

Minutes of Meeting of Board of Trustees
El Paso Independent School District
November 26, 2002
5:00 p.m.
Education Center-Boeing

Present: Mr. Dan Wever, President
Dr. Gene Finke, Vice President¹
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 5:02 p.m. by Mr. Wever. The Pledge of Allegiance was led by Ms. Shelly Bohren, Recording Secretary. Ms. Carolyn Grantham, Acting Executive Director, Human Resources, gave the Thought for the Day.

Recognition of Coronado Tennis Team for Winning Regional Competition (Item #1)

The Coronado High School tennis team was recognized by the Board of Trustees for having won a third straight regional tennis title and advancing to state competition. An engraved plaque was presented to the team and each team member was congratulated individually by the Board of Trustees and Mr. Tafoya.

Recognition of Carl Fors for Facilitating Donation of "Safety Alert" Drone Radar Transmitters for Use on EPISD School Buses (Item #2)

Mr. Carl Fors, Speed Measurement Laboratories, was recognized by the Board of Trustees for facilitating the donation of \$195,000.00 in Safety Alert drone radar transmitters by Cobra Electronics, Inc. to the District for its fleet of 300 school buses. An engraved plaque was presented to Mr. Fors on behalf of the Board in recognition of his support of the El Paso Independent School District. Also recognized was Sgt. Victor Araiza, EPISD Police Services, for his participation in coordinating the donation.

Recognition of MacArthur Middle School and Jefferson/Silva Magnet High School for Selection in 2002 Texas Business and Education Coalition/Just for the Kids Honor Roll (Item #4)

The Board of Trustees recognized MacArthur Middle School and Jefferson/Silva Magnet High School for having been named to the 2002 Texas Business and Education Coalition/Just for the Kids Honor Roll. An engraved plaque was presented to each school on behalf of the Board in recognition of their achievement.

¹ Dr. Finke arrived at 5:51 p.m., during discussion on Item #17.

Item Withdrawn

It was announced that item no. 3, Recognition of Texas Education Agency 2002 Migrant Education Award Winners, had been withdrawn from the agenda.

Awards to November 2002 Employees of the Month (Item #5)

Ms. Laura Montoya, teacher at Beall Elementary School, was recognized by the Board of Trustees as November 2002's Certified Employee of the Month; and Ms. Maria Guadalupe (Lupe) Urena, Secretary in the Finance Unit, was recognized as November 2002's Non-Certified Employee of the Month. Each was presented with an engraved plaque and a check in the amount of \$200.00.

Naming of Jefferson High School Gymnasium (Item #6)

It was moved by Mr. Rosales, seconded by Mr. Mena, and carried unanimously that the Jefferson High School gymnasium be named for H. R. Moye, former EPISD administrator and School Board Trustee.

Public Forum (Item #7)

The following people requested to speak on Open Forum:

1. Ms. Nancy Roberts, Speech Therapist, spoke on behalf of the speech pathologists in the South/Central area on their concerns about losing an employee who specializes in adaptive/assistive technology.
2. Ms. Yvonne Romero, Speech Therapist, spoke about her possible resignation from the EPISD.
3. Ms. Jeanette Wesstrom spoke about the possible loss of Yvonne Romero and the augmentative/assistive communication services that the District will lose.
4. Ms. Julie Duncan, Speech Therapist, spoke about assistive technology and the possible loss of Yvonne Romero.
5. Ms. Ann Spier, Speech Therapist, spoke about Yvonne Romero's years of experience and the services that the District will lose.
6. Ms. Rebecca Minjarez spoke about the special services that Yvonne Romero provides to District's employees and children.
7. Ms. Jamie Hinson-Fushille, Speech Therapist, spoke about Yvonne Romero leaving the District.
8. Mr. Ruben Escandon was not present when called to speak.

Consent Agenda (Item #8)

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. Dr. Roark was not present for the vote.

