

Agenda of Regular Meeting

The Board of Trustees

Manor Independent School District

A Regular Meeting of the Board of Trustees of Manor Independent School District will be held March 25, 2025, beginning at 5:00 PM in the Central Administration Offices, Board Room, 10335 US Hwy 290E, Manor, Texas 78653.

ALL PRESENT MT ARRIVED AT 5:30 PM

The subjects to be discussed or considered or upon which any formal action may be taken are listed below.

Items do not have to be taken in the same order as shown on this meeting notice.

1. Call to Order (1 MIN) 5:02 PM

2. Adjourn to Closed Session (60 MIN) 5:03 PM

1. Pursuant to Texas Government Code Sections 551.074, 551.071, 551.129, consideration of personnel matters, and possible consultation with legal counsel
2. Pursuant to Texas Government Code Section 551.074, discussion of Team of Eight leadership and governance matters.
3. Pursuant to Texas Government Code sections 551.072, 551.071, and 551.129, discussion related to the purchase, exchange, lease, or value of real property.

Joe Mendez

3. Reconvene Into the Meeting (1 MIN) 6:02 PM

4. Welcome/Pledge of Allegiance (2 MIN) 6:02 PM

5. Vision and Mission Statement (1 MIN) 6:03 PM

6. Recognition (10 MIN)

Maritza Gallaga

1. March Outstanding Scholar Recognition 6:04 PM

Maritza Gallaga

2. March Staff of the Month 6:08 PM

Martiza Gallaga

7. Public Forum (12 MIN) 6:12 PM

Laura Perez

It is the policy of the Board that, if members of the audience wish to address the board, they must sign the form at the entrance prior to the meeting. Commentaries and/or questions are limited to the public forum section of the set (said) agenda as is provided in Board Policy (BED). Pursuant to Manor ISD Board policy BED (Local), at regular meetings, the Board shall permit public comment, regardless of whether the topic is an item on the agenda posted with notice of the meeting. Anyone who wants to participate in this portion of the meeting must sign up before 5:45pm on March 25, 2025 and indicate the topic they wish to address. The Board will take speakers in turn from the sign-up sheet. Please note that we will continue to observe a three-minute limitation on each individual's comments.

8. Superintendent Update (10 MIN) 6:18 PM - 6:23 PM

Dr. Robert Sormani

1. Student Safety Update

Dr. Robert Sormani

9. Information Items (30 MIN) 6:23 PM

1. February Monthly Financial Report

Moises Santiago

2. Constraint Progress Monitoring (CPM1) Report: Teacher Retention 6:23 PM - 6:33 PM

Dr. Tamey Williams-Hill

10. *Consent Agenda (5 MIN)*

Motion provided by ___ PP _____

Motion seconded by ___ CL _____

CL_X___ AC_X___ PP_X___ FM_X___ MT___ SH_X___ SRB_X___

Recommended Motion- Yes

Motion passes __ 6-0 _____

1. Feb. 3 & Feb. 18, 2025 Meeting Minutes

Laura Perez

2. Consideration/possible action regarding the Senate Bill 1882 Operation Agreement with Third Future Schools - Texas

Dr. Robert Sormani

3. Consideration and Approval of the 2024-2025 Certified Texas Teacher Evaluation and Support System (T-TESS) Appraisers

Dr. Tamey Williams-Hill

4. Consideration and Approval of Local Policy Update 124.

Dr. Christopher Harvey

5. Consideration and Possible Approval of Non Business Day Designation For Public Information Act For 2025-2026 and 2026-2027

Maritza Gallaga

6. Consideration and Approval Regarding Purchase of Manor ISD Kitchen Facility Upgrades to Accommodate Dish Machines and Disposers.

