approved the minutes of the January 15, 2002, and January 22, 2002, Board Finance Committee meetings; and the January 8, 2002, and January 22, 2002, meetings of the Board of Trustees.

C. Approval of Revisions to Board Policies

1. BDB (Local), Board Internal Organization: Internal Committees
2. DK (Local), Assignment and Schedules
3. DP (Local), Personnel Positions
4. FL (Local), Student Records

The Board approved revisions to Board Policies BDB (Local), Board Internal Organization: Internal Committees; DK (Local), Assignment and Schedules; DP (Local), Personnel Positions; and FL (Local), Student Records, as presented (copies attached to the permanent file of these minutes).

D. Approval of Budget Amendments

The Board approved the following amendments to the 2001-02 fiscal year budget:

1. Bowie High School (\$5,825.00). The purpose of this item is to amend the Bowie High School budget in the amount of \$5,825.00. Art Peralta, Principal at Bowie, requested this amendment in a memo dated March 5, 2002. This amendment transfers funds from Staff Development Professional Services and Supplies for Maintenance to Instructional Supplies and School Contract Maintenance and Repair.

2. ESEA Title I, Part A – Districtwide School (\$3,274,458.00). The purpose of this item is to increase the ESEA, Title I, Part A – Districtwide School budget in the amount of \$3,274,458.00. Marsha Lawler, Executive Director of External Funding, requested this amendment in a memo dated March 15, 2002. The Texas Education Agency approved the increase to the Notice of Grant Award on March 3, 2002.
3. IDEA-B Capacity Building and Improvement (\$72,229.00). The purpose of this item is to increase the IDEA-B Capacity Building and Improvement budget in the amount of \$72,229.00. Dr. Michael Kelly, Executive Director of Special Services, requested this amendment in a memo dated March 12, 2002. The Texas Education Agency approved the increase to the Notice of Grant Award on March 11, 2002.
4. IDEA-B Formula (\$803,187.00). The purpose of this item is to increase the IDEA-B Formula budget in the amount of \$803,187.00. Dr. Michael Kelly, Executive Director of Special Services, requested this amendment in a memo dated March 12, 2002. The Texas Education Agency approved the increase to the Notice of Grant Award on March 11, 2002.
5. ESEA Title I, Part D, Subpart 2 – Prevention and Intervention Program for Children and Youth Who Are At Risk of Dropping Out (\$14,032.00). The purpose of this item is to increase the ESEA, Title I, Part D, Subpart 2 budget in the amount of \$14,032.00. Marsha Lawler, Executive Director of External Funding, requested this amendment in a memo dated March 15, 2002. The Texas Education Agency approved the increase to the Notice of Grant Award on February 26, 2002.
6. Comprehensive School Reform Demonstration Program, Cycle 2 – Dr. Nixon Elementary School (\$1,503.00). The purpose of this item is to increase the budget for the Comprehensive School Reform Demonstration Program Grant, Cycle 2 – Dr. Nixon Elementary School in the amount of \$1,503.00. Marsha Lawler, Executive Director of External Funding, requested this amendment in a memo dated March 5, 2002. The Texas Education Agency approved the increase to the Notice of Grant Award on February 25, 2002.
7. Agilent Technologies Diversity in Education Initiative (\$65,000.00). The purpose of this item is to set up the budget for the Agilent Technologies Diversity in Education Initiative grant in the amount of \$65,000.00. Marsha Lawler, Executive Director of External Funding, requested this amendment in a memo dated March 15, 2002. The Bowie High School feeder pattern schools have received a check and an award letter from the Agilent Foundation.
8. ESEA Title VI – Class Size Reduction Program (\$246,676.00). The purpose of this item is to increase the ESEA, Title VI – Class Size Reduction Program budget in the amount of \$246,676.00. Marsha Lawler, Executive Director of External Funding, requested the amendment in a memo dated March 15, 2002. The Texas Education Agency approved the increase to the Notice of Grant Award on February 28, 2002.

