MINUTES OF BOARD OF TRUSTEES MEETING
EL PASO INDEPENDENT SCHOOL DISTRICT
SEPTEMBER 12, 2023
5:00 P.M.

Present: Mr. Israel Irrobali, President
Ms. Valerie Beals, Vice President
Ms. Isabel Hernandez, Secretary
Dr. Josh Acevedo, Member[1]
Mr. Daniel Call, Member
Mr. Alex Cuellar, Member
Ms. Leah Hanany, Member
Ms. Diana Sayavedra, Superintendent

Others: Ms. Cezy Collins, General Counsel
Mr. Joshua Govea, Assistant General Counsel

1. Call to Order
The meeting was called to order at 5:17 p.m. by Board President Irrobali.

2. Pledges of Allegiance
Board President Irrobali led the Pledges of Allegiance.

3. Moment of Silence
A moment of silence was observed in memory of Jessie Limas, student at Young Women's Academy, and Daniel Esparza, student at Bowie High School.

4. Recognitions

A. September 2023 Campus Recognitions
The Board recognized Silva Health Magnet High School, established in 1993, for its 30 Year Anniversary.

B. September 2023 Community Partner Recognition
The Board recognized the KFC Foundation for awarding Mesita Elementary School and Mesita Early Childhood Development Center PTA a $10,000 grant as part of the Kentucky Fried Wishes program.

5. Public Forum
The protocol to be observed during Public Forum was shared with the public in attendance. The following individuals requested to address the Board:

Ms. Sheri Reiter, Speech Language Pathologist, addressed the Board regarding contracts/salary, vacancies, and duties of Speech Language Pathologists.

Mr. Jesus Ariel Hernandez was not present when called upon.

Ms. Kamrin Sierra, Speech Language Pathologist, addressed the Board regarding Speech Language Pathologist caseloads and compensation.

Ms. Patricia Amezaga, Physical Education Teacher, addressed the Board regarding compensation for Athletic Trainers.

[1] *Trustee Acevedo departed the meeting at 8:06 p.m. during discussion of Item 8.C. and did not participate in any further action taken by the Board.*

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Mr. Ross Moore, President of El Paso American Federation of Teachers, invited the Board to the Northeast Community Literacy Festival at Magoffin Middle School. Mr. Moore also addressed the Board regarding the student/teacher classload rates and waivers reported to the Texas Education Agency.

Ms. Norma De La Rosa, President of El Paso Teachers Association, addressed the Board regarding class loads and student/teacher ratios. She also addressed the Board in support of the Athletic Trainers' efforts during the recent Bowie game.

Ms. Jamie Bailey, Community Member, addressed the Board in support of supplying EPISD Police Officers and District campuses with Narcan medication.

Ms. Taylor Kai, Community Member, addressed the Board in support of supplying EPISD Police Officers and District campuses with Narcan medication.

Ms. Annie Cabral spoke on behalf of Nellie Morales, Community Member, addressing the Board in support of supplying EPISD Police Officers and campuses with Narcan medication.

Mr. Chris Bailey, Community Member, addressed the Board in support of supplying District campuses with Narcan medication.

Ms. Christine Zimmerly, Community Member, addressed the Board in support of supplying District campuses with Narcan medication.

6. Consent Agenda

The following individuals requested to address the Board regarding items on the Consent Agenda:

Item 6.F. - Ms. Norma De La Rosa, President of El Paso Teachers Association, addressed the Board expressing her concerns with after-the-fact expenditures and the scheduling of these particular football games.

Item 6.H. - Mr. Ross Moore, President of El Paso American Federation of Teachers, addressed the Board regarding the Reading Academies contract.

Item 6.J. - Ms. Norma De La Rosa declined to speak when called upon.

Item 6.O. - Mr. Ross Moore, along with Ms. Norma De La Rosa, addressed the Board regarding engaging Consultation earlier in the budget development process.

Item 6.P.6. - Ms. Sheri Reiter, Speech Language Pathologist, addressed the Board regarding Speech Language Pathologist contracts with outside agencies.

