

**Notice of Public Budget Hearing**  
**The Board of Trustees**  
**Fort Bend Independent School District**

Monday, September 9, 2024

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This is Notice that the Fort Bend Independent School District Board of Trustees will hold a Public Budget Hearing on Monday, September 9, 2024, beginning at 6:00 PM in the Board Room of the Fort Bend ISD Administration Building, 16431 Lexington Blvd., Sugar Land, TX 77479. The agenda packet for the meeting is available at <https://meetings.boardbook.org/Public/Organization/649>.

Members of the public may view the live stream of the meeting at the following address: <https://www.fortbendisd.com/BoardMeetingLivestream>. Members of the public may also address the Board during public comment.

1. Call to order
2. Pledge of Allegiance and Moment of Silence
3. Information
  - A. Disaster Procurement Update 5
4. Public Comment
5. Convene in closed session under Texas Open Meetings Act, Texas Government Code, Chapter 551 under the following sections: 551.071 - For the purpose of a private consultation with the Board's attorney on any or all subjects or matters authorized by law; Section 551.072 - Consider purchase, exchange, lease, or value of real property, Section 551.074 - Personnel matters, Section 551.076 - Security matters, Section 551.082 - Student discipline matter or complaint, or Section 551.0821 - Personally identifiable information about public school student
6. Reconvene in Open Session
7. Consider Action on Closed Session Items
8. Discussion
  - A. **November Polling Locations:** Discuss November election polling locations in Fort Bend ISD. 12
9. Review

<b>A. Board of Trustees Meeting Minutes:</b> Consideration and approval of the minutes of Fort Bend ISD Board of Trustees meetings and/or public hearings on the following dates:	<b>15</b>
1. July 22, 2024 - Public Hearing - Whole Child Health	16
2. July 22, 2024 - Regular Business Meeting	18
<b>B. Maximum Class Size Exceptions:</b> Consideration and approval of a Texas Education Agency (TEA) exception for class size in grades PreK-4 for elementary schools that exceed a teacher-to-student ration of 22 students per classroom teacher (22:1).	<b>26</b>
<b>C. School Boundary Advisory Committee (SBAC):</b> Consideration and approval to appoint new members to the School Boundary Advisory Committee (SBAC) as set forth in the newly revised Policy FC (Local).	<b>27</b>
<b>D. 2024 Ad Valorem Tax Rate Adoption:</b> Consideration and approval of a resolution adopting the combined Ad Valorem tax rate of \$0.9869 per \$100 of valuation for the Fort Bend Independent School District for the 2024 tax year.	<b>29</b>
<b>E. 2024 Tax Year Tax Roll Resolution:</b> Consideration and approval of a resolution approving the 2024 tax year tax roll, based on the certified 2024 values form the Fort Bend County Central Appraisal District.	<b>33</b>
<b>F. Approval of Underwriters:</b> Consideration and approval of underwriters to be utilized by the district in connection with future bond debt issued.	<b>35</b>
<b>G. Debt Redemption Order:</b> Consideration and approval of an order authorizing the redemption or purchase for cancellation of certain outstanding Fort Bend Independent School District Bonds as detailed.	<b>37</b>
<b>H. Fiscal and Budgetary Strategy:</b> Consideration and approval of the District's Fiscal and Budgetary Strategy.	<b>45</b>
<b>I. Investment Strategy Resolution:</b> Consideration and approval of a resolution for the district's investment strategy and authorization of investment brokers for the district.	<b>81</b>
<b>J. Review of proposed expenses that exceed \$50,000: Specifically for:</b>	
<b>1. OEM Kitchen Equipment Parts, Preventative Maintenance Repairs and Related Items:</b>	<b>100</b>
Consideration and approval for the purchase of OEM kitchen equipment parts, preventative maintenance repairs and related items from multiple vendors for an amount not-to-exceed \$770,000 and for the	

Superintendent to execute the agreements through April 2025.

- 2. Special Programs, Services, Material and Related Items** **102**  
**(Supplemental):** Consideration and approval for the purchase of special program services, materials and related items from multiple vendors and authorization for the Superintendent to negotiate and execute the agreements through March 2028.
- 3. Athletic Trainer Equipment and Related Items:** Consideration and approval for the purchase of athletic trainer supplies, equipment and related items from multiple vendors for an amount not-to-exceed \$1,500,000 and authorization for the Superintendent to negotiate the agreements through September 2029. **127**
- 4. Special Event Production, Rental Equipment and Related Items:** Consideration and approval for the purchase of Special Event Production, Rental Equipment, and related items from multiple vendors for an amount not-to-exceed \$520,760 and authorization for Superintendent to negotiate and execute the agreements through September 2029. **133**
- 5. Construction Services Agreement for Dulles HS/MS Renovations (BP028):** Consideration and approval of Construction Services Agreement with Dunhill Development and Construction LLC for Dulles High School and Dulles Middle School Renovations (BP028) for a contract lump sum amount of \$15,830,669 and authorization for the Superintendent to negotiate and execute or terminate the agreement. **138**
- 6. Construction Services Agreement - Hightower High School Chiller Replacement (BP032):** Consideration and approval of a construction services agreement with Job Order Contractor (JOC) E Contractors USA, LLC for replacement of a chiller at Hightower High School (HHS) Central Plant under BP032 for a not-to-exceed amount of \$650,000, and authorization for the Superintendent to execute or terminate the agreement. **143**
- 7. Construction Services for HVAC MEP West Central 2 Renovations and Upgrades at Multiple Campuses (BP045):** Consideration and approval of a Construction Services Agreement with E Contractors USA, LLC for HVAC MEP West Central 2 renovations and upgrades at multiple campuses (BP045) for a stipulated lump sum amount of \$10,997,500 and authorization for the Superintendent to negotiate and execute or terminate the agreements. **146**
- 8. Moving Services and Supplies (Increase):** Consideration and approval to increase the existing contract awarded under 22-032ZB **151**

Moving Services and Supplies by \$400,000 for a total not-to-exceed amount of \$1,699,375 to continue purchasing moving services and supplies through June 2025.

## 10. Action

**A. Sugar Land 95 Memorial Project:** Consideration and approval of an Affiliate Agreement with the 501(c)3 nonprofit organization Friends of the Sugar Land 95, for ongoing community engagement and stewardship activities related to the Sugar Land 95 Memorial Project.

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## 11. Adjournment

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*If, during the course of the meeting, discussion of any item on the agenda should be held in a closed meeting, the Board will conduct a closed meeting in accordance with the Texas Open Meetings Act, Government Code, Chapter 551, Subchapters D and E or Texas Government Code section 418.183(f). Before any closed meeting is convened, the presiding officer will publicly identify the section or sections of the Act authorizing the closed meeting. All final votes, actions, or decisions will be taken in open meeting. [See BEC (LEGAL)]*

The following Fort Bend ISD Goals may be referenced in agenda items included in this document:

Goal 1: Fort Bend ISD will provide rigorous and relevant curriculum and deliver instruction that is responsive to the needs of all students.

Goal 2: Fort Bend ISD will provide a positive culture and climate that provides a safe and supportive environment for learning and working.

Goal 3: Fort Bend ISD will recruit, develop, and retain high quality teachers and staff.

Goal 4: Fort Bend ISD will engage students, parents, staff, and the community through ongoing communication, opportunities for collaboration and innovation, and partnerships that support the learning community.

Goal 5: Fort Bend ISD will utilize financial, material, and human capital resources to maximize district outcomes and student achievement.

**For: Fort Bend ISD Board of Trustees**  
**Date: September 9, 2024**  
**Action: Information: Disaster Procurement Update**  
**Reference: District Goal 5**  
**Department: Business and Finance**

**Summary**

Staff will provide an update regarding emergency purchases pursuant to the adoption of a Board Resolution of Emergency Declaration on July 22, 2024.

**Background**

To date, the District has opened \$5.6M in contracts to address damages and clean up associated with Hurricane Beryl. Actual expenditures on these contracts total \$0.76M. The District is currently pursuing insurance claims; FEMA reimbursement will also be sought to the extent reimbursement is allowable.

<b>Contract/Vendor</b>	<b>Services Various Campuses</b>	<b>Estimated Contract Amount as of 9/3/2024</b>	<b>Actual Expenditures as of 9/3/2024<sup>1</sup></b>
ABC Doors	Door Replacement/ Repairs	\$ 10,904	\$10,904
APMS of Houston, LLC.	Moving Services	\$43,139	\$43,139
Blackmon Mooring of Houston, Inc.	Environmental Remediation	\$1,430,000	\$300,000
Dealers Electrical Supply	Electrical Parts	\$2,563	\$588
Elevator Transportation Services	Elevator Services	\$50,867	\$867
EMA Sport Solutions LLC	Field Supplies	\$22,984	\$0
Fort Bend Steel	Steel	\$6,756	\$0
Jellison Inc.	Flooring	\$29,426	\$4987
JR Thomas Group	Roofing	\$ 2,070,800	\$0
LECS Inc	Electrical	\$7,567	\$0
Lisle Enterprises, LLC	Musical Instruments	\$1905	\$1050
Lyon & Healy Corporation	Musical Instruments	\$177	\$177
Hunton Services	HVAC	\$1,939	\$0

<b>Contract/Vendor</b>	<b>Services Various Campuses</b>	<b>Estimated Contract Amount as of 9/3/2024</b>	<b>Actual Expenditures as of 9/3/2024<sup>1</sup></b>
Maldonado Nursery & Landscaping Inc.	Landscaping/Site Clean up	\$360,366	\$25,136
Santikios Landscaping	Landscaping/Site Clean up	\$12,610	\$0
Netsync Network Solutions	Network Systems	\$86,221	\$0
Phoenix Design Group, Inc.	A/V Equipment and Accessory Rental	\$5,004	\$5,004
Roessler Equipment Company, Inc	HVAC	\$296,164	\$150,058
S&S Worldwide Inc.	Art Supplies, Equipment, and Related Items	\$364	\$364
Steve Weiss Music	Music Instruments	\$528	\$261
Tarkett USA Inc.	Flooring	\$10,540	\$0
Techland Houston	A/V Equipment	\$1601	\$0
Texas Air Systems	HVAC	\$8,425	\$5,347
Unify Energy Solutions, Inc.	Electrical	\$713	\$713
Westco Ventures, LLC.	Fencing/ Canopy/ Painting Repairs	\$594,645	\$215,514
Yellowstone Landscape	Landscaping/Site Clean up	\$552,655	\$0
<b>Estimated Total</b>		<b>\$5,608,863</b>	<b>\$764,109</b>

<sup>1</sup> Contracts with a \$0 expenditure have either do not have an invoice submitted for payment, or the services have not been utilized as of September 3.

Recommended by:

Dr. Marc Smith  
 Superintendent of Schools

Submitted by:

Bryan Guinn  
 Chief Financial Officer

Dr. Damian Viltz  
 Chief Operating Officer

FBI<sup>★</sup>ISD

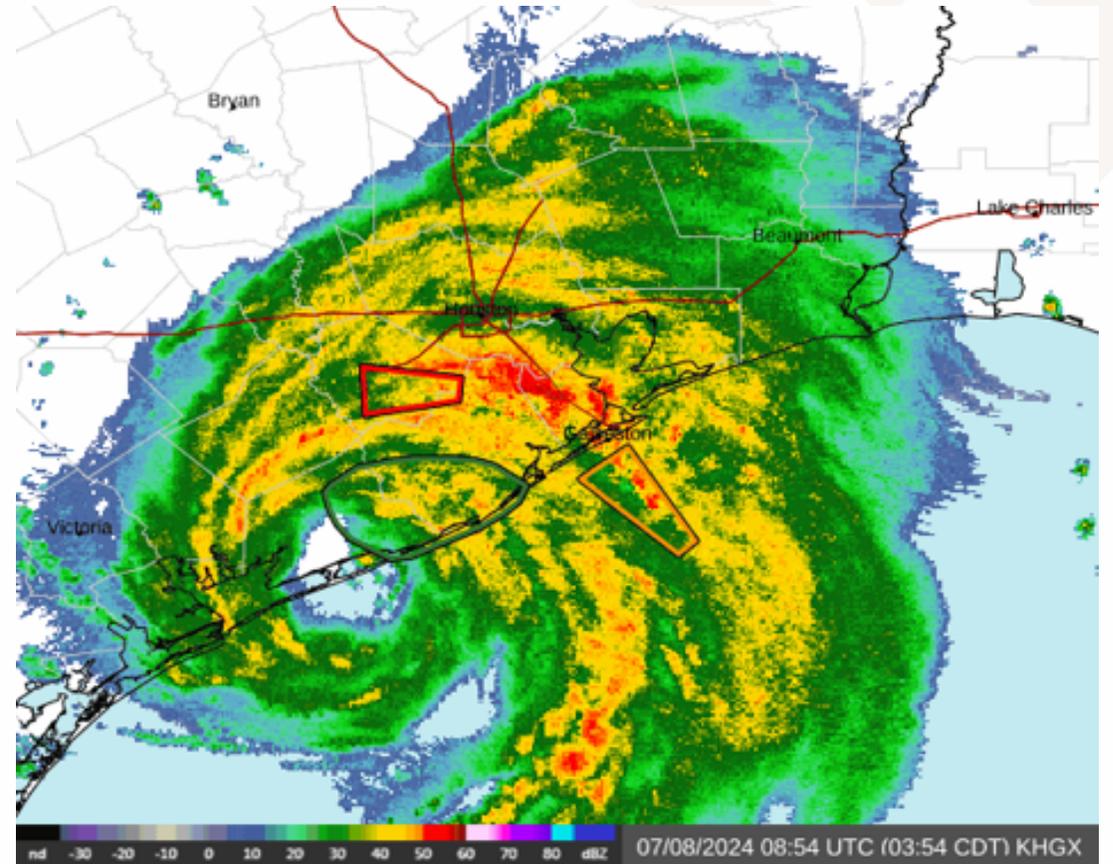
# Hurricane Beryl and Emergency Procurement Update



**Lead**  
**THE PAC**

# Background

- Hurricane Beryl made landfall in Houston-area on July 8
- FBISD admin building experienced severe damage; extensive debris removal needed throughout the district
- Board approved emergency procurement resolution to address hurricane related damages July 22
- Resolution included provision for regular reporting on expenditures made under emergency procurement



# Update: Emergency Procurement

- Contracts entered based on initial estimates; contract amounts may go up or down as work progresses
- Currently utilizing 17 vendors for repairs
- Largest contract associated with Admin building

<b>Totals</b>	
Open Contracts	\$5,608,863 <sup>9</sup>
Actual Expenditures	764,109
<b>Balance Remaining</b>	<b>\$4,844,754</b>

# Update: Facilities

## Administration Building

- Carpet (Replaced 3rd floor; cleaned 2nd floor)
- Wall removal/replacement
- Painting
- Door replacement
- Repairs to brick façade
- Temporary roof installed
- Environmental testing complete

## Administration Annex

- 120 cubicles, 100 office chairs received at no cost to FBISD
- Cubicle build out completion on 9/7
- Interior spaces painted
- Carpet professionally cleaned
- Wireless network is active

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The background features a pattern of thin, wavy, light brown lines. A large white rectangular area is centered on the page, containing the text 'Questions?'.

**Questions?**

**For: Fort Bend ISD Board of Trustees**  
**Date: September 9, 2024**  
**Action: Discussion**  
**Board of Trustees**

**Summary**

Review and discuss November Election polling locations in Fort Bend ISD.

Texas Elections Code 43.031 requires the District to make facilities available as polling sites. As a result, District facilities are used as polling places for elections throughout the year, including March primary elections, the May uniform election, June city and county runoff elections (as needed), and the November uniform election.

For the November 5, 2024 Presidential Election, the sites listed below have been requested as polling locations. Additionally, newly created electioneering administrative procedures are attached. These procedures are designed to ensure safety and further minimize disruption due to electioneering.

**Early Voting (10/21/24 – 11/1/14) & Election Day (11/5/24)**

Bowie Middle School  
Crawford High School  
Administration Building  
Hightower High School (Hobson Field House)  
Reese CTC

**Election Day (11/5/24)**

Bush High School  
Crockett Middle School  
Elkins High School  
Fort Settlement Middle School  
Garcia Middle School  
Hunters Glen Elem  
Kempner High School  
Lantern Lane Elem  
Lexington Creek Elem  
Quail Valley Elem  
Ridge Point High School  
Ridgemont Early Childhood Ctr  
Sartartia Middle School



## Electioneering Guidelines

Pursuant to Texas Election Code § [61.003](#), and Board Policies BBBB (LEGAL), and GKDA (LOCAL), Fort Bend Independent School District (the “District”) implements the following administrative regulations to provide reasonable guidelines for Electioneering on District owned or controlled property when used as an election polling location.

These regulations are limited to District owned or controlled public property when used as a polling location. Because such polling locations include facilities that are simultaneously used for other purposes involving community members, staff, parents, and students of all ages, the purpose for these guidelines is to mitigate safety concerns, prevent disruption of the District’s educational programs and operations, maintain adequate parking and safe access, and prevent damage to public property, while providing voters access to the polling location, free from undue harassment and undue influence.

### Generally

“Electioneering” is the posting, use, or distribution of political signs or literature. “Political” means advocating for or against a candidate or a measure on the ballot. See *Tex. Elections Code 61.003(b)* and *Tex. Educ. Code 11.169*.

“Voting period” means the period beginning when the polls open for voting and ending when the polls close or the last voter has voted, whichever is later. *Tex. Elections Code 61.003(b)*.

Electioneering on District property may only occur outside of a 100 foot perimeter measured from any outside door through which a voter enters the polling place. With the exception of posting political signs (see below), electioneering may only occur only during the times the polling place is open. District or campus officials may reasonably restrict electioneering to designated areas in order to achieve the purpose of these guidelines.

*Electioneering on District property that creates a disruption of the District’s educational programs and operations, and/or that causes a safety threat to pedestrians, students, staff, District personnel, and other community members is strictly prohibited.* Examples of disruptive behavior include, but are not limited to: honking, blocking the right of way or impeding the flow of traffic for pedestrians and other vehicles, creating excessive noise or other nuisance.

### Guidelines

Sidewalks, walkways, ramps, driveways, and parking areas may not be blocked or impeded. Reserving parking spaces is not permitted.

Tents, canopies, and tables are not permitted as parking lots are regularly shared with students, staff, parents, and community members.

No vehicles or trailers shall be allowed on the grassed areas on the District controlled or owned property. Overnight parking of all vehicles for electioneering is strictly prohibited. Any vehicle in violation shall be towed at the owner’s expense.

**Political Signs (see Board Policy [GKB Local](#))**

Each candidate or PAC may erect two signs. All sign placements shall be in compliance with the Texas Election Code and the Texas Transportation Code.

Signs may be erected no earlier than the first day of voting at the polling site, and must be removed no later than the last day of voting in the election.

Signs shall be constructed of lightweight material and shall not exceed six square feet, or two feet by three feet, in area and shall be no higher than three feet above ground level.

Signs shall not be located in the right-of-way.

Flags are considered signs and are permitted only in accordance with these guidelines.

**For: Fort Bend ISD Board of Trustees**  
**Date: September 9, 2024**  
**Action: Review: Board of Trustees Meeting**  
**Minutes**  
**Reference: Board Policy BE (Local)**  
**Department: Legal Services**

**Recommendation**

Consideration and approval of the minutes of Fort Bend ISD Board of Trustees meetings and/or public hearings on the following dates:

- July 22, 2024 - Public Hearing Whole Child Health
- July 22, 2024 - Regular Business Meeting

**Summary**

Board Policy BE (Local) states, “Board action shall be carefully recorded by the Secretary or clerk; when approved, these minutes shall serve as the legal record of official Board actions. The written minutes of all meetings shall be approved by vote of the Board and signed by the President and the Secretary of the Board.” Following this policy, the Administration submits the meeting minutes for the Board’s approval.

Recommended by:

Dr. Marc Smith  
Superintendent of Schools

Submitted by:

Coby Wilbanks  
General Counsel

Minutes  
**Fort Bend ISD Board of Trustees**  
Special Called Meeting – Public Hearing Whole Child Health  
July 22, 2024

A Board of Trustees Special Called Meeting was held on Monday, July 22, 2024, beginning at 5:32 p.m. in the Event Center of the James Reese Career and Technical Center, 12300 University Blvd., Sugar Land, Texas. The Live Stream of the meeting was available at <https://www.fortbendisd.com/boardmeetinglivestream>.

The meeting was recorded as required by law, and the recording is available to the public at: <https://fortbendisd.new.swagit.com/videos/310800>.

The agenda packet for the meeting can be found here: <https://meetings.boardbook.org/Public/Agenda/649?meeting=640852>.

Presiding Officer.....Mrs. Kristin K. Tassin, President

Board Members Present

Mr. Rick Garcia, Vice President  
Mr. David Hamilton, Secretary (joined in progress)  
Mrs. Angie Hanan  
Mr. Adam Schoof  
Dr. Shirley Rose-Gilliam  
Ms. Sonya Jones

School Officials Present

Dr. Marc Smith, Superintendent of Schools  
Beth Martinez, Deputy Superintendent Chief of Staff  
Kathleen Brown, Deputy Superintendent of Operations  
Kimberly Smith, Chief Communications Officer  
Coby Wilbanks, General Counsel  
Bryan Guinn, Chief Financial Officer  
Glenda Johnson, Chief Human Resources Officer  
Long Pham, Chief Information Officer  
Dr. Damian Viltz, Chief Operations Officer

Amanda Bubela, Recording Secretary (virtual)

1. Meeting Called to Order

President Tassin called the meeting to order at 5:32 p.m. announcing the presence of a quorum and that the meeting had been duly called and the notice posted for the time and matter required by law.

2. Information

A. Public Hearing for District Health Services

3. Public Comment

There were no public comments.

4. Adjournment

Having no further business before the Board, MOTION was made by Mrs. Hanan to adjourn the meeting at 6:11 p.m.

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Kristin K. Tassin, President

David Hamilton, Secretary

Minutes  
**Fort Bend ISD Board of Trustees**  
Regular Business Meeting  
July 22, 2024

A Board of Trustees Regular Business Meeting was held on Monday, July 22, 2024 beginning at 6:12 p.m. in the Event Center of the James Reese Career and Technical Center, 12300 University Blvd., Sugar Land, Texas. The Live Stream of the meeting was available at <https://www.fortbendisd.com/boardmeetinglivestream>.

The meeting was recorded as required by law, and the recording is available to the public at: <https://fortbendisd.new.swagit.com/videos/310812>.

The agenda packet for the meeting can be found here: <https://meetings.boardbook.org/Public/Agenda/649?meeting=639930>.

Presiding Officer.....Mrs. Kristin K. Tassin, President

Board Members Present

Mr. Rick Garcia, Vice President  
Mr. David Hamilton, Secretary  
Mrs. Angie Hanan  
Mr. Adam Schoof  
Dr. Shirley Rose-Gilliam  
Ms. Sonya Jones

School Officials Present

Dr. Marc Smith, Superintendent of Schools  
Beth Martinez, Deputy Superintendent Chief of Staff  
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Kimberly Smith, Chief Communications Officer  
Coby Wilbanks, General Counsel  
Bryan Guinn, Chief Financial Officer  
Glenda Johnson, Chief Human Resources Officer  
Long Pham, Chief Information Officer  
Dr. Damian Viltz, Chief Operations Officer

Amanda Bubela, Recording Secretary (virtual)

Others Present

Rick Morris, Board Counsel  
FBISD Staff and Employees

1.- 3. Meeting Called to Order, National Anthem, Moment of Silence

President Tassin called the meeting to order at 6:12 p.m. announcing the presence of a quorum, that the meeting had been duly called and the notice posted for the time and matter required by law. President Tassin asked everyone to stand for the National Anthem, performed by Brett Rosner, an All-State Choir member at Elkins High School. Following the performance, everyone was asked to remain standing for a moment of silence.

#### 4. Recognitions

The Board recognized several students and campuses including:

- Elkins High School student Brett Rosner, an All-State Choir member who performed the National Anthem.
- Travis High School Head Choir Director Dan Miner, the recipient of the Emily Crocker Emerging Composer Award through the Texas Choral Directors Association.

#### 5. Superintendent Update

#### 6. Board Committee Reports

- A. Governance Committee
- B. Special Education Committee

#### 7. Board Activity Report

#### 8. Public Comment

- Dr. Stephanie Ellis, requesting that FBISD form a committee to consider adjusting school start times.

#### 9. Information

- A. Bond 2023 Overview – July 2024

#### 10. Action

- A. **Region IV TASB Director Endorsement:** Consideration and approval for endorsement of Region IV Positions C and F on the Texas Association of School Board's Board of Directors.

**MOTION by Mr. Garcia and SECONDED by Mrs. Hanan** that the Board approve Action Item 10A as presented.

With no opposition from the Board, **MOTION and SECOND WITHDRAWN.**

**MOTION by Mr. Garcia and SECONDED by Mrs. Hanan** that the Board approve Action Item 10A Region VI TASB Director endorsement for position C, Tony Hopkins.

Following discussion, **MOTION CARRIES, 7-0.**

Yea: Tassin, Garcia, Hamilton, Hanan, Schoof, Gilliam, Jones

- B. **Board Self-Evaluation Instrument:** Consideration and approval of updates to the Board of Trustees Self-Evaluation Instrument.

**MOTION by Mr. Garcia and SECONDED by Mrs. Hanan** that the Board approve Item 10B – Self Evaluation Instrument as presented.

Following discussion regarding Item 7 on the evaluation instrument, **MOTION to AMEND by Mr. Garcia** and **SECONDED by Mrs. Hanan** that the Board amend current motion by adding “(monthly at a public meeting)” after “Board does not monitor” (insert “monthly at a public meeting”) after not present; and after partly present, “Board does not consistently monitor “(monthly at a public meeting)””; and also, “Board consistently monitors “(monthly at a public meeting)””. I would also like to add at the end of fully present “by major academic program area: ESL, Bilingual, GT, and Sped” for all three of them, not present, partly present and fully present.

**MOTION TO AMEND CARRIES, 6-1.**

Yea: Tassin, Garcia, Hanan, Schoof, Gilliam, Jones

Nay: Hamilton

**ORIGINAL AMENDED MOTION CARRIES, 7-0.**

Yea: Tassin, Garcia, Hamilton, Hanan, Schoof, Gilliam, Jones

C. **2024 Legislative Priorities Resolution:** Consideration and approval of the Board of Trustees' 2024 Legislative Priorities Resolution.

**MOTION by Mr. Garcia and SECONDED by Mrs. Hanan** that the Board approve Agenda Item 10C – Legislative Priorities Resolution as presented.

Following discussion, **MOTION CARRIES, 7-0.**

Yea: Tassin, Garcia, Hamilton, Hanan, Schoof, Gilliam, Jones

D. **Voting Delegate and Alternate to TASB Delegate Assembly:** Consideration and approval of a voting delegate and alternate for participation in the Texas Association of School Boards' (TASB) Annual Delegate Assembly to be held in conjunction with the TASA/TASB conference in September 2024.

**MOTION by Mr. Garcia and SECONDED by Mrs. Hanan** that the Board approve Item 10D – voting delegate and alternate to TASB Delegate Assembly as presented.

Following discussion, **MOTION TO AMEND by Mr. Garcia and SECONDED by Mr. Schoof** to amend the motion for 10D and add voting delegate; approve voting delegate Rick Garcia and alternate David Hamilton to TASB Delegate Assembly.

**MOTION TO AMEND CARRIES, 7-0.**

Yea: Tassin, Garcia, Hamilton, Hanan, Schoof, Gilliam, Jones

**ORIGINAL AMENDED MOTION CARRIES, 7-0.**

Yea: Tassin, Garcia, Hamilton, Hanan, Schoof, Gilliam, Jones

E. **Hurricane Beryl Emergency Resolution:** Consideration and approval of a Board resolution declaring that Hurricane Beryl and its aftermath constitutes an unforeseen emergency and authorizing the Superintendent to procure and execute contracts for goods and services necessary to respond and repair resulting damage.

**MOTION by Mr. Garcia and SECONDED by Mrs. Hanan** that the Board approve Item 10E Hurricane Beryl Emergency Resolution as presented.

**MOTION CARRIES, 7-0.**

Yea: Tassin, Garcia, Hamilton, Hanan, Schoof, Gilliam, Jones

- F. **Hurricane Beryl Staff Compensation Resolution:** Consideration and approval of a Board resolution authorizing compensation during an emergency closing of the District as a result of Hurricane Beryl.

**MOTION by Mr. Garcia and SECONDED by Mrs. Hanan** that the Board approve Item 10F Hurricane Beryl Staff Compensation Resolution as presented.

Following discussion, **MOTION CARRIES**, 7-0.

Yea: Tassin, Garcia, Hamilton, Hanan, Schoof, Gilliam, Jones

- G. **2024-25 Student Code of Conduct:** Consideration and approval of the Student Code of Conduct for the 2024-25 school year.

**MOTION by Mr. Garcia and SECONDED by Mrs. Hanan** that the Board approve Item 10G 2024-25 Student Code of Conduct as presented.

Following discussion, **MOTION CARRIES**, 7-0.

Yea: Tassin, Garcia, Hamilton, Hanan, Schoof, Gilliam, Jones

- H. **Board of Trustees Meeting Minutes:** Consideration and approval of the minutes for Fort Bend ISD Board of Trustees meetings and/or public hearings on the following dates:

1. May 13, 2024 - Special Called Meeting
2. May 13, 2024 - Called Meeting and Agenda Review
3. May 20, 2024 - Regular Business Meeting
4. June 03, 2024 - Special Called Meeting
5. June 03, 2024 - Called Meeting and Agenda Review
6. June 05, 2024 - Special Called Meeting
7. June 10, 2024 - Regular Business Meeting

**MOTION by Mr. Garcia and SECONDED by Mrs. Hanan** that the Board approve Item 10H Board of Trustees Meeting Minutes as presented.

**MOTION CARRIES**, 7-0.

Yea: Tassin, Garcia, Hamilton, Hanan, Schoof, Gilliam, Jones

- I. **Food Certification Supplement Resolution:** Consideration and approval of a resolution authorizing a one-time supplemental Food Certification payment for eligible Child Nutrition Department staff payable in FY 2024-25.

**MOTION by Mr. Garcia and SECONDED by Mrs. Hanan** that the Board approve Agenda Item 10I – Food Certification Supplement Resolution as presented.

**MOTION CARRIES**, 7-0.

Yea: Tassin, Garcia, Hamilton, Hanan, Schoof, Gilliam, Jones

- J. **Fort Bend ISD District of Innovation Amended Plan:** Consideration and approval to adopt the amended District of Innovation Plan.

**MOTION by Mr. Garcia and SECONDED by Mrs. Hanan** that the Board approve Item 10J – Fort Bend ISD District of Innovation Amended Plan as presented.

Following discussion, **MOTION CARRIES**, 7-0.

Yea: Tassin, Garcia, Hamilton, Hanan, Schoof, Gilliam, Jones

- K. **Water Meter Easement with City of Houston:** Consideration and approval of one Water Meter Easement with the City of Houston at Briargate Elementary School, and authorization for the FBISD Board President to negotiate and execute this easement.

**MOTION by Mr. Garcia and SECONDED by Mrs. Hanan** that the Board approve Item 10K – Water Meter Easement with City of Houston as presented.

**MOTION CARRIES**, 7-0.

Yea: Tassin, Garcia, Hamilton, Hanan, Schoof, Gilliam, Jones

- L. **2023 Bond Program Contingency:** Consideration and approval for the use of 2023 Bond Program Contingency as proposed by Administration.

**MOTION by Mr. Garcia and SECONDED by Dr. Gilliam** that the Board approve Item 10L – 2023 Bond Program Contingency as presented.

**MOTION CARRIES**, 6-1.

Yea: Tassin, Garcia, Hamilton, Hanan, Schoof, Gilliam

Nay: Jones

- M. **Consideration and approval of proposed expenses that exceed \$50,000: Specifically for:**

- 1. **Construction Services Agreement for Facade Upgrades & Renovations (BP024):** Consideration and approval of a Construction Services Agreement with Bass Construction Co, Inc. for Facade Upgrades & Renovations (BP024) for a stipulated lump sum amount of \$8,115,500 and authorization for the Superintendent to negotiate and execute or terminate the agreement.

**MOTION by Mr. Garcia and SECONDED by Dr. Gilliam** that the Board approve Item 10M-1 Construction Services Agreement for Façade Upgrades and Renovations Bid Package 024 as presented.

Following discussion, **MOTION CARRIES**, 5-2.

Yea: Tassin, Garcia, Hamilton, Hanan, Gilliam

Nay: Schoof and Jones

- 2. **Construction Services Agreement for New Middle School No. 16 (BP005):** Consideration and approval of a Construction Services Agreement with Satterfield & Pontikes Construction, Inc. for the construction of new Middle School No. 16 (BP005) for a stipulated lump sum amount of \$72,030,838 and authorization for the Superintendent to negotiate and execute or terminate the agreement.

**MOTION by Mr. Garcia and SECONDED by Dr. Gilliam** that the Board approve Item 10M-2 Construction Services Agreement for New Middle School 16 Bid Package 005 as presented.

Following discussion, **MOTION CARRIES**, 5-2.  
Yea: Tassin, Garcia, Hamilton, Hanan, Gilliam  
Nay: Schoof and Jones

3. **A/V Equipment: Interactive Flat Panel Displays (Increase):** Consideration and approval to increase the existing contract awarded under 21-057AB Audio Visual Equipment Interactive Flat Panel Displays by \$5,300,000 for a total not-to- exceed amount of \$31,800,000 to continue purchasing SMART Interactive Flat Panel Displays through August 2026 for the 2023 Bond.

**MOTION by Mr. Garcia and SECONDED by Dr. Gilliam** that he Board approve Item 10M-3 AV Equipment Interactive Flat Panel Displays as presented.

Following discussion, **MOTION CARRIES**, 7-0.  
Yea: Tassin, Garcia, Hamilton, Hanan, Schoof, Gilliam, Jones

4. **Data Center Infrastructure and Related Services (Increase):** Consideration and Approval to increase the existing contract awarded under 21-058LJ Data Center Infrastructure and Related Services by \$1,860,125 for a not-to-exceed amount of \$9,300,625 to continue purchasing Data Center Infrastructure and Related Services through June 2026 for the 2023 Bond.

At the request of administration, Item 10M-4 was pulled from the agenda.

5. **IT Staff Augmentation Services (COOP):** Consideration and approval for the purchase of Staff Augmentation Services from multiple vendors through various cooperative contracts for an amount not-to-exceed \$2,800,000 and authorization for the Superintendent to negotiate and execute the agreements through August 2029.

**MOTION by Mr. Garcia and SECONDED by Dr. Gilliam** that the Board approve Item 10M-5 IT Staff Augmentation Services as presented.

**MOTION CARRIES**, 7-0.  
Yea: Tassin, Garcia, Hamilton, Hanan, Schoof, Gilliam, Jones

6. **Instructional Tutors and Related Services:** Consideration and approval for the purchase of Instructional Tutors and Related Services from multiple vendors in an amount not-to-exceed \$5,000,000 and authorization for the Superintendent to negotiate and execute the agreements through July 2029.

**MOTION by Mr. Garcia and SECONDED by Dr. Gilliam** that the Board approve Item 10M-6 Instructional Tutors and Related Services as presented.

