



# Agenda of Board Meeting January 21, 2025 The Board of Trustees Wichita Falls Independent School District

In Compliance with the Texas Government Code, Chapter 551, Subchapter C, the Board of Trustees of the Wichita Falls Independent School District will meet for a Board Meeting at 6:00 PM, on January 21, 2025, in the Board Room at the Education Center, 1104 Broad St, Wichita Falls, TX 76301.

The subjects to be discussed, considered, or upon which any formal action may be taken are as listed below. Items do not have to be taken in the order shown on this meeting notice.

<b>I. CALL TO ORDER AND OPENING STATEMENT</b>	
<b>II. PRESENTATION OF COLORS</b>	
<b>III. INVOCATION</b>	
<b>IV. PRESENTATIONS</b>	
<b>V. PUBLIC COMMENT</b>	
<b>VI. SUPERINTENDENT REPORT</b>	
<b>VII. CONSENT AGENDA</b>	
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A. Gen-Ed Waiver for Homebound and Remote Instruction	13
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C. Special Programs Update	15
<b>IX. FINANCIAL SERVICES</b>	
A. Consider And Adopt An Order Authorizing The Issuance of Unlimited Tax Bonds, Establishing Sale Parameters, Authorizing The Execution Of A Bond Purchase Agreement And An Escrow Agreement; Approving An Official Statement; And Enacting Other Provisions Relating To The Subject	16
B. Student Transportation Services	47
C. Resolution Authorizing Sale of Kirby Middle School Property	48
D. Resolution Authorizing Sale of Sam Houston Elementary School Property	50
<b>X. HUMAN RESOURCES</b>	
A. Applicant Pool	52
<b>XI. BOARD MATTERS</b>	
A. Consider/Approve the Resolution Regarding the Nomination of Donny Lee for the 2025 Texas Association of School Boards Superintendent of the Year	55
B. Closed Session:	
1. Personnel Matters Including the Appointment, Evaluation, Reassignment, Duties, Discipline, Dismissal and/or Compensation of Individual District Employees ( <i>Pursuant to Texas Government Code 551.074</i> )	
2. Discussion of Purchase, Exchange, Lease or Value of Real Property ( <i>Pursuant to Texas Government Code Section 551.072</i> )	
<b>XII. ADJOURNMENT</b>	

*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. 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.*

The notice for this meeting was posted in compliance with the Texas Open Meetings Act on Friday, January 17, 2025 at 4:00 pm.

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For the Board of Trustees

**WICHITA FALLS ISD BOARD OF TRUSTEES  
JANUARY 21, 2025**

<b>Agenda Item:</b>	Minutes
<b>Administrator Responsible:</b>	Dr. Donny Lee, Superintendent of Schools
<b>Attachments:</b>	Minutes of Work Session, December 10, 2024 Minutes of Regular Meeting, December 16, 2024
<input checked="" type="checkbox"/> Action Needed <input type="checkbox"/> Future Action <input type="checkbox"/> Presentation <input type="checkbox"/> Report	

**Administrative Recommendation:**

That the Wichita Falls Independent School District Board of Trustees approves the proposed minutes of a work session on December 10, 2024 and a regular meeting on December 16, 2024 as submitted by Dr. Donny Lee, Superintendent of Schools.

**Explanation:**

The following are copies of the minutes referenced above. These minutes will become official upon approval by the Board.

**WICHITA FALLS INDEPENDENT SCHOOL DISTRICT BOARD OF TRUSTEES  
WFISD ADMINISTRATION BUILDING – BOARD ROOM  
WORK SESSION MEETING DECEMBER 10, 2024**

***CALL TO ORDER AND OPENING STATEMENT:***

The Board of Trustees of the Wichita Falls Independent School District met in a work session meeting on the above date. The meeting was called to order at 12:00 p.m. by Mr. Mark Lukert, board president.

Board members present: Ms. Katherine McGregor, Mr. Mark Lukert, Mr. Jim Johnson, Ms. Sandy Camp, Ms. Diann Scroggins, and Mr. John Barnard. Mr. Lukert noted that a quorum was present and the meeting had been duly called and notice of the meeting had been posted for the time and manner required by law.

Staff members present: Dr. Donny Lee, Superintendent of Schools, Ms. Dayna Hardaway, Executive Director of Human Resources, Ms. Leah Horton, Chief Financial Officer, Ms. Vanessa Dishman, Executive Assistant to the Superintendent, Ms. Ashley Thomas, Communications Officer, Mr. Scot Hafley, Assistant Superintendent of Operations, Mr. Larry Menefee, Director of Student Services, Ms. Debbie Dipprey, Executive Director of School Administration, Ms. Kelly Strenski, Director of Fine Arts, Mr. Shannon Troester, Risk & Contract Manager, Ms. Lauren Zotz, Director of Purchasing, Ms. Tabitha Eastman, Director of Social & Emotional Learning, Mr. Jamye Carr, Director of Secondary Curriculum, Mr. Jeff Hill, Director of Elementary Curriculum, Chief Anthony Smith, WFISD Police, Mr. Christopher Fain, Director of Maintenance, Mr. Johnny Ozee, Facility Trades Supervisor, Ms. Synquis Lewis, Booker T Washington Principal, Ms. Stacey Wood, Director of Nursing, Ms. Trish Potts, Auditor, Mr. Ken Callahan, Building Maintenance Supervisor, Ms. Alefia Paris-Toulon, Executive Director of Special Programs and Mr. Grant Freeman, Director of Athletics

Also present: Ms. Lisa Stephens-Musick, Wichita County Appraisal District and Media

***INVOCATION:***

Ms. Diann Scroggins gave the invocation.

***REPORTS OR SPECIAL DISCUSSIONS:***

**PRESENTATION OF SERVICE AWARD**

Dr. Donny Lee recognized Ms. Katherine McGregor for her 2 years of service as President for the WFISD Board of Trustees.

**NURSING UPDATE ON FLU DATA**

Ms. Stacy Wood, Director of Nursing, presented information regarding the process off reporting Flu data to the Wichita County Health Department.

***PUBLIC COMMENT:***

None

***FINANCIAL SERVICES:***

**FINANCIAL REPORTS AS OF October 31, 2024**

Mr. Jim Johnson, seconded by Ms. Diann Scroggins, motioned that the Wichita Falls Independent School District Board of Trustees approve the Financial Reports as of October 31, 2024 as submitted by Leah Horton, Chief Financial Officer, and as recommended by Dr. Donny Lee, Superintendent of Schools.

Carried unanimously by a vote of 6-0

**NOVEMBER 2024 BUDGET AMENDMENTS**

Ms. Sandy Camp, seconded by Mr. Jim Johnson, motioned that the Wichita Falls Independent School District Board of Trustees approve the budget amendments to the November 2024 budgets as submitted by Leah Horton, Chief Financial Officer, and as recommended by Dr. Donny Lee, Superintendent of Schools.

Carried unanimously by a vote of 6-0

## **CSP 2425-18-S-25 CONSTRUCTION (RIDER REFRESH)**

Ms. Leah Horton, Chief Financial Officer, requested that the Wichita Falls Independent School District Board of Trustees award construction services for the Rider Middle School Refresh to Gary Baker Construction in the amount of \$2,375,901.00 as submitted by Leah Horton, Chief Financial Officers, and as recommended by Dr. Donny Lee, Superintendent of Schools. The two-step solicitation RFQ/CSP 2425-18-S-25 was advertised twice in the Times Record News and published on WFISD's electronic solicitation platform in a two-step process. Eighty-four (84) vendors received the bid information by commodity code identification, fourteen (14) vendors viewed the solicitation, and five (5) vendors submitted complete proposals. One (1) vendor was disqualified due to failure to submit a bid bond. The highest-ranking respondent of the two-step process (qualification and price) is Gary Baker Construction. The evaluation team consisted of Scot Hafley, Assistant Superintendent, Chris Fain, Director of Maintenance, Shannon Troester, Risk and Contracts Manager, Johnnie Ozee, Maintenance Supervisor and Kenneth Callahan, Maintenance Supervisor. The procurement was facilitated by Lauren Zotz, Director of Purchasing. Steve Wood, Architect with BYSP provided specifications and project guidance. The recommended Rider Refresh proposal includes interior painting, replacement of damaged ceiling tiles, and replacement of most lighting (to LED lighting) in most of the areas to be utilized, along with areas of improvements to flooring

These items will be placed on the agenda for the regular meeting on December 16, 2024

## ***COMMUNICATION***

### **2025-2026 DISTRICT CALENDER APPROVAL**

Mr. Jim Johnson, seconded by Mr. John Barnard, moved that the Wichita Falls Independent School District Board of Trustees adopt the 2025-2026 School Calendar Draft B as presented by Ashley Thomas, Communications Officer, and recommended by Dr. Donny Lee, Superintendent of Schools.

Carried unanimously by a vote of 6-0

### **2025-2026 STAFF DEVELOPMENT WAIVER**

Ms. Diann Scroggins, seconded by Ms. Sandy Camp, moved that the Wichita Falls Independent School District Board of Trustees approve the request for the district to apply for expedited and general state waiver for a reduction in instructional days for 2025 in order to provide staff development as prepared by Ashley Thomas, Communications Officer and as recommended by Dr. Donny Lee, Superintendent of Schools

Carried unanimously by a vote of 6-0

## ***SCHOOL ADMINISTRATION***

### **CAMPUS PROGRESS PRESENTATIONS: BOOKER T WASHINGTON**

Ms. Debbie Dipprey, Executive Director of School Administration, introduced Ms. Synquis Lewis, Booker T. Washington principal. Ms Lewis presented information regarding the results of the most recent test scores as well as what resources and processes that are in place at the campus to help foster growth in the needed areas. Many board members voiced their concern with the information provided and made assurances that they would assist in any possible.

### **LASO CYCLE III: STRONG FOUNDATIONS IMPLEMENTATION GRANT**

Ms. Katherine McGregor, seconded by Ms. Diann Scroggins, moved that the Wichita Falls Independent School District Board of Trustees approve the request for the district to apply for the LASO Cycle III: Strong Foundations Implementation Grant to purchase the already approved instructional materials, Bluebonnet Learning as prepared by Deb Dipprey, Executive Director of School Administration and as recommended by Dr. Donny Lee, Superintendent of Schools

Carried unanimously by a vote of 6-0

***DISTRICT OPERATIONS***

**CLOSURE AND CONSOLIDATION OF CAMPUS**

Mr. Scot Hafley, Assistant Superintendent of Schools requested that the Wichita Falls Independent School District Board of Trustees approve the closure of McNiel Middle school and opening of Rider Middle School per policy CT local as recommended by Dr. Donny Lee, Superintendent of Schools. Rider Middle School will open in the 2025-26 school year and serve all students zoned to attend Memorial High School. McNiel Middle School will close and be repurposed for the 2026-27 school year. Under CT (Local), campuses may be consolidated to address more efficient use of the available capacity and a reduction in operating costs in specific school attendance areas.

These items will be placed on the Consent Agenda for the regular meeting on December 16, 2024

**ATTENDANCE ZONE CHANGES-FDB/FC REGULATION**

Mr. Scot Hafley, Assistant Superintendent of Schools presented information regarding the proposed changes to the school attendance zones and how they will affect policy FBC/ FC Regulation regarding the transfer of students. Recommended changes are as follows:

- Require incoming 6th and 7th grade students to attend new Middle School Attendance Zone.
- Allow incoming 8th grade students (24-25 7th graders) to apply for transfer to remain at their current school. This transfer will not impact the high school the students attend.
- Any transfer must meet attendance, discipline, and grade requirements stated in FDB Regulation.
- Siblings of 8th grade transfer students will not receive a transfer.
- Align high school attendance to the middle school a student attends. No secondary transfers would be allowed after a student begins middle school. Exceptions for IB, State Law, and Board Policy. This would begin with the class of 2032 our current 5th grade students.
- Removal of students falsifying addresses.

***HUMAN RESOURCES:***

**PERSONNEL REPORT**

Ms. Dayna Hardaway, Director of Human Resources, reported to the Wichita Falls Independent School District Board of Trustees a review of employee resignations/retirements that have been submitted since the last board meeting. The resignations/retirements have been accepted by Dr. Donny Lee, Superintendent of Schools, in accordance with the requirements of Policy DFE (LOCAL).

**TEACHER APPLICANT POOL**

Ms. Katherine McGregor, seconded by Ms. Diann Scroggins, moved that the Wichita Falls Independent School District Board of Trustees approve the proposed teacher applicant pool.

Carried unanimously by a vote of 6-0

**INCENTIVE PAY FOR EARLY RETIREMENT/RESIGNATION NOTICE**

Ms. Dayna Hardaway, Executive Director of Human Resources, requested that the Wichita Falls Independent School District Board of Trustees approve an ‘Incentive Pay’ for campus level professional staff that are on a term or continuing contract that submit an early notice of retirement or resignation beginning December 16, 2024 and received by January 31, 2025 for the end of the 2024-2025 contract year as submitted by Dayna Hardaway, Executive Director of Human Resources and as recommended by Dr. Donny Lee, Superintendent of Schools. Offering a monetary incentive motivates early notification by employees that may normally wait until the end of their contract term to inform the district of their intent to retire or resign. This knowledge is beneficial in staffing for the upcoming academic year and for early recruitment of campus professional staff. \$1,500.00 incentive amount for Retirement Early Notification by campus level professional staff \$750.00 incentive for Resignation Early Notification by campus level professional staff

These items will be placed on the Consent Agenda for the regular meeting on December 16, 2024

**BOARD MATTERS:**

**BOARD MINUTES:**

Minutes of a work session, November 12, 2024, work session, and regular meeting November 19, 2024

These items will be placed on the consent agenda for the regular meeting on December 16, 2024

**VOTE FOR WICHITA APPRAISAL DISTRICT BOARD MEMBERS**

Ms. Katherine McGregor, seconded by Mr. Jim Johnson, moved that the Wichita Falls Independent School District Board of Trustees cast the allotted 1520 votes as follows: 760 votes each for Glen Barnam and Jeff Taylor to serve as members on the Wichita County Appraisal District Board.

Carried unanimously by a vote of 6-0

**DISTRICT EVENTS:**

Ms. Ashley Thomas, Communications Officer, informed the Board of Trustees on the events happening around the district; Principal for a Day was held on November 19<sup>th</sup>. At the Chamber of Commerce Governor’s Small Business Summit Dr Lee, Superintendent of Schools, was awarded the Community Catalyst of the Year award and Dr. Cody Blair, Legacy HS Principal and Ms. Laurie Kinne, Memorial HS Principal were awarded Preeminent Space Awards. 25 teachers were awarded IDEA Grants totaling over \$20,000 through the WFISD Foundation. Elementary campuses held their annual Thanksgiving lunches for parents and loved ones served by our very own Ed center staff members. Milam student Dalilah Pena’s drawing was chosen to be the artwork cover for the WFISD Board Christmas Card. Memorial student and National Merit Finalist, Jun Park, was chosen as the #1 chair violinist in the Texas All-State Orchestra. Jun has been selected for All State Orchestra all 4 years of high school. December’s Teacher Spotlight is Ms Kay Ballard at Cunningham. Thankful Thursdays continued in December; cookies provided by various PIE partners to several departments and the alternative campuses in December.

**RENEWAL OF MEMBERSHIP IN WALSH GALLEGO’S RETAINER PROGRAM**

Ms. Katherine McGregor, seconded by Mr. Jim Johnson, moved that the Wichita Falls Independent School District Board of Trustees renew the district’s retainer membership with Walsh Gallego Attorneys

Carried unanimously by a vote of 6-0

**RECESS:**

Mr. Mark Lukert, board president, recessed the work session to go into closed session at 2:07 pm.

**CLOSED SESSION:**

1. Personnel Matters Including the Appointment, Evaluation, Reassignment, Duties, Discipline, Dismissal and/or Compensation of Individual District Employees (Pursuant to Texas Government Co2.
2. Consultation with the District's Attorney Concerning Student Transfers (Pursuant to Texas Government Code 551.071) de 551.074)

**ADJOURNED:**

With no other items to address, Mr. Mark Lukert, board president, adjourned the meeting from closed session at 4:00pm.

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President, Board of Trustees

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Secretary, Board of Trustees

**WICHITA FALLS INDEPENDENT SCHOOL DISTRICT BOARD OF TRUSTEES  
WFISD ADMINISTRATION BUILDING – BOARD ROOM  
REGULAR SESSION MEETING DECEMBER 16, 2024**

***CALL TO ORDER AND OPENING STATEMENT:***

The Board of Trustees of the Wichita Falls Independent School District met in a work session meeting on the above date. The meeting was called to order at 6:00 p.m. by Mr. Mark Lukert, board president.