A. Approval of Contract Between EPISD and the Upper Rio Grande Tech-Pre and Youth (School-to-Careers) Consortium for Tech-Prep Grant Funding for Use by Career and Technology Education at Cordova, Magoffin, and Morehead Middle Schools (\$2,000.00)

The Board approved the contract between the EPISD and the Upper Rio Grande Tech-Prep and Youth (School-to-Careers) Consortium for Tech-Prep grant funding for use by Career and Technology Education at Cordova, Magoffin, and Morehead Middle Schools in the amount of \$2,000.00.

B. Revisions to Board Policies

1. DBB (Local), Employment Requirements and Restrictions: Medical Examinations and Communicable Diseases
2. DC (Local), Employment Practices
3. FFAA (Local), Health Requirements and Services: Physical Examinations

The Board approved the revisions to Board Policies DBB (Local), Employment Requirements and Restrictions: Medical Examinations and Communicable Diseases; DC (Local), Employment Practices; and FFAA (Local), Health Requirements and Services: Physical Examinations, as presented (copies attached to the permanent file of these minutes).

C. Approval of Budget Amendments

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

1. State Compensatory Education (SCE) – Bond Elementary School (\$5,000.00). The purpose of this item is to amend the Bond Elementary School State Compensatory Education (SCE) budget in the amount of \$5,000.00. Haidi Appel, Principal at Bond, requested this amendment in a memo dated October 28, 2002. This amendment transfers funds from Instructional Salaries to various line items to allow teachers to attend Staff Development activities and allow the purchase of library books appropriate to meet the needs of struggling readers.
2. State Compensatory Education (SCE) – Cooley Elementary School (\$5,000.00). The purpose of this item is to amend the Cooley Elementary School State Compensatory Education (SCE) budget in the amount of \$5,000.00. Leon Smith, Principal at Cooley, requested this amendment in a memo dated October 16, 2002. This amendment transfers funds from budgeted line items to hire an additional teacher to reduce the class size for the prekindergarten program.

3. State Compensatory Education (SCE) – Dowell Elementary School (\$1,020.00). The purpose of this item is to amend the Dowell Elementary School State Compensatory Education (SCE) budget in the amount of \$1,020.00. Catherine Floyd, Principal at Dowell, requested this amendment in a memo dated November 6, 2002. This amendment transfers available funds that are no longer needed in Community Services to Instructional Supplies to purchase materials for students that will enhance and promote their academic success in meeting TEKS (Texas Essential Knowledge and Skills) objectives.
4. State Compensatory Education (SCE) – Hughey Elementary School (\$3,000.00). The purpose of this item is to amend the Hughey Elementary School State Compensatory Education (SCE) budget in the amount of \$3,000.00. Bonnie O’Leary, Principal at Hughey, requested this amendment in a memo dated October 28, 2002. This amendment transfers available funds that are no longer needed in Instructional Salaries and places them in Staff Development to support activities for teachers.
5. Lee Elementary School (\$15,000.00). The purpose of this amendment is to amend the Lee Elementary School budget in the amount of \$15,000.00. Jackie Morgan, Principal at Lee, requested this amendment in a memo dated November 12, 2002. This amendment transfers budgeted funds for a campus patrol that is no longer needed and which will be better utilized in Instructional Supplies and for the rental fee of a copy machine for teachers.
6. Former Superintendent’s Compensation (\$200,000.00). The purpose of this item is to amend the Superintendent’s Office budget in the amount of \$200,000.00. William Goodman, Associate Superintendent of Finance, requested this amendment in a memo dated November 19, 2002. This amendment transfers funds from the District’s Fund Balance and places them in the Superintendent’s budget to provide funding for the final payment of Dr. Gilberto Anzaldua’s contract.
7. Provide Roll Forward for Portable Classrooms (\$34,316.00). The purpose of this item is to amend the Facilities, Maintenance and Construction budget in the amount of \$34,316.00. William Goodman, Associate Superintendent of Finance, requested this amendment in a memo dated November 19, 2002. This amendment transfers funds from the District’s Fund Balance and places them in the Facilities, Maintenance and Construction budget to provide funding for the final payment to Banes General Contractors for three portable classrooms built and delivered during the 2002 fiscal year.