Following discussion, **MOTION CARRIES**, 7-0.  
Yea: Tassin, Garcia, Hamilton, Hanan, Schoof, Gilliam, Jones

7. **Library Media Services and Related Items (COOP):** Consideration and approval for the purchase of library media services and related items from multiple vendors through various cooperative contracts in an amount not-to- exceed \$11,966,488 and authorization for the Superintendent to negotiate and execute the agreements through September 2029.

**MOTION by Mr. Garcia and SECONDED by Mrs. Hanan** that the Board approve Item 10M-7 Library Media Services and Related Items as presented.

Following discussion, **MOTION TO TABLE** until the August Board Meeting by **Mr. Hamilton and SECONDED by Mrs. Jones**.

**MOTION TO TABLE CARRIES, 5-2.**

Yea: Tassin, Garcia, Hamilton, Schoof, Jones

Nay: Hanan and Gilliam

8. **Mental Health Services:** Consideration and approval for the purchase of Mental Health Services from multiple vendors in an amount not-to-exceed \$5,000,000 and authorization for the Superintendent to negotiate and execute the agreements through August 2029.

**MOTION by Mr. Garcia and SECONDED by Dr. Gilliam** to approve Item 10M-8 Mental Health Services as presented.

Following discussion, **MOTION CARRIES, 4-3.**

Yea: Tassin, Garcia, Hanan, Gilliam,

Nay: Hamilton, Schoof, Jones

#### 11. Convene in Closed Session

The Board convened in closed session at 9:49 p.m. under Texas Open Meetings Act, Texas Government Code, Chapter 551 under the following sections: 551.071 - For the purpose of a private consultation with the Board's attorney on any or all subjects or matters authorized by law; Section 551.072 - Consider purchase, exchange, lease, or value of real property, Section 551.074 - Personnel matters, Section 551.076 - Security matters, Section 551.082 - Student discipline matter or complaint, or Section 551.0821 - Personally identifiable information about public school student.

- A. Deliberate assigning DGBA employee grievance of Yahara Carter to the Board hearing officer or, schedule a future Board meeting to hear and consider the grievance.
- B. Deliberate hearing officer's recommendation regarding the Level Three FNG parent grievance appeal of Rafiq and Medina C.
- C. Deliberate hearing officer's recommendation regarding the Level Three FNG grievance appeal of David and Christina B.
- D. Consideration and approval of investigation regarding 2023 Bond Natatorium project scope.

#### 12. Reconvene in Open Session

The Trustees reconvened in open session at 10:33 p.m.

#### 13. Consider Action on Closed Session Items

- **MOTION by Mr. Schoof and SECONDED by Mrs. Hanan** that the Board accept the hearing officer's recommendation concerning the Level Three FNG grievance appeal of David and Christina B.

**MOTION CARRIES, 6-0.**

Yea: Tassin, Garcia, Hanan, Schoof, Gilliam, Jones

- **MOTION by Mrs. Hanan and SECONDED by Mr. Garcia** that the Board assign the Level 3 Employee Grievance appeal of Yahara Carter to the Board's designated hearing officer under Board Policy DGBA Local.

**MOTION CARRIES, 6-0.**

Yea: Tassin, Garcia, Hanan, Schoof, Gilliam, Jones

- **MOTION by Mr. Garcia and SECONDED by Mrs. Hanan** that the Board accept the hearing officer's recommendation concerning the Level Three FNG grievance appeal of Rafiq and Medina C.

**MOTION CARRIES, 6-0.**

Yea: Tassin, Garcia, Hanan, Schoof, Gilliam, Jones

- **MOTION by Ms. Jones and SECONDED by Mrs. Hanan** that the Board engage the services of attorney Michelle Morris to investigate issues relevant to the scope of 2023 Bond natatorium project and delegate authority to the Board president to take all action in furtherance of such engagement.

**MOTION CARRIES, 6-0.**

Yea: Tassin, Garcia, Hanan, Schoof, Gilliam, Jones

14. Adjournment

Having no further business before the Board, **MOTION was made by Mr. Garcia** to adjourn the meeting at 10:36 p.m.

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Kristin K. Tassin, President

David Hamilton, Secretary

**For: Fort Bend ISD Board of Trustees**  
**Date: September 9, 2024**  
**Action: Review: Maximum Class Size Exceptions**  
**References: Board Policy EEB (Legal)**  
**Texas Education Code (TEC) 25.112**  
**District Goal 1**  
**Department: School Leadership**

### **Recommendation**

Consideration and approval of a Texas Education Agency (TEA) exception for class size in grades PreK-4 for elementary schools that exceed a teacher-to-student ratio of 22 students per classroom teacher (22:1).

### **Summary**

For the 2024-2025 school year, the Administration requests an exception for class size due to the District's continued growth, available classroom space, and current budget pressures. Furthermore, as the school year has launched, principals are continually recruiting highly qualified teachers to hire for current or anticipated vacancies. With class size exceptions approved, staff will work with principals to ensure appropriate support and learning environments conducive to the highest levels of student achievement.

When projecting teacher staffing for the 2024-2025 school year, staff used the PASA "moderate" growth projection for each campus.

*Note: Final recommendation will be provided to the Board in preparation for the September 23 Regular Board Meeting.*

Recommended by:

Dr. Marc Smith  
Superintendent of Schools

Submitted by:

Dr. Jaretha Jordan  
Deputy Superintendent of Teaching and Learning

**For: Fort Bend ISD Board of Trustees**  
**Date: September 9, 2024**  
**Action: Review: School Boundary Advisory  
Committee Membership**  
**References: Board Policy: FC (Local)**  
**Department: Communications**

**Recommendation**

Consideration and approval to appoint new members to the School Boundary Advisory Committee (SBAC) as set forth in newly revised Policy FC(Local).

**Summary**

As outlined in Policy FC(Local), SBAC membership recruitment was determined through an online application. The Department of Collaborative Communities launched and utilized a Central Application Platform in Fall 2023 which allowed community members to complete one application to submit their interest in participating on a number of District committees and/or stakeholder engagement opportunities. The Central Application included an option for community members to submit their interest to participate on the SBAC.

As part of the SBAC member selection process, Administration utilized a fair and equitable process involving cross-departmental review. Measures were executed to ensure compliance with District policy and procedures. These measures included but were not limited to: verifying accuracy and completeness of the applications, reviewing applications with a holistic approach, and mapping the location of the interested applicants to ensure a balance of representation based on home residence. The primary goal for selection of SBAC members includes ensuring that each feeder pattern has representation of a parent and/or community member from the elementary level, the secondary level, and an alternate as outlined in Policy FC(Local).

**Background**

Policy FC(Local) was revised and approved on October 16, 2023. The updated policy includes revisions of the school boundary planning process based upon lessons learned from the most recent iterations of the process that took place in the 2022-2023 school year, including the re-design of the boundary committee.

Recommended by:

Dr. Marc Smith  
Superintendent of Schools

Submitted by

Kimberly Smith  
Chief Communications Officer

Proposed 2024-2025 SBAC Members:

Feeder Pattern	First Name	Last Name	Role (ES, Secondary, or Alternate)
Austin	Lauren	Blanks	ES Representative
Austin	Tejal	Patel	Secondary Representative
Austin	Rushdi	Husain	Alternate
Bush	Hakeem	Tijani	ES Representative
Bush	Monica	Mendoza	Secondary Representative
Bush	Shaunda	Clark	Alternate
Clements	Cynthia	Dees	ES Representative
Clements	Nida Arslan	Awan	Secondary Representative
Clements	Elizabeth	Su	Alternate
Crawford	Eboni	Bowden	ES Representative
Crawford	Paul	McDonough	Secondary Representative
Crawford	Alexander	Castaneda	Alternate
Dulles	Kelly	Thorman	ES Representative
Dulles	Sean	Ulrey	Secondary Representative
Dulles	Veronica	Juarez	Alternate
Elkins	Bhavesh	Ranka	ES Representative
Elkins	Susan	Waldron	Secondary Representative
Elkins	Claudia	Dominguez	Alternate
Hightower	Dr. Marie	Travis	ES Representative
Hightower	Abosedede	Adeniyi	Secondary Representative
Hightower	Tiffany	Bew	Alternate
Kempner	Erin Petty	Quijano	ES Representative
Kempner	Yee-Ling	Chau	Secondary Representative
Kempner	Charelle	Jacobs	Alternate
Marshall	Irene	Breeden	ES Representative
Marshall	Andrea	Dalcour-Cotton	Secondary Representative
Marshall	Chartamia	Washington	Alternate
Ridge Point	Tory	Nair	ES Representative
Ridge Point	Neha	Patel	Secondary Representative
Ridge Point	Serean	Loyland	Alternate
Travis	Julia	Vilnet	ES Representative
Travis	Julie	Winn	Secondary Representative
Travis	Lillian	Ihenetu	Alternate
Willowridge	Tia	Smith	ES Representative
Willowridge	Kyshrai	Johnson	Secondary Representative
Willowridge	Gwendolyn	Henry	Alternate

**For: Fort Bend ISD Board of Trustees**  
**Date: September 9, 2024**  
**Action: Review: Adoption of 2024 Ad Valorem Tax Rate**  
**References: Board Policy CCG (Legal)**  
**Department: Business and Finance**

### **Recommendation**

Consideration and approval of a resolution adopting the combined Ad Valorem tax rate of \$0.9869 per \$100 of valuation for the Fort Bend Independent School District for the 2024 tax year.

### **Summary**

This recommendation aligns with the requirements set forth in Section 48.255 of the Texas Education Code, which mandates that school districts calculate tax rate compression. Due to these required calculations, the Ad Valorem tax rate for the 2024 tax year is lower than last year's tax rate.

The proposed tax rate of \$0.9869 per \$100 of property valuation is comprised by the Maintenance and Operations (M&O) rate of \$0.7169, which covers the district's operational expenses, and an Interest and Sinking (I&S) rate of \$0.27, which is designated for the repayment of bonds issued by the district. The adoption of the recommended tax rate ensures that the district can continue to meet its financial obligations while providing necessary services and maintaining its infrastructure.

In accordance with the Property Tax Code Section 26.05, the Board of Trustees must approve the tax rate of the district. The method of adoption of the tax rate must be a written ordinance, resolution, or order. Before setting a tax rate, school districts must act on several items. These items include publishing notices on the district's website and in newspapers distributed within the school district boundaries; conducting a public hearing regarding the district's budget and tax rate; and adopting a budget.

The district has complied with the requirements of the law and received certified property values on July 25, 2024. Therefore, Fort Bend ISD may now proceed with adoption of the tax rate for the 2024-25 fiscal year.

The Fort Bend Independent School District's proposed tax rate for the 2024 tax year is \$0.9869 per \$100 of valuation, which is the district's voter-approval tax rate. This rate represents a \$0.0023 decrease from the current tax rate. The 2024 total tax rate was calculated as required by law.

This year's proposed tax rate exceeds the district's no-new-revenue rate of \$0.9015, therefore, a motion to adopt an ordinance, resolution, or order setting the tax rate does require the language about "tax increase" as stated in Tax Code Section 26.05(b).

"I move that the property tax rate be increased by the adoption of a tax rate of \$0.9869, which is effectively a 9.47 percent increase in the tax rate. I move that the 2024 total tax rate of \$0.9869 be adopted, with \$0.7169 for maintenance and operations and \$0.27 for debt service."

Recommended by:

Dr. Marc Smith  
Superintendent of Schools

Submitted by:

Bryan Guinn  
Chief Financial Officer

**FORT BEND INDEPENDENT SCHOOL DISTRICT**

**A RESOLUTION**

**A RESOLUTION ADOPTING A 2024 TAX RATE AND LEVYING SCHOOL DISTRICT AD VALOREM TAXES FOR THE FORT BEND INDEPENDENT SCHOOL DISTRICT FOR THE YEAR OF 2024-25, DIRECTING THE ASSESSMENT AND COLLECTION THEREOF:**

**Whereas**, the Board of Trustees of Fort Bend Independent School District finds that the tax rate for the year 2024, hereinafter levied for all lawful expenses of the school district and the carrying out of the duties and responsibilities placed upon said school district by law must be levied to provide the revenue requirements of the budget for the ensuing year; and

**Whereas**, the Tax Collector of Fort Bend County has certified a tax collection rate of one hundred (100.00) percent; and

**Whereas**, the Board of Trustees of Fort Bend Independent School District finds that all things prerequisite to the passing of this resolution, including all notices of hearings, consideration of budget and all other things have been done and performed; and

**Whereas**, the Board of Trustees of Fort Bend Independent School District further finds that the taxes for the year 2024, hereinafter levied therefore are necessary to pay all lawful expenses of the district and to carry out the duties and obligations placed upon said school district by law and to provide the required sinking fund on outstanding bonds of the school district and on bonds proposed to be issued for such purposes during the ensuing year; and,

**Whereas**, the 2024 total no-new-revenue tax rate calculated as required by law is \$0.9015 per \$100 of valuation. The proposed rate of 0.9869 reflects an increase of \$0.0854 cents per \$100 of assessed valuation or 9.47 percent increase above the total no-new-revenue tax rate. *THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE*

**NOW, THEREFORE, BE IT ORDERED BY THE BOARD OF TRUSTEES OF THE FORT BEND INDEPENDENT SCHOOL DISTRICT THAT;**

**SECTION 1.** For the further maintenance of public free schools in this school district and to pay the principal of and interest on outstanding bonds of the district during the ensuing year, and for all other lawful purposes, there is hereby levied and ordered to be assessed and collected for the year 2024, and for each year thereafter until it be otherwise provided and ordered, on all property situated within the limits of the boundaries of this school district, and not exempt from taxation by valid laws, an ad valorem tax at the rate of \$0.9869 (\$0.7169 to be used for maintenance and operations and \$0.27 to be used for payment of bonds) on the One Hundred (\$100) Dollars valuation of such property.

**SECTION 2.** This resolution shall become effective from and after its passage. Passed, adopted and ordered by the Board of Trustees, at a meeting at which a quorum was present with more than sixty percent of the trustees voting for and at which meeting this resolution, in written form, was before the Board at the time of its adoption on the 23<sup>rd</sup> day of September 2024. The results of the 2024 tax rate vote are as follows:

**Trustees Voting For:**

- Kristin Tassin, President
- Rick Garcia, Vice President
- David Hamilton, Secretary
- Angie Hanan
- Sonya Jones
- Shirley Rose-Gilliam
- Adam Schoof

**Trustees Voting Against:**

- Kristin Tassin, President
- Rick Garcia, Vice President
- David Hamilton, Secretary
- Angie Hanan
- Sonya Jones
- Shirley Rose-Gilliam
- Adam Schoof

APPROVED:

ATTEST:

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Kristin Tassin, President  
Fort Bend ISD Board of Trustees

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David Hamilton, Secretary  
Fort Bend ISD Board of Trustees

**For: Fort Bend ISD Board of Trustees**  
**Date: September 9, 2024**  
**Review: Approval of Resolution - 2024 Tax Year  
Tax Roll**  
**References: Board Policy CCG (Legal)  
Board Governance**  
**Department: Business and Finance**

**Recommendation**

Consideration and approval of a resolution approving the 2024 tax year tax roll, based on the certified 2024 values from the Fort Bend County Central Appraisal District.

**Summary**

The certified property values received from Fort Bend County Central Appraisal District on July 25, 2024 reflect an increase of approximately 7.2% in the total freeze-adjusted taxable property value for 2024. The Texas Tax Code §26.05(g) allows school districts to adopt a tax rate based on the preliminary certified tax roll received in April. Section 26.09(e) of the State Property Tax Code requires approval by the governing body of the appraisal roll each year with tax amounts entered to constitute the District's tax roll.

The certified freeze-adjusted taxable property value is anticipated to generate \$552,723,057 in tax revenue to the District for the 2024 tax year. The attached resolution provides information on the tax amounts due based on the 2024 appraisal roll. Staff will use this information to bring forward the tax rate adoption in September 2024.

Recommended by:

Marc Smith  
Superintendent of Schools

Submitted by:

Bryan Guinn  
Chief Financial Officer

**FORT BEND INDEPENDENT SCHOOL DISTRICT  
TAX ROLL RESOLUTION**

WHEREAS, Section 26.09(e) of the Property Tax Code requires approval by the governing body of the Fort Bend Independent School District of the appraisal roll with tax amounts entered by the assessor, for the year 2024 tax year, and

WHEREAS, such roll was presented to the Fort Bend Independent School District's Trustees on September 09, 2024, and appears in all things correct as under the applicable laws of Texas, and

WHEREAS, said Trustees voted in open session to approve said roll,

IT IS HEREBY RESOLVED by the Trustees that the 2024 certified appraisal roll with amounts due totaling \$552,723,057 for the year 2024 tax year is approved and is the tax roll for the Fort Bend Independent School District for the 2024-25 school year.

Passed and adopted this 23rd day of September, 2024.

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Kristin Tassin, President  
Fort Bend ISD Board of Trustees

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David Hamilton, Secretary  
Fort Bend ISD Board of Trustees

**For: Fort Bend ISD Board of Trustees**  
**Date: September 9, 2024**  
**Action: Review: Approval of Underwriters**  
**References: Board Policy CH (Legal)**  
**District Goal 5**  
**Department: Business and Finance**

**Recommendation**

Consideration and approval of underwriters to be utilized by the District in connection with future bond debt issued.

**Summary**

Administration updates the list of underwriters the District can do business with annually. Underwriters are firms that market Fort Bend ISD debt to various types of investors. The number of underwriters used on an individual transaction will vary depending on the amount of the debt issuance. Under 44.031(f) of the Texas Education Code, bond or other financial instrument underwriters are fiscal agents and financial consultants and are exempt from competitive procurement requirements.

The recommended list is based on the firms' performance on past transactions, underwriter presentations made to the District, and suggestions on debt structure and innovation to minimize the costs to the District. If approved, staff will select underwriters from the list for debt transactions in the 2025 calendar year. A future agenda item to authorize the issuance of debt or refund existing debt will be presented to the Board in the future.

The list of underwriters below would be for use as senior manager or co-manager for the purpose of marketing debt issued by the District in either negotiated or competitive transactions. There are no changes to the list from the 2023-24 fiscal year and none of the firms recommended are included on the Texas Comptroller's list as noncompliant with Senate Bills 13 and 19.

Blaylock Van, LLC  
Cabrera Capital Markets, LLC  
Estrada Hinojosa & Co., Inc.  
FHN Financial Capital Markets  
Jefferies LLC  
J.P. Morgan  
Mesirow Financial Inc.  
Piper Sandler & Co.  
PNC Financial Capital Markets

Ramirez & Co., Inc  
Raymond James Financial, Inc.  
RBC Capital Markets  
Robert W. Baird & Co.  
SAMCO Capital Markets, Inc.  
Siebert Williams Shank & Co., LLC  
Stifel, Nicolaus & Company, Inc.  
Wells Fargo Bank, N.A.

Recommended by:

Dr. Marc Smith  
Superintendent of Schools

Submitted by:

Bryan Guinn  
Chief Financial Officer

**For: Fort Bend ISD Board of Trustees**  
**Date: September 9, 2024**  
**Action: Review: Order Authorizing  
Redemption of Bonds**  
**References: Board Policy CCA (Legal)  
District Goal 5**  
**Department: Business and Finance**

### **Recommendation**

Consideration and approval of an order authorizing the redemption or purchase for cancellation of certain outstanding Fort Bend Independent School District Bonds as detailed.

### **Summary**

The Order authorizes the payment prior to maturity of a portion of the Bonds. While the redemption of such bonds will occur in the summer of 2025, approval of the redemption is needed before the adoption of the district's tax rate.

Staff is requesting Board consideration and approval of an order authorizing the redemption or purchase for cancellation of \$7,100,000 in total principal amount from the following outstanding bonds:

- The Unlimited Tax Refunding Bonds, Series 2014 (the "Series 2014 Bonds")
- The Unlimited Tax Refunding Bonds, Series 2016A (the "Series 2016A Bonds")
- The Variable Rate Unlimited Tax School Building and Refunding Bonds, Series 2020B (the "Series 2020B Bonds")

The order authorizes the Superintendent or Chief Financial Officer to select the specific maturities of the Series 2014 Bonds, the Series 2016A Bonds and/or the Series 2020B Bonds to be redeemed. The redemption will result in a reduction in the amount of long-term debt the District has outstanding and result in present value debt service savings.

The Series 2014 Bonds and Series 2016A Bonds were callable effective August 15, 2024, and can be refunded or defeased any time after that date. The Series 2020B Bonds are variable rate bonds that are subject to mandatory tender on August 1, 2025, at the end of the current rate period. The District is authorized to redeem or purchase for cancellation the Series 2020B Bonds on the mandatory tender date. The District anticipates a remarketing transaction to establish a new rate period for the Series 2020B Bonds in the summer of 2025, and the redemption or purchase for cancellation of Series 2020B Bonds could take place at that time. A bond parameter order will be presented for consideration later this fiscal year to authorize the Series 2020B Bond remarketing transaction and other debt transactions.

The draft redemption order was prepared in consultation with the District's bond counsel, Bracewell, LLP and the District's financial advisor, Hilltop Securities.

Recommended by:

Dr. Marc Smith  
Superintendent of Schools

Submitted by:

Bryan Guinn  
Chief Financial Officer

CERTIFICATE FOR ORDER

THE STATE OF TEXAS            §  
COUNTY OF FORT BEND       §

I, the undersigned officer of the Board of Trustees of Fort Bend Independent School District, hereby certify as follows:

1. The Board of Trustees of Fort Bend Independent School District convened in regular meeting on the 23rd day of September, 2024, at the regular meeting place thereof, within said District, and the roll was called of the duly constituted officers and members of said Board, to wit:

· Kristin Tassin	President, Position 6
· Rick Garcia	Vice President, Position 3
· David Hamilton	Secretary, Position 7
· Angie Hanan	Trustee, Position 1
· Sonya Jones	Trustee, Position 5
· Dr. Shirley Rose-Gilliam	Trustee, Position 4
· Adam Schoof	Trustee, Position 2

and all of said persons were present, except the following absentee(s): \_\_\_\_\_, thus constituting a quorum. Whereupon, among other business, the following was transacted at said meeting: a written

ORDER AUTHORIZING THE REDEMPTION OR PURCHASE FOR  
CANCELLATION OF CERTAIN OUTSTANDING BONDS OF THE  
DISTRICT; AND ENACTING OTHER PROVISIONS RELATING THERETO

was duly introduced for the consideration of said Board and read in full. It was then duly moved and seconded that said order be adopted; and, after due discussion, said motion, carrying with it the adoption of said order, prevailed and carried by the following vote:

\_\_\_\_\_ Member(s) shown present voted “Aye.”

\_\_\_\_\_ Member(s) shown present voted “No.”

2. A true, full and correct copy of the aforesaid order adopted at the meeting described in the above and foregoing paragraph is attached to and follows this certificate; that said order has been duly recorded in said Board's minutes of said meeting; that the above and foregoing paragraph is a true, full and correct excerpt from said Board's minutes of said meeting pertaining to the adoption of said order; that the persons named in the above and foregoing paragraph are the duly chosen, qualified and acting officers and members of said Board as indicated therein; that each of the officers and members of said Board was duly and sufficiently notified officially and personally, in advance, of the date, hour, place and purpose of the aforesaid meeting, and that said order would be introduced and considered for adoption at said meeting, and each of said officers and members consented, in advance, to the holding of said meeting for such purpose; that said meeting was open to the public as required by law; and that public notice of the date, hour, place and subject of said meeting was given as required by the Chapter 551, Texas Government Code.

SIGNED AND SEALED this 23rd day of September, 2024.

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David Hamilton  
Secretary, Board of Trustees  
Fort Bend Independent School District

[SEAL]

ORDER AUTHORIZING THE REDEMPTION OR PURCHASE FOR  
CANCELLATION OF CERTAIN OUTSTANDING BONDS OF THE  
DISTRICT; AND ENACTING OTHER PROVISIONS RELATING THERETO

THE STATE OF TEXAS     §  
COUNTY OF FORT BEND §

WHEREAS, the Fort Bend Independent School District (the “District”) has heretofore issued its Fort Bend Independent School District Unlimited Tax Refunding Bonds, Series 2014 (the “Series 2014 Bonds”) pursuant to an order of the District, dated June 10, 2013, (the “Series 2014 Bond Order”) and its associated pricing certificate, which was executed on May 15, 2014, (the pricing certificate and the Series 2014 Bond Order are collectively referred to herein as the “Series 2014 Order”); and

WHEREAS, the District has heretofore issued its Fort Bend Independent School District Unlimited Tax Refunding Bonds, Series 2016A (the “Series 2016A Bonds”) pursuant to an order of the District, dated April 25, 2016, (the “Series 2016A Bond Order”) and its associated pricing certificate, which was executed on May 19, 2016, (the pricing certificate and the Series 2016A Bond Order are collectively referred to herein as the “Series 2016A Order”); and

WHEREAS, the District has heretofore issued its Fort Bend Independent School District Variable Rate Unlimited Tax School Building and Refunding Bonds, Series 2020B (the “Series 2020B Bonds,” and collectively with the Series 2014 Bonds and the Series 2016A Bonds, the “Outstanding Bonds”) pursuant to an order of the District, dated January 21, 2020, (the “Series 2020B Bond Order”) and its associated pricing certificate, which was executed on August 4, 2020, (the pricing certificate and the Series 2020B Bond Order are collectively referred to herein as the “Series 2020B Order,” and, collectively with the Series 2014 Order and the Series 2016A Order, the “Outstanding Bond Orders”); and

WHEREAS, the 2014 Order authorizes the District to redeem Series 2014 Bonds maturing on and after August 15, 2025, in whole or from time to time in part on August 15, 2024, or on any date thereafter, at a redemption price equal to the principal amount thereof plus accrued interest to the date of redemption, and the Series 2024 Bonds maturing on August 15, 2025 and August 15, 2026 are currently callable; and

WHEREAS, the 2016A Order authorizes the District to redeem Series 2016A Bonds maturing on and after August 15, 2025, in whole or from time to time in part on August 15, 2024, or on any date thereafter, at a redemption price equal to the principal amount thereof plus accrued interest to the date of redemption, and the Series 2016A Bonds maturing on August 15, 2025 are currently callable; and

WHEREAS, pursuant to Section 5.02 of the Series 2020B Bond Order, the District has the right to redeem or purchase for cancellation all or a portion of the Series 2020B Bonds that are subject to mandatory tender on any mandatory tender date at a price equal to the principal amount thereof plus any accrued but unpaid interest; and

WHEREAS, the Series 2020B Order establishes that the Series 2020B Bonds are subject to mandatory tender on August 1, 2025 (the “Mandatory Tender Date”); and

WHEREAS, the Board of Trustees (the “Board”) of the District desires to authorize the redemption or purchase for cancellation of \$7,100,000 in principal amount of the Outstanding Bonds on the redemption date identified as provided in Section 2 of this Order or on the Mandatory Tender Date, as applicable; NOW, THEREFORE

BE IT ORDERED BY THE BOARD OF TRUSTEES OF THE FORT BEND INDEPENDENT SCHOOL DISTRICT:

Section 1. Recitals. It is hereby found and determined that the matters and facts set out in the recitals to this Order are true and correct and incorporated herein for all purposes. All capitalized terms not otherwise defined in the recitals to this Order shall have the meaning set forth in the Outstanding Bond Orders.

Section 2. Redemption or Purchase or Cancellation. The Board of Trustees (the “Board”) of the District hereby finds and determines that it is in the best interest of the District to redeem or purchase for cancellation and hereby authorizes and directs the redemption or purchase for cancellation of \$7,100,000 in principal amount of the Outstanding Bonds selected by the Authorized Officer (as defined herein) (the “Redeemed Bonds”) on the redemption date selected by the Authorized Officer (the “Redemption Date”), which date shall not be later than August 15, 2025, or the Mandatory Tender Date at a price of par plus accrued interest to the Redemption Date or the Mandatory Tender Date, as applicable. The Board hereby authorizes the Superintendent or the Chief Financial Officer of the District (each an “Authorized Officer”) to designate the portion of the Outstanding Bonds to be designated as Redeemed Bonds. The Board hereby authorizes directs an Authorized Officer or his designee to effectuate the redemption or purchase for cancellation of the Redeemed Bonds on the Redemption Date or the Mandatory Tender Date, as applicable, in accordance with the provisions of the Outstanding Bond Orders and this Order and to provide for the payment of the principal of and interest due on the Redeemed Bonds on the Redemption Date or Mandatory Tender Date, as applicable, from funds on deposit in the District’s debt service fund.

Section 3. Related Matters. To satisfy in a timely manner all of the District's obligations under this Order, the Superintendent, the Chief Financial Officer and all other appropriate officers and agents of the District are hereby authorized and directed to take all actions that are reasonably necessary to provide for the redemption or purchase for cancellation of the Redeemed Bonds, including, without limitation, selecting the Outstanding Bonds to be redeemed or purchased for cancellation, paying any fees or expenses required in connection with the redemption or purchase for cancellation of the Redeemed Bonds and executing and delivering on behalf of the District all notices, certificates, consents, receipts, requests, and other documents as may be necessary to effectuate the redemption or purchase for cancellation described herein and to direct the application of funds of the District consistent with the provisions of this Order. The District's bond counsel, Bracewell LLP, and financial advisor, Hilltop Securities Inc., are hereby authorized and directed to assist the District in effectuating the intent of this Order.

Section 4. No Personal Liability. No recourse shall be had for payment of principal of or interest on any Bonds or for any claim based thereon against any member of the Board or employee of the District.

Section 5. Open Meeting. It is hereby officially found and determined that the meeting at which this Order was adopted was open to the public, and that public notice of the time, place and purpose of said meeting was given, all as required by Chapter 551, Texas Government Code.

Section 6. Effective Date. This Order shall take effect immediately upon its passage.

*[Execution Page Follows]*

PASSED, APPROVED AND EFFECTIVE on the 23rd of September, 2024.

FORT BEND INDEPENDENT SCHOOL  
DISTRICT

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Kristin Tassin, President  
Board of Trustees

ATTEST:

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David Hamilton, Secretary  
Board of Trustees

(SEAL)

**For: Fort Bend ISD Board of Trustees**  
**Date: September 9, 2024**  
**Action: Review: Fiscal and Budgetary Strategy**  
**References: Board Policy CH (Legal)**  
**District Goal 5**  
**Department: Business and Finance**

**Recommendation**

Consideration and approval of the District's Fiscal and Budgetary Strategy.

**Summary**

The Fiscal and Budgetary Strategy provides the framework for the District's budgetary and financial processes. The document provides assurance to the various rating agencies that the District's financial processes and procedures are sound. Best practice is to review the document annually.

The following changes are proposed.

<b>Page</b>	<b>Change</b>	<b>Rationale</b>
6	Major Maintenance Repair and Replacement	Added verbiage to include the priority of use of funds for major maintenance repair.
8	Debt Management	Included additional eligible items for long-term debt issuance that have been added to Texas Education Code Section 45.001.
9	Debt Management – Method of Sale	Added verbiage to indicate that the Deputy Superintendent would only be included if the position is applicable to this item.
10	Debt Management-Debt Structuring	Added verbiage to indicate that the Deputy Superintendent would only be included if the position is applicable to this item.

Recommended by:

Dr. Marc Smith  
Superintendent of Schools

Submitted by:

Bryan Guinn  
Chief Financial Officer

FBISD

# Fiscal and Budgetary Strategy Document Overview



**Lead**  
**THE PAC**

# Strategy Background

- Outlines financial reporting, internal controls, operating and capital budgeting, revenue management, investment and asset management, debt management, **maintenance of fund balance**, and forecasting
- **Best practice** recommended by Government Finance Officers Association and Texas Association of School Business Officials
- Demonstrates **strong fiscal operations**, provides precedent for future board members,
- **Approved by Board** annually

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# Recommended Changes

Page	Change	Substantive	Minor
6	Major Maintenance Repair and Replacement	✓	
8	Debt Management		✓
9	Debt Management – Method of Sale		✓
10	Debt Management – Debt Structuring		✓

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# Major Maintenance Repairs

*“Repair costs that exceed departmental operating budgets, are considered non-routine, and are due to a major breakdown or extensive damage.”*

- Unfunded priority 1 items not funded by bond
- Priority 2 or 3 items that fail unexpectedly
- Insurance deductibles



# Prioritized Funding for Major Maintenance

## Prioritized Funding

1. General Fund major maintenance designated fund balance, if available
2. Bond contingency, if available and not prioritized for other uses
3. General Fund operating funds

## Rationale

- Recognizes deficit challenges with 2023 Bond
- Anticipate change for one year
- Adjust to have bond contingency be first funding source in 2025-26

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# Analysis of Changes

## Pros

- Provides flexibility to address 2023 bond shortfalls
- Can revisit prioritization order in future years

## Cons

- Unfunded priority items potentially funded with M&O funds not debt
- Limits flexibility in General Fund to respond to unforeseen expenditures

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# Next Steps

September 23	Consideration of Fiscal & Budgetary Strategy
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October 7	Review of designated fund balance resolution
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October 21	Consideration of fund balance resolution
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The background features a pattern of thin, wavy, light brown lines. A large white rectangular area is centered on the page, containing the text. In the top right corner of this white area, there is a small, dark red L-shaped graphic element.

**Questions?**

## I. PURPOSE

The Fort Bend Independent School District (the “District”) is committed to sound financial management through integrity, prudent stewardship, planning, accountability, full transparency, and open communication. The purpose of the Fiscal and Budgetary Strategy is to enable the District to achieve and maintain a stable long-term financial condition, provide guidelines for the day-to-day planning and operations of the District’s financial affairs, and communicate the District’s financial practices to stakeholders.

Fort Bend ISD’s general obligation bonds are currently rated at AA+ by Fitch and AA+ by Standard & Poor’s Investor Services. A high credit rating typically reduces the interest costs the District pays on the amounts borrowed. This in turn directly correlates to a lower tax rate on the outstanding debt of the District.

To help maintain the District’s creditworthiness, an established strategy of managing the District’s financial resources is essential and in the District’s best economic interest. The District shall take all practical precautions and proactive measures to avoid any financial decision that will negatively impact the credit ratings on existing or future debt issues.

The scope of the fiscal strategy encompasses accounting and financial reporting, internal controls, operating and capital budgeting, revenue management, investment and asset management, debt management, maintenance of fund balance, and forecasting. This is done to:

1. Demonstrate to Fort Bend ISD taxpayers, citizens, investment community, and bond rating agencies that the District is committed to a system of strong fiscal operations;
2. Provide precedents for future policy-makers and financial managers on common financial goals and strategies;
3. Fairly present and fully disclose the financial position of the District in conformity with generally accepted accounting principles (GAAP); and
4. Demonstrate compliance with finance-related legal and contractual issues in accordance with the Texas Education Code and other legal mandates.

This Fiscal and Budgetary Strategy shall be reviewed and updated as necessary, but not less than annually.

The Fort Bend Independent School District financial statements include the following fund types:

### Governmental Funds:

**General Fund** accounts for the financial resources of the District and includes transactions as a result of revenues received primarily from local maintenance taxes, foundation entitlements, and other Foundation School Program resources,

**Special Revenue Funds** account for the proceeds of specific revenues that are legally restricted or committed to expenditure for specific purposes through federal, state, and local grant awards.