Board members present: Mr. Mark Lukert, Ms. Katherine McGregor, Mr. Jim Johnson, Ms. Sandy Camp, Ms. Diann Scroggins and Mr. John Barnard. Mr. Lukert noted that a quorum was present and the meeting had been duly called and notice of the meeting had been posted for the time and manner required by law.

Staff members present: Dr. Donny Lee, Superintendent of Schools, Ms. Dayna Hardaway, Executive Director of Human Resources, Ms. Leah Horton, Chief Financial Officer, Ms. Vanessa Dishman, Executive Assistant to the Superintendent, Ms. Keli Sims, Administrative Assistant, HR, Ms. Ashley Thomas, Communications Officer, Mr. Scot Hafley, Assistant Superintendent of Operations, Ms. Debbie Dipprey, Executive Director of School Administration, Ms. Alefia Paris-Toulon, Executive Director of Special Programs, Mr. John Strenski, Emergency Management Coordinator, Ms. Tabitha Eastman, Director of Social & Emotional Learning, Ms. Synquis Lewis, Booker T Washington Elementary Principal, Mr. Grant Freeman, Director of Athletics, Chief Anthony Smith, WFISD Police Chief, Mr. Larry Menefee, Director of Student Services, SGM Salvador Montez, Memorial ROTC, Mr. Lawrence Johnson, Legacy Athletic Coordinator and Head Football Coach, Ms. Kelli Barnett, Memorial Volleyball Coach, Ms. Stephanie Dorsey, Legacy Volleyball Coach, Ms. Jennifer Parker, Barwise Teacher, Ms. Liana Plummer, Booker T Washington Teacher, Ms. Stacey Wood, Director of Nursing and Ms. Daphne Tucker, Nurse Manager.

Also present: Mr. Joel Jimenez, DAV, Mr. Mike Battaglini, Wichita Falls City Council Member & DAV, Mr. Steve Wood, Bundy, Young, Simms & Potter and media

***PRESENTATION OF COLORS:***

Memorial High School JROTC

***INVOCATION:***

Ms. Sandy Camp gave the invocation.

***PRESENTATIONS:***

**PRESENTATION OF FLAGS**

Representatives from the local Disabled American Veteran Chapter 41 presented the Wichita Falls Independent School District Board of Trustees with two American flags in honor of American Veterans. These flags are to be hung in the Legacy and Memorial high school gyms.

**LEGACY HIGH SCHOOL ACADEMIC ALL-STATE FOOTBALL**

The Academic All-State Teams recognize senior high school athletes, trainers and managers who excel in the following categories: GPA, class rank and ACT/SAT score. The students below are being recognized as a team member based on their scores in these categories. We applaud them for their commitment and dedication to perform with the highest of excellence academically and on the field.

Jimmell McFalls  
Brady Parker

Coach: Lawrence Johnson

**LEGACY HIGH SCHOOL ACADEMIC ALL-STATE VOLLEYBALL**

The following student athletes from Legacy High School received Texas High School Coaches Association (THSCA) and Texas Girls Coaches Association (TGCA) Academic All-State honors for volleyball:

Lauren Carter - 2nd Team (THSCA)  
Kenedee Pennington - Honorable Mention (THSCA)

Coach: Stephanie Dorsey

## **MEMORIAL HIGH SCHOOL ACADEMIC ALL-STATE VOLLEYBALL**

The following student athletes from Memorial High School received Texas High School Coaches Association (THSCA) Academic All-State honors for volleyball:

Emily Blake  
Madison Bobbitt  
Ashley Hughes  
Regan Post

Coach: Kelli Barnett

## **BOOKER T WASHINGTON STAFF & NURSE RECOGNITION**

Two Booker T. Washington staff members and a WFISD nursing supervisor for their heroic actions and quick thinking that helped save a student's life last month.

On November 11, as Ms. Plummer's class prepared to transition to their next lesson, a student briefly mentioned to her that they weren't feeling well. When asked what was wrong, the child simply responded, "my heart." Ms. Plummer immediately noticed the student's pale appearance and recognized the seriousness of the situation. Without hesitation, she seated the child and activated the classroom emergency button to summon help.

Booker T. Washington principal, Synquis Lewis, received the emergency call and rushed to the second-floor classroom. Upon arrival, she found the student conscious but unwell and began escorting the child to the nurse's office. While walking, Ms. Lewis noticed the student leaning heavily into her, when the child suddenly lost consciousness. Acting swiftly, Ms. Lewis carried the student to the stairwell, where she met the nurse, Daphne Tucker.

Nurse Tucker, a district nursing supervisor who was covering the campus clinic that day, immediately began assessing the student. When it became clear that the child's vitals were rapidly declining, she utilized the AED and initiated CPR. Her expert care revived the student, who regained consciousness before EMS arrived to transport them to the hospital.

It is important to note that Nurse Tucker, who was not the regular nurse at Booker T. Washington Elementary, had no prior medical history for this student. Despite this, the seamless teamwork between Ms. Plummer, Ms. Lewis, and Nurse Tucker proved critical. Medical professionals later determined that the student suffered from a rare condition that caused a sudden cardiac arrest. Without their swift intervention, the outcome could have been far worse.

WFISD recognizes Ms. Plummer, Ms. Lewis, and Nurse Tucker for their exceptional dedication, courage, and professionalism. Their actions exemplify the very best of our school community, and their heroic efforts ensured the safety and well-being of a student in crisis.

### ***PUBLIC COMMENT:***

None

### ***REPORTS OR SPECIAL DISCUSSION ITEMS:***

#### **WFISD POLICE DEPARTMENT UPDATE**

Chief Smith gave an in-depth update regarding how the WFISD Police Department is insuring the safety and wellbeing of students and staff by; Intruder Detection Audits, District Vulnerability Assessment (TEA Audit), Emergency Operations Plan, Staff Training, WFISD Police Officers on Campuses, Safety & Security, Community Policing and the Safety & Security Committee. House Bill 3 had mandates that were unfunded from the state of Texas:

- Intruder detection audits
- Active shooter response training
- Armed Officer requirement
- Possible Failure Consequences = Assignment of Conservator for the District Due to Noncompliance with Safety & Security req.
- Building Standards
- District Property: Access to first responders -Emergency Response Map and Walk-through
- Facilities Standards Review
- Facilities: Safety and Security Requirements for
- Multi-hazard Emergency Operations Plans (numerous)

- School Safety Meetings
- Threat Assessment Teams: Behavior Reporting Procedure

The aforementioned was accomplished by assistance from; WFISD Board of Trustees, District Leadership. WFISD partners, all staff members and \$2,062,000 in grants all unfunded mandates were completed with no cost to the district.

### **SUPERINTENDENT’S REPORT:**

Dr. Donny Lee, Superintendent of Schools, gave his monthly update:

- Enrollment: 12,598; ADA 94.09%
- Classroom Visits: Board members welcome
  - Sheppard
  - Milam
  - Burgess
  - Cunningham
  - Scotland Park
  - Barwise
- 89<sup>th</sup> Legislative Session
  - January 14<sup>th</sup>-June 2<sup>nd</sup>
    - Bettencourt’s Sensible 4:
      - SB568 Dramatically improve SpEd in Texas and start a service intensity-based formula for SPED funding
      - SB569 Enable school districts to offer virtual and more options to family & student demand for approaches that fit learners’ unique needs
      - SB570 Empower schools to address truancy issues civilly again
      - SB571 Expand the safety mechanisms in place through the Do-Not-Hire registry to include contractors who would be physically present at an instructional facility.
- Reviewed WFISD Strategic Balanced Score Card 2024-2028
- Middle School STAAR results reviewed
  - Results reflect a need for High-Quality Instructional Materials (HQIM) at the Middle School level
  - Explanation of TEA allotment for materials and the process at the Local level
- Bluebonnet Learning More In-Depth Overview
- Texas Partnerships (SB 1882) as it relates to Booker T Washington
  - 1882 partnerships around the state
  - What it would mean for a campus; partnership with charter school operating under WFISD
    - No decisions to be made by WFISD
  - Third Future: possible charter to partnership and results of other districts that have partnered with them
  - Next Steps
    - Zoom Meeting with Third Future 12/17
    - Eastside Community Meeting(s)
    - TALA Cohort & Campus visit(s)
- MSU Residency Program
  - Planning stages
    - Attract & keep teacher once they graduate
- Playgrounds
  - Sheppard completed
  - All others planned on being completed by end of January
- McNiel Elementary
  - Coming up
- Team of 8 Photo on 1/7

### **CONSENT AGENDA:**

#### **Minutes from November Meetings**

Ms. Katherine McGregor, seconded by Mr. Jim Johnson, motioned that the Wichita Falls Independent School District Board of Trustees approve the above items placed on the Consent Agenda at the December 10, 2024 meeting.

Carried unanimously by a vote of 6 – 0

***FINANCIAL SERVICES:***

**PURCHASE OF RIDER MIDDLE SCHOOL REFRESH CONTRACTOR**

Ms. Sandy Camp, seconded by Ms. Diann Scroggins, motioned that the Wichita Falls Independent School District Board of Trustees award construction services for the Rider Middle School Refresh to Gary Baker Construction in the amount of \$2,375,901.00 as submitted by Leah Horton, Chief Financial Officer, and as recommended by Dr. Donny Lee, Superintendent of Schools.

Carried unanimously by a vote of 6 – 0

***SCHOOL ADMINISTRATION:***

***TEXAS CHILD HEALTH ACCESS THROUGH TELEMEDICINE (TCHAT) PRESENTATION***

Ms. Tabitha Eastman, Director of Social & Emotional Learning, presented information regarding the TCHAT program and requested approval of a Memorandum of Understanding (MOU) between WFISD and Texas Tech University Health Services Center to facilitate the operation of the program. TCHAT provides telemedicine or telehealth programs to districts to help identify & assess the behavioral health needs of children & adolescents and provide access to Mental Health Services.

Mr. Jim Johnson, seconded by Mr. John Barnard, moved the Wichita Falls Independent Schools District Board of Trustees approve the Memorandum of Understanding (MOU) between WFISD and Texas Tech University Health Services Center to facilitate the operation of the Texas Child Health Access Through Telemedicine Program submitted by Tabitha Eastman, Director of Social & Emotional Learning, and as recommended by Dr. Donny Lee, Superintendent of Schools

Carried unanimously by a vote of 6 – 0

***DISTRICT OPERATIONS:***

***CLOSURE AND CONSOLIDATION OF CAMPUS***

Mr. Jim Johnson, seconded by Ms. Diann Scroggins, moved that the Wichita Falls Independent School District Board of Trustees approve the closure of McNiel Middle school and opening of Rider Middle School per policy CT local as submitted by Scot Hafley, Assistant Superintendent, and as recommended by Dr. Donny Lee, Superintendent of Schools.

Carried unanimously by a vote of 6 – 0

***FDB LOCAL DISCUSSION AND REVIEW***

Mr. Scot Hafley presented more information regarding the transfer policy as requested by the Board of Trustees at the December 10, 2024 meeting.

***HUMAN RESOURCES:***

**TEACHER APPLICANT POOL**

Ms Sandy Camp, seconded by Ms Diann Scroggins, moved that the Wichita Falls Independent School District Board of Trustees approve the proposed applicant pool as submitted by Dayna Hardaway, Executive Director of Human Resources, and as recommended by Dr. Donny Lee, Superintendent of Schools.

Carried unanimously by a vote of 6 – 0

**RECESS:**

Mr. Mark Lukert, board president, recessed to go into closed session at 8:08pm.

**CLOSED SESSION:**

1. Personnel Matters Including the Appointment,<sup>1</sup>Evaluation, Reassignment, Duties, Discipline, Dismissal and/or Compensation of Individual District Employees (Pursuant to Texas Government Code 551.074)

2. Consultation with the District's Attorney concerning student transfers (Pursuant to Texas Government Code 551.071)

**ADJOURNMENT:**

With no other action to take, Mr. Mark Lukert, board president, adjourned the meeting from Closed Session at 9:00 pm.

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President, Board of Trustees

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Secretary, Board of Trustees

**WICHITA FALLS ISD BOARD OF TRUSTEES**  
**January 21, 2025**

<b>Agenda Item:</b>	Waiver for Homebound and Remote Instruction		
<b>Administrator Responsible:</b>	Alefia Paris-Toulan, Executive Director of Special Programs Diann Davenport Gen Ed Homebound Coordinator		
<b>Attachments:</b>	No Attachments		
<input checked="" type="checkbox"/> Action Needed	<input type="checkbox"/> For Discussion	<input type="checkbox"/> Information	<input type="checkbox"/> Report

**Administrative Information:**

That the Wichita Falls Independent School District Board of Trustees give the approval to submit a waiver to the Texas Education Agency for remote homebound instruction for one general education student as submitted by Alefia Paris-Toulan, Executive Director of Special Programs, and as recommended by Dr. Donny Lee, Superintendent of Schools.

**Explanation:**

Under current TEA rules and policies, remote instruction not delivered through the Texas Virtual School Network (TxVSN) is not eligible for state funding unless a waiver is submitted by the school district and approved by TEA.

The district currently has a student who suffers from cancer. The student has to travel out of state for treatments. The treatment compromises the student's immunity. If the homebound teacher has been sick or recently sick or exposed to anyone sick, he will not serve the student face-to-face. The student is full-time homebound. The student is provided homebound service through Google Meet on a Chromebook. The homebound services were agreed on by the 504 committee and documented in the student's IAP.

When the student is in attendance via Google Meet, with an approved waiver, he/she can be counted as "present" for their remote time of instruction and therefore eligible for state funding.

**Fiscal Note:**

There is no additional cost to the district to provide this instruction.

**WICHITA FALLS ISD BOARD OF TRUSTEES**  
**January 21, 2025**

<b>Agenda Item:</b>	Waiver for Homebound and Remote Instruction		
<b>Administrator Responsible:</b>	Alefia Paris-Toulan, Executive Director of Special Programs Andreia Waggoner- SPED Homebound Coordinator		
<b>Attachments:</b>	No Attachments		
<input checked="" type="checkbox"/> Action Needed	<input type="checkbox"/> For Discussion	<input type="checkbox"/> Information	<input type="checkbox"/> Report

**Administrative Information:**

That the Wichita Falls Independent School District Board of Trustees give the approval to submit a waiver to the Texas Education Agency for remote homebound instruction for one special education student as submitted by Alefia Paris-Toulan, Executive Director of Special Programs and as recommended by Dr. Donny Lee, Superintendent of Schools.

**Explanation:**

Under current TEA rules and policies, remote instruction not delivered through the Texas Virtual School Network (TxVSN) is not eligible for state funding unless a waiver is submitted by the school district and approved by TEA.

The district currently has a student who suffers from Duchenne Muscular Dystrophy. The student has to travel out of town for an extended treatment. The treatment compromises the student's immunity. The doctor stated that the homebound teacher not be in the home if sick or recently sick or exposed to anyone sick. The student is full-time homebound. The student is provided homebound service through Google Meet on a Chromebook. The homebound services were agreed on by the ARD committee and documented in the student's IEP.

When the student is in attendance via Google Meet, with an approved waiver, he/she can be counted as "present" for their remote time of instruction and therefore eligible for state funding.

**Fiscal Note:**

There is no additional cost to the district to provide this instruction.

<b>Agenda Item:</b>	Special Programs Update		
<b>Administrator Responsible:</b>	Alefia Paris-Toulon, Executive Director of Special Programs		
<b>Attachments:</b>	No Attachment		
<input type="checkbox"/> Action Needed	<input type="checkbox"/> Future Action	<input checked="" type="checkbox"/> Presentation	<input type="checkbox"/> Report

**Administrative Recommendation:**

That the Wichita Falls Independent School District Board of Trustees receive information regarding the district's Special Programs presented by Alefia Paris-Toulon, Executive Director of Special Programs as recommended by Dr. Donny Lee, Superintendent.

**Explanation:**

Enter your explanation here

**Fiscal Note:**

Enter your fiscal information here, if applicable. If not applicable, you can enter "None" or delete this part.

