

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

Present: Mr. Dan Wever, President
Dr. Gene Finke, Vice President
Miss Leonor Garcia, Secretary
Mr. Sal Mena, Jr.
Mr. Joe Rosales
Mr. Richard Telles
Dr. Gilberto Anzaldua, Superintendent
Mr. Anthony Safi, School District Attorney

Absent: Dr. Charles Roark

The meeting was called to order at 5:25 p.m. The Pledge of Allegiance was led by Mr. William Goodman, Associate Superintendent, Finance, who also gave the Thought for the Day.

Recommendation from Redistricting Committee on Plan for Redistricting of EPISD Trustee Districts (Item #1)

Mr. Luis Mata, Chairperson of the EPISD Redistricting Committee, introduced members of the Redistricting Committee and the District's staff that assisted the committee as non-voting participants. He also acknowledged the City of El Paso and County of El Paso for data they provided.

Mr. Mata reviewed the 1990 to 2000 census data by Trustee districts, which indicated the greatest growth in Trustee District 6 and the greatest loss in District 3. He reviewed the criteria for redistricting, the public meetings that were held, the current Trustee Districts, and the ethnic breakdown for each Trustee District. Mr. Mata presented the committee's recommended redistricting plan, which meets the criteria for the Department of Justice. He reviewed the maps and changes to each Trustee District, including precinct gains and losses, the total population for the new recommended Trustee Districts, and the ethnic breakdowns.

Public Hearing on Recommended Plan for Redistricting of EPISD Trustee Districts (Item #2)

There were no requests to speak on the recommended plan for the redistricting of EPISD Trustee Districts.

Approval of Plan for Redistricting of EPISD Trustee Districts (Item #3)

It was moved by Dr. Finke and seconded by Mr. Rosales that the Board accept the plan for the redistricting of EPISD Trustee Districts as recommended by the citizens' advisory committee, and direct the administration and legal counsel to submit the plan to the department of Justice for preclearance.

Mr. Safi provided information on the possibility of phasing in new Trustee Districts. The Board could have all seven Trustees stand for election in May 2003 under the reconfigured Districts. However, under recent legislation, the Board could, by resolution, decide that the only Trustees who would stand for election in 2003 would be those Trustees whose four-year terms expire in May 2003; and those Trustees who were elected in 2001 would fulfill their four-year terms and would not be required to stand for election until 2005.

Upon the vote, the motion carried unanimously.

Recognition of Redistricting Committee Appointed by Board of Trustees to Develop Plan for Redistricting of EPISD Trustee Districts (Item #4)

Members of the EPISD Redistricting Committee were recognized by the Board of Trustees for their participation in developing the redistricting plan that was recommended to the Board. Committee members appointed by the Board of Trustees were Mr. Carlos Martinez, appointed by Mr. Telles, District 1; Mr. Sonny Garcia, appointed by Mr. Rosales, District 2; Mr. Luis Mata, appointed by Mr. Mena, District 3; Mr. Alberto Terrazas, appointed by Miss Garcia, District 4; Mr. Gerald Cheek, appointed by Dr. Roark, District 5; Mr. Arthur Seligman, appointed by Mr. Wever, District 6; and Mr. Jaime Rubinstein, appointed by Dr. Finke, District 7. Non-voting committee participants were Ms. Estella Martinez, Truant Officer, Pupil Services; Ms. Gloria Boyer, Director, Pupil Services; Mr. Art Jordan, Executive Director, Research, Evaluation and Planning; and Ms. Pam Brown, Administrator, VIPS/PIE (Volunteers in Public Schools/Partners in Education). Also recognized were Dr. William Wachtel, Senior Researcher; Mr. Anthony Safi, School District Attorney; and Mr. Luis Villalobos, Executive Director, Communications and Business Partnerships, who provided technical services to the committee. Each individual was presented with an engraved plaque on behalf of the Board of Trustees.

Public Forum (Item #5)

The following person requested to speak on Open Forum:

1. Ms. Mickey Loweree spoke about having respect for each other and expending public funds to settle a lawsuit.

Consent Agenda (Item #6)

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

A. Approval of Minutes

1. April 2, 2002, and April 16, 2002, Board Policy Committee Meetings; April 9, 2002, Board's Employee Health/Insurance Committee Meeting; April 16, 2002, and April 30, 2002, Board's Compensation Committee Meetings; and April 30, 2002, Board Finance Committee Meeting
2. April 2, 2002; April 9, 2002; April 16, 2002; and April 30, 2002, Meetings of the Board of Trustees

The Board approved the minutes of the April 2, 2002, and April 16, 2002, Board Policy Committee meetings; April 9, 2002, Board's Employee Health/Insurance Committee meeting; April 16, 2002, and April 30, 2002 Board's Compensation Committee meetings; and April 30, 2002, Board Finance Committee meeting, and the April 2, 2002; April 9, 2002; April 16, 2002; and April 30, 2002, meetings of the Board of Trustees.