9. ESEA Title VI – Innovative Education Program Strategies (\$108,070.00). The purpose of this item is to increase the ESEA Title VI – Innovative Education Program Strategies budget in the amount of \$108,070.00. Marsha Lawler, Executive Director of External Funding, requested this amendment in a memo dated March 15, 2002. The Texas Education Agency approved the increase to the Notice of Grant Award on February 23, 2002.
10. ESEA Title II, Part B – Dwight D. Eisenhower Professional Development Program (\$179,035.00). The purpose of this item is to increase the ESEA Title II, Part B – Dwight D. Eisenhower Professional Development Program budget in the amount of \$179,035.00. Marsha Lawler, Executive Director of External Funding, requested this amendment in a memo dated March 15, 2002. The Texas Education Agency approved the increase to the Notice of Grant Award on February 26, 2002.
11. ESEA Title IV – Safe and Drug-Free Schools and Communities Act (\$92,382.00). The purpose of this item is to increase the ESEA Title IV – Safe and Drug-Free Schools and Communities Act budget in the amount of \$92,382.00. Marsha Lawler, Executive Director of External Funding, requested this amendment in a memo dated March 15, 2002. The Texas Education Agency approved the increase to the Notice of Grant Award on February 28, 2002.
12. IDEA-B Preschool (\$33,169.00). The purpose of this item is to increase the IDEA-B Preschool budget in the amount of \$33,169.00. Dr. Michael Kelly, Executive Director of Special Services, requested this amendment in memo dated March 12, 2002. The Texas Education Agency approved the increase to the Notice of Grant Award on March 11, 2002.
13. Gang Resistance Education and Training Program (\$43,912.00). The purpose of this item is to set up the budget for the Gang Resistance Education and Training Program grant in the amount of \$43,912.00. The Gang Resistance Education and Training Program grant will offer instruction to elementary and middle school-aged children in gang prevention and anti-violence techniques. Officers from EPISD Police Services will receive training and provide instruction to students. Marsha Lawler, Executive Director of External Funding, requested this amendment in a memo dated March 25, 2002. The Board of Trustees approved the program on February 12, 2002.
14. Prestige Consulting Services (\$91,800.00). The purpose of this item is to amend the Superintendent's budget in the amount of \$91,800.00. Gilbert Moreno, Prestige Consulting, was awarded a consulting services contract for the provision of Strategic Planning Project follow-on and technical support services. The proposal was approved by the Board of Trustees on March 26, 2002, subject to the approval of a budget amendment.

E. RFPs, Bids, and Purchase Orders Requiring Board Approval

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

1. Newspaper Advertising & Publication Rates RFP #07-02 (approx. \$75,000.00) was awarded to the *El Paso Times, Inc.*, the vendor providing the best overall service and value to the District, in the estimated annual amount of \$75,000.00 (copy of bid tabulation attached to the permanent file of these minutes).
2. Library Materials, Supplies and Accessories Request for Catalog Discount RFP #14-02 (approx. \$270,000.00) was awarded to the vendors listed on the tabulation for future purchases on an "as needed" basis in the estimated annual amount of \$270,000.00 (copy of bid tabulation attached to the permanent file of these minutes).
4. Commercial Kitchen Equipment Bid #17-02 (\$323,050.43) was awarded to the following vendors in the amounts indicated: Caldarella's, Inc., Item 10, \$4,924.00; National Restaurant Supply, Items 1-4, 7-9, and 11, \$217,526.43; and Pasco Food Service, Items 5 and 6, \$100,600.00, for a total amount of \$323,050.43 (copy of bid tabulation attached to the permanent file of these minutes).
5. Offset Paper Bid #25-02 (\$48,844.80) was awarded to XPEDX, the lowest bidder, in the amount of \$48,844.80 with 2 percent terms and a \$3.00 per cwt. escalation clause, if applicable, with verification of a paper industry price increase, and with the amount of \$16,281.60 for 2002-03 deliveries being subject to the approval of the 2002-03 preliminary budget (copy of bid tabulation attached to the permanent file of these minutes).
6. Hearing Impaired Communication Equipment Bid #26-02 (\$64,484.00) was awarded to Phonic Ear in the amount of \$64,184.00 and Phonak, Inc. in the amount of \$300.00 for a total amount of \$64,484.00 (copy of bid tabulation attached to the permanent file of these minutes).
7. CNC Control Milling Machine Bid #27-02 (\$32,800.00) was awarded to Gorman Industrial Supply, the lowest bid, in the amount of \$32,800.00 (copy of bid tabulation attached to the permanent file of these minutes).
8. Projectors for Austin High School, Purchase Order No. 232864 (\$19,850.00) were approved for purchase from MacWarehouse, the lowest quote, in the amount of \$19,850.00 (copy of purchase order attached to the permanent file of these minutes).
9. SuccessMaker® Software for Aoy and Roberts Elementary Schools, Purchase Order Nos. 235624 and 236028 (\$74,300.08) was approved for purchase from NCS Pearson, Inc. for Aoy Elementary School, Purchase Order No. 236028, in the amount of \$19,605.08, and for Roberts Elementary School, Purchase Order No. 235624, in the amount of \$44,695.00, for a total amount of \$74,300.08 (copy of purchase orders attached to the permanent file of these minutes).
10. Special Education Equipment for Students, Purchase Order Nos. 236634 and 236667 (\$27,441.00) was approved for purchase from Rifton/Community Playthings, the sole source, in the amount of \$27,441.00 (copy of purchase orders attached to the permanent file of these minutes).