It was moved by Trustee Hernandez, seconded by Trustee Call, and carried unanimously, that the Consent Agenda items be approved as listed, including all recommended vendors for all amounts indicated, with the exception of Items 6.F. and 6.P.6.

A. Approval of Minutes
   1. August 15, 2023, Special Board of Trustees Meeting
   2. August 15, 2023, Board of Trustees Meeting
   3. August 22, 2023, Special Board of Trustees Meeting

B. Approval of Budget Amendment
   1. Approval of Budget Amendment for Costs Associated with Student Related Travel, Instruction Related Materials and Food & Nutrition Technology, Equipment and Capital Outlay (General Operating Fund - $20,000.00 and Food & Nutrition Fund - $3,490,384.00)

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C. Discuss and Take Appropriate Action on Approval of Proposed Adoption and Revisions to Board Policies
   1. Approval of Proposed Revisions to Board Policy FFI (Local): Student Welfare Freedom from Bullying
   2. Approval of Proposed Revisions to Board Policy FD (Local): Admissions

D. Approval of Notice of Grant Award for Texas Education Agency (TEA) 2022-2025 School Safety Standards Formula Grant (Texas Education Agency - $2,137,424.00)

E. Request for Waiver of Board Policy GKD (Local) Community Relations: Nonschool Use of School Facilities – El Paso Symphony Youth Orchestras (EPSYOs) (Operating Fund - $2,100.00) – the Board approved the request from El Paso Symphony Youth Orchestras to waive Board Policy GKD (Local), Community Relations: Nonschool Use of School Facilities, and authorized the administration to make available to them the Fine Arts classroom at Burges High School, from September 10, 2023, through May 12, 2024, and waive the custodian services fees of $2,100.00; further, based on the information provided by Administration and EPSYOs, the Board found that the waiver of the facility use fees serves a public purpose appropriate for the District, that adequate consideration flows to the District, and that the District will maintain adequate controls of the activities to ensure the public purpose adequate for the District is actually being carried out.

G. Approval of Cost Share Memorandum of Agreement from Corporation for National and Community Service (CNCS) AmeriCorps VISTA Program (Corporation for National and Community Service Funds - $276,986.00 with a District Cost Match of $22,882.00)

H. Memorandum of Understanding between El Paso ISD and Region 19 for TEA Reading Academies Comprehensive Cohort(s) (ESSER Funds - $150,000.00) – the Board approved the Memorandum of Understanding between El Paso Independent School District and Region 19 for the Reading Academy Comprehensive Cohort(s) training for kindergarten through third grade teachers and campus administrators, as presented.

I. Approval of Revised Letter of Agreement between El Paso Independent School District and American Heart Association in Support of Food Pantries at Guillen and Cooley Family Resource Centers

J. Approval of Revisions to 2023-2024 Extra Performance Pay & Instructional Stipends, Miscellaneous Pay Rates and Substitute Pay Rate Listings

K. Approval of Employee Conflict of Interest Report and Approval of Additional Employee Disclosure of Interest in a Business Entity Affidavits for 2023-2024

L. Approval of Authorized Sellers of Investments and Providers of Investment Officer Training for Fiscal Year 2023-2024

M. Review of the Annual Investment Report and Adoption of Investment Policy Review Resolution

N. Fourth Quarter Financial Reports for Fiscal Year 2022-2023

O. Review of 2024-2025 Budget Development Calendar

P. Purchases Requiring Board Approval
   1. Approval of Expenditures for Advanced Placement (AP) Suite of Assessments for Fiscal Year 2023-2024 from College Board, Utilizing Socorro Independent School District (SISD) RFP No. E2248, District Instructional Curriculum (Budgeted Local Funds - Estimated $600,000.00)

