

# Agenda of Regular

## The Board of Trustees El Campo Independent School District

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A Regular of the Board of Trustees of El Campo Independent School District will be held February 20, 2006, beginning at 7:00 PM in the Boardroom, 700 W. Norris, El Campo, TX 77437.

The subjects to be discussed are as listed below.

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| 24. Consider Approval of Proposal to Purchase Two Additional Two-Classroom Modular Buildings for Myatt Elementary  | 74  |
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| 2. DAB (LOCAL) EMPLOYMENT OBJECTIVES OBJECTIVE CRITERIA FOR PERSONNEL DECISIONS  |     |
| 3. DBA (LOCAL) EMPLOYMENT REQUIREMENTS AND RESTRICTIONS CREDENTIALS AND RECORDS  |     |
| 4. EFAA (LOCAL) INSTRUCTIONAL MATERIALS SELECTION AND ADOPTION TEXTBOOK SELECTION AND ADOPTION   |     |
| D. Announcement of Individual Board Member Training Hours Since May 2005   | 98  |
| 28. CPC (LOCAL) OFFICE MANAGEMENT RECORDS MANAGEMENT   |     |
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| 32. Review the First Draft of District Goals   | 102 |
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| 35. The Board Will Meet in Closed Session in Accordance With Texas Government Code § 551.074, Personnel Matters, to Deliberate the Appointment, Employment, Evaluation, Reassignment, Duties, Discipline, or Dismissal of a Public Officer or Employee; Specifically, the Board Will Discuss the Superintendent's Recommendations on Administrator Contracts |     |
| 36. Personnel  |     |

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| A. Consider Approval of Superintendent's Recommendations on Administrator Contracts  |     |
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| A. Update on New Middle School and Old High School Gym Replacement Projects  | 119 |
| B. Review Fourth Six Weeks Enrollment, Attendance, and Effect on Foundation School Program State Funding   |     |
| C. Discuss the Possibility of a Workshop on Wednesday, March 08, 2006, to Review the Program of Requirements and/or Schematic Design With RWS Architects |     |
| D. Discuss Life Tracks Graduate Tracking Program   |     |
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| 39. Discuss of AIMS for Success Abstinence Education Program for Grades 6-12   |     |
| 40. Review Information From Northside Center, Inc.   |     |
| 41. Adjournment  |     |

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*If, during the course of the meeting, discussion of any item on the agenda should be held in a closed meeting, the Board will conduct a closed meeting in accordance with the Texas Open Meetings Act, Government Code, Chapter 551, Subchapters D and E. 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 Meeting Act on February 17, 2006

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For the Board of Trustees

**Agenda Item Summary Sheet (6 C)**  
**Meeting Date: February 20, 2006**  
**Submitted by: Mark Pool, Superintendent**

## ***Information Only***

|  |   |
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| <b>Curriculum and Instruction</b>                    | State Compensatory Education Program Improvement Plan   |
| <b>Summary</b>                                       | Last month the Board approved the annual evaluation of our State Compensatory Education Program. Based upon our self-evaluation of this program we have developed an improvement plan for your review.  |
| <b>ECISD Board Policy</b>                            | EHBC (LEGAL), SPECIAL PROGRAMS: COMPENSATORY / ACCELERATED SERVICES   |
| <b>Effective Date</b>                                | February 20, 2006.  |
| <b>Previous Board Action</b>                         | The current improvement plan for our State Compensatory Education Program was reviewed by the Board at a regular meeting on February 21, 2005.  |
| <b>Future Action Expected</b>                        | The Board will review the State Compensatory Education Program Improvement Plan next in February 2007.  |
| <b>Background Information and Significant Issues</b> | <p>The State Compensatory Education Program Improvement Plan has the following goals and objectives:</p> <p><b>Goal 1:</b> At-Risk students will meet or exceed all State standards.</p> <p><b>Objective 1:</b> By the end of school year 2006-2007, at-risk students will meet or exceed State requirements on State Assessments.</p> <p><b>Objective 2:</b> Increase parental involvement for at-risk students.</p> <p><b>Objective 3:</b> Increase opportunity for teachers to attend research based staff development to better serve at-risk students.</p> |
| <b>Fiscal Impact</b>                                 | Cost of strategies for accomplishment of objectives. [Reference Improvement Plan document.]   |
| <b>Student and Public Benefit</b>                    | Program evaluation and improvement planning will provide an environment of continuous improvement of all programs for all students.   |

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| <b>Procedural and Reporting Implications</b> | None.  |
| <b>Public Comments</b>                       | None.  |
| <b>Alternatives</b>                          | None.  |
| <b>Other Comments and Related Issues</b>     | None.  |
| <b>Attachments</b>                           | <i>ECISD State Compensatory Education Program Improvement Plan, 2006-07.</i>                         |
| <b>Contact Person(s)</b>                     | Carolyn Gordon, Assistant Superintendent of Curriculum and Instruction                               |
| <b>Action Required</b>                       | None.  |
| <b>Superintendent's Recommendation</b>       | This is an information item only. No action required.<br><b>Mark Pool, Superintendent of Schools</b> |

## ECISD State Compensatory Education Program Improvement Plan 2006-07

Goal: At-Risk students will meet or exceed all State standards.

Objective: 1 By the end of school year 2006-2007, at-risk students will meet or exceed State requirements on State Assessments.

| Activity/Strategy  | Person Responsible  | Timeline  | Resources Needed   | Cost Estimate | Formative Evaluation   | Summative Evaluation   |
|--|---|---|--|---------------|--|--|
| 1. Continue to disaggregate data on at-risk students and develop plans that will meet their needs.     | Diann Srubar<br>Rodney Montello<br>Liz Graves<br>Dollie Coleman<br>Kim Chiles | August 2006<br>November 2006<br>January 2007<br>May 2007                        | All principals<br>Teachers<br>Tana Martin,<br>Testing<br>Coordinator<br>All Counselors | None          | Disaggregated data<br>Benchmark results                        | Increased performance on TAKS, RPTE, SDAA II, TAKS I, & TELPAS |
| 2. Provide intervention activities for at-risk students needing additional instruction at grades K-12. | Diann Srubar<br>Rodney Montello<br>Liz Graves<br>Dollie Coleman<br>Kim Chiles | September 2006<br>November 2006<br>December 2006<br>February 2007<br>April 2007 | Teachers<br>Counselors<br>At-risk<br>Counselor<br>Intervention<br>Team                 | SCE funds     | List of at-risk students<br>Agendas from intervention meetings | Improved student performance for at-risk students              |

## ECISD State Compensatory Education Program Improvement Plan 2006-07

| Activity/Strategy  | Person Responsible  | Timeline  | Resources Needed  | Cost Estimate | Formative Evaluation                         | Summative Evaluation                              |
|--|---|---|---|---------------|--|---|
| 3. Monitor at-risk students' performance and assign to the appropriate learning lab as needed. | Diann Srubar<br>Rodney Montello<br>Liz Graves<br>Dollie Coleman<br>Kim Chiles | September 2006<br>November 2006<br>December 2006<br>February 2007<br>April 2007 | All teachers<br>At-risk<br>Counselor<br>Learning Labs<br>(Fast ForWord,<br>AMI, Credit<br>Recovery) | SCE funds     | List of students attending and progress made | Improved student performance on State Assessments |

## ECISD State Compensatory Education Program Improvement Plan 2006-07

Objective: 2 Increase parental involvement for at-risk students.

| Activity/Strategy   | Person Responsible  | Timeline                        | Resources Needed                     | Cost Estimate | Formative Evaluation   | Summative Evaluation        |
|---|---|---------------------------------|--------------------------------------|---------------|--|-----------------------------|
| 1. Continue to provide communication to all parents regarding state and local testing mandates. | Diann Srubar<br>Rodney Montello<br>Liz Graves<br>Dollie Coleman<br>Kim Chiles | September 2006<br>February 2007 | Principals<br>Teachers<br>Counselors | None          | Letters<br>Brochures<br>Sign-in sheets<br>from Parent<br>Conferences | 100% of parents<br>informed |

## ECISD State Compensatory Education Program Improvement Plan 2006-07

Objective 3: Increase opportunity for teachers to attend research based staff development to better serve at-risk students

| Activity/Strategy   | Person Responsible  | Timeline                       | Resources Needed  | Cost Estimate | Formative Evaluation                      | Summative Evaluation   |
|---|---|--------------------------------|---|---------------|---|--|
| 1. Continue to train teachers and counselors on strategies to meet the needs of at-risk students. | Diann Srubar<br>Rodney Montello<br>Liz Graves<br>Dollie Coleman<br>Kim Chiles | September 2006<br>January 2007 | Region III<br>Carolyn<br>Gordon, Asst.<br>Supt. For<br>Instruction                  | SCE funds     | List of teachers attending training       | Increased number of teachers & counselors attending training |
| 2. Continue to provide teachers the opportunity to attend Capturing Kids Hearts conference.       | Diann Srubar<br>Rodney Montello<br>Liz Graves<br>Dollie Coleman<br>Kim Chiles | September 2006<br>January 2007 | Carolyn<br>Gordon, Asst.<br>Supt. For Inst.<br>Capturing Kids<br>Hearts<br>material | SCE funds     | List of teachers and counselors attending | Increased number of personnel trained                        |

**Agenda Item Summary Sheet (2-A)**  
**Meeting Date: February 20, 2005**  
**Submitted by: Mark Pool, Superintendent**

|  |  |
|--|--|
| <b>Public Hearing</b>                                | Conduct a Public Hearing on the request for an Early Start Date Waiver   |
| <b>Summary</b>                                       | <p>According to <i>Texas Education Code § 25.0811</i> the District may not begin instruction for students for a school year before the week in which August 21 falls, with Sunday being considered the first day of the week.</p> <p>A district may, however apply for a waiver from this statutory requirement under <i>Texas Education Code § 7.056</i>. Under this process, at least 60 days before the date the District submits the application for a waiver, the District must publish notice in a newspaper having general circulation in the District. The notice must state that the District intends to apply for a waiver of the prohibition concerning the date of the first day of instruction for students; and must specify the date on which the District intends to begin instruction for students.</p> <p>In addition, the District must hold a public hearing concerning the date of the first day of instruction for students. The application for a waiver must include a summary of opinions expressed at the public hearing, including any consensus of opinion expressed concerning the date of the first day of instruction for students.</p> |
| <b>ECISD Board Policy</b>                            | EB (LOCAL), SCHOOL YEAR  |
| <b>Effective Date</b>                                | February 20, 2006  |
| <b>Previous Board Action</b>                         | <p>At a regular meeting on October 17, 2005, the Board established parameters for the development of the 2006-2007 School Calendar.</p> <p>At a regular meeting on December 12, 2005, the Board approved the School Calendar for 2006-2007 as recommended by the calendar committee.</p>   |
| <b>Future Action Expected</b>                        | None.  |
| <b>Background Information and Significant Issues</b> | On October 17, 2005 the Board established parameters for the development of the 2006-2007 school calendar; more specifically, that school was not to start earlier than the Wednesday before the state mandate and end by June 1, with consideration of not taking a week long holiday at Thanksgiving   |

and finishing before Memorial Day.

In accordance with those parameters, the calendar committee selected two calendars from eleven proposed calendars that were submitted from the five campuses, Central Office, and Meadow Lane Resource Center. These two calendars were distributed to the faculty and staff and voted on. A total of 421 eligible voters cast 332 ballots. The vote tally was 293 for Calendar No. 1 and 39 for Calendar No. 2.

Calendar No. 1 was recommended by the calendar committee and approved by the Board of Trustees at the regular meeting on December 12, 2005.

The first day of instruction for students on Calendar No. 1 is Wednesday, August 16. Since this is prior to the start date established by statute, which this year is Monday, August 21, a waiver request must be submitted to the Texas Education Agency

In order to get community input for the waiver request, a survey was sent home with all students seeking input from parents. To obtain input from others in the community, an on-line survey on the district's website was also conducted.

There were a total of 1,377 parent surveys returned. 880 agreed with the early start date, 325 were neutral, and 172 (12.5%) disagreed with the early start date.

Data from the on-line survey, which can accept votes from all over the world from anyone that has access to the Internet, shows that 107 legitimate responses were recorded. (If it was obvious that someone was voting multiple times in succession from the same IP address, those votes were counted only once.) 57 of those agreed with the early start date and 50 disagreed.

The Districtwide Education Improvement Council (district site-based committee) approved the waiver request on February 13.

**Fiscal Impact**

None.

**Student and Public Benefit**

Public Hearings afford the general public the opportunity to voice their concerns regarding the issue at hand.

**Procedural and Reporting Implications**

Following the public hearing the Board will be asked to vote on the waiver request and the request must be submitted to the Texas Education Agency.

**Public Comments**

None.

**Alternatives**

None.

**Other Comments and Related Issues**

None.

**Attachments**

- School Calendar Survey Results

**Contact Person(s)**

Carolyn Gordon, Assistant Superintendent of Curriculum and Instruction

**Action Required**

The Board will need to approve the waiver request as an action item under the Governance section of the agenda.

**Superintendent's Recommendation**

None at this time.

**Mark Pool, Superintendent of Schools**

To: Board of Trustees  
Mark Pool, Superintendent

From: Carolyn Gordon

Date: February 10, 2006

Re: School Calendar Survey

At the December 12, 2005 school board meeting the Board approved adopting the 2006-2007 school calendar that required a waiver to begin school on August 16. When requesting a waiver, it is recommended to get community input. A survey was sent home with all students seeking input from the community. Also, a survey for the same purpose was put on the district web site. The following is the results from the survey:

A total of **1377** home surveys were returned

| <b>Agree</b> | <b>Neutral</b> | <b>Disagree</b> |
|--------------|----------------|-----------------|
| 880          | 325            | 172             |

A total of **107** online surveys were returned

| <b>Agree</b> | <b>Disagree</b> |
|--------------|-----------------|
| 57           | 50              |

**Agenda Item Summary Sheet (4 A-B)**  
**Meeting Date: February 20, 2006**  
**Submitted by: Mark Pool, Superintendent**

|  |   |
|--|---|
| <b>Consent Agenda</b>                                | A. Minutes of the Regular Meeting held on January 23, 2006.<br>B. Minutes of the Special Meeting held on February 06, 2006 for the purpose of conducting a district goal setting workshop.  |
| <b>Summary</b>                                       | According to policy BE (LOCAL), BOARD MEETINGS, MINUTES, board action shall be carefully recorded by the secretary or clerk; when approved, these minutes shall serve as the legal record of official Board actions. The written minutes of all meetings shall be approved by vote of the Board and signed by the President and the Secretary of the Board. |
| <b>ECISD Board Policy</b>                            | BE (LOCAL), BOARD MEETINGS  |
| <b>Effective Date</b>                                | February 20, 2006.  |
| <b>Previous Board Action</b>                         | None.   |
| <b>Future Action Expected</b>                        | The Board approves minutes at each regular monthly meeting.   |
| <b>Background Information and Significant Issues</b> | None.   |
| <b>Fiscal Impact</b>                                 | None.   |
| <b>Student and Public Benefit</b>                    | An accurate record of all discussions and actions by the Board of Trustees is maintained.   |
| <b>Procedural and Reporting Implications</b>         | After approval minutes are filed with the official records of the District.   |
| <b>Public Comments</b>                               | None.   |
| <b>Alternatives</b>                                  | None.   |

**Other Comments and Related Issues**

None

**Attachments**

Minutes of regular and special meetings held on the following dates:

- Regular Meeting – January 23, 2006
- Special Meeting – February 06, 2006

**Contact Person(s)**

Dianne Cerny, Executive Secretary

**Action Required**

Approval of Consent Agenda.

**Superintendent's Recommendation**

I recommend you approve the minutes of previous meetings as part of the consent agenda.

**Mark Pool, Superintendent of Schools**

**MINUTES OF THE BOARD OF TRUSTEES  
EL CAMPO INDEPENDENT SCHOOL DISTRICT  
February 6, 2006**

The Board of Trustees of the El Campo Independent School District met in a workshop session February 6, 2006 at 6:00 p.m. in the Multipurpose Room at the Meadow Lane Resource Center, 2620 Meadow Lane, El Campo, Texas.

**MEMBERS PRESENT:** Adam Gusman, Lisa Hernandez, Judy Waligura, Melissa Erwin, Tommy Turner, Ronny Collins

**MEMBERS ABSENT:** Bill Kyle

**OTHERS PRESENT:** Mark Pool, Carolyn Gordon, David Bright

The meeting was called to order at 6:05 by Ronny Collins. The invocation was given by Lisa Hernandez followed by the pledge.

***ACTION ITEM***

**CONSIDER APPROVAL OF APPLICATION FOR PAYMENT NO. 2 FROM TAC AMERICAS, INC. IN THE AMOUNT OF \$327,092.89 FOR PERFORMANCE CONTRACT**

**ENERGY RETROFIT:** A motion was made by Judy Waligura and seconded by Tommy Turner to approve payment number two to TAC Americas, Inc. in the amount of \$327,092.89 for performance contract energy retrofit. Motion carried unanimously.

**BOARD GOAL SETTING WORK SESSION:** Mark Pool conducted a workshop to aide the Board in its endeavor to identify goals and devise strategies to implement those goals.

There being no further discussion, the meeting adjourned at 9:33 p.m.

DRAFT

\_\_\_\_\_  
President

\_\_\_\_\_  
Secretary

**Agenda Item Summary Sheet (4 C)**  
**Meeting Date: February 20, 2005**  
**Submitted by: Mark Pool, Superintendent**

**Consent Agenda**

**Budget Amendment**

**Summary**

According to district policy, the budget shall be amended when a change is made increasing any one of the functional spending categories.

Amendment No. 1 adds \$194,560 to revenue and distributes the same amount to expenditure accounts to allocate funds received from the sale of WADA to Llano ISD for the 2005-2006 school year.

Amendment No. 2 appropriates funds to pay for deaf education interpreter services by transferring \$40,000 from the funds appropriated for occupational therapy services.