B. Approval of Revisions to Board Policies

1. BBD (Local), Board Members: Training and Orientation
2. FDD (Local), Admissions and Attendance: Absences and Excuses
3. FFAC (Local), Health Requirements and Services: Medical Treatment

The Board approved revisions to Board Policies BBD (Local), Board Members: Training and Orientation; FDD (Local), Admissions and Attendance: Absences and Excuses; and FFAC (Local), Health Requirements and Services: Medical Treatment, 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. Jefferson/Silva Health Magnet High School (\$2,515.00). The purpose of this item is to amend the Jefferson/Silva Health Magnet High School budget in the amount of \$2,515.00. Samuel Villarreal, Principal, Jefferson/Silva Health High School, requested this amendment in a memo dated June 25, 2002. This amendment transfers funds from Employee Travel, Miscellaneous Operating costs, to Instructional Supplies for the purchase of SAT and PSAT software materials needed for a newly created computer lab that will be utilized during instructional periods and after school.
2. Temporary Assistance for Needy Families (TANF) Grant for Basic Education and Literacy Training (\$13,000.00). The purpose of this item is to set up the budget for the Temporary Assistance for Needy Families (TANF) Grant for Basic Education and Literacy Training in the amount of \$13,000.00. The Board of Trustees approved the grant at the June 11, 2002, Board meeting, and Marsha Lawler, Executive Director, External Funding, requested this amendment in a memo dated May 14, 2002. The EPISD will provide English as a Second Language (ESL) and computer literacy instruction to eligible TANF clients referred by the Upper Rio Grande Workforce Development Board.
3. Telecommunications Infrastructure Fund Board Public School (PS10C) (\$400,000.00). The purpose of this item is to set up the budget for the Telecommunications Infrastructure Fund Board Grant PS10C in the amount of \$400,000.00. The Board of Trustees approved the acceptance of the grant at the June 11, 2002, Board meeting, and Charles Geach, Administrator II, Training and Instructional Technology, requested this amendment in a memo dated June 13, 2002. Schools receiving this award are Henderson, Lincoln, Dr. Hornedo, and Morehead Middle Schools.

4. El Paso Community Foundation (EPCF) Grant for El Paso Museum of Art Student Tours (\$10,000.00). The purpose of this item is to set up the budget for the El Paso Community Foundation Museum Tour grant in the amount of \$10,000.00. The Board of Trustees approved the donation at the June 11, 2002, Board meeting, and Marsha Lawler, Executive Director, External Funding, requested this amendment in a memo dated June 18, 2002. These grant funds target middle and high school students and sponsor student field trips to the El Paso Museum of Art.
5. Special Services (\$15,600.00). The purpose of this item is to amend the Special Services budget in the amount of \$15,600.00. Dr. Michael Kelly, Executive Director, Special Services, requested this amendment in a memo dated June 10, 2002. This amendment transfers funds from Staff Development-Curriculum/ Instruction to Guidance and Counseling to provide full and individual evaluation (FIE) for regular education students in the referral process for Special Education.
6. Facilities Repairs Related to the Maintenance Tax Notes, Series 2002 (\$20,110,965.00). The purpose of this item is to establish the Planning, Engineering and Construction budget in the amount of \$20,110,965.00 for deferred maintenance projects. On March 12, 2002, the Board of Trustees authorized the District to issue maintenance tax notes for the purpose of school repairs, renovations, and maintenance. The District received the funding on May 2, 2002.

D. Bids Requiring Board Approval

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

1. Option to Extend Existing Bids
 - a. Pre-Bound Book Bid #55-01 (approx. \$360,000.00). The Board approved the first option to extend Pre-Bound Book Bid #55-01 to the following vendors for the discounts shown for the period of August 1, 2002, through July 31, 2003: Hardback - Bound to Stay Bound (including \$4.20 pre-binding charges and \$.85 processing), 30 percent discount; Paperback - Follett, 45 percent discount; Perma-Bound, 25 percent discount; and Perfection Learning, 28 percent discount, for an estimated annual amount of \$360,000.00, subject to the approval of the 2002-03 preliminary budget (copy of bid tabulation attached to the permanent file of these minutes).
 - b. Library Book Bid #56-01 (approx. \$650,000.00). The Board approved the first option to extend Library Book Bid #5601 to Follett Library Resources for the estimated annual amount of \$650,000.00 for the period of August 1, 2002, through July 31, 2003, subject to the approval of the 2002-03 preliminary budget (copy of bid tabulation attached to the permanent file of these minutes).
2. Yearbook Bid #61-02 was awarded to Herff Jones Yearbook, Jostens, Taylor Publishing Co., and Walsworth Publishing Co. to provide yearbooks for the high schools with the selection of vendor to be made by each school (copy of bid tabulation attached to the permanent file of these minutes).

3. Office/School Paper Bid #68-02 (\$55,601.76) was awarded to the following vendors in the amounts indicated: American Business Forms, Item 1, \$10,562.40, net 30; AFP Industries, Items 7-13, \$28,048.00, net 30; Office Depot, Item 2, \$3,580.80, net 30; Pyramid School Products, Items 4-6, and 14, \$10,710.08, net 30; and Standard Stationery, Item 3, \$2,700.48, net 30, for a total amount of \$55,601.76, subject to the approval of the 2002-03 preliminary budget (copy of bid tabulation attached to the permanent file of these minutes).
4. Paint & Accessories Bid #69-02 (\$31,370.46) was awarded to the following vendors in the amounts indicated: Dunn-Edwards, Items 2, 4-8, 10-15, 18, 20-23, 26, and 31-35, \$12,144.26; El Paso Paint Service, Items 3, 9, 16, 17, 19, 25, 27, 28, and 30, \$3,777.95; and Kwal, Items 1, 24, and 29, \$15,448.25, for a total amount of \$31,370.46, subject to the approval of the 2002-03 preliminary budget (copy of bid tabulation attached to the permanent file of these minutes).
5. Supplemental Food Products Bid #75-02 (approx. \$363,954.60) was awarded to PFS in the estimated amount of \$270,564.20 and Pilgrim's Pride in the estimated amount of \$93,390.40, for an estimated total amount of \$363,954.60, subject to the approval of the 2002-03 preliminary budget (copy of bid tabulation attached to the permanent file of these minutes).