**Debt Service Fund** accounts for financial resources that are restricted, committed, or assigned to expenditure for principal and interest payments on the outstanding debt obligations of the District. These resources include Interest and Sinking Tax Revenues, which are considered restricted and for which a tax has been dedicated.

**Capital Project Funds** account for resources that are restricted, committed, or assigned to expenditures for capital outlay that include acquisition or construction of capital facilities and other capital assets that are financed through voter approved debt.

### Proprietary Funds:

**Internal Service Fund** accounts for the activities of the District’s Print Shop, self-funded health, unemployment, technology, and Worker’s Compensation accounts.

**Enterprise Fund** accounts for the activities of the District's Extended Day program. Operations that generate revenue from outside sources are typically accounted for as Enterprise funds. Facility rentals, advertising, Career and Technology services, and other non-traditional revenue sources will also be accounted for in an Enterprise fund.

Fiduciary Funds:

**Trust and Agency Fund** accounts for assets held by a school district in a trustee capacity or as an agent for student organizations and scholarship funds. Funds maintained for the non-Teacher Retirement System (TRS) pension plan (Fort Bend ISD 457(b) Deferred Compensation Plan) are held the District in a trustee capacity only.

**Basis of Accounting and Basis of Budgeting** - The District accounts and budgets for all **Governmental Funds** using the modified accrual basis of accounting. This basis means that revenue is recognized in the accounting period in which it becomes available and measurable, while expenditures are recognized in the accounting period in which they are incurred. Because the appropriated budget is used as the basis for control and comparison of budgeted and actual amounts, the basis for preparing the budget is the same as the basis of accounting. Governmental funds would include the District's general, special revenue, debt service, and capital projects funds.

The District's Internal Service Funds and Enterprise Funds, which function as **Proprietary Funds**, are accounted and budgeted for using the full-accrual basis of accounting. Under this method, revenues are recognized when they are earned and measurable, while expenses are recognized when they are incurred.

## II. OPERATING BUDGET

The budgeting process is an essential element of the financial planning, control and evaluation process of the District. The legal basis for the budget process is established in the Texas Education Code sections 44.002 through 44.006 and local policy.

The operating budget is Fort Bend Independent School District's annual financial operating plan. The adopted annual budget shall include allocations for campuses, departments, and approved positions of the district.

**Strategic Plan** – The District Strategic Plan (DSP) provides a strategic focus for district operations and student achievement and is adopted annually by the Board of Trustees. Funding for District programs shall be based upon the objectives contained in the District Strategic Plan and further outlined by the identified targets for success.

Specifically, the DSP provides the following goals for the District:

District Goal 1: The District will provide rigorous and relevant curriculum and deliver instruction that is responsive to the needs of all students.

District Goal 2: The District will provide a positive culture and climate that provides a safe and supportive environment for learning and working.

District Goal 3: The District will recruit, develop, and retain high quality teachers and staff.

District Goal 4: The District will engage students, parents, staff, and the community through ongoing communication, opportunities for collaboration and innovation, and partnerships that support the learning community.

District Goal 5: The District will utilize financial, material, and human capital resources to maximize district outcomes and student achievement.

**Preparation** – The Texas Education Code requires that the District budget be prepared by a date set by the State Board of Education, currently June 19<sup>th</sup> for districts that have a June 30<sup>th</sup> fiscal year end. The code further requires that the president of the Board of Trustees call a public meeting to discuss and adopt the budget and proposed tax rate. Notice under this subsection shall be published not earlier than the 30<sup>th</sup> day or later than the 10<sup>th</sup> day before the date of the hearing. Section 44.0041 of the Education Code, requires that, "concurrently with the publication of notice of the budget, a school district shall post a summary of the proposed budget on the school district's website. The budget summary must include: (1) information relating to per student and aggregate spending on (A)

Fort Bend Independent School District  
Fiscal and Budgetary Strategy

instruction; (B) instructional support; (C) central administration; (D) district operations; (E) debt service; and (F) any other category designated by the commissioner; (2) a comparison to the previous year's actual spending.”

The Board of Trustees must adopt the prepared budget, inclusive of any amendments, no later than June 30<sup>th</sup>. The officially adopted District budget must be filed with the Texas Education Agency (TEA) through the Public Education Information Management System by the date prescribed annually by TEA.

1. **Proposed Budget** – A proposed budget shall be prepared by the Superintendent and Chief Financial Officer with participation of campus and department stakeholders within the provisions outlined in the District's strategic plan and federal and state mandated program guidelines.
  - a. The budget shall include four basic segments for review and evaluation:
    - i. Revenues
    - ii. Personnel Costs
    - iii. Operational Costs
    - iv. Capital and other non-project costs
  - b. The budget review process will include Board of Trustee participation and will allow for sufficient time for the Board to address the strategic plan and fiscal issues.
  - c. The proposed budget and all preliminary budgetary information will be available on the District's website for public view.
2. **Adoption** – Upon finalization of the proposed budget, the Board of Trustees will hold a public hearing, and subsequently adopt the final budget as amended. The budget will be effective for the fiscal year beginning July 1<sup>st</sup>.
3. **Tax Rate Adoption** – Not later than April 30<sup>th</sup>, the chief appraiser shall prepare and certify to the school district an estimate of the taxable value of property in that taxing unit. The District may adopt a tax rate, prior to the adoption of the budget, based upon this certified property estimate. The certified estimate shall be used in the calculation of the effective tax rate and the rollback tax rate of the District.

If the district elects to establish the tax rate after receiving the certified appraisal roll as defined by Section 26.01 of the Property Tax Code, typically July 25<sup>th</sup>, and the tax rate exceeds the rate proposed in the District's notice prepared for the budget hearing or the District's rollback rate as determined under Section 26.08 of the Property Tax Code, the District must publish a revised notice and hold another public meeting before adopting the tax rate.

**Balanced Budget** – The goal of the District is to balance the operating budget with current revenues, whereby current revenues would match and fund on-going expenditures. Unassigned fund balance in the general operating fund may be used for onetime non-recurring expenditures or capital needs.

**Planning** – The budget process will be coordinated so that major strategic issues are identified prior to the budget approval date. This will allow the Board of Trustees adequate time for consideration of appropriate decisions and analysis of the associated financial impacts.

**Reporting** – Written financial reports will be presented to the Board of Trustees on a monthly basis. In addition, the Administration will provide a quarterly report on financial outcomes at regularly scheduled meetings of the Board. These reports will enable the Board to understand the overall budget and financial status of the District. The reports shall include comparative financial statements, a budget amendment report, the investment report, tax collection report, and statement of cash flow. In addition, the budget will be electronically reported to TEA as required by the prescribed deadlines established by TEA.

**Control and Accountability** – Each campus and departmental administrator is responsible for the administration and oversight of their budget, which is controlled on an organizational basis. This includes accomplishing the targets adopted as part of the budget and monitoring each campus and departmental budget for compliance within approved spending limitations.

**Budget Amendments** – The District budget shall be amended as required. Budget amendments between fund and increases in expenditures require the approval of the Board of Trustees. The Board of Trustees may authorize an amendment to the budget for those items not included in the originally approved budget due to unforeseen circumstances.

### III. REVENUE MANAGEMENT

The District will understand its revenue sources and enact consistent policies to provide assurances that the revenue base will materialize according to the budget. Revenues shall be estimated realistically and conservatively taking into account potential changes in law related to property valuation and state and federal funding.

Revenues shall be monitored as they are received and regularly compared to budgeted revenues; variances will be investigated as they are identified. Any abnormalities shall be included in the quarterly financial report and the budget shall be amended to appropriately reflect the change in anticipated revenue.

**State Funding** – The District shall ensure that the Weighted Average Daily Attendance (WADA) is maximized by accurately reporting student attendance and shall have processes in place to ensure that special program information is appropriately reflected in the information uploaded to the Public Education Information Management System (PEIMS). Information regarding property value, property tax collections, employee counts, and other information required by TEA for the purposes of state funding computation shall be reported within the prescribed timelines. The Board of Trustees authorized the superintendent to file waivers for missed days and low attendance days as needed. The Superintendent will inform the Board of any waivers submitted to TEA.

**Property Tax Revenues** – All real and business personal property located within the District shall be valued at 100% of fair market value for any given year based upon the current appraisal supplied by the Fort Bend County Appraisal District. Tax collections estimates utilized in the development of the budget will be based upon a prudent analysis of historical collection percentages and the current economic trends.

Current state funding guidelines penalize districts that adopt tax rates below the compressed tax rate. For budgeting purposes, the District will forecast the proposed property tax rate for maintenance and operations (M&O) the greater of the compressed rate, the compressed rate plus four cents (\$.04) or the voter approved rollback rate, not to exceed the current legal limit.

The District shall also consider the interest and sinking (I&S) tax rate in an amount to fund tax supported debt service that is due and payable for the corresponding calendar year period.

**Interest Income** – General, debt service, capital projects, food service, and internal service funds shall be invested individually in accordance with the Investment Strategy approved annually by the Board of Trustees. Interest earned from each investment account shall be credited to the fund from which the monies were provided.

**User-Based Fees and Service Charges** – For services associated with a user fee, such as building usage and instrument rental, the direct or indirect costs of that service will be offset by a fee where possible. The District shall update the usage fee schedule as required to ensure that fees provide adequate coverage for the cost of services.

**Other Revenue** – The District will pursue the full utilization of its assets to include trademarks of logos, rentals of facilities and real estate, and multiple forms of advertising. Advertising will include space on scoreboards, fences, gyms, buses, websites, etc.

**Intergovernmental Revenues** – The District shall carefully analyze grant opportunities to ensure that all grants comply with the overall District mission and strategic plan. All potential grants shall be examined for matching requirements, or other potential financial implications, prior to application to ensure that adequate funds are available from the general funds of the District.

Efforts should be made to ensure that grants are self-sustaining. However, it must be clearly understood that the operational requirements (on-going costs) set up as a result of a grant program could be discontinued once the terms

and conditions of the program have been completed in the event that sufficient resources are not available in the District's general operating budget.

**Collection of Delinquent Receivables** - All Fort Bend ISD campuses, programs and departments will, to the extent practicable, require payment in advance. Aged balances (90 days +) owed to the District will be pursued for collections and can be submitted to a collection agency at the discretion of Administration according to written District guidelines.

#### **IV. EXPENDITURE POLICIES**

**Appropriations** – The budget for all funds shall be controlled at the organizational level. Budget managers are authorized to transfer funds included in their basic budget within fund, function, and program intent code without prior approval. Budget amendments between fund, function, and program intent code require administrative approval. Approval of the Board of Trustees is required for all budget amendments between fund and any increases to fund expenditures. The cumulative transfer of funds between functions District-wide will be included in the next amendment for board approval.

**Staffing** – The staffing guidelines of the District shall be administered jointly by Human Resources, Department of School Leadership (DOSL), Curriculum and Instruction, and Business and Finance using established staffing guidelines and a system of position control.

In addition to teaching units, staffing guidelines shall also provide guidance for appropriate levels of staffing in the administrative, counseling, nursing, art, music, physical education, and educational and clerical support at each campus. Staffing allocations shall be distributed based upon the total student population and with additional consideration for special education, bilingual and at-risk student programming.

Course schedules shall be carefully reviewed to ensure that instructional units are used to best meet the instructional needs of the District within the available resources. Based upon sufficient revenues, additional staff members may be allocated to campuses based upon input from the Superintendent, Chief Human Resources Officer, DOSL, Teaching and Learning, and Business and Finance to balance class loads or to address the unique needs of a particular campus. Adjustments for student enrollment in grades K-4 shall be done only after a careful analysis of historical attendance patterns and available classroom capacity.

To the extent possible, the payroll for all employees, substitutes and temporaries will be done via direct deposit.

**Benefits** – To ensure the long-term health of the District's self-funded benefit programs, the budget shall be sufficient to provide for a fiscally sound health and worker's compensation program along with other state and federally mandated benefits including Medicare and Teacher Retirement System above state minimum.

The District's self-insured employee insurance program shall be funded by both District and employee contributions for employees and their supplemental dependents. The fund shall be evaluated annually by a third-party actuary to ensure that the premium structure is sufficient to meet the long-term needs of the District's employees.

The plans shall be administered by a third-party plan administrator and shall be bid periodically to ensure that the network reimbursement rates and employee co-pays are comparable to those provided within the marketplace. The District shall seek to ensure that insurance services are provided in both a cost efficient and compassionate manner to ensure the success of the program.

The District's self-insured worker's compensation program shall be funded through the budget process to ensure that the program has sufficient assets to meet both short and long-term worker's compensation claims. The district has established a comprehensive safety program to minimize the District's claims exposure and shall ensure that the plan is evaluated annually by a third-party actuary to ensure that the funding for the plan is sufficient.

**Ongoing Maintenance Repair and Replacement** – Ongoing maintenance and repair costs are included within the departmental operating budgets. These costs are generally considered systematic repairs and are not capitalized for accounting purposes. They include such items such as athletic equipment, routine musical instrument repair, HVAC maintenance and repair, and other general routine maintenance.

**Major Maintenance Repair and Replacement** – Repair costs that exceed departmental operating budgets, are considered non-routine, and are due to a major breakdown or extensive damage.

Each year, if sufficient fund balance capacity is available, funds are included in designated fund balance in the General Fund to address unexpected maintenance costs caused by weather incidents or catastrophic failure. Additionally, the District typically may have contingency within Capital Projects Funds that is available due to project cost savings and interest earnings. On a quarterly basis, the Business & Finance and Facilities Maintenance departments will evaluate expenditures made to date within the Facilities Maintenance department and determine if any are eligible for use of major maintenance or bond contingency funds. The final list of items identified will be included in the year-end budget amendment recommended to the Board of Trustees to reallocate the expenditures to the source of funding that is most appropriate for use. If fund balance capacity is not available and the expenditure is not eligible for use of bond contingency, operating funds will be used. Use of funds will be prioritized as follows:

1. General Fund major maintenance designated fund balance, if available
2. Bond contingency, if available and not prioritized for other uses
3. General Fund operating funds

Use of General Fund major maintenance designated fund balance or bond contingency requires approval from the Board of Trustees before funds can be utilized.

**Capital Projects** – The District’s goal is to maintain its facilities and infrastructure in order to provide exemplary educational services for its students, meet the needs of a growing community, and to comply with all local, state, and federal regulations. The District shall regularly review building capacity, enrollment projections, and planned subdivision and other housing information for the purpose of determining the number and timing of future facilities.

Capital project budgets shall be developed according to the projects approved by the voters. Excess capital project funds generated as a result of investment income and project savings may not be directed to other needs of the District without the specific approval of the Board of Trustees.

**Technology** – It is the policy of the District to plan and fund the maintenance and replacement of its computer network and other technology systems (infrastructure) through capital funding. These funds will be transferred to the technology internal service fund or maintained in a capital fund.

Ongoing replacement of computer devices (PCs, laptops, printers, etc.) will be funded through ongoing contributions from the general fund into the technology internal service fund. These ongoing contributions may include one-time transfers from the general fund. In some cases, administration may recommend replacement using bond funds. When using bond funds, the weighted average maturity of the bonds issued for technology will not exceed the weighted average economic life of the bond financed assets by more than 120%.

**Accounts Payable** – To the extent practical, all vendors doing business with the District must be able to accept payments electronically via ACH (automated clearing house).

## V. BUDGET CONTINGENCY PLAN

This strategy is designed to establish general guidelines for managing revenue shortfalls resulting from local and state economic downturns that may adversely affect the District’s revenue stream.

Once a budgetary shortfall is projected, the Superintendent may take the necessary actions to offset any revenue shortfalls with a reduction in current expenses to include but not be limited to the following:

- ❖ Review all staffing levels;
- ❖ Freeze all new hire and vacant positions except those deemed to be a necessity to the instructional process or the safety of students;
- ❖ Review all planned capital expenditures;
- ❖ Forego out-of-state staff development;

Fort Bend Independent School District  
Fiscal and Budgetary Strategy

- ❖ Review of all planned staff development activities;
- ❖ Curtail after-hours facility usage;
- ❖ Forego extracurricular field trips; and,
- ❖ Delay all non-essential spending or equipment replacement purchases.

If the above actions are insufficient to offset the revenue deficit and the shortfall continues to increase, the Superintendent shall develop an expenditure reduction plan for approval by the Board of Trustees that will further reduce operating expenses to balance the variance.

## VI. ACCOUNTING, AUDITING, AND FINANCIAL REPORTING

**Accounting** – The District is solely responsible for the recording and reporting of its financial affairs, both internally and externally. The Chief Financial Officer is responsible for establishing the structure for the District’s Chart of Accounts and for ensuring that procedures are in place to properly record financial transactions and report the District’s financial position. All financial reports shall be published on the District’s website.

**Audit of Accounts** – In accordance with Texas Education Code 44.008, the Board of Trustees shall cause the District’s accounts to be audited at the close of each fiscal year, currently June 30<sup>th</sup>, by an auditor holding a valid permit from the Texas State Board of Public Accountancy.

The auditor shall perform the audit in accordance with generally accepted governmental auditing standards published by the United States General Accounting Office, commonly referred to as the Yellow Book. The financial statements shall be prepared on a government-wide basis and shall be in conformity with all pronouncements of the Governmental Accounting Standards Board (GASB).

**External Reporting** - The audit shall be accepted and completed within 150 days of year end and filed with the Texas Education Agency (TEA), Municipal Securities Rulemaking Board (MSRB), the Federal Audit Clearinghouse, Health and Human Services and the Liquidity Provider and Remarketing agent for the debt commercial paper program. In addition, certain schedules required by the TEA to be completed electronically shall be submitted no later than this date along with the publication of schedules required by law in a locally published newspaper.

No later than January 27<sup>th</sup> of each year, and in accordance with TEA published guidelines, the audit shall be transmitted electronically into the Public Education Information Management System (PEIMS).

**Internal Auditing and Reporting** – In accordance with Texas Education Code Section 11.170, consultants serving as the internal auditor shall report directly to the Board of Trustees. The internal auditor shall conduct internal audits on a rotational basis in accordance with the audit plan adopted annually by the Board of Trustees. The reports shall be of sufficient detail to identify areas of needed improvement and potential lapses of internal control. The internal audit staff, in conjunction with the finance staff and any other appropriate department of the District, shall make recommendations for improvement and develop improved financial processes based upon the prepared reports.

Each departmental director or campus principal is responsible for ensuring that good internal controls are adhered to throughout their organization and that all Financial Services procedures and policies are implemented. The Financial Services Department will periodically review and update written internal control processes and procedures.

**Internal Risk Assessment** – Departmental managers in the business area shall perform on-going risk assessments of their area of supervision to ensure that internal controls and business practices are sufficient to protect the assets of the District and prevent fraudulent activity.

## VII. ASSET MANAGEMENT

**Cash Management and Investments** - The Board of Trustees has formally approved a separate Investment Strategy for Fort Bend ISD that meets the requirements of the Public Funds Investment Act (PFIA), Chapter 2256 of the Texas Local Government Code. This strategy is reviewed annually by the Board of Trustees and applies to all financial assets held by the District.

The District shall maintain a comprehensive cash management program to include the effective collection of all accounts receivable, prompt deposit of receipts to the District's depository and payment of obligations, and the prudent investment of idle funds in accordance with the approved investment strategy.

The District's investment program will be conducted in such a manner to accomplish the following listed in the order of priority:

1. Safety of principal
2. Liquidity and availability of cash to pay obligations when due
3. Receive the highest possible rate of return (yield) consistent with the District's investment strategy

**Fixed Assets** – These assets will be reasonably safeguarded, properly accounted for, and prudently insured. For purposes of budgeting and accounting classification, the following criteria must be met in order for an item to be capitalized:

1. The expected useful life of the asset must be longer than one year, or extend the life of an identified existing asset by more than one year
2. The original cost of the asset must be at least \$5,000
3. The asset must be tangible

On-going repairs and general maintenance are not capitalized. In the event that improvements are made to an asset that extends its original life or makes the asset more valuable, the cost will be capitalized. The replacement of asset components will normally be expensed unless it is of a significant nature and meets all capitalization criteria.

Business and Finance will maintain the permanent records of the District's fixed asset inventory including description, cost, department of responsibility, date of acquisition, depreciation, and expected useful life. Periodically random sampling at the department or campus level will be performed to inventory fixed assets assigned to that department or campus. Responsibility for safeguarding the District's fixed assets lies with the department or campus supervisor whose department has been assigned the asset.

## VIII. DEBT MANAGEMENT

Fort Bend ISD faces continuing capital infrastructure requirements and recognizes that the primary purpose of capital debt is to provide educational services designed to meet the demands of the twenty first century. Debt financing is a tool that shall be judiciously used within the District's legal, financial, and debt market capacities.

The use of debt financing to meet the continued student population growth must be evaluated according to projected student growth by area, long-term facility efficiency, facility equity across the District, and limitations on total debt imposed by Texas Education Code Section 45.0031. The District realizes that failure to meet the demands of student growth may inhibit its continued educational success, but also realizes that failure to manage outstanding debt and repayment schedules may have long-term detrimental effects on the District's financial condition.

The District may issue long-term debt in accordance with Texas Education Code Section 45.001 for the following:

1. The construction, acquisition, and equipment of school buildings in the District.
2. The acquisition of property or refinancing of property financed under a contract entered under Subchapter A, Chapter 271, Local Government Code.
3. The purchase of the necessary sites for school buildings.
4. The purchase of new school buses.
5. The retrofitting of school buses with emergency, safety, or security equipment.
6. The purchase or retrofitting of vehicle to be used for emergency, safety, or security purposes.

The District will ensure that its long-term debt is soundly financed by conservatively projecting growth in taxable valuations and anticipated interest rates. The District will not finance improvements or purchases over a period greater than its estimated useful life and will determine that the cost benefit of the facilities, renovations, and equipment supported by the debt will have a positive impact on the District's student population and community.

The District shall, when planning for the issuance of new debt, consider the impact of such new debt on overlapping debt and the financing plans of local, state, and other governments that overlap the District. The District shall assess financial alternatives to include new and innovative financing approaches, including whenever feasible categorical grants, or other types of aid to minimize voter approved debt.

**General Obligation Bonds (GO)** – General obligation bonds must be authorized by a majority of the voters in a District election for the issuance of debt. General obligation bonds may be used only to fund capital assets of the District and are not to be used to fund on-going operational needs. The District shall determine the amortization schedule that will best fit with the overall debt structure of the District at the time the new debt is issued.

The District’s unlimited debt service ad valorem taxing authority shall back general obligation bonds and the District shall endeavor to maintain the best possible credit rating for each debt issue. Where possible, the District shall also seek the guarantee of the Permanent School Fund for all debt issued.

**Revenue Anticipation Notes** – The District may issue fixed or variable rate tax and revenue anticipation notes that allow the District to meet its cash flow requirements. However, the District shall generally manage its cash position in a manner so that internally generated cash flow is sufficient to meet expenditures.

**Lease-Purchase Agreements** – Lease-purchase obligations are a routine and appropriate means of financing capital equipment. However, lease obligations are repaid from the District’s maintenance and operations ad valorem tax and, therefore, have the greatest impact on budget flexibility. Therefore, efforts will be made to fund capital equipment directly through the budget process or with voter approved debt. Only the highest priority equipment purchases will be funded with lease obligations when it is determined that the cost benefit of such an arrangement is advantageous to the District.

**Maintenance Tax Notes** – The District may authorize the issuance of maintenance tax notes for the acquisition of personal public property, such as equipment. Maintenance tax notes are repaid from the District’s maintenance and operations ad valorem tax. Each issuance will be assessed to ensure the cost effectiveness and the repayment schedule will not exceed the useful life of the asset and that the District has sufficient capacity in future budgets to ensure that the issuance does not place undue burden on the operating budget.

**Use of Reserve Funds** – The District may authorize the use of reserve funds to potentially delay or eliminate a proposed project from a future bond issue. This may occur due to higher than anticipated fund balances in prior years, thus eliminating or reducing the need for debt proceeds or when the timing of the related capital improvement does not correspond with a planned bond issue. Funds used in such manner should be used judiciously and with extreme care after careful analysis of the effect on the future funding needs of the District.

**Method of Sale** – The District will thoroughly analyze the conditions in the bond market prior to determining the method of sale that will be used to market bonds. The District may utilize a competitive bidding process, negotiated bid or private placement. The District will publicly present the reasons for the selected method of sale prior to the sale date.

Competitive sales shall be awarded based upon the lowest offered True Interest Cost (TIC). The District’s Financial Advisor shall ensure that interest costs offered in a negotiated sale are in accordance with comparable market interest rates. In a negotiated sale, the District will rely on the recommendation of the Superintendent, Deputy Superintendent (if applicable), Chief Financial Officer, and the contracted Financial Advisor in the selection of the underwriter(s). The contracted financial advisory firm may not serve in an underwriting capacity.

Following the bid award, the financial advisor shall prepare a post-sale summary and analysis that documents the pricing of the bonds relative to other similar transactions priced at or near the time of the District’s bond sale.

Private placement sales shall only be utilized when the sale must be structured for a single or limited number of purchasers, such as would be present in a Qualified Zone Academy Bond (QZAB) or Qualified School Construction Bond (QSCB) offering.

**Debt Structuring** – The District shall seek to repay its debt in an expeditious manner within the District’s overall financial objectives and will issue bonds with an average life of no more than thirty (30) years, not to exceed the

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useful life of the asset acquired. Pursuant to State law, the District can issue fixed rate, variable rate, or capital appreciation bonds. Market factors, such as the effects of legislative statutes, level of debt service fund balance, and the cost of early debt redemption will be given consideration during the structuring of long term debt instruments.

The District shall keep its variable rate exposure, to the extent not hedged or swapped to a fixed rate, at or below twenty-five percent (25%) of the total principal outstanding. If variable rate debt is used, the Chief Financial Officer will periodically, and no later than annually, determine whether it is appropriate to convert the debt to fixed interest rates.

The District issues commercial paper (which is variable rate debt by its nature) in blocks totaling up to \$150 million at a time. The District may exceed the 25% variable rate threshold, but only until that \$150 million of commercial paper is refunded by issuing fixed rate debt that would be expected to complete within a maximum time of six months.

**Refunding and Restructuring Strategy** – The District shall consider accelerated retirement and restructuring of its outstanding debt when financially advantageous or beneficial.

The Superintendent, Deputy Superintendent (if applicable), and Chief Financial Officer shall review a net present value analysis of any proposed refunding in order to make a determination regarding the cost-effectiveness of the proposal. The target net present value savings as a percentage of the refunded aggregate principal amount shall be no less than three percent (3%) when a refunding is offered in conjunction with new debt. In the case of a standalone refunding, savings should be evaluated in conjunction with the call dates of the outstanding bonds and a higher net present value savings should generally be achieved.

**Financing Team Members** – The District shall conduct a Request for Proposal (RFP) to determine the District’s financial advisor and bond counsel when warranted. Generally, the District’s contracts with financial advisors and bond counsel shall be for a term of three years with the option to renew for two additional one year periods. In all cases, the District will attempt to ensure that the contractual terms align with voter approved debt.

All financing team members will be required to provide full and complete disclosure relative to any and all agreements with other financing team members and outside parties. No agreements will be permitted that will compromise a firm’s ability to provide independent advice that is solely in the best interest of the District or which could reasonably be perceived as a conflict of interest.

**Markets** – The District shall consider products and conditions in the bond market when meeting the District’s financing needs. When practical in its financing program, the District shall consider local and regional markets as well as retail and institutional investors.

**Disclosure** – Full disclosure of operating costs along with capital costs will be made to the bond rating agencies and other users of financial information. The District shall follow the Disclosure Strategy as outlined in Exhibit A of the Fiscal and Budgetary Strategy.

The District shall maintain information on its website so that interested persons have a convenient way to locate major financial reports and documents pertaining to the District’s finances and debt. The District will take responsibility for the accuracy of all financial information released.

The District shall prepare or cause to be prepared appropriate disclosures as required by the Securities and Exchange Commission Rule 15c2-12. District staff, with assistance of the financial advisor and bond counsel, will prepare the necessary materials for presentation to rating agencies and will aid in the production of the Preliminary Official Statements as required.

**Federal Requirements** – The District will maintain procedures to comply with arbitrage rebate and other Federal requirements in accordance with the Internal Revenue Code and applicable United States Treasury regulations.

**Bond Reimbursement Resolution** – The District may utilize reimbursements from bond proceeds as a tool to manage debt issues consistent with arbitrage requirements and project timing. In so doing, the District will utilize its

general fund reserve cash balances to delay the bond issue until such time when the issuance and timing are favorable and beneficial to the District.

The District shall comply with Internal Revenue Service requirements that stipulate that the reimbursement occur the earlier of (i) eighteen (18) months after the capital item is placed in service or (ii) thirty-six (36) months from the date of the expenditure. The total outstanding bond reimbursements may not exceed the total amount of the District's operational reserve fund.

**Commercial Paper** – In order to minimize the overall costs of borrowing, the District may issue short-term commercial paper as market conditions and cash flow needs for construction projects dictate. The maturity of the commercial paper should never exceed 270 days. The issuance of commercial paper can only be done for un-issued authorized voter approved debt. Any other issuance of commercial paper must have the approval of the Board of Trustees. The balance of outstanding commercial paper will be reported to the board on a quarterly basis.

**Impact on Operating Budget** – When considering any debt issuance, the potential impact of debt service and additional operating costs induced by new projects on the operating budget of the District, both short and long-term will be evaluated.

## **IX. FINANCIAL CONDITIONS, FUND BALANCE RESERVES, AND STABILITY RATIOS**

Fort Bend ISD will maintain sufficient reserves in the ending fund balances to provide for a secure, healthy financial base for the District in the event of a natural disaster or other emergency, to allow for stability of District operations should revenues fall short of budgeted projections, and to provide available resources to implement budgeted expenditures without regard to actual timing of cash flows into the District.

**Operational Coverage** – The District's goal is to maintain operating revenues that at least equal or exceed current operating expenditures. Unless advantageous to the District, deferrals, short-term loans, or one-time sources will be avoided as budget balancing techniques.

**Operating Reserves** – Due to the timing of the District's fiscal year (July 1) and the receipt of maintenance and tax revenues (typically, December 31<sup>st</sup>), the District will strive to maintain an unassigned general fund balance equal to the greater of sixty (60) days or seventeen percent (17%) of the greater of the current year's anticipated adjusted budget operating expenditures or next year's net budgeted operating expenditures, if higher than the previous year. Unassigned fund balance requirements will be calculated as part of the annual budget process and will exclude TRS on behalf when calculating. In addition, non-recurring or one-time budget expenditures should be deducted from the calculation

In order to protect the district from a potential loss in state revenue, the district will commit at least thirty (30) days or eight and a third (8.33%) of the greater of the current year's anticipated adjusted budget operating expenditures or next year's net anticipated original budgeted operating expenditures to a Reserve for Potential Loss of State Revenue. When calculating the committed fund balance for potential loss of state revenue, TRS on behalf will be excluded from the calculation. In addition, non-recurring or one-time budget expenditures should be deducted from the calculation of Reserve for Potential Loss of State Revenue.

If operating reserves fall below the 60 days or seventeen percent (17%) in unassigned or below the 30 days or (8.33%) then strategies as more fully described V. Budget Contingency Plan above will be implemented. In addition, the District can utilize nonrecurring revenues, budget surpluses, excess resources in other funds (if legally permissible and there is a defensible rationale). The District shall make every effort to replenish the fund balances within one to three years.

The Board of Trustees will report the government fund balances per Governmental Accounting Standards Board (GASB) Statement 54 definitions in the balance sheet as follows: non-spendable, restricted, committed, assigned, and unassigned. The Board will utilize funds in the following spending order: restricted, committed, assigned, and then unassigned.

Unassigned fund balance is defined as the balance in excess of the optimum fund balance as defined by the Texas Education Agency and calculated annually in conjunction with the District's annual audit or the cash requirements

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for two months operating expenditures. Usage of the unassigned fund balance shall be approached with caution after careful review of both the optimum fund balance and the cash flow needs of the District for the upcoming three-year period.

The Board of Trustees may establish commitments of fund balance from time to time in order to meet specific District needs. The purpose of commitments must be approved by the Board resolution prior to the fiscal year end but the amount of the commitment may be determined subsequent to June 30<sup>th</sup>. Amendments or modifications of the committed fund balance must also be approved by formal action of the Board.

**Liabilities and Receivables** – Procedures will be followed to maximize discounts and reduce penalties offered by creditors. Current liabilities will be paid within thirty (30) days of receiving the invoice. Accounts Receivable procedures will target collection for a maximum of thirty (30) days of service. To the extent allowable by law, non-collectible accounts that are delinquent for more than one year are considered uncollectible and shall be written off. To the extent allowable by law, patrons that owe the district money will be precluded from receiving district services. This includes patrons with open balances from Facility Rentals. Balances owed to the District can be submitted to a collection agency at the discretion of administration. A collection agency could be used for the all outstanding balance collections including, but not limited to the following:

- a. Unpaid facility rental fees
- b. Overpayments to former employees
- c. Unpaid Child Nutrition balances
- d. Unpaid advertising fees
- e. Unpaid tuition for Extended Learning programs

**Capital Projects Funds** – All reasonable efforts will be made to expend all monies within the Capital Project Funds within thirty-six (36) months of receipt. The restricted, committed, and assigned fund balance will be invested and the income generated will offset increases in construction costs or other costs associated with the project. Any excess funds remaining after the completion of the approved projects may be reallocated by the Board of Trustees to other capital projects to offset the cost of future bond issues or when the timing of a capital improvement does not correspond with a planned bond issue. Restricted, committed, or assigned funds shall be used judiciously and with extreme care after careful analysis of the effect on the future funding needs of the District.

**Debt Service Funds** – Revenues within this fund are stable, based on property tax revenues. Balances are maintained to meet contingencies and to make certain that the next year's debt service payments may be met in a timely manner. The fund balance should not fall below one month or 1/12th the annual debt service requirements in accordance with Internal Revenue Service guidelines.

**Investment of Funds** – The non-spendable, restricted, committed, assigned, and unassigned funds will be invested in accordance with the District's approved investment strategy.

**Ratio/Trend Analysis** – Ratios and significant balances will be incorporated into the annual financial report. This information will provide users with meaningful data to identify major trends of the District's financial condition through analytical procedures. The following ratios/balances will be used as key financial indicators:

1. Fund Balance / Equity:      Assets less liabilities
2. Working Capital              Current assets less current liabilities
3. Current Ratio                Current assets divided by current liabilities
4. Debt / Assessed Value      Debt divided by assessed value
5. Debt Ratio                    Current liabilities plus long-term liabilities / Total assets

The District will develop minimum and maximum levels for the above ratios/balances by thoroughly analyzing District historical trends, projected growth and peer districts.

**Special Situations** - Changes in the state funding allocations, economic downturn, District programs or other unforeseen circumstances may from time to time produce situations that are not covered by this strategy. These situations may require modifications or exceptions to achieve strategy goals. Management flexibility is appropriate and necessary in such situations, provided specific authorization is received from the Board of Trustees.

## X. OTHER FINANCIAL CONSIDERATIONS

**Use of Unclaimed Lunch Credits** - At the close of each fiscal year there are unpaid lunch balances as well as unclaimed lunch credits. The balances and credits are typically left by students who have left the district or graduated. Unpaid balances are charged to the General Fund as Federal statutes prevent the Child Nutrition Fund from absorbing these balances. At the close of each fiscal year, the unclaimed credits will be used to offset the unpaid balance amounts to avoid a negative financial impact to the General Fund. If a student or parent requests a refund of the credit after the amount has been used to offset the unpaid balances in the General Fund, a refund will be paid from the General Fund where the credits were used.