F. Construction Contract Awards

The Board approved the award of the following construction contracts, subject to the review and approval of the District's attorney, to the recommended construction contracting firms for the construction/installation of the projects described for the amounts indicated.

1. Districtwide Boiler Replacement – Crosby, Dowell, Logan, and Stanton Elementary Schools; and MacArthur and Magoffin Middle Schools, #01.116 (\$497,860.00), was awarded to Thermodyn Contractors, Inc. in the amount of \$497,860.00.
2. Cooling Towers Replacement – Bowie High School, #02.542 (\$88,834.00), was awarded to P. A. Contractors, Inc. in the amount of \$88,834.00.
3. Indoor Air Quality (IAQ) Improvements – Hillside Elementary School, #02.658 (\$496,250.00) was awarded to P. A. Contractors, Inc. in the amount of \$496,250.00.
4. Chiller Replacement – Education Center-Boeing, #02.698 (\$169,804.00) was awarded to Thermodyn Contractors in the amount of \$169,804.00.
5. PPFCO (Public Property Finance Contractual Obligations) Project, Phase 1 – Crockett, Hawkins, Hughey, Lamar, and Logan Elementary Schools; Ross Middle School; and Austin High School, #99.523.02 (\$1,107,890.00), was awarded to Dantex Construction Co. in the amount of \$1,107,890.00.

G. Professional Services Contract Award – ADA/504 Consulting, #02.334 (\$30,105.00)

The Board approved the award of Professional Services Contract #02.334 to Daniel Lopez, Jr., dba ADA Consulting, subject to the review and approval of the District's attorney, for the review of plans, specifications, bid documents and other additional program elements as may be required for Districtwide ADA/504 review and site inspections in the amount of \$30,105.00.

H. March 2002 Personnel Report

The March 2002 Personnel Report was approved (copy attached to the permanent file of these minutes).

Request to Implement Mandatory Uniform Dress Code – Moreno Elementary School (Item #3, B.)

It was moved by Dr. Roark, seconded by Mr. Wever, and carried unanimously that item no. 3, B., Request to Implement Mandatory Uniform Dress Code - Moreno Elementary School, be postponed for two weeks.

RFPs, Bids, and Purchase Orders Requiring Board Approval – Office Supplies and Accessories Request for Catalog Discount RFP #15-02 (approx. \$225,000.00) (Item #3, E., 3.)