E. Approval of Electric Company Easement – Portion of Tract 32A, Block 5, Upper Valley Survey (Bond Elementary School)

The Board President was authorized to execute El Paso Electric Company Easement No. 3959-3088, subject to the review and approval of the District's attorney, for a portion of Tract 32A, Block 5, Upper Valley Survey (Bond Elementary School), as shown on the documentation attached to the permanent file of these minutes.

F. Professional Services Contract Awards

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

1. AHERA (Asbestos Hazard Emergency Response Act) Three-Year Reinspection 2003, #02.389 (approx. \$152,750.00), to Border Environmental Services in the estimated amount of \$152,750.00.
2. Districtwide Asbestos Flooring Abatement Design/Monitoring, Phase 1 – Burnet, Clendenin, Coldwell, Crosby, Fannin, Logan, Roberts, Rusk, and Travis Elementary Schools; Magoffin and Terrace Hills Middle Schools; Andress and Coronado High Schools; and Live Materials Center, #02.394 (approx. \$203,400.00), to Engineering and Fire Investigations in the estimated amount of \$203,400.00.

3. Districtwide Asbestos Flooring Abatement Design/Monitoring, Phase 2 – Alamo, Bliss, Bonham, Burleson, Clardy, Crockett, Hart, Hillside, Hughey, Lamar, and Vilas Elementary Schools; Guillen and Ross Middle Schools; and Austin and Jefferson High Schools, #02.395 (approx. \$253,470.00), to Raba-Kistner Consultants (SW), Inc. in the estimated amount of \$253,470.00.

G. Demand Service Contract Awards

The Board approved the following demand service contracts, subject to the review and approval of the District's attorney, to the recommended firms for services described and the amounts indicated:

1. Districtwide Communication Equipment Repairs, #02.414 (\$17,250.00), to Rio Grande Radio Communication for the annual amount of \$17,250.00.
2. Districtwide Electrical System Repairs, #03.451 (\$103,852.00), to El Paso Rio Electric, Inc. for the annual amount of \$103,852.00.

H. 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 Priority 1 Critical Maintenance, Phase 1 – Alamo, Aoy, Beall, Bliss, Bonham, Burleson, Clardy, Cooley, Douglass, Hart, Hawkins, Houston, Hughey, Roosevelt, and Zavala Elementary Schools; Guillen, MacArthur, and Ross Middle Schools; and Bowie, Burges, and Jefferson High Schools, #02.929 (\$673,680.00), was awarded to High Point Electric, Inc. in the amount of \$673,680.00.
2. Use of Reclaimed Water for Irrigation, Phase 2 – Guerrero and Johnson Elementary Schools; Hornedo and Morehead Middle Schools; and Franklin High School, #02.920 (\$145,748.00), was awarded to Silverton Construction Co. in the amount of \$145,748.00.

I. June 2002 Personnel Report

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

Intradistrict Transfer Appeal – L. H. (Item #7)

Ms. Gloria Boyer, Director, Pupil Services, provided information on the intradistrict transfer request from Mrs. Eduardo Huerta for her son, L. H., to attend Chapin High School. Ms. Boyer advised that L. H. lives in the Irvin High School attendance zone, that Chapin's enrollment exceeds capacity, and that there is a student waiting list for the Math/Science/Technology Magnet Program at Chapin. She stated that the District would provide transportation for L. H. to attend Irvin.

Mr. Mario Espinosa, speaking on behalf of Mrs. Huerta, advised that the Huerta's live close to Chapin High School and Ms. Huerta works in the Chapin area. If L. H. attended Chapin, she could drop him off at Chapin on her way to work, but L. H. would have to ride the bus if he attended Irvin.

There was discussion on overcrowded conditions at Chapin High School; the need to maintain enrollment at the schools; and other transfer requests to Chapin having been denied.

It was moved by Miss Garcia, seconded by Mr. Rosales, and carried unanimously that the Board uphold the administration's decision to deny the intradistrict transfer of L. H. to Chapin High School for the 2002-03 school year.

Interdistrict Transfer Student Tuition Waiver Appeal – T. J., J. S., and T. S. (Item #8)

Ms. Gloria Boyer, Director, Pupil Services, provided information on the interdistrict transfer request for T. J., J. S., and T. S., whose father is in the military, to attend Milam Elementary School and the request to waive tuition. Ms. Boyer advised that the tuition waiver requests were denied because the students live within the boundaries of the Ysleta Independent School District. Ms. Boyer stated that Ms. Virginia Smith, mother of T. J., J. S., and T. S., was advised that Board policy did not permit the District's administration to waive tuition for military children residing in other schools districts to attend EPISD schools.

Ms. Smith stated that safety was the main reason she was requesting that her children be allowed to attend Milam Elementary School. She advised that her job requires her to leave home prior to the start of school and that she arrives home after the school day is ended. She stated that a daycare facility in the Milam area provides before- and after-school programs and is open during holidays.

There was discussion on Milam Elementary School having the capacity to accept the children; the children's father being on active military duty; and the Board being the only authority to waive tuition.

It was moved by Mr. Wever and seconded by Dr. Finke that the Board allow the interdistrict transfer and tuition waiver for T. J., J. S., and T. S. to attend Milam Elementary School.