Joe Mendez

7. Consideration and Approval of a School District Teaching Permit for Noncore Academic CTE Teachers

Dr. Tamey Williams-Hill

8. Consideration and Approval the Constraint Progress Measure 1 Monitoring Report

Dr. Tamey Williams-Hill

9. Consideration and Approval of Grades 6-8 and Algebra Math Curriculum Adoption

Dr. Matthew Bentz

10. Consideration and Adoption of Resolution approving Contingent Fee Legal Services Contract, including Findings Needed for Submission of Contingent Fee Legal Services Agreement and Request for Expedited Review by the Texas Attorney General

Dr. Robert Sormani

11. Consideration and Approval of Contingent Fee legal Services Agreement with O'Hanlon, Demerath & Castillo, PC and Eiland & Bonnin, PC

Dr. Robert Sormani

11. *Confirmation of Next Regular Board Meeting on April 21, 2025.*

12. *Adjournment (1 MIN)*

Motion provided by ___ SH _____

Motion seconded by ___ SRB _____

CL_X___ AC_X___ PP_X___ FM_X___ MT___ SH_X___ SRB_X___

Recommended Motion- Yes

Motion passes __ 6-0 _____

13. NOTICE OF A PUBLIC MEETING & NOTICE OF PROPOSED CONTRACT FOR LEGAL SERVICES

Notice is hereby given that a meeting of the Board of Trustees of Manor Independent School District be held on March 25, 2025, for the purpose of considering and taking action on all matters on the agenda for the meeting, including approval of an agreement with the law firms of O'Hanlon, Demerath & Castillo, PC and Eiland & Bonnin, PC as special counsel to perform all legal services necessary to recover damages sustained by the District related to youth social media usage and any other action that may be necessary to pursue the best interests of the District in related litigation on a contingent fee basis.

The purpose of the agreement is to pursue any and all available causes of action in Multi District Litigation 3047 or JCCP 5255 seeking to recover damages due to youth social media usage and addiction sustained by Manor Independent School District. By way of this agreement, Manor Independent School District seeks to recover damages, court costs, penalties, and other relief under applicable law.

O'Hanlon, Demerath & Castillo, PC regularly serves school districts across the state of Texas in a general counsel capacity and maintains a principal office in Austin, Texas and also offices in Pharr, San Antonio and Fort Worth. The firm has litigated statewide high profile public education related cases such as the No Pass No Play, the A-F litigation and multiple Edgewood decisions related to the school finance system. After serving as General Counsel for the Texas Education Agency and litigating various high-profile issues for the public education system for the Attorney General of Texas, Kevin O'Hanlon founded the firm in 1992 to serve the needs of Public Entity clients. Justin Demerath operates a contingent fee litigation practice within the firm that regularly represents public entities on a contingent fee basis, often in the scope of property insurance disputes. Additionally, his practice has recovered millions of dollars in recovery in high profile multi-district litigations, including Syngenta GMO Corn, General Motors ignition switch recall, Trans-vaginal mesh, and NFL concussion litigation, as well as serving in leadership of cases that garnered national attention like the Sutherland Springs Mass Shooting. O'Hanlon, Demerath & Castillo represented the District as Special Counsel for Personnel from 2010-2015 and as General Counsel since April 2024. O'Hanlon, Demerath & Castillo discussed the social media litigation with the District in the Autumn of 2024. O'Hanlon, Demerath & Castillo introduced Eiland & Bonnin to the District to consider the social media litigation.

Eiland & Bonnin, PC engages in complex contingent fee litigation which has required the investment of hundreds of thousands to millions of dollars of litigation expenses. Lawyers in the firm have served in past MDL leadership committees. The firm has worked in many high-profile litigations like the MGM Grand Las Vegas Mass Shooting, Syngenta GMO Corn, and BP Texas City Refinery Explosion. After 20 years of service as a member of the Texas House of Representatives for Districts 23 & 24, Craig Eiland has a unique understanding of what elected officials and public entities are confronted with when navigating complex litigation. Mr. Eiland regularly advises multiple Texas school districts in litigation. O'Hanlon, Demerath & Castillo represented the District as Special Counsel for Personnel from 2010-2015 and as General Counsel since April 2024. The inception of the relationship between Eiland & Bonnin and the District began when O'Hanlon, Demerath & Castillo introduced Eiland & Bonnin to the District in the Autumn of 2024 to consider the social media litigation.