**Designation of New Title I Campuses** - The District is charged by the U.S. Department of Education and Texas Education Agency with deciding where to best utilize federal funding to have the greatest impact on student academic performance. Texas Education Agency allocates funding to the District based on a formula that includes district-wide poverty; therefore, designating additional campuses does not increase the federal funding received. The District follows all statutes and timelines when choosing to designate a campus as Title I. Aligned with current research and best practices, the District channels the majority of federal funds into the elementary level where it is most impactful.

The District planning process for reviewing campuses for Title I eligibility begins in March of each year. The District utilizes the February monthly report compiled by the Child Nutrition Department containing enrollment and free and reduced meal participation numbers to determine campuses that meet eligibility requirements. February data is used because it is the most recent period for which a full month of enrollment and free and reduced meal participation information is available.

A campus must be in an eligible attendance area, where the percentage of children from low income families is at least as high as the district-wide percentage of children from low income families, as referenced in 20 U.S.C. 6313(a)(2)(B). The district-wide percentage of low-income students from the Texas Academic Performance Report for the prior year is used to establish eligible attendance areas. Attendance areas that meet or exceed the district-wide percentage are considered for Title I designation.

The District chooses which campuses to serve, or allocate funding, within the structure of Federal statutes. If the funding is insufficient to serve all eligible school attendance areas, the District must:

- a. Rank the eligible attendance areas that exceed a 75% low income population based on February information compiled by the Child Nutrition Department, Section 1113 of Title I, Part A. Serve campuses that exceed 75% low income population first, in rank order, and without regard to grade spans (i.e. elementary or secondary schools) 20 U.S.C. 6313(a)(3).
  - i. If a campus exceeds a 75% low income population, the District can choose to not designate the campus as Title I and elect to provide supplemental funds from other state or local sources that equal or exceed the amount that would be provided to the campus under Title I.
  - ii. Allocate Title I funds based on the free and reduced numbers for each campus.
- b. Funds remaining after the allocation to campuses that exceed 75% low income population are allocated to existing Title I campuses that do not exceed the 75% low income population and meet the district threshold for being an eligible attendance area 20 U.S.C. 6313(a)(4). Allocation of remaining funds is done as follows:
  - i. Remaining eligible Elementary campuses are ranked using the February Free and Reduced Report information compiled by the Child Nutrition Department; campuses with a Free and Reduced percentage based on February data with a rate of 70% or greater receive Title I.

- ii. Secondary campuses are not served until they have a low-income population greater than 75%, based on the District's decision to provide funding at the elementary level where it is most impactful.

## EXHIBIT A

### DISCLOSURE STRATEGY PURPOSE AND INTENT

It is the stated policy and objective of Fort Bend Independent School District (the "District") to (i) ensure that the District's financial disclosures are fair and accurate, and comply with all applicable securities laws, (ii) satisfy in a timely manner all contractual obligations undertaken pursuant to the District's Continuing Disclosure Undertakings (as defined herein), and (iii) promote best practices relating to financial disclosures by the District.

The Board of Trustees has approved this Disclosure Strategy (referred to herein as the "Procedures") as of the date set forth above for the purpose of establishing, maintaining, and evidencing compliance with internal procedures, promoting compliance with securities laws, documenting the process for preparing and reviewing Disclosure Documents, and assisting the District in complying with its Continuing Disclosure Undertakings.

It is the intention of the District to modify or amend these Procedures in the future in order to comply with any changes in legal or regulatory requirements to the extent such changes may apply to the District and its obligations, or improve the realization of the purpose and intent of these Procedures.

#### I. DEFINITIONS

Capitalized terms used in these Procedures shall have the meanings set forth below:

*"Auditor"* means the independent outside auditor retained by the District to conduct an annual audit of the District and prepare a report thereon.

*"Annual Report"* means the annual financial information and operating data required to be filed pursuant to the Continuing Disclosure Undertakings.

*"Annual Review"* means the annual evaluation of the Procedures that is performed by the DWG.

*"Periodic Training"* means periodic disclosure training for staff and officials of the District involved in preparing or approving the Disclosure Documents.

*"Audit Committee"* means the Audit Committee of the Board of Trustees.

*"Audited Financial Statements"* means the audited financial statements or comprehensive annual financial reports of the District.

*"Board of Trustees"* means the Board of Trustees of the District.

*"Bond Counsel"* means the attorney or law firm retained to provide an opinion regarding the validity of the bonds or other municipal securities described in the Offering Documents.

*"Continuing Disclosure Undertakings"* means the District's contractual obligations relating to its outstanding securities entered into to permit the underwriters of such securities to comply with the Rule.

*“Continuing Disclosure Undertakings Master List”* means a current list of each Continuing Disclosure Undertaking of the District, identified by name of the issue covered and the CUSIP numbers associated therewith, for which the District remains obligated to advance funds to pay or support the municipal securities covered, together with a description of the tables and other matters required in the Annual Report for such Continuing Disclosure Undertaking, the date on or before which the Annual Report and Audited Financial Statements must be filed, a description of information required in any notice of a failure to file the Annual Report and Audited Financial Statements, and a description of each event for which notice must be filed and whether the event must be filed in a timely manner or within ten business days of the occurrence of the event.

*“Contributors”* means those District staff members and officials involved in preparing or approving the Disclosure Documents or additional staff members assigned by the DWG Chair or identified to the DWG Chair by a director or manager of a department, or other unit of the District, to assist with the review or preparation of one or more sections of a Disclosure Document.

*“Disclosure Document”* means any of the District’s documents and materials prepared, issued, or distributed in connection with the District’s disclosure obligations under applicable federal securities laws or that could potentially subject the District to liability under applicable federal securities laws, and shall include, but not be limited to, the following: the Offering Documents; the Annual Report; any filing made by the District with EMMA pursuant to Continuing Disclosure Undertakings, including an Event Notice; any voluntary filing made by the District that is filed on EMMA; rating agency presentations; and any other document that is reviewed and approved in accordance with these Procedures.

*“Disclosure Working Group” or “DWG”* means the District’s Chief Financial Officer, Executive Director of Finance, Director of Finance, District Treasurer, and in-house General Counsel, or the designee of any of the foregoing.

*“Disclosure Working Group Chair” or “DWG Chair”* means the Chief Financial Officer (or the person acting in the capacity of the Chief Financial Officer), or a designee authorized by the Chief Financial Officer to act on his or her behalf.

*“EMMA”* means the Electronic Municipal Market Access system maintained by the MSRB.

*“Event Notice”* means a notice for any of the events listed in the Rule.

*“Financial Advisor”* means an individual or firm providing financial advice to the District, including a municipal advisor.

*“Financial Obligation”* means a: (A) debt obligation; (B) derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation; or (C) guarantee of (A) or (B). The term Financial Obligation does not include municipal securities as to which a final official statement has been provided to the MSRB consistent with the Rule. The terms used in the definition of Financial Obligation have the meanings ascribed to them in 83 F.R. 44700 (Aug. 31, 2018).

*“Financial Obligations Master List”* means a list of the District’s existing Financial Obligations. The Financial Obligations Master List should include for each Financial Obligation listed such terms of the Financial Obligation as may be necessary to comply with the information reporting requirements of event (15) under the Rule and monitoring requirements of event (16) under the Rule. The Financial Obligations Master List should be updated on a continuing basis upon incurrence of each new Financial Obligation or modification of an existing Financial Obligation.

*“Financing Group”* means the members of the DWG, Bond Counsel, the Financial Advisor, the Underwriter, counsel to the Underwriter, and any other party engaged by the District to assist in the offer, placement, and sale of the bonds or municipal securities described in an Offering Document.

“MSRB” means the Municipal Securities Rulemaking Board.

“Offering Documents” means all preliminary and final official statements, offering memoranda and other materials prepared by or for the District, together with any amendments or supplements thereto, for use in connection with the offering of notes, bonds, other municipal securities, or other obligations of the District subject to the antifraud provisions of federal securities law.

“Required Date” means the latest date or dates after the end of the District’s fiscal year when the Audited Financial Statements and Annual Report are required to be filed with the MSRB under the District’s Continuing Disclosure Undertakings, as identified by the Continuing Disclosure Undertakings Master List.

“Rule” means Securities and Exchange Commission Rule 15c2-12, adopted pursuant to the Securities Exchange Act of 1934, 17 CFR § 240.15c2-12, as amended from time to time.

“Underwriter” means the broker, dealer, or municipal securities dealer offering or placing the bonds or other municipal securities described in the Offering Documents to or with investors.

## **II. DISCLOSURE WORKING GROUP**

### **A. DWG CHAIR RESPONSIBILITIES**

The DWG Chair is responsible for oversight of compliance with these Procedures. The DWG Chair is the leader of the DWG.

The DWG Chair may designate staff or engage the Financial Advisor, Bond Counsel or other professional to assist in the execution of his or her responsibilities under these Procedures.

### **B. DWG RESPONSIBILITIES**

The DWG is responsible for compliance with these Procedures and promoting compliance with federal securities laws.

The DWG shall meet (which meeting may be by phone or electronic means) not less than annually to fulfill its obligations under these Procedures. The DWG shall also meet (which meeting may be by phone or electronic means) prior to the posting of any Disclosure Document relating to the issuance of bonds. The DWG is encouraged to provide suggestions to improve these Procedures and the Disclosure Documents. The DWG may consult with Bond Counsel, the Financial Advisor, and the Auditor as necessary in connection with carrying out their obligations under these procedures.

Contributors, staff, and officials must cooperate with the DWG and provide the DWG with any information, assurances or certifications that it deems necessary to ensure that the Disclosure Documents are accurate and complete in all material respects.

## **III. DISCLOSURE PROCEDURES**

### **A. PRIMARY DISCLOSURE**

The following process will be used in connection with reviewing the form and content of Offering Documents and any supplements thereto.

#### **1. DWG CHAIR**

- The DWG Chair will coordinate with the members of the DWG to:
  - (i) ensure that all appropriate members of the DWG are included on the

distribution lists of the Financing Group, (ii) assign portions of the Offering Documents, including appendices, to members of the DWG or Contributors with responsibility for the financial information or operating data described therein, and (iii) assign relevant portions of the Offering Document to Bond Counsel for review.

## **2. OFFERING DOCUMENT REVIEW PROCESS**

- Unless the District has contracted with another party to provide such services, the Financial Advisor will prepare the initial draft of the Offering Document and appendices thereto for review by the DWG and Financing Group and manage the incorporation of comments to the Offering Document received from the DWG, Contributors and the Financing Group.
- The District Treasurer, with the assistance of the Financial Advisor, will be responsible for compiling the financial information and operating data contained in the tables in the Offering Document and assigning such information and operating data to the members of District's staff with responsibility for such financial information or operating data for review and comment.
- If the Offering Document will be a "final official statement" as defined in the Rule, the District Treasurer will be responsible for coordinating, with the assistance of the Financial Advisor, a review of the District's compliance with its Continuing Disclosure Undertakings for the past five years and reviewing the information regarding the same in the Offering Document. Such review shall include a review of the Continuing Disclosure Master List, the Financial Obligation Master List, and the District's filings with EMMA for the preceding five years to determine whether any failures to comply have occurred. The DWG will consider any identified failures to comply and may consult with Bond Counsel regarding whether the disclosure of any such failures is required in the Offering Document and the contents of any such disclosure. To the extent practicable, remedial filings with respect to any such failures to file shall be prepared and filed in accordance with these Procedures.
- The District's in-house General Counsel will review and, if necessary, consult with District staff and other consultants or attorneys regarding disclosures contained in the Offering Document related to litigation, ongoing investigations and other general legal matters.
- The Chief Financial Officer or his or her designee, with the assistance of the DWG, will be available to respond to diligence questions during the preparation of the Offering Documents.
- Bond Counsel will review and comment on disclosures related to the order or resolution authorizing the debt obligations, the description of the continuing disclosure undertaking, and federal income tax considerations contained in the Offering Document.
- The DWG will consult with Contributors and other appropriate District officials, the Auditor, the Financial Advisor, Bond Counsel, and other outside consultants, if necessary, regarding the disclosure in the Offering Documents.

- The DWG must approve the final version of an Offering Document prior to the approval or execution of the Offering Document by the DWG Chair or other District Official or the posting or distribution of the Offering Document when such approval or execution is not required. Before final approval, the DWG must determine that the material facts described therein are consistent with those known to the DWG, and that the final version of the Offering Document (1) does not make any untrue statement of a material fact or omit any material fact necessary to make the statements made therein, in light of the circumstances in which they are made, not misleading, and (2) is accurate and complete in all material respects.
- Approval of an Offering Document shall be evidenced by written sign-off (which may be delivered by e-mail) from each member of the DWG with responsibility for the disclosure provided in the Offering Document. The DWG Chair should retain the written sign-offs received from such members of the DWG in accordance with the District's records retention policy. In circumstances in which approval or execution by the District or a District official other than the DWG Chair is not required, the DWG Chair will authorize the distribution of the Offering Document.
- If requested by the Board of Trustees or any District official signing the Offering Document or approving its use, the DWG Chair will certify that (i) the Offering Document has been prepared in accordance with these Procedures and (ii) to the knowledge of the DWG and the DWG Chair, the Offering Document is accurate and complete in all material respects and does not make any untrue statement of a material fact or omit any material fact necessary to make the statements made therein, in light of the circumstances in which they are made, not misleading. This process may occur with respect to: (1) posting or other distribution of (i) a preliminary Offering Document, and deeming final thereof, (ii) a final Offering Document, and (iii) any supplement or amendment to a preliminary or final Offering Document, and (2) execution of (i) any purchase agreement or (ii) closing document by an District official containing a representation, warranty, or certification that the Offering Document is accurate and complete in all material respects and does not make any untrue statement of a material fact or omit any material fact necessary to make the statements made therein, in light of the circumstances in which they are made, not misleading.
- The DWG Chair will keep a record of the members of the DWG, the Financing Group, Contributors or other outside consultants that reviewed, drafted, approved or certified the Offering Document.

### **3. REPORT TO THE BOARD OF TRUSTEES**

- Following each transaction pricing and the posting of the final official statement, the DWG will provide the Board of Trustees with a summary of the pricing, a copy of the final official statement containing the Continuing Disclosure Undertaking entered into in connection with such transaction, and a statement that the Offering Documents for the transaction were prepared in accordance with these Procedures.

## **B. CONTINUING DISCLOSURE**

In connection with the issuance of municipal securities, the District has entered into (and in the future may enter into) a Continuing Disclosure Undertaking for the benefit of the holders and

beneficial owners of the municipal securities of each such issuance, as required by the Underwriters in accordance with the Rule. The District is required to comply with these Continuing Disclosure Undertakings for so long as it remains obligated to advance funds to pay or support the municipal securities covered by the respective Continuing Disclosure Undertaking.

Under the Continuing Disclosure Undertakings, the District is obligated to provide (1) annual financial information consisting of (i) Audited Financial Statements and (ii) the Annual Report on or before the date specified in the Continuing Disclosure Undertaking, and notice of any failure to provide such annual financial information, and (2) in a timely manner, notice of any of the events specified in the Continuing Disclosure Undertaking to the MSRB by means of the EMMA system.

The District Treasurer will maintain the Continuing Disclosure Undertakings Master List of the District.

## **1. AUDITED FINANCIAL STATEMENTS**

- The Director of Finance will work with relevant officials of the District to assure that the engagement letter with the Auditor requires completion and delivery by the Auditor of the District's annual Audited Financial Statements with sufficient time to permit the presentation to and acceptance by the District of the Audited Financial Statements and for the DWG to review and incorporate data and other information provided therein into the Annual Report prior to the respective Required Date.
- The Financial Advisor will file the Audited Financial Statements with EMMA upon availability or together with the Annual Report, provided such filing occurs on or before the respective Required Date. The Director of Finance or his or her designee shall be responsible for confirming that such filings have been made.
- If the Audited Financial Statements are not available by the Required Date, the Director of Finance will (i) if required under the District's Continuing Disclosure Undertakings, arrange for the review by the DWG and filing of unaudited financial statements with such cautionary statements and disclaimers as may be appropriate on or before the Required Date or as soon as practicable thereafter, and (ii) coordinate with Bond Counsel and the Financial Advisor for the drafting of and with the Financial Advisor for the filing of an Event Notice, in conformity with the failure to file notice provisions of the Continuing Disclosure Undertakings, stating that the Audited Financial Statements are not yet available and will not be filed by the Required Date. When the Audited Financial Statements become available, the Director of Finance shall make arrangements with the Financial Advisor for the filing of such Audited Financial Statements on EMMA and confirm that such filing was made.

## **2. ANNUAL REPORT**

- The Director of Finance, with the assistance of the Financial Advisor, will schedule the preparation and drafting of the Annual Report with the DWG in time to file the Annual Report on or before the Required Date.
- The Director of Finance, with the assistance of the Financial Advisor, will assign drafting portions of the draft Annual Report, as appropriate, to DWG members and Contributors with responsibility for the financial information or operating data described therein.

- The DWG will review, comment on, and revise the initial and any subsequent drafts of the Annual Report; check, confirm and include or incorporate by reference, as appropriate, information contained in the Audited Financial Statements, and such other reports as required; and consult with appropriate staff and officials, the Auditor, Bond Counsel, the Financial Advisor and other outside consultants, if necessary, regarding the disclosure in the Annual Report.
- The DWG must approve of the final version of the Annual Report. Before final approval, the DWG must determine that the material facts described therein are consistent with those known to the DWG, and that the final version of the Annual Report (1) does not make any untrue statement of a material fact or omit any material fact necessary to make the statements made therein, in light of the circumstances in which they are made, not misleading, and (2) is accurate and complete in all material respects.
- Prior to releasing the Annual Report, the DWG Chair must receive written sign-off (which may be delivered by email) from each member of the DWG with responsibility for the disclosure provided in the Annual Report. The DWG Chair should retain the written sign-offs received from such members of the DWG in accordance with the District's records retention policy.
- If the Annual Report is not available by the Required Date, the Director of Finance shall coordinate with Bond Counsel and the Financial Advisor for the drafting of and with the Financial Advisor for the filing of an Event Notice, in conformity with the failure to file notice provisions of the Continuing Disclosure Undertakings, stating that the Annual Report is not yet available and will not be filed by the Required Date. When the Annual Report becomes available, the Director of Finance shall make arrangements with the Financial Advisor for the filing of such Audited Financial Statements on EMMA and confirm that such filing was made.

### 3. EVENT NOTICES

In its Continuing Disclosure Undertakings, the District is obligated to file notices of certain events on EMMA in a timely manner (in certain undertakings within ten business days) after the occurrence of the event, as set forth in the Continuing Disclosure Undertakings Master List. While the list of required event notices required under the District's Continuing Disclosure Undertakings has varied with changes in the Rule, a copy of the events for which event notices are required under the District's most recent Continuing Disclosure Undertakings and reflecting the amendments to the Rule that became effective in 2019 is attached hereto as **Attachment #1**.

#### A. EVENT NOTICES – GENERAL

- Each member of the DWG is expected to have an understanding of the events listed in the Continuing Disclosure Undertakings, as described in the Continuing Disclosure Undertakings Master List.
- At all times a DWG member is required to notify the DWG Chair if he or she becomes aware of any event or potential for the occurrence of an event described in the Continuing Disclosure Undertakings Master List that may require the filing of an Event Notice.

- The DWG shall identify District departments responsible for information relating to the District's Continuing Disclosure Undertakings and Event Notices. The DWG shall require all departments in the District to promptly notify the DWG regarding the occurrence of any event or the potential occurrence of an event triggering a requirement to file an Event of Default.
- Upon notification of the occurrence of an event or potential occurrence of an event that may require filing of an Event Notice, the DWG Chair will confer with members of the DWG, as well as District staff, Bond Counsel, the Financial Advisor and other outside consultants, if necessary, to determine whether an event has occurred and, if necessary, draft or assign the drafting of the Event Notice in sufficient time to allow the District to meet its continuing disclosure obligations described in the Continuing Disclosure Undertakings Master List.
- The DWG Chair will provide the DWG with a draft of the Event Notice and the DWG will review, revise, and comment on initial and revised drafts of the Event Notice. The DWG will consult with Contributors and other appropriate District staff and officials, the Auditor, Bond Counsel, the Financial Advisor and/or other outside consultants they deem necessary regarding the Event Notice.
- Before final approval, the DWG must determine that the material facts described in the Event Notice are consistent with those known to the DWG, and that the final version of the Event Notice (1) does not make any untrue statement of a material fact or omit any material fact necessary to make the statements made therein, in light of the circumstances in which they are made, not misleading, and (2) is accurate and complete in all material respects.
- Prior to releasing the Event Notice, the DWG Chair must receive written sign-off (which may be delivered by email) from each member of the DWG with responsibility for the disclosure provided in the Event Notice. The DWG Chair should retain the written sign-offs received from such members of the DWG in accordance with the District's records retention policy.
- If the DWG becomes aware of an Event Notice that was not filed, the DWG Chair will follow the process described above to promptly file such Event Notice.

## **B. EVENT NOTICES – FINANCIAL OBLIGATIONS**

Beginning February 27, 2019, in connection with any primary offering subject to the Rule, the District will be required to include in Continuing Disclosure Undertakings an agreement to file, not in excess of ten business days, an Event Notice for: (15) incurrence of a Financial Obligation of the District, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a Financial Obligation of the District, any of which affect security holders, if material; and (16) default, event of acceleration, termination event, modification of terms, or other similar events under the terms of a Financial Obligation of the District, any of which reflect financial difficulties. The terms used in events (15) and (16) shall have the meanings ascribed to them in 83 F.R. 44700 (Aug. 31, 2018).

- Each member of the DWG is expected to have an understanding of new events (15) and (16) under the Rule.
- The DWG will, in consultation with Bond Counsel and the Financial Advisor, be responsible for: (i) identifying existing material Financial Obligations; (ii) tracking new material Financial Obligations, including amendments thereto; and (iii) monitoring Financial Obligations for events which may reflect financial difficulties.
- To assist in monitoring compliance with new events (15) and (16), the DWG Chair and the DWG will create the Financial Obligations Master List, with the assistance of the Financial Advisor, Bond Counsel, and other outside consultants, as the DWG Chair and DWG deem appropriate.
- The DWG Chair will maintain and update the Financial Obligations Master List, and upon approval of the DWG and the District, may retain a Financial Advisor or other outside consultants, as may be necessary, to effectively maintain and continuously update such Master List as well as to make all filings required to be made by the District under the Continuing Disclosure Undertakings.
- The DWG Chair shall review District agenda items in order to identify potential Financial Obligations (or a modification of an existing Financial Obligation) and shall follow-up with the individual responsible for the agenda item to determine if the item rises to the level of disclosure. For purposes of this section, at a minimum, items to be considered by the DWG as a potential “Financial Obligation” shall include, but are not limited to:
  1. A debt obligation;
  2. A derivative instrument entered into in connection with or pledged as security or a source of payment for, an existing or planned debt obligation;
  3. A guarantee of (1) or (2);
  4. A financing agreement, financing lease or energy savings performance contract where the District effectively borrows money at a rate of interest for the purchase of vehicles and equipment and pays back such borrowing over a number of years;
  5. A line of credit, credit agreement or commercial paper program; and
  6. Any other instrument that contains “debt-like” features or terms.
  - 7.
- The DWG shall review all potential Financial Obligations for materiality and recommend to the DWG chair whether filing is required. For purposes of this section, a determination as to the materiality of a potential Financial Obligation involves a determination as to whether a financial obligation or the terms of a financial obligation, if they affect security holders, would be important, to the total mix of information made available to a reasonable investor when making an investment decision.

- At all times the DWG members are required to notify the DWG Chair if they become aware of the occurrence or potential occurrence of events, amendments or new agreements, or other items that would constitute new events (15) and (16) under the Rule. If a DWG member provides such notice or the DWG Chair otherwise becomes aware of such actual or potential event, the DWG Chair will follow the steps under “Section IV(B)(3)(A) Event Notices – General” of these Procedures in determining whether an event has occurred and, if necessary, the drafting and filing of the Event Notice and related record-keeping.

### **C. VOLUNTARY FILINGS WITH EMMA**

- If District staff or officials desire to file a voluntary disclosure filing on EMMA, the staff or officials must make a request to the DWG Chair describing the reason for providing a voluntary disclosure. The DWG Chair will coordinate with the DWG, Bond Counsel and the Financial Advisor to determine whether a voluntary filing is appropriate and, if so, draft or assign the drafting of the voluntary disclosure filing.
- The DWG Chair will provide the DWG with a draft of the voluntary filing and the DWG will review, revise, and comment on initial and revised drafts of the voluntary filing. The DWG will consult with Contributors and other appropriate District staff and officials, the Auditor, the Financial Advisor, Bond Counsel, and other outside consultants, if necessary, regarding the voluntary filing.
- The DWG must approve of the final version of the voluntary filing. Before final approval, the DWG must determine that the material facts described therein are consistent with those known to the DWG, and that the final version of the voluntary filing (1) does not make any untrue statement of a material fact or omit any material fact necessary to make the statements made therein, in light of the circumstances in which they are made, not misleading, and (2) is accurate and complete in all material respects.
- Approval of a voluntary filing shall be evidenced by written sign-off (which may be delivered by e-mail) from each member of the DWG with responsibility for the disclosure provided in the voluntary filing. Upon receipt of sign-off from such members of the DWG, the DWG Chair shall file the voluntary filing with EMMA. The DWG Chair should retain the written sign-offs received from members of the DWG in accordance with the District’s records retention policy.

### **D. RATING AGENCY PRESENTATIONS**

- In the event officials of the District are to make a presentation to a rating agency relating to the rating of outstanding or proposed municipal securities, the DWG Chair will assign portions of the draft rating agency presentation to DWG members and Contributors with responsibility for the financial and other information to be provided therein and to Bond Counsel and the Financial Advisor, as appropriate.
- The DWG will consult with Contributors and other appropriate District staff and officials, the Auditor, the Financial Advisor, Bond Counsel, and other outside consultants, if necessary, regarding the disclosure in the rating agency presentation. The DWG will review, revise, and comment on initial and revised drafts of the rating agency presentation.
- The DWG must approve the final version of any rating agency presentation prior to delivery to a rating agency. Before final approval, the DWG must determine that the

material facts described therein are consistent with those known to the DWG, and that the final version of the rating agency presentation (1) does not make any untrue statement of a material fact or omit any material fact necessary to make the statements made therein, in light of the circumstances in which they are made, not misleading, and (2) is accurate and complete in all material respects.

- Approval of a rating agency presentation shall be evidenced by written sign-off (which may be delivered by e-mail) from each member of the DWG with responsibility for the disclosure provided in the rating agency presentation. Upon receipt of sign-off from such members of the DWG, the DWG Chair shall provide the rating agency presentation to the rating agency. The DWG Chair should retain the written sign-offs received from members of the DWG in the in accordance with the District's records retention policy.

#### **IV. ANNUAL REVIEW OF PROCEDURES**

- Each year the DWG will conduct the Annual Review. The purpose of the Annual Review is for the DWG to evaluate the design, operation and effectiveness of these Procedures.
- Following the Annual Review, the Procedures will be submitted to the Board of Trustees for review. If the DWG recommends any substantive amendment to these Procedures, the DWG Chair will prepare a written summary of such amendment and deliver such summary to the Board of Trustees together with the recommendations of the DWG. Any amendments to the Procedures will be discussed with Bond Counsel.
- In addition to a recommendation to amend these Procedures made in the Annual Review, the DWG, the DWG Chair, and any official or staff involved in preparing or approving the Disclosure Documents may at any time recommend an amendment to the Procedures.
- Following receipt of the recommendation for an amendment, the DWG will convene a meeting (which may be by phone or electronic means) to discuss the proposed amendment and determine whether such amendment should be approved. Any amendments to the Procedures will be discussed with Bond Counsel. If the DWG recommends that the Board of Trustees make any substantive amendment to these Procedures, the DWG Chair will prepare a written summary of such amendment and deliver such summary to the Board of Trustees together with the recommendations of the DWG.

#### **V. PERIODIC TRAINING**

- The District will provide Periodic Training for all staff and officials involved in preparing or approving the Disclosure Documents, including members of the DWG authorizing or participating in the preparation of or approval of any Offering Document for dissemination. The Periodic Training should be prepared by or with the assistance of Bond Counsel.
- The Periodic Training will generally include an overview of these Procedures, the disclosure obligations of the District under federal and state securities laws, and the responsibilities and potential liabilities of the staff and officials involved in preparing or approving the Disclosure Documents.
- All staff and officials involved in preparing or approving the Disclosure Documents are required to attend the Periodic Training or obtain comparable training approved by the DWG Chair.
- The DWG Chair will keep a record of those that attend the Periodic Training and maintain such record in accordance with these Procedures.

## VI. INTERNAL USE ONLY

- These Procedures are intended for internal use only and are not intended to establish any duties in favor of or rights of any person other than the District.

### Attachment #1

#### Example Event Notice Requirements (Reflecting Amendments to the Rule that Became Effective on February 27, 2019)

##### Event Notices.

- (a) The District shall provide the following to the MSRB, in an electronic format as prescribed by the MSRB, in a timely manner not in excess of ten (10) business days after the occurrence of the event, notice of any of the following events with respect to the Bonds:
- (1) Principal and interest payment delinquencies;
  - (2) Non-payment related defaults, if material;
  - (3) Unscheduled draws on debt service reserves reflecting financial difficulties;
  - (4) Unscheduled draws on credit enhancements reflecting financial difficulties;
  - (5) Substitution of credit or liquidity providers, or their failure to perform;
  - (6) Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax status of the Bonds;
  - (7) Modifications to rights of the holders of the Bonds, if material;
  - (8) Bond calls, if material, and tender offers;
  - (9) Defeasances;
  - (10) Release, substitution, or sale of property securing repayment of the Bonds, if material;
  - (11) Rating changes;
  - (12) Bankruptcy, insolvency, receivership or similar event of the District;

Note to paragraph 12: For the purposes of the event identified in paragraph 12 of this section, the event is considered to occur when any of the following occur: the

appointment of a receiver, fiscal agent or similar officer for the District in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the District, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the District.

- (13) The consummation of a merger, consolidation, or acquisition involving the District or the sale of all or substantially all of the assets of the District, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;
- (14) Appointment of successor or additional paying agent/registrar or the change of name of a paying agent/registrar, if material;
- (15) Incurrence of a Financial Obligation of the District, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a Financial Obligation of the District, any of which affect security holders, if material; and
- (16) Default, event of acceleration, termination event, modification of terms, or other similar events under the terms of a Financial Obligation of the District, any of which reflect financial difficulties.

Note to paragraphs (15) and (16): For purposes of the events identified in paragraphs (15) and (16) of this section and in the definition of Financial Obligation in Section 1.01, the District intends the words used in such paragraphs to have the meanings ascribed to them in SEC Release No. 34-83885 dated August 20, 2018 (the “2018 Release”) and any further written guidance provided by the SEC or its staff with respect to the amendments to the Rule effected by the 2018 Release.”

The District shall provide to the MSRB, in an electronic format as prescribed by the MSRB, in a timely manner, notice of a failure by the District to provide financial information and operating data (i.e. Annual Reports and Audited Financial Statements) in accordance with the requirements of the applicable Order. All documents provided to the MSRB should be accompanied by identifying information as prescribed by the MSRB.

Additionally, if the District changes its fiscal year, it must notify the MSRB of the change (and of the date of the new fiscal year end) prior to the next date by which the District otherwise would be required to provide its Annual Reports and Audited Financial Statements.

**For: Fort Bend ISD Board of Trustees**  
**Date: September 9, 2024**  
**Action: Review: Investment Strategy Resolution**  
**References: Board Policy CH (Legal)**  
**District Goal 5**  
**Department: Business and Finance**

**Recommendation**

Consideration and approval of a resolution for the district’s investment strategy and authorization of investment brokers for the District.

**Summary**

The Public Funds Investment Act (PFIA), Chapter 2256 of the Texas Government Code, governs the rules and regulations regarding the District’s investment of funds. PFIA requires the Board to review the District’s investment strategy at least annually.

The District is required to invest its funds in accordance with PFIA and provide guidance to potential investors with respect to the types and amounts of allowable instruments. The Government Treasurer’s Organization of Texas (GTOT) recognized the investment strategy as a best practice in August 2024 for the sixth consecutive bi-annual period. The attached Resolution approves the attached investment strategy that the Board last approved on September 18, 2023.

The table below reflects the changes made to the Investment Strategy.

<b>Page</b>	<b>Change</b>	<b>Rationale</b>
<b>5</b>	Replace “Investment Officers” with “Board of Trustees” for approval of qualified broker/dealers and financial institutions	The purpose of the proposed change is to align the wording of the District’s annual review process with the PFIA Sec. 2256.025.

PFIA also requires the District to obtain Board of Trustee approval of authorized brokers annually. Prior to purchasing government securities, the District takes quotes from a minimum of three brokers. The District has identified the following six brokers/dealers as firms that provide competitive pricing and yield for prospective investments:

- |                          |                              |
|--------------------------|------------------------------|
| BOSC, Inc.               | Mischler Financial Group     |
| FHN Financial            | PNC Capital Markets LLC      |
| Hilltop Securities, Inc. | Stifel, Nicolaus & Co., Inc. |

Recommended by:

Dr. Marc Smith  
Superintendent of Schools

Bryan Guinn  
Chief Financial Officer

# FORT BEND INDEPENDENT SCHOOL DISTRICT INVESTMENT STRATEGY

## **POLICY**

The Fort Bend Independent School District (the District) shall invest funds in a manner that will provide the maximum security and the best commensurate yield while meeting the daily cash flow demands of the District and conforming to all federal, state and local statutes, rules and regulations governing the investment of public funds including the Public Funds Investment Act, Chapter 2256 of the Texas Government Code. This Strategy sets forth the investment program of the District and the guidelines to be followed in achieving its objectives.

Not less than annually, the Fort Bend Independent School District Board of Trustees shall adopt a written instrument by resolution stating that it has reviewed the Investment Strategy and that the written instrument so adopted shall record any changes made.

## **SCOPE**

This strategy governs the investment of all funds of the District except those that are not directly managed by the authority of the Board of Trustees. This Strategy shall be made available to anyone who has management responsibility for any District funds, and in the absence of their specific investment strategy, or not otherwise being governed by state law, this Strategy shall prevail.

Funds covered by this Strategy are as follows:

<b>GENERAL FUNDS</b>	This fund usually includes transactions as a result of revenues from local maintenance taxes, payments in lieu of taxes, foundation entitlements, and other Foundation School Program sources.
<b>SPECIAL REVENUE FUNDS</b>	Special revenue funds are governmental funds used to account for the proceeds of specific revenue sources that are legally restricted to expenditures for specified purposes.
<b>DEBT SERVICE FUNDS</b>	A debt service fund is a governmental fund, with budgetary control, that must be used to account for general long-term debt principal and interest for debt issues and other long-term debts for which a tax has been dedicated.
<b>CAPITAL PROJECTS FUNDS</b>	A capital projects fund is a governmental fund that must be used to account, on a project basis, for projects financed by the proceeds from bond issues, or for capital projects otherwise mandated to be accounted for in this fund.
<b>ENTERPRISE FUNDS</b>	This fund is used to accounts for business type activities including the operations of extended day and facility rentals.
<b>INTERNAL SERVICE FUNDS</b>	Internal service funds are a proprietary fund accounted for on the accrual basis.
<b>TRUST AND AGENCY FUNDS</b>	This group of funds is used to account for assets held by a school district in a trustee capacity of the District, or as an agent for individuals, private organizations, other governmental units and/or other funds. This fund type consists of expendable trust funds, nonexpendable trust funds, pension trust funds and agency funds.