D. Purchases Requiring Board Approval

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

1. Vehicle Bid #113-02 (\$233,643.92) was awarded to Casa Ford in the amount of \$202,521.92 and Rudolph Chevrolet in the amount of \$31,122.00 for a total amount of \$233,643.92 (copy of bid tabulation attached to the permanent file of these minutes).

2. Library LAN/WAN Software/Physical Layer Support RFP #116-02 (\$170,000.00) was awarded to Desert Communications, Inc. in the amount of \$170,000.00, with the option to extend for 24 months, 12 months at a time (copy of bid tabulation attached to the permanent file of these minutes).

E. Construction Contract Award – Highland Annex Hydrotherapy Pool Liner Replacement, #03.550 (\$19,420.00)

The Board approved the award of Construction Contract #03.550, Highland Annex Hydrotherapy Pool Liner Replacement, subject to the review and approval of the District's attorney, to Ferno-Washington, Inc. in the amount of \$19,420.00.

F. Professional Services Contract Awards

The Board approved the award of the professional services contracts as listed, subject to the review and approval of the District's attorney, to the recommended consulting firms for the services 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 IAQ (Indoor Air Quality) Program, #03.610 (\$50,000.00), to AMEC Earth & Environmental, Inc. in the amount of \$50,000.00.
2. Districtwide Boiler Replacement 2003- Alamo, Clendenin, Cooley, Putnam, and Vilas Elementary Schools, #03.612 (approx. \$36,960.00), to SGB Engineering, Inc. in the estimated amount of \$36,960.00.

G. August – October 2002 Report of JJAEP Placements not Appealed to the Board of Trustees

The August – October 2002 Report of JJAEP Placements not Appealed to the Board of Trustees was approved as presented. As the information contained in this report is confidential under the Privacy Laws, the report will be filed in the Office of the Superintendent.

Approval of Memorandums of Understanding for the Provision of Medical and Educational Services to EPISD School-Age Children with Disabilities (Item #9)

- A. Tenet Hospitals Limited d/b/a Providence Memorial Hospital (\$500.00)
- B. NCED Mental Health Center (\$500.00)

It was moved by Mr. Mena, seconded by Mr. Rosales, and carried unanimously that the Board approve the Memorandums of Understanding with Tenet Hospitals Limited d/b/a Providence Memorial Hospital and NCED Mental Health Center for the provision of educational services to EPISD school-age children with disabilities for a total amount of \$1,000.00.

The following person requested to speak to this item:

1. A parent of an oncology patient at Providence Memorial Hospital expressed her gratitude to the Board for approving the Memorandum of Understanding to provide educational services to EPISD children at Providence Hospital.

Approval of Grant Award from the Bill & Melinda Gates Foundation for EPISD's Participation in "Intel® Teach to the Future" (Master Teacher) Program (Item #10)

It was moved by Mr. Mena, seconded by Mr. Rosales, and carried unanimously that the Board approve the grant award from the Bill & Melinda Gates Foundation for EPISD's participation in the "Intel® Teach to the Future" (Master Teacher) Program in the amount of \$85,000.00.

Approval of Grant Award and Contract with Upper Rio Grande Workforce Development Board, Inc. for Training Services at San Jacinto Adult Learning Center for Eligible Workforce Investment Act Participants (\$148,400.00) (Ref. Item No. 14) (Item #11)

It was moved by Mr. Telles, seconded by Mr. Rosales, and carried unanimously that the Board approve the grant award and contract with the Upper Rio Grande Workforce Development Board, Inc. for training services at the San Jacinto Adult Learning Center for eligible Workforce Investment Act participants in the total amount of \$148,400.00.