**ECISD Board Policy**

CE (LOCAL), ANNUAL OPERATING BUDGET

**Effective Date**

February 20, 2006.

**Previous Board Action**

The Board approved the 2005-2006 General Operating Budget on August 29, 2005.

**Future Action Expected**

The Board is required to amend the budget when a change increases any one of the functional spending areas.

**Background Information and Significant Issues**

None.

**Fiscal Impact**

Amendment No. 1 adds \$194,560 to both the revenue and expenditure sides of the budget.

Amendment No. 2 simply transfers funds from one expenditure account to another.

**Student and Public Benefit**

Accurate accounting for the expenditure of public funds.

**Procedural and Reporting Implications**

Record the official budget amendment and make the necessary changes in the general operating budget.

|  |   |
|--|---|
| <b>Public Comments</b>                   | None.   |
| <b>Alternatives</b>                      | None.   |
| <b>Other Comments and Related Issues</b> | None  |
| <b>Attachments</b>                       | Proposed Budget Amendment(s)  |
| <b>Contact Person(s)</b>                 | David Bright, Assistant Superintendent of Finance and Operations  |
| <b>Action Required</b>                   | Approval of Consent Agenda.   |
| <b>Superintendent's Recommendation</b>   | I recommend you approve these budget amendments as part of the consent agenda.<br><b>Mark Pool, Superintendent of Schools</b> |

**EL CAMPO INDEPENDENT SCHOOL DISTRICT**  
**700 WEST NORRIS STREET**  
**EL CAMPO, TEXAS 77437**  
**(979) 543-6771**  
**(979) 543-1670 FAX**

February 20, 2006

DATE

2005/06

BUDGET YEAR

TO: Board of Trustees

FROM: David Bright *KWB 2-9-06*  
Assistant Superintendent for Finance

RE: Budget Amendment(s)

Due to a change in financial requirements, I request the following budget amendments:

**AMENDMENT #1**

| BUDGET CODE               | ACCOUNT NAME                | BUDGET | AMENDED   | CHANGE+-   |
|---------------------------|-----------------------------|--------|-----------|------------|
| 199 00 5721 00 000 600000 | Revenue Gain-WADA sale      | \$ 0   | \$194,560 | +\$194,560 |
| 199 11 61xx 00 699 624WAD | Opt.Ext.Yr. Sal & Benefits  | \$ 0   | \$ 23,000 | +\$ 23,000 |
| 199 11 6299 00 xxx 611WAD | Misc. Contracted Services   | \$ 0   | \$ 17,500 | +\$ 17,500 |
| 199 11 6397 00 xxx 611WAD | Inventory Items-Tech Equip. | \$ 0   | \$ 52,210 | +\$ 52,210 |
| 199 11 6399 00 xxx 611WAD | General Supplies            | \$ 0   | \$ 24,500 | +\$ 24,500 |
| 199 11 6399 00 699 624WAD | Opt.Ext.Yr. Supplies        | \$ 0   | \$ 1,000  | +\$ 1,000  |
| 199 11 6639 00 xxx 611WAD | F/A Equip. over \$5,000     | \$ 0   | \$ 64,000 | +\$ 64,000 |
| 199 12 6397 00 xxx 611WAD | Inventory Items             | \$ 0   | \$ 2,550  | +\$ 2,550  |
| 199 21 6319 00 999 699WAD | Tech Supplies for M & O     | \$ 0   | \$ 5,000  | +\$ 5,000  |
| 199 23 61xx 00 699 624WAD | Opt.Ext.Yr. Sal & Benefits  | \$ 0   | \$ 3,300  | +\$ 3,300  |
| 199 34 61xx 00 699 624WAD | Salaries-Summer Trans.      | \$ 0   | \$ 1,500  | +\$ 1,500  |

To allocate funds received from W.A.D.A. sale for 2005-06 school year.

**EL CAMPO INDEPENDENT SCHOOL DISTRICT**  
**700 WEST NORRIS STREET**  
**EL CAMPO, TEXAS 77437**  
**(979) 543-6771**  
**(979) 543-1670 FAX**

**AMENDMENT #2**

| BUDGET CODE               | ACCOUNT NAME               | BUDGET    | AMENDED   | CHANGE+-    |
|---------------------------|----------------------------|-----------|-----------|-------------|
| 199 11 6219 00 102 623W00 | Other Professional Svcs.   | \$ 0      | \$ 40,000 | + \$ 40,000 |
| 437 11 6216 00 751 623W00 | Occupational Therapy Svcs. | \$ 63,048 | \$ 23,048 | - \$ 40,000 |

Appropriate funds to pay for Deaf Education Interpreter Services.

|  |   |
|--|---|
| <b>Consent Agenda</b>                                | Review of Monthly Financial Reports for Month of January  |
| <b>Summary</b>                                       | <p>Although there is no statutory or policy requirement for the Board to do so, reviewing the Monthly Financial Report is a good practice for the Board to follow in overseeing the management of the District.</p> <p>The report provides the Board with a current comparison of actual revenue and expenditures to the budget adopted for the General Fund.</p> <p>The Tax Collections Report provides the Board with the District's current tax collections for the fiscal year.</p>                           |
| <b>ECISD Board Policy</b>                            | None.   |
| <b>Effective Date</b>                                | January 31, 2006  |
| <b>Previous Board Action</b>                         | Approval of 2005-2006 General Operating Budget on August 29, 2005.  |
| <b>Future Action Expected</b>                        | The Board will review the monthly financial statements at each regular monthly board meeting.   |
| <b>Background Information and Significant Issues</b> | <p>Audited fund balance in General Fund as of August 31, 2005 is \$6,825,620, as published in the <i>El Campo Independent School District Comprehensive Annual Financial Report for the Year Ended August 31, 2005</i>, Exhibit G-1, Page 32.</p> <p>20% of budgeted General Fund amended expenditures for 2005-2006 is: <math>\\$24,386,435 \times .20 = \\$4,877,293</math>.</p> <p>Estimated fund balance currently exceeds 20% goal by \$1,948,327; currently at 27.99% of amended expenditure estimates.</p> |
| <b>Fiscal Impact</b>                                 | None.   |
| <b>Student and Public Benefit</b>                    | Closely monitoring actual revenue and expenditures as compared to the adopted budget each month helps to ensure the efficient use of public funds.  |

**Procedural and Reporting Implications** None.

**Public Comments** None.

**Alternatives** None.

**Other Comments and Related Issues** **Financial Report.** In the General Operating Fund, we have currently received 66.11% of our amended revenue projections; and expended or encumbered 37.91% of our amended expenditure estimates.

Compared to the same time last year, our revenue has increased by \$296,113 and our expenditures have decreased by \$682,598.

**Tax Collection Report.** Our beginning tax levy of \$11,929,074 has been adjusted by (\$19,490) giving us a new adjusted levy of \$11,909,584; and we have currently collected \$9,821,790 which amounts to 82.47% of the adjusted levy. This leaves an uncollected balance of \$2,087,794.

Delinquent collections YTD are \$94,613 plus \$37,919 in penalty and interest.

**Cash Flow Report.** The following spreadsheet shows the actual cash flow compared to the projected (historical) cash flow for the month of January.

|              | Month       |             |             | Year-to-Date |              |               |
|--------------|-------------|-------------|-------------|--------------|--------------|---------------|
|              | Historical  | Current     | Difference  | Historical   | Current      | Difference    |
| Revenue      | \$5,788,160 | \$5,514,092 | (\$274,068) | \$15,825,227 | \$16,121,341 | \$296,114     |
| Expenditures | \$2,318,088 | \$2,031,749 | (\$286,339) | \$9,373,677  | \$8,343,990  | (\$1,029,687) |

- Attachments**
- Monthly Financial Report – February 20, 2006
  - Tax Collection Recap 2005-2006
  - Cash Flow Report 2005-2006

**Contact Person(s)** David Bright, Assistant Superintendent of Finance and Operations

**Action Required** No Action Required. This is an information report only.

**Superintendent's Recommendation** Information only.  
**Mark Pool, Superintendent of Schools**

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| <b>EL CAMPO INDEPENDENT SCHOOL DISTRICT</b><br><b>MONTHLY FINANCIAL REPORT</b><br><b>February 20, 2006</b> |
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**Comparison of Revenue and Expenditures  
to the Budget for the General Operating Fund  
9-1-05 to 1-31-06**

**ESTIMATED REVENUE:**

|                         | <i>Original<br/>Budget</i> | <i>Amended<br/>Budget</i> | <i>Revenue<br/>Realized</i> | <i>Revenue<br/>Balance</i> |
|-------------------------|----------------------------|---------------------------|-----------------------------|----------------------------|
| <b>Local:</b>           | \$12,490,379               | \$12,490,379              | \$10,605,535                | (\$1,884,844)              |
| <b>State:</b>           | \$10,697,962               | \$10,697,962              | \$5,166,751                 | (\$5,531,211)              |
| <b>Federal:</b>         | \$925,302                  | \$925,302                 | \$331,510                   | (\$593,792)                |
| <b>Other Resources:</b> | \$0                        | \$272,792                 | \$17,545                    | \$17,545                   |
| <b>Total:</b>           | \$24,113,643               | \$24,386,435              | \$16,121,340                | (\$8,265,095)              |

**ESTIMATE EXPENDITURES:**

|  | <i>Original<br/>Budget</i> | <i>Amended<br/>Budget</i> | <i>Expended</i> | <i>Outstanding<br/>Encumbrances</i> | <i>Expenditures<br/>Year to Date</i> | <i>Balance<br/>for Year</i> |
|--|----------------------------|---------------------------|-----------------|-------------------------------------|--------------------------------------|-----------------------------|
|  | \$24,113,643               | \$24,386,435              | \$8,343,990     | \$900,697                           | \$9,244,687                          | \$15,141,748                |

**COMPARISONS TO JANUARY 31 OF PRIOR YEAR:**

|                       | <i>2004-2005</i> | <i>2005-2006</i> | <i>Increase/<br/>Decrease</i> |
|-----------------------|------------------|------------------|-------------------------------|
| <b>Revenues:</b>      | \$15,825,227     | \$16,121,340     | \$296,113                     |
| <b>Expenditures:</b>  | \$9,927,285      | \$9,244,687      | (\$682,598)                   |
| <b>Cash Position:</b> | \$14,005,392     | \$14,421,739     | \$416,347                     |

PRIOR MONTH CASH POSITION as of 12/31/05: \$12,301,075

|   |                    |
|---|--------------------|
| <b>GENERAL FUND - FUND BALANCE as of 8-31-03:</b> | <b>\$4,962,852</b> |
| <b>GENERAL FUND - FUND BALANCE as of 8-31-04:</b> | <b>\$5,727,066</b> |
| <b>GENERAL FUND - FUND BALANCE as of 8-31-05:</b> | <b>\$6,825,620</b> |

NOTE: Cash Position includes Local, State, and Federal Funds.  
NOTE: Other Resources - Prior Year WADA Roll Forward

**EL CAMPO INDEPENDENT SCHOOL DISTRICT  
TAX COLLECTION RECAP  
2005 - 2006**

| Reporting Period     | Beginning Levy | Late HS/65 | Other Adj. | Supplements | Adjusted Levy | Current Tax Year Collections | % Collected   | % Collected Prior Year | Delinquent Collections | Penalty & Interest | Total Collections  | Current Tax Year Uncollected |
|----------------------|----------------|------------|------------|-------------|---------------|------------------------------|---------------|------------------------|------------------------|--------------------|--------------------|------------------------------|
| <b>Monthly Recap</b> |                |            |            |             |               |                              |               |                        |                        |                    |                    |                              |
| October-05           | \$11,929,074   | -\$4,300   | -\$13,870  | \$10,307    | \$11,921,212  | \$7,602                      | 0.06%         | 1.82%                  | \$35,931               | \$12,457           | \$55,989           |                              |
| November-05          | \$11,929,074   | -\$5,044   | -\$22,066  | \$13,151    | \$11,915,115  | \$804,041                    | 6.75%         | 7.26%                  | \$22,153               | \$8,143            | \$834,337          |                              |
| December-05          | \$11,929,084   | -\$7,203   | -\$94,371  | \$43,264    | \$11,870,774  | \$3,954,458                  | 33.31%        | 28.66%                 | \$19,254               | \$10,285           | \$3,983,997        |                              |
| January-06           | \$11,929,074   | -\$7,657   | -\$111,321 | \$99,488    | \$11,909,584  | \$5,055,690                  | 42.45%        | 48.78%                 | \$17,275               | \$7,034            | \$5,079,999        |                              |
| <b>Year To Date</b>  |                |            |            |             |               | <b>\$9,821,790</b>           | <b>82.47%</b> | <b>86.24%</b>          | <b>\$94,613</b>        | <b>\$37,919</b>    | <b>\$9,954,322</b> | <b>\$2,087,794</b>           |

**EL CAMPO INDEPENDENT SCHOOL DISTRICT**  
**Cash Flow**  
**2005-2006**

| 199 GENERAL FUND                              | Actual<br>Sep-05 | Actual<br>Oct-05 | Actual<br>Nov-05 | Actual<br>Dec-05 | Actual<br>Jan-05 | Actual<br>Jan-06 | Actual<br>Feb-05 | Actual<br>Mar-05  | Actual<br>Apr-05  | Actual<br>May-05 | Actual<br>Jun-05  | Actual<br>Jul-05  | Actual<br>Aug-05 | 2004-05<br>Totals |
|---|------------------|------------------|------------------|------------------|------------------|------------------|------------------|-------------------|-------------------|------------------|-------------------|-------------------|------------------|-------------------|
| <b>REVENUE:</b>                               |                  |                  |                  |                  |                  |                  |                  |                   |                   |                  |                   |                   |                  |                   |
| <b>5700 Local Revenue:</b>                    |                  |                  |                  |                  |                  |                  |                  |                   |                   |                  |                   |                   |                  |                   |
| 5711 Taxes Current Year                       | 3,261            | 7,385            | 781,093          | 3,841,598        | 5,172,070        | 4,911,401        | 814,123          | 91,792            | 45,757            | 61,597           | 112,152           | 32,649            | 18,673           | 10,337,791        |
| 5712 Taxes Prior Years                        | 837              | 34,850           | 21,498           | 18,703           | 83,662           | 16,761           | 13,999           | 26,118            | 19,609            | 21,373           | 47,849            | 7,641             | 13,604           | 389,995           |
| 5719 Pen, Int, & Other                        | 4,135            | 12,014           | 8,267            | 13,140           | 30,693           | 10,379           | 24,133           | 18,595            | 15,762            | 16,771           | 37,422            | 11,024            | 14,040           | 231,475           |
| 5720 Service to Other LEAs                    | 0                | 0                | 0                | 272,792          | 5,034            | 0                | 0                | 0                 | 12,242            | 0                | 5,626             | 0                 | 488,801          | 511,703           |
| 5730 Tuition and Fees                         | 0                | 0                | 0                | 0                | 0                | 0                | 0                | 0                 | 0                 | 0                | 0                 | 0                 | 8,918            | 8,918             |
| 5740 Other Local Sources                      | 20,779           | 23,785           | 25,352           | 30,823           | 22,020           | 40,967           | 26,491           | 28,403            | 27,089            | 30,128           | 24,556            | 21,976            | 110,466          | 352,774           |
| 5750 Co/Curr Activities                       | 10,406           | 7,269            | 6,333            | 604              | 2,515            | 1,120            | 1,373            | 1,879             | 879               | 239              | 0                 | 10,580            | 6,611            | 81,242            |
| <b>Total Local Revenues:</b>                  | <b>39,418</b>    | <b>85,302</b>    | <b>842,544</b>   | <b>4,177,660</b> | <b>5,315,993</b> | <b>4,980,628</b> | <b>880,119</b>   | <b>166,786</b>    | <b>121,339</b>    | <b>130,108</b>   | <b>227,604</b>    | <b>83,870</b>     | <b>661,112</b>   | <b>11,913,898</b> |
| <b>5800 State Revenue:</b>                    |                  |                  |                  |                  |                  |                  |                  |                   |                   |                  |                   |                   |                  |                   |
| 5811 Available School Fund                    | 0                | 0                | 89,841           | 112,713          | 43,189           | 35,591           | 43,189           | 151,861           | 111,880           | 110,235          | 115,171           | 134,914           | 145,115          | 1,293,203         |
| 5812 Foundation Entitlement                   | 1,876,245        | 1,541,307        | 775,709          | 0                | 0                | 0                | 0                | 0                 | 171,888           | 113,874          | 228,231           | 0                 | 1,523,158        | 6,157,402         |
| 5812 Foundation Entitlement-Prior Yr          | 0                | 67,161           | 0                | 0                | 0                | 0                | 0                | 2,044             | 0                 | 0                | 8,956             | 0                 | 0                | 30,171            |
| 5812 Foundation Entitlement-WADA              | 0                | 0                | 0                | 0                | 0                | 0                | 1,111,772        | 0                 | 0                 | 1,111,772        | 0                 | 0                 | 731,979          | 2,955,523         |
| 5820 Misc State Program Rev                   | 0                | 4,166            | 0                | 0                | 0                | 0                | 0                | 0                 | 0                 | 0                | 0                 | 0                 | 3,607            | 8,007             |
| 5831 TRS On-Behalf                            | 75,289           | 77,118           | 77,147           | 0                | 75,115           | 153,835          | 74,787           | 75,097            | 74,976            | 75,254           | 74,666            | 78,133            | 79,155           | 906,091           |
| <b>Total State Revenues:</b>                  | <b>1,951,534</b> | <b>1,689,752</b> | <b>942,697</b>   | <b>112,713</b>   | <b>118,304</b>   | <b>189,426</b>   | <b>1,229,749</b> | <b>229,002</b>    | <b>358,744</b>    | <b>1,411,135</b> | <b>427,024</b>    | <b>213,047</b>    | <b>2,483,013</b> | <b>11,350,397</b> |
| <b>5900 Federal Revenue:</b>                  |                  |                  |                  |                  |                  |                  |                  |                   |                   |                  |                   |                   |                  |                   |
| 5932 Federal-MAC Program                      | 0                | 0                | 0                | 0                | 0                | 0                | 0                | 0                 | 0                 | 0                | 0                 | 1,263             | 3,003            | 5,577             |
| <b>Total Federal Revenues:</b>                | <b>0</b>         | <b>0</b>         | <b>0</b>         | <b>0</b>         | <b>0</b>         | <b>0</b>         | <b>0</b>         | <b>0</b>          | <b>0</b>          | <b>0</b>         | <b>0</b>          | <b>1,263</b>      | <b>3,003</b>     | <b>5,577</b>      |
| <b>7900 Other Resources/Non-Oper</b>          |                  |                  |                  |                  |                  |                  |                  |                   |                   |                  |                   |                   |                  |                   |
| Other Resources/Non-Oper                      | 0                | 272,792          | 0                | -272,792         | 0                | 0                | 3,200            | 0                 | 0                 | 0                | 0                 | 0                 | 26,557           | 90,844            |
| <b>Total Other Resources:</b>                 | <b>0</b>         | <b>272,792</b>   | <b>0</b>         | <b>-272,792</b>  | <b>0</b>         | <b>0</b>         | <b>3,200</b>     | <b>0</b>          | <b>0</b>          | <b>0</b>         | <b>0</b>          | <b>0</b>          | <b>26,557</b>    | <b>90,844</b>     |
| <b>Total Revenue:</b>                         | <b>1,990,952</b> | <b>2,047,846</b> | <b>1,785,241</b> | <b>4,017,581</b> | <b>5,434,297</b> | <b>5,170,054</b> | <b>2,113,067</b> | <b>395,788</b>    | <b>480,083</b>    | <b>1,541,243</b> | <b>654,627</b>    | <b>298,180</b>    | <b>3,173,686</b> | <b>23,360,716</b> |
| <b>EXPENDITURES:</b>                          |                  |                  |                  |                  |                  |                  |                  |                   |                   |                  |                   |                   |                  |                   |
| <b>6000 Expenditures:</b>                     |                  |                  |                  |                  |                  |                  |                  |                   |                   |                  |                   |                   |                  |                   |
| 6100 Payroll Costs                            | 422,797          | 1,468,311        | 1,461,944        | 1,376,633        | 1,376,215        | 1,522,544        | 518,376          | 1,402,716         | 1,399,084         | 1,398,955        | 1,387,786         | 1,403,516         | 2,404,858        | 16,863,356        |
| 6200 Contracted Services                      | 103,130          | 120,970          | 158,700          | 91,069           | 203,354          | 199,554          | 119,668          | 158,500           | 179,874           | 88,513           | 180,685           | 79,779            | 220,299          | 1,749,038         |
| 6300 Supplies & Materials                     | 97,262           | 136,294          | 121,774          | 41,522           | 101,339          | 137,112          | 106,837          | 129,775           | 70,545            | 127,511          | 150,197           | 36,284            | 128,504          | 1,250,045         |
| 6400 Other Operating                          | 27,899           | 27,057           | 29,556           | 24,470           | 37,935           | 40,644           | 35,078           | 36,546            | 25,593            | 33,574           | 59,055            | 224,927           | 552,200          | 1,111,643         |
| 6600 Capital Outlay                           | 0                | 6,888            | 0                | 169,077          | 335,719          | 31,791           | 12,796           | 0                 | 0                 | 242,992          | 74,724            | 209               | -155,307         | 511,133           |
| 8900 Other Uses/Non Operating                 | 500              | 0                | 0                | 0                | 0                | 0                | 84,071           | 0                 | 0                 | 0                | 0                 | 0                 | 692,876          | 776,947           |
| <b>Total Expenditures:</b>                    | <b>651,588</b>   | <b>1,759,520</b> | <b>1,771,973</b> | <b>1,702,771</b> | <b>2,054,563</b> | <b>1,931,645</b> | <b>876,827</b>   | <b>1,727,536</b>  | <b>1,675,096</b>  | <b>1,891,546</b> | <b>1,852,446</b>  | <b>1,744,715</b>  | <b>3,843,430</b> | <b>22,262,162</b> |
| <b>ENDING BALANCE</b>                         | <b>1,339,364</b> | <b>288,327</b>   | <b>13,268</b>    | <b>2,314,809</b> | <b>3,379,735</b> | <b>3,238,409</b> | <b>1,236,240</b> | <b>-1,331,749</b> | <b>-1,195,012</b> | <b>-350,303</b>  | <b>-1,197,818</b> | <b>-1,446,535</b> | <b>-669,745</b>  | <b>1,098,554</b>  |
| <b>Gen. Fund FB as of 8/31/05 (Projected)</b> | <b>6,825,619</b> |                  |                  |                  |                  |                  |                  |                   |                   |                  |                   |                   |                  |                   |
|   |                  | 7,113,946        | 7,127,213        | 9,442,023        |                  | 12,680,432       | 13,916,672       | 12,584,924        | 11,389,911        | 11,039,608       | 9,841,790         | 8,395,255         | 7,725,510        |                   |