Funds not covered by this Strategy are as follows:

## **TEXAS TEACHER RETIREMENT FUND**

All employees of Fort Bend Independent School District employed for one-half or more of the standard work load, and who are not exempted from membership under Texas Government Code, Title I, Subtitle C Section 822.002, are required to participate in the Teacher Retirement System of Texas (the "System"), a multiple-employer public employee retirement system ("PERS"). It is a cost-sharing PERS with one exception - all risks and costs are not shared by the District, but are the liability of the State of Texas, as such, all investments are maintained by the Teacher Retirement System.

## **FORT BEND INDEPENDENT SCHOOL DISTRICT INVESTMENT STRATEGY**

### **PENSION PLAN FOR EMPLOYEES**

Fort Bend ISD has established a Deferred Compensation FICA Alternative Plan (the FICA Alternative Plan) for non-TRS Employees, which is a single-employer contribution plan giving retirement benefits to employees who are not eligible to participate in TRS. FBISD has also established an Employee Incentive Plan which is an employer contribution retirement plan established under section 401(a) of the Internal Revenue Code. Such plans are not subject to the rules and regulations surrounding the Public Funds Investment Act. The investments of these plans are managed by the district's third-party administrator in accordance with the plan document.

### **OBJECTIVE**

Investment of the funds covered by this Strategy shall be governed by the following investment objectives, in the order of priority:

- SAFETY:** Safety of principal is the primary objective of the Investment Strategy. Investment of the District's funds shall be undertaken in a manner that seeks to ensure the preservation of capital for the overall portfolio. To attain this objective, investment in only high-quality securities and diversification are required in order that potential losses on individual securities do not exceed the income generated from the remainder of the portfolio.
- LIQUIDITY:** The District's investment portfolio will remain sufficiently liquid to enable the District to meet all operating requirements that might be reasonably anticipated.
- YIELD:** The District's investment portfolio shall be designed with the objective of attaining the best yield, throughout budgetary and economic cycles, commensurate with the District's investment risk constraints and the cash flow characteristics of the portfolio.

The District shall monitor the rating of all investments and collateral at least quarterly and shall include the ratings in the regular investment report. The ratings may be obtained from one of the following nationally recognized rating companies: Standard & Poor's, Fitch, Moody, or any other nationally recognized company.

### **DELEGATION OF AUTHORITY**

The Chief Financial Officer, under the direction and authority of the Board of Trustees shall direct the cash management program of the District as defined in CDA Legal and CDA Local. Pursuant to Chapter 2256.005 of the Texas Government Code, the Board of Trustees shall designate the Chief Financial Officer, Executive Director of Finance, Director of Finance, and District Treasurer as investment officers responsible for the investment of its funds, under the direction and authority of the Board of Trustees.

The District's investment officers shall establish written procedures for the operation of the investment program consistent with this Investment Strategy. Such procedures shall include explicit delegation of authority to persons responsible for investment transactions. No person may engage in an investment transaction except as provided under the terms of this Strategy and the written procedures. Authority granted to a person to invest the District's funds is effective until rescinded or until termination of the person's employment by the District. The investment officers shall be responsible for all transactions undertaken and shall establish a system of controls, to be reviewed by the District's Internal Auditor, to regulate the activities of subordinate officials. The investment officers shall possess sufficient working knowledge of economics and securities markets, as well as the supervisory experience and judgment necessary to carry out the responsibilities outlined in this Strategy.

### **PRUDENCE**

The governing body of the investing entity retains ultimate responsibility as fiduciaries of the assets of the entity and shall ensure that investments shall be made with judgment and care – under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.

The standard of prudence to be used by investment officials shall be the "prudent person" standard and shall be applied in the context of managing an overall portfolio. Investment officers acting in accordance with written procedures and the Investment Strategy and exercising due diligence shall be relieved of personal responsibility for an individual security's credit risk or market price changes, provided deviations from expectations are reported in a timely fashion and appropriate action is taken to control adverse developments.

## **FORT BEND INDEPENDENT SCHOOL DISTRICT INVESTMENT STRATEGY**

In determining whether an investment official has exercised prudence with respect to an investment decision, the determination shall be made taking into consideration the investment of all funds over which the official had responsibility rather than consideration as to the prudence of a single investment and, whether the investment decision was consistent with the District's Investment Strategy and written investment procedures.

### **ETHICS AND CONFLICTS OF INTEREST**

Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

Officers and employees involved in the investment process shall sign annual statements agreeing to abide by this section of the Investment Strategy and affirming no known conflicts of interest.

An officer or employee involved in the investment process has a personal business relationship with a business organization if:

- the officer or employee owns 10 percent or more of the voting stock or shares of the business organization or owns \$5,000 or more of the fair market value of the business organization;
- funds received by the officer or employee from the business organization exceed 10 percent of his/her gross income for the previous year; or
- the officer or employee has acquired from the business organization during the previous year investments with a book value of \$2,500 or more for his/her personal account.
- the officer is related within the second degree by affinity or consanguinity, as determined under Chapter 573 of the Texas Government Code, to an individual seeking to transact investment business with the entity.

If the investment officer has a personal business relationship with a business organization, a disclosure statement must be filed with the Texas Ethics Commission.

### **CAPABILITY OF INVESTMENT MANAGEMENT**

The District shall provide periodic training in investments for the investment personnel through courses and seminars offered by professional organizations and associations in order to insure the quality and capability of the District's investment personnel making investment decisions in compliance with the PFIA.

### **TRAINING**

The Investment Officers and the persons authorized to execute investment transactions shall receive not less than 8 hours of instruction relating to investment responsibilities every two fiscal years that begins on the first day of the District's fiscal year of the two consecutive fiscal years after that date. Newly appointed Investment Officers shall receive not less than 10 hours of instruction within 12 months after taking office or assuming duties. Investment training courses will be received through an independent source, including but not limited to the Government Treasurer's Organization of Texas, University of North Texas Center for Public Management, Region IV Education Service Center, Harris County Department of Education, Texas Association of School Business Officials, Texas Association of School Boards, and any other source meeting the criteria outlined in the Public Funds Investment Act.

### **AUTHORIZED AND SUITABLE INVESTMENTS**

District funds governed by this Strategy may be invested in the instruments described below, all of which are authorized by Chapter 2256 of the Government Code (Public Funds Investment Act). However, investments in instruments other than government securities shall be made only if the yield is equal to or greater than the bond equivalent yield on U.S. Treasury obligations of comparable maturity.

Investments not listed below, including any of the following are strictly prohibited:

- Mortgage obligations
  - (1) obligations whose payment represents the coupon payments on the outstanding principal balance of the underlying mortgage-backed security collateral and pays no principal;
  - (2) obligations whose payment represents the principal stream of cash flow from the underlying mortgage-backed security collateral and bears no interest;
  - (3) collateralized mortgage obligations that have a stated final maturity date of greater than 10 years; and

## FORT BEND INDEPENDENT SCHOOL DISTRICT INVESTMENT STRATEGY

(4) collateralized mortgage obligations the interest rate of which is determined by an index that adjusts opposite to the changes in a market index

- Reverse repurchase agreements
- Corporate bonds issued by domestic business entities.

In addition, the purchase of specific issues may at times be restricted or prohibited by the Chief Financial Officer due to current market conditions.

An investment that requires a minimum rating under this section does not qualify as an authorized investment during the period the investment does not have the minimum rating. The District shall take all prudent measures consistent with this Investment Strategy to liquidate an investment that does not have the minimum rating.

- Direct obligations of the United States of America.
- Other obligations, the principal and interest of which are unconditionally guaranteed or insured by, or backed by the full faith and credit of, the United States of America.
- Direct obligations of the State of Texas or its agencies, which are unconditionally guaranteed or insured by the full faith and credit of the State of Texas.
- Obligations of other school districts which are unconditionally guaranteed by the Permanent School Fund.
- Obligations of cities, counties, and other political subdivision located in the state of Texas rated with an investment quality not less than A or its equivalent.
- Direct obligations of the following United States agencies and instrumentalities including, but not limited to:
  - Federal Farm Credit System
  - Federal Home Loan Bank System
  - Federal Home Loan Mortgage Corp.
  - Federal National Mortgage Association
  - Federal Agricultural Mortgage Corporation
- Fully collateralized Certificates of Deposit/Share Certificates of a depository institution or a broker (selected from a list adopted by the investing entity) with a main office or branch located in the state of Texas provided that they:
  - are guaranteed or insured by the Federal Deposit Insurance Corporation or its successor or the National Credit Union Share Insurance Fund or its successor; or
  - have a stated maturity of 365 days or fewer from the date of its issuance; and
    - is not rated less than A-1 or P-1 or an equivalent rating by at least two nationally recognized credit rating agencies; or
    - one nationally recognized credit rating agency and is fully secured by an irrevocable letter of credit issues by a bank organized and existing under the laws of the United States or any state.
  - are secured by obligations of the United States government described above.
- Repurchase Agreement, approved by the District's Board of Trustees, which details eligible collateral, collateralization ratios, standards for collateral custody and control, collateral valuation, and conditions for agreement termination and provided the repurchase agreement:
  - has a defined termination date;
  - is secured by obligations of the U.S. Treasury;
  - requires the securities being purchased by the District to be assigned to the District, held in the District's name, and deposited at the time the investment is made with the District or with a third party selected and approved by the District; and
  - is placed through a primary government securities dealer, as defined by the Federal Reserve, or a financial institution doing business in this state, and which is rated no less than A or its equivalent by two nationally recognized rating services.

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- Commercial Paper provided:
  - has a stated maturity of 365 days or fewer from the date of issuance;
  - is rated not less than A-1 or P-1 or an equivalent rating by at least two nationally recognized rating services or by one nationally recognized credit rating agency and is fully secured by an irrevocable letter of credit issued by a bank organized and existing under the laws of the United States or any state.
- No-load money market mutual funds that are registered with and regulated by the Securities and Exchange Commission that:
  - have a dollar-weighted average stated maturity of 90 days or fewer;
  - seek to maintain a stable net asset value of \$1 per share;
  - are rated not less than Aaa/AAA, Aaam/AAAm or an equivalent rating by at least one nationally recognized rating service; and
  - have provided the District with a prospectus and other information required by the Securities Exchange Act of 1934 or the Investment Company Act of 1940.

Investments will be made in a money market mutual fund only after a thorough investigation of the fund and collective approval by the District's designated investment officers who shall, at least annually, review, revise and adopt a list of approved funds.

- Local government investment pools, created to function as money market mutual funds, organized in conformity with Chapter 791 (Inter Local Cooperation Contracts Act) and Chapter 2256 (Public Funds Investment Act) of the Government Code that:
  - have a dollar-weighted average stated maturity of 90 days or fewer;
  - seek to maintain a stable net asset value of \$1 per share;
  - are rated not less than Aaa/AAA or an equivalent rating by at least one nationally recognized rating service; and
  - have provided the District with an offering circular and other information required by the Public Funds Investment Act.
- Local government investment pools that do not meet the requirements of one that is created to function as a money market mutual fund must:
  - maintain a maximum average dollar weighted maturity that does not exceed 365 days, or 366 days in the case of a leap year,
  - provide a fixed interest rate and fixed maturity term for each pool position,
  - be rated not less than Aaa/AAA, Aaam/AAAm or an equivalent rating by at least one nationally recognized rating service; and
  - have provided the District with an offering circular and other information required by the Public Funds Investment Act.

To become eligible, investment pools must meet all the requirements of state law as determined under Chapter 2256 of the Government Code, as amended; and be approved by District Board of Trustees action. Investments will be made in a local government investment pool only after a thorough investigation of the pool and approval by the Investment Committee which shall, at least annually, review, revise and adopt a list of approved pools.

### **AUTHORIZED BROKER/DEALERS AND FINANCIAL INSTITUTIONS**

The Board of Trustees shall, at least annually, review, revise, and adopt a list of qualified broker/dealers and financial institutions authorized to engage in investment transactions with the District. In order to be considered those firms that desire to become qualified bidders for investment transactions will be required to provide information regarding creditworthiness, experience and reputation and must have a main office or a branch office in Texas. Authorized firms may include primary dealers or regional dealers that qualify under Securities & Exchange Commission Rule 15C3-1 (uniform net capital rule).

A written copy of this Investment Strategy shall be presented to any person offering to engage in an investment transaction with the District. Investments shall only be made with those business organizations (including money market mutual funds

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and local government investment pools) that have provided the District with a written instrument executed by a qualified representative of the firm, acknowledging that the business organization has:

- received and reviewed the District's Investment Strategy; and
- implemented reasonable procedures and controls in an effort to preclude investment transactions conducted between the District and the organization that are not authorized by the District's Investment Strategy, except to the extent that this authorization is dependent on an analysis of the makeup of the District's entire portfolio or requires an interpretation of subjective investment standards.

### **SELECTION OF DEPOSITORY**

The Board of Trustees shall select and designate a depository institution in accordance with Texas Education Code 45.202. The depository shall be selected based upon its solvency and stability of leadership as well as on the services provided. The depository shall be selected through a formalized competitive process in response to the District's request for proposal (RFP) outlining all services required. Such services should provide the greatest flexibility for money management and should include online account management, controlled disbursement, positive pay account with vendor recognition, controlled ACH disbursement, overnight sweeps, and purchasing card capabilities.

The District shall have the discretion to determine the time span for requesting proposals for the depository contract; however, a six-year period will be the maximum length of time between competitive processes.

### **COMPETITIVE BIDDING**

It is the strategy of the District to require competitive bidding for all individual security purchases and sales except for:

- transactions with money market mutual funds and local government investment pools (which are deemed to be made at prevailing market rates); or,
- automatic overnight "sweep" transactions with the District Depository; or,
- brokers that are exclusive for the sale

At least three bids or offers must be solicited for all other transactions involving individual securities. The District's investment advisor is also required to solicit at least three bids or offers when transacting trades on the District's behalf. In situations where other dealers do not offer the exact security being offered, offers on the closest comparable investment may be used to establish a fair market price for the security.

### **COLLATERALIZATION**

The District requires that all uninsured collected balances plus accrued interest, if any, in depository accounts be secured in accordance with the requirements of state law. Financial institutions serving as District depositories will be required to sign a Depository Agreement with the District which details eligible collateral, collateralization ratios, standards for collateral custody and control, collateral valuation, rights of substitution and conditions for agreement termination.

The District requires that all securities purchased under the terms of a repurchase agreement be assigned to the District in accordance with state law. Dealers and financial institutions wishing to transact repurchase agreements with the District will be required to sign the District's Master Repurchase Agreement which details eligible collateral, collateralization ratios, standards for collateral custody and control, collateral valuation, rights of substitution, and conditions for agreement termination.

Collateral will always be held by an independent third party with which the District has a current custodial agreement and shall be reviewed at least monthly to ensure that the market value of the pledged securities is adequate. Eligible collateral and collateral ratios are as follows:

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ELIGIBLE COLLATERAL	COLLATERAL RATIOS
1. Direct obligations of the United States of America which includes Treasury bills, bonds and notes.	100%
2. Agency bonds/notes which include obligations of the Federal Farm Credit Bank, Federal Home Loan Bank, Federal Housing Administration, Federal Home Loan Mortgage Corporation.	100%
3. Letter of Credit issued by a Federal Home Loan Bank	100%

**SAFEKEEPING AND CUSTODY**

Safekeeping and custody of securities and collateral shall be in accordance with state law. It shall be the District's intent to place securities and collateral in the possession of a third party custodian designated by the District where feasible, and held in the District's name as evidenced by safekeeping receipts of the institution with which the securities are deposited.

All trades will be executed by delivery vs. payment (DVP), except local government investment pool and mutual fund transactions to ensure that securities are deposited in an eligible financial institution prior to the release of funds. That is, funds shall not be wired or paid until verification has been made that the Trustee received the collateral.

**INVESTMENT STRATEGIES**

The District maintains separate portfolios for individual funds that are managed according to the terms of this Strategy and the following corresponding investment strategies:

- ensure safety of principal by investing only in high-quality securities for which a strong secondary market exists;
- ensure that anticipated cash flows are matched with adequate investment liquidity;
- limit market and credit risk through diversification.

**SALE OF SECURITIES**

The District's strategy is to hold securities to maturity. However, securities may be sold:

- in order to minimize the potential loss of principal on a security whose credit quality has declined; or
- in order to swap into another security which would improve the quality, yield, or target duration of the portfolio; or
- in order to meet unanticipated liquidity needs of the portfolio.

**EXEMPTION OF EXISTING INVESTMENTS**

Any investment currently held that does not meet the guidelines of this policy shall be exempted from the requirements of this policy. At maturity or liquidation, such monies shall be reinvested only as provided by this policy. The District is not required to liquidate investments that were authorized investments at the time of purchase.

**ARBITRAGE**

The Tax Reform Act of 1986 provided limitations restricting the amount of income that could be generated from the investment of tax-exempt General Obligation Bond proceeds and debt service income. The arbitrage rebate provisions require that the District compute earnings on investment from each issue of bonds on an annual basis to determine if a rebate is required. To determine the District's arbitrage position, the District is required to perform specific calculations relative to the actual yield earned on the investment of the funds and the yield that could have been earned if the funds had been invested at a rate equal to the yield on the bonds sold by the District. The rebate provision states that periodically (not less than once every five years, and not later than sixty days after the maturity of the bonds), the District is required to pay the U.S. Treasury a rebate of excess earnings based on the District being in a positive arbitrage position. The Tax Reform restrictions require precision in the monitoring and recording of investments as a whole, and particularly as relates to yields and computations so as to ensure compliance. Failure to comply can dictate that the bonds become taxable, retroactively from the date of issues.

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The District's investment position relative to arbitrage is the continued pursuit of maximizing the yield on applicable investments while ensuring the safety of capital and liquidity. It is a fiscally sound position to continue maximization of yield and rebate excess earnings, if necessary.

**DIVERSIFICATION AND MAXIMUM MATURITIES**

The District's investment portfolios, in aggregate, will be diversified to limit market and credit risk by observing the following limitations:

SECURITY	MAXIMUM STATED MATURITY	ISSUER LIMITATIONS	FUNDS AUTHORIZED
<b>U.S. TREASURIES</b>	2 years	100% of the total portfolio may be invested in obligations of the U.S. Treasury.	General Fund Special Revenue Fund Debt Service Fund Capital Projects Fund
<b>U.S. AGENCIES / INSTRUMENTALITIES</b>	2 years	No more than 60% of the total portfolio may be invested in the obligations of any one issuer.  The District may not own more than 10% of any single issue.	General Fund Special Revenue Fund Debt Service Fund Capital Projects Fund Internal Service Fund
<b>OBLIGATIONS OF STATES, AGENCIES, COUNTIES, CITIES &amp; OTHER POLITICAL SUBDIVISIONS</b>	2 years	No more than 60% of the total portfolio may be invested in the obligations of any one issuer rated A or higher by a nationally recognized rating firm.  The District may not own more than 10% of any single issue.	General Fund Special Revenue Fund Debt Service Fund Capital Projects Fund Internal Service Fund
<b>REPURCHASE AGREEMENTS</b>	30 days	No more than 15% of the portfolio may be invested with one counterpart (Note 1).	General Fund Capital Projects Fund
<b>MONEY MARKET MUTUAL FUNDS</b>	NA	The District may not invest more than 30% of the District's investment portfolio in any one fund.	General Fund Special Revenue Fund Debt Service Fund Capital Projects Fund Enterprise Funds Internal Service Fund Trust and Agency Fund
<b>LOCAL GOVERNMENT INVESTMENT POOLS</b>	NA	The District may not invest more than 35% of the District's local government investment pool total in any one local government investment pool.	General Fund Special Revenue Fund Debt Service Fund Capital Projects Fund Enterprise Funds Internal Service Fund Trust and Agency Fund
<b>COMMERCIAL PAPER</b>	365 days	The District may not invest more than 10% of the District's investment portfolio in any one fund.	General Fund Capital Projects Fund Debt Service Fund
<b>CERTIFICATES OF DEPOSIT</b>	1 year	The District may not invest more than 40% of the District's investment portfolio in collateralized certificates of deposit. Each CD may not exceed \$25 million in any one depository at any given time.	General Fund Special Revenue Fund Debt Service Fund Capital Projects Fund Enterprise Funds Internal Service Fund Trust and Agency Fund

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In addition to the above limitations the District’s Investment Portfolio shall be diversified by market sector as follows:

MARKET SECTOR	MAXIMUM PERCENTAGE OF INVESTMENT PORTFOLIO
U.S. TREASURIES	100%
U.S. AGENCIES/INSTRUMENTALITIES FIXED-RATE NOTES	60% (maximum 15% callable)
U.S. AGENCIES/INSTRUMENTALITIES DISCOUNT NOTES	60%
OBLIGATIONS OF THE STATE OF TEXAS OR ITS AGENCIES	20%
OBLIGATIONS OF OTHER LOCAL SCHOOL DISTRICTS BACKED BY THE PERMANENT SCHOOL FUND	25%
REPURCHASE AGREEMENTS	15%
MONEY MARKET MUTUAL FUNDS	60%
LOCAL GOVERNMENT INVESTMENT POOLS	65%
COMMERCIAL PAPER	10%
CERTIFICATES OF DEPOSIT	40%

Note 1: With respect to bond proceeds and other bond funds, the District may specifically authorize investments in repurchase agreements with maturities in excess of 30 days subject to any required approvals from bond insurers and the Board of Trustees.

Note 2: Under adverse market conditions, the District may deviate from the limitations outlined above for periods of 90 days or less, with the Superintendent’s approval, in order to sufficiently maintain safety and liquidity.

Note 3: For Long-Term Variable Rate Securities for which the principal amount is scheduled to be paid in more than 397 calendar days, that is subject to a Demand Feature, the maximum “stated maturity date” may not exceed the maximum date allowed by law and for purposes of this policy, the “maturity date” shall be the date the principal amount can be recovered through demand and in no case shall the “maturity date” exceed two years.

**REPORTING**

Investment performance is regularly monitored by investment staff and reported to the Board of Trustees. Month-end market prices on each security are obtained from the District’s investment software database that receives its information from a variety of nationally recognized securities databases (e.g., the Wall Street Journal, Bloomberg, etc.). These prices are recorded in the District’s portfolio database and included in all management reports as well as the District’s Comprehensive Annual Financial Report.

Not less than quarterly the Investment Officers will submit to the Board of Trustees a written report of the status of the current investment portfolio. The report must meet the requirements of Chapter 2256 of the Government Code (Public Funds Investment Act) and:

- describe in detail the investment and accrued interest receivable position of the District on the date of the report;
- be prepared jointly by all investment officers of the District;
- be signed by each investment officer of the District (Electronic signatures are allowed based on Board Policy CQ (Local));
- state the book value and market value of each separately invested asset at the beginning and end of the reporting period by the type of asset and fund type invested;
- state the maturity date of each separately invested asset that has a maturity date;
- state the current rating of each investment;
- state the account or fund or pooled fund group for which each individual investment was acquired; and

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- state the compliance of the investment portfolio as it relates to the investment strategy and relevant provisions of this Strategy and the Public Funds Investment Act.

An independent auditor shall formally review all quarterly investment reports prepared under this section at least annually, and that auditor shall report the results of the review to District Board of Trustees.

**ANNUAL COMPLIANCE AUDIT**

In conjunction with the annual financial audit, a compliance audit shall be performed which includes an audit of management controls on investments and adherence to the District's established strategy.

# FORT BEND INDEPENDENT SCHOOL DISTRICT INVESTMENT STRATEGY

## GLOSSARY OF TERMS

**ACCRETION OF DISCOUNT:** Periodic straight-line increases in the book or carrying value of a security so the amount of the purchase price discount below face value is completely eliminated by the time the bond matures or by the call date, if applicable.

**ACCRUED INTEREST:** The interest accumulated on a security from its issue date or since the last payment of interest up to but not including the purchase date. The purchaser of the security pays to the seller the market price plus accrued interest.

**AMORTIZATION OF PREMIUM:** Periodic straight-line decreases in the book or carrying value of a security so the premium paid for a bond above its face value or call price is completely eliminated.

**ASK:** The price at which sellers offer securities.

**BARBELL MATURITY STRATEGY:** A maturity pattern within a portfolio in which maturities of the assets in the portfolio are concentrated in both the short and long ends of the maturity spectrum.

**BASIS POINT:** One one-hundredth (1/100) of one percent; 0.0001 in decimal form.

**BENCHMARK:** A comparative base for performance evaluation. A benchmark can be a broad-based bond index, a customized bond index, or a specific objective.

**BID:** The price offered for securities by purchasers. (When selling securities, one asks for a bid.)

**BOND EQUIVALENT YIELD:** Used to compare yields available from discounted securities that pay interest at maturity with yields available from securities that pay interest semi-annually.

**BOOK ENTRY SECURITIES:** Stocks, bonds, other securities, and some certificates of deposit that are purchased, sold, and held as electronic computer entries on the records of a central holder. These securities are not available for purchase in physical form; buyers get a receipt or confirmation as evidence of ownership.

**BOOK VALUE:** The original cost of the security as adjusted for amortization of any premium paid or accretion of discount since the date of purchase.

**BROKER:** A party who brings buyers and sellers together. Brokers do not take ownership of the property being traded. Commissions compensate them. They are not the same as dealers; however, the same firms that act as brokers in some transactions may act as dealers in other transactions.

**CALLABLE BOND:** A bond that the issuer has the right to redeem prior to maturity at a specified price. Some callable bonds may be redeemed on one call date while others may have multiple call dates. Some callable bonds may be redeemed at par while others can be redeemed only at a premium.

**CERTIFICATE OF DEPOSIT (CD):** A time deposit with a specific maturity evidenced by a certificate. Large-denomination (over \$100,000) CD's are typically negotiable.

**COLLATERAL:** Securities, evidence of deposit or other property that a borrower pledges to secure repayment of a loan. Also refers to securities pledged by a bank to secure deposits of public monies.

**COMMERCIAL PAPER:** Short-term unsecured promissory notes issued by corporations for maturity specified by the buyer. It is used primarily by corporations for short-term financing needs at a rate that is generally lower than the prime rate.

**CONFIRMATION:** The document used to state in writing the terms of the trade that had previously been agreed to verbally.

**COUPON RATE:** The stated annual rate of interest payable on a coupon bond expressed as a percentage of the bond's face value.

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**CREDIT RISK:** The risk that (1) the issuer is downgraded to a lower quality category and/or (2) the issuer fails to make timely payments of interest or principal.

**CUSIP NUMBER:** A nine-digit number established by the Committee on Uniform Securities Identification Procedures that is used to identify publicly traded securities. Each publicly traded security receives a unique CUSIP number when the security is issued.

**CUSTODY:** The service of an organization, usually a financial institution, of holding (and reporting) a customer's securities for safekeeping. The financial institution is known as the custodian.

**DEALER:** A firm that buys and sells for its own account. Dealers have ownership, even if only for an instant, between a purchase from one party and a sale to another party. They are compensated by the spread between the price they pay and the price they receive. Dealers are not the same as brokers; however, the same firms that act as dealers in some transactions may act as brokers in other transactions.

**DELIVERY VERSUS PAYMENT (DVP):** The safest method of settling a trade involving a book entry security. In a DVP settlement, the funds are wired from the buyer's account and the security is delivered from the seller's account in simultaneous, interdependent wires.

**DEMAND FEATURE:** A feature of long-term variable rate securities which permits the district to reasonably expect to sell the security at a price equal to the principal amount of the security plus accrued interest, if any, at the time demand.

**DEPOSITORY TRUST COMPANY (DTC):** An organization that holds physical certificates for stocks and bonds and issues receipts to owners. Securities held by DTC are immobilized so that they can be traded on a book entry basis.

**DERIVATIVE:** A security that derives its value from an underlying asset, group of assets, reference rate, or an index value. Some derivatives can be highly volatile and result in a loss of principal in changing interest rate environments.

**DISCOUNT:** The amount by which the price paid for a security is less than its face value.

**DISCOUNT SECURITIES:** Securities that do not pay periodic interest. Investors earn the difference between the discount issue price and the full face value paid at maturity.

**DIVERSIFICATION:** Dividing investment funds among a variety of securities offering independent returns, to reduce risk inherent in particular securities.

**DURATION:** A sophisticated measure of the weighted average maturity of a bond's cash flow stream, where the present values of the cash flows serve as the weights.

**ECONOMIC CYCLE (BUSINESS CYCLE):** As the economy moves through the business cycle, interest rates tend to follow the levels of production, output, and consumption - rising as the economy expands and moves out of recession and declining after the economy peaks, contracts, and heads once again into recession.

**EFFECTIVE MATURITY:** The average maturity of a bond, given the potential for early call. For a non-callable bond, the final maturity date serves as the effective maturity. For a callable bond, the effective maturity is bounded by the first call date and the final maturity date; the position within this continuum is a function of the call price, the current market price, and the reinvestment rate assumed.

**FACE VALUE:** The principal amount due and payable to a bondholder at maturity; par value. Also, the amount on which coupon interest is computed.

**FAIL:** The event of a securities purchase or sale transaction not settling as intended by the parties.

**FAIR VALUE:** The amount at which a financial instrument could be exchanged in a current transaction between willing parties, other than in a forced or liquidation sale.

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**FEDERAL DEPOSIT INSURANCE CORPORATION (FDIC):** A federal agency that insures bank deposits, currently up to-\$250,000 per depositor per insured bank for each account ownership category.

**FEDERAL FARM CREDIT BANKS (FFCB):** A government-sponsored corporation that was created in 1916 and is a nationwide system of banks and associations providing mortgage loans, credit, and related services to farmers, rural homeowners, and agricultural and rural cooperatives. Their respective borrowers cooperatively own the banks and associations, directly or indirectly. The Federal Farm Credit System is supervised by the Farm Credit Administration, an independent agency of the U.S. government. (See Government Sponsored Enterprise)

**FEDERAL FUNDS:** Monies within the Federal Reserve System representing a member bank's surplus reserve funds. Banks with excess funds may sell their surplus to other banks whose funds are below required reserve levels. Normally, Federal funds are employed in settling all government securities transactions. The Federal Funds Rate is the rate of interest at which Fed funds are traded. This rate is currently pegged by the Federal Reserve through open-market operations.

**FEDERAL HOME LOAN BANKS (FHLB):** Government-sponsored wholesale banks (currently twelve regional banks) which lend funds and provide correspondent banking services to member commercial bank, thrift institutions, credit unions and insurance companies. The mission of the FHLBs is to liquefy the housing related assets of its members who must purchase stock in their district Bank. (See Government Sponsored Enterprises)

**FEDERAL HOME LOAN MORTGAGE CORPORATION (FHLMC OR "FREDDIE MAC"):** A government-sponsored corporation that was created in July 1970, by the enactment of Title III of the Emergency Home Finance Act of 1970. Freddie Mac was established to help maintain the availability of mortgage credit for residential housing, primarily through developing and maintaining an active, nationwide secondary market in conventional residential mortgages. (See Government Sponsored Enterprises)

**FEDERAL NATIONAL MORTGAGE ASSOCIATION (FNMA OR FANNIE MAE):** FNMA, like GNMA was chartered under the Federal National Mortgage Association Act in 1938. FNMA is a federal corporation working under the auspices of the Department of Housing and Urban Development (HUD). It is the largest single provider of residential mortgage funds in the United States. Fannie Mae is a private stockholder-owned corporation. FNMA securities are highly liquid and are widely accepted. FNMA assumes and guarantees that all security holders will receive timely payment of principal and interest. (See Government Sponsored Enterprises)

**FEDERAL OPEN MARKET COMMITTEE (FOMC):** Consists of seven members of the Federal Reserve Board and five of the twelve Federal Reserve Bank presidents. The president of the New York Federal Reserve Bank is a permanent member while the other presidents serve on a rotating basis. The Committee periodically meets to set Federal Reserve guidelines regarding purchases and sales of government securities in the open market as a means of influencing the volume of bank credit and money.

**FEDERAL RESERVE SYSTEM:** The central bank of the United States created by Congress and consisting of a seven member Board of Governors in Washington, D.C., twelve regional banks and about 5700 commercial banks that are members of the system.

**FIXED-INCOME SECURITY:** A financial instrument promising a fixed amount of periodic income over a specified future time span.

**GOVERNMENT-SPONSORED ENTERPRISES (GSE's):** Payment of principal and interest on securities issued by these corporations is not guaranteed explicitly by the U.S. government; however, most investors consider these securities to carry an implicit U.S. government guarantee. The debt is fully guaranteed by the issuing corporations. GSE's include: Farm Credit System, Federal Home Loan Bank System, Federal Home Loan Mortgage Corporation, Federal National Mortgage Association, Student Loan Marketing Association, and the Tennessee Valley Authority.

**INSTRUMENTALITIES:** See Government-Sponsored Enterprises

**INTEREST RATE RISK:** The risk that the general level of interest rates will change, causing unexpected price appreciation or depreciation.

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**LADDERED MATURITY STRATEGY:** A maturity pattern within a portfolio in which maturities of the assets in the portfolio are equally spaced. Over time, the shortening of the remaining lives of the assets provides a steady source of liquidity or cash flow. Given a normal yield curve with a positive slope this passive strategy provides the benefit of being able to take advantage of the higher, longer-term yields without sacrificing safety or liquidity.

**LIQUIDITY:** An entity's capability to meet future monetary outflows (whether they are required or optional) from available resources. Liquidity is often obtained from reductions of cash or by converting assets into cash.

**LIQUIDITY RISK:** The risk that an investment will be difficult to sell at a fair market price in a timely fashion.

**MARKET VALUE:** The price at which a security is trading and could presumably be purchased or sold.

**MARKING-TO-MARKET:** The practice of valuing a security or portfolio according to its market value, rather than its cost or book value.

**MASTER REPURCHASE AGREEMENT:** A written contract covering all future transactions between the parties to repurchase an agreement that establishes each party's rights in the transactions. A master agreement will often specify, among other things, the right of the buyer to liquidate the underlying securities in the event of default by the seller.

**MATURITY DATE:** The date on which the principal or face value of an investment becomes due and payable.

**MONEY MARKET INSTRUMENT:** Generally, a short-term debt instrument that is purchased from a broker, dealer, or bank. Sometimes the term "money market" with "short-term", defines an instrument with no more than 12 months remaining from the purchase date until the maturity date. Sometimes the term "money market" is used more restrictively to mean only those instruments that have active secondary markets.

**MORTGAGE-BACKED SECURITIES (MBS):** Securities composed of, or collateralized by, loans that are themselves collateralized by liens on real property.

**OFFER:** The price asked by a seller of securities. (When purchasing securities, one asks for an offer.)

**OPEN MARKET OPERATIONS:** Purchases and sales of government and certain other securities in the open market by the New York Federal Reserve Bank as directed by the FOMC in order to influence the volume of money and credit in the economy. Purchases inject reserves into the bank system and stimulate growth of money and credit; sales have the opposite effect. Open market operations are the Federal Reserve's most important and most flexible monetary strategy tool.