Discussion followed on the Board granting tuition waivers for children of military families for a limited time last school year to allow the families an opportunity to find housing within the EPISD boundaries and revising the Board policy if these tuition exemptions are to continue.

Mr. Wever amended the motion to place a one-year time limit on the tuition waiver for T. J., J. S., and T. S. and that the Board Policy Committee address the Board policy and develop language for the policy related to interdistrict tuition waivers for children of military personnel assigned to Ft. Bliss. Dr. Finke accepted the amendment.

The amended motion reads as follows:

that the Board allow the interdistrict transfer and tuition waiver for T. J., J. S., and T. S. to attend Milam Elementary School for the 2002-03 school year and that the Board Policy Committee address the Board policy and develop language for the policy related to interdistrict tuition waivers for children of military personnel assigned to Ft. Bliss.

Upon the vote, the motion, as amended, carried with Miss Garcia voting against the motion.

Approval of Increase for Out-of-State and In-State Monthly Tuition Rates (Item #9):

It was moved by Mr. Mena, seconded by Miss Garcia, and carried unanimously that the Board approve the increased 2002-03 student tuition rates as follows: \$340.00 for grades 1 through 12 county transfers; \$686.00 for grades 1 through 12 out-of-state or 21 years of age or older as of September 1; and \$137.00 per course for fewer than five courses, with no increase in the rate of \$70.00 for Child Development Laboratory.

Approval of Employee Cost Sharing Levels for Health Benefits Plan (Item #10)

Ms. Elizabeth Bulos, Director, Employee Benefits, provided information on proposed employee cost-sharing for employee-only coverage for the Health Benefits Plan. She stated that in order to continue the current medical coverage, it is projected that \$30.00 per employee per month, or \$15.00 per employee per pay period, will be required for a 12-month period. Ms. Bulos advised that since the administration is recommending that cost sharing begin in January 2003 and it will only be for eight months, the actual required amount will be \$43.60 per employee per month or \$21.80 per pay period, through August 2003. Ms. Bulos stated that the District is committed to contributing the current \$297.00 per employee per month and that the need for employee cost sharing will be reviewed annually during the budget process.

Mr. Charles Tafoya, Associate Superintendent, Human Resources, commented on the EPISD being a self-insured program; building a reserve in the Health Plan fund balance to deal with catastrophic claims; the current Health Plan fund balance being approximately \$4 million; reviewing cost sharing during the budget process for next year; and trying to keep the \$15.00 per pay period stable or reducing it to zero.

Mr. William Goodman, Associate Superintendent, Finance, provided information on the state formula for funds that the District will have received over the current biennium; the mandated amount that must be paid per employee for health insurance; the District currently contributing an amount above the mandated minimum; and the new law being directed at school districts that are not contributing the required minimum amount.

Ms. Bulos added that a Catastrophic Health Plan had been designed for employees electing not to participate in cost sharing and that the plan will be paid 100 percent by the District.

The following person requested to speak to this item:

1. Ms. Frances Wever, President, El Paso Federation of Teachers and Support Personnel, spoke about House Bill 3343 and the additional amount that the state is contributing to employee health care; the \$1,000.00 pass-through funds to employees; and health plan options available to the employees.

It was the consensus of the Board that further consideration of employee cost sharing in the Health Benefits Plan continue following discussion of the Employee Compensation Proposal.

Approval of 2002-03 Employee Compensation Proposal (Item #11)

Dr. Anzaldúa commented on the TASB (Texas Association of School Boards) Compensation Study and stated that attempts were made to respond to equity issues and ensure that all employee groups were treated fairly.

Mr. William Goodman, Associate Superintendent, Finance, stated that the proposed pay schedule is dependent upon employee cost sharing for health insurance, which will free up approximately \$3 million for compensation. He also commented on the \$1,000.00 pass-through funds from the state, which will be paid directly to the employees.

Dr. William Wachtel, Senior Researcher, provided information on the 2002-03 Compensation Plan. He reviewed assumptions, which included employee contributions to the health plan, employees working the same number of days as last year, daily employees not being converted to monthly employees, \$11 million in local funds being available for compensation adjustments, and the effective date for all schedules being the first work day following 12:01 a.m., July 28, 2002.

Dr. Wachtel reviewed the proposed 2002-03 compensation costs for teachers and librarians, which totaled \$6,121,657.00; athletic coaching stipends in the amount of \$361,000.00; hourly employees in the amount of \$1,166,287.00; teacher aids and clerical/paraprofessionals in the amount of \$1,131,256.00; administrative/professional-instruction in the amount of \$1,480,419.00; administrative/professional-business and operations in the amount of \$315,994.00; and corrective actions for speech therapists and diagnosticians in the amount of \$425,000.00, which amounts to \$11,001,614.00, or an average increase of 4.8 percent.

Dr. Wachtel reviewed the 2002-03 Teacher Compensation/Schedules, which totaled \$161,450,552.00, for an average increase of 3.9 percent; the TBA schedules with beginning salary at \$32,000.00 and a maximum of 28 years at \$47,966.00; the TGD schedule with a starting salary of \$33,000.00 and a maximum of 30 years at \$51,533.00; the longevity adjustments for TBA teachers above schedule with continuing TBA teachers receiving \$1,962.00, continuing TBA2 teachers receiving \$2,188.00, and continuing TBA3 teachers receiving \$2,334.00. He reviewed longevity adjustments of TGD teachers above schedule with continuing TGD teachers receiving \$1,533.00; continuing TGD2 teachers receiving \$1,799.00; and continuing TGD3 teachers receiving \$1,967.00. He advised that no new teacher stipends were being proposed for 2002-03 and that there would be no stipend changes without specific Board approval.