**EL CAMPO INDEPENDENT SCHOOL DISTRICT**  
**Cash Flow**  
**2005-2006**

| 240                  | FOOD SERVICE                     | Actual<br>Sep-05 | Actual<br>Oct-05 | Actual<br>Nov-05 | Actual<br>Dec-05 | Actual<br>Jan-05 | Actual<br>Jan-06 | Actual<br>Feb-05 | Actual<br>Mar-05 | Actual<br>Apr-05 | Actual<br>May-05 | Actual<br>Jun-05 | Actual<br>Jul-05 | Actual<br>Aug-05 | 2004-05<br>Totals |
|----------------------|----------------------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|-------------------|
| <b>REVENUE:</b>      |                                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                   |
| <b>5700</b>          | <b>Local Revenue:</b>            |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                   |
|                      | Breakfast                        | 6,789            | 8,192            | 7,383            | 4,028            | 7,877            | 10,437           | 6,849            | 5,998            | 6,613            | 4,579            | 550              | 0                | 8,868            | 66,635            |
|                      | Lunch                            | 17,337           | 21,809           | 19,309           | 10,783           | 21,116           | 23,273           | 19,600           | 15,785           | 18,962           | 15,834           | -2,767           | 0                | 20,928           | 170,589           |
|                      | A La Carte                       | 12,633           | 14,442           | 12,738           | 7,659            | 13,799           | 15,085           | 14,349           | 11,992           | 13,263           | 10,872           | 2,210            | 0                | 12,368           | 129,163           |
|                      | Adult Lunches                    | 0                | 0                | 0                | 0                | 0                | 0                | 0                | 0                | 0                | 0                | 0                | 0                | 0                | 0                 |
|                      | Catering/Vending                 | 189              | 334              | 89               | 201              | 504              | 142              | 293              | 128              | 413              | 819              | 359              | 65               | 288              | 4,202             |
|                      | Summer Food Service              | 0                | 0                | 0                | 0                | 0                | 0                | 0                | 0                | 0                | 0                | 362              | 56               | 0                | 418               |
|                      | <b>Total Local Revenues:</b>     | <b>36,948</b>    | <b>44,778</b>    | <b>39,518</b>    | <b>22,671</b>    | <b>43,295</b>    | <b>48,938</b>    | <b>41,091</b>    | <b>33,903</b>    | <b>39,251</b>    | <b>32,103</b>    | <b>715</b>       | <b>120</b>       | <b>42,451</b>    | <b>371,007</b>    |
| <b>5800</b>          | <b>State Revenue</b>             |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                   |
| 5829                 | Misc State Program Rev.          | 0                | 0                | 0                | 0                | 0                | 0                | 0                | 10,050           | 0                | 0                | 0                | 0                | 0                | 10,050            |
| 5831                 | TRS On-Behalf Benefit            | 1,875            | 1,794            | 1,739            | 0                | 1,702            | 3,421            | 1,734            | 1,812            | 1,753            | 1,844            | 1,868            | 1,877            | 1,728            | 21,790            |
|                      | <b>Total State Revenues:</b>     | <b>1,875</b>     | <b>1,794</b>     | <b>1,739</b>     | <b>0</b>         | <b>1,702</b>     | <b>3,421</b>     | <b>1,734</b>     | <b>11,862</b>    | <b>1,753</b>     | <b>1,844</b>     | <b>1,868</b>     | <b>1,877</b>     | <b>1,728</b>     | <b>31,840</b>     |
| <b>5900</b>          | <b>Federal Revenue</b>           |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                   |
| 5921                 | School Breakfast                 | 0                | 18,545           | 21,899           | 20,325           | 13,895           | 12,978           | 19,535           | 20,244           | 17,489           | 22,139           | 21,077           | 0                | 15,231           | 190,927           |
| 5922                 | National School Lunch            | 0                | 63,202           | 69,404           | 60,427           | 45,365           | 41,070           | 66,112           | 66,961           | 54,848           | 67,307           | 65,384           | 0                | 52,987           | 621,109           |
| 5923                 | USDA Donated Commodities         | 4,732            | 4,732            | 4,732            | 4,732            | 4,897            | 4,732            | 4,897            | 4,897            | 4,897            | 4,897            | 4,897            | 4,897            | -8,167           | 45,700            |
| 5929                 | Fed Rev TEA-Summer Feeding       | 0                | 0                | 0                | 0                | 0                | 0                | 0                | 0                | 0                | 0                | 0                | 17,051           | 3,712            | 20,763            |
|                      | <b>Total Federal Revenues:</b>   | <b>4,732</b>     | <b>86,479</b>    | <b>96,035</b>    | <b>85,484</b>    | <b>64,157</b>    | <b>58,780</b>    | <b>90,544</b>    | <b>92,102</b>    | <b>77,234</b>    | <b>94,343</b>    | <b>91,358</b>    | <b>21,948</b>    | <b>63,763</b>    | <b>878,499</b>    |
| <b>7900</b>          | <b>Other Resources/Non-Oper:</b> |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                   |
| 7940                 | Other Resources/Non-Oper         | 0                | 0                | 0                | 0                | 0                | 0                | 0                | 0                | 0                | 0                | 0                | 0                | 0                | 0                 |
|                      | <b>Total Other Resources:</b>    | <b>0</b>         | <b>0</b>         | <b>0</b>         | <b>0</b>         | <b>0</b>         | <b>0</b>         | <b>0</b>         | <b>0</b>         | <b>0</b>         | <b>0</b>         | <b>0</b>         | <b>0</b>         | <b>0</b>         | <b>0</b>          |
|                      | <b>Total Revenue:</b>            | <b>43,555</b>    | <b>133,052</b>   | <b>137,293</b>   | <b>108,155</b>   | <b>109,154</b>   | <b>111,138</b>   | <b>133,370</b>   | <b>137,867</b>   | <b>118,237</b>   | <b>128,290</b>   | <b>93,941</b>    | <b>23,945</b>    | <b>107,942</b>   | <b>1,281,346</b>  |
| <b>EXPENDITURES:</b> |                                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                   |
| <b>6000</b>          | <b>Expenditures:</b>             |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                   |
| 6100                 | Payroll & Benefits               | 21,174           | 42,203           | 41,185           | 37,630           | 37,885           | 38,783           | 18,694           | 39,397           | 37,650           | 38,750           | 36,808           | 34,247           | 55,055           | 463,133           |
| 6200                 | Contracted Services              | 193              | 80,511           | 127,835          | 202              | 47,980           | 55,605           | 62,403           | 68,254           | 71,660           | 71,642           | 61,635           | 23,930           | 56,400           | 699,224           |
| 6300                 | Supplies & Materials             | 5,099            | 11,874           | 5,007            | 5,009            | 5,115            | 4,976            | 5,325            | 9,946            | 5,076            | 5,135            | 5,013            | 5,560            | -4,247           | 60,344            |
| 6400                 | Other Operating                  | 0                | 0                | 0                | 116              | 0                | 0                | 100              | 0                | 76               | 190              | 12               | 190              | 32               | 970               |
| 6600                 | Capital Outlay                   | 0                | 20,060           | 0                | 0                | 0                | 0                | 0                | 0                | 0                | 0                | 0                | 0                | 0                | 0                 |
|                      | <b>Total Expenditures:</b>       | <b>26,466</b>    | <b>154,647</b>   | <b>174,027</b>   | <b>42,956</b>    | <b>90,980</b>    | <b>99,365</b>    | <b>86,522</b>    | <b>117,598</b>   | <b>114,463</b>   | <b>115,716</b>   | <b>103,468</b>   | <b>63,928</b>    | <b>107,239</b>   | <b>1,223,671</b>  |
|                      | <b>ENDING BALANCE</b>            | <b>17,089</b>    | <b>-4,507</b>    | <b>-41,242</b>   | <b>23,957</b>    |                  | <b>35,731</b>    | <b>82,579</b>    | <b>102,848</b>   | <b>106,623</b>   | <b>119,196</b>   | <b>109,669</b>   | <b>69,687</b>    | <b>70,391</b>    | <b>57,675</b>     |

**EL CAMPO INDEPENDENT SCHOOL DISTRICT**  
**Cash Flow**  
**2005-2006**

| 411 TECHNOLOGY FUND                 | Actual<br>Sep-05 | Actual<br>Oct-05 | Actual<br>Nov-05 | Actual<br>Dec-05 | Actual<br>Jan-05 | Actual<br>Jan-06 | Actual<br>Feb-05 | Actual<br>Mar-05 | Actual<br>Apr-05 | Actual<br>May-05 | Actual<br>Jun-05 | Actual<br>Jul-05 | Actual<br>Aug-05 | 2004-05<br>Totals |
|-------------------------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|-------------------|
| <b>REVENUE:</b>                     |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                   |
| 5800 State Revenue                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                   |
| 5829 Misc. State Revenue-Technology | 0                | 0                | 0                | 0                | 94,022           | 87,071           | 0                | 0                | 0                | 0                | -2,362           | 0                | 19               | 91,679            |
| <b>Total State Revenue:</b>         | <u>0</u>         | <u>0</u>         | <u>0</u>         | <u>0</u>         | <u>94,022</u>    | <u>87,071</u>    | <u>0</u>         | <u>0</u>         | <u>0</u>         | <u>0</u>         | <u>-2,362</u>    | <u>0</u>         | <u>19</u>        | <u>91,679</u>     |
| <b>EXPENDITURES:</b>                |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                   |
| 6000 Expenditures:                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                   |
| 6200 Contracted Services            | 8,505            | 5,544            | 0                | 0                | 0                | 0                | 0                | 0                | 0                | 0                | 0                | 0                | 0                | 14,486            |
| 6300 Supplies & Materials           | 0                | 8,940            | 1,987            | 160              | 26,130           | 340              | 2,456            | 710              | 10,182           | 4,049            | 12,144           | 180              | 0                | 77,193            |
| 6400 Other Operating Expense        | 507              | 2,219            | 55               | 0                | 1,820            | 0                | 1,489            | 299              | -3,608           | 0                | 0                | 0                | 0                | 0                 |
| <b>Total Expenditures:</b>          | <u>9,012</u>     | <u>16,703</u>    | <u>2,042</u>     | <u>160</u>       | <u>27,950</u>    | <u>340</u>       | <u>3,945</u>     | <u>1,009</u>     | <u>6,574</u>     | <u>4,049</u>     | <u>12,144</u>    | <u>180</u>       | <u>0</u>         | <u>91,679</u>     |
| <b>ENDING BALANCE</b>               | -9,012           | -25,715          | -27,757          | -27,917          |                  | 58,814           | 54,869           | 53,859           | 47,285           | 43,236           | 28,730           | 28,550           | 28,569           | 0                 |

