

SCOPE OF WORK

The purpose of this engagement is to secure the professional services of a third party who is free of any conflict of interest or bias for or against complainants, respondents and/or witnesses generally; or for or against an individual complainant or individual respondent and/or witness(es), to assist Capitan Municipal Schools (hereinafter “CMS”) in fulfilling its Title IX duties and responsibilities in connection with a complaint against an employee.

Background Facts

1. In December 2025, Kristi Waters, CMS Title IX Coordinator received information about parents expressing concerns regarding the conduct of Girls Basketball Coach, Troy Schmidt (hereinafter “Respondent”). On December 15, 2025, after obtaining more details concerning the allegations, Waters determined that there was sufficient justification to initiate a Title IX investigation into the matter.
2. In early January, CMS engaged the services of EDvice Partners, LLC, to conduct the Title IX investigation.
3. After EDvice Partners, LLC, completed its investigation, on February 7, 2026, a third party, T. Zane Reeves, was engaged to serve as the Title IX Decision-Maker for CMS.
4. On March 24, 2026, the Title IX Decision-Maker provided the Title IX Coordinator with an initial draft of the Written Determination of Responsibility. After making a few grammatical changes, on March 25, 2026, the Title IX Decision-Maker provided Title IX Coordinator with the final draft of the Written Determination of Responsibility, with a new date of April 1, 2026, on the corrected final draft.
5. On September 1, 2026, Candelaria Law, LLC, on behalf of Respondent, filed a Notice of Appeal with CMS.
6. In order to satisfy its duties under Title IX, CMS Superintendent has determined that a third-party Title IX Appeal Decision-Maker should be designated to perform the duties of Title IX Appeal Decision-Maker and complete any and all tasks associated with that role for an equitable resolution as set forth below. See Title IX Appeal Decision-Maker Role and Responsibilities.

Assurances

MOORE must assure, and by entering into this engagement, does assure:

1. MOORE does not have a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent.
2. MOORE has been trained (as that term is used in the Title IX regulations), on the definition of sexual harassment in §106.30, the scope of a recipient's education program or activity, how to conduct a Title IX appeal, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias.

3. MOORE has been trained (as that term is used in the Title IX regulations) on issues of relevance to conduct a Title IX appeal.
4. MOORE understands that in serving as the Appeal Decision-Maker, that she cannot serve as the Title IX Coordinator, pursuant to § 106.45(b)(8)(b).

Title IX Appeal Decision-Maker Role and Responsibilities

MOORE will perform all duties required of a Title IX Appeal Decision-Maker, including but not limited to:

1. Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome;
2. Issue a written decision describing the result of the appeal and the rationale for the result; and
3. Provide the written decision simultaneously to both parties.