

Minutes of Meeting of Board of Trustees
El Paso Independent School District
March 11, 2003
5:00 p.m.
Education Center-Boeing

Present: Mr. Dan Wever, President
Dr. Gene Finke, Vice President
Miss Leonor Garcia, Secretary
Dr. Charles Roark
Mr. Joe Rosales
Mr. Richard Telles
Mr. Charles L. Tafoya, Superintendent
Mr. Anthony Safi, School District Attorney

Absent: Mr. Sal Mena, Jr.

The meeting was called to order at 5:25 p.m. by Mr. Wever. The Pledge of Allegiance was led by Mr. Luis Villalobos, Executive Director, Communications and Business Partnerships. Ms. Linda Corral, Associate Superintendent, Middle Schools, gave the Thought for the Day.

1. Recognition of February 2003 Partner in Education

Mr. Prentice Loftin, General Director, El Paso Opera, was recognized.

2. Public Forum

The following person requested to speak on Open Forum:

1. Dr. Patricia Monardes spoke about Barrios Unidos: Youth House, an in-house dropout prevention program, and requested the District's support of the program.

3. Consent Agenda

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

Dr. Roark - Items B., 1. and 6.
Item E., 1.

B. Revisions to Board Policies

1. CW (Local), Naming Schools/Other Facilities

Dr. Roark inquired about the rationale for changing the name of the policy and Mr. Luis Villalobos, Executive Director, Communications and Business Partnerships, advised that the change was made to conform to the policy name change by the Texas Association of School Boards.

It was moved by Dr. Roark, seconded Miss Garcia, and carried unanimously that the name of Board Policy CW (Local) not be changed and that text changes be approved as presented (copy attached to the permanent file of these minutes).

6. EFA (Local), Instructional Resources: Instructional Materials Selection and Adoption

Dr. Roark inquired about new language regarding the state-mandated curriculum and requested a copy of that curriculum and recommended alternative language in various sections of the policy.

It was moved by Dr. Roark, seconded by Miss Garcia, and carried unanimously that revisions to Board Policy EFA (Local) be postponed and brought to the Board Policy Committee at its next meeting.

Questions on Item E., 1., Approval of Budget Amendments – Library Learning Resources (\$14,099.00)

Dr. Roark inquired about the meaning of monies being rolled over to reimburse current year funds, and an explanation was provided on funds being rolled back out of Fund Balance and into the current fiscal year to reimburse for purchase orders from the previous fiscal year.

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

A. Approval of Minutes

1. October 1, 2002; October 8, 2002; October 15, 2002; and October 22, 2002, Board's Employee Health/Insurance Committee Meetings; October 22, 2002, Board School Name Committee Meeting; and October 29, 2002, Board Investigative Services Committee Meeting
2. October 8, 2002; October 10, 2002; October 15, 2002, October 22, 2002; and October 29, 2002, Meetings of the Board of Trustees

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

2. DFBB (Local), Term Contracts: Nonrenewal
3. DH (Local), Employee Standards of Conduct
4. EB (Local), School Year
5. EC (Local), School Day
7. EMB (Local), Miscellaneous Instructional Policies: Teaching About Controversial Issues
8. FMA (Local), Student Activities: Publications and Prior Review

C. Recoding of Board Policy FNA (Local), Student Rights and Responsibilities: Student Expression to FNAB (Local), Student Expression: Use of School Facilities for Nonschool Purposes (copy attached to the permanent file of these minutes)

D. Proposed New Board Policy FNAA (Local), Student Expression: Distribution of Non-School Literature (copy attached to the permanent file of these minutes).

E. Approval of Budget Amendments

1. Library Learning Resources (\$14,099.00). This item is to roll funds back out of Fund Balance into the current fiscal year for the reimbursement of the payment of purchase orders from fiscal year 2001-02.

2. Facilities, Maintenance & Construction (\$615,000.00). This item is to permit the priority construction of 12 new portables to proceed for the 2002-03 fiscal year.