**WICHITA FALLS ISD BOARD OF TRUSTEES**  
**January 21, 2025**

<b>Agenda Item:</b>	CONSIDER AND ADOPT AN ORDER AUTHORIZING THE ISSUANCE OF UNLIMITED TAX BONDS, ESTABLISHING SALE PARAMETERS, AUTHORIZING THE EXECUTION OF A BOND PURCHASE AGREEMENT AND AN ESCROW AGREEMENT; APPROVING AN OFFICIAL STATEMENT; AND ENACTING OTHER PROVISIONS RELATING TO THE SUBJECT		
<b>Administrator Responsible:</b>	Leah Horton, CFO		
<b>Attachments:</b>	Bond Order, Finance Schedule		
<input checked="" type="checkbox"/> Action Needed	<input type="checkbox"/> Future Action	<input type="checkbox"/> Information	<input type="checkbox"/> Report

**Administrative Recommendation:**

That the Wichita Falls Independent School District Board of Trustees **consider and adopt an order authorizing the issuance of unlimited tax bonds, establishing sale parameters, authorizing the execution of a bond purchase agreement and an escrow agreement; approving an official statement; and enacting other provisions relating to the subject.** This would allow the district to refinance the Series 2015 Unlimited Tax Refunding Bonds and Series 2015A Unlimited Tax School Building Bonds as submitted by Leah Horton, Chief Financial Officer, and as recommended by Dr. Donny Lee, Superintendent of Schools.

**Explanation:**

Series 2015/2015A Current Interest Bonds become callable on February 15, 2025 and can be refinanced for savings after that date, depending on market conditions. The balance in February will be \$40,730,000. Payments are scheduled for the next 10 school years. Interest rates range from 3.0% to 5.0% on the remaining bonds. Based on current rates, we could refinance at a blended borrowing cost of approximately 3.60%, resulting in a potential savings to our taxpayers of approximately \$2.4 million.

**Fiscal Note:**

Refinancing these bonds would save our taxpayers approximately \$2.4 million during the next 10 years. This would allow us to reduce our I & S tax rate.

**Wichita Falls ISD Unlimited Tax Refunding Bonds, Series 2025  
Schedule of Events**

<b>Date</b>	<b>Action</b>	<b>Responsible Party</b>
Week of 1/12/2025	Submit PSF application (receive approval by the end of February)	Sentry Management
1/14/2025	Discuss Financing Plan with the Board	Sentry Management
1/21/2025	WFISD Board Meeting - ADOPT PARAMETERS ORDER	WFISD/McCall
1/24/2025	Distribute draft POS	McCall
2/5/2025	Comments due on POS	WFISD/Sentry Management
2/9/2025	Hold rating calls/presentations (week of)	WFISD/Sentry Management
Week of 2/16/2025	Receive Permanent School Fund Guarantee Preliminary Approval Letter	PSF
2/13/2025	Distribute Draft POS, Finance Schedule and Distribution List to Working Group	McCall
2/20/2025	Comments Due on Draft Preliminary Official Statement	Financing Team
2/25/2025	Due Diligence Call with Underwriters	Financing Team
2/25/2025	Receive credit rating from S&P	WFISD/Sentry Management
2/26/2025	Post POS	McCall
3/5/2025	BOND PRICING – EXECUTION OF BPA	WFISD/Financing Team
3/6/2025	Distribute Draft Official Statement	McCall
3/12/2025	Comments Due on Draft Official Statement	Financing Team
3/14/2025	Post Official Statement	McCall
3/25/2025	Submit Documents to the Attorney General	McCall
4/7/2025	Attorney General Approval	McCall
4/9/2025	CLOSING	Financing Team

**Legend**

WFISD – Wichita Falls Independent School District – Issuer  
 McCall – McCall, Parkhurst & Horton L.L.P – Bond Counsel & Disclosure Counsel  
 Sentry Management – Sentry Management Inc. – Financial Advisor  
 Financing Team – McCall, Sentry Management and Underwriting Team

ORDER AUTHORIZING THE ISSUANCE OF UNLIMITED TAX BONDS, ESTABLISHING SALE PARAMETERS, AUTHORIZING THE EXECUTION OF A BOND PURCHASE AGREEMENT AND AN ESCROW AGREEMENT; APPROVING AN OFFICIAL STATEMENT; AND ENACTING OTHER PROVISIONS RELATING TO THE SUBJECT

THE STATE OF TEXAS :  
COUNTY OF WICHITA :  
WICHITA FALLS INDEPENDENT SCHOOL DISTRICT :

WHEREAS, Wichita Falls Independent School District (the “Issuer”) has previously issued, and there are presently outstanding, bonds of the Issuer payable from ad valorem taxes levied and to be levied, assessed and collected within the Issuer, without legal limit as to rate or amount; and

WHEREAS, the Issuer now desires to refund all or part of the bonds described in Schedule I attached hereto, collectively, the “Available Refunded Obligations”, and those Available Refunded Obligations designated by the Pricing Officer in the Pricing Certificate, each as defined below, to be refunded are herein referred to as the “Refunded Obligations”; and

WHEREAS, Chapter 1207, Texas Government Code (“Chapter 1207”) and Chapter 1371, Texas Government Code (“Chapter 1371”), authorizes the Issuer to issue refunding bonds and to deposit the proceeds from the sale thereof, and any other available funds or resources, directly with a paying agent for the Refunded Obligations or a trust company or commercial bank that does not act as a depository for the Issuer, and such deposit, if made before such payment dates, shall constitute the making of firm banking and financial arrangements for the discharge and final payment of the Refunded Obligations; and

WHEREAS, the Board hereby finds and determines that it is in the best interests of the Issuer to issue the bonds hereinafter authorized (the “Bonds”), in one or more series, for the purposes stated, and to delegate to the Pricing Officer (hereinafter designated) the authority to act on behalf of the Issuer in selling and delivering the Bonds and setting the dates, price, interest rates, interest payment periods and other procedures relating thereto, as hereinafter specified, with such information and terms to be included in one or more pricing certificates (the “Pricing Certificate”) to be executed by the Pricing Officer, all in accordance with the provisions of Section 1371.053, Texas Government Code, and Section 1207.007, Texas Government Code; and

WHEREAS, all the Refunded Obligations mature or are subject to redemption prior to maturity within 20 years of the date of the bonds hereinafter authorized; and

WHEREAS, the bonds hereafter authorized are being issued and delivered pursuant to Chapters 1207 and 1371, Texas Government Code, as amended, Sections 45.001 and 45.003(b)(1) of the Texas Education Code, as amended, and other applicable laws; and

WHEREAS, it is officially found, determined and declared that the meeting at which this Order has been adopted was open to the public, and public notice of the date, hour, place and subject of said meeting, including this Order, was given, all as required by the applicable provisions of Chapter 551, Texas Government Code.

THEREFORE, BE IT ORDERED BY THE BOARD OF TRUSTEES OF WICHITA FALLS INDEPENDENT SCHOOL DISTRICT:

Section 1. RECITALS, AMOUNT, PURPOSE AND DESIGNATION OF THE BONDS. (a) The recitals set forth in the preamble hereof are incorporated herein and shall have the same force and effect as if set forth in this Section.

(b) The Bonds of the Issuer are hereby authorized to be issued and delivered, in one or more series, in the maximum aggregate principal amount hereinafter set forth for the public purposes of providing funds to refund a portion of the Issuer's outstanding indebtedness payable from ad valorem taxes and to pay the costs incurred in connection with the issuance of the Bonds.

(c) Each bond issued pursuant to this Order shall be designated: "WICHITA FALLS INDEPENDENT SCHOOL DISTRICT UNLIMITED TAX REFUNDING BOND, SERIES 20\_\_," and initially there shall be issued, sold, and delivered hereunder fully registered Bonds, without interest coupons, payable to the respective registered owners thereof (with the initial bonds being made payable to the initial purchaser as described in Section 11 hereof), or to the registered assignee or assignees of said bonds or any portion or portions thereof (in each case, the "Registered Owner"). The Bonds shall be in the respective denominations and principal amounts, shall be numbered, shall mature and be payable on the date or dates in each of the years and in the principal amounts or amounts due at maturity, as applicable, and shall bear interest to their respective dates of maturity or redemption prior to maturity at the rates per annum, as set forth in the Pricing Certificate.

Section 2. DEFINITIONS. Unless otherwise expressly provided or unless the context clearly requires otherwise in this Order, the following terms shall have the meanings specified below:

"Bonds" means and includes collectively any Capital Appreciation Bonds and Current Interest Bonds initially issued and delivered pursuant to this Order and all substitute Capital Appreciation Bonds and Current Interest Bonds exchanged therefor, as well as all other substitute bonds and replacement bonds issued pursuant hereto, and the term "Bond" shall mean any of the Bonds.

"Capital Appreciation Bonds" shall mean any Bonds, on which no interest is paid prior to maturity, maturing in the years and in the maturity amounts set forth in the Pricing Certificate.

"Compounded Amount" shall mean, with respect to a Capital Appreciation Bond, as of any particular date of calculation, the original principal amount thereof, plus initial premium, if any, and plus all interest accrued and compounded to the particular date of calculation, as determined in accordance with Section 3(d) hereof.

"Current Interest Bonds" shall mean any Bonds, on which interest is paid semiannually, maturing in each of the years and in the principal amounts set forth in the Pricing Certificate.

"Issuance Date" shall mean the date of delivery of the applicable series of the Bonds to the initial purchaser or purchasers thereof against payment therefor.

Section 3. DELEGATION TO PRICING OFFICER. (a) As authorized by Chapter 1207 and Chapter 1371, the Superintendent and/or the Chief Financial Officer of the Issuer (each a "Pricing Officer") are

hereby authorized to act on behalf of the Issuer in selling and delivering the Bonds in one or more series, determining which of the Available Refunded Obligations shall be refunded and carrying out the other procedures specified in this Order, including, determining the date of the Bonds, any additional or different designation or title by which the Bonds shall be known, the price at which the Bonds will be sold, the years in which the Bonds will mature, the principal amount to mature in each of such years or the amounts due at maturity, the rate of interest to be borne by each such maturity, the interest payment and record dates, the price and terms upon and at which the Bonds shall be subject to redemption prior to maturity at the option of the Issuer, as well as any mandatory sinking fund redemption provisions, whether the Bonds of any series shall be issued on a tax-exempt or taxable basis, whether the Bonds of any series shall be deemed designated or designated as “qualified tax-exempt obligations” as defined in section 265(b)(3) of the Internal Revenue Code of 1986, as amended, and all other matters relating to the issuance, sale, and delivery of the Bonds and the refunding of the Refunded Obligations, including without limitation establishing the redemption date for and effecting the redemption of the Refunded Obligations and obtaining the Permanent School Fund guarantee for the Bonds, if available, and/or procuring municipal bond insurance, including the execution of any commitment agreements, membership agreements in mutual insurance companies, and other similar agreements, and approving modifications to this Order and executing such instruments, documents and agreements as may be necessary with respect thereto, if it is determined that such insurance would be financially desirable and advantageous, all of which shall be specified in the Pricing Certificate, provided that:

- (i) the aggregate original principal amount of the Bonds shall not exceed the aggregate principal amount of the Available Refunded Obligations set forth in Schedule I;
  - (ii) the refunding must produce a net present value debt service savings of at least 3.00%;
  - (iii) the maximum true interest cost shall not exceed 5.25%; and
  - (iv) the final maturity shall not be longer than February 1, 2035.
- (b) In establishing the aggregate principal amount of the Bonds, the Pricing Officer shall establish an amount not exceeding the amount authorized in Subsection (a) of this Section 3, which shall be sufficient in amount to provide for the purposes for which the Bonds are authorized and to pay costs of issuing the Bonds. The delegation made hereby shall expire if not exercised by the Pricing Officer on or prior to the one year anniversary of the date of adoption of this Order. The Pricing Officer may determine to issue one or more series of Bonds and may exercise the authority granted herein on one or more dates to effectuate the issuance of multiple series of Bonds if multiple series are issued and, if multiple series are issued, each separate series may close on separate dates or on the same date, as determined by the Pricing Officer. The Bonds shall be sold with and subject to such terms as set forth in the Pricing Certificate.
- (c) The Bonds may be issued in one or more series as Current Interest Bonds or Capital Appreciation Bonds, or a combination thereof, as set forth in the Pricing Certificate.
- (d) In the event any of the Bonds are issued as Capital Appreciation Bonds, the Pricing Certificate shall have attached thereto a schedule which sets forth the rounded original principal amounts at the Issuance Date for the Capital Appreciation Bonds and the Compounded Amounts thereof (per \$5,000 payment at maturity amount), including the initial premium, if any, as of each date and commencing on the date set forth in such schedule.

(e) If the Pricing Officer determines that any series of the Bonds should be sold by a negotiated sale, the Pricing Officer shall designate the senior managing underwriter for the Bonds and such additional investment banking firms as deemed appropriate to assure that the Bonds are sold on the most advantageous terms to the Issuer. The Pricing Officer, acting for and on behalf of the Issuer, is authorized to enter into and carry out the terms of a bond purchase agreement for the Bonds to be sold by negotiated sale, with the underwriter(s) thereof at such price, with and subject to such terms as determined by the Pricing Officer subject to the parameters set forth in this Order. Any such bond purchase agreement shall be substantially in a form and substance acceptable to the Pricing Officer. The Pricing Officer shall cause to be prepared an official statement for each series of the Bonds in such manner as the Pricing Officer deems appropriate.

(f) If the Pricing Officer determines that any series of the Bonds should be sold at a competitive sale, the Pricing Officer shall cause to be prepared a notice of sale and official statement in such manner as the Pricing Officer deems appropriate, to make the notice of sale and official statement available to those institutions and firms wishing to submit a bid for the Bonds, to receive such bids, and to award the sale of the Bonds to the bidder submitting the best bid in accordance with the provisions of the notice of sale.

(g) It is hereby found and determined that the refunding of the Refunded Obligations is advisable and necessary in order to restructure the debt service requirements of the Issuer, and that the debt service requirements on the Bonds will be less than those on the Refunded Obligations, resulting in a reduction in the amount of principal and interest which otherwise would be payable. The Refunded Obligations are subject to redemption, at the option of the Issuer, and the Pricing Officer is hereby authorized to cause all of the Refunded Obligations to be called for redemption on the respective date or dates consistent with the savings analysis set forth in Section 3(a) hereof, and the proper notices of such redemption to be given, and in each case at a redemption price of par, plus accrued interest to the date fixed for redemption. In furtherance of authority granted by Chapter 1207 and Chapter 1371, the Pricing Officer is further authorized to enter into and execute on behalf of the Issuer with the escrow agent or deposit agent named therein (the "Escrow Agent"), an escrow agreement or deposit agreement, in the form and substance as shall be approved by the Pricing Officer, which escrow agreement or deposit agreement will provide for the payment in full of the Refunded Obligations (the "Escrow Agreement").

In addition, the Pricing Officer is authorized to purchase such securities with proceeds of the Bonds, to execute such subscriptions for the purchase of the United States Treasury Securities, State and Local Government Series and to transfer and deposit such cash from available funds, as may be necessary or appropriate for the escrow fund described in the Escrow Agreement (the "Escrow Fund").

(h) The selection and appointment of the paying agent/registrars for any series of the Bonds (the "Paying Agent/Registrar") shall be as provided in the Pricing Certificate. The Pricing Officer is authorized and directed to execute and deliver in the name and on behalf of the Issuer a Paying Agent/Registrar Agreement with the Paying Agent/Registrar.

(i) In satisfaction of Section 1201.022(a)(3)(B), Texas Government Code, the Board of Trustees of the Issuer hereby determines that the delegation of the authority to the Pricing Officer to approve the final terms of the Bonds in one or more series set forth in this Order is, and the decisions made by the Pricing Officer pursuant to such delegated authority and incorporated into the Pricing Certificates will be, in the Issuer's best interests, and the Pricing Officer is hereby authorized to make and include in the Pricing Certificates a finding to that effect.

