

El Paso Independent School District
Minutes of Board Policy Committee Meeting
February 15, 2005
4:00 p.m.
Education Center-Boeing

Present: Dr. Charles Roark, Board Member, Board Policy Committee Chairperson
Mr. Carlos Cordova, Board Secretary
Mr. Sal Mena, Jr., Board President
Dr. Lorraine O'Donnell, Board Vice President

Absent: Miss Leonor Garcia, Board Member

Administration: Mr. Charles Tafoya, Superintendent
Mr. Kenneth Parker, Chief Business Officer
Miss Carolyn Grantham, Associate Superintendent, Human Resources
Dr. Linda Holman, Associate Superintendent, Middle Schools Supervision and Instruction
Mr. Robert Ortega, Associate Superintendent, High Schools Supervision and Instruction
Ms. Elizabeth Montes, Executive Director, K-12 Curriculum
Ms. Marielo Morales, Principal, Coronado High School
Ms. Patricia Castillo, Assistant Director, Employee Benefits

Guests: Ms. Frances Wever, El Paso Federation of Teachers and Support Personnel

The meeting was called to order at 4:12 p.m. by Dr. Roark.

The topics discussed were as follows:

1A. Revision to BJCF (Local), Superintendent: Nonrenewal

Dr. Roark referenced Items #8 and #9 in subheading Reasons and commented on illegal substance use not being addressed in the same manner as excessive use of alcoholic beverages. Mr. Tafoya recommended language that is comparable to what is required for all District employees. Mr. Safi clarified the language regarding excessive use of a legal beverage and any use of an illegal substance.

It was the consensus of the Committee to recommend approval of the revised policy, as written, to the Board of Trustees.

1B. Revision to CDA (Local), Other Revenues: Investments

It was the consensus of the Committee to recommend approval of the policy, as written, to the Board of Trustees.

1C. Revision to CRD (Local), Insurance and Annuities Management: Health and Life Insurance

- a. There was discussion on the memo from Ms. Elizabeth Bulos, Director, Employee Benefits, regarding half- and full-time terminology. Dr. Roark expressed concern with the term "half-time" employees. Mr. Tafoya stated that the terminology was aligned to the language used by the Teacher Retirement System (TRS) of Texas. It was the consensus of the Committee to retain the recommended language as written.

- b. Dr. Roark referenced subheading Paid Leave and Family Medical Leave and requested clarification on Workers' Compensation for on-the-job injuries and whether affected employees lose health benefits after leave time is exhausted.

Ms. Patricia Castillo, Assistant Director, Employee Benefits, advised that at the end of the 60 days FMLA (Family and Medical Leave Act) leave, employees would be eligible to receive benefits through COBRA at the employees' expense. Mr. Tafoya commented that the administration would need to look at the language in the medical plan contract and review anticipated costs if insurance is extended to the employees in question after FMLA leave.

- c. Dr. Roark referenced subheading At Retirement and expressed concern that the \$1,000.00 group term life insurance policy for retirees could be terminated if funds are not approved during the budget process. Mr. Tafoya suggested that the costs for accumulated leave for retirees be brought back to the Board Finance and Board Policy Committees for discussion in conjunction with the life insurance that may be retained upon retirement.

It was the consensus of the Committee that the policy be brought back to the Board Policy Committee.

1D. Revision to DGB (Local), Employee Rights and Privileges: Personnel-Management Relations

- a. Dr. Roark referenced subheading Challenge Election, Item #19 on page 4 of 10, and recommended that the election rules come to the Board for approval. The Committee concurred with the recommendation.
- b. Dr. Roark referenced subheading Superintendent's Representatives and requested clarification on when the superintendent's two representatives to the employee representative organization would be appointed. Mr. Tafoya recommended that the language in this subheading be moved to page 5 of 10 to replace the last sentence in subheading Representation of Employee Representative Organization(s). The Committee concurred with the recommendation.
- c. Dr. Roark referenced the second paragraph in subheading Meetings and Procedures and recommended that "timely" be added to both sentences between "shall" and "furnish." The Committee concurred with the recommendation.

Mr. Safi commented on the term EPCA (El Paso Consultation Association) having been replaced by "employee representative organization." Mr. Tafoya recommended that in order to reduce any possible confusion, some references to the representative organization revert to the previously used "EPCA."

Mr. Safi stated that potential legal issues with single organization representation have been covered in current policy. He advised that some language in the proposed revised policy which might increase the risk factor deals with (1) the representation term being extended from two years to four years; (2) an election being called only if there is a petition by 30 percent of the employees in the employment category; and (3) removing the possibility for the employees to vote "none of the above" if they do not want single organization representation.

Ms. Frances Wever, El Paso Federation of Teachers and Support Personnel, provided information on the policy examples that were received from the San Antonio and Corpus Christi ISDs, which were used as the model for the revisions. Mr. Tafoya recommended that language related to an option to vote against representation by a single organization be incorporated into the policy and that the percentage required for a challenge election be lowered from 30 to 20 percent. The Committee concurred with the recommendation.

It was the consensus of the Committee to recommend approval of the revised policy, with modifications, to the Board of Trustees on March 8, 2005.

1E. Revision to EI (Local), Academic Achievement

- a. Dr. Roark referenced subheading Partial Award of Credit and requested information on the new language. Mr. Robert Ortega, Associate Superintendent, High Schools Supervision and Instruction, advised that the new language should read "A student who receives a failing grade in one semester of a two-semester course shall be required to retake only the semester in which the student received the failing grade."

Dr. O'Donnell inquired about whether averaging both semesters' grades was being contemplated as part of the policy. Mr. Tafoya advised that averaging was being considered by the administration.

It was the consensus of the Committee to recommend approval of the new language but that the policy be brought back to the Board Policy Committee to address the issue of averaging.

- b. Dr. O'Donnell requested that the administration look at the minimum number of grades that should be considered by the teacher in order to make an appropriate assessment for the six-weeks grade.

1F. through 1J.

Postponed to a next meeting of the Board Policy Committee.

1K. Review of Drug Testing and Related Policies

1. DBA (Legal), Employment Requirements and Restrictions: Credentials and Records
2. DBB (Legal), Employment Requirements and Restrictions: Medical Examinations and Communicable Diseases
3. DHE (Legal), (Local), (Regulation), (Exhibit), Employee Standards of Conduct: Searches and Alcohol/Drug Testing

Mr. Safi explained the difference between the laws for public versus private employers related to drug testing and reasonable/unreasonable search and seizure. He stated that the District's drug testing program could be expanded beyond its current policy and the "safety sensitive" employee categories identified. Mr. Tafoya stated that the administration has discussed requiring pre-employment drug testing.

It was the consensus of the Committee that proposed revisions to relevant Board policies be brought back to the Board Policy Committee.

1L. Discussion of Other Policy-Related Issues

- a. Discussed DEC (Local), Compensation and Benefits: Leaves and Absences, and the procedures for the employee Sick Leave Bank. It was the consensus of the Committee that the policy be brought to the Board Policy Committee.
- b. Discussed CE (Legal), Annual Operating Budget.

Meeting Adjourned

The meeting was adjourned 5:33 p.m.

Date Approved: March 8, 2005