F. Purchases Requiring Board Approval

1. High School Football Equipment Bid #06-03 (\$67,859.91) was awarded as follows: Athlete's World, Items 7, 14, 18, 33, 53, 64, 71, 80, 95, 105, 109, and 117, \$10,378.39, net 30; Athletic Supply, Items 1, 9, 11, 17, 30, 35, 41-43, 45, 47-49, 54-56, 59, 67, 77, 91-93, 99, 100, 102, 103, 108, 110-112, 114, and 115, \$14,920.62, net 30; Big Country Athletic, Items 29, 50, and 116, \$7,012.86, net 30; Cannon Sports, Items 6, 121, and 122, \$27.80, net 30; Chamizal Trading, Items 36, 78, and 79, \$5,665.00, net 30; Gardenswartz, Items 44, 62, 63, 94, 96, and 107 \$9,459.84, net 30; Gilman Gear, Item 60, \$2,550.00, net 30; Gregg Larson, Items 19 and 118, \$271.13, net 30; Healy Manufacturing, Inc., Items 2-4, \$637.20, net 30; Mojo's Sports, Items 5, 32, and 123, \$2,300.40, net 30; Pro-Tuff Decals, Item 13, \$53.40, net 30; Riddell/All American, Items 10, 12, 15, 16, 21-25, 46, 57, 58, 66, 68-70, 76, 97, 98, 101, 104, and 113, \$6,312.65, 1 percent 10, net 30; Rock's T-Shirts, Item 34, \$178.56, net 30; Rogers Athletic Company, Items 20, 37-40, and 61, \$5,930.00, net 30; Sports Supply Group, Items 73, 74, 88, 89, 119, and 120, \$1,059.08, net 30; and Sports-O-Graham, Item 8, \$36.00, net 30 (copy of bid tabulation attached to the permanent file of these minutes).
2. Evaporative Air Conditioning Units Bid #10-03 (\$126,514.77) was awarded as follows: Contractors Heating & supply, Items 3, 4, 10, 11, 13, and 14, \$76,497.56, net; Ferguson Enterprises, Items 5-9, \$37,435.22, net; and Passage Supply, items 1, 2, and 12, \$12,582.05, net (copy of bid tabulation attached to the permanent file of these minutes).
3. Cafeteria Stool Table Bid #12-03 (\$29,565.00) was awarded to SICO America, Inc. (copy of bid tabulation attached to the permanent file of these minutes).
4. Video Equipment for Moreno Elementary School, Purchase Order No. 259876 (\$14,128.00) from ICHI Corporation, the lowest quote (copy of purchase order attached to the permanent file of these minutes).
5. Bilingual Testing Materials for Research, Evaluation and Planning Testing Center, Purchase Order No. 261554 (\$17,463.60) from Ballard & Tighe Publishers, the sole source (copy of purchase order attached to the permanent file of these minutes).
6. Level Reading Books for San Jacinto Adult Learning Center, Purchase Order No. 261757 (\$22,834.00) from Heinle Publishers/Thomson, the sole source, in the amount of \$22,834.00 (copy of purchase order attached to the permanent file of these minutes).

G. Construction Contract Awards

1. Districtwide Running Track Replacement, Phase 2 – El Paso High School, #02.374 (\$421,298.00), was awarded to Allied Paving Company, subject to the review and approval of the District's attorney.
2. Districtwide Gas Piping Pressure Testing/Replacement, Phase 3, #02.709 (\$200,000.00), was awarded to Matyear Construction Co., Inc., subject to the review and approval of the District's attorney.

H. February 2003 Personnel Report (copy attached to the permanent file of these minutes)

4. Request for Waiver of Board Policy GKD (Local), Community Relations: Community Use of School Facilities – Waiver of Building Use Fees by Rescue Mission of El Paso for Gospel Benefit Concert at Chapin High School

This item was postponed from the February 25, 2003, Board meeting to allow a representative from the Rescue Mission of El Paso to be present to respond to inquiries from the Board.

Mr. Blake Barrow, Director, Rescue Mission of El Paso, provided information on the services provided by the Rescue Mission and on a gospel benefit concert to help the homeless. He requested that the fee for the use of the auditorium at Chapin High School be waived for the concert.

Discussion followed on the possibility of waiving the user fee setting a precedent, the use of District facilities for fundraising purposes, and Board policies that address this issue.

Board members, the Superintendent, and the school district's attorney offered to contribute and cover the costs for the Rescue Mission to use the Chapin High School auditorium for its benefit concert and the fee was not waived.

9. Approval of Implementation Agreement with Advancement Via Individual Determination (AVID™) Center for AVID™ Membership, Materials, and Training for Andress, Bowie, Burges, Irvin, and Jefferson High Schools; and Guillen, Henderson, Magoffin, Richardson, and Ross Middle Schools for 2003-04 School years (\$146,498.00)

It was moved by Mr. Rosales, seconded by Miss Garcia, and carried unanimously that the Board approve the Implementation Agreement.