Dr. Wachtel reviewed the teacher hiring placement and advance degrees; the compensation adjustment for hourly employees and proposed 2002-03 hourly schedule; the compensation adjustment for clerical/paraprofessional employees; and proposed 2002-03 clerical/paraprofessional schedule. He reviewed the 2002-03 compensation adjustments for daily employees and the proposed schedules for administrative/professional instruction and administrative/professional-business and operations employees. Dr. Wachtel reviewed promotion formulas, the process for position reclassifications, and additional compensation issues.

Mr. Goodman provided information on the 4.8 percent average pay increase and stated that including the \$43.60 per month employee cost share for health care and the \$83.33 per month TRS supplemental pay would equate to a 6.82 percent increase in total compensation.

There was discussion on equity adjustments and the adjustments being made on a case-by-case basis; the TASB recommendations being implemented over a two- to three-year period; and there being a \$5 million difference between the compensation proposal from the District and the one submitted by the El Paso Consultation Association (EPCA).

It was moved by Mr. Wever and seconded by Mr. Telles that the Board postpone action on the 2002-03 Employee Compensation Proposal and that representatives from all employee groups meet with the administration to provide input on the compensation proposal the week prior to the next regularly scheduled Board meeting.

The following person requested to speak to this item:

1. Ms. Frances Wever, President, El Paso Federation of Teachers and Support Personnel, compared the compensation proposal submitted by the El Paso Consultation Association (EPCA) and the proposal from TASB (Texas Association of School Boards) and suggested combining the two proposals.

Upon the vote, the motion carried with Miss Garcia voting against the motion.

Approval of Employee Cost Sharing Levels for Health Benefits Plan (Item #10 continued)

It was moved by Mr. Wever, seconded by Mr. Rosales, and carried unanimously that the Board approve the EPISD Health Care Trust Medical Plan Catastrophic Option as presented by the administration for employee only coverage with no requirement for employees to cost share effective January 1, 2003; the changes to the EPISD Health Care Trust Medical Plan Classic Option as presented by the administration, which includes changes to employee copayments for prescriptions and requires employees to cost share in the amount of \$43.60 per month, or \$21.80 per pay period, for employee only coverage effective January 1, 2003; and the District's contribution of \$297.00 per employee per month for the two options (Classic and Catastrophic) to be offered under the EPISD Health Care Trust Medical Plan effective January 1, 2003.

Extension of Resignation Deadline for Contract Employees and Maintaining Current Employees at Current Rates of Pay Until Adoption of New Compensation and Wage Schedules (Item #12)

It was moved by Mr. Mena, seconded by Mr. Rosales, and carried unanimously that the Board extend the resignation deadline to August 15, 2002, for all contract employees and that all staff remain at their current wage or compensation rate pending the Board's adoption of an employee compensation plan at a future meeting.

Reinstating Payment of \$1,000 Salary Increment for Teacher for Completion of Master's Degrees in Any Field (Item #13)

It was moved by Mr. Mena, seconded by Mr. Rosales, and carried unanimously that the Board reinstate the \$1,000.00 (or the amount approved as part of the Teacher Graduate Degree Schedule for the 2002-03 school year) salary increment for teachers who complete a master's degree in any field.

Approval of Addendum to IBM Global Services Customer Agreement for Year 2002 E-Rate (Item #14)

Mr. Jack Johnston, Executive Director, Technology and Information Systems, stated that negotiations were continuing with IBM Global Services on the Addendum to the Customer Agreement for Year 2002 E-Rate funding.

Mr. Safi advised that one of the issues on which the negotiations are at an impasse involved the extent to which the Board would have a role in selecting service providers and to what extent those service providers would be in a subcontractual relationship with IBM Global Services. He stated that IBM has tentatively agreed to the same basic framework as in Year 4, but that IBM wants to retain the right to name the subcontracted service provider. Mr. Safi suggested that the Board might want to recess to Closed Session to receive a report from legal counsel on the status of the negotiations.

Mr. John Milota, IBM Global Services, stated he understood that an agreement had been reached to extend the basic terms and conditions that were agreed to in Year 4 but that the issue of services was brought back to the table. He advised that in Year 4, the Board had some control over the selection of the goods, which was agreeable to IBM Global Services. When negotiations started on the addendum for Year 5, it was proposed that that control be increased to services, which IBM is opposed to.

Meeting Closed

The meeting was recessed at 8:55 p.m. to a closed meeting by Mr. Wever under Section 551.071 of the Texas Government Code for consultation with legal counsel on the legal status and aspects of the negotiations with IBM Global Services related to the Addendum to the Customer Agreement for Year 2002 E-Rate.

The closed meeting was opened at 9:00 p.m. The closed meeting ended at 9:21 p.m.

Meeting Opened

The meeting was reassembled in Open Session at 9:21 p.m.

Mr. Safi advised that negotiations on the Addendum to the Customer Agreement for Year 2002 E-Rate would continue with IBM Global Services and that a report would be brought back to the Board at a future meeting.

Approval of Letter of Authorization with IBM Global Services for Year 2002 E-Rate Statement of work for Fiber Internet Access (Item #15)

It was moved by Mr. Mena, seconded by Dr. Finke, and carried unanimously that the Board approve the Letter of Authorization with IBM Global Services for Year 2002 E-Rate Statement of Work #2, Fiber Internet Access, in an amount not to exceed \$306,800.00 for fiber Internet access service to 52 campuses cabled under the Year 2001 E-Rate Fiber Internet Access Statement of Work #2, for the period beginning July 1, 2002, and ending no later than October 31, 2002, subject to a conforming budget amendment being brought back to the Board at a future meeting.