**EL CAMPO INDEPENDENT SCHOOL DISTRICT**  
**Cash Flow**  
**2005-2006**

| 511 DEBT SERVICE                      | Actual<br>Sep-05 | Actual<br>Oct-04 | Actual<br>Nov-05 | Actual<br>Dec-05 | Actual<br>Jan-05 | Actual<br>Jan-06 | Actual<br>Feb-05 | Actual<br>Mar-05 | Actual<br>Apr-05 | Actual<br>May-05 | Actual<br>Jun-05 | Actual<br>Jul-05 | Actual<br>Aug-05 | 2004-05<br>Totals |
|---------------------------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|-------------------|
| <b>REVENUE:</b>                       |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                   |
| <b>5700 Local Revenue:</b>            |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                   |
| 5711 Taxes Current Year               | 92               | 217              | 23,879           | 112,861          | 146,034          | 144,289          | 22,987           | 2,592            | 1,292            | 1,739            | 3,167            | 922              | 527              | 291,899           |
| 5712 Taxes Prior Years                | 54               | 1,081            | 401              | 551              | 2,639            | 514              | 439              | 799              | 717              | 690              | 1,454            | 279              | 525              | 12,576            |
| 5719 Pen, Int, & Other                | 141              | 451              | 0                | 294              | 1,019            | 229              | 716              | 569              | 600              | 541              | 1,044            | 379              | 525              | 7,587             |
| 5742 Earnings Fm Temp Dep & Invest    | 393              | 407              | 0                | 479              | 995              | 796              | 943              | 982              | 957              | 994              | 967              | 1,008            | 611              | 9,810             |
| <b>Total Local Revenues:</b>          | <b>680</b>       | <b>2,156</b>     | <b>24,280</b>    | <b>114,185</b>   | <b>150,687</b>   | <b>145,829</b>   | <b>25,084</b>    | <b>4,942</b>     | <b>3,566</b>     | <b>3,963</b>     | <b>6,631</b>     | <b>2,588</b>     | <b>2,189</b>     | <b>321,872</b>    |
| <b>5800 State Revenue:</b>            |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                   |
| 5829 State Revenue Dist By TEA        | 0                | 0                | 0                | 184,729          | 0                | 0                | 0                | 0                | 0                | 0                | 0                | 0                | 0                | 216,502           |
| <b>Total State Revenues:</b>          | <b>0</b>         | <b>0</b>         | <b>0</b>         | <b>184,729</b>   | <b>0</b>         | <b>0</b>         | <b>0</b>         | <b>0</b>         | <b>0</b>         | <b>0</b>         | <b>0</b>         | <b>0</b>         | <b>0</b>         | <b>216,502</b>    |
| <b>7900 Other Resources/Non-Oper:</b> |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                   |
| 7940 Other Resources/Non-Oper Rev     | 0                | 0                | 0                | 17,545           | 0                | 0                | 0                | 0                | 0                | 0                | 0                | 0                | 0                | 0                 |
| <b>Total Other Resources:</b>         | <b>0</b>         | <b>0</b>         | <b>0</b>         | <b>17,545</b>    | <b>0</b>         | <b>0</b>         | <b>0</b>         | <b>0</b>         | <b>0</b>         | <b>0</b>         | <b>0</b>         | <b>0</b>         | <b>0</b>         | <b>17,545</b>     |
| <b>Total Revenue:</b>                 | <b>680</b>       | <b>2,156</b>     | <b>24,280</b>    | <b>316,458</b>   | <b>150,687</b>   | <b>145,829</b>   | <b>25,084</b>    | <b>4,942</b>     | <b>3,566</b>     | <b>3,963</b>     | <b>6,631</b>     | <b>2,588</b>     | <b>2,189</b>     | <b>538,374</b>    |
| <b>EXPENDITURES:</b>                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                   |
| <b>6000 Expenditures:</b>             |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                   |
| 6500 Debt Service                     |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                   |
| 6511 Bond Principal                   | 0                | 0                | 0                | 0                | 0                | 0                | 0                | 0                | 0                | 0                | 0                | 0                | 220,000          | 220,000           |
| 6521 Interest on Bonds                | 0                | 0                | 0                | 0                | 144,220          | 0                | 0                | 0                | 0                | 0                | 0                | 0                | 0                | 144,220           |
| 6599 Other Debt Fees                  | 375              | 0                | 0                | 0                | 375              | 400              | 0                | 0                | 0                | 0                | 0                | 0                | 0                | 375               |
| <b>Total Expenditures:</b>            | <b>375</b>       | <b>0</b>         | <b>0</b>         | <b>0</b>         | <b>144,595</b>   | <b>400</b>       | <b>0</b>         | <b>0</b>         | <b>0</b>         | <b>0</b>         | <b>0</b>         | <b>0</b>         | <b>364,220</b>   | <b>508,815</b>    |
| <b>ENDING BALANCE</b>                 | <b>305</b>       | <b>2,462</b>     | <b>26,741</b>    | <b>343,200</b>   |                  | <b>488,628</b>   | <b>513,713</b>   | <b>518,655</b>   | <b>522,220</b>   | <b>526,184</b>   | <b>532,815</b>   | <b>535,403</b>   | <b>173,373</b>   | <b>29,559</b>     |
| <b>Total Approved Budget</b>          |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                   |
| <b>199, 240, 411, 511</b>             |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                   |
| <b>TOTAL REVENUE</b>                  | <b>2,035,188</b> | <b>2,183,054</b> | <b>1,946,813</b> | <b>4,442,194</b> | <b>5,788,160</b> | <b>5,514,092</b> | <b>2,271,521</b> | <b>538,596</b>   | <b>601,886</b>   | <b>1,673,496</b> | <b>752,838</b>   | <b>324,713</b>   | <b>3,283,836</b> | <b>25,272,115</b> |
| <b>TOTAL EXPENDITURES</b>             | <b>687,442</b>   | <b>1,930,870</b> | <b>1,948,042</b> | <b>1,745,887</b> | <b>2,318,088</b> | <b>2,031,749</b> | <b>967,294</b>   | <b>1,846,143</b> | <b>1,796,133</b> | <b>2,011,311</b> | <b>1,968,057</b> | <b>1,808,823</b> | <b>4,314,889</b> | <b>24,086,327</b> |
| <b>ENDING BALANCE</b>                 | <b>1,347,746</b> | <b>1,599,930</b> | <b>1,598,701</b> | <b>4,295,008</b> |                  | <b>7,777,350</b> | <b>9,081,578</b> | <b>7,774,031</b> | <b>6,579,785</b> | <b>6,241,969</b> | <b>5,026,750</b> | <b>3,542,641</b> | <b>2,511,588</b> |                   |

**MINUTES OF THE BOARD OF TRUSTEES  
EL CAMPO INDEPENDENT SCHOOL DISTRICT  
January 23, 2006**

The Board of Trustees of the El Campo Independent School District met in a regular session January 23, 2006, at 7:00 p.m. in the Board Room, 700 West Norris, El Campo, Texas.

**MEMBERS PRESENT:** Adam Gusman, Lisa Hernandez, Ronny Collins, Judy Waligura, Bill Kyle, Tommy Turner, Melissa Erwin

**MEMBERS ABSENT:** None  
Lisa Hernandez left the meeting at 10:23 p.m.

**OTHERS PRESENT:** Mark Pool, Carolyn Gordon, David Bright, Dan Hammock, Lisa Hathway, Juan Laonia, Wesley Lange, Cindy Lange, Taylor Lange, David Rice, Dawn Rice, Kaylyn Rice, Joy Roppolo, Marietta Combs, Roman Combs, Kim Chiles, David Hathway, Katy Rice, Travis Cano, Phillip Spenrath, Dan Hammock,. Holly Willis, ECLN

Ronny Collins called the meeting to order at 6:58 p.m. Judy Waligura gave the opening prayer followed by the Pledge of Allegiance.

**PUBLIC COMMENT:** There was no comment.

**PUBLIC HEARING ON THE ANNUAL ACADEMIC EXCELLENCE INDICATOR SYSTEM**

**AEIS REPORT:** Carolyn Gordon reviewed this annual report of student demographic, student testing and faculty data collected and disseminated by the Texas Education Agency.

**RECOGNITION:** The following received recognition:

- Taylor Lange and Travis Cano for Governor of Texas Local History project
- Katy Rice and David Hathaway for making All State Choir
- School Board Recognition Month

**CONSENT AGENDA:** A motion was made by Lisa Hernandez and seconded by Bill Kyle to approve the consent agenda:

- The minutes of a Regular Meeting held on December 12, 2005 with an amendment to the date on page two
- The minutes of a Special Meeting held on January 9, 2006 to conduct the Annual Summative Evaluation of the Superintendent
- Invoice #176706 from T.A.C., Tour Andover Controls for \$238,127.00
- A list of Investment Officers for the district
- The Annual Report on Investment Training; Investment Policies
- A Letter of Engagement for the Annual Financial and Compliance Audit

Motion carried unanimously.

**BUSINESS AND OPERATIONS**

**CONSIDER NECESSARY ACTION (S) FOR PETITIONING THE CITY TO ANNEX THE NEW MIDDLE SCHOOL SITE:** A motion was made by Judy Waligura and seconded by Lisa Hernandez to petition the city to annex the new middle school site after the purchase of land is complete. Motion carried unanimously.

**REVIEW PROPOSED SALE OF BONDS FOR NEW MIDDLE SCHOOL AND REPLACEMENT OF OLD HIGH SCHOOL GYM:** Mr. Pool reviewed two scenarios for the sale of bonds for the new Middle School and replacement of the old High School Gym. The Board encouraged administration to pursue further investigation and action the sale of the bonds.

**REVIEW MONTHLY FINANCIAL REPORTS FOR THE MONTH OF DECEMBER:** Mr. Pool summarized the financial status of the district for the month of December 2005.

**REVIEW A LIST OF CHECKS WRITTEN FOR THE MONTH OF DECEMBER:** Board members received the checks written for the month of December by electronic mail for their review.

## ***CURRICULUM AND INSTRUCTION***

**REVIEW EXIT LEVEL TAKS SCORES**: Carolyn Gordon reviewed the results of the last standardized test administration for our potential graduates.

**EVALUATION OF THE STATE COMPENSATORY EDUCATION PROGRAM**: Carolyn Gordon outlined the District's current program including funding requirements and reviewed compliance. A motion was made by Lisa Hernandez and seconded by Adam Gusman to accept the evaluation as presented. Motion carried unanimously.

**REVIEW OF DYSLEXIA PROGRAM IMPROVEMENT PLAN**: Mark Pool and Carolyn Gordon presented the board with an action plan to further improve the district wide program.

## ***GOVERNANCE***

**CONSIDER APPROVAL OF MEMORANDUM OF UNDERSTANDING WITH WILLIAM SMITH, SR. TRI-COUNTY CHILD DEVELOPMENT COUNCIL, INC**: A motion was made by Tommy Turner and seconded by Melissa Erwin to table the approval of Memorandum of Understanding with William Smith, Sr. Tri-County Child Development Council, Inc. until further clarification of the memorandum was presented. Motion carried unanimously.

**REVIEW FIRST DRAFT OF SUPERINTENDENT PERFORMANCE GOALS**: The Board reviewed the first draft of performance goals set in the Superintendent's evaluation and will further review at the February board meeting.

**REVIEW ADDENDUM TO HIGH SCHOOL STUDENT HANDBOOK REGARDING CREDIT RECOVERY PROGRAM**: Mr. Pool outlined the current Credit Recovery Program that is in place at the High School.

**REVIEW OF TASB POLICY SERVICE LOCALIZED UPDATE 77**: Mr. Pool advised that Localized Policy Update 77 would be reviewed at the February meeting.

**REVIEW TEXAS ASSOCIATION OF SCHOOL BOARDS 2005 ANNUAL REPORT**: The board viewed a video reviewing the annual report from the Texas Association of School Boards.

**CLOSED SESSION**: The president of the Board called for an Executive Session as authorized by Section 551.074, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee. The Board entered executive session at 9:20 p.m. and reconvened in open session at 10:24 p.m. to take the following action:

## ***PERSONNEL***

**CONSIDERATION SUPERINTENDENT'S COMPENSATION**: A motion was made by Lisa Hernandez and seconded by Adam Gusman to increase the Superintendent salary by \$6,000.00 for a base salary of \$109,000.00 with all other benefits remaining as is. Motion carried unanimously.

**CONSIDER APPROVAL OF A POSITION FOR AN ARD FACILITATOR FOR THE SPECIAL EDUCATION DEPARTMENT**: A motion was made by Judy Waligura and seconded by Tommy Turner to approve the Superintendent's recommendation of a new ARD Facilitator position to be paid from special education federal funding. Motion carried unanimously.

**CONSIDER APPROVAL OF POSITIONS FOR PRE-REFERRAL INTERVENTION LEARNING LAB AT HUTCHINS ELEMENTARY TO BE FUNDED WITH IDEA-B 15% SET ASIDE (FEDERAL SPECIAL EDUCATION) FUNDING**: A motion was made by Judy Waligura and seconded by Melissa Erwin to approve the Superintendent's recommendation of a new position to staff the Hutchins Elementary Learning Lab. Motion carried unanimously.

**CONSIDER APPROVAL OF POSITIONS FOR LIMITED ENGLISH PROFICIENCY LEARNING LAB AT THE HIGH SCHOOL, CONTINGENT UPON RECEIPT OF LEP STUDENT SUCCESS INITIATIVE LAB**: A motion was made by Melissa Erwin and seconded by Tommy Turner to approve the Superintendent's recommendation of a new position to staff the High School LEP Learning Lab. Motion carried unanimously.

**CONSIDER APPROVAL OF ADMINISTRATION'S RECOMMENDATION ON NEW PERSONNEL FOR LEARNING LABS:** A motion was made by Adam Gusman and seconded by Melissa Erwin to approve the Superintendent's recommendation to hire Amy Walters for the Hutchins Learning Lab and Meredith Workman for the Special Resource position at El Campo Middle School. Motion carried unanimously.

***SUPERINTENDENT'S REPORT***

**UPDATE ON NEW MIDDLE SCHOOL AND OLD HIGH SCHOOL GYM REPLACEMENT PROJECTS:** Mr. Pool gave an update from the meeting that he had with LANWalton and the architects.

**REVIEW OF "SHATTERED DREAMS" PROGRAM TO PROMOTE RESPONSIBLE DECISION MAKING BY HIGH SCHOOL STUDENTS REGARDING DRINKING AND DRIVING:** The Board viewed a video giving an overview of the "Shattered Dreams" program that promotes responsible decision making by high school students regarding drinking and driving.

**REVIEW FIRST SEMESTER ENROLLMENT, ATTENDANCE, AND EFFECT ON FOUNDATION SCHOOL PROGRAM STATE FUNDING:** Mr. Pool informed the Board of current enrollment figures and the resulting impact on funding.

**DISCUSS REQUIRED BOARD TRAINING ON OPEN GOVERNMENT:** Mr. Pool reviewed requirements for board training on open government.

**REVIEW MINUTES OF WHARTON COUNTY APPRAISAL DISTRICT BOARD MEETING ON SEPTEMBER 8, 2005; AND AGENDA FOR MEETING JANUARY 19, 2006:** The Board received a printed report outlining the assessment and recommendations resulting from this review.

**REVIEW INFORMATION FROM NORTHSIDE CENTER, INC.:** The board reviewed financial information, board minutes and future meeting dates from Northside Center.

**REMINDER OF SPECIAL MEETING ON FEBRUARY 6, TO CONDUCT A WORKSHOP TO DEVELOP DISTRICT GOALS FOR 2006-2007:** Mr. Pool reminded the board of the February 6, 2006 Workshop Meeting to develop district goals for 2006-2007 at 6:00 p.m. at Meadow Lane Resource Center.

**PRELIMINARY AGENDA FOR REGULAR MEETING ON FEBRUARY 20, 2006:** The Board received a preliminary agenda for the February 20, 2006 regular board meeting.

There being no further discussion, the meeting adjourned at 11:05 p.m.

DRAFT

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President

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Secretary

**Agenda Item Summary Sheet (4 D)**  
**Meeting Date: February 20, 2005**  
**Submitted by: Mark Pool, Superintendent**

**Consent Agenda**

**Legal Services Retainer Agreement**

**Summary**

According to LEGAL policy, the purchasing requirements of Education Code Section 44.031 do not apply to a contract for professional services rendered, including the services of an attorney. Contracts for these professional services shall be made on the basis of demonstrated competence and qualifications to perform the services and for a fair and reasonable price. *Gov't Code 2254.002, 2254.003(a)*

The Board has had a Legal Services Retainer Agreement with Walsh, Anderson, Brown, Schulze & Aldridge, P.C. since 2002. The annual retainer fee is \$1,000 and is billed each year on the anniversary of the District joining the program.

Telephone consultation with school officials in this program regarding general routine legal matters is free of charge. The firm has toll-free telephone numbers that are made available to these clients.

An hourly rate of \$160/hour for associates licensed less than two years, \$195/hour for senior associates, or \$215/hour for shareholders is charged for time spent on research, opinion letters, office visits, board meetings, and other work of a general nature.

For matters requiring more in-depth work, such as document review, negotiation of contract, grievance, nonrenewal, review of construction documents, litigation, administrative appeals, and the like, all time, including telephone calls, is charged at the current hourly retainer rates shown above, plus expenses.

**ECISD Board Policy**

CH (LEGAL), PURCHASING AND ACQUISITION

**Effective Date**

February 20, 2006.

**Previous Board Action**

The Board previously approved the Legal Services Retainer Agreement with WABSA.

**Future Action Expected**

Annually the Board will consider the renewal of the Legal Services Retainer Agreement.

|  |  |
|--|--|
| <b>Background Information and Significant Issues</b> | None.  |
| <b>Fiscal Impact</b>                                 | \$1,000  |
| <b>Student and Public Benefit</b>                    | Tax dollars are saved by being able to obtain certain legal services under a retainer agreement.   |
| <b>Procedural and Reporting Implications</b>         | Following approval by the Board, a contract will be signed and returned to Walsh, Anderson, Brown, Schulze & Aldridge, P.C.  |
| <b>Public Comments</b>                               | None.  |
| <b>Alternatives</b>                                  | Seek another law firm.   |
| <b>Other Comments and Related Issues</b>             | None   |
| <b>Attachments</b>                                   | <ul style="list-style-type: none"> <li>• Copy of Letter re: Renewal of Membership in Independent Retainer Program</li> <li>• Copy of Legal Services Retainer Contract</li> </ul> |
| <b>Contact Person(s)</b>                             | Mark Pool, Superintendent of Schools   |
| <b>Action Required</b>                               | Approval of Consent Agenda.  |
| <b>Superintendent's Recommendation</b>               | <p>I recommend you approve these the Legal Services Retainer Agreement with WABSA as part of the consent agenda.</p> <p><b>Mark Pool, Superintendent of Schools</b></p>          |

WALSH, ANDERSON,  
BROWN, SCHULZE  
& ALDRIDGE, P.C.  
ATTORNEYS AT LAW

February 1, 2006

VIA REGULAR MAIL

Mr. Robert Mark Pool  
Superintendent of Schools  
El Campo Independent School District  
700 West Norris  
El Campo, Texas 77437

Re: Renewal of Membership in Independent Retainer Program

Dear Mr. Pool:

In addition to the monthly billing statement, enclosed please find the annual billing statement for membership in our Independent Retainer Program. The Walsh Anderson retainer program provides a valuable service to the District, and we look forward to the District's continued membership in the program. The cost of the program is \$1,000 per year. Benefits of the program include:

1. **FREE TELEPHONE CONSULTATION:** The law firm provides unlimited telephone consultation at no charge to the District's Board President, Superintendent, or designee pertaining to questions arising out of the general operation of the District. Last year, our member clients received an average of 8 free hours of telephone consultation. That is a \$1,700 value in telephone calls alone! Call us whenever the District has a question or concern about general school law matters or special education law. As a retainer client, the District has exclusive access to the statewide toll-free telephone numbers for calls to the law firm. Before making decisions with legal consequences, call any of our offices toll-free at the following numbers to speak with a Walsh Anderson attorney:

- Austin -- (800) 252-3405
- Irving -- (800) 231-4207
- San Antonio -- (800) 232-9169
- West Texas/New Mexico -- (800) 771-6864

2. **REDUCED RATES FOR ADDITIONAL LEGAL WORK:** The District receives reduced hourly rates for additional work that goes beyond the general telephone consultations. Under the Retainer Program, the District receives reduced rates for additional work such as performing legal

research, drafting opinion letters, and representing the District in adversarial matters. Though the hourly rates are reduced for retainer clients, any expenses incurred by the law firm in providing such additional work are charged.