**OPPORTUNITY COST:** The cost of pursuing one course of action measured in terms of the foregone return that could have been earned on an alternative course of action that was not undertaken.

**PAR:** See Face Value

**POOLED FUND GROUP:** An internally created fund of an investing entity in which one or more institutional accounts of the investing entity are invested (as defined by the Public Funds Investment Act).

**PREMIUM:** The amount by which the price paid for a security exceeds its face value.

**PRIMARY DEALER:** A group of government securities dealers that submit daily reports of market activity and positions and monthly financial statements to the Federal Reserve Bank of New York and are subject to its informal oversight. Primary dealers include Securities and Exchange Commission (SEC)-registered securities broker-dealers, banks, and a few unregulated firms.

**PRINCIPAL:** The face or par value of an instrument, exclusive of accrued interest.

**PRUDENT PERSON RULE:** An investment standard. In some states the law requires that a fiduciary, such as a trustee, may invest money only in a list of securities selected by the state. In other states the trustee may invest in a security if it is one that would be bought by a prudent person of discretion and intelligence who is seeking a reasonable income and preservation of capital.

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**QUALIFIED PUBLIC DEPOSITORIES:** A financial institution which does not claim exemption from the payment of any sales or compensating use or ad valorem taxes under the laws of this state, which has segregated for the benefit of the commission eligible collateral having a value of not less than its maximum liability and which has been approved by the Public Deposit Protection Commission to hold public deposits.

**QUALIFIED REPRESENTATIVE:** A person who holds a position with - and is authorized to act on behalf of - a business organization (as defined by the Public Funds Investment Act).

**RATE OF RETURN:** The amount of income received from an investment, expressed as a percentage. A market rate of return is the yield that an investor can expect to receive in the current interest-rate environment utilizing a buy-and-hold to maturity investment strategy.

**REINVESTMENT RATE:** The interest rate earned on the reinvestment of coupon payments.

**REINVESTMENT RATE RISK:** The risk that the actual reinvestment rate falls short of the expected or assumed reinvestment rate.

**REPURCHASE AGREEMENT (RP OR REPO):** An agreement of one party to sell securities at a specified price to a second party and a simultaneous agreement of the first party to repurchase the securities at a specified price on demand or at a specified later date. The difference between the selling price and the repurchase price provides the interest income to the party that provided the funds. Every transaction where a security is sold under an agreement to be repurchased is a repo from the seller/borrower's point of view and a reverse repo from the buyer/lender's point of view.

**SAFEKEEPING:** A procedure where a third party acting as custodian for a fee holds securities.

**SECONDARY MARKET:** A market made for the purchase and sale of outstanding issues following the initial distribution.

**SECURITIES AND EXCHANGE COMMISSION:** Agency created by Congress to protect investors in securities transactions by administering securities legislation.

**SEC RULE 15 C3-1:** See Uniform Net Capital Rule

**STRUCTURED NOTES:** Debt obligations whose principal or interest payments are determined by an index or formula.

**SEPARATELY INVESTED ASSET:** An account or fund of a state agency or local government that is not invested in a pooled fund group (as defined by the Public Funds Investment Act).

**SPREAD:** Most commonly used when referring to the difference between the bid and asked prices in a quote.

**STRIPS:** Separation of the principal and interest cash flows due from any interest-bearing securities into different financial instruments. Each coupon payment is separated from the underlying investment to create a separate security. Each individual cash flow is sold at a discount. The amount of the discount and the time until the cash flow is paid determine the investor's return.

**SWAP:** The trading of one asset for another. Sometimes used in active portfolio management to increase investment returns by "swapping" one type of security for another.

**TOTAL RETURN:** Interest income plus capital gains (or minus losses) on an investment.

**TREASURY BILLS:** A non-interest bearing discount security issued by the U.S. Treasury, generally having initial maturities of 3 months, 6 months, or 1 year.

**TREASURY BONDS:** Long-term, coupon bearing U.S. Treasury securities having initial maturities of more than 10 years.

**TREASURY NOTES:** Intermediate-term, coupon bearing U.S. Treasury securities having initial maturities of 2 - 10 years.

## **FORT BEND INDEPENDENT SCHOOL DISTRICT INVESTMENT STRATEGY**

**UNIFORM NET CAPITAL RULE:** Securities and Exchange Commission requirement that member firms as well as nonmember broker-dealers in securities maintain a maximum ratio of indebtedness to liquid capital of 15 to 1; also called *net capital rule* and *net capital ratio*. Indebtedness covers all money owed to a firm, including margin loans and commitments to purchase securities, one reason new public issues are spread among members of underwriting syndicates. Liquid capital includes cash and assets easily converted into cash.

**YIELD TO MATURITY (YTM):** The promised return assuming all interest and principal payments are made and reinvested at the same rate taking into account price appreciation (if priced below par) or depreciation (if priced above par).

**A RESOLUTION ADOPTING INVESTMENT STRATEGY**

WHEREAS, the Public Funds Investment Act codified in Government Code Chapter 2256 governs local government investments; and

WHEREAS, the Public Funds Investment Act (Section 2256.005a), as amended, requires the Fort Bend Independent School District to adopt an investment policy and investment strategies by rule, order, ordinance or resolution governing the investments of funds under its control; and

WHEREAS, the Public Funds Investment Act (Section 2256.005e), requires the governing body to review and adopt that investment policy and investment strategies by rule, order, ordinance or resolution not less than annually, recording any changes made thereto; NOW, THEREFORE,

BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE FORT BEND INDEPENDENT SCHOOL DISTRICT THAT:

The District has complied with the requirements of the Public Funds Investment Act and the Investment Strategy, with the changes attached hereto, is hereby adopted as the Investment Strategy of the District effective September 23, 2024.

APPROVED and ADOPTED on the \_\_\_\_\_ day of \_\_\_\_\_ 2024

FORT BEND INDEPENDENT SCHOOL DISTRICT

\_\_\_\_\_  
Kristin Tassin  
President, Board of Trustees

ATTEST:

\_\_\_\_\_  
David Hamilton  
Secretary, Board of Trustees

**For: Fort Bend ISD Board of Trustees**  
**Date: September 9, 2024**  
**Action: Review: OEM Kitchen Equipment**  
**Parts, Preventative Maintenance,**  
**Repairs and Related Items**  
**Reference: District Goal 5**  
**Department: Child Nutrition**

**Recommendation**

Consideration and approval for the purchase of OEM kitchen equipment parts, preventative maintenance, repairs, and related items from multiple vendors in an amount not to exceed \$770,000 and for the Superintendent to extend the agreements through April 2025.

**Summary**

Original Equipment Manufacturer (OEM) refers to a company that produces parts or subsystems that are used in another company's end product. The Child Nutrition Department requires OEM specifications for this contract, rather than after-market parts, to ensure quality and compatibility. The extension of this contract will also cover all installation services associated with the District's large kitchen equipment spend-down plan, including the installation of new dish machines, ovens, steamers, reach-in coolers/warmers, serving lines, and more. As part of the Texas Department of Agriculture's approved spend-down plan, the Child Nutrition Department will utilize vendors under this contract for both equipment parts and installation services.

On July 20, 2020, the Board approved this contract for the Child Nutrition, Facilities, and Career and Technical Education (CTE) Departments with an initial expenditure amount not to exceed \$3,080,000 through June 2024. This extension will allow the Child Nutrition Department to continue the purchase of OEM parts, preventative maintenance, repairs, and related items.

**Background**

Expenditures for FY 2023-24 were \$1,819,407. The contract balance remaining under the current Board authorization is \$6,421. The increase of \$770,000 will raise the expenditure limit on the contract to \$3,850,000 through April 2025. Funding for the increase of \$770,000 is included in the budget.

Requested by:	Matthew Antignolo, Executive Director, Child Nutrition Bryan Guinn, Chief Financial Officer
Vendors:	1 <sup>st</sup> Choice Restaurant Equipment & Supply, LLC ***

	America Mechanical Services of Houston, LLC dba AMS of Houston, LLC*** A-Tex Restaurant Supply, Inc.*** Blast Masters, Inc.*** Armstrong Repair Center, Inc.*** C&C Commercial Refrigeration*** Coker Service of Houston, Inc.*** Coolers, Inc.*** Greenwich, Inc. dba Commercial Kitchen Parts and Services*** Ecolab Food Safety*** Hobart Service*** Johnson Supply Co.*** Johnstone Supply*** Leland and Marilyn Crockett dba Crockett Service, LLC*** Parts Town, LLC*** United Refrigeration, Inc.*** Zero Degree Refrigeration*** Strategic Equipment, LLC dba ISI Commercial Refrigeration LLC*** Texas Industrial Air Services, LLC***
Budget Sources:	General Fund Child Nutrition Fund
Amount:	Not to exceed a total of \$3,850,000 through April 2025
Other Supporting Information	
Sole Source:	N/A
Number of vendors contacted by Purchasing:	N/A
Number of vendors downloaded the solicitation:	N/A
Number of responses received:	N/A
Number of "no bid" responses received:	N/A
Length of commitment:	Through April 2025
Last solicitation date:	N/A
Supporting documents:	N/A
Disclosure under Board Policy CH, CV, or DBD (Local):	None

\*\*\* Previously awarded a contract of the same scope with the District.

Recommended by:

Dr. Marc Smith  
Superintendent of Schools

Submitted by:

Bryan Guinn  
Chief Financial Officer

**For: Fort Bend ISD Board of Trustees**  
**Date: September 9, 2024**  
**Action: Review: Special Programs,  
Services, Materials and Related  
Items (Supplemental)**  
**Reference: District Goal 5**  
**Department: Special Education**

### **Recommendation**

Consideration and approval for the purchase of special program services, materials, and related items from multiple vendors and authorization for the Superintendent to negotiate and execute the agreements through March 2028.

### **Summary**

On November 20, 2022, the District issued RFP 23-021AB to request proposals soliciting responses for services and support materials in the areas of Special Education (speech, sign language interpreting, braille transcription, language translation and oral interpretation, audiological, deaf and hard of hearing, dyslexia/dysgraphia/dyscalculia, evaluations, supplemental direct Special Education services, behavioral support, and related services providers), English as a Second Language (ESL), Bilingual, At-Risk, and Gifted and Talented. Thirty-two (32) vendors were awarded for their services.

On May 2, 2024, Fort Bend ISD issued a supplemental RFP 23-021AB-01 Special Programs, Services, Materials, and Related Items. Forty-five (45) vendors submitted proposals. This proposed action adds additional vendors to the list of previously approved vendors. The originally approved length of commitment and authorized expenditure amount do not change.

Fort Bend ISD is required to provide Special Education services and appropriate materials and equipment for students as determined by their Admission, Review and Dismissal (ARD) committees. Often these additional services, materials, and equipment require the District to enter into contractual agreements with vendors who specialize in a specific area or expertise to provide the goods or services. This RFP will ensure compliance with all applicable federal, state, and local statutory requirements. RFP 22-055AB and 22-048AB were awarded in June 2022 for similar services, and this allows additional resources to be added. In addition to the Special Education services, this RFP includes vendors who can provide Deaf and Hard of Hearing, ESL, Bilingual, and At-Risk student support. These consulting services and materials supplement the expertise of the school district.

An evaluation team comprised of Fort Bend ISD staff members from the Special Education and Business and Finance Departments evaluated the proposals. The vendors were selected by the evaluation team because they represent the best overall value for the District. The District applied the “Best Value” process in selecting the vendors to be awarded in accordance with Chapter 44, §44.031 (b) of the Texas Education Code & CH (Local) CH (Legal) purchasing and acquisition District policies.

**Background**

Expenditures in 2023-24 were \$706,387. Total expenditures year-to-date are \$3,085,459. Expenditures are not expected to exceed \$6,800,000 through March 31, 2028.

Requested by:	Dr. Jaretha Jordan, Deputy Superintendent Teaching and Learning Bryan Guinn, Chief Financial Officer
Vendor:	Invo Healthcare Associates, LLC.*** #LevelUpEdu Amergis Healthcare Staffing Services, Inc. HealthPro Pediatrics 3Chords Inc. & TherapyTravelers LLC collectively DBA Epic Special Education Staffing Orange Tree Staffing, LLC National Recruiting Consultants Multi-Health Systems Inc*** GHR Education Amoxie Group PresenceLearning, Inc.*** Let's Talk About It Speech Therapy, PLLC Texas Therapy Consultants 512 Terps, LLC Path2Staff Solutions, LLC Smilestones Pediatric Therapy New Horizons Speech & Language Therapy (Owner) Wildflower Therapy Services, LLC TCASE Services by Design Speech Specialists of San Antonio, P.C. Customized Staffing Solutions Institute for Multi-Sensory Education, LLC Playlearn USA Really Good Stuff, LLC Houghton Mifflin Harcourt Publishing Company Reading Horizons
Budget Sources:	General Fund Federal Funds
Amount:	\$6,800,000 through March 2028

Other Supporting Information	
Sole Source:	N/A
Number of vendors contacted by Purchasing:	8430
Number of vendors downloaded the solicitation:	162
Number of responses received:	45
Number of "no bid" responses received:	13
Length of commitment:	Through March 31, 2028
Last solicitation date:	May 2, 2024
Supporting documents:	Evaluation Summary and Criteria
Disclosure under Board Policy CH, CV, or DBD (Local):	None

\*\*\* Previously awarded a contract of the same scope with the District

Recommended by:

Dr. Marc Smith  
Superintendent of Schools

Submitted by:

Dr. Jaretha Jordan  
Deputy Superintendent of Teaching and Learning

Bryan Guinn  
Chief Financial Officer

**RFP 23-021AB-01 Special Programs, Services, Materials, and Related Services**

	<b>Evaluation Criteria</b>	<b>Point System</b>
1	<p><b>Purchase Price</b></p> <ul style="list-style-type: none"> <li>• Offer a fair reasonable price for goods and services to be procured by Fort Bend ISD.</li> <li>• Pricing will be evaluated for reasonableness relative to the goods and services offered by each proposer.</li> </ul>	30 points
2	<p><b>Reputation of the Vendor and of the Vendor’s Goods or Services</b></p> <ul style="list-style-type: none"> <li>• Vendor should have a solid reputation with other ISD’s, Government or Collegiate entities that show a high level of customer service, a high level of quality of goods or services.</li> <li>• Experience: Use and success of the product(s) and/or services in school districts or similar entities. (References will be contacted via e-mail with a deadline. If no response is received by the deadline, there will be points deducted in this section.)</li> </ul>	5 points
3	<p><b>Quality of the Vendor’s Goods or Services</b></p> <p><b>Goods</b></p> <ul style="list-style-type: none"> <li>• Demonstrates competence: experience, etc.</li> <li>• Configuration and installation, integration, implementation of digital resources</li> <li>• Relevant experience with school curriculum/content knowledge as it pertains to proposal specifications</li> <li>• Customer service indicative of sound delivery of goods</li> </ul> <p><b>Services</b></p> <ul style="list-style-type: none"> <li>• Degree of alignment of proposal content/ materials to the District priorities as articulated in the RFP scope of work</li> <li>• Evidence of provider services capacity to deliver defined services within the scope of work in alignment with criteria</li> <li>• Quality of proposed content/consultants/training materials</li> </ul>	25 points
4	<p><b>Extent to which the goods or services meet the district’s needs</b></p> <p><b>Services</b></p> <ul style="list-style-type: none"> <li>• Degree to which the provider services(proposal) articulate the capacity to deliver defined guarantees within the scope of services</li> <li>• Capacity to scale services for a District the size of FBISD (number of consultants dedicated to the services, trainer of trainer materials, availability of service providers dedicated to providing the services; etc.)</li> <li>• Degree to which the vendor services support an ongoing job embedded model for learning</li> <li>• Degree to which the provider services align with research based best practices</li> </ul> <p><b>Goods</b></p> <ul style="list-style-type: none"> <li>• Vendors goods align to support the district instructional priority in the identified content area.</li> <li>• Alignment to the identified priorities</li> <li>• Alignment to the instructional model</li> <li>• Alignment to the Standards/TEKS and IDEA</li> <li>• Balance of digital and print materials</li> <li>• Ability to integrate with existing programs/ materials/ databases</li> </ul>	25 points

5	<p><b>Vendor's past relationship with the district</b></p> <p>For reference, the vendor shall list the following:</p> <ul style="list-style-type: none"> <li>• Past projects or contracts similar service vendor has had with the district.</li> <li>• Past projects or contracts similar service vendor has had with any K-12 Districts similar size or larger</li> <li>• Past projects or contracts similar service vendor has had with any business or universities the size of our district.</li> </ul>	10 points
6	<p><b>Long-term cost to the district to acquire the Vendor's goods or services</b></p> <ul style="list-style-type: none"> <li>• Delivery: shipping and handling, setup fee; or other fees and other added cost</li> </ul>	5 points
7	<p><b>Vendor's Principal place of business is in the state of Texas or employs 500 people in this state.</b></p>	0 points
8	<p><b>Insurance requirements:</b></p> <ul style="list-style-type: none"> <li>• Certificate of Insurance as requested in the solicitation.</li> <li>• Certificate of Insurance with the limits outlined, without FBISD listed as the certificate holder</li> <li>• Letter from the vendor's insurance carrier on the insurance carrier's letterhead to Fort Bend ISD</li> </ul>	Pass/Fail
9	<p><b>Service Agreement:</b></p> <ul style="list-style-type: none"> <li>• Extent to which the vendor agrees to our Standard Form of Agreement by <b>Vendor Information Sheet</b>, you assent to the Terms and Conditions of Fort Bend ISD.</li> <li>• Vendor's contract terms and conditions as they align with the district's contracting priorities.</li> </ul>	pass/Fail
10	<p>The impact on the ability of the district to comply with laws and rules relating to Historically Underutilized Businesses (HUB).</p>	N/A
	<b>TOTAL</b>	<b>100 points</b>

**Evaluation Summary**  
**RFP 23-021AB-01 - Special Programs Services, Materials and Related Items**

**Adapated Physical Education Resources**

Vendor	Purchase Price (30 pts. max)	Reputation of the Vendor and of the Vendors goods or services (5 pts. max)	Quality of the Vendors goods or services (25 pts. max)	Extent to which the goods or services meet the districts needs (25 pts. max)	Vendors past relationship with the district or similar size district (10 pts. max)	Long-term cost to the district to acquire the Vendors goods or services (5 pts max)	Total Score (100 pts. max)	Proposers Ranking
Playlearn USA	15.00	2.00	17.67	18.00	4.00	3.00	59.67	1

**Assistive Technology Resources**

Vendor	Purchase Price (30 pts. max)	Reputation of the Vendor and of the Vendors goods or services (5 pts. max)	Quality of the Vendors goods or services (25 pts. max)	Extent to which the goods or services meet the districts needs (25 pts. max)	Vendors past relationship with the district or similar size district (10 pts. max)	Long-term cost to the district to acquire the Vendors goods or services (5 pts max)	Total Score (100 pts. max)	Proposers Ranking
Oaktree Products, Inc	15.00	5.00	13.67	17.00	3.67	3.00	57.33	1

**At Risk Student Mentoring and Support Services**

Vendor	Purchase Price (30 pts. max)	Reputation of the Vendor and of the Vendors goods or services (5 pts. max)	Quality of the Vendors goods or services (25 pts. max)	Extent to which the goods or services meet the districts needs (25 pts. max)	Vendors past relationship with the district or similar size district (10 pts. max)	Long-term cost to the district to acquire the Vendors goods or services (5 pts max)	Total Score (100 pts. max)	Proposers Ranking
Invo Healthcare Associates, LLC.	24.00	5.00	20.67	20.67	7.00	4.00	81.33	1
#LevelUpEdu	30.00	2.00	15.00	14.33	3.67	5.00	70.00	2
Amoxie Group	16.00	4.48	17.00	18.67	3.67	2.67	62.48	3

**Audiology Services, Deaf and Hard of Hearing Supports and Services, Language Facilitator**

<b>Vendor</b>	<b>Purchase Price (30 pts. max)</b>	<b>Reputation of the Vendor and of the Vendors goods or services (5 pts. max)</b>	<b>Quality of the Vendors goods or services (25 pts. max)</b>	<b>Extent to which the goods or services meet the districts needs (25 pts. max)</b>	<b>Vendors past relationship with the district or similar size district (10 pts. max)</b>	<b>Long-term cost to the district to acquire the Vendors goods or services (5 pts max)</b>	<b>Total Score (100 pts. max)</b>	<b>Proposers Ranking</b>
Amergis Healthcare Staffing Services, Inc.	27.11	2.00	23.33	23.67	8.67	4.52	89.29	1
HealthPro Pediatrics	30.00	4.95	21.00	19.00	6.67	5.00	86.62	2
3Chords Inc. & TherapyTravelers LLC collectively DBA Epic Special	28.48	3.95	19.33	21.67	7.67	4.75	85.84	3
Orange Tree Staffing, LLC	30.00	5.00	18.33	19.33	6.67	5.00	84.33	4
National Recruiting Consultants	28.13	4.80	21.00	18.00	6.33	4.69	82.95	5
GHR Education	25.00	5.00	10.33	7.00	2.33	4.17	53.83	6
Invo Healthcare Associates, LLC.	14.24	5.00	10.67	3.33	7.00	2.37	42.61	7
Gillem Staffing	18.00	4.85	5.33	1.67	4.00	3.00	36.85	8

**Behavior Support Services**

Vendor	Purchase Price (30 pts. max)	Reputation of the Vendor and of the Vendors goods or services (5 pts. max)	Quality of the Vendors goods or services (25 pts. max)	Extent to which the goods or services meet the districts needs (25 pts. max)	Vendors past relationship with the district or similar size district (10 pts. max)	Long-term cost to the district to acquire the Vendors goods or services (5 pts max)	Total Score (100 pts. max)	Proposers Ranking
HealthPro Pediatrics	30.00	4.95	19.33	19.67	5.33	5.00	84.28	1
GHR Education	16.50	5.00	16.00	15.67	5.33	2.75	61.25	2
Invo Healthcare Associates, LLC.	13.75	5.00	15.00	14.33	6.00	2.29	56.37	3
#LevelUpEdu	15.00	2.00	10.00	7.33	4.33	2.50	41.17	4
Amoxie Group	9.43	4.48	10.67	9.00	4.00	1.57	39.15	5

**Behavior Support Training and Technical Assistance**

Vendor	Purchase Price (30 pts. max)	Reputation of the Vendor and of the Vendors goods or services (5 pts. max)	Quality of the Vendors goods or services (25 pts. max)	Extent to which the goods or services meet the districts needs (25 pts. max)	Vendors past relationship with the district or similar size district (10 pts. max)	Long-term cost to the district to acquire the Vendors goods or services (5 pts max)	Total Score (100 pts. max)	Proposers Ranking
Invo Healthcare Associates, LLC.	11.25	5.00	20.00	20.33	7.67	1.88	66.12	1
GHR Education	30.00	5.00	4.67	4.67	4.67	5.00	54.00	2
Stetson and Associates, Inc	3.78	2.00	19.33	19.33	8.33	0.63	53.40	3
#LevelUpEdu	12.27	2.00	14.67	14.33	3.33	2.05	48.65	4
Amoxie Group	5.40	4.48	16.00	16.00	5.33	0.90	48.11	5
Youthcentrix Therapy Services	3.60	2.00	14.00	13.00	4.67	0.60	37.87	6

**Behavior/Social Emotional/Social Skills Resources**

Vendor	Purchase Price (30 pts. max)	Reputation of the Vendor and of the Vendors goods or services (5 pts. max)	Quality of the Vendors goods or services (25 pts. max)	Extent to which the goods or services meet the districts needs (25 pts. max)	Vendors past relationship with the district or similar size district (10 pts. max)	Long-term cost to the district to acquire the Vendors goods or services (5 pts max)	Total Score (100 pts. max)	Proposers Ranking
Playlearn USA	15.00	5.00	21.00	20.67	5.67	3.00	70.34	1
Really Good Stuff, LLC	15.00	3.00	22.33	22.33	6.34	1.00	70.00	2
Early Childhood LLC. DBA: Discount School Supply	15.00	2.00	18.00	19.67	6.33	1.00	62.00	3
School Outfitters	15.00	2.00	11.67	11.67	2.33	2.00	44.67	4
MT Library Services, Inc. dba Junior Library Guild	15.00	2.00	10.33	6.00	4.00	4.00	41.33	5
Bjorem Speech Publications	15.00	4.00	8.67	8.00	1.33	2.00	39.00	6
Multi-Health Systems Inc	15.00	5.00	3.67	4.67	3.00	2.00	33.33	7

**Bilingual Program Services & Resources**

Vendor	Purchase Price (30 pts. max)	Reputation of the Vendor and of the Vendors goods or services (5 pts. max)	Quality of the Vendors goods or services (25 pts. max)	Extent to which the goods or services meet the districts needs (25 pts. max)	Vendors past relationship with the district or similar size district (10 pts. max)	Long-term cost to the district to acquire the Vendors goods or services (5 pts max)	Total Score (100 pts. max)	Proposers Ranking
Customized Staffing Solutions	30.00	4.85	1.00	1.00	8.00	5.00	49.85	1
Reading Horizons	5.04	2.00	13.33	13.33	8.00	0.84	42.55	2
Ztastic Solutions LLC	13.36	5.00	5.00	5.00	8.00	2.23	38.59	3
Texas Therapy Consultants	13.07	2.00	1.00	1.00	6.00	2.18	25.24	4

**Braille Transcription Services**

Vendor	Purchase Price (30 pts. max)	Reputation of the Vendor and of the Vendors goods or services (5 pts. max)	Quality of the Vendors goods or services (25 pts. max)	Extent to which the goods or services meet the districts needs (25 pts. max)	Vendors past relationship with the district or similar size district (10 pts. max)	Long-term cost to the district to acquire the Vendors goods or services (5 pts max)	Total Score (100 pts. max)	Proposers Ranking
National Recruiting Consultants	30.00	4.80	21.33	22.00	6.00	5.00	89.13	1
3Chords Inc. & TherapyTravelers LLC collectively DBA Epic Special	27.72	3.95	20.00	21.33	8.00	4.62	85.62	2

**Dyslexia /Dysgraphia/Dyscalculia Resources**

Vendor	Purchase Price (30 pts. max)	Reputation of the Vendor and of the Vendors goods or services (5 pts. max)	Quality of the Vendors goods or services (25 pts. max)	Extent to which the goods or services meet the districts needs (25 pts. max)	Vendors past relationship with the district or similar size district (10 pts. max)	Long-term cost to the district to acquire the Vendors goods or services (5 pts max)	Total Score (100 pts. max)	Proposers Ranking
Houghton Mifflin Harcourt Publishing Company	15.00	5.00	22.67	22.67	9.00	1.00	75.34	1
Reading Horizons	15.00	2.00	23.33	22.00	9.33	2.00	73.66	2
Institute for Multi-Sensory Education, LLC	15.00	5.00	21.33	19.00	8.67	1.00	70.00	3
Early Childhood LLC. DBA: Discount School Supply	15.00	2.00	19.00	18.00	9.33	1.00	64.33	4
Eyewords Inc	15.00	2.00	19.33	18.00	8.00	2.00	64.33	5
Bjorem Speech Publications	15.00	4.00	15.33	15.00	6.67	2.00	58.00	6

**English as a Second Language (ESL) Program Resources and Services**

Vendor	Purchase Price (30 pts. max)	Reputation of the Vendor and of the Vendors goods or services (5 pts. max)	Quality of the Vendors goods or services (25 pts. max)	Extent to which the goods or services meet the districts needs (25 pts. max)	Vendors past relationship with the district or similar size district (10 pts. max)	Long-term cost to the district to acquire the Vendors goods or services (5 pts max)	Total Score (100 pts. max)	Proposers Ranking
#LevelUpEdu	30.00	2.00	6.67	6.67	8.00	5.00	58.33	1
Reading Horizons	5.15	2.00	14.00	14.00	8.00	0.86	44	2
Ztastic Solutions LLC	13.64	5.00	5.00	5.00	8.00	2.27	38.91	3

**Evaluation Materials**

Vendor	Purchase Price (30 pts. max)	Reputation of the Vendor and of the Vendors goods or services (5 pts. max)	Quality of the Vendors goods or services (25 pts. max)	Extent to which the goods or services meet the districts needs (25 pts. max)	Vendors past relationship with the district or similar size district (10 pts. max)	Long-term cost to the district to acquire the Vendors goods or services (5 pts max)	Total Score (100 pts. max)	Proposers Ranking
Multi-Health Systems Inc	15.00	5.00	25.00	25.00	10.00	2.00	82.00	1
Early Childhood LLC. DBA: Discount School Supply	15.00	2.00	14.00	14.00	6.67	1.00	52.67	2
Really Good Stuff, LLC	15.00	2.00	13.00	13.00	8.00	1.00	52.00	3
Eyewords Inc	15.00	2.00	14.33	9.33	8.00	2.00	50.66	4
Savvas Learning Company LLC	15.00	2.00	10.00	10.00	10.00	2.00	49.00	5
Oaktree Products, Inc	15.00	5.00	9.67	9.67	1.67	3.00	44.00	6

**Functional Skills/Alternative Curriculum/Related Services Materials**

<b>Vendor</b>	<b>Purchase Price (30 pts. max)</b>	<b>Reputation of the Vendor and of the Vendors goods or services (5 pts. max)</b>	<b>Quality of the Vendors goods or services (25 pts. max)</b>	<b>Extent to which the goods or services meet the districts needs (25 pts. max)</b>	<b>Vendors past relationship with the district or similar size district (10 pts. max)</b>	<b>Long-term cost to the district to acquire the Vendors goods or services (5 pts max)</b>	<b>Total Score (100 pts. max)</b>	<b>Proposers Ranking</b>
Really Good Stuff, LLC	15.00	2.00	18.00	17.00	9.67	1.00	62.67	1
Early Childhood LLC. DBA: Discount School Supply	15.00	2.00	15.33	14.67	8.33	1.00	56.33	2
School Outfitters	15.00	2.00	17.00	8.00	2.00	2.00	46.00	3
Mathfundamentals.net LLC	15.00	5.00	14.00	6.33	2.00	2.00	44.33	4
Multi-Health Systems Inc	15.00	5.00	10.67	5.67	3.67	2.00	42.00	5
Bjorem Speech Publications	15.00	4.00	8.33	3.67	1.33	1.00	33.33	6

**Gifted and Talented Resources and Services**

<b>Vendor</b>	<b>Purchase Price (30 pts. max)</b>	<b>Reputation of the Vendor and of the Vendors goods or services (5 pts. max)</b>	<b>Quality of the Vendors goods or services (25 pts. max)</b>	<b>Extent to which the goods or services meet the districts needs (25 pts. max)</b>	<b>Vendors past relationship with the district or similar size district (10 pts. max)</b>	<b>Long-term cost to the district to acquire the Vendors goods or services (5 pts max)</b>	<b>Total Score (100 pts. max)</b>	<b>Proposers Ranking</b>
#LevelUpEdu	22.50	2.00	14.00	11.33	3.33	3.75	56.91	1
Gillem Staffing	30.00	4.85	4.67	4.67	2.67	5.00	51.85	2

**In Home and Parent Evaluation Training**

Vendor	Purchase Price (30 pts. max)	Reputation of the Vendor and of the Vendors goods or services (5 pts. max)	Quality of the Vendors goods or services (25 pts. max)	Extent to which the goods or services meet the districts needs (25 pts. max)	Vendors past relationship with the district or similar size district (10 pts. max)	Long-term cost to the district to acquire the Vendors goods or services (5 pts max)	Total Score (100 pts. max)	Proposers Ranking
HealthPro Pediatrics	30.00	4.95	20.67	21.00	6.67	5.00	88.29	1
Invo Healthcare Associates, LLC.	23.60	5.00	20.67	21.00	7.00	3.93	81.20	2
#LevelUpEdu	23.33	2.00	10.00	10.00	5.67	3.89	54.89	3
Amoxie Group	14.00	4.48	10.00	10.00	3.67	2.33	44.48	4
Texas Therapy Consultants	11.67	2.00	10.67	9.00	4.00	1.94	39.28	5

**Language Translation and Oral Interpretation Services**

Vendor	Purchase Price (30 pts. max)	Reputation of the Vendor and of the Vendors goods or services (5 pts. max)	Quality of the Vendors goods or services (25 pts. max)	Extent to which the goods or services meet the districts needs (25 pts. max)	Vendors past relationship with the district or similar size district (10 pts. max)	Long-term cost to the district to acquire the Vendors goods or services (5 pts max)	Total Score (100 pts. max)	Proposers Ranking
FCI MUltiple Services	7.90	2.00	24.00	24.33	8.33	1.32	67.88	1
Ztastic Solutions LLC	30.00	5.00	8.67	8.00	7.00	5.00	63.67	2
The Education Staffing Collective	16.67	2.00	8.33	8.00	7.00	2.78	44.78	3

**Licensed Professional Counselor (LPC) Services**

<b>Vendor</b>	<b>Purchase Price (30 pts. max)</b>	<b>Reputation of the Vendor and of the Vendors goods or services (5 pts. max)</b>	<b>Quality of the Vendors goods or services (25 pts. max)</b>	<b>Extent to which the goods or services meet the districts needs (25 pts. max)</b>	<b>Vendors past relationship with the district or similar size district (10 pts. max)</b>	<b>Long-term cost to the district to acquire the Vendors goods or services (5 pts max)</b>	<b>Total Score (100 pts. max)</b>	<b>Proposers Ranking</b>
HealthPro Pediatrics	29.14	4.95	25.00	24.67	9.33	4.86	97.95	1
Amergis Healthcare Staffing Services, Inc.	30.00	2.00	24.00	24.00	9.67	5.00	94.67	2
Orange Tree Staffing, LLC	29.14	5.00	24.67	24.67	8.67	4.86	97.00	3
GHR Education	29.14	5.00	23.33	23.33	8.00	4.86	93.66	4
Invo Healthcare Associates, LLC.	20.40	5.00	25.00	25.00	10.00	3.40	88.80	5
3Chords Inc. & TherapyTravelers LLC collectively DBA Epic Special	24.00	3.95	22.67	22.67	8.00	4.00	85.29	6
National Recruiting Consultants	25.50	4.80	19.33	19.33	7.67	4.25	80.88	7
Amoxie Group	16.32	4.48	23.33	23.33	8.00	2.72	78.18	8
PresenceLearning, Inc.	25.82	4.86	16.33	16.33	7.00	4.30	74.64	9
Youthcentrix Therapy Services	24.00	2.00	19.33	14.33	5.67	4.00	69.33	10
Texas Therapy Consultants	13.60	2.00	22.67	21.00	7.67	2.27	69.20	11
Gillem Staffing	24.00	4.85	7.00	7.33	7.67	4.00	54.85	12