Approval of Letter of Authorization with IBM Global Services for Year 2002 E-Rate Statement of Work for USF Maintenance (Item #16)

It was moved by Mr. Mena, seconded by Dr. Finke, and carried unanimously that the Board approve the Letter of Authorization with IBM Global Services for Year 2002 E-Rate Statement of Work #1, USF Technical Support (formerly known as USF Maintenance) for the continuation of services begun under Year 2001 E-Rate USF Maintenance Statement of Work #1, with the scope of work being defined within the Letter of Authorization.

Discussion and Possible Action on Request to Acquire Financial Information Regarding the Superintendent's Contingency Fund, Legal Fees, Lawsuits and Settlements, Salaries of Central Office Professional Staff, Salaries of Central Office Support Staff, and Other Possible Items (Item #17)

It was moved by Mr. Mena and seconded by Mr. Telles that the Board approve acquiring financial information regarding the Superintendent's contingency fund, legal fees, lawsuits and settlements, salaries of Central Office professional staff, salaries of Central Office support staff, and other possible items.

There was discussion on the cost to acquire the requested information; the request requiring two to three weeks of staff time to compile; the information not being in a one-source document; the information being requested from Region 19 Education Service Center; information Region 19 ESC would have on the Superintendent's contingency fund; and whether information on lawsuit settlements are available to the public.

Mr. Fred Liner, Region 19 Education Service Center, commented on information that may and may not be available from Region 19. He stated that there may be a problem in providing the requested information in a simple format. Mr. Liner suggested that EPISD staff gather information that is easily available and that Region 19 ESC then delineate its cost to research and collect the remaining information.

Discussion continued on obtaining information from other large school districts; District staff providing information on the Superintendent's contingency fund and salary schedules; information on lawsuits being provided by the Finance Unit and the District's attorney; gathering the comparative data being a time-consuming process; and what would be done with the information.

There was further discussion on a requirement that lawsuits be reported to the Texas Education Agency (TEA); special education due process hearing requests going through TEA; all grievances appealed to the Commissioner of Education being on file with TEA; and determining whether the information provided by District staff should be compared to other school districts.

It was moved by Mr. Mena and seconded by Mr. Rosales that the Board authorize Mr. Sal Mena, Jr., to go to Region 19 Education Service Center and request information from the Region 19 school districts that is not available from the EPISD's administration for the past three years, with the costs to obtain the information to be brought back to the Board. Upon the vote, the motion carried with Miss Garcia voting against the motion.

Bids and Purchase Orders Requiring Board Approval (Item #18)

It was moved by Mr. Mena, seconded by Dr. Finke, and carried unanimously that the following bids and purchase orders be approved to the recommended vendors for the amounts indicated:

- A. Office Supply bid #65-02 (\$178,246.48) was awarded to the following vendors in the amounts indicated, with Item #52 being awarded to AFP Industries and Item #54 being awarded to Pyramid School Products, pursuant to the tie-breaking procedures: AFP Industries, Items 5, 39, 40, 51, and 51, \$28,594.80, net; Corporate Express, Item 16, \$2,160.00, net; Elgin School Supply, Item 28, \$2,290.80, net; Pen-O-Rama, Items 4, 18, 53, and 55, \$20,840.46, net; Prairie Carbon & Ribbon, Items 41-44, \$16,668.48, net; Pyramid School Products, 2, 3, 6-8, 17, 24, 25, 27, 38, 46, 50, 54, 56, 58, and 59,

\$61,612.44, net; and Standard Stationery, Items 1, 9-15, 19-23, 26, 30-37, 45, 48, 49, and 57, \$46,079.50, net, for a total amount of \$178,246.48 (copy of bid tabulation attached to the permanent file of these minutes).

- B. Art Paint Bid #70-02 (\$24,294.60) was awarded to the following vendors in the amounts indicated, with Items #37, #40, #42, and #44 being awarded to Elgin School Supply, and Items #38, #39, #41, and #43 being awarded to Pyramid School Products, pursuant to the tie-breaking procedures: AFP Industries, Items 10-16, \$544.32, net; Elgin, Items 37, 40, 42, and 44, \$143.04, net; Pyramid School Products, Items 17-31, 38, 39, 41, and 43, \$6,010.44, net; Sax Arts & Crafts, Items 1-9 and 47-53, \$16,624.80, net; and Triarco Arts & Crafts, Items 46 and 46, \$972.00, net, for a total amount of \$24,294.60 (copy of bid tabulation attached to the permanent file of these minutes).
- C. The Brainchild® Education Equipment for Bradley Elementary School, Purchase Order No. 242625 (\$15,124.75), was approved for purchase from the Brainchild Corporation, the sole source, in the amount of \$15,124.75 (copy of purchase order attached to the permanent file of these minutes).
- D. Instructional Materials for Secondary Education, Purchase Order No. 244577 (\$44,604.00), was approved for purchase from DDS Southwest, the state of Texas designated vendor, in the amount of \$44,604.00 (copy of purchase order attached to the permanent file of these minutes).
- E. Network Equipment for Business Education Labs, Purchase Order No. 245030 (\$12,650.40), was approved for purchase from Avnet Computer Marketing, the lowest quote, in the amount of \$12,650.40 (copy of purchase order attached to the permanent file of these minutes).
- F. Library Network System for Barron Elementary School, Purchase Order No. 245240 (\$11,255.55), was approved for purchase from Dell Marketing LP, the lowest quote, in the amount of \$11,255.55 (copy of purchase order attached to the permanent file of these minutes).
- G. Scoreboards for Chapin High School, Purchase Order No. 244248 (\$16,140.00), were approved for purchase from Olen Williams Inc., the lowest quote, in the amount of \$16,140.00 (copy of purchase order attached to the permanent file of these minutes).