**3. FREE SUBSCRIPTIONS TO FIRM PUBLICATIONS:** As a member of the Retainer Program, the District receives free subscriptions to both of the firm's newsletters: (1) the informative bi-monthly newsletter "*Time Out with Walsh Anderson*" that provides timely reminders and practical suggestions about general education law issues arising throughout the school year; and (2) the monthly publication "*This Just In...*" which addresses legal issues specific to the special needs of students with disabilities.

**4. EMAIL UPDATES:** As another benefit of the Retainer Program, Walsh Anderson sends periodic email updates to you (and to any other District personnel or trustees you designate) to help keep the District abreast of the latest developments in school law. These updates address a broad range of timely topics and are designed to keep you informed and better prepared in your work for the District. In 2005 we sent updates regarding IRS rulings on signing bonuses and contract buyouts; elections and the preclearance process; a ruling from the United States Supreme Court regarding Title IX; educator contracts and nonrenewals; documentation policies and procedures; enrollment, funding and transportation issues arising from students relocated from hurricane disaster areas; use of corporal punishment in schools; a ruling from the United States Supreme Court regarding the burden of proof standard in special education due process hearings; new retire-rehire rules; an Attorney General opinion regarding discounts by school districts for early payment of taxes; and the Texas Supreme Court ruling on school finances. Please review the attached list of email addresses you previously provided to us and update the list if necessary.

**5. REDUCED RATES ON ALL WALSH ANDERSON INSERVICES:** Our Retainer Program members also receive reduced rates on all inservices and legal training programs. Our up-to-date training programs are presented by attorneys with firsthand experience and knowledge about the current legal issues confronting Texas school districts. Our retainer clients also receive priority scheduling for inservice training.

I am pleased that the District has been a member of our Legal Services Retainer Program. I hope the District will continue with its membership. We look forward to receiving your updated email list and signed contract. Please note that the enclosed Legal Services Retainer Agreement must be signed by an authorized Trustee or Employee. Consult your local policies to see if they specify who is authorized to approve and sign an agreement retaining legal counsel for the District. Many Districts have adopted the Texas Association of School Boards' proposed Policy BDD (local) which requires approval of this agreement by the Board of Trustees. In the case of a special education cooperative or shared service arrangement, we suggest approval of this agreement by the Board of Trustees for the fiscal agent.

Mr. Robert Mark Pool  
February 1, 2006  
Page 3

The law firm's retainer programs are designed to provide the District with excellent service and prompt responses to all questions. When considering decisions with legal consequences, call *any* Walsh Anderson attorney with questions and concerns regarding school law issues. And please, call me with any questions, comments or suggestions about how we can better serve the District. My toll-free number is (800) 232-9169.

Sincerely,



Paige C. Kyle

PCK/jet

Enclosures

cc: (with contract and fee schedule only)  
Mr. Ronny Collins  
Board President  
El Campo Independent School District  
700 West Norris  
El Campo, Texas 77437

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The El Campo Independent School District (hereinafter "District"), acting by and through the authorized Trustee or Employee whose signature appears below, hereby retains the law firm of Walsh, Anderson, Brown, Schulze & Aldridge, P.C. (hereinafter "Law Firm") to provide the services to the District set forth below.

1. Telephone Consultation: The Law Firm shall provide telephone consultation at no charge to the District's Board President, Superintendent, Special Education Director, or designee pertaining to questions arising out of the general operation of the District. The District shall have access to a statewide toll-free telephone number for calls to the Law Firm.
2. Additional Legal Work: The District shall be entitled to reduced hourly rates for additional legal work over and above general telephone consultation. Examples of additional legal work are research, opinion letters, and legal advice or representation in adversarial matters. Expenses incurred by the Law Firm in providing such additional legal work shall be charged.
3. Publications: The Law Firm shall provide at no charge the monthly publication *This Just In*, dealing with special education law issues, and the bi-monthly general school law publication *Time Out With Walsh Anderson*, both published by the Law Firm.
4. Email Updates: The Law Firm shall send to designated District personnel and trustees periodic email updates relating to developments in school law. The content and publication schedule of such updates shall be determined solely by the Law Firm.
5. Retainer Term and Cost: There shall be a fee of \$1,000.00 for this Retainer Agreement due upon execution and annually thereafter on the anniversary of the execution date below. This Retainer Agreement shall remain in effect until notice of cancellation is received.
6. Scope of Attorney-Client Relationship: This Retainer Agreement establishes a limited attorney-client relationship only between the Law Firm and the District. The relationship exists only as to the consultations and additional legal work initiated by the District and accepted by the Law Firm pursuant to this Agreement. The Retainer Agreement does not impose any duty upon the Law Firm to provide advice or work to the District regarding legal matters absent a request by the District's Board President, Superintendent, Special Education Director, or designee for such advice or work on a matter. The Law Firm and the District acknowledge and represent that this Agreement does not establish an attorney-client

relationship between the Law Firm and any individual Trustees or Employees of the District. If a lawsuit or other adversarial matter is brought against the District and/or any Trustee or Employee of the District, the Law Firm may require the execution of one or more separate Letters of Engagement prior to undertaking an attorney-client relationship in the matter.

Executed this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

EL CAMPO INDEPENDENT SCHOOL DISTRICT

By:

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Print Name)

\_\_\_\_\_  
(Title)

WALSH, ANDERSON, BROWN, SCHULZE & ALDRIDGE, P.C.

By:

\_\_\_\_\_  
Oscar G. Treviño

Managing Shareholder

**Agenda Item Summary Sheet (4 E)**  
**Meeting Date: February 20, 2006**  
**Submitted by: Mark Pool, Superintendent**

**Consent Agenda**

**Disposal of Used Buses**

**Summary**

The only policy governing the sale of surplus buses is CNB (LEGAL), which states that the district may request that the Texas Building and Procurement Commission dispose of a school bus. However, the district is not required to dispose of a bus through the BPC. This policy is based on the statutory language of *Education Code §34.006*.

Ronnie Brown is requesting approval to sell five buses.

**ECISD Board Policy**

CNB (LEGAL), TRANSPORTATION MANAGEMENT:  
 DISTRICT VEHICLES, SALE OF BUSES

**Effective Date**

February 20, 2006.

**Previous Board Action**

The last buses authorized for sale by the District was at a regular meeting on June 20, 2005.

**Future Action Expected**

None.

**Background Information and Significant Issues**

Information on the vehicles to be considered:

1. Bus No. 32 - 1985 IH 65 Passenger Bus  
 VIN#1HVLPHXLXFHA51777            195,318 miles
2. Bus No. 41 – 1987 IH 65 Passenger Bus  
 VIN#1HVLPHYLXHH490296            206,575 miles
3. Bus No. 120 – 1985 IH 65 Passenger Bus  
 VIN#1HVLPHXL5FHA52111            179,300 miles
4. Bus No. 121 – 1986 IH 65 Passenger Bus  
 VIN#1HVLPHY3GHA51510            193,694 miles
5. Bus No. 130 – 1986 IH 65 Passenger Bus  
 VIN#1HVLPHYLOHGA52548            197,667 miles

**Fiscal Impact**

None.

**Student and Public Benefit**

Disposal of surplus property in a manner that gets the highest return for the district gets the property off the district's inventory and represents prudent management of public funds.

|  |   |
|--|---|
| <b>Procedural and Reporting Implications</b> | None.   |
| <b>Public Comments</b>                       | None.   |
| <b>Alternatives</b>                          | None.   |
| <b>Other Comments and Related Issues</b>     | None  |
| <b>Attachments</b>                           | None.   |
| <b>Contact Person(s)</b>                     | David Bright, Assistant Superintendent of Finance and Operations<br>Ronnie Brown, Director of Transportation                            |
| <b>Action Required</b>                       | Approval of Consent Agenda.   |
| <b>Superintendent's Recommendation</b>       | I recommend you approve the disposal of used school buses as part of the consent agenda.<br><b>Mark Pool, Superintendent of Schools</b> |

**Agenda Item Summary Sheet (4 F)**  
**Meeting Date: February 20, 2006**  
**Submitted by: Mark Pool, Superintendent**

|                               |   |
|-------------------------------|---|
| <b>Consent</b>                | Order Trustee Election for Saturday, May 13, 2006.  |
| <b>Summary</b>                | <p>February is the month that we typically order the annual Trustee Election. There are several things that need to be done to order this election:</p> <ol style="list-style-type: none"><li>1. Order the election to be held on May 13, 2006, from 7:00 a.m. to 7:00 p.m. for the purpose of electing / re-electing trustees for Position No. 1, currently held by Bill Kyle; Position No. 2, currently held by Ronny Collins, and Position No. 3, currently held by Judy Waligura.</li><li>2. Designate the location of the polling places to be:<ol style="list-style-type: none"><li>(a) Precinct No. 1 – City of El Campo Fire &amp; EMS Building; and</li><li>(b) Precinct No. 2 – Glen Flora Fire Station.</li></ol></li><li>3. Designate the location of the early-voting polling place to be the City of El Campo Fire &amp; EMS Building;</li><li>4. Set the dates and time for early voting to be each week day from 8:00 a.m. to 5:00 p.m. beginning on Monday, May 1, 2006, and ending on Friday, May 5, 2006. In addition, voting will be conducted between the hours of 7:00 a.m. and 7:00 p.m. on Monday, May 8, and Tuesday, May 9.</li></ol> |
| <b>ECISD Board Policy</b>     | BBB (LEGAL), BOARD MEMBERS: ELECTIONS<br>BBB (LOCAL), BOARD MEMBERS: ELECTIONS  |
| <b>Effective Date</b>         | Spring 2006 election. [See separate document identifying key dates.]  |
| <b>Previous Board Action</b>  | The Board annually calls the Trustee Election at the regular meeting in February.   |
| <b>Future Action Expected</b> | Votes will be canvassed at a meeting between May 16– May 24, 2006.<br><br>The Board annually calls the Trustee Election at the regular meeting in February.   |

|  |   |
|--|---|
| <b>Background Information and Signification Issues</b> | None.   |
| <b>Fiscal Impact</b>                                   | \$1,800 to \$2,000.   |
| <b>Student and Public Benefit</b>                      | Election of Trustees to govern and oversee the management of the District.  |
| <b>Procedural and Reporting Implications</b>           | The Order of Election will be filed in the Board Minutes, and Notice of Election will be posted in usual posting places.                          |
| <b>Public Comments</b>                                 | None.   |
| <b>Alternatives</b>                                    | None.   |
| <b>Other Comments and Related Issues</b>               | None.   |
| <b>Attachments</b>                                     | (1) Order of Regular Election on May 13, 2006.<br>(2) Letter from David Bright with a summary of "key dates."                                     |
| <b>Contact Person(s)</b>                               | David Bright, Assistant Superintendent for Finance  |
| <b>Action Required</b>                                 | Order Trustee Election for May 13, 2006 and all matters pertaining thereto.   |
| <b>Superintendent's Recommendation</b>                 | I recommend you approve order the Trustee Election for May 13, 2006 as part of the consent agenda.<br><b>Mark Pool, Superintendent of Schools</b> |

## ORDER OF REGULAR ELECTION

An election is hereby ordered to be held on Saturday, May 13, 2006, for the purpose of electing to the Board of Trustees of the El Campo Independent School district three (3) trustees in the following positions as listed below:

### 3-Year Term

Position #1

Position #2

Position #3

The first day to apply for a place on the ballot is February 11, 2006. The filing deadline for candidates is 5:00 P.M. on March 13, 2006. Dianne Cerny, Secretary to the Superintendent of Schools, 700 West Norris Street, El Campo, Texas, is authorized by the Secretary of the Board to accept filing for those wishing to run for the School Board. The polling places are as follows:

Precinct No. 1: City of El Campo Fire & EMS Building  
Hillje Street Entrance, El Campo, Texas

Precinct No. 1 is for all persons not eligible to vote in Precinct No. 2.

Precinct No. 2: Glen Flora Fire Station  
Glen Flora, Texas

Precinct No. 2 is for all persons living within an area bounded on the West by Highway 71 and on the South by Farm to Market Road 961.

Polls open at 7:00 A.M. and close at 7:00 P.M. on Saturday, May 13, 2006.

The Election Judge of Precinct No. 1 was appointed to serve as the Official Early Vote Canvasser as required by State of Texas Election Laws.


Early voting by personal appearance will be conducted each weekday at the City of El Campo Fire & EMS Building, Hillje Street Entrance, El Campo, Texas, between the hours of 8:00 A.M. and 5:00 P.M. beginning on Monday, May 1, 2006, and ending on Friday, May 5, 2006. In addition, voting will be conducted between the hours of 7:00 A.M. and 7:00 P.M. on Monday, May 8, 2006, and Tuesday, May 9, 2006.

Applications for ballot by mail shall be mailed to:

Ms. Crystal Matlock  
700 West Norris  
El Campo, Texas 77437

Applications for ballots by mail must be received no later than the close of business on May 5, 2006.

Issued this the 20<sup>th</sup> day of February 2006.

  
\_\_\_\_\_  
Signature of Presiding Officer

# EL CAMPO INDEPENDENT SCHOOL DISTRICT

ROBERT MARK POOL, Superintendent

DAVID BRIGHT  
ASSISTANT SUPERINTENDENT  
FOR FINANCE

700 WEST NORRIS STREET  
EL CAMPO, TEXAS 77437  
(979) 543-6771 - FAX (979) 543-1670

CAROLYN GORDON  
ASSISTANT SUPERINTENDENT  
FOR INSTRUCTION

February 20, 2006

Board of Trustees  
El Campo Independent School District  
700 West Norris Street  
El Campo, Texas 77437

Dear Board Members:

Attached is a chronological calendar of dates that address the 2006 Board of Trustees Election for the El Campo Independent School District.

Listed below is a summary of "key dates" regarding the trustee election:

|   |           |  |
|---|-----------|--|
| February 11 <sup>th</sup>               |           | First day to file                                |
| March 13 <sup>th</sup>                  | 5:00 p.m. | Last day to file                                 |
| March 13 <sup>th</sup>                  | 5:05 p.m. | Conduct drawing for position on ballot           |
| April 13 <sup>th</sup>                  |           | First day for notice of election to be published |
| May 1 <sup>st</sup>                     |           | First day of early voting by personal appearance |
| May 9 <sup>th</sup>                     |           | Last day of early voting by personal appearance  |
| May 13 <sup>th</sup>                    |           | Election Day                                     |
| May 16 <sup>th</sup> – 24 <sup>th</sup> |           | Meeting to be scheduled for vote canvassing      |
| March 13, 2008                          |           | First day to destroy election records            |

Contested Positions:

**3-Year Term**  
**Position #1**

**3-Year Term**  
**Position #2**

**3-Year Term**  
**Position #3**

Please contact me at your convenience if I can be of further assistance.

Sincerely,



David Bright  
Assistant Superintendent for Finance

DB/js

**Agenda Item Summary Sheet (4 G)**  
**Meeting Date: February 20, 2006**  
**Submitted by: Mark Pool, Superintendent**

**Consent** Approve election judges and officials for Trustee Election to be held on Saturday, May 13, 2006.

**Summary** Part of the process of ordering an election includes the appointment of election judges and officials.

Recommendations:

|                                    |                     |
|------------------------------------|---------------------|
| Election Judge for Precinct No. 1  | Ms. Patty Jensen    |
| Alternate Judge for Precinct No. 1 | Ms. Mae Borak       |
| Election Judge for Precinct No. 2  | Mr. Johnny Norman   |
| Alternate Judge for Precinct No. 2 | Ms. Regina Lee      |
| Early Voting Clerk                 | Ms. Diane Kaluza    |
| Early Voting Deputy                | Ms. Crystal Matlock |
| Presiding Officer                  | Mr. David Bright    |

It is recommended that each election judge select their own election workers.

**ECISD Board Policy** BBB (LEGAL), BOARD MEMBERS: ELECTIONS  
 BBB (LOCAL), BOARD MEMBERS: ELECTIONS

**Effective Date** Spring 2006 election

**Previous Board Action** The Board annually appoints election judges at the meeting where they order the annual trustee election.

**Future Action Expected** The Board annually appoints election judges at the meeting where they order the annual trustee election.

**Background Information and Signification Issues** Please refer to letter from David Bright re: Approval of Election Workers for May 13, 2006.

**Fiscal Impact** \$1,800 - \$2,000.

|  |  |
|--|--|
| <b>Student and Public Benefit</b>            | Election of Trustees to govern and oversee the management of the District.   |
| <b>Procedural and Reporting Implications</b> | None.  |
| <b>Public Comments</b>                       | None.  |
| <b>Alternatives</b>                          | None.  |
| <b>Other Comments and Related Issues</b>     | None.  |
| <b>Attachments</b>                           | <ul style="list-style-type: none"> <li>• Letter from David Bright re: Approval of Election Workers for May 13, 2006.</li> </ul>  |
| <b>Contact Person(s)</b>                     | David Bright, Assistant Superintendent for Finance and Operations  |
| <b>Action Required</b>                       | Approval of election judges and officials for Trustee Election to be held on May 13, 2006.   |
| <b>Superintendent's Recommendation</b>       | <p>I recommend you appoint the individuals recommended by David Bright to serve as election judges for the Trustee Election to be held on May 13, 2006 as part of the Consent Agenda.</p> <p><b>Mark Pool, Superintendent of Schools</b></p> |

# EL CAMPO INDEPENDENT SCHOOL DISTRICT

ROBERT MARK POOL, Superintendent

DAVID BRIGHT  
ASSISTANT SUPERINTENDENT  
FOR FINANCE

700 WEST NORRIS STREET  
EL CAMPO, TEXAS 77437  
(979) 543-6771 - FAX (979) 543-1670

CAROLYN GORDON  
ASSISTANT SUPERINTENDENT  
FOR INSTRUCTION

February 20, 2006

Board of Trustees  
El Campo Independent School District  
700 West Norris Street  
El Campo, Texas 77437

RE: Approval of Election Workers for May 13, 2006

Dear Board Members:

Once again, it is time to begin preparations for the ECISD Board of Trustees Election for 2006. Mrs. Patty Jensen is recommended for election judge for Precinct #1 at the City of El Campo Fire and EMS Building in El Campo, Texas. Johnny Norman is recommended for election judge for Precinct #2 at the Glen Flora Fire Station in Glen Flora. Ms. Diane Kaluza is recommended for early voting clerk, Crystal Matlock for early voting deputy, and David Bright for the presiding officer.