**Licensed Specialist and School Psychology (LSSP) Services**

<b>Vendor</b>	<b>Purchase Price (30 pts. max)</b>	<b>Reputation of the Vendor and of the Vendors goods or services (5 pts. max)</b>	<b>Quality of the Vendors goods or services (25 pts. max)</b>	<b>Extent to which the goods or services meet the districts needs (25 pts. max)</b>	<b>Vendors past relationship with the district or similar size district (10 pts. max)</b>	<b>Long-term cost to the district to acquire the Vendors goods or services (5 pts max)</b>	<b>Total Score (100 pts. max)</b>	<b>Proposers Ranking</b>
Orange Tree Staffing, LLC	30.00	5.00	24.00	24.00	8.00	5.00	96.00	1
Amergis Healthcare Staffing Services, Inc.	30.00	2.00	24.00	24.00	10.00	5.00	95.00	2
Invo Healthcare Associates, LLC.	21.27	5.00	25.00	25.00	10.00	3.55	89.82	3
HealthPro Pediatrics	21.27	4.95	25.00	25.00	9.67	3.55	89.43	4
3Chords Inc. & TherapyTravelers LLC collectively DBA Epic Special	26.59	2.00	23.33	23.33	8.33	4.43	88.02	5
National Recruiting Consultants	26.59	4.80	20.67	20.67	8.00	4.43	85.16	6
GHR Education	20.35	5.00	21.67	22.67	8.33	3.39	81.41	7
Amoxie Group	18.72	4.48	23.33	23.33	8.33	3.12	81.31	8
Let's Talk About It Speech Therapy, PLLC	26.00	4.50	14.67	14.67	8.00	4.33	72.17	9
PresenceLearning, Inc.	23.17	4.86	16.33	16.33	6.67	3.86	71.22	10
Texas Therapy Consultants	15.60	2.00	23.00	20.00	8.00	2.60	71.20	11
Speech Specialists of San Antonio, P.C.	27.53	2.00	14.00	14.00	5.00	4.59	67.12	12
Gillem Staffing	18.72	4.85	6.33	6.33	7.67	3.12	47.02	13
Chatterbox Therapy Center	17.33	2.00	4.67	4.67	7.67	2.89	39.22	14

**Occupational Therapy Services**

<b>Vendor</b>	<b>Purchase Price (30 pts. max)</b>	<b>Reputation of the Vendor and of the Vendors goods or services (5 pts. max)</b>	<b>Quality of the Vendors goods or services (25 pts. max)</b>	<b>Extent to which the goods or services meet the districts needs (25 pts. max)</b>	<b>Vendors past relationship with the district or similar size district (10 pts. max)</b>	<b>Long-term cost to the district to acquire the Vendors goods or services (5 pts max)</b>	<b>Total Score (100 pts. max)</b>	<b>Proposers Ranking</b>
Orange Tree Staffing, LLC	30.00	5.00	22.33	22.33	7.00	5.00	91.66	1
Amergis Healthcare Staffing Services, Inc.	26.92	2.00	23.00	23.00	9.33	4.49	88.74	2
3Chords Inc. & TherapyTravelers LLC collectively DBA Epic Special	26.58	3.95	21.33	22.00	8.00	4.43	86.29	3
Invo Healthcare Associates, LLC.	21.21	5.00	22.67	22.67	9.33	3.54	84.42	4
PresenceLearning, Inc.	26.58	4.86	19.67	19.67	8.00	4.43	83.21	5
National Recruiting Consultants	26.25	4.80	19.33	17.67	7.33	4.38	79.76	6
HealthPro Pediatrics	25.30	4.95	17.33	16.00	6.33	4.22	74.13	7
Customized Staffing Solutions	22.11	4.85	16.67	15.00	6.67	3.68	68.98	8
GHR Education	24.71	5.00	12.33	16.33	5.67	4.12	68.16	9
Let's Talk About It Speech Therapy, PLLC	23.86	4.50	13.33	13.33	8.00	3.98	67.00	10
Youthcentrix Therapy Services	24.71	2.00	15.67	13.33	5.67	4.12	65.50	11
Wildflower Therapy Services, LLC	23.33	5.00	11.00	10.00	5.33	3.89	58.55	12
Texas Therapy Consultants	14.00	2.00	17.00	16.00	6.33	2.33	57.67	13
Speech Specialists of San Antonio, P.C.	28.00	2.00	4.00	4.00	4.00	4.67	46.67	14
Chatterbox Therapy Center	16.80	2.00	7.67	11.00	5.33	2.80	45.60	15
Amoxie Group	14.00	4.48	10.67	10.00	4.00	2.33	45.48	16
Gillem Staffing	21.00	4.85	5.00	3.67	6.00	3.50	44.02	17
Republic Health Resources	19.09	2.00	9.00	8.33	1.67	3.18	43.27	18

**Occupational/Physical Therapy Resources**

Vendor	Purchase Price (30 pts. max)	Reputation of the Vendor and of the Vendors goods or services (5 pts. max)	Quality of the Vendors goods or services (25 pts. max)	Extent to which the goods or services meet the districts needs (25 pts. max)	Vendors past relationship with the district or similar size district (10 pts. max)	Long-term cost to the district to acquire the Vendors goods or services (5 pts max)	Total Score (100 pts. max)	Proposers Ranking
Playlearn USA	15.00	2.00	19.33	19.33	7.00	2.00	64.67	1

**Physical Therapy Services**

Vendor	Purchase Price (30 pts. max)	Reputation of the Vendor and of the Vendors goods or services (5 pts. max)	Quality of the Vendors goods or services (25 pts. max)	Extent to which the goods or services meet the districts needs (25 pts. max)	Vendors past relationship with the district or similar size district (10 pts. max)	Long-term cost to the district to acquire the Vendors goods or services (5 pts max)	Total Score (100 pts. max)	Proposers Ranking
3Chords Inc. & TherapyTravelers LLC collectively DBA Epic Special Education Staffing	30.00	3.95	19.33	20.00	7.67	5.00	85.95	1

**Positive Behavior Interventions and Support (PBIS) Resources**

Vendor	Purchase Price (30 pts. max)	Reputation of the Vendor and of the Vendors goods or services (5 pts. max)	Quality of the Vendors goods or services (25 pts. max)	Extent to which the goods or services meet the districts needs (25 pts. max)	Vendors past relationship with the district or similar size district (10 pts. max)	Long-term cost to the district to acquire the Vendors goods or services (5 pts max)	Total Score (100 pts. max)	Proposers Ranking
Playlearn USA	15.00	2.00	18.33	18.67	5.67	3.00	62.67	1
Really Good Stuff, LLC	15.00	2.00	15.00	15.33	4.67	1.00	53.00	2
Early Childhood LLC. DBA: Discount School Supply	15.00	2.00	9.33	11.67	4.33	1.00	43.34	3

**Sign Language Interpretation**

<b>Vendor</b>	<b>Purchase Price (30 pts. max)</b>	<b>Reputation of the Vendor and of the Vendors goods or services (5 pts. max)</b>	<b>Quality of the Vendors goods or services (25 pts. max)</b>	<b>Extent to which the goods or services meet the districts needs (25 pts. max)</b>	<b>Vendors past relationship with the district or similar size district (10 pts. max)</b>	<b>Long-term cost to the district to acquire the Vendors goods or services (5 pts max)</b>	<b>Total Score (100 pts. max)</b>	<b>Proposers Ranking</b>
Amergis Healthcare Staffing Services, Inc.	30.00	2.00	23.33	21.33	8.33	5.00	90	1
512 Terps, LLC	27.39	2.00	24.33	20.33	7.67	4.57	86.29	2
HealthPro Pediatrics	25.54	4.95	21.33	20.33	6.67	4.26	83.08	3
National Recruiting Consultants	25.20	4.80	20.00	19.00	6.33	4.20	79.53	4
3Chords Inc. & TherapyTravelers LLC collectively DBA Epic Special	23.92	3.95	21.00	18.33	7.67	3.99	78.86	5

**Special Education Evaluations -Initial Evaluations, Reevaluation, Related Services Evaluation, and Independent Educational Evaluations**

<b>Vendor</b>	<b>Purchase Price (30 pts. max)</b>	<b>Reputation of the Vendor and of the Vendors goods or services (5 pts. max)</b>	<b>Quality of the Vendors goods or services (25 pts. max)</b>	<b>Extent to which the goods or services meet the districts needs (25 pts. max)</b>	<b>Vendors past relationship with the district or similar size district (10 pts. max)</b>	<b>Long-term cost to the district to acquire the Vendors goods or services (5 pts max)</b>	<b>Total Score (100 pts. max)</b>	<b>Proposers Ranking</b>
Texas Therapy Consultants	30.00	2.00	24	22	8	5.00	91.00	1
Invo Healthcare Associates, LLC.	24.62	5.00	25	25	10	4.10	93.72	2
Path2Staff Solutions, LLC	28.02	2.00	22	21	9	4.67	86.69	3
Smilestones Pediatric Therapy	28.68	5.00	22.67	22	4	4.78	87.13	4
PresenceLearning, Inc.	25.39	4.86	22.33	19.33	10	4.23	86.14	5
Let's Talk About It Speech Therapy, PLLC	24.38	4.50	21.67	21.67	8	4.06	84.28	6
New Horizons Speech & Language Therapy (Owner)	24.38	5.00	21.67	21.67	8	4.06	84.78	7
Wildflower Therapy Services, LLC	25.93	5.00	19.67	19.67	8	4.32	82.59	8
Amoxie Group	12.19	4.48	24	23.33	8.667	2.03	74.70	9
Customized Staffing Solutions	16.25	4.85	20	18	7.333	2.71	69.14	10
Marker Learning	11.82	4.50	21	21.33	8	1.97	68.62	11
The Education Staffing Collective	8.86	2.00	22.67	22	8	1.48	65.01	12
Chatterbox Therapy Center	19.50	2.00	4.667	4.667	8	3.25	42.08	13
Gillem Staffing	19.50	4.85	4.667	4.667	8	3.25	44.93	14

**Special Education Technology Compliance Applications**

Vendor	Purchase Price (30 pts. max)	Reputation of the Vendor and of the Vendors goods or services (5 pts. max)	Quality of the Vendors goods or services (25 pts. max)	Extent to which the goods or services meet the districts needs (25 pts. max)	Vendors past relationship with the district or similar size district (10 pts. max)	Long-term cost to the district to acquire the Vendors goods or services (5 pts max)	Total Score (100 pts. max)	Proposers Ranking
Really Good Stuff, LLC	15.00	2.00	8.00	7.67	9.33	1.00	43	1

**Special Education Topics, Programming**

Vendor	Purchase Price (30 pts. max)	Reputation of the Vendor and of the Vendors goods or services (5 pts. max)	Quality of the Vendors goods or services (25 pts. max)	Extent to which the goods or services meet the districts needs (25 pts. max)	Vendors past relationship with the district or similar size district (10 pts. max)	Long-term cost to the district to acquire the Vendors goods or services (5 pts max)	Total Score (100 pts. max)	Proposers Ranking
Institute for Multi-Sensory Education, LLC	30.00	5.00	17.33	18.33	5.33	5.00	80.99	1
#LevelUpEdu	14.09	2.00	20.00	20.00	5.33	2.35	63.77	2
TCASE Services by Design	5.63	4.60	20.67	20.67	8.33	0.94	60.85	3
Stetson and Associates, Inc	3.94	2.00	21.67	21.67	8.33	0.66	58.27	4
Amoxie Group	2.35	4.48	17.67	18.33	4.67	0.39	47.89	5
Invo Healthcare Associates, LLC.	11.74	5.00	10.33	6.00	8.00	1.96	43.03	6
Ztastic Solutions LLC	6.04	5.00	12.00	11.67	5.00	1.01	40.71	7

**Special Education Personal Care Equipment**

Vendor	Purchase Price (30 pts. max)	Reputation of the Vendor and of the Vendors goods or services (5 pts. max)	Quality of the Vendors goods or services (25 pts. max)	Extent to which the goods or services meet the districts needs (25 pts. max)	Vendors past relationship with the district or similar size district (10 pts. max)	Long-term cost to the district to acquire the Vendors goods or services (5 pts max)	Total Score (100 pts. max)	Proposers Ranking
Early Childhood LLC. DBA: Discount School Supply	15.00	2.00	11.00	11.33	7.00	1.00	47.33	1
Oaktree Products, Inc	15.00	5.00	3.33	3.33	1.33	3.00	31.00	2

**Special Programs Evaluation and Program Review**

Vendor	Purchase Price (30 pts. max)	Reputation of the Vendor and of the Vendors goods or services (5 pts. max)	Quality of the Vendors goods or services (25 pts. max)	Extent to which the goods or services meet the districts needs (25 pts. max)	Vendors past relationship with the district or similar size district (10 pts. max)	Long-term cost to the district to acquire the Vendors goods or services (5 pts max)	Total Score (100 pts. max)	Proposers Ranking
#LevelUpEdu	30.00	2.00	21.67	21.67	6.00	5.00	86.34	1
TCASE Services by Design	13.20	4.60	23.00	23.00	8.33	2.20	74.33	2
Stetson and Associates, Inc	9.24	2.00	23.33	23.33	8.33	1.54	67.77	3
Amoxie Group	7.33	4.48	17.67	20.00	4.33	1.22	55.04	4
Ztastic Solutions LLC	13.75	5.00	10.33	10.67	5.00	2.29	47.04	5

**Speech Resources and Services**

<b>Vendor</b>	<b>Purchase Price (30 pts. max)</b>	<b>Reputation of the Vendor and of the Vendors goods or services (5 pts. max)</b>	<b>Quality of the Vendors goods or services (25 pts. max)</b>	<b>Extent to which the goods or services meet the districts needs (25 pts. max)</b>	<b>Vendors past relationship with the district or similar size district (10 pts. max)</b>	<b>Long-term cost to the district to acquire the Vendors goods or services (5 pts max)</b>	<b>Total Score (100 pts. max)</b>	<b>Proposers Ranking</b>
Orange Tree Staffing, LLC	30.00	5.00	22.33	20.67	9.00	5.00	92.00	1
HealthPro Pediatrics	25.41	4.95	23.67	22.67	9.00	4.24	89.94	2
3Chords Inc. & TherapyTravelers LLC collectively DBA Epic Special	26.02	3.95	23.00	22.67	9.00	4.34	88.98	3
Invo Healthcare Associates, LLC.	22.74	5.00	24.00	22.67	8.67	3.79	86.87	4
National Recruiting Consultants	26.02	4.80	20.67	21.00	8.00	4.34	84.83	5
PresenceLearning, Inc.	27.34	4.86	22.67	14.33	8.33	4.56	82.09	6
Smilestones Pediatric Therapy	25.41	5.00	21.00	19.33	5.67	4.24	80.64	7
GHR Education	24.00	5.00	17.33	18.00	6.33	4.00	74.66	8
Speech Specialists of San Antonio, P.C.	27.69	2.00	17.33	16.00	7.00	4.62	74.64	9
Customized Staffing Solutions	22.74	4.85	18.33	16.67	7.00	3.79	73.38	10
Amergis Healthcare Staffing Services, Inc.	23.23	2.00	18.67	17.67	7.67	3.87	73.11	11
Wildflower Therapy Services, LLC	23.23	5.00	16.67	16.67	7.00	3.87	72.44	12
Path2Staff Solutions, LLC	25.41	2.00	14.33	14.33	6.67	4.24	66.97	13
Owner	24.00	5.00	14.33	14.33	4.67	4.00	66.33	14
Let's Talk About It Speech Therapy, PLLC	24.00	4.50	13.33	12.67	5.00	4.00	63.50	15
Amoxie Group	17.28	4.48	16.67	15.33	6.00	2.88	62.64	16
The Education Staffing Collective	24.00	2.00	13.33	11.67	6.00	4.00	61.00	17
Republic Health Resources	18.78	2.00	16.67	14.33	3.33	3.13	58.24	18
Youthcentrix Therapy Services	25.41	2.00	12.67	9.33	4.00	4.24	57.65	19
Chatterbox Therapy Center	17.28	2.00	11.67	11.67	7.00	2.88	52.50	20
Gillem Staffing	22.74	4.85	6.00	7.33	3.33	3.79	48.05	21
Texas Therapy Consultants	14.40	2.00	11.67	9.33	4.67	2.40	44.47	22

**Supplemental Direct Special Education Services**

<b>Vendor</b>	<b>Purchase Price (30 pts. max)</b>	<b>Reputation of the Vendor and of the Vendors goods or services (5 pts. max)</b>	<b>Quality of the Vendors goods or services (25 pts. max)</b>	<b>Extent to which the goods or services meet the districts needs (25 pts. max)</b>	<b>Vendors past relationship with the district or similar size district (10 pts. max)</b>	<b>Long-term cost to the district to acquire the Vendors goods or services (5 pts max)</b>	<b>Total Score (100 pts. max)</b>	<b>Proposers Ranking</b>
3Chords Inc. & TherapyTravelers LLC collectively DBA Epic Special	22.36	3.95	22.00	21.67	8.67	3.73	82.37	1
Institute for Multi-Sensory Education, LLC	30.00	5.00	18.67	17.00	7.33	5.00	83.00	2
Invo Healthcare Associates, LLC.	11.74	5.00	22.33	22.33	9.67	1.96	73.02	3
#LevelUpEdu	17.61	2.00	17.00	15.33	8.00	2.93	62.87	4
Chatterbox Therapy Center	11.27	2.00	18.00	22.00	8.67	1.88	63.82	5
Gillem Staffing	17.18	4.85	17.00	16.67	7.00	2.86	65.56	6
Amoxie Group	4.02	4.48	19.00	18.33	8.00	0.67	54.50	7
Reading Horizons	2.42	2.00	17.67	15.67	7.33	0.40	45.49	8

**TEKS Based Special Education Resources**

Vendor	Purchase Price (30 pts. max)	Reputation of the Vendor and of the Vendors goods or services (5 pts. max)	Quality of the Vendors goods or services (25 pts. max)	Extent to which the goods or services meet the districts needs (25 pts. max)	Vendors past relationship with the district or similar size district (10 pts. max)	Long-term cost to the district to acquire the Vendors goods or services (5 pts max)	Total Score (100 pts. max)	Proposers Ranking
Reading Horizons	15.00	2.00	16.67	16.67	6.67	2.00	59.01	1
Really Good Stuff, LLC	15.00	2.00	15.33	16.00	7.33	1.00	56.66	2
Eyewords Inc	15.00	2.00	12.67	12.67	4.33	3.00	49.67	3
Institute for Multi-Sensory Education, LLC	15.00	5.00	13.00	13.00	4.67	2.00	52.67	4
MT Library Services, Inc. dba Junior Library Guild	15.00	2.00	12.00	12.00	4.00	4.00	49.00	5
Early Childhood LLC. DBA: Discount School Supply	15.00	2.00	11.33	11.33	6.33	1.00	46.99	6
School Outfitters	15.00	2.00	11.67	5.67	2.67	1.00	38.00	7
Bjorem Speech Publications	15.00	4.00	8.33	3.67	1.67	1.00	33.67	8

**Transitional/Vocational Resources**

Vendor	Purchase Price (30 pts. max)	Reputation of the Vendor and of the Vendors goods or services (5 pts. max)	Quality of the Vendors goods or services (25 pts. max)	Extent to which the goods or services meet the districts needs (25 pts. max)	Vendors past relationship with the district or similar size district (10 pts. max)	Long-term cost to the district to acquire the Vendors goods or services (5 pts max)	Total Score (100 pts. max)	Proposers Ranking
Really Good Stuff, LLC	15.00	2.00	18.67	18.67	6.00	1.00	61.34	1
Early Childhood LLC. DBA: Discount School Supply	15.00	2.00	17.00	17.00	6.00	1.00	58.00	2
Mathfundamentals.net LLC	15.00	5.00	15.00	13.67	5.00	1.00	54.67	3
School Outfitters	15.00	2.00	14.00	13.67	5.33	1.00	51.00	4

**Vision Resources and Services, including Orientation and Mobility Services**

<b>Vendor</b>	<b>Purchase Price (30 pts. max)</b>	<b>Reputation of the Vendor and of the Vendors goods or services (5 pts. max)</b>	<b>Quality of the Vendors goods or services (25 pts. max)</b>	<b>Extent to which the goods or services meet the districts needs (25 pts. max)</b>	<b>Vendors past relationship with the district or similar size district (10 pts. max)</b>	<b>Long-term cost to the district to acquire the Vendors goods or services (5 pts max)</b>	<b>Total Score (100 pts. max)</b>	<b>Proposers Ranking</b>
Orange Tree Staffing, LLC	28.36	5.00	21.67	15.33	6.00	4.73	81.09	1
3Chords Inc. & TherapyTravelers LLC collectively DBA Epic Special	30.00	3.95	18.00	13.00	6.67	5.00	76.62	2
National Recruiting Consultants	25.88	4.80	18.67	11.67	4.33	4.31	69.67	3
HealthPro Pediatrics	27.60	4.95	17.67	8.67	6.00	4.60	69.49	4
Gillem Staffing	19.71	4.85	3.67	2.33	2.67	3.29	36.51	5

**For: Fort Bend ISD Board of Trustees**  
**Date: September 9, 2024**  
**Action: Review: Athletic Trainer Supplies,  
Equipment and Related Items**  
**Reference: District Goal 5**  
**Department: Athletics**

### **Recommendation**

Consideration and approval for the purchase of athletic trainer supplies, equipment, and related items from multiple vendors for an amount not to exceed \$1,500,000 and authorization for the Superintendent to negotiate and execute the agreements through September 2029.

### **Summary**

On November 18, 2019, the Board approved RFP 19-086KB for Athletic Trainer Supplies, Equipment, and Related Items, which is set to expire in November 2024. On June 23, 2024, the District issued RFP 24-073AR to solicit new proposals for athletic trainer supplies, equipment, and related items for the District. Eleven vendors submitted proposals.

These supplies and equipment are crucial for maintaining a safe and effective athletic program within the District. The selected vendors will enable the District to establish a list of approved suppliers for Athletic Training Supplies, Equipment, and Related Items, which will support students and provide high-quality resources that meet the needs of students, athletic trainers, and coaches. By procuring top-quality supplies and equipment, the District aims to enhance the health, safety, athletic development, and the overall well-being of its students.

An evaluation team, consisting of staff from the Fort Bend ISD Athletic and Business and Finance Departments, reviewed the submissions. Vendors were assessed based on several criteria, including purchase price, vendor reputation, the quality of their goods or services, how well the goods or services met the District's needs, the vendor's past relationship with the District, and the long-term cost of acquiring the vendor's goods or services.

The District applied the "Best Value" process in selecting the vendors to be awarded in accordance with Chapter 44, §44.031 (b) of the Texas Education Code & CH (Local) CH (Legal) purchasing and acquisition District policies.

The term of this contract is for three (3) years with two (2) optional one-year extensions. The contract term will begin on September 23, 2024, and will run through September 22, 2027. With the two (2) option years, the contract can be extended until September 2029.

**Background**

Expenditures in 2023-24 were \$221,946. The previous five (5) year expenditure recommendation for this project was \$750,000. Expenditures will not exceed \$1,500,000 through September 2029. This includes additional expenditures not included in previous years, such as the anticipated annual spending for Crawford High School, the potential furnishing of Middle School #16, and the procurement of new equipment for the Clements High School rebuild. Funding is included in the budget.

Requested by:	Dr. Jaretha Jordan, Deputy Superintendent Bryan Guinn, Chief Financial Officer	
Vendor:	Alert Services Inc.*** BSN Sports*** Cornish Medical*** Frio-Hydration Gold Station Medical Henry Schein Inc. *** Hydration Dynamics LLC DBA WissTech Enterprises Medco Sports Medicine*** Rally, Inc. School Health Corporation***	
Budget Sources:	General Fund Activity Funds Bond Funds Federal Funds	
Amount:	Not to exceed \$1,500,000	
Other Supporting Information		
Sole Source:	N/A	
Number of vendors contacted by Purchasing:	136	
Number of vendors downloaded the solicitation:	49	
Number of responses received:	11	
Number of "no bid" responses received:	0	
Length of commitment:	Through September 2029	
Last solicitation date:	May 2019	
Supporting documents:	Evaluation Summary and Criteria	
Disclosure under Board Policy CH, CV, or DBD (Local):	None	

\*\*\* Previously awarded a contract of the same scope with the District.

Recommended by:

Dr. Marc Smith  
Superintendent of Schools

Submitted by:

Dr. Jaretha Jordan  
Deputy Superintendent of Teaching and Learning

Bryan Guinn  
Chief Financial Officer

**RFP 24-073AR Athletic Trainer Supplies Equipment and Related Services**

	<b>Evaluation Criteria</b>	<b>Point System</b>
1	<p><b>Purchase Price</b></p> <ul style="list-style-type: none"> <li>• Offer a fair reasonable price for items or services to be procured by Fort Bend ISD.</li> <li>• Pricing will be calculated using the Price Delivery Sheet in this document.</li> </ul>	25 points
2	<p><b>Reputation of the Vendor and of the Vendor's Goods or Services</b></p> <ul style="list-style-type: none"> <li>• Vendor should have a solid reputation with other ISD's, Government or Collegiate entities that show a high level of customer service, a high level of quality of goods or services.</li> <li>• Experience: Use and success of the product(s) and/or services in school districts or similar entities. (References will be contacted via e-mail with a deadline. If no response is received by the deadline, there will be points deducted in this section.)</li> </ul>	10 points
3	<p><b>Quality of the Vendor's Goods or Services</b></p> <ul style="list-style-type: none"> <li>• Service capabilities</li> <li>• Demonstrated competence</li> <li>• Experience and competence in dealing with large school districts.</li> <li>• Key personnel experience</li> </ul>	25 points
4	<p><b>Extent to Which the Goods or Services Meet the District's Needs</b></p> <ul style="list-style-type: none"> <li>• Vendors goods align to support the district instructional priority in the identified content area.</li> <li>• Understanding of the scope of work to be performed</li> <li>• Alignment to the identified priorities</li> </ul>	25 points
5	<p><b>Vendor's Past Relationship with the District</b> For reference, the vendor shall list the following:</p> <ul style="list-style-type: none"> <li>• Past projects or contracts for similar service the vendor has had with the District.</li> <li>• Past projects or contracts for similar services the vendor has had with any K-12 districts of similar size or larger.</li> <li>• Past projects or contracts for similar services the vendor has had with any business or universities the size of our district.</li> </ul>	5 points
6	<p><b>Long-Term Cost to the District to Acquire the Vendor's Goods or Services</b></p> <ul style="list-style-type: none"> <li>• Fees or other cost</li> </ul>	10 points
7	<p><b>The vendor's principal place of business is in the State of Texas or employs 500 people in this state.</b></p>	0 points

8	<b>Insurance Requirements</b> <ul style="list-style-type: none"> <li>• Certificate of Insurance as requested in the solicitation.</li> <li>• Certificate of Insurance with the limits outlined, without FBISD listed as the certificate holder.</li> <li>• Letter from the vendor's insurance carrier on the insurance carrier's letterhead to Fort Bend ISD</li> </ul>	Pass/Fail
9	<b>Service Agreement</b> <ul style="list-style-type: none"> <li>• Extent to which the vendor agrees to our Standard Form of Agreement by Signing the Agreement, you assent to the Terms and Conditions of Fort Bend ISD.</li> </ul>	0
10	<b>HUB</b> <ul style="list-style-type: none"> <li>• <b>The impact on the district's ability to comply with laws and rules relating to Historically Underutilized Businesses (HUB).</b></li> </ul>	N/A
	<b>TOTAL</b>	<b>100 points</b>

Tabulation Summary  
RFP 24-073AR Athletic Trainer Supplies, Equipment, and Related Items

Vendor	Purchase Price (25 pts. Max)	Reputation of Vendor and Vendor's Goods and Services (10 pts. Max)	Quality of Vendor's Goods and Services (25 pts. Max)	Extent to Which the Goods and Services Meet the Needs of the District (25 pts. Max)	Vendors Past Relationship with the District (5 pts. Max)	Long Term Cost to the District (10 pts. Max)	Proposer's Total Score (100 pts. Max)	Proposer's Ranking
BSN Sports	25.00	2.00	24.80	24.80	4.80	9.35	90.75	1
Hydration Dynamics LLC DBA WissTech Enterprises	23.62	3.00	22.20	23.20	4.80	6.51	83.33	2
Henry Schein Inc	16.22	2.00	24.20	24.20	4.80	10.00	81.42	3
Frio-Hydration	19.27	4.00	24.80	24.40	4.80	3.91	81.18	4
School Health Corporation	19.64	2.00	24.20	23.80	4.80	6.01	80.45	5
Cornish Medical	18.09	2.00	24.20	24.00	4.40	6.55	79.24	6
Medco Sports Medicine	18.09	2.00	24.20	24.00	4.40	6.55	79.24	7
Alert Services	17.20	2.00	24.00	22.00	5.60	10.00	80.80	8
Gold Station Medical	20.31	2.00	22.22	21.20	3.90	4.01	73.64	9
Rally, Inc.	16.03	2.00	22.00	21.20	3.80	7.52	72.55	10

\* Sign Solutions was disqualified

**For: Fort Bend ISD Board of Trustees**  
**Date: September 9, 2024**  
**Action: Review: Special Event Production,  
Rental Equipment and Related  
Items**  
**Reference: District Goal 5**  
**Department: Communications**

### **Recommendation**

Consideration and approval for the purchase of special event production, rental equipment, and related items from multiple vendors for an amount not-to-exceed \$520,760 and authorization for the Superintendent to negotiate and execute the agreements through September 2029.

### **Summary**

The District issued RFP 24-067AL Special Event Production, Rental Equipment, and Related Items to replace RFP 19-101JB Special Event Production, Rental Equipment, and Related Items, which was approved by the Board in August 2019. This RFP is to qualify vendors to support a wide range of District events held by Fort Bend ISD administration, departments, and campuses.

This contract would not only support events managed by the Communications Department but will also be used by other District departments and campuses. Services would include, but are not limited to:

- Provision of audio-visual equipment (speakers, microphones projectors, screens)
- Lighting equipment for stage effects and ambiance
- Design and setup of event stages
- Rigging services for hanging equipment and decorations
- Technical support for audio, visual, and lighting systems
- IT services for events with digital components
- Decors and theming to enhance the event atmosphere
- Floral arrangements and centerpieces
- Power distribution and electrical services to support equipment
- Logistics management for timely setup, dismantling and removal of equipment etc.

These services ensure that events organized by any department or campus within the District are well-organized and successfully executed, contributing to a vibrant and engaging community atmosphere.

An evaluation team comprised of Fort Bend ISD District and Campus staff members evaluated the submissions. Vendors were evaluated based on the purchase price, the reputation of the vendor and the vendor’s goods or services, the quality of the vendor’s goods or services, the extent to which the goods or services met the District’s needs, the vendor’s past relationship with the District, and the long-term cost to the District to acquire the vendor’s goods or services.

The District applied the “Best Value” process in selecting the vendors to be awarded in accordance with Chapter 44, §44.031 (b) of the Texas Education Code & CH (Local) CH (Legal) purchasing and acquisition District policies.

The term of this contract is for three (3) years with two (2) optional one-year extensions. The contract term will begin on September 23, 2024, and will run through September 22, 2027. With the two (2) option years, the contract can be extended until September 2029.

**Background**

Expenditures in 2023-24 were \$128,276. Expenditures will not exceed \$520,760 through September 2029. Funding is included in the budget.

Requested by:	Kimberly Smith, Chief of Communications Bryan Guinn, Chief Financial Officer
Vendor:	The Phoenix Design Group, Inc.*** Story First, Inc. DBA The Costumer *** Any Occasion Tents & Events ***
Budget Sources:	General Fund Special Revenue Funds Activity Funds
Amount:	Not to exceed \$520,760
Other Supporting Information	
Sole Source:	N/A
Number of vendors contacted by Purchasing:	2075
Number of vendors downloaded the solicitation:	60
Number of responses received:	8
Number of “no bid” responses received:	3
Length of commitment:	Through September 2029
Last solicitation date:	August 12, 2019
Supporting documents:	Evaluation Summary and Criteria
Disclosure under Board Policy CH, CV, or DBD (Local):	None

\*\*\* Previously awarded a contract of the same scope with the District.

Recommended by:

Dr. Marc Smith  
Superintendent of Schools

Submitted by:

Kimberly Smith  
Chief Communications Officer

Bryan Guinn  
Chief Financial Officer

**RFP 24-067AL Special Event Production, Rental Equipment and Related items**

	<b>Evaluation Criteria</b>	<b>Point System</b>
1	<p><b>Purchase Price</b></p> <ul style="list-style-type: none"> <li>• Offer a fair reasonable price for goods and services to be procured by Fort Bend ISD.</li> <li>• Pricing will be evaluated for reasonableness relative to the goods and services offered by each proposer.</li> </ul>	25 points
2	<p><b>Reputation of the Vendor and of the Vendor's Goods or Services</b></p> <ul style="list-style-type: none"> <li>• Vendor should have a solid reputation with other ISD's, Government or Collegiate entities that show a high level of customer service, a high level of quality of goods or services.</li> <li>• Experience: Use and success of the product(s) and/or services in school districts or similar entities. (References will be contacted via e-mail with a deadline. If no response is received by the deadline, there will be points deducted in this section.)</li> </ul>	10 points
3	<p><b>Quality of the Vendor's Goods or Services</b></p> <ul style="list-style-type: none"> <li>• Maintains a high level of customer satisfaction and feedback</li> <li>• Capability to support medium to large scaled organizations</li> <li>• Maintains an exceptional safety track record</li> <li>• The ability to stay on schedule and manage frequent/multiple requests</li> </ul>	25 points
4	<p><b>Extent to Which the Goods or Services Meet the District's Needs</b></p> <ul style="list-style-type: none"> <li>• Quality of the proposed approach and the extent to which the proposer demonstrates a strong school partnership based on the criteria listed.</li> </ul>	25 points
5	<p><b>Vendor's Past Relationship with the District</b></p> <p>For reference, the vendor shall list the following:</p> <ul style="list-style-type: none"> <li>• Past projects or contracts for similar service vendor has had with the district.</li> <li>• Past projects or contracts for similar service vendor has had with any K-12 Districts of similar size or larger</li> </ul>	5 points
6	<p><b>Long-Term Cost to the District to Acquire the Vendor's Goods or Services</b></p>	10 points
7	<p><b>Vendor's Principal Place of Business is in the State of Texas or Employs 500 people in this state.</b></p>	0 points
8	<p><b>Insurance Requirements</b></p> <ul style="list-style-type: none"> <li>• Certificate of Insurance as requested in the solicitation.</li> </ul>	Pass/Fail
9	<p><b>Service Agreement</b></p> <ul style="list-style-type: none"> <li>• Extent to which the vendor agrees to our Standard Form of Agreement by <b>Vendor Information Sheet</b>, you assent to the Terms and Conditions of Fort Bend ISD.</li> <li>• List and weigh any other relevant factors</li> </ul>	Pass/Fail
10	<p><b>The impact on the ability of the district to comply with laws and rules relating to Historically Underutilized Businesses (HUB).</b></p>	N/A
	<p><b>TOTAL</b></p>	<b>100 points</b>

**Tabulation Summary**  
**RFP 24-067AL Special Event Production, Rental Equipment and Related items**

<b>Vendor</b>	<b>Purchase Price (25 pts. Max)</b>	<b>Reputation of Vendor and Vendor's Goods and Services (10 pts. Max)</b>	<b>Quality of Vendors Goods and Services (25 pts. Max)</b>	<b>Extent to which the Goods and Services Meet the Needs of the District (25 pts. Max)</b>	<b>Vendors Past Relationship with the District (5 pts. Max)</b>	<b>Long Term Cost to the District (10 pts. Max)</b>	<b>Proposer's Total Score (100 pts. Max)</b>	<b>Proposer's Ranking</b>
The Phoenix Design Group, Inc.	25.00	4.00	25.00	23.75	5.00	10.00	92.75	1
Story First, Inc. DBA The Costumer	10.43	10.00	21.25	21.25	5.00	4.17	72.10	2
Any Occasion Tents & Events	8.33	10.00	22.50	22.50	4.25	3.33	70.91	3
In Depth Events	12.50	4.00	17.50	17.50	4.25	5.00	60.75	4
Southern Sound & Lighting	5.00	1.00	22.00	22.00	4.25	2.00	56.25	5
Texas Motion Sports	3.69	1.00	20.00	20.00	4.25	1.48	50.41	6
Luna Lux	20.83	1.00	8.00	7.75	0.75	8.33	46.66	7
Adz on the Go	6.25	1.30	8.00	10.25	1.00	2.50	29.30	8

**For: Fort Bend ISD Board of Trustees**  
**Date: September 9, 2024**  
**Action: Review: Construction Services Agreement for Dulles HS/MS Renovations (BP028)**  
**References: Board Policy CV (Local) District Goal 5**  
**Department: Operations**

**Recommendation**

Consideration and approval of Construction Services Agreement with Dunhill Development and Construction LLC for Dulles High School and Dulles Middle School Renovations (BP028) for a contract lump sum amount of \$15,830,669 and authorization for the Superintendent to negotiate and execute or terminate the agreement.