Approval of Budget Amendment – Upper Rio Grande Workforce Development Board Grant (\$148,400.00) (Ref. Item No. 13) (Item #12)

It was moved by Miss Garcia, seconded by Mr. Mena, and carried unanimously that the Board approve the budget amendment to the 2002-03 fiscal year to set up the budget for the Upper Rio Grande Workforce Development Board Grant in the amount of \$148,400.00. Marsha Lawler, Executive Director of External Funding, requested this amendment in a memo dated November 12, 2002.

Approval of Amendment #1 to Letter of Authorization with IBM Global Services for Year 2002 E-Rate Statement of Work #1 – USF Maintenance (Item #13)

It was moved by Mr. Mena, seconded by Miss Garcia, and carried unanimously that the Board approve Amendment #1 to the original Letter of Authorization with IBM Global Services to extend the termination date for Year 2002 E-Rate Statement of Work #1 – USF Maintenance to December 31, 2002.

Approval of Amendment #1 to Letter of Authorization with IBM Global Services for Year 2002 E-Rate Statement of Work #2 – Fiber Internet Access (Item #14)

It was moved by Mr. Mena, seconded by Mr. Rosales, and carried unanimously that the Board approve Amendment #1 to the original Letter of Authorization with IBM Global Services to extend the termination date for Year 2002 E-Rate Statement of Work #2 – Fiber Internet Access to December 31, 2002, at a cost of \$153,400.00 for the period beginning November 1, 2002, through December 31, 2002.

Approval of Purchase of Computers for Families 1st Learning Community Initiative (\$50,853.27) (Item #15)

It was moved by Mr. Mena, seconded by Mr. Rosales, and carried unanimously that the Board approve the purchase of computers, including installation and the necessary accessories, from Dell Marketing LP, the only vendor submitting a quote for a turnkey solution, for the Families 1st Learning Community Initiative in the amount of \$50,853.27.

Item Withdrawn

It was announced that item no. 16, M., Purchases Requiring Board Approval – Printers for Travis Elementary School, Purchase Order No. 253743 (\$18,025.00), had been withdrawn from the agenda.

Purchases Requiring Board Approval (Item #16)

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

- A. Instructional Materials Request for Catalog Discount CSP #109-02 (approx. \$221,096.16) was awarded to the vendors listed on the tabulation for future purchases on an “as needed” basis for an estimated annual expenditure of \$221,096.16 (copy of bid tabulation attached to the permanent file of these minutes).
- B. Math Manipulatives for Grades 3 – 5 Bid #112-02 (\$157,149.00) was awarded to the following vendors in the amounts indicated: AFP Industries, Items 1 and 12, \$23,814.00, net; Childcraft Education, Item 6, \$5,364.00, net; Educator’s Outlet, Items 3, 4, 8, 10, and 11, \$112,230.00, net; ETA/Cuisenaire, Item 5, \$3,150.00, net; Knowledge Industries, Items 2 and 7, \$10,071.00, net; and National Education System, Item 9, \$2,520.00, net, for a total amount of \$157,149.00, with the option to purchase additional incremental quantities upon request as specified in the bid (copy of bid tabulation attached to the permanent file of these minutes).
- C. Computers for Kohlberg Elementary School, Purchase Order No. 251773 (\$23,079.50), were approved for purchase from Dell Marketing LP, the lowest quote, in the amount of \$23,079.50 (copy of purchase order attached to the permanent file of these minutes).
- D. Computers for Guerrero Elementary School, Purchase Order No. 251822 (\$30,036.30), were approved for purchase from Dell Marketing LP, the lowest quote, in the amount of \$30,036.30 (copy of purchase order attached to the permanent file of these minutes).
- E. Apple Wireless Mobile Labs for Henderson Middle School, Purchase Order No. 251925 (\$44,854.00), were approved for purchase from Apple Computer, the sole source, in the amount of \$44,854.00 (copy of purchase order attached to the permanent file of these minutes).
- F. Printers for Rivera Elementary School, Purchase Order No. 252666 (\$8,811.00), were approved for purchase from SHI-GS, the lowest quote, in the amount of \$8,811.00 (copy of purchase order attached to the permanent file of these minutes).
- G. Printers for Johnson Elementary School, Purchase Order No. 252751 (\$10,552.00), were approved for purchase from Apple Computer, the lowest quote, in the amount of \$10,552.00 (copy of purchase order attached to the permanent file of these minutes).
- H. Laptops for Secondary Education, Purchase Order No. 252851 (\$10,262.00), were approved for purchase from Dell Marketing LP, the lowest quote, in the amount of \$10,262.00 (copy of purchase order attached to the permanent file of these minutes).