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2. Approval to Purchase SAT Suite of Assessments from College Board, for Fiscal Year 2023-2024, Utilizing Ysleta Independent School District RFP #221022RFP, Academic Resources (Budgeted Local Funds - Not to Exceed $300,000.00) – the Board approved the purchase of SAT Suite of Assessments (PSAT/NMSQT and SAT) from the College Board, for Fiscal Year 2023-2024, utilizing Ysleta Independent School District (YISD) RFP #221022RFP, Academic Resources, in an amount not to exceed $291,228.60, as presented.
3. Approval of Expenditures for Improvement Planning Software (Plan4Learning and Title I Crate), Utilizing BuyBoard #661-22, Technology Equipment, Products, Services, and Software; and Translation Services, Utilizing Central Texas Purchasing Alliance (CTPA) Cooperative - Round Rock ISD Educational Supplies RFP - Informal #22-100, Educational Supplies (Administration Recommendation: 806 Technologies, Inc.) (Budgeted Title I Funds - $112,850.00)
4. Approval of Expenditures to University Interscholastic League (UIL) Approved Sports Officials Organizations (Budgeted Local Funds - Not to Exceed $785,000.00) – the Board approved the use of UIL approved sports officials organizations, according to approved UIL rates, during the 2023-2024 fiscal year, in an estimated annual amount not to exceed $785,000.00.
5. Approval of Delegation of Assignment from Western Playland Amusement Park, L.P., to Traders Village El Paso, L.P., under RFP #22-071, Field Trips and End of the Year Graduation Celebrations
7. Approval of Fifth Amendment to Vendor Contract and Expenditures for Zendesk Work Order Ticketing System from SHI Government Solutions, Inc., Utilizing The Interlocal Purchasing System (TIPS) Contract #230105 (Budgeted Local Funds - $240,706.83) – the Board approved the fifth amendment to the vendor contract and expenditures for Zendesk licenses from SHI Government Solutions, Inc., utilizing The Interlocal Purchasing System (TIPS) Contract #230105, Technology Solutions Products and Services, in the amount of $240,706.83, through July 31, 2024, as presented.
8. Approval of Expenditures for Purchase and Installation of Interactive Flat Panels at Coronado High School from Netsync Network Solutions, Utilizing The State of Texas Department of Information Resources (DIR) Contract #DIR-CPO-5122, Technology-Based Recording and Conferencing Products and Related Services (Budgeted Bond Funds - $115,957.91)
9. Approval of Expenditures for Ballistic Rifle Shields, Utilizing General Services Administration (GSA) Contract #GS21F083Y and #GS07F5829R (Administration Recommendation - H. L. Dalis, Inc., and Caprice Electronics, Inc.) (Budgeted Grant Funds - $264,769.06)
10. Approval of Expenditures for Purchase of Furniture, Fixtures, Equipment and Installation, at Captain Gabriel Navarrete Middle School and Bobby Joe Hill PK-8 School, from KI Furniture, and Atmosphere Commercial Interiors, LLC, Utilizing Sourcewell Contract #1219191-KII and Education Service Center (ESC) Region 19 Allied States Cooperative (ASC) Contract #21-7403 (Budgeted Bond Funds - $154,744.28)
11. Approval to Award Commissioning Services for HVAC Replacement in High Occupancy Areas of Middle Schools and High Schools - ESSER Project, RFQ #23-043 (Administration Recommendation: Bath Group, Inc.) – the Board approved the award of RFQ #23-043, for Commissioning Services for HVAC Replacement in High Occupancy Areas of Middle Schools and High Schools - ESSER Project, to Bath Group, Inc., and authorized Administration to enter into contract negotiations with the selected firm.

Q. Approval of Construction Contracts

1. Award of Andress HS HVAC Renovations, Project No. 17.626C, Utilizing Region 19 Allied States Cooperative (ASC), RFP #21-7411, Job Order Contracting & Facilities Construction Services, to Trane U.S., Inc., in the Amount of $1,287,627.00; and Approval of Allocation from 2016 Bond Interest – the Board approved the expenditures of Andress HS HVAC Renovations, Project No. 17.626C, utilizing Region 19 Allied States Cooperative (ASC), RFP #21-7411, Job Order Contracting & Facilities Construction Services, to Trane U.S., Inc., in the amount of $1,287,627.00, and authorized the use of 2016 Bond interest funds, as presented.