Section 4. CHARACTERISTICS OF THE BONDS. (a). Registration, Transfer, Conversion, and Exchange; Authentication. The Issuer shall keep or cause to be kept at the designated corporate trust office of the Paying Agent/Registrar books or records for the registration of the transfer, conversion, and exchange of the Bonds (the "Registration Books"), and the Paying Agent/Registrar shall keep such books or records and make such registrations of transfers, conversions, and exchanges under such reasonable regulations as the Issuer and Paying Agent/Registrar may prescribe; and the Paying Agent/Registrar shall make such registrations, transfers, conversions, and exchanges as herein provided. The Paying Agent/Registrar shall obtain and record in the Registration Books the address of the registered owner of each Bond to which payments with respect to the Bonds shall be mailed, as herein provided; but it shall be the duty of each registered owner to notify the Paying Agent/Registrar in writing of the address to which payments shall be mailed, and such interest payments shall not be mailed unless such notice has been given. To the extent possible and under reasonable circumstances, all transfers of Bonds shall be made within three (3) business days after request and presentation thereof. The Issuer shall have the right to inspect the Registration Books during regular business hours of the Paying Agent/Registrar, but otherwise the Paying Agent/Registrar shall keep the Registration Books confidential and, unless otherwise required by law, shall not permit their inspection by any other entity. The Paying Agent/Registrar's standard or customary fees and charges for making such registration, transfer, conversion, exchange, and delivery of a substitute Bond or Bonds shall be paid as provided in the FORM OF BOND set forth in this Order. Registration of assignments, transfers, conversions, and exchanges of Bonds shall be made in the manner provided and with the effect stated in the FORM OF BOND set forth in this Order. Each substitute Bond shall bear a letter and/or number to distinguish it from each other Bond.

An authorized representative of the Paying Agent/Registrar shall, before the delivery of any such Bond, date and manually sign the Paying Agent/Registrar's Authentication Certificate, and no such Bond shall be deemed to be issued or outstanding unless such Certificate is so executed. The Paying Agent/Registrar promptly shall cancel all paid Bonds and Bonds surrendered for conversion and exchange. No additional ordinances, orders, or resolutions need be passed or adopted by the governing body of the Issuer or any other body or person so as to accomplish the foregoing conversion and exchange of any Bond or portion thereof, and the Paying Agent/Registrar shall provide for the printing, execution, and delivery of the substitute Bonds in the manner prescribed herein. Pursuant to Subchapter D, Chapter 1201, Texas Government Code, the duty of conversion and exchange of Bonds as aforesaid is hereby imposed upon the Paying Agent/Registrar and, upon the execution of said Certificate, the converted and exchanged Bond shall be valid, incontestable, and enforceable in the same manner and with the same effect as the Bonds which initially were issued and delivered pursuant to this Order, approved by the Attorney General, and registered by the Comptroller of Public Accounts.

(b) Payment of Bonds and Interest. The Issuer hereby further appoints the Paying Agent/Registrar to act as the paying agent for paying the principal of and interest on the Bonds, all as provided in this Order. The Paying Agent/Registrar shall keep proper records of all payments made by the Issuer and the Paying Agent/Registrar with respect to the Bonds, and of all conversions and exchanges of Bonds, and all replacements of Bonds, as provided in this Order. However, in the event of a nonpayment of interest on a scheduled payment date, and for thirty (30) days thereafter, a new record date for such interest payment (a "Special Record Date") will be established by the Paying Agent/Registrar, if and when funds for the payment of such interest have been received from the Issuer. Notice of the Special Record Date and of the scheduled payment date of the past due interest (which shall be fifteen (15) days after the Special Record Date) shall be sent at least five (5) business days prior to the Special Record Date by United States mail, first-class postage prepaid, to the address of each registered owner appearing on the Registration Books at the close of business on the last business day next preceding the date of mailing of such notice.

(c) In General. The Bonds (i) shall be issued in fully registered form, without interest coupons, with the principal of and interest on such Bonds to be payable only to the registered owners thereof, (ii) may or shall be redeemed prior to their scheduled maturities, (iii) may be transferred and assigned, (iv) may be converted and exchanged for other Bonds, (v) shall have the characteristics, (vi) shall be signed, sealed, executed, and authenticated, (vii) shall have principal and interest payable, and (viii) shall be administered by the Paying Agent/Registrar, and the Issuer shall have certain duties and responsibilities with respect to the Bonds, all as provided, and in the manner and to the effect as required or indicated, in the FORM OF BOND set forth in this Order. The Bonds initially issued and delivered pursuant to this Order are not required to be, and shall not be, authenticated by the Paying Agent/Registrar, but on each substitute Bond issued in conversion of and exchange for any Bond or Bonds issued under this Order the Paying Agent/Registrar shall execute the PAYING AGENT/REGISTRAR'S AUTHENTICATION CERTIFICATE, in the form set forth in the FORM OF BOND.

(d) Substitute Paying Agent/Registrar. The Issuer covenants with the registered owners of the Bonds that at all times while the Bonds are outstanding the Issuer will provide a competent and legally qualified bank, trust company, financial institution, or other agency to act as and perform the services of Paying Agent/Registrar for the Bonds under this Order, and that the Paying Agent/Registrar will be one such entity. The Issuer reserves the right to, and may, at its option, change the Paying Agent/Registrar upon not less than one hundred-twenty (120) days written notice to the Paying Agent/Registrar, to be effective not later than sixty (60) days prior to the next principal or interest payment date after such notice. In the event that the entity at any time acting as Paying Agent/Registrar (or its successor by merger, acquisition, or other method) should resign or otherwise cease to act as such, the Issuer covenants that promptly it will appoint a competent and legally qualified bank, trust company, financial institution, or other agency to act as Paying Agent/Registrar under this Order. Upon any change in the Paying Agent/Registrar, the previous Paying Agent/Registrar promptly shall transfer and deliver the Registration Books (or a copy thereof), along with all other pertinent books and records relating to the Bonds, to the new Paying Agent/Registrar designated and appointed by the Issuer. Upon any change in the Paying Agent/Registrar, the Issuer promptly will cause a written notice thereof to be sent by the new Paying Agent/Registrar to each registered owner of the Bonds, by United States mail, first-class postage prepaid, which notice also shall give the address of the new Paying Agent/Registrar. By accepting the position and performing as such, each Paying Agent/Registrar shall be deemed to have agreed to the provisions of this Order, and a certified copy of this Order shall be delivered to each Paying Agent/Registrar.

(e) Book-Entry Only System. The Bonds issued in exchange for the Bonds initially issued to the purchaser specified herein shall be initially issued in the form of a separate single fully registered Bond for each of the maturities thereof. Upon initial issuance, the ownership of each such Bond shall be registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York ("DTC"), and except as provided in subsection (f) hereof, all of the outstanding Bonds shall be registered in the name of Cede & Co., as nominee of DTC.

With respect to Bonds registered in the name of Cede & Co., as nominee of DTC, the Issuer and the Paying Agent/Registrar shall have no responsibility or obligation to any securities brokers and dealers, banks, trust companies, clearing corporations, or certain other organizations on whose behalf DTC was created ("DTC Participant") to hold securities to facilitate the clearance and settlement of securities transactions among DTC Participants or to any person on behalf of whom such a DTC Participant holds an interest in the Bonds. Without limiting the immediately preceding sentence, the Issuer and the Paying Agent/Registrar shall have no responsibility or obligation with respect to (i) the accuracy of the records of DTC, Cede & Co. or any

DTC Participant with respect to any ownership interest in the Bonds, (ii) the delivery to any DTC Participant or any other person, other than a registered owner of Bonds, as shown on the Registration Books, of any notice with respect to the Bonds, or (iii) the payment to any DTC Participant or any other person, other than a registered owner of Bonds, as shown in the Registration Books of any amount with respect to principal of or interest on the Bonds. Notwithstanding any other provision of this Order to the contrary, the Issuer and the Paying Agent/Registrar shall be entitled to treat and consider the person in whose name each Bond is registered in the Registration Books as the absolute owner of such Bond for the purpose of payment of principal and interest with respect to such Bond, for the purpose of registering transfers with respect to such Bond, and for all other purposes whatsoever. The Paying Agent/Registrar shall pay all principal of and interest on the Bonds only to or upon the order of the registered owners, as shown in the Registration Books as provided in this Order, or their respective attorneys duly authorized in writing, and all such payments shall be valid and effective to fully satisfy and discharge the Issuer's obligations with respect to payment of principal of and interest on the Bonds to the extent of the sum or sums so paid. No person other than a registered owner, as shown in the Registration Books, shall receive a Bond certificate evidencing the obligation of the Issuer to make payments of principal and interest pursuant to this Order. Upon delivery by DTC to the Paying Agent/Registrar of written notice to the effect that DTC has determined to substitute a new nominee in place of Cede & Co., and subject to the provisions in this Order with respect to interest checks being mailed to the registered owner at the close of business on the Record Date, the words "Cede & Co." in this Order shall refer to such new nominee of DTC.

(f) Successor Securities Depository; Transfers Outside Book-Entry Only System. In the event that the Issuer determines that DTC is incapable of discharging its responsibilities described herein and in the representation letter of the Issuer to DTC or that it is in the best interest of the beneficial owners of the Bonds that they be able to obtain certificated Bonds, the Issuer shall (i) appoint a successor securities depository, qualified to act as such under Section 17A of the Securities and Exchange Act of 1934, as amended, notify DTC and DTC Participants of the appointment of such successor securities depository and transfer one or more separate Bonds to such successor securities depository or (ii) notify DTC and DTC Participants of the availability through DTC of Bonds and transfer one or more separate Bonds to DTC Participants having Bonds credited to their DTC accounts. In such event, the Bonds shall no longer be restricted to being registered in the Registration Books in the name of Cede & Co., as nominee of DTC, but may be registered in the name of the successor securities depository, or its nominee, or in whatever name or names registered owners transferring or exchanging Bonds shall designate, in accordance with the provisions of this Order.

(g) Payments to Cede & Co. Notwithstanding any other provision of this Order to the contrary, so long as any Bond is registered in the name of Cede & Co., as nominee of DTC, all payments with respect to principal of and interest on such Bond and all notices with respect to such Bond shall be made and given, respectively, in the manner provided in the representation letter of the Issuer to DTC.

(h) Notice of Redemption. (i) In addition to the notice of redemption set forth in the FORM OF BOND, the Paying Agent/Registrar shall give notice of redemption of the Bonds by first-class mail, postage prepaid at least thirty (30) days prior to a redemption date to each registered securities depository and to any national information service that disseminates redemption notices. In addition, in the event of a redemption caused by an advance refunding of the Bonds, the Paying Agent/Registrar shall send a second notice of redemption to the persons specified in the immediately preceding sentence at least thirty (30) days but not more than ninety (90) days prior to the actual redemption date. Any notice sent to the registered securities depositories or such national information services shall be sent so that they are received at least two (2) days prior to the general mailing or publication date of such notice. The Paying Agent/Registrar shall also send a notice

of prepayment or redemption to the Registered Owner of any Bond who has not sent the Bonds in for redemption sixty (60) days after the redemption date.

(ii) Each notice of redemption given by the Paying Agent/Registrar, whether required in the FORM OF BOND or in this Section, shall contain a description of the Bonds to be redeemed including the complete name of the Bonds, the Series, the date of issue, the interest rate, the maturity date, the CUSIP number, the certificate numbers, the amounts called of each certificate, the publications and mailing date for the notice, the date of redemption, the redemption price, the name of the Paying Agent/Registrar, and the address at which the Bonds may be redeemed, including a contact person and telephone number.

(iii) All redemption payments made by the Paying Agent/Registrar to the Registered Owners shall include a CUSIP number relating to each amount paid to such Registered Owner.

Section 5. FORM OF BONDS. The form of the Bonds, including the form of Paying Agent/Registrar's Authentication Certificate, the form of Assignment, and the form of Registration Certificate of the Comptroller of Public Accounts of the State of Texas to be attached to the Bonds initially issued and delivered pursuant to this Order, shall be, respectively, substantially as follows, with such appropriate variations, omissions, or insertions as are permitted or required by this Order, and with the Bonds to be completed with information set forth in the Pricing Certificate.

(a) Form of Bonds:

UNITED STATES OF AMERICA  
STATE OF TEXAS  
WICHITA COUNTY  
WICHITA FALLS INDEPENDENT SCHOOL DISTRICT  
UNLIMITED TAX REFUNDING BOND  
SERIES 20\_\_

[FORM OF FIRST THREE PARAGRAPHS OF CURRENT INTEREST BOND]

NO. R-			PRINCIPAL AMOUNT \$ _____
<u>INTEREST RATE</u>	<u>DATE OF BONDS</u>	<u>MATURITY DATE</u>	<u>CUSIP NO.</u>

REGISTERED OWNER:

PRINCIPAL AMOUNT: \_\_\_\_\_ DOLLARS

ON THE MATURITY DATE specified above, Wichita Falls Independent School District, in Wichita County, Texas (the "Issuer"), being a political subdivision of the State of Texas, hereby promises to pay to the Registered Owner set forth above, or registered assigns (hereinafter called the "registered owner") the principal amount set forth above, and to pay interest thereon from the Date of Bonds set forth above, on \_\_\_\_\_ and semiannually thereafter on each \_\_\_\_\_ and \_\_\_\_\_ to the maturity date

specified above, or the date of redemption prior to maturity, at the interest rate per annum specified above; except that if this Bond is required to be authenticated and the date of its authentication is later than the first Record Date (hereinafter defined), such principal amount shall bear interest from the interest payment date next preceding the date of authentication, unless such date of authentication is after any Record Date but on or before the next following interest payment date, in which case such principal amount shall bear interest from such next following interest payment date; provided, however, that if on the date of authentication hereof the interest on the Bond or Bonds, if any, for which this Bond is being exchanged or converted from is due but has not been paid, then this Bond shall bear interest from the date to which such interest has been paid in full.

THE PRINCIPAL OF AND INTEREST ON this Bond are payable in lawful money of the United States of America, without exchange or collection charges. The principal of this Bond shall be paid to the registered owner hereof upon presentation and surrender of this Bond at maturity, or upon the date fixed for its redemption prior to maturity, at the designated corporate trust office of \_\_\_\_\_, which is the "Paying Agent/Registrar" for this Bond. The payment of interest on this Bond shall be made by the Paying Agent/Registrar to the registered owner hereof on each interest payment date by check or draft, dated as of such interest payment date, drawn by the Paying Agent/Registrar on, and payable solely from, funds of the Issuer required by the order authorizing the issuance of the Bonds (the "Bond Order") to be on deposit with the Paying Agent/Registrar for such purpose as hereinafter provided; and such check or draft shall be sent by the Paying Agent/Registrar by United States mail, first-class postage prepaid, on each such interest payment date, to the registered owner hereof, at its address as it appeared on the \_\_\_\_\_ business day of the month next preceding each such date (the "Record Date") on the Registration Books kept by the Paying Agent/Registrar, as hereinafter described. In addition, interest may be paid by such other method, acceptable to the Paying Agent/Registrar, requested by, and at the risk and expense of, the registered owner. In the event of a non-payment of interest on a scheduled payment date, and for thirty (30) days thereafter, a new record date for such interest payment (a "Special Record Date") will be established by the Paying Agent/Registrar, if and when funds for the payment of such interest have been received from the Issuer. Notice of the Special Record Date and of the scheduled payment date of the past due interest (which shall be fifteen (15) days after the Special Record Date) shall be sent at least five (5) business days prior to the Special Record Date by United States mail, first-class postage prepaid, to the address of each owner of a Bond appearing on the Registration Books at the close of business on the last business day next preceding the date of mailing of such notice.

ANY ACCRUED INTEREST due at maturity or upon the redemption of this Bond prior to maturity as provided herein shall be paid to the registered owner upon presentation and surrender of this Bond for payment at the principal corporate trust office of the Paying Agent/Registrar. The Issuer covenants with the registered owner of this Bond that on or before each principal payment date and interest payment date for this Bond it will make available to the Paying Agent/Registrar, from the "Interest and Sinking Fund" created by the Bond Order, the amounts required to provide for the payment, in immediately available funds, of all principal of and interest on the Bonds, when due.

[FORM OF FIRST TWO PARAGRAPHS OF CAPITAL APPRECIATION BOND]

NO. CR-

MATURITY  
AMOUNT  
\$ \_\_\_\_\_

INTEREST RATE

ISSUANCE DATE

MATURITY DATE

CUSIP NO.

REGISTERED OWNER:

MATURITY AMOUNT:

ON THE MATURITY DATE specified above, Wichita Falls Independent School District, in Wichita County, Texas (the "Issuer"), being a political subdivision of the State of Texas, hereby promises to pay to the Registered Owner set forth above, or registered assigns (hereinafter called the "registered owner") the Maturity Amount in the amount set forth above, representing the principal amount hereof and accrued and compounded interest hereon. Interest shall accrue on the principal amount hereof from the Issuance Date at the interest rate per annum specified above, compounded semiannually on \_\_\_\_\_ and \_\_\_\_\_ of each year commencing \_\_\_\_\_. For convenience of reference, a table appears on the back of this Bond showing the "Compounded Amount" of the original principal amount plus initial premium, if any, per \$5,000 Maturity Amount compounded semiannually at the yield shown on such table.