- I. Printers for Middle School Gifted and Talented (GT) Programs, Purchase Order No. 252976 (\$25,826.00), were approved for purchase from SHI-GS, the lowest quote, in the amount of \$25,826.00 (copy of purchase order attached to the permanent file of these minutes).
- J. Computers for El Paso High School, Purchase Order No. 253089 (\$27,245.40), were approved for purchase from Dell Marketing LP, the lowest quote, in the amount of \$27,245.40 (copy of purchase order attached to the permanent file of these minutes).
- K. Apple Mobile Digital Media Studio for Milam Elementary School, Purchase Order No. 253300 (\$20,763.00), was approved for purchase from Apple Computer, the sole source, in the amount of \$20,763.00 (copy of purchase order attached to the permanent file of these minutes).
- L. Apple Equipment for Burges High School, Purchase Order No. 253301 (\$15,099.00), was approved for purchase from Apple Computer, the sole source, in the amount of \$15,099.00 (copy of purchase order attached to the permanent file of these minutes).
- N. Apple Computers for Bilingual Education, Purchase Order No. 254919 (\$79,338.00), were approved for purchase from Apple Computer, the sole source, in the amount of \$79,338.00 (copy of purchase order attached to the permanent file of these minutes).

Construction Contract Exceeding \$15,000.00 – Replace Compressor to Chiller – Lincoln Middle School, Purchase Order No. 254755 (\$19,995.00) (Item #17)

It was moved by Mr. Rosales and seconded by Mr. Telles that the construction contract exceeding \$15,000.00 for the replacement of a chiller compressor at Lincoln Middle School, Purchase Order No. 254755, be approved to York International Corporation in the amount of \$19,995.00.

There was discussion on York International Corporation being the local vendor for York Equipment out of Albuquerque, New Mexico; the purchase order indicating that a remanufactured Trane compressor was being purchased; and all bids received being for remanufactured compressors.

Mr. Frank Hernandez, Director, Maintenance, Buildings and Grounds, advised that the compressor was needed as soon as possible and that delivery on a new compressor would take six to seven months at triple the price. He stated that the remanufactured compressor carries a five-year warranty including parts and labor.

It was moved by Mr. Wever and seconded by Dr. Roark that item no. 17 be postponed to the December 10, 2002, regularly scheduled Board meeting.

Mr. Wever withdrew his motion that item no. 17 be postponed.

It was moved by Mr. Wever and seconded by Dr. Roark that the construction contract exceeding \$15,000.00 for the replacement of a chiller compressor at Lincoln Middle School be approved to Carrier Commercial Service in the amount of \$21,722.00.

Mr. Wever withdrew his motion that the contract be approved to Carrier Commercial Service in the amount of \$21,722.00. Dr. Roark withdrew his second.

It was moved by Mr. Wever, seconded by Dr. Roark, and carried unanimously that item no. 17, Construction Contract Exceeding \$15,000.00 – Replace Compressor to Chiller – Lincoln Middle School, Purchase Order No. 254755 (\$19,995.00), be postponed to the December 10, 2002, regularly scheduled Board meeting.