Item Withdrawn

It was announced that item no. 19, Approval of Contract with Crane/Reynolds, Inc. for Workshops and Consultation for Special Education Teachers (\$32,175.00), had been withdrawn from the agenda.

Approval of ISM (Integrated Skills Methods, Inc.) Contracts for Specific Reading Disorders (SRD) Program (\$39,376.00) (Item #20)

It was moved by Mr. Mena, seconded by Mr. Wever, and carried unanimously that the Board approve the contracts with ISM Teaching Systems, Inc. for the period of August 1, 2002, through July 31, 2003, to provide services for students in the Specific Reading Difficulties (SRD) Program for the maximum cumulative amounts as follows: bilingual students, \$4,000.00; elementary schools, \$20,376.00, and middle schools, \$15,000.00, subject to the approval of the 2002-03 preliminary budget.

Approval of *Soar to Success* Reading Intervention Program from Houghton Mifflin for Grade 4 Bilingual Classrooms (\$84,902.00) (Item #21)

It was moved by Mr. Mena, seconded by Dr. Finke, and carried unanimously that the Board approve the *Soar to Success* reading intervention program from Houghton Mifflin, the sole source, for grade 4 bilingual classrooms in the amount of \$84,902.00.

Approval of Evaluación de Desarrollo de la Lectura (EDL) Leveled Libraries from Pearson Learning Group for Elementary Campuses (\$415,097.10) (Item #22)

It was moved by Mr. Rosales, seconded by Dr. Finke, and carried unanimously that the Board approve the Evaluación de desarrollo de la lectura (EDL) Leveled Libraries for elementary campuses from Pearson Learning Group, the sole source, in the amount of \$415,097.10.

Approval of Coordinated Approach to Child Health (CATCH) Program (Item #23)

- A. CATCH Grant Awards for the Paso Del Norte Health Foundation through Region 19 Education Service Center for 33 Elementary Schools (\$70,000.00)
- B. Memorandums of Agreement with Region 19 Education Service Center for CATCH Program at 33 Elementary Schools

It was moved by Mr. Mena, seconded by Dr. Finke, and carried unanimously that the Board approve the CATCH (Coordinated Approach to Child Health) grant awards from the Paso Del Norte Health Foundation, through Region 19 Education Service Center, for 33 elementary schools in the total amount of \$70,000.00 and that the Board further approve the Memorandums of Agreement with Region 19 Service Center for the CATCH (Coordinated approach to Child Health) program at 33 elementary schools to improve nutrition knowledge and healthy food choices in grades 3 through 5 and to provide parent education in nutrition (list of elementary schools indicating grant award amount attached to the permanent file of these minutes).

Approval of Investment Capital Fund Grant Award for Roosevelt Elementary School (\$50,000.00) (Ref. Item #25) (Item #24)

It was moved by Mr. Rosales, seconded by Mr. Telles, and carried unanimously that the Board approve the Investment Capital Fund Grant award for Roosevelt Elementary School in the amount of \$50,000.00.

Approval of Budget Amendment – Investment Capital Fund Grant Award – Roosevelt Elementary School (\$50,000.00) (Ref. Item #24) (Item #25)

It was moved by Mr. Mena, seconded by Mr. Telles, and carried unanimously that the amendment titled Investment Capital Fund Grant Award – Roosevelt Elementary School be approved to the 2001-02 fiscal year budget in the amount of \$50,000.00. The purpose of this item is to set up the budget for the Investment Capital Fund. Marsha Lawler, Executive Director of External Funding, requested this amendment in a memo dated June 18, 2002.

Approval of Final Payment for Construction Contracts Exceeding \$100,000.00 (Item #26)

It was moved by Mr. Mena, seconded by Mr. Rosales, and carried unanimously that the Board approve the final payment for the following construction contracts in the amounts indicated as recommended by the administration, subject to the review and approval of the District's attorney.

- A. TAS (Texas Accessibility Standards) Deficiencies 2000, Phase 1 – Beall, Burleson, Cielo Vista, Douglass, Lamar, Houston, and Roosevelt Elementary Schools; Bassett and MacArthur Middle Schools; and Irvin High School, #02.059 (\$11,251.05, total cost \$179,858.00), to Dantex Construction Co., in the amount of \$11,251.05.
- B. TAS (Texas Accessibility Standards) Deficiencies 2000, Phase 2 – Clardy, Dowell, Hawkins, Lee, Logan, Polk, and Western Hills Elementary Schools; and Magoffin and Terrace Hills Middle Schools, #02.060 (\$15,111.02, total cost \$169,220.40), to Silverton Construction Co. in the amount of \$15,111.02.
- C. TAS (Texas Accessibility Standards) Deficiencies 2000, Phase 3 – Hillside, Kohlberg, Roberts, and Western Hills Elementary Schools; MacArthur Middle School; and Austin and Burges High Schools, #01.061 (\$32,029.94, total cost \$203,485.00), to F. T. James Construction, Inc. in the amount of \$32,029.94.