THE MATURITY AMOUNT of this Bond is payable in lawful money of the United States of America, without exchange or collection charges. The Maturity Amount of this Bond shall be paid to the registered owner hereof upon presentation and surrender of this Bond at maturity at the designated corporate trust office of \_\_\_\_\_, which is the "Paying Agent/Registrar" for this Bond, and shall be drawn by the Paying Agent/Registrar on, and payable solely from, funds of the Issuer required by the order authorizing the issuance of the Bonds (the "Bond Order") to be on deposit with the Paying Agent/Registrar for such purpose as hereinafter provided, payable to the registered owner hereof, as it appears on the Registration Books kept by the Paying Agent/Registrar, as hereinafter described. The Issuer covenants with the registered owner of this Bond that on or before the Maturity Date for this Bond it will make available to the Paying Agent/Registrar, from the "Interest and Sinking Fund" created by the Bond Order, the amounts required to provide for the payment, in immediately available funds of the Maturity Amount, when due.

[FORM OF REMAINDER OF EACH BOND]

IF THE DATE for any payment due on this Bond shall be a Saturday, Sunday, a legal holiday, or a day on which banking institutions in the city where the principal corporate trust office of the Paying Agent/Registrar is located are authorized by law or executive order to close, then the date for such payment shall be the next succeeding day which is not such a Saturday, Sunday, legal holiday, or day on which banking institutions are authorized to close, and payment on such date shall have the same force and effect as if made on the original date payment was due.

THIS BOND is one of a Series of Bonds dated as of \_\_\_\_\_, authorized in accordance with the Constitution and laws of the State of Texas in the principal amount of \$\_\_\_\_\_, TO WIT: \$\_\_\_\_\_ FOR THE PURPOSE OF PROVIDING FUNDS TO REFUND A PORTION OF THE ISSUER'S OUTSTANDING UNLIMITED TAX BONDS and comprised of (i) Bonds in the aggregate original principal amount of \$\_\_\_\_\_ that pay interest only at maturity (the "Capital Appreciation Bonds") and (ii) Bonds in the aggregate original principal amount of \$\_\_\_\_\_ that pay interest semiannually until maturity (the "Current Interest Bonds").

ON \_\_\_\_\_, or on any date thereafter, the Current Interest Bonds of this series may be redeemed prior to their scheduled maturities, at the option of the Issuer, with funds derived from any available and lawful source, as a whole, or in part, and, if in part, the particular Current Interest Bonds, or portions thereof, to be redeemed shall be selected and designated by the Issuer (provided that a portion of a Current Interest Bond may be redeemed only in an integral multiple of \$5,000), at a redemption price equal to the principal amount to be redeemed plus accrued interest to the date fixed for redemption.

THE CURRENT INTEREST BONDS scheduled to mature on \_\_\_\_\_ in the years \_\_\_\_ and \_\_\_\_ (the "Term Current Interest Bonds") are subject to scheduled mandatory redemption by the Paying Agent/Registrar by lot, or by any other customary method that results in a random selection, at a price equal to the principal amount thereof, plus accrued interest to the redemption date, out of moneys available for such purpose in the interest and sinking fund for the Bonds, on \_\_\_\_\_ in the years and in the respective principal amounts, set forth in the following schedule:

	Term Current Interest Bond Maturity: _____	
YEAR		PRINCIPAL AMOUNT(\$)
(maturity)		

	Term Current Interest Bond Maturity: _____	
YEAR		PRINCIPAL AMOUNT(\$)
(maturity)		

The principal amount of Term Current Interest Bonds of a stated maturity required to be redeemed on any mandatory redemption date pursuant to the operation of the mandatory sinking fund redemption provisions shall be reduced, at the option of the Issuer, by the principal amount of any Term Current Interest Bonds of the same maturity which, at least forty-five (45) days prior to a mandatory redemption date (1) shall have been acquired by the Issuer at a price not exceeding the principal amount of such Term Current Interest Bonds plus accrued interest to the date of purchase thereof, and delivered to the Paying Agent/Registrar for cancellation, (2) shall have been purchased and canceled by the Paying Agent/Registrar at the request of the Issuer at a price not exceeding the principal amount of such Term Current Interest Bonds plus accrued interest to the date of purchase, or (3) shall have been redeemed pursuant to the optional redemption provisions and not theretofore credited against a mandatory redemption requirement.

AT LEAST thirty (30) days prior to the date fixed for any redemption of Current Interest Bonds or portions thereof prior to maturity a written notice of such redemption shall be sent by the Paying Agent/Registrar by United States mail, first-class postage prepaid, to the registered owner of each Current Interest Bond to be redeemed at its address as it appeared at the close of business on the business day next preceding the date of mailing such notice and to major securities depositories, national bond rating agencies

and bond information services; provided, however, that the failure of the registered owner to receive such notice, or any defect therein or in the sending or mailing thereof, shall not affect the validity or effectiveness of the proceedings for the redemption of any Current Interest Bond. By the date fixed for any such redemption, due provision shall be made with the Paying Agent/Registrar for the payment of the required redemption price for the Current Interest Bonds or portions thereof which are to be so redeemed. If such written notice of redemption is sent and if due provision for such payment is made, all as provided above, the Current Interest Bonds or portions thereof which are to be so redeemed thereby automatically shall be treated as redeemed prior to their scheduled maturities, and they shall not bear interest after the date fixed for redemption, and they shall not be regarded as being outstanding except for the right of the registered owner to receive the redemption price from the Paying Agent/Registrar out of the funds provided for such payment. If a portion of any Current Interest Bond shall be redeemed a substitute Current Interest Bond or Current Interest Bonds having the same maturity date, bearing interest at the same rate, in any denomination or denominations in any integral multiple of \$5,000, at the written request of the registered owner, and in aggregate amount equal to the unredeemed portion thereof, will be issued to the registered owner upon the surrender thereof for cancellation, at the expense of the Issuer, all as provided in the Bond Order.

IF AT THE TIME OF MAILING of notice of optional redemption there shall not have either been deposited with the Paying Agent/Registrar or legally authorized escrow agent immediately available funds sufficient to redeem all the Bonds called for redemption, such notice must state that it is conditional, and is subject to the deposit of the redemption moneys with the Paying Agent/Registrar or legally authorized escrow agent at or prior to the redemption date, and such notice shall be of no effect unless such moneys are so deposited on or prior to the redemption date. If such redemption is not effectuated, the Paying Agent/Registrar shall, within five (5) days thereafter, give notice in the manner in which the notice of redemption was given that such moneys were not so received and shall rescind the redemption.

ALL BONDS OF THIS SERIES are issuable solely as fully registered Bonds, without interest coupons, with respect to Current Interest Bonds, in the denomination of any integral multiple of \$5,000, and with respect to Capital Appreciation Bonds, in the denomination of \$5,000 payment at maturity amounts or any integral multiple thereof. As provided in the Bond Order, this Bond may, at the request of the registered owner or the assignee or assignees hereof, be assigned, transferred, converted into and exchanged for a like aggregate amount of fully registered Bonds, without interest coupons, payable to the appropriate registered owner, assignee or assignees, as the case may be, having any authorized denomination or denominations as requested in writing by the appropriate registered owner, assignee or assignees, as the case may be, upon surrender of this Bond to the Paying Agent/Registrar for cancellation, all in accordance with the form and procedures set forth in the Bond Order. Among other requirements for such assignment and transfer, this Bond must be presented and surrendered to the Paying Agent/Registrar, together with proper instruments of assignment, in form and with guarantee of signatures satisfactory to the Paying Agent/Registrar, evidencing assignment of this Bond or any portion or portions hereof in any authorized denomination to the assignee or assignees in whose name or names this Bond or any such portion or portions hereof is or are to be registered. The form of Assignment printed or endorsed on this Bond may be executed by the registered owner to evidence the assignment hereof, but such method is not exclusive, and other instruments of assignment satisfactory to the Paying Agent/Registrar may be used to evidence the assignment of this Bond or any portion or portions hereof from time to time by the registered owner. The Paying Agent/Registrar's reasonable standard or customary fees and charges for assigning, transferring, converting and exchanging any Bond or portion thereof will be paid by the Issuer. In any circumstance, any taxes or governmental charges required to be paid with respect thereto shall be paid by the one requesting such assignment, transfer, conversion or exchange, as a condition precedent to the exercise of such privilege. The Paying Agent/Registrar shall not be required to make any such transfer or exchange

with respect to Current Interest Bonds (i) during the period commencing with the close of business on any Record Date and ending with the opening of business on the next following principal or interest payment date, or (ii) with respect to any Current Interest Bond or any portion thereof called for redemption prior to maturity, within forty-five (45) days prior to its redemption date.

IN THE EVENT any Paying Agent/Registrar for the Bonds is changed by the Issuer, resigns, or otherwise ceases to act as such, the Issuer has covenanted in the Bond Order that it promptly will appoint a competent and legally qualified substitute therefor, and cause written notice thereof to be mailed to the registered owners of the Bonds.

IT IS HEREBY certified, recited, and covenanted that this Bond has been duly and validly authorized, issued, and delivered; that all acts, conditions, and things required or proper to be performed, exist, and be done precedent to or in the authorization, issuance and delivery of this Bond have been performed, existed, and been done in accordance with law; that this Bond is a general obligation of the Issuer, issued on the full faith and credit thereof; and that ad valorem taxes sufficient to provide for the payment of the interest on and principal of this Bond, as such interest comes due, and as such principal matures, have been levied and ordered to be levied against all taxable property in the Issuer, and have been pledged for such payment, without legal limit as to rate or amount.

THE ISSUER ALSO HAS RESERVED THE RIGHT to amend the Bond Order as provided therein, and under some (but not all) circumstances amendments thereto must be approved by the registered owners of a majority in aggregate principal amount of the outstanding Bonds.

BY BECOMING the registered owner of this Bond, the registered owner thereby acknowledges all of the terms and provisions of the Bond Order, agrees to be bound by such terms and provisions, acknowledges that the Bond Order is duly recorded and available for inspection in the official minutes and records of the governing body of the Issuer, and agrees that the terms and provisions of this Bond and the Bond Order constitute a contract between each registered owner hereof and the Issuer.

IN WITNESS WHEREOF, the Issuer has caused this Bond to be signed with the manual or facsimile signature of the President of the Board of Trustees of the Issuer and countersigned with the manual or facsimile signature of the Secretary of the Board of Trustees of the Issuer, and has caused the official seal of the Issuer to be duly impressed, or placed in facsimile, on this Bond.

\_\_\_\_\_  
(signature)  
Secretary, Board of Trustees

\_\_\_\_\_  
(signature)  
President, Board of Trustees

(SEAL)

FORM OF PAYING AGENT/REGISTRAR'S AUTHENTICATION CERTIFICATE

PAYING AGENT/REGISTRAR'S AUTHENTICATION CERTIFICATE  
(To be executed if this Bond is not accompanied by an  
executed Registration Certificate of the Comptroller of  
Public Accounts of the State of Texas)

It is hereby certified that this Bond has been issued under the provisions of the Bond Order described in the text of this Bond; and that this Bond has been issued in conversion or replacement of, or in exchange for, a bond, bonds, or a portion of a bond or bonds of a Series which originally was approved by the Attorney General of the State of Texas and registered by the Comptroller of Public Accounts of the State of Texas.

Dated

\_\_\_\_\_  
Paying Agent/Registrar

\_\_\_\_\_  
Authorized Representative

FORM OF ASSIGNMENT:  
ASSIGNMENT

For value received, the undersigned hereby sells, assigns, and transfers unto

\_\_\_\_\_

Please insert Social Security or Taxpayer  
Identification Number of Transferee

\_\_\_\_\_

\_\_\_\_\_  
(Please print or typewrite name and address, including zip  
code of Transferee)

\_\_\_\_\_  
the within Bond and all rights thereunder, and hereby irrevocably constitutes and appoints \_\_\_\_\_, attorney, to register the transfer of the within Bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: \_\_\_\_\_

Signature Guaranteed:

\_\_\_\_\_  
NOTICE: Signature(s) must be guaranteed by an eligible guarantor institution participating in a securities transfer association recognized signature guarantee program.

\_\_\_\_\_  
NOTICE: The signature above must correspond with the name of the registered owner as it appears upon the front of this Bond in every particular, without alteration or enlargement or any change whatsoever.

FORM OF REGISTRATION CERTIFICATE OF  
THE COMPTROLLER OF PUBLIC ACCOUNTS:

COMPTROLLER'S REGISTRATION CERTIFICATE: REGISTER NO.

I hereby certify that this Bond has been examined, certified as to validity, and approved by the Attorney General of the State of Texas, and that this Bond has been registered by the Comptroller of Public Accounts of the State of Texas.

Witness my signature and seal this \_\_\_\_\_.

\_\_\_\_\_  
XXXXXXXX  
Comptroller of Public Accounts  
of the State of Texas

(COMPTROLLER'S SEAL)

(b) Insertions for the Initial Current Interest Bond:

The initial Current Interest Bond shall be in the form set forth in paragraph (a) of this Section, except that:

- (i) immediately under the name of the Bond, the headings "INTEREST RATE" and "MATURITY DATE" shall both be completed with the words "As shown below" and "CUSIP NO. \_\_\_\_" shall be deleted.
- (ii) the first paragraph shall be deleted and the following will be inserted:

"Wichita Falls Independent School District, being a political subdivision located in Wichita County, Texas (the "Issuer"), hereby promises to pay to the Registered Owner specified above, or registered assigns (hereinafter called the "registered owner"), on the dates, in the principal installments and bearing interest at the per annum rates set forth in the following schedule:

<u>Maturity</u>	<u>Principal</u>	<u>Interest</u>
<u>Dates (____)</u>	<u>Installments(\$)</u>	<u>Rates (%)</u>

(Information for the Current Interest Bonds from the Pricing Certificate to be inserted)

The Issuer promises to pay interest on the unpaid principal amount hereof (calculated on the basis of a 360day year of twelve 30-day months) from \_\_\_\_\_ at the respective Interest Rate per annum specified above. Interest is payable on \_\_\_\_\_, and on each \_\_\_\_\_ and \_\_\_\_\_ thereafter to the date of payment of the principal installment specified above, or the date of redemption prior to maturity; except, that if this Bond is required to be authenticated and the date of its authentication is later than the first Record Date (hereinafter defined), such principal amount shall bear interest from the interest payment date next preceding the date of authentication, unless such date of authentication is after any Record Date but on or before the next following interest payment date, in which case such principal amount shall bear interest from such next following interest payment date; provided, however, that if on the date of authentication

hereof the interest on the Bond or Bonds, if any, for which this Bond is being exchanged is due but has not been paid, then this Bond shall bear interest from the date to which such interest has been paid in full.”

(iii) The initial Current Interest Bond shall be numbered “TR-1.”

(c) Insertions for the initial Capital Appreciation Bond:

The initial Capital Appreciation Bond shall be in the form set forth in paragraph (a) of this Section, except that:

(i) immediately under the name of the Bond, the headings “INTEREST RATE” and “MATURITY DATE” shall both be completed with the words “As shown below” and “CUSIP NO. \_\_\_\_\_” shall be deleted.

(ii) the first paragraph shall be deleted and the following will be inserted:

“Wichita Falls Independent School District, being a political subdivision located in Wichita County, Texas (the “Issuer”), hereby promises to pay to the Registered Owner set forth above, or registered assigns (hereinafter called the “registered owner”) the Maturity Amount on the dates and in the amounts set forth in the following schedule:

<u>Maturity</u> <u>Dates ( )</u>	<u>Principal</u> <u>Amounts(\$)</u>	<u>Maturity</u> <u>Amounts(\$)</u>	<u>Interest</u> <u>Rates(%)</u>
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(Information for the Capital Appreciation Bonds from the Pricing Certificate to be inserted)

The amount shown above as the Maturity Amount represents the principal amount hereof and accrued and compounded interest hereon. Interest shall accrete on the principal amount hereof from the Issuance Date at the interest rate per annum specified above, compounded semiannually on \_\_\_\_\_ and \_\_\_\_\_ of each year, commencing \_\_\_\_\_. For convenience of reference, a table appears with this Bond showing the “Compounded Amount” of the original principal amount plus initial premium, if any, per \$5,000 Maturity Amount compounded semiannually at the yield shown on such table.”