Arrival of Board Member

Dr. Finke arrived at 5:51 p.m. and was present for any subsequent action by the Board of Trustees.

Approval of Procurement/Delivery Methods for Construction Contracts Exceeding \$15,000.00) (Item #18)

It was moved by Dr. Finke, seconded by Mr. Wever, and carried unanimously that the Board approve the competitive bid method for the solicitation of the following construction projects, subject to the review and approval of the District's attorney, and authorize the advertisement and issuance of relevant documents to prospective bidders/proposers.

- A. Parking Lot Improvements – Kohlberg Elementary School, #03.553
- B. Morehead Middle School Lockers, #03.554

Speaker to Personnel Appointments – Principal, Cordova Middle School (Item #19, B., 1.)

The following person requested to speak to this item:

- 1. Mr. Ruben Escandon, Jr., PTA President, Cordova Middle School, spoke about the interview process for the principal position at Cordova and requested that the Board accept the recommendation of the interview committee.

Meeting Closed (Item #19)

The meeting was recessed at 6:10 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:

- A. Student and Parent Complaint – Ms. Sylvia Miranda and I. R. Regarding Summer School Teacher at Austin High School
- B. Personnel Appointments
 - 1. Principal, Cordova Middle School
 - 2. Assistant Principal, Stanton Elementary School
- C. Voluntary Exit Agreement with Former Superintendent and Proposed Amendment Thereto
- D. Consultation with School District Attorney – Wal Mart Stores, Inc., Plaintiff v. El Paso County, et al, including El Paso Independent School District; In the 205th Judicial District Court, El Paso County, Texas; Cause No. 2002-5111

The closed meeting started at 6:15 p.m. The closed meeting ended at 7:32 p.m.

Meeting Opened

The meeting was reassembled in Open Session at 7:37 p.m.

Student and Parent Complaint – Ms. Sylvia Miranda and I. R. Regarding Summer School Teacher at Austin High School (Item #19, A.)

It was moved by Mr. Telles, seconded by Mr. Rosales, and carried unanimously that the student and parent complaint from Ms. Sylvia Miranda and I. R. regarding a summer school teacher at Austin High School be remanded to the administration.

Personnel Appointments – Principal, Cordova Middle School (item #19, A., 1.)

It was moved by Mr. Rosales, seconded by Mr. Mena, and carried unanimously that the Board accept the Acting Superintendent's recommendation to appoint Patsy Smith, Assistant Principal at Burges High School, to the position of Principal, Cordova Middle School.

Personnel Appointments – Assistant Principal, Stanton Elementary School (Item #19, A., 2.)

It was moved by Dr. Finke, seconded by Mr. Mena, and carried unanimously that the Board accept the Acting Superintendent's recommendation to appoint Joseph Garren, a Bilingual teacher at Wainwright Elementary School, to the position of Assistant Principal, Stanton Elementary School.

Voluntary Exit Agreement with Former Superintendent and Proposed Amendment Thereto (Item #19, C.)

It was moved by Mr. Mena, seconded by Mr. Rosales, and carried unanimously that the Board approve the first amendment to the Voluntary Exit Agreement with Dr. Gilberto Anzaldua, subject to insertion of appropriate indemnification language concerning the 403(b) annuity payments, and that the Board authorize the Board President to sign the Release Renewal Agreement at the appropriate time.

Consultation with School District Attorney – Wal Mart, Inc., Plaintiff, v. El Paso County, et al, including El Paso Independent School District; In the 205th Judicial District Court, El Paso County, Texas; Cause No. 2002-5111 (Item #19, D.)

It was moved by Dr. Roark, seconded by Mr. Rosales, and carried unanimously that the Board authorize the law firm Delgado Acosta Spencer Linebarger Heard & Perez, LLP to represent the District in this case at no expense to District.

Meeting Adjourned

The meeting was adjourned at 7:42 p.m.

Date Approved: March 25, 2003