5. Revision to Board Policy DGB (Local), Employee Rights and Privileges: Personnel-Management Relations – Employee Representation Election

It was moved by Dr. Roark and seconded by Mr. Rosales that Board Policy DGB (Local) be approved as presented (copy attached to the permanent file of these minutes). Upon the vote, the motion carried with Mr. Wever voting "present."

6. Approval of Employee Representation Election Procedures

Mr. Tafoya provided information on the establishment of an Election Committee for the employee representation election to be held on April 16, 2003, and meetings held to develop procedures for the election. He advised that the El Paso Chapter of the National Flag Foundation would proctor the election and that a final report on the ballots would be brought to the Board for approval at the next regularly scheduled Board meeting.

7. Certification of State Textbooks for 2002-03

It was moved by Mr. Rosales, seconded by Miss Garcia, and carried unanimously that the Board certify the recommendations of the 2002-03 EPISD Local Textbook Adoption Committee and authorize the ordering of the specified textbooks, in accordance with Texas Education Code 31.101, and the expenditure of \$6,826.90 from local District funds for the portion that exceeds the state maximum per student for the Advanced Placement U.S. Government & Politics and Macroeconomics textbooks. Mr. Wever was not present for the vote.

8. Requests for Waiver from Texas Education Agency

- A. Textbooks for Dual Credit Program at High Schools for 2002-03, 2003-04, and 2004-05 School Years

It was moved by Mr. Rosales, seconded, by Mr. Telles, and carried unanimously that the Board approve this waiver for state reimbursement for textbooks.

- B. Class Time and Credit for Pre-Engineering Manufacturing Course at the Center for Career and Technology Education (CCTE) for 2003-04, 2004-05, and 2005-06 School Years

It was moved by Mr. Rosales, seconded by Mr. Telles, and carried unanimously that the Board approve this waiver to allow students to earn 1.5 credits per semester, or a total of 3 credits per year, for a Pre-Engineering Manufacturing course.

10. Approval of *Qué Sabrosa Vida* Recipe Kits, English and Spanish Manuals, and Food Models from Lopez Advertising Group, Inc. (\$33,520.00)

It was moved by Mr. Telles, seconded by Mr. Rosales, and carried unanimously that the Board approve this sole source purchase to educate parents and students on maintaining a healthy lifestyle.

11. Approval of Fast Track Reading Series from Wright Group/McGraw-Hill for ESOL (English for Speakers of Other Languages) Classrooms at Secondary Campuses (\$65,316.90)

It was moved by Miss Garcia, seconded by Mr. Telles, and carried unanimously that the Board approve this sole source purchase.

12. Approval of Master Services Agreement and Addendum to Master Services Agreement Between EPISD and Novell, Inc.

It was moved by Mr. Rosales, seconded by Mr. Wever, and carried unanimously that the Board approve the Master Services Agreement and the Addendum for the provision of technical assistance related to technology.

13. Designating Investment Officer Resolutions and Resolution Amending Authorized Representatives for the Texas Local Government Investment Pool ("TexPool")

It was moved by Dr. Finke, seconded by Mr. Telles, and carried unanimously that the Board approve the Resolutions designating the Superintendent and the Director of Accounting Services as investment officers of the EPISD; and the Resolution Amending Authorized Representatives for the Texas Local Government Investment Pool (TexPool) which designates the Superintendent and the Director of Accounting Services as authorized representatives of the District. Mr. Rosales was not present for the vote.

14. Purchases Requiring Board Approval

It was moved by Mr. Telles and seconded by Miss Garcia that the purchases as listed be approved to the recommended vendors for the amounts indicated. Upon the vote, the motion carried with Mr. Wever voting against the motion.

- A. Additional Expenditure Request on Existing Bid – Calculator Bid #124-02 (\$100,909.00) for the purchase of calculators as part of the Ninth Grade Success Initiative Grant, Cycle 2, from School Specialty Supply, Inc. (copy of bid tabulation attached to the permanent file of these minutes).
- B. AlphaSmart® Classroom Bundles Bid #125-02 (\$53,147.18) was awarded to Educational Resources in the amount of \$7,850.88 and Learning Services in the amount of \$45,296.30 (copy of bid tabulation attached to the permanent file of these minutes).