(iii) The initial Capital Appreciation Bond shall be numbered “TCAB-1.”

Section 6. TAX LEVY. (a) A special Interest and Sinking Fund (the “Interest and Sinking Fund”) is hereby created solely for the benefit of the Bonds, and the Interest and Sinking Fund shall be established and maintained by the Issuer at an official depository bank of the Issuer. The Interest and Sinking Fund shall be kept separate and apart from all other funds and accounts of the Issuer, and shall be used only for paying the interest on and principal of the Bonds. All ad valorem taxes levied and collected for and on account of the Bonds, together with any accrued interest received from the initial purchasers of the Bonds, shall be deposited, as collected, to the credit of the Interest and Sinking Fund. During each year while any of the Bonds or interest thereon are outstanding and unpaid, the governing body of the Issuer shall compute and ascertain a rate and amount of ad valorem tax which will be sufficient to raise and produce the money required to pay the interest on the Bonds as such interest comes due, and to provide and maintain a sinking fund adequate to pay the principal of its Bonds as such principal matures; and said tax shall be based on

the latest approved tax rolls of the Issuer, with full allowance being made for tax delinquencies and the cost of tax collection. Said rate and amount of ad valorem tax is hereby levied, and is hereby ordered to be levied, against all taxable property in the Issuer for each year while any of the Bonds or interest thereon are outstanding and unpaid; and said tax shall be assessed and collected each such year and deposited to the credit of the aforesaid Interest and Sinking Fund. Said ad valorem taxes sufficient to provide for the payment of the interest on and principal of the Bonds as such interest comes due and such principal matures are hereby pledged for such payment, without limit as to rate or amount.

(b) Chapter 1208, Government Code, applies to the issuance of the Bonds and the pledge of the taxes granted by the Issuer under this Section, and is therefore valid, effective, and perfected. If Texas law is amended at any time while the Bonds are outstanding and unpaid such that the pledge of the taxes granted by the Issuer under this Section is to be subject to the filing requirements of Chapter 9, Business & Commerce Code, then in order to preserve to the registered owners of the Bonds the perfection of the security interest in said pledge, the Issuer agrees to take such measures as it determines are reasonable and necessary under Texas law to comply with the applicable provisions of Chapter 9, Business & Commerce Code and enable a filing to perfect the security interest in said pledge to occur.

Section 7. DEFEASANCE OF BONDS. (a) Any Bond and the interest thereon shall be deemed to be paid, retired, and no longer outstanding (a “Defeased Bond”) within the meaning of this Order, except to the extent provided in subsection (d) of this Section, when payment of the principal of such Bond, plus interest thereon to the due date (whether such due date be by reason of maturity or otherwise) either (i) shall have been made or caused to be made in accordance with the terms thereof, or (ii) shall have been provided for on or before such due date by irrevocably depositing with or making available to the Paying Agent/Registrar in accordance with an escrow agreement or other instrument (the “Future Escrow Agreement”) for such payment (1) lawful money of the United States of America sufficient to make such payment or (2) Defeasance Securities that mature as to principal and interest in such amounts and at such times as will ensure the availability, without reinvestment, of sufficient money to provide for such payment, and when proper arrangements have been made by the Issuer with the Paying Agent/Registrar for the payment of its services until all Defeased Bonds shall have become due and payable. At such time as a Bond shall be deemed to be a Defeased Bond hereunder, as aforesaid, such Bond and the interest thereon shall no longer be secured by, payable from, or entitled to the benefits of, the ad valorem taxes herein levied and pledged as provided in this Order, and such principal and interest shall be payable solely from such money or Defeasance Securities, and thereafter the Issuer will have no further responsibility with respect to amounts available to the Paying Agent/Registrar (or other financial institution permitted by applicable law) for the payment of such Defeased Bonds, including any insufficiency therein caused by the failure of the Paying Agent/Registrar (or other financial institution permitted by applicable law) to receive payment when due on the Defeasance Securities. Notwithstanding any other provision of this Order to the contrary, it is hereby provided that any determination not to redeem Defeased Bonds that is made in conjunction with the payment arrangements specified in (a)(i) or (ii) of this Section 7 shall not be irrevocable, provided that: (1) in the proceedings providing for such payment arrangements, the Issuer expressly reserves the right to call the Defeased Bonds for redemption; (2) gives notice of the reservation of that right to the owners of the Defeased Bonds immediately following the making of the payment arrangements; and (3) directs that notice of the reservation be included in any redemption notices that it authorizes.

(b) Any moneys so deposited with the Paying Agent/Registrar may at the written direction of the Issuer also be invested in Defeasance Securities, maturing in the amounts and times as hereinbefore set forth, and all income from such Defeasance Securities received by the Paying Agent/Registrar that is not required for the payment of the Bonds and interest thereon, with respect to which such money has been so deposited,

shall be turned over to the Issuer, or deposited as directed in writing by the Issuer. Any Future Escrow Agreement pursuant to which the money and/or Defeasance Securities are held for the payment of Defeased Bonds may contain provisions permitting the investment or reinvestment of such moneys in Defeasance Securities or the substitution of other Defeasance Securities upon the satisfaction of the requirements specified in (a)(i) or (ii) of this Section 7. All income from such Defeasance Securities received by the Paying Agent/Registrar which is not required for the payment of the Defeased Bonds, with respect to which such money has been so deposited, shall be remitted to the Issuer or deposited as directed in writing by the Issuer.

(c) The term “Defeasance Securities” means any securities and obligations now or hereafter authorized by State law that are eligible to discharge obligations such as the Bonds. The Pricing Officer may restrict such eligible securities and obligations as deemed appropriate.

(d) Until all Defeased Bonds shall have become due and payable, the Paying Agent/Registrar shall perform the services of Paying Agent/Registrar for such Defeased Bonds the same as if they had not been defeased, and the Issuer shall make proper arrangements to provide and pay for such services as required by this Order.

(e) In the event that the Issuer elects to defease less than all of the principal amount of Bonds of a maturity, the Paying Agent/Registrar shall select, or cause to be selected, such amount of Bonds by such random method as it deems fair and appropriate.

Section 8. DAMAGED, MUTILATED, LOST, STOLEN, OR DESTROYED BONDS. (a) Replacement Bonds. In the event any outstanding Bond is damaged, mutilated, lost, stolen, or destroyed, the Paying Agent/Registrar shall cause to be printed, executed, and delivered, a new bond of the same principal amount, maturity, and interest rate, as the damaged, mutilated, lost, stolen, or destroyed Bond, in replacement for such Bond in the manner hereinafter provided.

(b) Application for Replacement Bonds. Application for replacement of damaged, mutilated, lost, stolen, or destroyed Bonds shall be made by the registered owner thereof to the Paying Agent/Registrar. In every case of loss, theft, or destruction of a Bond, the registered owner applying for a replacement bond shall furnish to the Issuer and to the Paying Agent/Registrar such security or indemnity as may be required by them to save each of them harmless from any loss or damage with respect thereto. Also, in every case of loss, theft, or destruction of a Bond, the registered owner shall furnish to the Issuer and to the Paying Agent/Registrar evidence to their satisfaction of the loss, theft, or destruction of such Bond. In every case of damage or mutilation of a Bond, the registered owner shall surrender to the Paying Agent/Registrar for cancellation the Bond so damaged or mutilated.

(c) No Default Occurred. Notwithstanding the foregoing provisions of this Section, in the event any such Bond shall have matured, and no default has occurred which is then continuing in the payment of the principal of or interest on the Bond, the Issuer may authorize the payment of the same (without surrender thereof except in the case of a damaged or mutilated Bond) instead of issuing a replacement Bond, provided security or indemnity is furnished as above provided in this Section.

(d) Charge for Issuing Replacement Bonds. Prior to the issuance of any replacement bond, the Paying Agent/Registrar shall charge the registered owner of such Bond with all legal, printing, and other expenses in connection therewith. Every replacement bond issued pursuant to the provisions of this Section by virtue

of the fact that any Bond is lost, stolen, or destroyed shall constitute a contractual obligation of the Issuer whether or not the lost, stolen, or destroyed Bond shall be found at any time, or be enforceable by anyone, and shall be entitled to all the benefits of this Order equally and proportionately with any and all other Bonds duly issued under this Order.

(e) Authority for Issuing Replacement Bonds. In accordance with Subchapter B, Chapter 1206, Texas Government Code, this Section shall constitute authority for the issuance of any such replacement bond without necessity of further action by the governing body of the Issuer or any other body or person, and the duty of the replacement of such bonds is hereby authorized and imposed upon the Paying Agent/Registrar, and the Paying Agent/Registrar shall authenticate and deliver such Bonds in the form and manner and with the effect, as provided in Section 4(a) of this Order for Bonds issued in conversion and exchange for other Bonds.

Section 9. CUSTODY, APPROVAL, AND REGISTRATION OF BONDS; BOND COUNSEL'S OPINION, CUSIP NUMBERS, AND CONTINGENT INSURANCE PROVISION OR PERMANENT SCHOOL FUND GUARANTEE PROVISION, IF OBTAINED. The President and/or Vice President of the Board of Trustees of the Issuer and the Pricing Officer are hereby authorized to have control of the Bonds initially issued and delivered hereunder and all necessary records and proceedings pertaining to the Bonds pending their delivery and their investigation, examination, and approval by the Attorney General of the State of Texas, and their registration by the Comptroller of Public Accounts of the State of Texas. Upon registration of the Bonds said Comptroller of Public Accounts (or a deputy designated in writing to act for said Comptroller) shall manually sign the Comptroller's Registration Certificate attached to such Bonds, and the seal of said Comptroller shall be impressed, or placed in facsimile, on such Certificate. The approving legal opinion of the Issuer's Bond Counsel and the assigned CUSIP numbers may, at the option of the Issuer, be printed on the Bonds issued and delivered under this Order, but neither shall have any legal effect, and shall be solely for the convenience and information of the registered owners of the Bonds. In addition, if bond insurance is obtained or if the Bonds are guaranteed by the Texas Permanent School Fund, the Bonds may bear an appropriate legend as provided by the insurer or the Texas Education Agency, respectively.

Section 10. FEDERAL TAX COVENANTS. (a) General Tax Covenants Regarding Tax Exemption of Interest on the Bonds. The Issuer covenants to take any action necessary to assure, or refrain from any action which would adversely affect, the treatment of the Bonds as obligations described in section 103 of the Internal Revenue Code of 1986, as amended (the "Code"), the interest on which is not includable in the "gross income" of the holder for purposes of federal income taxation. In furtherance thereof, the Issuer covenants as follows:

- (i) to take any action to assure that no more than 10 percent of the proceeds of the Bonds or the projects financed therewith (less amounts deposited to a reserve fund, if any) are used for any "private business use," as defined in section 141(b)(6) of the Code or, if more than 10 percent of the proceeds or the projects financed therewith are so used, such amounts, whether or not received by the Issuer, with respect to such private business use, do not, under the terms of this Order or any underlying arrangement, directly or indirectly, secure or provide for the payment of more than 10 percent of the debt service on the Bonds, in contravention of section 141(b)(2) of the Code;
- (ii) to take any action to assure that in the event that the "private business use" described in subsection (a) hereof exceeds 5 percent of the proceeds of the Bonds or the projects financed

therewith (less amounts deposited into a reserve fund, if any) then the amount in excess of 5 percent is used for a “private business use” which is “related” and not “disproportionate,” within the meaning of section 141(b)(3) of the Code, to the governmental use;

- (iii) to take any action to assure that no amount which is greater than the lesser of \$5,000,000, or 5 percent of the proceeds of the Bonds (less amounts deposited into a reserve fund, if any) is directly or indirectly used to finance loans to persons, other than state or local governmental units, in contravention of section 141(c) of the Code;
- (iv) to refrain from taking any action which would otherwise result in the Bonds being treated as “private activity bonds” within the meaning of section 141(b) of the Code;
- (v) to refrain from taking any action that would result in the Bonds being “federally guaranteed” within the meaning of section 149(b) of the Code;
- (vi) to refrain from using any portion of the proceeds of the Bonds, directly or indirectly, to acquire or to replace funds which were used, directly or indirectly, to acquire investment property (as defined in section 148(b)(2) of the Code) which produces a materially higher yield over the term of the Bonds, other than investment property acquired with --
  - (1) proceeds of the Bonds invested for a reasonable temporary period until such proceeds are needed for the purpose for which the bonds are issued,
  - (2) amounts invested in a bona fide debt service fund, within the meaning of section 1.148-1(b) of the Treasury Regulations, and
  - (3) amounts deposited in any reasonably required reserve or replacement fund to the extent such amounts do not exceed 10 percent of the proceeds of the Bonds;
- (vii) to otherwise restrict the use of the proceeds of the Bonds or amounts treated as proceeds of the Bonds, as may be necessary, so that the Bonds do not otherwise contravene the requirements of section 148 of the Code (relating to arbitrage);
- (viii) to refrain from using the proceeds of the Bonds or proceeds of any prior bonds to pay debt service on another issue more than ninety (90) days after the date of issue of the Bonds in contravention of the requirements of section 149(d) of the Code (relating to advance refundings), if applicable; and
- (ix) to pay to the United States of America at least once during each five-year period (beginning on the date of delivery of the Bonds) an amount that is at least equal to 90 percent of the “Excess Earnings,” within the meaning of section 148(f) of the Code and to pay to the United States of America, not later than sixty (60) days after the Bonds have been paid in full, 100 percent of the amount then required to be paid as a result of Excess Earnings under section 148(f) of the Code.

In order to facilitate compliance with the above covenant (viii), a “Rebate Fund” is hereby established by the Issuer for the sole benefit of the United States of America, and such fund shall not be subject to the

claim of any other person, including without limitation the bondholders. The Rebate Fund is established for the additional purpose of compliance with section 148 of the Code.

The Issuer understands that the term “proceeds” includes “disposition proceeds” as defined in the Treasury Regulations and, in the case of refunding bonds, transferred proceeds (if any) and proceeds of the refunded bonds expended prior to the date of issuance of the Bonds. It is the understanding of the Issuer that the covenants contained herein are intended to assure compliance with the Code and any regulations or rulings promulgated by the U.S. Department of the Treasury pursuant thereto. In the event that regulations or rulings are hereafter promulgated which modify or expand provisions of the Code, as applicable to the Bonds, the Issuer will not be required to comply with any covenant contained herein to the extent that such failure to comply, in the opinion of nationally recognized bond counsel, will not adversely affect the exemption from federal income taxation of interest on the Bonds under section 103 of the Code. In the event that regulations or rulings are hereafter promulgated which impose additional requirements which are applicable to the Bonds, the Issuer agrees to comply with the additional requirements to the extent necessary, in the opinion of nationally recognized bond counsel, to preserve the exemption from federal income taxation of interest on the Bonds under section 103 of the Code. In furtherance of such intention, the Issuer hereby authorizes and directs the Pricing Officer to execute any documents, certificates, or reports required by the Code and to make such elections, on behalf of the Issuer, which may be permitted by the Code as are consistent with the purpose for the issuance of the Bonds.

(b) Interest Earnings on Bond Proceeds. Interest earnings derived from the investment of proceeds from the sale of the Bonds shall be used along with other bond proceeds for the purpose for which the Bonds are issued, as set forth in Section 1 hereof; provided that after completion of such purpose, if any of such interest earnings remain on hand, such interest earnings shall be deposited in the Interest and Sinking Fund. It is further provided, however, that any interest earnings on bond proceeds which are required to be rebated to the United States of America pursuant to Section 10(a) hereof in order to prevent the Bonds from being arbitrage bonds shall be so rebated and not considered as interest earnings for the purposes of this Section.

(c) Disposition of Project. The Issuer covenants that the property constituting the project financed with the proceeds of the Refunded Obligations will not be sold or otherwise disposed in a transaction resulting in the receipt by the Issuer of cash or other compensation, unless any action taken will not adversely affect the tax-exempt status of the Bonds. For purposes of the foregoing, the portion of the property comprising personal property and disposed in the ordinary course shall not be treated as a transaction resulting in the receipt of cash or other compensation. For purposes hereof, the Issuer shall not be obligated to comply with this covenant if it obtains an opinion that such failure to comply will not adversely affect the excludability for federal income tax purposes from gross income of the interest.