It was moved by Dr. Roark and seconded by Dr. Finke that Office Supplies and Accessories Request for Catalog Discount RFP #15-02 be awarded El Paso Office Products, first low bidder; Corporate Express, second low bidder; and Office Depot BSD, third low bidder, for

future purchases on an “as needed” basis in the estimated annual amount of \$225,000.00. Upon the vote, the motion carried with Mr. Wever voting against the motion (copy of bid tabulation attached to the permanent file of these minutes).

Rescheduling of April 23, 2002, Regular Meeting of the Board of Trustees (Item #4)

It was moved by Mr. Mena and seconded by Mr. Telles that the April 23, 2002, regular meeting of the Board of Trustees be rescheduled to April 30, 2002.

Dr. Roark requested that a Board Policy Committee meeting be scheduled prior to the regular meeting to discuss an Administrative Regulation related to travel by District volunteers. Dr. Anzaldua stated that a Board Policy Committee meeting could be held on April 16, 2002, prior to the Board's Compensation Committee meeting scheduled for that date.

Upon the vote, the motion carried with Dr. Roark voting against the motion.

It was moved by Mr. Rosales and seconded by Mr. Telles that there be a Board Policy Committee meeting on April 16, 2002.

There was discussion about placing an item related to volunteer travel on the agenda for the special Board meeting that has also been scheduled for April 16; Board policy recently adopted by the Board not addressing travel by volunteers or athletic officials; and travel by volunteers being addressed by an Administrative Regulation.

Upon the vote, the motion carried unanimously.

Purchase Orders Requiring Board Approval (Item #5)

It was moved by Mr. Mena, seconded by Mr. Telles, and carried unanimously that the Board approve the following purchase orders to the recommended vendors for the amounts indicated:

- A. Apple Computers for Franklin High School, Purchase Order No. 227997 (\$8,388.00), was approved for purchase from Apple Computer, the sole source, in the amount of \$8,388.00 (copy of purchase order attached to the permanent file of these minutes).
- B. Apple Wireless Mobile Labs for Henderson Middle School, Purchase Order No. 233897 (\$91,734.80), were approved for purchase from Apple Computer, the sole source, in the amount of \$91,734.80 (copy of purchase order attached to the permanent file of these minutes).
- C. Computers for Wiggs Middle School, Purchase Order No. 233930 (\$21,964.32), were approved for purchase from Dell Marketing LP, the lowest quote, in the amount of \$21,964.32 (copy of purchase order attached to the permanent file of these minutes).
- D. Printers for Jefferson High School, Purchase Order No. 234353 (\$18,980.00), were approved for purchase from ICHI Corporation, the lowest quote, in the amount of \$18,980.00 (copy of purchase order attached to the permanent file of these minutes).
- E. Computers for Guillen Middle School, Purchase Order No. 235041 (\$17,058.88), were approved for purchase from Dell Marketing LP, the lowest quote, in the amount of \$17,058.88 (copy of purchase order attached to the permanent file of these minutes).

- F. Apple Wireless Mobile Labs for Mitzi Bond Elementary School, Purchase Order No. 235064 (\$19,400.00), were approved for purchase from Apple Computer, the sole source, in the amount of \$19,400.00 (copy of purchase order attached to the permanent file of these minutes).
- G. Computers for Morehead Middle School, Purchase Order No. 235133 (\$12,300.34), were approved for purchase from Dell Marketing LP, the lowest quote, in the amount of \$12,300.34 (copy of purchase order attached to the permanent file of these minutes).
- H. Computers for Guillen Middle School, Purchase Order No. 235289 (\$19,403.60), were approved for purchase from Dell Marketing LP, the lowest quote, in the amount of \$19,403.60 (copy of purchase order attached to the permanent file of these minutes).
- I. Apple Computers for Newman Elementary School, Purchase Order No. 235298 (\$18,873.00), were approved for purchase from Apple Computer, the sole source, in the amount of \$18,873.00 (copy of purchase order attached to the permanent file of these minutes).
- J. Computers for Coldwell Elementary School, Purchase Order No. 235340 (\$23,794.68), were approved for purchase from Dell Marketing LP, the lowest quote, in the amount of \$23,794.68 (copy of purchase order attached to the permanent file of these minutes).
- K. Computers for Burges High School, Purchase Order No. 235570 (\$31,643.33), were approved for purchase from Dell Marketing LP, the lowest quote, in the amount of \$31,643.33 (copy of purchase order attached to the permanent file of these minutes).
- L. Apple Wireless Mobile Lab for Cordova Middle School, Purchase Order No. 235584 (\$21,498.00), was approved for purchase from Apple Computer, the sole source, in the amount of \$21,498.00 (copy of purchase order attached to the permanent file of these minutes).
- M. Computers for El Paso High School, Purchase Order No. 236073 (\$31,643.33), were approved for purchase from Dell Marketing LP, the lowest quote, in the amount of \$31,643.33 (copy of purchase order attached to the permanent file of these minutes).
- N. Computers for Human Resources, Purchase Order No. 236356 (\$11,890.00), were approved for purchase from Dell Marketing LP, the second lowest quote, in the amount of \$11,890.00 (copy of purchase order attached to the permanent file of these minutes).