O'Hanlon, Demerath & Castillo represented the District as Special Counsel for Personnel from 2010-2015 and as General Counsel since April 2024. O'Hanlon, Demerath and Castillo, PC has not previously represented Manor ISD on a contingency fee arrangement. Eiland & Bonnin has not previously represented Manor ISD on a contingency fee arrangement. Eiland and Bonnin, PC has not previously represented Manor ISD in any capacity. O'Hanlon, Demerath & Castillo, PC and Eiland & Bonnin, PC have, and continue to represent, claimants with competence and professionalism.

The specialized legal services, advancement of significant expenses, and compensation on a contingent fee

basis required by this agreement cannot be performed by the attorneys and supporting personnel of Manor ISD because the District does not currently employ attorneys who have specialized knowledge and experience regarding Multi-District Litigation and analysis and legal remedies under both Texas and federal law on a contingent fee basis. In addition, the District has not budgeted the financial resources necessary to advance the significant litigation expenses required by this type of litigation nor to compensate competent and experienced attorneys and staff regarding Multi-District Litigation as District employees or to reasonably compensate a firm in private practice with the necessary experience under a contract providing for payment on an hourly basis without contingency.

Due to the complexity of the matter and expected difficulties in performing the legal work for this matter, the risk of no recovery, the expected expenses, including expert witness fees and other litigation costs, a reasonable hourly fee for a firm in private practice to prosecute this matter would exceed the amount for which the District would be able to adequately budget and expend financial resources. The District also does not have the financial resources required to pay the additional, significant costs of implementing appropriate infrastructure and technology necessary to fully and properly perform the needed legal services. The District also does not have the financial resources required to properly pursue its claims and causes of action, including to retain independent experts as testifying witnesses and to finance all costs of litigation through final resolution of the matter. Additionally, many law firms that handle large, complex matters strictly on an hourly basis have institutional clients, including social media corporations, insurance companies, and social media corporations; and it would be difficult to find a firm with experience in this area that does not have a conflict of interest that would hinder the firm's ability to effectively represent the District. The proposed law firms have certified that they have no such conflict of interest in representing Manor ISD.

The legal services cannot be reasonably obtained from attorneys in private practice charging hourly fees without contingency because a contract to pay attorneys on an hourly basis without contingency would represent an additional and significant cost to Manor ISD. Furthermore, the District would be responsible for payment of all costs and expenses of the litigation through appeals, including to retain independent experts as testifying witnesses and to finance all discovery expenses and other costs of litigation through final resolution of the matter. The District does not have the financial resources necessary to pay for these additional and significant expenses necessitated by this social media multi-district litigation.

O'Hanlon, Demerath & Castillo, PC and Eiland & Bonnin, PC will be compensated on a contingent fee basis. Entering into the proposed agreement is in the best interests of the residents of Travis County, Texas. The District has sustained significant damages due to youth social media usage and addiction and for which there exists a potential recovery from the perpetrating social media corporations. O'Hanlon, Demerath & Castillo, PC and Eiland & Bonnin, PC possess the specialized skills, knowledge, experience, financial, and technological resources needed to competently and fully pursue maximum potential recovery of the District's damages. Furthermore, the proposed agreement enables the District to pursue its legal remedies without diverting essential monies and resources from the ongoing needs and operations of its students, staff, and community at large. In addition, the proposed agreement shifts the financial risk and burden of litigation costs and expenses to O'Hanlon, Demerath & Castillo, PC and Eiland & Bonnin, PC with the District owing no such monies to the law firms unless and until it recovers monies. Moreover, Texas statutory and common law provide for penalty damages and for recovery of court costs, and for recovery of attorneys' fees for certain of the District's claims, including for breaches of contract.

Additionally, time is of the essence in the provision of these legal services. Potentially impending legal deadlines require urgent action by counsel.