**Summary**

On June 26, 2023, the Board of Trustees (BOT) approved all project budgets for the 2023 Bond Program. The BOT also approved PBK Architects Inc. as the architect of record to design and prepare construction documents for the Dulles HS/MS renovations.

The Competitive Sealed Proposal solicitation (CSP 24-061KB) requested bids for the Construction of Dulles High School and Dulles Middle School Renovations (BP028). Three firms responded to the CSP.

Design & Construction staff, in collaboration with the Director of Purchasing and Materials Management acting in an oversight capacity, evaluated the proposal using an evaluation team composed of FBISD staff members from the Design & Construction, Procurement and Finance Departments.

The final ranking of the contractors are as follows:

<b>Firm Name</b>	<b>CSP Score</b>	<b>Base Bid Amount</b>
Dunhill Development and Construction LLC	87.26	\$11,783,000
E Contractors LLC	76.82	\$13,500,000
Bass Construction Company, Inc.	69.20	\$22,000,000

The bid amount received was under the original budget. Through negotiations with the general contractor and the project team, staff is recommending acceptance of bid alternates along with an Owner’s Contingency Allowance for a total construction cost of \$15,830,669.

The scope of work for this package includes renovations at Dulles High School and Dulles Middle School.

The detailed project budget for BP028 – Dulles High School and Dulles Middle School Renovations is provided on the attached Exhibit 1.

<b>CSP Contract</b>	<b>Package Number</b>	<b>Description</b>	<b>Project Budget</b>
CSP 24-061KB	BP028	Dulles HS/MS Renovations	\$19,792,856

The negotiated contract amount will be funded as part of the 2023 Bond Program Funds as detailed in the above table.

Upon Board approval, staff will negotiate the contract for the Dulles High School and Dulles Middle School Renovations and will begin once the contract is executed.

Recommended by:

Dr. Marc Smith  
Superintendent of Schools

Submitted by:

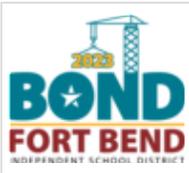
Dr. Damian Viltz  
Chief Operations Officer

**CSP 24-061KB BP028 Dulles High School & Dulles Middle School Renovations**

	<b>Evaluation Criteria (Government Code 2269)</b>	<b>Point System</b>
1	<b>The price; Section 2269.055.a (1)</b> Total Proposed Pricing - Provides thoroughly developed, competitive pricing using the tables in Pricing Delivery information section of the CSP	40 points
2	<b>Offeror's experience and reputation; Section 2269.055.a (2)</b> Provides evidence of your experience in planning, staging and delivery of recent projects of similar scope and scale (14 pts)	19 points
	<b>Past experience with FBISD and other school districts</b> Provides a summary of nature of work, on time delivery and quality of work contracted with FBISD and/or other school districts and FBISD's assessment of the presented summary. (5 pts)	
3	<b>Quality of the offeror's goods or services; Section 2269.055.a (3)</b> Contractor's products should be new and be of the highest quality with an option to substitute for a company branded item of equivalent quality. (14pts)	21 points
	<b>Quality of contractor's response in the proposal</b> Effectively responds and processes all request for information and documentation included in this CSP (2pts)	
	<b>Project Plan and schedule (5pts)</b>	
4	<b>Utilization of historically underutilized businesses; Section 2269.055.a (4)</b>	N/A
5	<b>Offeror's safety record; Section 2269.055.a (5)</b> Provides a summary of Experience Modification Rate (EMR) for the last three years, as well as a summary of your company's safety policies and procedures	5 points
6	<b>Offeror's proposed personnel; Section 2269.055.a (6)</b> Proposed Personnel, personnel directly assigned to work on this project	5 points
7	<b>Offeror's financial capability appropriate to the size and scope of the project; Section 2269.055.a (7)</b> Provide proof of Insurance, financial stability and Letter of Surety from Bonding Company	5 points
8	<b>SBE Commitment; CV (Local) 2017.04</b>	5 points
	<b>TOTAL</b>	100

Tabulation Summary  
 CSP 24-061KB BP028 Dulles High School & Dulles Middle School Renovations

Vendor	Purchase Price (40 pts. max)	Offeror's Experience and Reputation, Past Experience with FBISD and other school districts (19 pts. max)	Quality of the offeror's goods and services, Quality of contractor's response in the proposal, Project Plan and Schedule (21 pts. max)	Offeror's safety record (5 pts max)	Offeror's proposed personnel (5 pts max)	Offeror's financial capability ( 5 pts max)	SBEP commitment (5pts max)	Proposer's Total Score (100 pts. max)
Dunhill Development and Construction LLC	40.00	16.54	16.55	3.48	3.15	4.05	3.50	87.26
E Contractors LLC	35.17	12.24	15.35	3.63	1.75	3.69	5.00	76.82
Bass Construction Company, Inc.	23.83	15.94	15.10	3.03	2.55	3.76	5.00	69.20



Project Summary  
**BP028 - Dulles HS-MS Renovations**  
 Exhibit - 1

Description	A A/E Design Fees & Reimbursables	B Design Contingency	C Other Professional Services	D Construction	E Construction Contingency	F FF&E	G Site Development	H Admin & Other Project Costs	I Project Contingency	TOTAL
DULLES HIGH	\$990,610.00	\$187,155.00	\$652,364.00	\$12,018,318.00	\$1,562,381.00			\$1,000.00	\$203,659.00	\$15,615,487.00
DULLES MIDDLE	\$265,588.00	\$50,177.00	\$165,669.00	\$3,222,181.00	\$418,884.00			\$1,000.00	\$53,870.00	\$4,177,369.00
<b>TOTAL:</b>	<b>\$1,256,198.00</b>	<b>\$237,332.00</b>	<b>\$818,033.00</b>	<b>\$15,240,499.00</b>	<b>\$1,981,265.00</b>			<b>\$2,000.00</b>	<b>\$257,529.00</b>	<b>\$19,792,856.00</b>

**For: Fort Bend ISD Board of Trustees**  
**Date: September 9, 2024**  
**Action: Review: Hightower High School**  
**Chiller Replacement (BP032)**  
**References: Board Policy CV (Local)**  
**District Goal 5**  
**Department: Operations**

**Recommendation**

Consideration and approval of a construction services agreement with Job Order Contractor (JOC) E Contractors USA, LLC for replacement of a chiller at Hightower High School (HHS) Central Plant under BP032 for a not-to-exceed construction contract amount of \$650,000, and authorization for the Superintendent to negotiate and execute or terminate the agreement.

**Summary**

On May 6, 2023, FBISD successfully passed the 2023 Bond Program.

On June 26, 2023, the FBISD Board of Trustees (BOT) approved the 2023 Bond Program Master Project Budgets, including BP032 Hightower HS Renovations.

On October 2, 2023, the BOT approved the Phase 3 Professional Services Firms for Bond 2023 projects. Infrastructure Associates, Inc. was selected to design the chiller replacement scope from the Board approved vendor pool for BP023 Hightower HS Renovations,

On August 21, 2023, the BOT approved a Job Order Contracting (JOC) pool of five contractors to provide construction services to the district for both Bond 2023 and non-bond work. E Contractors USA, LLC was included as one of the selected JOC contractors in the vendor pool.

Staff is requesting approval to proceed with E Contractors USA, LLC as the JOC to execute the chiller replacement work under BP032 Hightower HS Renovations.

The detailed project budget for BP032 Hightower High School Renovations is provided on the attached Exhibit 1.

<b>Package Number</b>	<b>Description</b>	<b>Project Budget</b>
BP032	Hightower High School Renovations	\$14,672,500

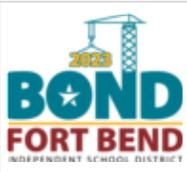
Upon Board approval, staff will negotiate the contract with E Contractors USA, LLC and work will begin once the contract is executed.

Recommended by:

Dr. Marc Smith  
Superintendent of Schools

Submitted by:

Dr. Damian Viltz  
Chief Operations Officer



Project Summary  
**BP032 - Hightower HS Renovations**  
 Exhibit - 1

Description	A A/E Design Fees & Reimbursables	B Design Contingency	C Other Professional Services	D Construction	E Construction Contingency	F FF&E	G Site Development	H Admin & Other Project Costs	I Project Contingency	TOTAL
HIGHTOWER HIGH	\$972,743.00	\$171,275.00	\$601,045.00	\$11,297,825.00	\$1,355,739.00	\$250,000.00		\$1,000.00	\$22,873.00	\$14,672,500.00
<b>TOTAL:</b>	<b>\$972,743.00</b>	<b>\$171,275.00</b>	<b>\$601,045.00</b>	<b>\$11,297,825.00</b>	<b>\$1,355,739.00</b>	<b>\$250,000.00</b>		<b>\$1,000.00</b>	<b>\$22,873.00</b>	<b>\$14,672,500.00</b>

**For: Fort Bend ISD Board of Trustees**  
**Date: September 9, 2024**  
**Action: Review: Construction Services for HVAC MEP West Central 2 Renovations and Upgrades at Multiple Campuses (BP045)**  
**References: Board Policy CV (Local) District Goal 5**  
**Department: Operations**

**Recommendation**

Consideration and approval of a Construction Services Agreement with E Contractors USA, LLC for HVAC MEP West Central 2 Renovations and Upgrades at Multiple Campuses (BP045) for a stipulated lump sum amount of \$10,997,500, and authorization for the Superintendent to negotiate and execute or terminate the agreements.

**Summary**

The 2023 Bond Program includes HVAC MEP West Central 2 Renovations and Upgrades at four campuses: Kempner High, First Colony Middle, Sartartia Middle and Sugar Land Middle Schools.

On June 26, 2023, the Board of Trustees (BOT) approved all project budgets for the 2023 Bond Program. The BOT also approved Stantec as the architect of record to design and prepare construction documents for the HVAC MEP West Central 2 Renovations and Upgrades.

The Competitive Sealed Proposal (CSP) solicitation (CSP 24-059AL) requested bids for the HVAC MEP West Central 2 Renovations and Upgrades (BP045) construction. Seven firms responded to the CSP. Two firms were disqualified by Purchasing due to an incomplete bid submission.

Design & Construction staff, in collaboration with the Director of Purchasing and Materials Management acting in an oversight capacity, evaluated the proposals using an evaluation team composed of FBISD staff members from the Design & Construction, Procurement and Finance Departments.

The final ranking of the contractors is as follows:

<b>Firm Name</b>	<b>CSP Score</b>	<b>Base Bid Amount</b>
E Contractors USA, LLC	81.88	\$10,700,000
Bass Construction Co. Inc.	80.26	\$11,977,000
Prime Contractors, Inc.	77.75	\$13,100,000
ICI Construction, Inc.	74.38	\$13,100,000
American Mechanical Services	50.87	\$12,350,000

The bid amount received was under the original budget. Through negotiations with the general contractor and project team, staff is recommending acceptance of additive and deductive alternates along with Owner's Contingency Allowance for a total construction cost of \$10,997,500.

The detailed project budget for HVAC MEP West Central 2 (BP045) is provided on the attached Exhibit 1.

<b>CSP Contract</b>	<b>Package Number</b>	<b>Description</b>	<b>Project Budget</b>
CSP 24-059AL	BP045	HVAC MEP West Central 2	\$14,196,384

The negotiated contract amount will be funded with 2023 Bond Program Funds as detailed on the above table.

Upon BOT approval, staff will negotiate the contract for HVAC MEP West Central 2 and work will begin in fall 2024.

Recommended by:

Dr. Marc Smith  
Superintendent of Schools

Submitted by:

Dr. Damian Viltz  
Chief Operations Officer

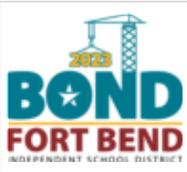
**CSP 24-059AL BP045 HVAC Renovations West Central 2**

	<b>Evaluation Criteria (Government Code 2269)</b>	<b>Point System</b>
1	<b>The price; Section 2269.055.a (1)</b> Total Proposed Pricing - Provides thoroughly developed, competitive pricing using the tables in Pricing Delivery information section of the CSP	40 points
2	<b>Offeror's experience and reputation; Section 2269.055.a (2)</b> Provides a summary of nature of work, on time delivery and quality of recent work contracted with FBISD and/or other school districts of similar scope and scale. (14 pts)	19 points
	<b>Past experience with FBISD and other school districts</b> Provides a summary of nature of work, on time delivery and quality of work contracted with FBISD and/or other school districts and FBISD's assessment of the presented summary. (5 pts)	
3	<b>Quality of the offeror's goods or services; Section 2269.055.a (3)</b> Contractor's products should be new and be of the highest quality with an option to substitute for a company branded item of equivalent quality. (14pts)	21 points
	<b>Quality of contractor's response in the proposal</b> Effectively responds and processes all request for information and documentation included in this CSP (2pts)	
	<b>Project Plan and schedule (5pts)</b>	
4	<b>Utilization of historically underutilized businesses; Section 2269.055.a (4)</b>	N/A
5	<b>Offeror's safety record; Section 2269.055.a (5)</b> Provides a summary of Experience Modification Rate (EMR) for the last three years, as well as a summary of your company's safety policies and procedures	5 points
6	<b>Offeror's proposed personnel; Section 2269.055.a (6)</b> Proposed Personnel, personnel directly assigned to work on this project	5 points
7	<b>Offeror's financial capability appropriate to the size and scope of the project; Section 2269.055.a (7)</b> Provide proof of Insurance, financial stability and Letter of Surety from Bonding Company	5 points
8	<b>SBE Commitment; CV (Local) 2017.04</b>	5 points
	<b>TOTAL</b>	<b>100 points</b>

**Tabulation Summary**  
**CSP 24-059AL BP045 HVAC Renovations West Central 2**

Vendor	Purchase Price (40 pts. max)	Offeror's Experience and Reputation, Past Experience with FBISD and other school districts (19 pts. max)	Quality of the offeror's goods and services, Quality of contractor's response in the proposal, Project Plan and Schedule (21 pts. max)	Offeror's safety record (5 pts max)	Offeror's proposed personnel (5 pts max)	Offeror's financial capability ( 5 pts max)	SBEP commitment (5pts max)	Proposer's Total Score (100 pts. max)
E Contractors, LLC	40.00	12.94	14.30	3.50	2.65	3.49	5.00	81.88
Bass Construction Co., Inc.	35.75	15.90	14.70	2.83	2.50	3.59	5.00	80.26
Prime Contractors, Inc.	32.67	12.60	18.40	2.93	3.95	4.20	3.00	77.75
ICI Construction, Inc.	32.67	15.94	14.10	2.73	2.05	4.39	2.50	74.38
American Mechanical Services	34.66	2.63	3.35	1.35	0.55	3.33	5.00	50.87

\* Dunhill Development and Constructions, LLC were deemed Non Responsive.



Project Summary  
**BP045 - HVAC - MEP West Central 2**  
 Exhibit - 1

Description	A A/E Design Fees & Reimbursables	B Design Contingency	C Other Professional Services	D Construction	E Construction Contingency	F FF&E	G Site Development	H Admin & Other Project Costs	I Project Contingency	TOTAL
FIRST COLONY MIDDLE	\$109,969.00	\$17,483.00	\$38,680.00	\$1,277,224.00	\$166,039.00				\$17,642.00	\$1,627,037.00
KEMPNER HIGH	\$633,489.00	\$100,714.00	\$222,817.00	\$7,357,598.00	\$956,488.00				\$101,630.00	\$9,372,736.00
SARTARTIA MIDDLE	\$153,822.00	\$24,455.00	\$54,104.00	\$1,786,546.00	\$232,251.00				\$24,677.00	\$2,275,855.00
SUGAR LAND MIDDLE	\$62,233.00	\$9,894.00	\$21,890.00	\$722,793.00	\$93,963.00				\$9,983.00	\$920,756.00
<b>TOTAL:</b>	<b>\$959,513.00</b>	<b>\$152,546.00</b>	<b>\$337,491.00</b>	<b>\$11,144,161.00</b>	<b>\$1,448,741.00</b>				<b>\$153,932.00</b>	<b>\$14,196,384.00</b>

**For: Fort Bend ISD Board of Trustees**  
**Date: September 9, 2024**  
**Action: Review: Moving Services and Supplies (Increase)**  
**Reference: District Goal 5**  
**Department: Design and Construction**

### **Recommendation**

Consideration and approval to increase the existing contract awarded under 22-032ZB Moving Services and Supplies by \$400,000 for a total not to exceed the amount of \$1,699,375, to continue purchasing moving services and supplies through June 2025.

### **Summary**

The Design and Construction Department is requesting an increase to the existing contract awarded under 22-032ZB for Moving Services and Supplies, which is set to expire in June 2025. This contract supports the District's needs for moving supplies and services, including assistance with construction projects, T-building relocations, and various other moves across the District, such as relocating offices, departments, and/or campuses. Additionally, it covers the assembly and disassembly of furniture.

Several unplanned events occurred that required the procurement of moving services and supplies, resulting in the need for an increase. Those events were:

- The 2023 Easter Day Flood at the Administration Building
- The closure and reconsolidation of multiple campuses
- The closure and temporary storage of assets in the Annex building, and
- The damage of District facilities due to Hurricane Beryl.

The ongoing Bond 2023 projects, as well as unanticipated damages to school facilities that required emergency relocations and temporary storage of materials and equipment, have resulted in significant unplanned expenditures and the need for a contract increase. Therefore, the department is requesting a \$400,000 increase to the contract to meet the District's needs through 2025.

### **Background**

Expenditures in 2023-24 were \$426,540, and expenditures year-to-date are \$260,311. The contract balance remaining under the current Board authorization is \$6,407. Expenditures will not exceed \$1,699,375 through June 2025. Funding for the increase of \$400,000 is included in the budget.

Requested by:	Damian Viltz, Chief Operating Officer Bryan Guinn, Chief Financial Officer	
Vendor:	All Points of Texas*** A-Rocket Moving and Storage *** Pioneer Contract Services *** Roadrunner Moving and Storage ***	
Budget Sources:	General Fund 2018 Bond Fund 2023 Bond Fund	
Amount:	Not to Exceed \$1,699,375 through June 2025	
Other Supporting Information		
Sole Source:	N/A	
Number of vendors contacted by Purchasing:	N/A	
Number of vendors downloaded the solicitation:	N/A	
Number of responses received:	N/A	
Number of "no bid" responses received:	N/A	
Length of commitment:	Through June 2025	
Last solicitation date:	N/A	
Supporting documents:	N/A	
Disclosure under Board Policy CH, CV, or DBD (Local):	N/A	

\*\*\* Previously awarded a contract of the same scope with the District

Recommended by:

Dr. Marc Smith  
Superintendent of Schools

Submitted by:

Dr. Damian Viltz  
Chief Operating Officer

Bryan Guinn  
Chief Financial Officer

**For: Fort Bend ISD Board of Trustees**  
**Date: September 9, 2024**  
**Action: Consideration and Approval:**  
**Sugar Land 95 Memorial Project**  
**Department: Communications**

### **Recommendation**

Consideration and approval of an Affiliate Agreement with 501(c)3 nonprofit organization Friends of the Sugar Land 95, for ongoing community engagement and stewardship activities related to the Sugar Land 95 Memorial Project.

### **Summary**

On February 19, 2018, during the construction of the James Reese Career and Technical Center, an unforeseen discovery of human remains and a subsequent archeological investigation resulted in the discovery of a historical cemetery, which is the foundation for the Sugar Land 95 Memorial Project.

The District realized the incredible learning opportunities this discovery offered to students and families in our community, and designated this Historic Texas Cemetery as a site for broader educational outreach and memorializing the individuals whose lives were lost on the sacred ground. In developing the project, FBISD considered the historical nature of the site and the significant impact that the discovery of the historical cemetery continues to have on the community. The magnitude of the discovery has garnered ongoing attention at the local, state, and national levels.

During the earliest phase of the project, the District committed to educating communities about the historic discovery, engaging community members in acts of commemoration, and memorializing the site as an official burial site located on District property.

Phase One of the Sugar Land 95 Memorial Project included the development of curricular resources for social studies classes and the Sugar Land 95 Exhibit within the James Reese CTC. Phase Two of the Project includes the development of an outdoor learning environment and a beautified cemetery area.

In considering a long-term path forward, FBISD expressed the need for partners capable of advancing our goals and commitments to the Sugar Land 95 Memorial Project.

In 2022, the District began discussions with community members about the need for external support in engaging the community, spreading awareness, and stewardship for the historic cemetery. Several community members previously involved in early Sugar Land 95 Task Forces, advisory committees, or advocacy groups decided to incorporate as a 501(c)3 non-profit, Friends of the Sugar Land 95 (FOSL95), with the primary goal of providing support to the District and serving as community ambassadors for the Project.

Mrs. Marilyn Moore, widow of the late Reginald Moore, is the founder and president of FOSL95. Reginald Moore has been nationally recognized posthumously as a trailblazer in the study of convict leasing. He is regarded by FBISD as a local example of servant leadership and compassionate citizenship for his advocacy for the Sugar Land 95, both before and after the historic discovery.

FOSL95 is fashioned after the Friends of the Fort Bend Historical Commission and Friends of the Texas Historical Commission, similar organizations whose primary activities include educational programming, community engagement, and perpetual care for historic sites. The specific mission of the organization includes:

- Advocacy for the respectful memorialization of forced labor victims
- Education of all generations about the past and present impact of the convict leasing system
- Partnership with FBISD in fundraising to construct the Sugar Land 95 memorial site
- Management of community stewardship for perpetual care of the site
- Service as liaison between FBISD and community groups

Since its incorporation in 2023, FOSL95 has participated in and facilitated a host of community events and engagements centered on Sugar Land 95. The organization has grown to include over 50 members, launched a website [www.sugarland95.org](http://www.sugarland95.org), and has served as spokesperson for the Project in major publications and reports.

At this time, FOSL95 requests that an official partnership between the District and the organization be established through an Affiliate Agreement. The Affiliate Agreement outlines the responsibilities of both the District and FOSL95 and sets terms for the partnership. The Agreement will allow FOSL95 to serve as a fiscal sponsor for the District on funding sources as needed, and to engage other organizations and institutions to acquire additional support.

Upon Board approval, District staff will collaborate with FOSL95 to develop standard operating procedures and will begin the necessary work of transitioning activities as outlined in the Agreement.

Recommended by:

Dr. Marc Smith  
Superintendent of Schools

Submitted by:

Kimberly Smith  
Chief Communications Officer

**Affiliation Agreement  
BETWEEN  
FORT BEND ISD  
and  
FRIENDS OF THE SUGAR LAND 95**

This Agreement is entered into on the \_\_\_\_ day of \_\_\_\_\_, 2024 ("the Effective Date"), by and between the **FORT BEND INDEPENDENT SCHOOL DISTRICT** ("DISTRICT"), which is located at 16431 Lexington Blvd., Sugar Land, TX 77479, and **FRIENDS OF THE SUGAR LAND 95** ("NONPROFIT"), a 501(c)3 corporation, which is located at 8619 Barron Wood Circle East, Houston, TX 77083

**Whereas** the school district is the legal owner of the property where the historic cemetery resides (12300 University Blvd., Sugar Land, TX 77479) and is responsible for ongoing care of the cemetery.

**Whereas**, the Parties seek to establish an affiliation for the memorialization and preservation of the State Convict Lease System Labor Camp Cemetery ("Cemetery"); and

**Whereas**, the NONPROFIT's mission is to engage, advocate, educate, inform, and stand as an ally with other 501c3 organizations whose primary cause is that of the Sugar Land 95;

**DEFINITIONS**

- **Cemetery** – refers to the historic cemetery designated as the State Convict Lease System Labor Camp Cemetery, located on the campus of the James Reese Career and Technical Center, at 12300 University Blvd., Sugar Land, TX 77479
- **Memorialization:** Memorialization shall include the Outdoor Learning Area and other structures that will stand upon the burial site (Cemetery) including markers, headstones, pathways, enclosure, and other aspects of the physical memorial site AND memorialization in written form to include the creation of pamphlets, books, flyers, newsletters, and educational programs to increase community awareness and appreciation of the memorial for the Sugar Land 95. All of these are part of memorialization.
- **Periodic** - the period of reporting on the progress and uses of monies donated to the Outdoor Learning Area shall be mutually agreed upon by both parties and must occur at least quarterly (4 times per year) until project completion or termination of this agreement, whichever comes first.

**ARTICLE 1 – RESPONSIBILITIES OF NONPROFIT**

NONPROFIT shall fulfill the following terms, obligations, and covenants:

- (1) Inform DISTRICT of the name, address, and phone number of a Program Liaison who will be available to assist DISTRICT personnel and who will be responsible for maintaining ongoing contact with DISTRICT's representative;

- (2) Limit the activities of NONPROFIT members at DISTRICT to only those functions required to fulfill the terms of this AGREEMENT unless otherwise agreed to by DISTRICT (See Addendum A);
- (3) Cooperate with DISTRICT in implementing and operating programs and events related to the memorialization of the Sugar Land 95 that are suitable to both parties;
- (4) Provide DISTRICT's designated representative with information regarding the objectives, goals, and specifics of the NONPROFIT;
- (5) Unless a NONPROFIT member is a DISTRICT employee with a criminal background check on file with the DISTRICT, inform members that a criminal background check must be completed through the DISTRICT criminal history procedures, and that members are obligated to comply with all DISTRICT administrative policies, procedures, rules, standards, schedules, practices, and state laws when participating in Program activities; failure to do so may result in loss of access to DISTRICT property.
- (6) Require members to provide transportation, appropriate supplies, and uniforms, as applicable;
- (7) Inform DISTRICT of any adverse circumstances to which DISTRICT may be exposed because of the activities or health status, including the mental health status, of a member;
- (8) Inform DISTRICT of any complaint, claim, investigation, or lawsuit that involves the NONPROFIT and that is related to the Program or any other educational experiences provided under this Agreement;
- (9) Accept overall responsibility for Program logistics, evaluation, marketing, and data collection for any events or programs initiated and hosted by the NONPROFIT, unless otherwise specified by the DISTRICT;
- (10) NONPROFIT will serve as the fiscal agent of funds raised related to the memorialization of the Sugar Land 95.

## **ARTICLE 2 - RESPONSIBILITIES OF DISTRICT**

DISTRICT shall fulfill the following terms, obligations, and covenants:

- (1) Inform NONPROFIT of the name, email address, and phone number of a DISTRICT employee who will be available to assist NONPROFIT members and who will be responsible for maintaining ongoing contact with the NONPROFIT;
- (2) Coordinate access to the Sugar Land 95 Exhibit inside the James Reese Career and Technical Center, located at 12300 University Blvd, Sugar Land, TX 77479 with FBISD liaison per school hours of availability;
- (3) Provide NONPROFIT with periodic updates in a format agreed upon by the DISTRICT and the NONPROFIT regarding any activities related to the Cemetery and during the construction of the memorial;
- (4) Provide NONPROFIT with information regarding policies and procedures of DISTRICT.
- (5) Collaborate with NONPROFIT to establish a fundraising plan and strategies to garner philanthropic and financial support for the Sugar Land 95 Memorial Project

- (6) May provide the NONPROFIT with organizational support and marketing collateral (i.e. use of logos, graphics, and digital materials subject to conditions of the fundraising plan

### **ARTICLE 3 – RESPONSIBILITIES OF THE PARTIES**

Both parties mutually agree to fulfill the following terms, obligations, and covenants:

- (1) NONPROFIT and NONPROFIT members shall not be considered employees, agents, partners, or joint venturers of DISTRICT;
- (2) DISTRICT is not responsible for wages, social security taxes, medical insurance, hospitalization insurance, or workers' compensation insurance for NONPROFIT members. In no event shall the parties be considered joint employers.
- (3) Nothing in this Agreement is to be construed as transferring responsibility from one Party to another;
- (4) Without limitation of any provision outlined in this Agreement, the Parties expressly agree to abide by all applicable federal and/or state equal employment opportunity statutes, rules, and regulations; and
- (5) To the extent permitted by the constitution and laws of the State of Texas and without the waiver of sovereign immunity or any other defense to which NONPROFIT is or may be entitled to assert, NONPROFIT shall indemnify and hold DISTRICT harmless from and against any claims, costs, including reasonable attorneys' fees, liabilities, or causes of action arising out of or from any acts or omissions by NONPROFIT or NONPROFIT members who are engaged in activities at DISTRICT that are directly related to the Cemetery. Notwithstanding the foregoing, neither Party hereto shall be obligated to indemnify the other for such other Party's own negligence. This indemnification provision shall survive termination of this Agreement.

### **ARTICLE 4 – TERM AND TERMINATION**

- (1) This Agreement shall commence on September 23, 2024, and shall terminate on June 30, 2028.
- (2) Notwithstanding any other provision in the Agreement, either Party shall have the right to terminate this Agreement upon thirty (30 consecutive days' written notice given to the other Party.
- (3) In the event the Agreement is terminated by either party, NONPROFIT will donate all funds collected by the NONPROFIT specifically for the memorialization of the Cemetery to DISTRICT, after which the monies will be solely dedicated to the construction and maintenance of the site.
- (4) The DISTRICT shall have the right to demand the immediate removal of NONPROFIT members from its premises, upon a determination by the DISTRICT that the member poses a threat to the health, safety, or welfare of DISTRICT's students or personnel or to the orderly business function of DISTRICT. NONPROFIT shall cooperate with such demands.

**ARTICLE 5 – GENERAL PROVISIONS**

- (1) The Parties agree that this Agreement will be construed by the laws of the State of Texas and the venue for purposes of alternative dispute resolution, claims, or litigation shall be Fort Bend County, Texas.
- (2) The terms and conditions of this Agreement may be modified upon mutual written consent of the Parties at any time.
- (3) This Agreement and all terms and conditions contained herein shall become effective as of the date noted as the Effective Date that first appears in paragraph one of this document.
- (4) Any notice required or permitted under this Agreement shall be considered effective as of the date sent by certified mail, return receipt requested, as follows:

**DISTRICT:**

Marcell Smith, Ed.D.  
16431 Lexington Blvd.  
Sugar Land, TX 77479

**NONPROFIT:**

Friends of the Sugar Land 95  
8619 Barron Wood Circle East  
Houston, TX 77083

With a copy to:

Department of Legal Services  
16431 Lexington Blvd.  
Sugar Land, TX 77479

With a copy to:

Friends of the Sugar Land 95  
8619 Barron Wood Circle East  
Houston, TX 77083

- (5) Neither Party may assign any rights or obligations under this Agreement without the prior written consent of the other Party.
- (6) Each individual executing this Agreement on behalf of any Party expressly represents and warrants that he/she has authority to do so, and thereby to bind the Party on behalf of which/whom he/she signs, to the terms of this Agreement.
- (7) If any part of the Agreement should be determined to be invalid, illegal, inoperative, or contrary to applicable law, statute, regulation, or NONPROFIT or DISTRICT policies, that part of the Agreement shall be modified, if reasonably possible, to comply with the applicable policies, provisions of law, statute, or regulation, and in any event, the remaining parts of the Agreement shall be fully effective and operative insofar as reasonably possible.
- (8) A waiver by either Party of the breach or violation of any provision of the Agreement shall not operate as, or be construed to be, a waiver of any subsequent breach of the Agreement.
- (9) This Agreement is entered into by and between the Parties hereto and for their benefit. Unless explicitly provided in this Agreement, there is no intent by either Party to create or establish third-party beneficiary status or rights in any third party, and no such third party shall have any right to enforce any right or enjoy any benefit created or established under this Agreement.

- (10) This is the entire Agreement between the Parties and supersedes all prior agreements, proposals, or understanding, whether written or oral.
- (11) Nothing in this Agreement shall be construed as a waiver or relinquishment of any governmental immunities or defenses on behalf of FBISD, its trustees, officers, employees, and agents as a result of the execution or performance of this Agreement.

**In witness thereof**, the Parties have executed this Agreement in multiple counterparts, to be effective as of the date written on page one (1) of the Agreement.

Fort Bend Independent School District

Friends of the Sugar Land 95

\_\_\_\_\_

*Marilyn C. Moore*

Name: Marcell Smith, Ed.D.

Name: Marilyn C. Moore

Title: Superintendent of Schools

Title: President, Founder

Date: \_\_\_\_\_

Date: *August 29, 2024*

\_\_\_\_\_

Name: Kristin Tassin

Title: FBISD Board President

Date: \_\_\_\_\_

**Addendum to Affiliation Agreement  
BETWEEN  
FORT BEND ISD  
and  
FRIENDS OF THE SUGAR LAND 95**

**SECTION A: CORE ACTIONS AND ACTIVITIES OF THE ORGANIZATION**

**ENGAGE**

- 1) Host public events to garner the attention needed to advance historic preservation efforts
- 2) Collaborate with individuals and organizations to host or facilitate events and initiatives to memorialize the historic cemetery

**ADVOCATE**

- 1) Advocate at the local, state, and national level for the proper memorialization and remembrance of the Sugar Land and other victims of state-sanctioned forced labor
- 2) Garner support from elected officials and local leaders for the Sugar Land 95 Memorialization Project
- 3) Serve as a community mobilizer for individuals interested in honoring and memorializing the Sugar Land 95.

**EDUCATE**

- 1) Establish a cohort of volunteers to deliver presentations, lectures, classroom visits, and exhibit tours
- 2) Develop resources to educate others about the historic site, the history of convict leasing, and the advocacy of Reginald Moore.
- 3) Build capacity in members of the organization through education, training, and mentoring

**INFORM**

- 1) Utilize social media platforms to share the work of the organization and engage in informative reporting
- 2) Publish a regular newsletter and other digital/print materials for public consumption
- 3) Create or contribute to the development of multimedia projects (i.e. news coverage, public service announcements, documentaries, etc.) to garner support for the organization and its work

**LIAISE**

- 1) Partner with other organizations, public and private, to achieve organizational goals and objectives
- 2) Serve as fiscal agent on grants and funding opportunities on behalf of Fort Bend ISD