Approval of Instructional Materials Costs Exceeding \$25,000.00 Requiring Board Approval – Special Education Testing Materials from The Psychological Corporation (approx. \$51,333.97) (Item #6)

It was moved by Mr. Mena and seconded by Mr. Telles that the Board approve the purchase of special education testing materials, which are used to measure student performance in reading, writing, mathematics, and other critical areas as identified by federal and state law, from The Psychological Corporation, the sole source, for the approximate amount of \$51,333.97.

Responding to a question from Dr. Roark about the students to be served by these materials, Ms. Virginia Cardon, Assistant Director, Northeast Special Education Assessment, advised that they are assessment tools for children to determine eligibility under IDEA (Individual Disability Education Act), to evaluate the progress of special education students, and to provide a foundation in developing IEPs (individual education plans). Ms. Cardon referenced federal and state mandates and provided information on the use of current assessment instruments.

Upon the vote, the motion carried unanimously.

Approval of Year 4 E-Rate Statement of Work #8, E-Mail Project (Item #7)

It was moved by Mr. Mena, seconded by Mr. Telles, and carried unanimously that the Board authorize IBM Global Services, acting as the EPISD's Strategic Technology Solution Provider, to engage the services of Novell, Inc. and its local business partner, Desert Communications, to implement the Groupwise E-Mail package in fulfillment of the Year 4 E-Rate funding commitment from the Schools and Libraries Division in the amount of \$359,000.00, the funding of which was previously approved by the Board on February 19, 2002.

Approval of Year 4 E-Rate Statement of Work #4, Network Electronics (Item #8)

It was moved by Mr. Mena and seconded by Mr. Telles that the Board approve the quotations submitted by Com-Link in response to the request for quotations related to Year 4 E-Rate Statement Work (SOW) #4, Network Electronics, for a total cost of \$5,949,318.43, with the District's portion of the funding for this SOW being \$1,163,000.00, which was previously approved by the Board on February 19, 2002; and that the Board further instruct the administration to notify IBM Global Services, the EPISD's Strategic Technology Solution Provider, of the award.

Responding to a question from Mr. Wever, Mr. Jack Johnston, Executive Director, Technology and Information Systems, advised that the administration recommended that Avnet Enterprise Solutions Division be awarded this Statement of Work.

Meeting Closed

The meeting was recessed at 7:03 p.m. to a closed meeting by Mr. Wever under Section 551.071 of the Texas Government Code for legal advice related to the vendor awarded Statement of Work #4, Network Electronics.

The closed meeting started at 7:05 p.m. The closed meeting ended at 7:36 p.m.

Meeting Opened

The meeting was reassembled in Open Session at 7:40 p.m.

Approval of Year 4 E-Rate Statement of Work #4, Network Electronics (Item #8 continued)

Mr. Mena withdrew his motion and Mr. Telles withdrew his second.

Mr. Safi provided information on Subchapter B, Chapter 2157 of the Texas Government Code, which is commonly referred to as the Qualified Information Systems Vendors (QVIS) method of procurement.