In addition, Mrs. Mae Borak is recommended as an alternate judge for Precinct #1 and Mrs. Regina Lee is recommended as an alternate judge for Precinct #2.

The election judges have selected their workers in the past and I would recommend that we continue that practice as well.

If there are any questions, or if additional information is desired, please contact me at your convenience.

Sincerely,



David Bright  
Assistant Superintendent for Finance

DB/js

**Agenda Item Summary Sheet (4 H)**  
**Meeting Date: February 20, 2006**  
**Submitted by: Mark Pool, Superintendent**

**Consent**

Election Issues

**Summary**

Several issues must be addressed with regards to changes in this year's Trustee Election to comply with the Help America Vote Act:

- (1) Section 61.012 of the Texas Election Code requires that each governing body must provide at least one accessible voting system in each polling place used in a Texas election on or after January 1, 2006. This system must comply with state and federal laws setting the requirements for voting systems that permit voters with physical disabilities to cast a secret ballot.
- (2) Due to the fact that we will be sharing the accessible system with the City, we need to adhere to their early voting times and therefore need to enter into a joint election agreement.
- (3) Because the County owns the accessible voting system, we will need to enter into a contract with the County to provide election services.
- (4) Because of all these changes we will need to secure a pre-clearance from the U.S. Department of Justice.

To accomplish each of these matters, our attorneys have drafted a Resolution for Board approval.

**ECISD Board Policy**

No specific policy.

**Effective Date**

Spring 2006 election

**Previous Board Action**

None.

**Future Action Expected**

None.

**Background Information and Signification Issues**

None.

**Fiscal Impact**

Legal fees for preparation of Resolution and filing Pre-clearance.

|  |   |
|--|---|
| <b>Student and Public Benefit</b>            | Provides accessible voting systems so that persons with certain disabilities can vote by secret ballot.   |
| <b>Procedural and Reporting Implications</b> | <ul style="list-style-type: none"> <li>• Contract with Wharton Co. for certain election services.</li> <li>• Joint Election Agreement with City of El Campo.</li> <li>• Pre-clearance Letter to be filed with the U.S. Department of Justice.</li> </ul>  |
| <b>Public Comments</b>                       | None.   |
| <b>Alternatives</b>                          | None.   |
| <b>Other Comments and Related Issues</b>     | None.   |
| <b>Attachments</b>                           | <ul style="list-style-type: none"> <li>• Copy of Resolution prepared by Judy Brown with Walsh, Anderson, Brown, Schulze &amp; Aldridge P.C.</li> </ul>  |
| <b>Contact Person(s)</b>                     | David Bright, Assistant Superintendent for Finance and Operations   |
| <b>Action Required</b>                       | <p>Approval of Resolution to:</p> <ol style="list-style-type: none"> <li>(1) Enter into an agreement with Wharton County for certain election services;</li> <li>(2) Enter into a joint election agreement with any other governmental entity which shares all or some of ECISD territory and which contracts with Wharton County for certain election services;</li> <li>(3) Extend the early voting hours to meet the requirement of any city with which it holds joint elections under a joint election agreement;</li> <li>(4) Authorize the Superintendent to negotiate and execute all such contracts and/or necessary agreements; and</li> <li>(5) Authorize the Superintendent and ECISD legal counsel to seek preclearance from the U.S. Department of Justice.</li> </ol> |
| <b>Superintendent's Recommendation</b>       | <b>Proposed Motion:</b> I move to authorize the Superintendent to contract with Wharton County for the administration of the May 13, 2005 board of trustee elections and further authorize the Superintendent to enter into joint election agreements with other entities that contract with Wharton County as allowed by law and seek preclearance to the U.S. Department of Justice.  |

**Mark Pool, Superintendent of Schools**

COUNTY OF WHARTON

,

,

,

STATE OF TEXAS

**RESOLUTION**

**RESOLUTION**

**EL CAMPO INDEPENDENT SCHOOL DISTRICT**

WHEREAS, El Campo Independent School District (ECISD) is required to comply with the provisions of Help America Vote Act (HAVA) and equivalent state laws regarding the use of electronic election equipment for its elections beginning with its general election on May 13, 2006; and

WHEREAS, the purchase of such HAVA-compliant election equipment is costly; and

WHEREAS, the Wharton County has made such HAVA-compliant election equipment, specifically ES&S AutoMark Voter Assist Terminal v.1.0, available for use by ECISD at a reasonable cost to the district; and

WHEREAS, the ECISD Board of Trustees believe that ECISD voters will benefit from common polling locations and shared costs among governmental entities in Wharton County; and

WHEREAS, the sharing of polling locations with a city will require extensions of early voting times thus extending ECISD=s early voting times; and

WHEREAS, the ECISD Board of Trustees wishes to enter into an agreement with Wharton County for the certain election services in the ECISD election on May 13, 2006, including the use of the County=s HAVA-compliant equipment; and

WHEREAS, the ECISD Board of Trustees wishes to enter into a joint election agreement to share certain polling locations and election costs with other governmental entities which share all or some of the ECISD territory and which contract with Wharton County for certain election services; and

WHEREAS, time is of the essence in making all arrangements and executing all contracts and/or agreements necessary to the Board=s goals;

WHEREAS, all of the changes to the ECISD=s election system which result form these contracts and/or agreements will require preclearance consideration by the U.S. Department of Justice;

BE IT THEREFORE RESOLVED THAT:

- (1) ECISD enter into an agreement with Wharton County for certain election services , including the use of the County=s HAVA-compliant election equipment, specifically ES&S AutoMark Voter Assist Terminal v.1.0, beginning with the May 13, 2006, general CISD

election;

(2) ECISD enter into a joint election agreement with any other governmental entity which shares all or some of the ECISD territory and which contracts with Wharton County for certain election services, including the use of the County's HAVA-compliant election equipment at common polling locations;

(3) ECISD extend its early voting hours to meet the requirements of any city with which it holds joint elections under a joint election agreement;

(2) the ECISD Superintendent is authorized to negotiate and execute such all contracts and/or agreements necessary, including any contract for election services with Wharton County and any Joint Election Agreements; and

(3) the ECISD Superintendent and ECISD legal counsel are authorized to seek preclearance for all changes affecting ECISD's election system resulting from such contracts and/or agreements from the U.S. Department of Justice effective beginning with the May 13, 2006, general ECISD election.

RESOLVED this 23<sup>rd</sup> day of February, 2006.

President, Board of Trustees  
El Campo Independent School District

ATTEST:

Secretary, Board of Trustees  
El Campo Independent School District

**Agenda Item Summary Sheet (4 J)**  
**Meeting Date: February 20, 2006**  
**Submitted by: Mark Pool, Superintendent**

## ***Information Only***

|  |  |
|--|--|
| <b>Consent Agenda</b>                                | Review of Checks Written – January 2006.   |
| <b>Summary</b>                                       | <p>Although there is no statutory or policy requirement for the Board to review the bills paid during the previous month, a monthly review providing the Board an opportunity to ask questions regarding specific expenditures is a good practice for the Board to follow in overseeing the management of the District.</p> <p>It is very helpful to the administration and helps in conducting an effective board meeting if questions are identified and asked prior to the meeting.</p> <p>These bills have already been paid, and were previously authorized by the Board when you adopted the 2005-2006 General Operating Budget.</p> |
| <b>ECISD Board Policy</b>                            | None.  |
| <b>Effective Date</b>                                | January 31, 2006.  |
| <b>Previous Board Action</b>                         | Approval of 2005-2006 General Operating Budget on August 29, 2005 authorizing the expenditure of funds.  |
| <b>Future Action Expected</b>                        | The Board will review the checks written for the previous month at each regular monthly board meeting.   |
| <b>Background Information and Significant Issues</b> | None.  |
| <b>Fiscal Impact</b>                                 | <p>Total amount of checks written from all funds for the month of January were \$602,847.58.</p> <p>Checks written in January 2005 totaled \$839,318.37.</p>   |

|  |  |
|--|--|
| <b>Student and Public Benefit</b>            | Close monitoring of monthly bills paid and monthly cash flow helps to ensure the efficient use of public funds.                      |
| <b>Procedural and Reporting Implications</b> | None.  |
| <b>Public Comments</b>                       | None.  |
| <b>Alternatives</b>                          | None.  |
| <b>Other Comments and Related Issues</b>     | None   |
| <b>Attachments</b>                           | List of checks written during the month of January are available in electronic format and were e-mailed to each member of the Board. |
| <b>Contact Person(s)</b>                     | David Bright, Assistant Superintendent of Finance and Operations   |
| <b>Action Required</b>                       | No action required. This is an information report only.  |
| <b>Superintendent's Recommendation</b>       | Information only.<br><b>Mark Pool, Superintendent of Schools</b>   |

**Agenda Item Summary Sheet (5 C)**  
**Meeting Date: February 20, 2006**  
**Submitted by: Mark Pool, Superintendent**

**Business and Operations** Resolution Authorizing Early Turnover and Additional Penalty on Delinquent Personal Property

**Summary** HB 2491 passed by the 79<sup>th</sup> Session of the Texas Legislature dealt with the administration and collection of property taxes. The bill provided for numerous provisions related to property tax assessment, exemption, collection, and other matters; one of which pertained to an early collection penalty on personal property taxes.

This provision provides for the opportunity to move up the date in which delinquent personal property taxes are referred to our delinquent tax attorneys for collection. The new referral date would be in early April, rather than July 1 of each year.

The rationale for changing this date is outlined in the attached letter from Linebarger, Goggan, Blair & Sampson, LLP.

**ECISD Board Policy** CCG (LEGAL), LOCAL REVENUE SOURCES: AD VALOREM TAXES

**Effective Date** February 20, 2006.

**Previous Board Action** None.

**Future Action Expected** None.

**Background Information and Significant Issues** According to policy CCG (LEGAL) the Board may contract with any competent attorney to represent the District to enforce the collection of delinquent taxes. The attorney's compensation is set in the contract, but the total amount of compensation provided may not exceed 20 percent of the amount of delinquent tax, penalty, and interest collected.

ECISD has contracted with Linebarger, Goggan, Blair & Sampson, LLP, for the collection of our delinquent taxes.

**Fiscal Impact** None.

**Student and Public Benefit** The time that a delinquent tax payer has an opportunity to remove personal property from the District's jurisdiction is

shortened by three months.

**Procedural and Reporting Implications**

Resolution to be included in Board Minutes and filed with Linebarger, Goggan, Blair & Sampson, LLP.

**Public Comments**

None.

**Alternatives**

None.

**Other Comments and Related Issues**

None.

**Attachments**

- Copy of letter from Linebarger, Goggan, Blair & Sampson regarding the rationale for the proposed Resolution.
- Copy of proposed Resolution.

**Contact Person(s)**

Mark Pool, Superintendent of Schools

**Action Required**

Approve the Resolution authorizing the early turnover and additional penalty on delinquent personal property taxes under Texas Tax Code Section 33.11.

**Superintendent's Recommendation**

I recommend that the Board approve the Resolution authorizing the early turnover and additional penalty on delinquent personal property taxes.

**Mark Pool, Superintendent of Schools**

LINEBARGER GOGGAN BLAIR & SAMPSON, LLP

ATTORNEYS AT LAW  
401 S. Fifth Street  
Richmond, Texas 77469  
281/342-9636  
FAX 281/341-7808

January 21, 2006

Robert Mark Pool  
Superintendent  
El Campo Independent School District  
700 West Norris Street  
El Campo, Texas 77437

Dear Mr. Pool:

Our Law Firm has collected your delinquent property taxes for many years, achieving what is regarded as a very high collection rate in the industry. The purpose of this letter is to request that an agenda item be placed on your next agenda. This item, if it is passed, will likely result in increased collections. The item should be referred to as "Consideration and Approval of a Resolution authorizing early turnover and additional penalty on Delinquent Personal Property Taxes under Tex. Tax Code Section 33.11."

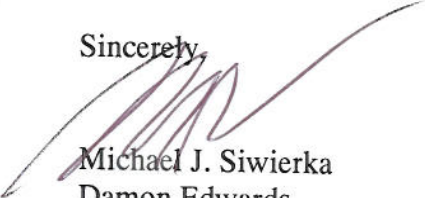
This past Legislative Session, House Bill 2491 amended Section 33.11 of the Texas Property Tax Code, moving up the date in which delinquent personal property taxes are referred to our law firm for collections. The new referral date would be in early April, rather than July 1 of each year.

The rationale for this new provision is fairly simple. Property is appraised as of January 1st of each year, but taxes are not payable until about October, some 10 months later. They become delinquent on February 1st of the following year, thirteen months after the original appraisal. But, our Firm has no collection authority until July 1st, which is about 1 and 1/2 years following assessment. Given the movable nature of most items of personal property, we have experienced occasions where we have no property that actually secures payment of the taxes due to the property being removed from its original situs or otherwise disseminated prior to the referral to our Firm for collection. In those instances, collection frequently becomes impracticable. HB 2491 simply narrows the window of "opportunity" for losing property as security for payment. By turning over delinquent personal property accounts to the Firm in April rather than July, the taxpayer's opportunity in removing property you're your jurisdiction is shortened by three months, and that could greatly enhance the Firm's chance in effectuating a collection.

Should you have any questions or wish to discuss this matter further, please do not hesitate to contact our office. As always, it is our pleasure to be of service to your jurisdiction.

Please let me or my paralegal, Tonia, know the date this resolution will be considered by the governing body.

Sincerely,



Michael J. Siwierka  
Damon Edwards  
Attorneys at Law

Tonia Whitmore, Paralegal

## RESOLUTION

THE STATE OF TEXAS           §

COUNTY OF WHARTON         §

**WHEREAS**, El Campo Independent School District wishes to defray its costs of collection, as authorized by TEX. TAX CODE § 33.11, that it incurs under a contract for collection of delinquent property taxes between said County and a private law firm entered into pursuant to TEX. TAX CODE § 6.30;

**WHEREAS**, under said Section 33.11, the governing body of El Campo Independent School District is empowered to authorize the addition of a collection penalty in an amount that does not exceed the amount of the compensation specified in the contract with the private law firm;

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF EL Campo Independent School District, THAT:**

***Section 1:***     ***THE RECITALS SET FORTH IN THIS RESOLUTION ARE TRUE AND CORRECT.***

***Section 2:***     ***AN ADDITIONAL PENALTY ON DELINQUENT TAXES FOR TAX YEARS 2005 AND SUBSEQUENT YEARS IS HEREBY AUTHORIZED AND IMPOSED, AS PROVIDED BY SECTION 33.11, TEXAS TAX CODE, IN THE AMOUNT OF 20% OF THE DELINQUENT TAX, PENALTY AND INTEREST IF THE TAX BECOMES DELINQUENT ON FEBRUARY 1 OF A YEAR AND REMAINS DELINQUENT ON THE 60TH DAY THEREAFTER.***

**PASSED, APPROVED and ADOPTED** this \_\_\_\_\_ day of January/February, 2006.  
(circle one)

\_\_\_\_\_  
Ronny Collins, President

ATTEST:

\_\_\_\_\_  
Adam Gusman, Secretary

**Agenda Item Summary Sheet (5 A)**  
**Meeting Date: February 20, 2006**  
**Submitted by: Mark Pool, Superintendent**

**Business and Operations**

Delivery System for the Development and Construction of a New Middle School and Replacement of the Old Gym at the High School.

**Summary**

Following the passage of SB 1 in 1995, school districts are allowed to use a number of methods of procurement for construction services.

The following is a brief description of construction services outlined in *Texas Education Code § 44.031(h)* that are applicable to the District's pending construction projects:

1. **Competitive bidding.** This is the traditional method of completing construction documents, advertising in a newspaper in the county, and accepting and opening sealed bids. It is similar to the method allowed prior to 1995, except that a school district is allowed to consider factors other than price.

A major disadvantage is that if the low qualified bid or number one ranked bid is higher than the school district's budget, the school district cannot negotiate for a change in scope of work and price. In order to seek a lower price, the school district has to reject all bids, revise the construction documents, and rebid the project, a costly and time consuming process.

2. **Competitive sealed proposals.** This is similar to Competitive Bids, except that the school district "may discuss with the selected offeror options for a scope or time modification and any price change associated with the modification." That is, if the project is over budget, the school district may consider reducing the scope of the project and ask the contractor to negotiate a lower price.
3. **Construction manager at risk.** This method was borrowed from the private sector where it is sometimes referred to as "fast track". Using this method, the Construction Manager at Risk (CMAR) can be selected prior to the completion of construction documents, sometimes at the same time or shortly after the architect is selected.

At a given point in the process, the CMAR submits a Guaranteed Maximum Price (GMP) for the construction project. If the actual price exceeds the GMP with all sub work being competitively bid, the CMAR is responsible for the added costs. If there are additional cost savings, the school receives all the savings.

An advantage is that the CMAR can consult with the owner and architect during the design phase on cost, schedule and value engineering. Another real advantage is that CMAR

method can give the owner and architect more control over the selection of subcontractors and suppliers.