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R. Approval of Final Payment for Construction Contracts

1. Approval of Final Acceptance of Work and Final Payment for Charles Q. Murphree PK-8, CSP 19-048, Project No. 17.616, to Dantex General Contractors, Inc. (2016 Bond - $1,547,210.81)
2. Approval of Final Acceptance of Work and Final Payment for Dr. Josefina Villamil Tinajero PK-8, CSP 19-048, Project No. 17.613, to Dantex General Contractors, Inc. (2016 Bond - $1,606,214.20)

ITEMS REMOVED FROM CONSENT AGENDA FOR SEPARATE VOTE

6.F. Approval and Ratification of Facility Use Agreement between the University of Texas at El Paso and El Paso Independent School District for EPISD High School Football Games on September 7 and 16, 2023 (Local Funds - $99,000.00) – the Board ratified the Facilities Use Agreement between the University of Texas at El Paso and El Paso Independent School District, for the rental of the Sun Bowl Stadium on September 7, 2023, and approved the agreement for the rental of the Sun Bowl Stadium for September 16, 2023, in the total amount of $99,000.00, as presented.

It was moved by Trustee Hernandez, and seconded by Trustee Call, that the Board ratify the Facilities Use Agreement between the University of Texas at El Paso and El Paso Independent School District, for the rental of the Sun Bowl Stadium on September 7, 2023, and approved the agreement for the rental of the Sun Bowl Stadium for September 16, 2023, in the total amount of $99,000.00, as presented. The motion carried with Trustees Hernandez, Call, Beals, Cuellar, Hanany, and Irrobali voting in favor of the motion. Trustee Acevedo recused himself from the discussion and from voting on this item.

6.P.6 Approval of Funding Source Correction for Previously Approved Expenditures to Access Intervention Management, LLC, under (ESSER) Special Education Speech Language Pathology Services, RFP #23-065 (IDEA Federal Program Funds - $200,000.00) – the Board approved the revision to the funding source for (ESSER) Special Education Speech Language Pathology Services, RFP #23-065, previously awarded on June 20, 2023, from ESSER III Program Funds, to IDEA Federal Program funds.

Ms. Martha Aguirre, Chief Financial Officer, shared that this item was to adjust funds from ESSER to IDEA as this is a recurring cost, which was approved by the Board in June 2023. Ms. Veronica Reyes, Executive Director for Specialized Learning Services, shared that ESSER III funding will expire in October; therefore, the revision in the funding source would ensure the provision of services throughout the school year. Ms. Reyes also shared these funds would allow for campuses, which are currently not receiving services, to have access to services, upon contract approval.

Ms. Reyes shared the need for several approved vendors is necessary due to the possibility of one vendor not having therapists on hand to provide services at the time requested. It was noted that although funding may be approved for several vendors, funding would only be utilized upon provision of services.

It was moved by Trustee Hernandez, and seconded by Trustee Call, that the Board approve the revision to the funding source for (ESSER) Special Education Speech Language Pathology Services, RFP #23-065, previously awarded on June 20, 2023, from ESSER III Program Funds, to IDEA Federal Program funds. The motion carried with Trustees Hernandez, Call, Acevedo, Beals, and Irrobali voting in favor of the motion, and Trustees Cuellar and Hanany voting against.

7. Action Items

A. Approval of First Amendment to Vendor Contract and Option to Extend (ESSER) Special Education Related Services, RFP #22-041, to The Stepping Stones Group, LLC (Local Funds - Not to Exceed $200,000.00)

The following individuals requested to address the Board regarding this item:

Mr. Ross Moore, President of El Paso American Federation of Teachers, addressed the Board regarding concerns on metrics of success, liability concerns with the current contract, and Speech Language Pathologist compensation.