It was moved by Mr. Mena and seconded by Mr. Telles that item no. 8, Approval of Year 4 E-Rate Statement of Work #4, Network Electronics, be postponed for one week, that the current proposals be rejected, that the administration go back to all vendors for new prices and verify that all proposers are Qualified Information Systems Vendors (QISV), that the administration provide the Board specific information on the local nature of all QISVs that submit quotes, and that the item be brought back to the Board at the meeting scheduled for April 16, 2002.

There was discussion on the necessity of taking the low bid over a high bid; looking at the applicant that governs the concession of any one application; and the eight factors that determine to whom to award a purchase contract.

Mr. Safi referenced §44.031(b) of the Texas Education Code that addresses the eight factors that determine the award of a purchase contract, and advised that Item #6 relates to the ability of the District to comply with laws and rules relating to historically underutilized businesses. He stated that the Schools and Libraries Division rules and regulations do not contain any compliance requirements regarding historically underutilized businesses but that the issue will be researched before the next Board meeting.

Upon the vote, the motion carried unanimously.

Approval of 2002-03 Instructional School Calendar (Item #9)

The following people requested to speak to this item:

1. Ms. Nadine Woods declined the opportunity to speak.
2. Col. Bob Woods, Ft. Bliss, spoke about military families moving during the summer months and requested that the Board adopt Calendar Option B, which has a later starting date for school which will better accommodate military families.
3. Ms. Jerry Boyer was not present when called to speak.

Ms. Marsha Lawler, Executive Director, External Funding, and the Superintendent's representative to the DEIC (Districtwide Educational Improvement Council), provided information on revised Option A of the proposed 2002-03 Instructional School Calendar. She reviewed the compromises and the two staff development days that were converted to instructional days.

There was discussion on the review of other school districts' instructional calendars; the compensation costs for the additional instructional days; Option B providing a later starting date, which would be more beneficial to military families and to teachers that want the opportunity to take university courses during the second summer session; and the work of the DEIC Calendar Committee in modifying Option A.

It was moved by Mr. Rosales and seconded by Mr. Mena that the Board approve the 2002-03 Instructional School Calendar, Option A, with an August 12, 2002, starting date for students, as recommended by the administration, the Districtwide Educational Improvement Council (DEIC), and the El Paso Consultation Association, and direct the administration to pursue a waiver for the starting date from the state in order to allow the implementation of the calendar. Upon the vote, the motion carried with Mr. Telles, Mr. Rosales, Mr. Mena, and Mr. Wever voting in favor of the motion and Dr. Roark, Miss Garcia, and Dr. Finke voting against the motion.

Update on *Breaking the Cycle/Rompiendo El Ciclo* Dropout Prevention and Intervention Project (Item #10)

It was moved by Mr. Mena, seconded by Mr. Telles, and carried unanimously that the administration issue an RFP (request for proposal) on a dropout prevention program and that it be brought back to the Board on April 30, 2002.

Approval of Service-Learning Grant Awards – Fannin and Vilas Elementary Schools; Canyon Hills Middle School; and Burges High School (\$15,000.00) (Ref. Item No. 12) (Item #11)

It was moved by Mr. Mena, seconded by Mr. Rosales, and carried unanimously that the Board approve the Service-Learning Grant Awards for Fannin Elementary School, \$7,000.00; Vilas Elementary School, \$2,000.00; Canyon Hills Middle School, \$2,000.00; and Burges High School, \$4,000.00, which will provide opportunities for students to participate in community service projects through activities integrated with the Texas Essential Knowledge and Skills (TEKS), for a total amount of \$15,000.00.

Approval of Budget Amendment – Service-Learning Grant (\$15,000.00) (Ref. Item No. 11) (Item #12)

It was moved by Mr. Mena, seconded by Mr. Rosales, and carried unanimously that the Board approve the budget amendment to the 2001-02 fiscal year to set up the budget for the Service-Learning Grant in the amount of \$15,000.00. The Service-Learning Grant will offer opportunities for students to participate in community service projects through activities that are integrated with Texas essential Knowledge and Skills (TEKS). Fannin and Vilas Elementary Schools; Canyon Hills Middle School; and Burges High School will participate. Marsha Lawler, Executive Director of External Funding, requested this amendment in a memo dated March 26, 2002.