4. **Construction manager agent.** Although this method sounds similar to CMAR, it is very different. A Construction Manager Agent (CMA) has no liability (“risk”) for the project cost or schedule. The CMA is merely an agent or consultant to the owner. The owner is the “general contractor” and takes all of the risk for cost and schedule that a general contractor or CMAR would normally have. Instead of one contract with a general contractor or CMAR, the owner will have numerous contracts and purchase orders directly with trade contractors and suppliers.
5. **Design/Build contract.** This method makes a single entity responsible for both design and construction of the project. Because it permits design and construction to overlap in time, it may result in completion of a project faster than other methods which require construction documents to be complete before construction begins. It also may be appropriate when the major component of a project is designed by the manufacturer, such as a pre-engineered steel building.

Disadvantages of the method are that the total cost may be higher than a more competitively bid project and that there is not an independent architect with at least some responsibility to evaluate the contractor’s work.

#### **Procurement Procedures.**

Construction documents should be 100% complete prior to requesting competitive bids and competitive sealed proposals. Construction documents are not required for construction manager at risk, construction manager agent, or design/build procurements.

Procurement is made through preparation of Request for Bids, Request for Sealed Proposals, or Requests for Qualifications. The type of “request” depends on the type of procurement.

Competitive Bids and Competitive Sealed Proposals require a Request for Proposals (RFP) which will include 100% complete construction documents (plans and specifications), the form of owner/contractor agreement, general conditions, supplementary conditions, and general requirements. Typically, the RFP is prepared by the school district’s architect or engineer.

The Request for Proposal for construction manager contracts and the Request for Qualifications for design/build contracts do not require 100% completion of construction documents. Often these RFPs or RFQs do not contain the form of agreement between the owner and construction manager or design/builder.

#### **Criteria and Weight of Criteria.**

The school district is required to include the criteria and weight of criteria in the RFP or RFQ. Once this is published, the school

district is obligated to evaluate the proposals based on the published criteria and weight. Unless the "price" criteria is 100%, it is possible that the number one ranked proposer will not be the lowest price proposer. The District should carefully consider the criteria and weight of criteria before the RFPs or RFQs are issued to insure it will result in the District receiving the best value for the District.

The district may consider: (1) the purchase price; (2) reputation of the vendor; (3) the quality of the vendor's goods and services; (4) the extent to which the goods or services meet the district's needs; (5) past relationship with the vendor; (6) the impact on the ability of the district to comply with laws and rules relating to historically underutilize businesses; (7) total long-term cost to the district in using the vendor; (8) any other relevant factor specifically listed in the district's request for bids or proposals. The district shall publish in the request for bids, proposals, or qualifications the evaluative criteria and their assigned weights.

**Publication of Notice.**

Notice of the time by when and place where the bids or proposals will be received and opened shall be published in the county in which the district's central administrative office is located, once a week for at least two weeks before the deadline for receiving bids, proposals, or responses to a request for qualifications.

**Receiving and Opening Bids, Proposals or Responses to Request for Qualifications.**

The school district shall receive and open bids, proposals or responses for qualifications in the county of the district's central administrative office.

**Selection or Ranking of Contractors, Construction Managers at Risk, or Design/Build Firms.**

According to *Texas Education Code § 44.0312(a)* the Board may delegate an individual or committee to make an advisory recommendation for action by the Board.

The more common practice for ranking proposals appears to be that the Board does not delegate the ranking but does designate a person or committee to make an advisory ranking. The advisory ranking is presented to the Board and the Board takes action to accept or reject the recommendations. If the Board rejects the advisory ranking, the Board may rank the proposals, but it is bound by the criteria and weight of criteria in the RFP or RFQ.

CV (LOCAL), FACILITIES CONSTRUCTION.

|  |   |
|--|---|
| <b>Effective Date</b>                                | February 20, 2006.  |
| <b>Previous Board Action</b>                         | None.   |
| <b>Future Action Expected</b>                        | At a future meeting the Board shall make its selection among the offerors on criteria authorized in <i>Education Code § 44.031(b)</i> .   |
| <b>Background Information and Significant Issues</b> | <p>According to ECISD policy CV (LOCAL), FACILITIES CONSTRUCTION, CONSTRUCTION CONTRACTS, prior to advertising, the Board shall determine the project deliver/contract award method to be used for each construction project valued at or above \$25,000. To assist the Board, the Superintendent shall recommend the project delivery/contract award method that he or she determines provides the best value to the District.</p> <p>For the District's pending construction projects, i.e., the new middle school project and the replacement of the old high school gymnasium, the staff of LANWalton ranks the delivery processes as follows:</p> <ol style="list-style-type: none"><li>1. Construction Manager at Risk</li><li>2. Competitive Sealed Proposals</li><li>3. Competitive Sealed Bids</li><li>4. Design/Build</li></ol> |
| <b>Fiscal Impact</b>                                 | None.   |
| <b>Student and Public Benefit</b>                    | The public benefits from the Board selecting the delivery system that provides the best value for the District.   |
| <b>Procedural and Reporting Implications</b>         | After the Board approves a delivery system, the District must publish a Request for Proposal.   |
| <b>Public Comments</b>                               | None.   |
| <b>Alternatives</b>                                  | There are five possible delivery methods for the pending construction projects.   |
| <b>Other Comments and Related Issues</b>             | After consultation with the staff from LANWalton, I am recommending that the following criteria and weights be used to select the "best value" for the District if the Board approves this recommendation:  |

**Contract Fee Amount.** (50%) This category consider the proposed Pre-Construction Phase Fee, Construction Phase Fee, General Conditions Fee, and Cost Savings Proposals.

**Contractor's Reputation.** (15%) The overall reputation of the Proposer will be considered in this criterion. This will be determined through professional references sought through phone interviews, and written responses. If the contractor has prior work experience in the El Campo, Texas geographic area or El Campo ISD, then that experience will be recognized in this category. Any other reference data provided by the Contractor in the proposal response package will also be considered in this category.

**Relevant Experience.** (5%) This category represents the Contractor's demonstrated experience with this particular or similar building type, function and scope.

**Procurement Experience.** (5%) This category represents the contractor's demonstrated experience and ability to perform as a Construction Manager-at-Risk.

**Safety Record and Plan.** (5%) The thoroughness of the Contractor's safety plan, company safety, experience modification rate and drug and alcohol policy will be evaluated in this category.

**Proposed Personnel.** (10%) Qualifications of proposed project personnel and their experience with this building type will be the basis of this criterion's evaluation. This includes the contractor's demonstrated ability to provide a competent experienced project manager, superintendent, and other key personnel to staff the Project.

**Financial Capability.** (5%) This category considers the CMAR's evidence of ability to be bonded by a reputable and state approved bonding agency. Include a letter in your submittal from your bonding company (not your firm's agent) establishing the firm's total bonding limit and single project limit.

**Scheduling.** (5%) Evidence of ability to meet owner's schedules and complete projects on time establishes this category's criteria. The Contractor's experience and ability to overcome uncontrollable circumstances and maintain the schedule will be a consideration in this category. In addition, this category includes the contractor's ability to address project closeout and warranty functions.

I further recommend that the Board appoint an advisory committee to evaluate and rank the proposals based on this criteria for presentation to the Board of Trustees; and that the advisory committee consists of the following:

- At least one member of the Board of Trustees appointed by the Board President
- Mark Pool, Superintendent of Schools
- David Bright, Assistant Superintendent for Finance and

Operations

- Kevin Stehling, Director of Maintenance
- Anthony Dorotik and Leonel Garza, Co-chair of the Community Facilities Advisory Committee
- At least two representatives from LANWalton
- At least two representatives from RWS Architects, Inc.

**Attachments**

- Copy of the *Request for Proposal*

**Contact Person(s)**

Mark Pool, Superintendent of Schools

**Action Required**

- Approve Construction Manager at Risk as the construction delivery method for the new middle school and replacement of the old high school gymnasium.
- Authorization for the administration to issue Request for Proposals for Construction Manger at Risk.
- Approve the criteria for evaluation of the responses to the RFP.
- Appoint an advisory committee to evaluate and rank the responses to the RFP for the Board's considieration.

**Superintendent's Recommendation**

I recommend that the Board approve Construction Manager at Risk as the construction delivery method for the new middle school and replacement of the old high school gymnasium; that you authorize the administration to issue Request for Proposals for CMAR; that you approve the criteria for evaluation of the responses to the RFP; and that you approve the appointment of an advisory committee to evaluate and rank the responses to the RFP for the Board's consideration.

**Mark Pool, Superintendent of Schools**

# Request For Proposal

## *NEW MIDDLE SCHOOL*

### *EL CAMPO INDEPENDENT SCHOOL DISTRICT*

The El Campo Independent School District is seeking proposals and qualifications for the construction of a new MIDDLE SCHOOL of approximately 131,000 square feet to be located on FM 2765 near the intersection of Highway 71, El Campo, Texas. The project shall be delivered using a procurement method known as Construction Manager at Risk as allowed under the provisions of Texas Education Code, Chapter 44, Subchapter B. In response to this Request for Proposal (RFP) and Qualification Submittal, interested firms shall submit a complete Proposal along with their Qualifications to Mr. Mark Pool, Superintendent of Schools, El Campo I.S.D. Administration Building, 700 West Norris St., El Campo, TX 77437, phone (979) 543-6771 no later than **2:00 p.m. on Friday, March 3, 2006.**

The selected Construction Manager at Risk firm shall assist the District and its Architect with cost estimating, value engineering, constructability reviews, and scheduling services throughout the design and development phases of the project and after a successful negotiated proposal and executed agreement, construct the project as a Construction Manager at Risk for the El Campo Independent School district.

Request for Proposal and Qualification Submittal packages may be obtained from the office of LAN Walton at 1722 Broadmoor, Bryan, Texas 77802, phone (979) 776-1000 after **Wednesday, February 22, 2006.**

After receiving the proposals at the designated place, date and time, the proposals shall be publicly opened and read aloud. Thereafter, a selection committee will review each proposal submitted by interested firms, evaluate, score and rank them according to the criteria established for this process as published in the RFP package. El Campo I.S.D. reserves the right to waive any informality and reject any or all proposals.

# Request For Proposal

## *NEW HIGH SCHOOL PRACTICE GYMNASIUM EL CAMPO INDEPENDENT SCHOOL DISTRICT*

The El Campo Independent School District is seeking proposals and qualifications for the construction of a new Practice Gymnasium for El Campo High School of approximately 13,000 square feet to be located on the existing campus of El Campo high School, 600 West Norris Street, El Campo, Texas. The project shall be delivered using a procurement method known as Construction Manager at Risk as allowed under the provisions of Texas Education Code, Chapter 44, Subchapter B. In response to this Request for Proposal (RFP) and Qualification Submittal, interested firms shall submit a complete Proposal along with their Qualifications to Mr. Mark Pool, Superintendent of Schools, El Campo I.S.D. Administration Building, 700 West Norris St., El Campo, TX 77437, phone (979) 543-6771 no later than **2:00 p.m. on Friday, March 3, 2006.**

The selected Construction Manager at Risk firm shall assist the District and its Architect with cost estimating, value engineering, constructability reviews, and scheduling services throughout the design and development phases of the project and after a successful negotiated proposal and executed agreement, construct the project as a Construction Manager at Risk for the El Campo Independent School district.

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After receiving the proposals at the designated place, date and time, the proposals shall be publicly opened and read aloud. Thereafter, a selection committee will review each proposal submitted by interested firms, evaluate, score and rank them according to the criteria established for this process as published in the RFP package. El Campo I.S.D. reserves the right to waive any informality and reject any or all proposals.

**Agenda Item Summary Sheet (5 B)**  
**Meeting Date: February 20, 2006**  
**Submitted by: Mark Pool, Superintendent**

**Business and Operations**      Prevailing Wage Rates for Public Work Contracts.

**Summary**

According to policy CV (LEGAL), FACILITIES CONSTRUCTION,

PREVAILING WAGE ON PUBLIC WORKS, a worker, laborer, or mechanic employed on a public work, exclusive of maintenance work, by or on behalf of the District shall be paid not less than the general prevailing rate of per diem wages. The general prevailing rate of per diem wages is the rate of per diem wages for work of a similar character in the locality in which the work is performed, and also includes the rate of per diem wages for legal holiday and overtime work. A worker is employed on a public work if the worker is employed by a contractor or subcontractor in the execution of a contract for public work with the District. *Gov't Code 2258.001, 2258.021*

The Board shall determine, as a sum certain, the general prevailing rate of per diem wages in the District for each craft or type of worker needed to execute the contract and also for legal holiday and overtime work. To ascertain the general prevailing rate of per diem wages, the Board shall either conduct a survey of wages received by classes of workers, laborers, and mechanics employed on projects of a character similar to the contract work in the District or adopt the prevailing wage rate as determined by the U.S. Department of Labor, if the survey used to determine that rate has been conducted within three years prior to the date the District calls for bids on the project. The Board shall specify the prevailing rate of per diem wages in the call for bids and in the contract itself. The Board's determination of the general prevailing rates of per diem wages shall be final. *Gov't Code 2258.001, 2258.022*

ENFORCEMENT. The Board, and an agent or officer of the Board, shall receive complaints regarding violations of the prevailing wage requirements of Chapter 2258, and withhold money from the contractor as required by statute. Upon receipt of a complaint, the Board shall determine, before the 31<sup>st</sup> day after the date the information is received, whether good cause exists to believe that a contractor or subcontractor has failed to pay the prevailing wage and shall provide written notice of its determination to the contractor or subcontractor and any affected laborer, worker, or mechanic of its initial determination. *Gov't Code 2258.051, 2258.052*

RETAINAGE AND REIMBURSEMENT. The Board shall retain any amounts due under the contract pending a final

determination of the violation. Upon a final determination that violations have occurred, the Board shall use those retained amounts to pay the laborer, worker, or mechanic the difference between the amount the worker received in wages and the amount the worker would have received at the prevailing rate of per diem wages provided in the arbitrator's award. The Board may adopt rules, orders, or ordinances relating to the manner in which the reimbursement is made. *Gov't Code 2258.052(d), 2258.056*

**PENALTY FOR NONCOMPLIANCE.** The contractor to whom the contract is awarded or subcontractors of the contractor shall pay not less than the specified rates to all laborers, workers, and mechanics employed in the execution of the contract. A contractor or subcontractor who fails to pay the specified rates as required shall pay to the District \$60 for each worker, laborer, or mechanic employed for each calendar day or part of a calendar day the worker is paid less than the wage rates specified in the contract. The Board must specify this penalty in the contract. If the District does not determine the prevailing wage rates and specify them in the contract, the contractor or subcontractor may not be fined. The Board shall use any penalty money collected to offset the costs incurred in administering Government Code Chapter 2258. *Gov't Code 2258.023*

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| <b>ECISD Board Policy</b>                            | CV (LEGAL), FACILITIES CONSTRUCTION  |
| <b>Effective Date</b>                                | February 20, 2006.   |
| <b>Previous Board Action</b>                         | None.  |
| <b>Future Action Expected</b>                        | None.  |
| <b>Background Information and Significant Issues</b> | LANWalton, as an agent of the District, has conducted a survey of the wages received by classes of workers employed on projects of a similar character to the contract work to be performed in the El Campo Independent School District. |
| <b>Fiscal Impact</b>                                 | None.  |
| <b>Student and Public Benefit</b>                    | Contractors and subcontractors are not permitted to pay a worker, laborer, or mechanic employed on a public work project for the El Campo Independent School District less than the  |

established prevailing rate of per diem wages.

**Procedural and Reporting Implications**

The prevailing wage schedule must be approved by the Board of Trustees and must be included in the Request for Proposals.

**Public Comments**

None.

**Alternatives**

None.

**Other Comments and Related Issues**

None.

**Attachments**

- Copy of the *Prevailing Wage Schedule* as determined by the survey conducted by LANWalton.

**Contact Person(s)**

Mark Pool, Superintendent of Schools

**Action Required**

Approve the Prevailing Wage Schedule for the El Campo Independent School District.

**Superintendent's Recommendation**

I recommend that the Board approve the Prevailing Wage Schedule as determined by the survey conducted by LANWalton.

**Mark Pool, Superintendent of Schools**

**Agenda Item Summary Sheet (5 D)**  
**Meeting Date: February 20, 2006**  
**Submitted by: Mark Pool, Superintendent**

**Business and Operations** Multi-Hazards Emergency Operations Plan

**Summary** SB 11 passed by the 79<sup>th</sup> Session of the Texas Legislature dealt with security in public schools. The bill provided that each school district adopt and implement a multihazard emergency operations plan for use in district schools. The plan must provide district employee training in responding to an emergency; mandatory school drills to prepare district students and employees for responding to an emergency; measures to ensure coordination with local emergency management agencies, law enforcement, and fire departments in the event of an emergency; and the implementation of a security audit.

At least once every three years, a school district must conduct a security audit of the district's facilities. To the extent possible, a district must follow security audit procedures developed by the Texas School Safety Center (TSSC) or a comparable public or private entity. A school district must report the results of the security audit to the district's board of trustees.

A school district that constructs a new instructional facility or conducts a major renovation of an existing instructional facility using funds under the Instructional Facilities Allotment must consider, in the design of the instructional facility, security criteria developed by TSSC.

**ECISD Board Policy** CKC (LOCAL), SAFETY PROGRAMS / RISK MANAGEMENT: EMERGENCY PLANS

**Effective Date** February 20, 2006.

**Previous Board Action** None.

**Future Action Expected** Additions to the Multi-Hazard Emergency Operations Plan will be presented at a future meeting(s) along with the required security audit.

**Background Information and Significant Issues** There is a requirement that the Multi-Hazard Emergency Operations Plan be approved by the Board of Trustees by March 1, 2006.  
However, the online tool designed by the Texas Engineering Extension Service for development of the plan and the audit and other materials from the Texas School Safety Center have just

recently been released.

Therefore, it has been recommended that the Board adopt the “basic” plan at this time with the understanding that that annexes, audits, drills, and revisions to the plan will be developed on an ongoing basis.