#### Section 11. SALE OF BONDS; OFFICIAL STATEMENT.

(a) The Bonds shall be sold and delivered subject to the provisions of Sections 1 and 3 and pursuant to the terms and provisions of the winning bid or a bond purchase agreement or agreements (the “Purchase Agreement”) which the Pricing Officer is hereby authorized to execute and deliver and in which the initial purchaser or purchasers (the “Underwriters”) of the Bonds shall be designated. The Bonds shall initially be registered in the name of the Underwriter thereof as set forth in the Pricing Certificate.

(b) The Pricing Officer is hereby authorized, in the name and on behalf of the Issuer, to approve, distribute, and deliver a preliminary official statement and a final official statement relating to any series of the Bonds to be used by the Underwriters in the marketing of the Bonds.

#### Section 12. REDEMPTION OF REFUNDED OBLIGATIONS.

(a) Subject to execution and delivery of the Purchase Agreement with the Underwriters, the Issuer hereby directs that the Refunded Obligations be called for redemption on the dates and at the prices set forth in the Pricing Certificate.

(b) The paying agent/registrars for the Refunded Obligations is hereby directed to provide the appropriate notice of redemption as required by the Refunded Obligations and is hereby directed to make appropriate arrangements so that the Refunded Obligations may be redeemed on the redemption dates.

(c) If the redemption of the Refunded Obligations results in the partial refunding of any maturity of the Refunded Obligations, the Pricing Officer shall direct the paying agent/registrars for the Refunded Obligations to designate at random and by lot which of the Refunded Obligations will be payable from and secured solely from ad valorem taxes of the Issuer pursuant to the orders of the Issuer authorizing the issuance of such Refunded Obligations (the "Refunded Obligation Orders"). For purposes of such determination and designation, all Refunded Obligations registered in denominations greater than \$5,000 shall be considered to be registered in separate \$5,000 denominations. The paying agent/registrars shall notify by first-class mail all registered owners of all affected bonds of such maturities that: (i) a portion of such bonds have been refunded and are secured until final maturity solely with cash and investments maintained by the Escrow Agent in the Escrow Fund, (ii) the principal amount of all affected bonds of such maturities registered in the name of such registered owner that have been refunded and are payable solely from cash and investments in the Escrow Fund and the remaining principal amount of all affected bonds of such maturities registered in the name of such registered owner, if any, have not been refunded and are payable and secured solely from ad valorem taxes of the Issuer described in the Refunded Obligation Orders, (iii) the registered owner is required to submit his or her Refunded Obligations to the paying agent/registrars, for the purposes of re-registering such registered owner's bonds and assigning new CUSIP numbers in order to distinguish the source of payment for the principal and interest on such bonds, and (iv) payment of principal of and interest on such bonds may, in some circumstances, be delayed until such bonds have been re-registered and new CUSIP numbers have been assigned as required by (iii) above.

(d) The source of funds for payment of the principal of and interest on the Refunded Obligations on their respective maturity or redemption dates shall be from the funds deposited with the Escrow Agent, pursuant to the Escrow Agreement.

Section 13. FURTHER PROCEDURES. (a) The President or Vice President and Secretary of the Board of Trustees of the Issuer, the Pricing Officer and all other officers, employees and agents of the Issuer, and each of them, shall be and they are hereby expressly authorized, empowered and directed from time to time and at any time to do and perform all such acts and things and to execute, acknowledge and deliver in the name and under the corporate seal, if necessary, and on behalf of the Issuer, a Paying Agent/Registrar Agreement with the Paying Agent/Registrar and all other instruments, whether or not herein mentioned, as may be necessary or desirable in order to carry out the terms and provisions of this Order, the DTC Blanket Letter of Representations, the Bonds, the sale of the Bonds and the Official Statement. Notwithstanding anything to the contrary contained herein, while the Bonds are subject to DTC's Book-Entry Only System and to the extent permitted by law, the DTC Blanket Letter of

Representations is hereby incorporated herein and its provisions shall prevail over any other provisions of this Order in the event of conflict. In case any officer whose signature shall appear on any Bond shall cease to be such officer before the delivery of such Bond, such signature shall nevertheless be valid and sufficient for all purposes the same as if such officer had remained in office until such delivery.

(b) The obligation of the Underwriters to accept delivery of the Bonds is subject to the Underwriters being furnished with the final, approving opinion of McCall, Parkhurst & Horton L.L.P., bond counsel to the Issuer, which opinion shall be dated as of and delivered on the date of initial delivery of the Bonds to the Underwriters. The engagement of such firm as bond counsel to the Issuer in connection with issuance, sale and delivery of the Bonds is hereby approved and confirmed.

#### Section 14. COMPLIANCE WITH RULE 15c2-12.

(a) Definitions. As used in this Section, the following terms have the meanings ascribed to such terms below:

“*MSRB*” means the Municipal Securities Rulemaking Board.

“*Rule*” means SEC Rule 15c2-12, as amended from time to time.

“*SEC*” means the United States Securities and Exchange Commission.

(b) Annual Reports. (i) The Issuer shall provide annually to the MSRB, in the electronic format prescribed by the MSRB, within six (6) months after the end of each fiscal year, financial information and operating data with respect to the Issuer of the general type included in the final Official Statement authorized by Section 11 of this Order, as described in the Pricing Certificate, and financial statements within twelve (12) months of the end of each fiscal year. Any financial statements so to be provided shall be (1) prepared in accordance with the accounting principles described in the financial statements of the Issuer appended to the Official Statement, or such other accounting principles as the Issuer may be required to employ from time to time pursuant to state law or regulation, and (2) audited, if the Issuer commissions an audit of such statements and the audit is completed within the period during which they must be provided. If the audit of such financial statements is not completed within twelve (12) months after any such fiscal year end, then the Issuer shall file unaudited financial statements within such twelve (12) month period and audited financial statements for the applicable fiscal year, when and if the audit report on such statements becomes available.

(ii) If the Issuer changes its fiscal year, it will notify the MSRB of the change (and of the date of the new fiscal year end) prior to the next date by which the Issuer otherwise would be required to provide financial information and operating data pursuant to this Section. The financial information and operating data to be provided pursuant to this Section may be set forth in full in one or more documents or may be included by specific reference to any documents available to the public on the MSRB's internet website or filed with the SEC.

(c) Event Notices. The Issuer shall notify the MSRB, in a timely manner not in excess of ten (10) Business Days after the occurrence of the event, 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 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 Issuer;
13. The consummation of a merger, consolidation, or acquisition involving the Issuer or the sale of all or substantially all of the assets of the Issuer, 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 a successor trustee or change in the name of the trustee, if material;
15. Incurrence of a financial obligation of the Issuer, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a financial obligation of the Issuer, 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 Issuer, any of which reflect financial difficulties.

The Issuer shall notify the MSRB, in a timely manner, of any failure by the Issuer to provide financial information or operating data in accordance with subsection (b) of this Section by the time required by subsection (b). As used in clause (c)12 above, the phrase “bankruptcy, insolvency, receivership or similar event” means the appointment of a receiver, fiscal agent or similar officer for the Issuer in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court of governmental authority has assumed jurisdiction over substantially all of the assets or business of the Issuer, or if jurisdiction has been assumed by leaving the Board of Trustees and officials or officers of the Issuer 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 Issuer. For the purposes of clauses (c)15 and (c)16 above, the term “financial obligation” means a (i) debt obligation, (ii) derivative instrument entered into in connection with or pledged as security or a source of payment for, an existing or planned debt obligation, or (iii) a guarantee of (i) or (ii); provided however, that a “financial obligation” shall not include municipal securities as to which a final official statement (as defined in the Rule) has been provided to the MSRB consistent with the Rule.

(d) Limitations, Disclaimers, and Amendments. (i) The Issuer shall be obligated to observe and perform the covenants specified in this Section for so long as, but only for so long as, the Issuer remains an “obligated person” with respect to the Bonds within the meaning of the Rule, except that the Issuer in any event will give notice of any deposit made in accordance with this Order or applicable law that causes the Bonds no longer to be outstanding.

(ii) The provisions of this Section are for the sole benefit of the registered owners and beneficial owners of the Bonds, and nothing in this Section, express or implied, shall give any benefit or any legal or equitable right, remedy, or claim hereunder to any other person. The Issuer undertakes to provide only the financial information, operating data, financial statements, and notices which it has expressly agreed to provide pursuant to this Section and does not hereby undertake to provide any other information that may be relevant or material to a complete presentation of the Issuer's financial results, condition, or prospects or hereby undertake to update any information provided in accordance with this Section or otherwise, except as expressly provided herein. The Issuer does not make any representation or warranty concerning such information or its usefulness to a decision to invest in or sell Bonds at any future date.

(iii) UNDER NO CIRCUMSTANCES SHALL THE ISSUER BE LIABLE TO THE REGISTERED OWNER OR BENEFICIAL OWNER OF ANY BOND OR ANY OTHER PERSON, IN CONTRACT OR TORT, FOR DAMAGES RESULTING IN WHOLE OR IN PART FROM ANY BREACH BY THE ISSUER, WHETHER NEGLIGENT OR WITHOUT FAULT ON ITS PART, OF ANY COVENANT SPECIFIED IN THIS SECTION, BUT EVERY RIGHT AND REMEDY OF ANY SUCH PERSON, IN CONTRACT OR TORT, FOR OR ON ACCOUNT OF ANY SUCH BREACH SHALL BE LIMITED TO AN ACTION FOR MANDAMUS OR SPECIFIC PERFORMANCE.

(iv) No default by the Issuer in observing or performing its obligations under this Section shall comprise a breach of or default under the Order for purposes of any other provision of this Order. Nothing in this Section is intended or shall act to disclaim, waive, or otherwise limit the duties of the Issuer under federal and state securities laws.

(v) The provisions of this Section may be amended by the Issuer from time to time to adapt to changed circumstances that arise from a change in legal requirements, a change in law, or a change in the identity, nature, status, or type of operations of the Issuer, but only if (1) the provisions of this Section, as so amended, would have permitted an underwriter to purchase or sell Bonds in the primary offering of the Bonds in compliance with the Rule, taking into account any amendments or interpretations of the Rule since such offering as well as such changed circumstances and (2) either (a) the registered owners of a majority in aggregate principal amount (or any greater amount required by any other provision of this Order that authorizes such an amendment) of the outstanding Bonds consent to such amendment or (b) any qualified person that is unaffiliated with the Issuer (such as nationally recognized bond counsel) determined that such amendment will not materially impair the interest of the registered owners and beneficial owners of the Bonds. If the Issuer so amends the provisions of this Section, it shall include with any amended financial information or operating data next provided in accordance with subsection (b) of this Section an explanation, in narrative form, of the reason for the amendment and of the impact of any change in the type of financial information or operating data so provided. The Issuer may also amend or repeal the provisions of this continuing disclosure agreement if the SEC amends or repeals the applicable provision of the Rule or a court of final jurisdiction enters judgment that such provisions of the Rule are invalid, but only if and to the extent that the provisions of this sentence would not prevent an underwriter from lawfully purchasing or selling Bonds in the primary offering of the Bonds.

Section 15. FACILITIES ALLOTMENT FUNDS; STATE ASSISTANCE FUNDS. In connection with the issuance of the Bonds, the Issuer may receive financial assistance from the Texas Education Agency in accordance with one or more programs established pursuant to Chapter 46, Texas Education Code, as amended (the "Program"). In each fiscal year in which the Issuer receives funding under the Program or any successor State funding program which provides a debt service subsidy for the Bonds and, in either case, which requires the Issuer to deposit such debt service subsidy into the Interest and Sinking

Fund for the Bonds (such funds being collectively referred to herein as “Debt Subsidy Funds”), the Issuer shall deposit immediately upon receipt the Debt Subsidy Funds received to the credit of the Interest and Sinking Fund for the Bonds created pursuant to Section 6. Notwithstanding the requirements of Section 6, if Debt Subsidy Funds are actually on deposit in the Interest and Sinking Fund for the Bonds in advance of the time when ad valorem taxes are scheduled to be levied for any fiscal year, then the amount of ad valorem taxes which otherwise would have been required to be levied pursuant to Section 6 shall be reduced to the extent and by the amount of the Debt Subsidy Funds then on deposit in the Interest and Sinking Fund for the Bonds.

Section 16. METHOD OF AMENDMENT. The Issuer hereby reserves the right to amend this Order subject to the following terms and conditions, to wit:

(a) The Issuer may from time to time, without the consent of any Registered Owner, except as otherwise required by paragraph (b) below, amend or supplement this Order to (i) cure any ambiguity, defect or omission in this Order that does not materially adversely affect the interests of the Registered Owners, (ii) grant additional rights or security for the benefit of the Registered Owners, (iii) add events of default as shall not be inconsistent with the provisions of this Order and that shall not materially adversely affect the interests of the Registered Owners, (iv) qualify this Order under the Trust Indenture Act of 1939, as amended, or corresponding provisions of federal laws from time to time in effect, or (v) make such other provisions in regard to matters or questions arising under this Order as shall not be materially inconsistent with the provisions of this Order and that shall not, in the opinion of nationally-recognized bond counsel, materially adversely affect the interests of the Registered Owners.

(b) Except as provided in paragraph (a) above, a majority of the Registered Owners (for purposes of this sentence only, 100% of the aggregate principal amount of Bonds which are insured by a bond insurance provider at the time that the Issuer seeks approval of an amendment shall be deemed to be owned by such bond insurance provider) of Bonds then outstanding that are the subject of a proposed amendment shall have the right from time to time to approve any amendment hereto that may be deemed necessary or desirable by the Issuer; provided, however, that without the consent of 100% of the Registered Owners in aggregate principal amount of the then outstanding Bonds, nothing herein contained shall permit or be construed to permit amendment of the terms and conditions of this Order or in any of the Bonds so as to:

- (1) Make any change in the maturity of any of the outstanding Bonds;
- (2) Reduce the rate of interest borne by any of the outstanding Bonds;
- (3) Reduce the amount of the principal of, or redemption premium, if any, or maturity amount payable on any outstanding Bonds;
- (4) Modify the terms of payment of principal of or interest or redemption premium on outstanding Bonds or any of them or impose any condition with respect to such payment; or
- (5) Change the minimum percentage of the principal amount or maturity amount of the Bonds necessary for consent to such amendment.

(c) If at any time the Issuer shall desire to amend this Order under this Section, the Issuer shall send by U.S. mail to each registered owner of the affected Bonds a copy of the proposed amendment.

(d) Whenever at any time within one year from the date of mailing of such notice the Issuer shall receive an instrument or instruments executed by the Registered Owners of at least a majority in aggregate principal amount of all of the Bonds then outstanding that are required for the amendment (or 100% if such amendment is made in accordance with paragraph (b)), which instrument or instruments shall refer to the proposed amendment and which shall specifically consent to and approve such amendment, the Issuer may adopt the amendment in substantially the same form.

(e) Upon the adoption of any amendatory Order pursuant to the provisions of this Section, this Order shall be deemed to be modified and amended in accordance with such amendatory Order, and the respective rights, duties, and obligations of the Issuer and all Registered Owners of such affected Bonds shall thereafter be determined, exercised, and enforced, subject in all respects to such amendment.

(f) Any consent given by the Registered Owner of a Bond pursuant to the provisions of this Section shall be irrevocable for a period of six (6) months from the date of such consent and shall be conclusive and binding upon all future Registered Owners of the same Bond during such period. Such consent may be revoked at any time after six (6) months from the date of said consent by the Registered Owner who gave such consent, or by a successor in title, by filing notice with the Issuer, but such revocation shall not be effective if the Registered Owners of the required amount of the affected Bonds then outstanding, have, prior to the attempted revocation, consented to and approved the amendment.

For the purposes of establishing ownership of the Bonds, the Issuer shall rely solely upon the registration of the ownership of such Bonds on the Registration Books kept by the Paying Agent/Registrar.

Section 17. APPROPRIATION. To pay the debt service coming due on the Bonds, if any (as determined by the Pricing Officer) prior to receipt of the taxes levied to pay such debt service, if any, there is hereby appropriated from current funds on hand, which are hereby certified to be on hand and available for such purpose, an amount sufficient to pay such debt service, and such amount shall be used for no other purpose.