Approval of Submission of Telecommunications Infrastructure Fund Board (TIFB) Special Projects Grant (\$2,489,661.00) (Item #13)

It was moved by Mr. Mena, seconded by Mr. Rosales, and carried unanimously that the Board approve the submission of the Telecommunication Infrastructure Fund Board Special Projects Grant for the aggregate amount of \$2,489,661.00 for the 58 campuses noted, with the notification of grant award to be brought back to the Board for budget approval.

Award of Property Insurance RFP #28-02 (Item #14)

It was moved by Mr. Telles and seconded by Mr. Mena that Property Insurance RFP #28-02 be awarded to Chubb Group of Insurance Companies, through Rogers & Belding Insurance Agency, Inc., for the EPISD's property insurance coverage for a \$125,000,000.00 coverage limit, including terrorism and excluding mold, for an annual premium of \$680,000.00 and a \$100,000.00 deductible, with an initial payment of \$250,000.00 and the remainder to be paid September 5, 2002, subject to the approval of the 2002-03 fiscal year budget.

Ms. Elizabeth Bulos, Director, Employee Benefits, reviewed the reduced coverage limits and increased premium offered by the District's current carrier, Coregis. She advised that, for these reasons, the administration recommended that the property insurance coverage be awarded to Chubb Group of Insurance Companies.

There was discussion on the asset value that is not covered by insurance; the Board having the discretion to select the policy that best meets the needs of the District; terrorism being excluded as a coverage limit; the possibility that the District is taking a risk with the recommended coverage; Chubb providing the closest coverage to that which was previously provided by Coregis; the coverage offered by Chubb being sufficient for the District; and the coverage provided by Chubb being the best based on the RFP (request for proposal).

Upon the vote, the motion carried with Dr. Roark voting against the motion.

Approval of Proposed Student Meal Price Increases (Item #14)

It was moved by Mr. Mena and seconded by Mr. Telles that the student breakfast and lunch meals prices be kept at the current rates for the 2002-03 school year.

Ms. Nancy Nordell, Director, Food Services, provided information on the administration's recommendation to increase the student breakfast and lunch meal prices. She stated that this past year it was necessary to "dip" into the Food Services fund balance for the first time and that the proposed 15-cent increase would generate approximately \$150,000.00 per year, if the participation level is maintained. Ms. Nordell advised that the increase would not affect the free and reduced-price student meals.

There was discussion on the funds that would be generated by increasing the breakfast meal by a lesser amount; whether the increased amount would lessen student participation; it being six years since the last meal price increase; and increasing the prices by only 5 to 10 cents.

Mr. Mena withdrew his motion and Mr. Telles withdrew his second.

It was moved by Mr. Mena and seconded by Mr. Wever that the Board approve a 15 cent increase to the student breakfast meal price commencing with the 2002-03 school year.

Discussion continued on the recommended increase for full-priced student lunch meals; raising the prices by 10 cents for kindergarten through grade 5 and 15 cents for grades 6 through 12; the Food Service fund balance being at approximately \$4 million, which is within the USDA regulations of an amount equal to three months average expenditures; the fund balance being used for unexpected increases, employee uniforms, training for employees, promotions for students, purchases of higher quality foods, etc.; and whether there would be an adverse affect on the food quality if the requested increase is not approved.

Mr. Mena withdrew his motion and Mr. Wever withdrew his second.

It was moved by Dr. Finke and seconded by Miss Garcia that the Board approve the proposed increases to student breakfast and lunch meal prices commencing with the 2002-03 school year as recommended by the administration (copy of pricing attached to the permanent file of these minutes). Upon the vote, the motion failed with Dr. Finke and Miss Garcia voting in favor of the motion and Dr. Roark, Mr. Wever, Mr. Telles, Mr. Rosales, and Mr. Mena voting against the motion.