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Ms. Sheri Reiter, Speech Language Pathologist, addressed the Board in opposition of extending the current contract and shared concerns about contracting outside vendors.

Ms. Kamrin Sierra, Speech Language Pathologist, addressed the Board in opposition of extending this contract, compensation, and caseloads for Speech Language Pathologists.

Ms. Reyes shared services are being provided by current employees, by the Early Childhood Intervention Team, as well as by a new hire, which took two additional campuses, leaving three campuses which are still in need of services. Ms. Reyes informed the Board that services were impacted due to funding not being available to hire possible providers. Additionally, she shared that neighboring districts also have SLP vacancies as there is a shortage throughout Texas and nationwide. Superintendent Sayavedra reported on the situation regarding Diagnostician's, SLP's, LSSP's, and job alike roles, as they are at a premium across the State. She shared that as a short-term solution, allowing contract providers would avoid accumulating compensatory services. It was shared that recruitment efforts are currently in place, to include partnerships with universities to build a pipeline.

Ms. Cezy Collins, General Counsel, provided clarity regarding accountability expected of vendors providing contracted services for the District. Vendors need to abide by District rules and policies as well as standards of care. Ms. Collins provided additional information, as per the District's contract, which includes an indemnification clause, which would hold the District harmless.

Additionally, Dr. Jacqueline Kennedy, Chief Academic Officer, shared that a Board Update was provided with a timeline outlining both short-term and long-term solutions. The report outlined current vacancies with a short-term solution while vacancies are filled. For campuses with short-term solutions in place, the update provided campus information on shared providers, outside support, or other teams providing services.

In response to Dr. Acevedo's inquiry regarding the suspension of services, Ms. Reyes reported the funding source revision from ESSER to IDEA funds, required Board approval. Ms. Collins also reported that the funding source required Board approval, as it was not the originally approved funding source. Ms. Collins then shared that although services could have continued, based on the current contract, there was a risk that funding would not be approved to cover any services provided.

It was moved by Trustee Irrobali, and seconded by Trustee Call, that the Board approve the first amendment to the vendor contract and the option to extend the award for (ESSER) Special Education Related Services, RFP #22-041, to The Stepping Stones Group, LLC, in an amount not to exceed $200,000.00, for the period of July 1, 2023, through June 30, 2024, as presented. The motion carried with Trustees Call, Irrobali, Beals, and Hernandez voting in favor of the motion and Trustees Acevedo, Cuellar, and Hanany voting against.

8. Report

A. Review of Speech Language Pathologists Compensation and Pay Grade

The following individuals requested to address the Board regarding this item:

Mr. Ross Moore, President of El Paso American Federation of Teachers, addressed the Board regarding Speech Language Pathologist compensation along with concerns on the PowerPoint presentation.

Ms. Sheri Reiter, Speech Language Pathologist, addressed the Board regarding Speech Language Pathologist compensation.

Ms. Kamrin Sierra, Speech Language Pathologist, addressed the Board regarding Speech Language Pathologist compensation, vacancies, and caseloads.

Ms. Ursula Martinez, Speech Language Pathologist, addressed the Board regarding Speech Language Pathologist compensation and caseloads.

Ms. Patricia Cortez, Human Resources Chief Capital Management Officer, shared a presentation regarding Speech Language Pathologist Compensation detailing school district market analysis salary comparisons. The SLP Daily Rate Market Analysis identified the minimum, mid, and maximum daily rates as well as the hourly rate for private sectors. Ms. Cortez provided information on the contract day change, which was revised from 187 days to 192 days. In response to Trustee Hernandez's inquiry regarding midpoint pay, Ms. Cortez shared this would be the market value of the position when compared to other districts/employers. Ms. Irma Pirtle, Executive Director for Talent Acquisition and Personnel Administration, reported on the SLP days on duty for YISD, SISD, Austin ISD, and San Antonio ISD.