Section 18. GOVERNING LAW. This Order shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 19. PERMANENT SCHOOL FUND GUARANTEE PROGRAM. To the extent applicable, the Issuer covenants to timely comply with all applicable requirements and procedures under Article VII, Section 5 of the Texas Constitution, Subchapter C of Chapter 45, Texas Education Code and the Rules of the State Board of Education relating to the guarantee of the principal and interest on the Bonds by the Texas Permanent School Fund. Upon defeasance of such Bonds prior to maturity in accordance with applicable law, the guarantee of the principal and interest on such Bonds by the Texas Permanent School Fund shall cease and no longer be available. In case of a default in the payment of principal or interest on the Bonds, and in accordance with Section 45.061, Texas Education Code, the Comptroller of Public Accounts of the State of Texas is authorized to withhold from the Issuer amounts equal to the amounts paid by the Permanent School Fund on account of such default, plus interest thereon, from the first state money payable to the Issuer from the following sources and in the following order, to wit: foundation school fund, available school fund.

Section 20. SEVERABILITY. If any provision of this Order or the application thereof to any circumstance shall be held to be invalid, the remainder of this Order and the application thereof to other circumstances shall nevertheless be valid, and this governing body hereby declares that this Order would have been enacted without such invalid provision.

Section 21. EVENTS OF DEFAULT. Each of the following occurrences or events for the purpose of this Order is hereby declared to be an event of default (an “Event of Default”):

- (i) the failure to make payment of the principal of or interest on any of the Current Interest Bonds or the Maturity Value of the Capital Appreciation Bonds when the same becomes due and payable; or
- (ii) default in the performance or observance of any other covenant, agreement or obligation of the Issuer, the failure to perform which materially, adversely affects the rights of the Registered Owners, including, but not limited to, their prospect or ability to be repaid in accordance with this Order, and the continuation thereof for a period of sixty (60) days after notice of such default is given by any Registered Owner to the Issuer.

Section 22. REMEDIES FOR DEFAULT. (a) Upon the happening of any Event of Default, then and in every case, any Owner or an authorized representative thereof, including, but not limited to, a trustee or trustees therefor, may proceed against the Issuer for the purpose of protecting and enforcing the rights of the Owners under this Order, by mandamus or other suit, action or special proceeding in equity or at law, in any court of competent jurisdiction, for any relief permitted by law, including the specific performance of any covenant or agreement contained herein, or thereby to enjoin any act or thing that may be unlawful or in violation of any right of the Owners hereunder or any combination of such remedies.

(b) It is provided that all such proceedings shall be instituted and maintained for the equal benefit of all Owners of Bonds then outstanding.

Section 23. REMEDIES NOT EXCLUSIVE. (a) No remedy herein conferred or reserved is intended to be exclusive of any other available remedy or remedies, but each and every such remedy shall be cumulative and shall be in addition to every other remedy given hereunder or under the Bonds or now or hereafter existing at law or in equity; provided, however, that notwithstanding any other provision of this Order, the right to accelerate the debt evidenced by the Bonds shall not be available as a remedy under this Order.

(b) The exercise of any remedy herein conferred or reserved shall not be deemed a waiver of any other available remedy.

(c) By accepting the delivery of a Bond authorized under this Order, such Owner agrees that the certifications required to effectuate any covenants or representations contained in this Order do not and shall never constitute or give rise to a personal or pecuniary liability or charge against the officers, employees or trustees of the Issuer or the Board of Trustees.

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**SCHEDULE I**  
**SCHEDULE OF AVAILABLE REFUNDED OBLIGATIONS\***

**Unlimited Tax Refunding Bonds, Series 2015**  
**Unlimited Tax School Building Bonds, Series 2015A**

\*The Available Refunded Obligations may be modified to include any other previously issued general or special obligation of the District hereinafter identified and selected by a Pricing Officer as a refunding candidate presenting an opportunity advantageous to the District.

**WICHITA FALLS ISD BOARD OF TRUSTEES**  
**January 21, 2025**

<b>Agenda Item:</b>	RFP 2526-01-S-30 Student Transportation Services		
<b>Administrator Responsible:</b>	Leah Horton, Chief Financial Officer		
<b>Attachments:</b>	None		
<input checked="" type="checkbox"/> Action Needed	<input type="checkbox"/> Future Action	<input type="checkbox"/> Information	<input type="checkbox"/> Report

**Administrative Recommendation:**

That the Wichita Falls Independent School District Board of Trustees approves the recommendation to award the Student Transportation Services RFP 2526-01-S-30 to Goldstar Transit, LP for a period of three (3) years with two (2) 1-year options, as provided by Leah Horton, Chief Financial Officer, and Dr. Donny Lee, Superintendent of Schools.

**Explanation:**

The RFP was issued on the district’s electronic bidding platform and advertised twice in the Times Record News. The online bid was electronically delivered to over fifty vendors, of which nine (9) vendors accessed the bid, and four (4) submitted fully responsive proposals. Lauren Zotz – Director of Purchasing, facilitated the procurement.

Bid evaluation team members include Mr. Scot Hafley – Assistant Superintendent, Dr. Cody Blair, Principal – Legacy High School, Ms. Alex Martin, Principal – McNeil Middle School, Ms. Amy Simmons, Principal – Cunningham Elementary, Ms. Jennifer Spurgers, Principal – Career Education Center and Mr. David Shipley, Special Education Services.

The evaluation of the submitted proposals was held Monday, January 6, 2025. The top two scoring vendors, Durham School Services, LP, and Goldstar Transit, Inc, were invited to deliver presentations in-person on January 14, 2025. Evaluation results identify Goldstar as achieving the highest-ranking RFP score.

Short-listed Vendors	Entity Type	Principal Office City, State	Final Evaluation Score
Goldstar Transit, Inc.	C Corporation	Wall, New Jersey	92.17
Durham School Services, LP	C Corporation	Lisle, Illinois	91.59

**Fiscal Note:**

Home to School routes are paid from the General Fund and Special Education budgets based on the number of SPED students participating. Extracurricular costs are paid from their associated campus or athletic budget.

**WICHITA FALLS ISD BOARD OF TRUSTEES**  
**January 21, 2025**

<b>Agenda Item:</b>	Resolution Authorizing Sale of Surplus Property		
<b>Administrator Responsible:</b>	Leah Horton, Chief Financial Officer		
<b>Attachments:</b>	Resolution to Sell Kirby Middle School Property		
<input checked="" type="checkbox"/> Action Needed	<input type="checkbox"/> Future Action	<input type="checkbox"/> Presentation	<input type="checkbox"/> Report

**Administrative Recommendation:**

That the Wichita Falls Independent School District Board of Trustees approve the resolution authorizing the sale of the district’s former Kirby Middle School property, as submitted by Leah Horton, Chief Financial Officer, and as recommended by Dr. Donny Lee, Superintendent of Schools.

**Explanation:**

The district has identified vacant properties in its portfolio, which it intends to sell as part of its long-range goals to consolidate campuses. The consolidation of campuses will enable the district to optimize its resources, reduce costs, and further streamline its operations, resulting in enhanced efficiency and effectiveness, and reduced risk. The district's strategy to sell its vacant properties is aligned with its broader objectives of supporting financial sustainability, enhancing its service delivery, and meeting the evolving needs of its students and constituents.

The district's leadership is required to be transparent and accountable in the process of the sale of its properties and ensure all relevant legal and regulatory requirements are met. As the district moves forward with its consolidation plans, it remains steadfast in its mission to provide quality education and services to its students.

**RESOLUTION OF THE BOARD OF TRUSTEES OF  
WICHITA FALLS INDEPENDENT SCHOOL DISTRICT**

**Date:** January 21, 2025

**Seller:** Wichita Falls Independent School District

**Property:** **Former Kirby Middle School, 1715 Loop 11** – Property consisting of 17.41 acres located at LOT 3 BLK 1 SEC 3 LYNWOOD WEST 3, with a former school building consisting of an estimated 120,990 square feet.

**WHEREAS**, the Board of Trustees of Wichita Falls ISD determines that Property is no longer necessary for the operation of the school district and desires to sell Property; and

**WHEREAS**, the Board of Trustees is authorized to sell the surface estate of the Property under Section 11.154(a) of the Texas Education Code, which provides that “The board of trustees of an independent school district may, by resolution, authorize the sale of any property held in trust for public school purposes”; and

**WHEREAS**, Board of Trustees is making this resolution for the purposes of authorizing the sale of the surface estate of the Property;

**NOW, THEREFORE**, be it

**RESOLVED**, that Board of Trustees authorizes the sale of the Property in accordance with Sections 11.154(a) of the Texas Education Code, and directs the Superintendent to take all necessary steps to advertise the sale of the Property in accordance with Section 272.001 of the Texas Local Government Code; and be it further;

**RESOLVED**, that the Board of Trustees authorizes the Superintendent to negotiate a contract for the sale of the Property with the winning bidder, subject to Board approval of the final terms of the contract; and be it further;

**RESOLVED**, that the undersigned President of the Board of Trustees is authorized and directed to execute any and all instruments appropriate or necessary to effectuate the sale of the Property.

**APPROVED** by Wichita Falls ISD Board of Trustees at a meeting held on the 21st day of January, 2025, in accordance with the Texas Open Meetings Act and containing a posted agenda item for deliberation regarding sale of real estate, by a vote of \_\_\_\_ to \_\_\_\_.

By: \_\_\_\_\_  
President Board of Trustees

ATTEST:

By: \_\_\_\_\_  
Secretary of the Board

**WICHITA FALLS ISD BOARD OF TRUSTEES**  
**January 21, 2025**

<b>Agenda Item:</b>	Resolution Authorizing Sale of Surplus Property		
<b>Administrator Responsible:</b>	Leah Horton, Chief Financial Officer		
<b>Attachments:</b>	Resolution to Sell Sam Houston Elementary Property		
<input checked="" type="checkbox"/> Action Needed	<input type="checkbox"/> Future Action	<input type="checkbox"/> Presentation	<input type="checkbox"/> Report

**Administrative Recommendation:**

That the Wichita Falls Independent School District Board of Trustees approve the resolution authorizing the sale of the district’s former Sam Houston Elementary property, as submitted by Leah Horton, Chief Financial Officer, and as recommended by Dr. Donny Lee, Superintendent of Schools.

**Explanation:**

The district has identified vacant properties in its portfolio, which it intends to sell as part of its long-range goals to consolidate campuses. The consolidation of campuses will enable the district to optimize its resources, reduce costs, and further streamline its operations, resulting in enhanced efficiency and effectiveness, and reduced risk. The district's strategy to sell its vacant properties is aligned with its broader objectives of supporting financial sustainability, enhancing its service delivery, and meeting the evolving needs of its students and constituents.

The district's leadership is required to be transparent and accountable in the process of the sale of its properties and ensure all relevant legal and regulatory requirements are met. As the district moves forward with its consolidation plans, it remains steadfast in its mission to provide quality education and services to its students.

**RESOLUTION OF THE BOARD OF TRUSTEES OF  
WICHITA FALLS INDEPENDENT SCHOOL DISTRICT**

**Date:** January 21, 2025

**Seller:** Wichita Falls Independent School District

**Property:** **Former Sam Houston Elementary School, 2500 Grant Street** – Property consisting of 4.69 acres located at LOT 1 BLK 59B HIGHLAND, with a former school building consisting of an estimated 39,200 square feet.

**WHEREAS**, the Board of Trustees of Wichita Falls ISD determines that Property is no longer necessary for the operation of the school district and desires to sell Property; and

**WHEREAS**, the Board of Trustees is authorized to sell the surface estate of the Property under Section 11.154(a) of the Texas Education Code, which provides that “The board of trustees of an independent school district may, by resolution, authorize the sale of any property held in trust for public school purposes”; and

**WHEREAS**, Board of Trustees is making this resolution for the purposes of authorizing the sale of the surface estate of the Property;

**NOW, THEREFORE**, be it

**RESOLVED**, that Board of Trustees authorizes the sale of the Property in accordance with Sections 11.154(a) of the Texas Education Code, and directs the Superintendent to take all necessary steps to advertise the sale of the Property in accordance with Section 272.001 of the Texas Local Government Code; and be it further;

**RESOLVED**, that the Board of Trustees authorizes the Superintendent to negotiate a contract for the sale of the Property with the winning bidder, subject to Board approval of the final terms of the contract; and be it further;

**RESOLVED**, that the undersigned President of the Board of Trustees is authorized and directed to execute any and all instruments appropriate or necessary to effectuate the sale of the Property.

**APPROVED** by Wichita Falls ISD Board of Trustees at a meeting held on the 21st day of January, 2025, in accordance with the Texas Open Meetings Act and containing a posted agenda item for deliberation regarding sale of real estate, by a vote of \_\_\_\_ to \_\_\_\_.

By: \_\_\_\_\_  
President Board of Trustees

ATTEST:

By: \_\_\_\_\_  
Secretary of the Board

**WICHITA FALLS ISD BOARD OF TRUSTEES  
JANUARY 21, 2025**

<b>Agenda Item:</b>	Applicant Pool		
<b>Administrator Responsible:</b>	Dayna Hardaway, Director of Human Resources		
<b>Attachments:</b>	Applicant Pool		
<input checked="" type="checkbox"/> Action Needed	<input type="checkbox"/> Future Action	<input type="checkbox"/> Presentation	<input type="checkbox"/> Report

**Administrative Recommendation:**

That the Wichita Falls Independent School District Board of Trustees approve the proposed applicant pool as submitted by Dayna Hardaway, Director of Human Resources, and as recommended by Dr. Donny Lee, Superintendent of Schools.

## APPLICANTS TO BE APPROVED BY THE BOARD OF EDUCATION

**January 21, 2025**

### CERTIFIED APPLICANT POOL

Name	Certification	University	Yrs of Exp	Position/Assignment	Previous District
*Sullivan, Megan	Core Subjects w/STR Grades (EC-6)	Western Governors University Bachelor's	NA	Teacher Booker T. Washington Replacing Shiloh Cline	NA
***Riviere, Tyisha	Special Education Grades (EC-12)	Grambling University Bachelor's	NA	Teacher Fain Elementary Replacing Michael Woods in-district move	NA
***Joseph, Shirlyn	Core Subjects w/STR Grades (EC-6)	Midwestern State University Bachelor's & Master's	NA	Teacher Fain Elementary Replacing Andrea Ramos on-campus move	NA
***Thomas, Kimberly	Core Subjects w/STR Grades (EC-6)	Southwestern Oklahoma State University Bachelor's	1	Teacher Burgess Elementary Replacing Dana Griffin	WFISD

*Asterisk indicates Contract Addendum Required. See key below.*

*\* Enrolled in an Alternative Certification Program*

*\*\* One-year out-of state Certification*

*\*\*\*Emergency Permit*

*\*\*\*\* Non-Renewal Permit*

*DOI = District of Innovation*

**APPLICANTS TO BE APPROVED BY THE BOARD OF TRUSTEES**

**January 21, 2025**

**Addendum**

<b>Name</b>	<b>Certification</b>	<b>University</b>	<b>Yrs of Exp</b>	<b>Position/Assignment</b>	<b>Previous District</b>
*Chartier, Mitchell		Tarleton State University Bachelor's	NA	Teacher Denver Alternative Center	NA

*Asterisk indicates Contract Addendum Required. See key below.*

*\* Enrolled in an Alternative Certification Program*

*\*\* One-year out-of state Certification*

*\*\*\*Emergency Permit*

*\*\*\*\* Non-Renewal Permit*

*DOI = District of Innovation*



**Resolution of the Wichita Falls Independent School District regarding the nomination of Superintendent of Schools Donny Lee for Texas Association of School Boards.**

Whereas, Wichita Falls ISD continues to make significant strides for students, staff, and families under Dr. Lee’s leadership;

Whereas, Dr. Lee has worked in concert with the Board of Trustees and ensured a cohesive Team of eight culture is the standard;

Whereas, Dr. Lee and his team have been good stewards of public funds and have made several decisions that have positively impacted the financial future of WFISD;

Whereas, Dr. Lee and his team have ensured all elementary students have math and reading curriculum;

Now, therefore, BE IT RESOLVED that the Wichita Falls ISD Board of Trustees hereby:

Endorses the nomination of Donny Lee for the 2025 Texas Association of School Boards Superintendent of the Year.

Approved the 21st day of January, 2025

Wichita Falls Independent School District Board of Trustees  
By:

\_\_\_\_\_  
Mark Lukert, Board President

\_\_\_\_\_  
Susan Grisel, Vice President

\_\_\_\_\_  
Sandy Camp, Secretary

\_\_\_\_\_  
Diann Scroggins

\_\_\_\_\_  
Jim Johnson

\_\_\_\_\_  
John Barnard

\_\_\_\_\_  
Katherine McGregor