It was moved by Mr. Mena and seconded by Mr. Rosales that the Board approve a 10 cent increase to the student breakfast meal price commencing with the 2002-03 school year. Upon the vote, the motion carried with Dr. Roark, Mr. Wever, Mr. Telles, Mr. Rosales, and Mr. Mena voting in favor of the motion and Dr. Finke and Miss Garcia voting against the motion.

Approval of Contract with PC Automated Controls, Inc. for EMC (Energy Management Control)/FMC (Facility Management Control) Systems, #02.340 (\$300,000.00) (Item #16)

It was moved by Mr. Mena and seconded by Mr. Rosales that the Board approve the Contract EMC (Energy Management Control)/FMC (Facility Management Control) Systems, #02.340, with PC Automated Controls, Inc., the sole source, for an amount not to exceed \$300,000.00, subject to the review and approval of the District's attorney.

Responding to a question from Dr. Roark regarding PC Automated Controls, Inc. being a sole source, Mr. Nick Corona, Executive Director, Facilities, Maintenance and Construction, provided information on the history of the District's decision in 1986 to use the Automated Logic Control (ALC) system throughout the District. He advised that 86 schools and facilities are networked through 900 modules at a value of approximately \$5,000,000.00. Mr. Corona stated that the contract with ALC is for the maintenance of the existing systems.

There was discussion on whether PC Automated Controls, Inc. is a sole source supplier for ALC equipment and modules; whether all controls are interchangeable; and if this is not a sole source contract, then a competitive procurement is required.

Mr. Hector Martinez, Associate Superintendent, Operations, advised that PC Automated Controls, Inc. is the only factory certified and authorized dealer of the ALC system in the El Paso area.

Mr. Bob Lindsey, representative of PC Automated Controls, Inc., commented on his company being the authorized ALC dealer for El Paso, Southern New Mexico, and West Texas. He provided information on the networked system existing in the District and indicated that his company is the only company that can service this product.

Discussion continued on there being no certainty that another company could not service the system; contacting other companies in El Paso to ascertain whether there is any interest or capability to service the District's ALC systems; the possibility of delaying the contract award for a couple of weeks; and the administration working with legal counsel to determine whether this is a sole source contract.

It was moved by Mr. Wever, seconded by Dr. Finke, and carried unanimously that item no. 16, Approval of Contract with PC Automated Controls, Inc. for EMC (Energy Management Control)/FMC (Facility Management Control) Systems, #02.3240,(\$300,000.00), be postponed until the next regularly scheduled Board meeting.

Approval of EMC (Energy Management Control) Systems Cost Containment Agreement with PC Automated Controls, Inc. for Design and Construction, #02.341 (Item #17)

It was moved by Dr. Roark, seconded by Mr. Mena, and carried unanimously that item no. 17, Approval of EMC (Energy Management Control) Systems Cost Containment Agreement with PC Automated Controls, Inc. for Design and Construction, #02.341, be postponed until the next regularly scheduled Board meeting.

Approval of Procurement/Delivery Method for Construction Contract Exceeding \$25,000.00 – 2002 Portable Classrooms, Phase 2, #02.342 (Item #18)

It was moved by Mr. Mena, seconded by Mr. Wever, and carried unanimously that the Board approve the competitive bid process for Project #02.342, 2002 Portable Classrooms, Phase 2, subject to the review and approval of the District's attorney, and that the advertisement and issuance of relevant documents be authorized to prospective bidders/proposers.

Meeting Closed (Item #19)

The meeting was recessed at 8:45 p.m. to a closed meeting by Mr. Wever under Section 551.071 of the Texas Government Code as follows:

- A. Consultation with School District Attorney – EPISD vs. D. M.; In the 120th District Court, El Paso County, Texas; Cause No., 2000-3083

The closed meeting started at 8:47 p.m. The closed meeting ended at 8:52 p.m.

Meeting Opened

The meeting was reassembled in Open Session at 8:55 p.m.

Meeting Adjourned

The meeting was adjourned at 8:55 p.m.

Date Approved: July 9, 2002