Ms. Reyes reported that if all vacancies were filled, the District would still be 10-15 cases above the ratio. She also provided that SLP loads for other districts are also above the caseload ratio. In response to inquiries by Dr. Acevedo on the compensation/budget cycle, Ms. Collins shared that anything the District spends/pays would need to be contemplated during the budget adoption and specifically mentioned in the motion. She shared that based on Constitutional prohibition, funding needs to be budgeted, and any extra pay cannot be amended once a contract has begun or services have been provided; however, it could be considered in future years.

B. Overview of District Improvement Plan and Campus Improvement Plans (Timeline and Process)

Ms. Marivel Macias, Chief of Organizational Transformation and Equity, alongside Ms. Kristine Ferret, Executive Director of Strategic Planning and Design, provided an overview on the process for creating Campus and Department Improvement Plans. Ms. Ferret presented a breakdown of the actions that have taken place for the development of 2023-2024 District and Campus Improvement Plans, along with next steps. She shared that District and Campus Improvement Objectives will be presented at the October Board meeting for approval. Additionally, Ms. Ferret shared that the District, Campus, and Department Improvement Plans align to the five Strategic Levers, which include: Whole Child, Academic Excellence, Destination District, Culture of Accountability, and Equity by Design. Further, Ms. Ferret provided an overview of the Needs Assessment process, which outlines the needs for campuses/districts.

C. Accountability Update

The following individual requested to address the Board regarding this item:

Mr. Ross Moore, President of El Paso American Federation of Teachers, addressed the Board regarding the accountability basis from the Texas Education Agency (TEA) A-F ratings.

Ms. Sayavedra shared that when the presentation for this item was prepared, it was based on "What If" Data pending ratings to be released in September. Per the TEA website, it was reported the Commissioner intends to delay the release of final rules for accountability at least another month, which will delay final ratings until October or possibly November. Additionally, Ms. Sayavedra shared a strong response plan has been set in place to meet the needs of District students.

Ms. Macias presented on the refresh of the A-F system, which detailed the Domains used in providing the overall grade for districts. She also presented the 2022 and 2023 ratings, which utilize different methodologies, as well as changes, which will be in place this year. Scale scores will also be adjusted, which will also adjust the grading scale. Ms. Macias shared the 2022-2023 accountability rating system, which will change based on the changes TEA will be implementing. Ms. Macias shared that although the District has increased overall, the new CCMR cut scores will reflect a B grade score.

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Dr. Kennedy, Chief Academic Officer, presented the three areas of empowering school characteristics: Fostering a positive transformational culture focusing on continuous improvement; Ensuring all students have access to high quality materials; and Continuing to support effective instruction in the classroom and being able to meet standards. Dr. Kennedy shared the inter-dependent structures necessary to foster the key essentials. Planning for initial instruction, professional learning, observation feedback, assessment mastery, and intervention and enrichment will provide feedback on student growth. Additionally, Dr. Kennedy presented intervention and enrichment supports for students.

Dr. Carla Gonzales, Chief Schools Officer, presented on Campus Tiering along with the data considered when assigning a campus to a specific Tier. Dr. Gonzales shared that Tier 3 campuses will receive more intensive support. She also reported that new elementary campus principals will receive support not only from the School Leadership and Academics Departments, but also from Master Principals.

Ms. Sayavedra shared that a universal screener will be critical in identifying the District's literacy levels, per grade level, and by campus, allowing the provision of additional resources, as needed. Ms. Sayavedra also shared that elementary campuses provide additional intervention possibilities, which may not be available at the higher levels. She emphasized the importance of strong teachers in Grades Pk-2, where data is not monitored, which is critical when looking at data in the 3rd grade.

9. Items on Next Month's Agenda

A. Overview of Future Board Meeting Agenda Items

The following individual requested to address the Board regarding this item:

Mr. Ross Moore, President of El Paso American Federation of Teachers, declined to speak on this item when called upon.

Superintendent Sayavedra provided a brief overview of tentative upcoming Board Meeting agenda items.

10. Adjournment

The meeting was adjourned at 8:27 p.m.

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President

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Secretary

Date Approved: _____

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