15. Approval of Lease Agreement Between City of El Paso and EPISD for Off-Premise Parking Facility for Clendenin Elementary School

It was moved by Mr. Rosales and seconded by Mr. Telles that the Board approve the lease agreement, subject to the review and approval of the District's attorney, for an off-premise parking facility on a portion of Lots 17-32, Block 15, Summit Place Addition, and a portion of Tract 8, Section 22, Block 81, Township 2, El Paso, El Paso County, Texas, for an annual amount of \$5,040.00.

Miss Garcia expressed a concern about the money that will be spent on this parking facility in 20 years and inquired about purchasing the property from the City.

It was moved by Dr. Roark, seconded by Miss Garcia, and carried unanimously that approval of the lease agreement be postponed and that the administration contact the City of El Paso to explore the possibility of acquiring the property.

16. Approval of Procurement/Delivery Methods for Construction Contracts Exceeding \$15,000.00

A. 2003 Portable Classrooms – Phase 1, #03.641

It was moved by Mr. Rosales, seconded by Miss Garcia, and carried unanimously that the competitive bid process be utilized for Project #03.641, 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.

B. 2003 Portable Classrooms – Phase 2, #03.645

It was moved by Mr. Rosales, seconded by Mr. Telles, and carried unanimously that the competitive bid process be utilized for Project #03.645, 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.

17. Approval of Final Payment for Construction Contract Exceeding \$100,000.00 – Deferred Maintenance PPFCO (Public Property Finance Contractual Obligations) Projects – Bowie and Jefferson High Schools; Henderson Middle School; and Beall, Douglass, and Vilas Elementary Schools, #99.525.03 (\$9,034.85, total cost \$434,185.80)

It was moved by Mr. Rosales, seconded by Mr. Telles, and carried unanimously that the Board approve the final payment of \$9,034.85 on Construction Contract #99.525.03 to F. T. James Construction Co., Inc., subject to the review and approval of the District's attorney.

19. Approval of Revisions to Board Policies DC (Local), Employment Practices; and DK (Local), Assignment and Schedules

There was discussion on the stipulation in these policies regarding a three-year wait period for employees to work at a location with a former supervisor and the possibility of shortening the three year timeframe.

It was moved by Mr. Rosales, seconded by Mr. Telles, and carried unanimously that the Board approve the revision recommended by the administration to lower the three-year wait period to two years in both policies DC and DK (Local) (copies attached to the permanent file of these minutes).

Meeting Closed

The meeting was recessed at 7:37 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:

18. Closed Meeting

A. Appeal of Placement at JJAEP (Telles) Middle School – N. Z.

B. Personnel Appointments

1. Assistant Principal, Wiggs Middle School
2. Assistant Principal, Lee Elementary School
3. Evaluator, Research, Evaluation and Planning
4. Evaluator (SCE – State Compensatory Education), Research, Evaluation and Planning

The closed meeting started at 7:47 p.m. The closed meeting ended at 8:49 p.m.

Departure of Board Member

Mr. Telles departed the meeting at 8:30 p.m. and was not present to vote in any subsequent action taken by the Board of Trustees.

Meeting Opened

The meeting was reassembled in Open Session at 8:50 p.m.

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

A. Appeal of Placement at JJAEP (Telles) Middle School – N. Z.

It was moved by Dr. Roark, seconded by Miss Garcia, and carried unanimously that the Board direct the Superintendent to work with N. Z., the parents, and the administration to develop a plan of action to deal with the needs of N. Z. and bring the plan back to the Board on March 25, 2003, for further consideration.

B. Personnel Appointments

1. Assistant Principal, Wiggs Middle School

It was moved by Mr. Rosales, seconded by Mr. Wever, and carried unanimously that the Board accept the Superintendent's recommendation to appoint Jesus Teran, teacher at Bassett Middle School, to the position of Assistant Principal, Wiggs Middle School.

2. Assistant Principal, Lee Elementary School

It was moved by Mr. Rosales, seconded by Miss Garcia, and carried unanimously that the Board accept the Superintendent's recommendation to appoint Joe Galindo, At-Risk Coordinator at Bowie High School, to the position of Assistant Principal, Lee Elementary School.

Meeting Adjourned

The meeting was adjourned at 8:54 p.m.

Date Approved: June 24, 2003