Approval of Procurement/Delivery Methods for Construction Contracts Exceeding \$15,000.00 (Item #27)

It was moved by Mr. Rosales, seconded by Dr. Finke, 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. Renovation of Fire-Damaged Greenhouse – Coronado High School, #02.308
- B. Electrical Design – Bowie High School Switchgear Replacement, #02.347
- C. Dr. Green Elementary School Field Rehabilitation, #02.349
- D. Choir Room and Storage Modifications – Coronado High School, #02.350.02
- E. Special Education Room – Jefferson High School, #02.350.03
- F. Wrought Iron Fence – Education Center-Boeing, #02.500
- G. Districtwide Playground Installation 2002, #02.501
- H. White Elementary School Chiller Replacement, #02.382

Meeting Closed (Item #28)

The meeting was recessed at 10:00 p.m. to a closed meeting by Mr. Wever under Sections 551.071, 551.072, 551.074, and 551.082 of the Texas Government Code as follows:

- A. **Personnel Appointments**
 - 1. Principal, Fannin Elementary School
 - 2. Principal, Hughey Elementary School
 - 3. Principal, Polk Elementary School
 - 4. Principal, Rivera Elementary School
 - 5. Principal, Stanton Elementary School
 - 6. Principal, Canyon Hills Middle School

- B. 2002-03 Compensation for Contract Employee Previously Placed in Lower Pay Level Position as a Result of Reorganization
- C. Possible Acquisition of Real Property – Jefferson High School Area
- D. Consultation with School District Attorney Regarding Contemplated Litigation
 - 1. Richardson Middle School Roof
 - 2. EPISD Software Site License Agreement/Contract with Tudor Publishing/EdVision.com Corporation

The closed meeting started at 10:07 p.m. The closed meeting ended at 10:39 p.m.

Departure of Board Member

Mr. Telles departed the meeting at 10:25 p.m. and was not present for any subsequent action taken by the Board of Trustees.

Meeting Opened

The meeting was reassembled in Open Session at 10:39 p.m.

Personnel Appointments (Item #28, A.)

It was moved by Dr. Finke, seconded by Miss Garcia, and carried unanimously that the Board accept the Superintendent's recommendations for the following personnel appointments:

- 1. Principal, Fannin Elementary School. The Board accepted the Superintendent's recommendation to appoint Maria Elvia Rodriguez, Assistant Principal at Burnet Elementary School, to the position of Principal, Fannin Elementary School.
- 2. Principal, Hughey Elementary School. The Board accepted the Superintendent's recommendation to appoint Bonnie O'Leary, Assistant Principal at Fannin Elementary School, to the position of Principal, Hughey Elementary School.
- 3. Principal, Polk Elementary School. The Board accepted the Superintendent's recommendation to appoint Ina Lachmann, Principal at Collins Elementary School, to the position of Principal, Polk Elementary School.
- 4. Principal, Rivera Elementary School. The Board accepted the Superintendent's recommendation to appoint Carol Bludworth, Assistant Principal at Dr. Nixon Elementary School, to the position of Principal, Rivera Elementary School.
- 5. Principal, Stanton Elementary School. The Board accepted the Superintendent's recommendation to appoint Vanessa Foreman, Assistant Principal at Crockett Elementary School, to the position of Principal, Stanton Elementary School.
- 6. Principal, Canyon Hills Middle School. The Board accepted the Superintendent's recommendation to appoint Deborah Reavis, Assistant Principal at Andress High School, to the position of Principal, Canyon Hills Middle School.

2002-03 Compensation for Contract Employee Previously Placed in Lower Pay Level Position as a Result of Reorganization (Item #28, B.)

It was moved by Miss Garcia, seconded by Mr. Rosales, and carried unanimously that the Board approve an exception to Board Policy DEA (Local), Compensation and Benefits: Salaries, Wages, and Stipends, for one year for the contract employee Anne Farris and that she receive a rate of pay for the 2002-03 school year in accordance with the daily pay level of the position she occupied prior to her transfer.

Possible Acquisition of Real Property – Jefferson High School Area (Item #28, C.)

It was moved by Miss Garcia, seconded by Mr. Rosales, and carried unanimously that the Board authorize the Superintendent to obtain surveys and property appraisals and to proceed with negotiations for the purchase of approximately 1.5 acres being more particularly described as Lot 1, and the north 60 feet of Lot 2, and the south 40 feet of the west 125 feet of Lot 2, and the north 50 feet of the west 125 feet of Lot 3, Block B, Hadlock Addition, City of El Paso, El Paso County, Texas, with the terms of the purchase to be brought back to the Board for approval at a future meeting.

Consultation with School District Attorney Regarding Contemplated Litigation – Richardson Middle School Roof (Item #28, D., 1.)

It was moved by Miss Garcia, seconded by Mr. Wever, and carried unanimously that the Board authorize the administration and legal counsel to file a lawsuit against Garland & Hilles Architects in connection with the defective design of the metal roofing system installed at Nolan Richardson Middle School.

Consultation with School District Attorney Regarding Contemplated Litigation – EPISD Software Site License Agreement/Contract with Tudor Publishing/Edvision.com Corporation (Item #28, D., 2.)

It was moved by Mr. Rosales, seconded by Mr. Wever, and carried unanimously that the administration be directed to communicate in writing with Tudor Publishing/EdVision.com Corporation that the software purchased by the District through the Software Site License Agreement/Contract has never functioned as warranted.

Meeting Adjourned

The meeting was adjourned at 10:43 p.m.

Date Approved: November 12, 2002