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| <b>Fiscal Impact</b>                         | None.  |
| <b>Student and Public Benefit</b>            | Student safety.  |
| <b>Procedural and Reporting Implications</b> | The “Basic” Multi-Hazard Emergency Operations Plan must be adopted by the Board of Trustees by March 1, 2006.                                    |
| <b>Public Comments</b>                       | None.  |
| <b>Alternatives</b>                          | None.  |
| <b>Other Comments and Related Issues</b>     | None.  |
| <b>Attachments</b>                           | <ul style="list-style-type: none"><li>• A copy of the “Basic” Multi-Hazard Emergency Operations Plan is provided under separate cover.</li></ul> |
| <b>Contact Person(s)</b>                     | David Bright, Assistant Superintendent for Finance and Operations  |
| <b>Action Required</b>                       | Adopt the Multi-Hazard Emergency Operations Plan.  |
| <b>Superintendent’s Recommendation</b>       | I recommend that the Board adopt the “Basic” Multi-Hazard Emergency Operations Plan.<br><b>Mark Pool, Superintendent of Schools</b>              |

**Agenda Item Summary Sheet (5 E)**  
**Meeting Date: February 20, 2006**  
**Submitted by: Mark Pool, Superintendent**

**Business and Operations** Request to Purchase Portable Classrooms for Myatt Elementary

**Summary** Due to enrollment increases expected for the Life Skills class at Myatt Elementary, the administration is requesting the authorization to purchase two additional portable buildings with double classrooms.

Ms. Chiles plans to move all pre-kindergarten classes to one of these portables freeing up needed classroom space for an additional Life Skills unit.

The second set of classrooms would be used for programs that are currently in the planning stages:

- Elementary science pull-out program; and
- Elementary conversational Spanish, or a content mastery style learning lab.

Both buildings are being requested now due to previous experience with delivery and setup.

**ECISD Board Policy** CH (LOCAL), PURCHASING AND ACQUISITION

**Effective Date** February 20, 2006.

**Previous Board Action** None.

**Future Action Expected** A budget amendment may be required for the purchase of these buildings since they were not requested and included in the 2005-2006 General Operating Budget.

**Background Information and Significant Issues** According to LOCAL policy, The Board delegates to the Superintendent or designee the authority to determine the method of purchasing, in accordance with CH (LEGAL), and to make budgeted purchases.

However, any purchase that costs or aggregates to a cost of \$25,000 or more shall require Board approval before a transaction may take place

**Fiscal Impact** \$96,000 based on last year's two-classroom portable building price of \$48,000 each.

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| <b>Student and Public Benefit</b>            | Allows the campus to have the space to offer an additional class for Life Skills students.  |
| <b>Procedural and Reporting Implications</b> | None.   |
| <b>Public Comments</b>                       | None.   |
| <b>Alternatives</b>                          | None.   |
| <b>Other Comments and Related Issues</b>     | None.   |
| <b>Attachments</b>                           | <ul style="list-style-type: none"> <li>• Memorandum from Kim Chiles.</li> </ul>   |
| <b>Contact Person(s)</b>                     | <p>David Bright, Assistant Superintendent for Finance and Operations</p> <p>Kim Chiles, Myatt Elementary School Principal</p>   |
| <b>Action Required</b>                       | Authorization the administration to purchase two double classroom modular buildings for the Myatt Elementary campus.  |
| <b>Superintendent's Recommendation</b>       | <p>I recommend that the Board authorize the administration to purchase two double classroom modular buildings for the Myatt Elementary campus.</p> <p><b>Mark Pool, Superintendent of Schools</b></p> |

Myatt Elementary School  
Proposal for Portable Buildings

February 8, 2006

TO: Mark Pool, Superintendent  
and  
El Campo Board of Trustees

FROM: Kim Chiles, Myatt Elementary Principal

NEED # 1: Portable Building for Classrooms

Due to the enrollment increase expected for our Life Skills population for the 2006-2007 school year, I am requesting a portable building to house our Pre-Kindergarten students for next school year. This will open up the classroom space necessary to add an additional Life Skills unit.

The projected Life Skills population for next school year will be 12 special needs children. The students in the Life Skills classes have severe disabilities requiring much attention (visually / hearing impaired, developmental delays, cerebral palsy, genetic disorders, Autism, mentally retarded, need for toileting, changing of diapers, feeding, use of equipment to walk, use of sign language or other means of communication, etc.) With additional classroom space necessary for these students to receive instruction and related services, I would like for the group to be located next to the existing Life Skills classroom. This way, the students will have a bathroom in the classroom for toileting needs, sink for washing of hands and sanitizing from bodily fluids and is located directly across from the Nurse's office. By locating next to the existing Life Skills classroom, the teachers and students would also have the benefit of collaborating for instructional activities and would be located close to the bus ramp for transportation drop – off and pick-up from wheelchair buses.

In order to maintain the special needs students' proximity to one another, our Pre-Kindergarten classes (2) would need to be moved from their current location. Since our building holds no additional space for classrooms, the need for an additional portable building exists.

The new portable building will be able to “connect” to the existing portable building via the covered walkway already in place. Only a small extension of the walkway will be necessary. Very little maintenance / preparation will be necessary since electricity and water are already at the site.

The estimated cost of a two-room portable building is \$48,000 (last year's purchase price of building.)

## Proposal #2: Portable Building for Learning Labs

In order to address the general student population's academic needs, I would like for the Board to consider an additional building to house a **Science Lab** in which students would rotate in and out to perform science lessons and hands-on laboratory investigations. With the addition of this "room," students would be better able to utilize equipment and conduct experiments where regular classroom space does not allow. A portable classroom would provide water (sink) and space designated only for science equipment. The room would be utilized by every class on campus and would provide students a better opportunity to enjoy science and master TEKS objectives in this subject area, thus giving students a greater chance of successful performance on the TAKS Science test.

The other half of the portable would be designated as a **Learning Lab** for struggling students. Students would be able to attend specific "sessions" on material / specific skills in which they are deficient. For example, if a group of Kindergarten students are having difficulty with one-to-one correspondence in mathematics, a time slot would be available for intensive tutoring in this area. If another group of First grade students have difficulty in the Reading skill of "isolating the middle sounds of words," there would be a session designed to address this skill.

The purpose of this Learning Lab is to address individual skill areas for struggling students in order to produce successful student learning and mastery of grade-level requirements. This Learning Lab would require an additional teaching unit to be added to the Myatt staff.

The Learning Lab would function much like a Special Education Content Mastery classroom, but would serve the general education student population. Since research has shown that small groups of students learning through individualized instruction are able to learn and retain information better than large groups of students, I feel that such a Learning Lab would provide struggling students the opportunity to obtain intense individualized instruction which will aid in their educational success.

Cost of complete proposal would include that of a portable building, furniture, teaching unit and basic instructional materials for students.

Very General Estimate: \$100,000

(Portable: \$48,000

Furniture: \$ 10,000

Teaching Unit: \$35,000

Materials: \$7,000)

**Agenda Item Summary Sheet (6 A)**  
**Meeting Date: February 20, 2006**  
**Submitted by: Mark Pool, Superintendent**

**Curriculum and Instruction**      Class Size Waiver and Compliance Plan

**Summary**

According to LEGAL policy, the District shall not enroll more than 22 students in a class, kindergarten through fourth grade, except as allowed by the Commissioner of Education.

EXCEPTION. The Commissioner may except the District, on application, from the class size limits above if the limit works an undue hardship on the District. An exception expires at the end of the semester for which it is granted, and the Commissioner may not grant an exception for more than one semester at a time.

To ensure compliance, once each semester the District must conduct a class enrollment survey for grades K-4. For the Spring Semester, each district had to conduct this survey no later than January 19, 2006. Based on the class enrollment survey, the District must notify the TEA of each campus in which the class size of any class exceeds 22:1, and may request a waiver for that campus.

The waiver request must be submitted by February 17, 2006, [we have received a deadline extension from TEA since we did not have a regular scheduled board meeting between January 19 and February 17] and must include a current compliance plan that has been approved by the local board of trustees.

The plan must include:

- the name of the campus, campus rating, and number of sections exceeding the 22:1 class size ratio;
- steps to be taken to bring the district into compliance;
- timeline for completion;
- any new efforts/progress toward compliance if a plan was previously submitted; and
- the specific reasons for noncompliance must be addressed.

In addition, districts that request a waiver due to an inability to employ teachers must document efforts to recruit and hire staff.

On January 19, 2006 we were out of compliance with the 22:1 ratio requirement because of the distribution of students in fourth grade classes. We had a total of 242 fourth grade students with eleven fourth grade teachers, which should have been exactly 22 students per class. However, three classes had 23 students, while one class had 20 and another had 21. Had the enrollment

in these classes been distributed evenly we would have been in compliance.

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|--|--|
| <b>ECISD Board Policy</b>                            | EEB (LEGAL), INSTRUCTIONAL ARRANGEMENTS: CLASS SIZE  |
| <b>Effective Date</b>                                | February 20, 2006.   |
| <b>Previous Board Action</b>                         | The Board has not been required to submit a class size waiver since I have been here.  |
| <b>Future Action Expected</b>                        | None.  |
| <b>Background Information and Significant Issues</b> | We are currently in compliance with no fourth grade class enrollment exceeding 22 students. One class still has 20 students and one class has 21.  |
| <b>Fiscal Impact</b>                                 | Should we have to hire another teacher for the fourth grade, our current average teacher salary according to the 2005 AEIS Report is \$40,925 plus approximately 14% benefits = \$46,645 annually. |
| <b>Student and Public Benefit</b>                    | Students possibly receive more individual attention with smaller classes, but there is little or no research to show significant increases in student achievement at the 22:1 ratio.               |
| <b>Procedural and Reporting Implications</b>         | Waiver request must be submitted to the Texas Education Agency.  |
| <b>Public Comments</b>                               | None.  |
| <b>Alternatives</b>                                  | None.  |
| <b>Other Comments and Related Issues</b>             | None.  |
| <b>Attachments</b>                                   | <ul style="list-style-type: none"><li>• Copy of Request for Maximum Class Size Waiver</li><li>• Copy of Compliance Plan for Class Size Waiver</li></ul>  |

**Contact Person(s)**

Carolyn Gordon, Assistant Superintendent of Curriculum and Instruction

**Action Required**

Approve the Maximum Class Size Waiver Request

**Superintendent's Recommendation**

I recommend that you approve the Maximum Class Size Waiver Request for the Spring Semester, 2005-2006 School Year.

**Mark Pool, Superintendent of Schools**

Compliance Plan for Class Size Waiver  
2005-2006 School Year

As of January 19, 2006 Northside Elementary, grade 4 had an enrollment of 242 students with eleven (11) teachers. As of that date three sections had an enrollment of twenty-three students, two sections with less than 22 and the remaining six sections each had twenty-two students. If classes had been divided equally all sections would have had twenty-two students each and a waiver would not have been necessary. Since the January 19 reporting period only one (1) section is out of compliance with twenty-three (23) students enrolled. It is the district's decision to request a waiver and allow the students who are in the class of twenty-three to remain in their classroom for which they have been assigned because moving students at this time of the year would disrupt their educational process.

The district will take the necessary steps to hire an additional teacher for grade 4 if the enrollment remains the same for the 2006-2007 school year.

**Agenda Item Summary Sheet (6 B)**  
**Meeting Date: February 20, 2006**  
**Submitted by: Mark Pool, Superintendent**

## ***Information Only***

|  |  |
|--|--|
| <b>Curriculum and Instruction</b>                    | Evaluation of Instructional Technology Program   |
| <b>Summary</b>                                       | <p>The 78<sup>th</sup> Legislature enacted House Bill 3459 that added § 7.027 to the Texas Education Code. Paragraph (b) of this statute states:</p> <p><i>The board of trustees of a school district or the governing body of an open-enrollment charter school has primary responsibility for ensuring that the district or school complies with all applicable requirements of state educational programs.</i></p> <p>Although this particular program evaluation is not required by the State, we have chose to include it as a part of our continuous evaluation and improvement plans for district programs.</p> |
| <b>ECISD Board Policy</b>                            | No specific policy that addresses instructional technology.  |
| <b>Effective Date</b>                                | February 20, 2006.   |
| <b>Previous Board Action</b>                         | The Board last evaluated the Instructional Technology Program on February 21, 2005.  |
| <b>Future Action Expected</b>                        | <p>Next month the Board will be presented with an <i>Improvement Plan</i> for the district's Instructional Technology Program.</p> <p>The next evaluation of the Instructional Technology Program will be in February 2007.</p>  |
| <b>Background Information and Significant Issues</b> | None.  |
| <b>Fiscal Impact</b>                                 | None.  |
| <b>Student and Public Benefit</b>                    | Program evaluation and improvement planning will provide an environment of continuous improvement of all programs for all students.  |
| <b>Procedural and Reporting Implications</b>         | None.  |

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|--|--|
| <b>Public Comments</b>                   | None.  |
| <b>Alternatives</b>                      | None.  |
| <b>Other Comments and Related Issues</b> | None.  |
| <b>Attachments</b>                       | <ul style="list-style-type: none"><li>• Memorandum from Carolyn Gordon.</li></ul>  |
| <b>Contact Person(s)</b>                 | Carolyn Gordon, Assistant Superintendent of Curriculum and Instruction             |
| <b>Action Required</b>                   | No action required.  |
| <b>Superintendent's Recommendation</b>   | This is an informational item only.<br><b>Mark Pool, Superintendent of Schools</b> |

**Agenda Item Summary Sheet (7-A)**  
**Meeting Date: February 20, 2005**  
**Submitted by: Mark Pool, Superintendent**

**Governance**

Waiver Request for First Day of Instruction

**Summary**

According to *Texas Education Code § 25.0811* the District may not begin instruction for students for a school year before the week in which August 21 falls, with Sunday being considered the first day of the week.

A district may, however apply for a waiver from this statutory requirement under *Texas Education Code § 7.056*. Under this process, at least 60 days before the date the District submits the application for a waiver, the District must publish notice in a newspaper having general circulation in the District. The notice must state that the District intends to apply for a waiver of the prohibition concerning the date of the first day of instruction for students; and must specify the date on which the District intends to begin instruction for students.

In addition, the District must hold a public hearing concerning the date of the first day of instruction for students.

The application for a waiver must include a summary of opinions expressed at the public hearing, including any consensus of opinion expressed concerning the date of the first day of instruction for students.

**ECISD Board Policy**

EB (LOCAL), SCHOOL YEAR

**Effective Date**

February 20, 2006

**Previous Board Action**

At a regular meeting on October 17, 2005, the Board established parameters for the development of the 2006-2007 School Calendar.

At a regular meeting on December 12, 2005, the Board approved the School Calendar for 2006-2007 as recommended by the calendar committee.

Earlier during this meeting the Board conducted a Public Hearing on the proposed early start date.

**Future Action Expected**

None.

**Background Information and Significant Issues**

On October 17, 2005 the Board established parameters for the development of the 2006-2007 school calendar; more specifically, that school was not to start earlier than the

Wednesday before the state mandate and end by June 1, with consideration of not taking a week long holiday at Thanksgiving and finishing before Memorial Day.

In accordance with those parameters, the calendar committee selected two calendars from eleven proposed calendars that were submitted from the five campuses, Central Office, and Meadow Lane Resource Center. These two calendars were distributed to the faculty and staff and voted on. A total of 421 eligible voters cast 332 ballots. The vote tally was 293 for Calendar No. 1 and 39 for Calendar No. 2.

Calendar No. 1 was recommended by the calendar committee and approved by the Board of Trustees at the regular meeting on December 12, 2005.

The first day of instruction for students on Calendar No. 1 is Wednesday, August 16. Since this is prior to the start date established by statute, which this year is Monday, August 21, a waiver request must be submitted to the Texas Education Agency

In order to get community input for the waiver request, a survey was sent home with all students seeking input from parents. To obtain input from others in the community, an on-line survey on the district's website was also conducted.

There were a total of 1,377 parent surveys returned. 880 agreed with the early start date, 325 were neutral, and 172 (12.5%) disagreed with the early start date.

Data from the on-line survey, which can accept votes from all over the world from anyone that has access to the Internet, shows that 107 legitimate responses were recorded. (If it was obvious that someone was voting multiple times in succession from the same IP address, those votes were counted only once.) 57 of those agreed with the early start date and 50 disagreed.

The Districtwide Education Improvement Council (district site-based committee) approved the waiver request on February 13.

**Fiscal Impact**

None.

**Student and Public Benefit**

Beginning school on Wednesday, August 16, rather than Monday, August 21, allows students to finish the first semester before the Christmas holidays and the second semester before Memorial Day.

**Procedural and Reporting Implications**

Following approval of the waiver request, the request must be submitted to the Commissioner of Education for approval.

**Public Comments**

Public Hearing held earlier in the meeting.

|  |  |
|--|--|
| <b>Alternatives</b>                      | None.  |
| <b>Other Comments and Related Issues</b> | None.  |
| <b>Attachments</b>                       | None.  |
| <b>Contact Person(s)</b>                 | Carolyn Gordon, Assistant Superintendent of Curriculum and Instruction   |
| <b>Action Required</b>                   | Approval of the Waiver Request for the First Day of Instruction.   |
| <b>Superintendent's Recommendation</b>   | <p>I recommend that you approve the Waiver Request for the First Day of Instruction that will allow ECISD to have the first day of instruction for the 2006-2007 school year on Wednesday, August 16.</p> <p><b>Mark Pool, Superintendent of Schools</b></p> |

**TEXAS EDUCATION AGENCY  
STATE WAIVERS UNIT**

**APPLICATION FOR FIRST DAY OF INSTRUCTION WAIVER**

**First Day of Instruction Waiver**, pursuant to TEC §25.0811. This waiver allows the district to begin instruction for students before the week in which August 21<sup>st</sup> falls. For this purpose, Sunday is considered the first day of the week. The school district is required to publish a notice 60 days prior to submitting an application. The notice shall include the intent to apply and the specific date the district intends to begin the first day of instruction for students. The district shall hold a public hearing; and in the waiver application, the district shall include a summary of opinions and any consensus of opinion expressed at the public hearing concerning the beginning date of instruction for students. This waiver is granted for one year and an application is required for each subsequent year. **Bolded** items must be completed.

**SECTION 1. PLEASE COMPLETE THIS SECTION.**

|                 |                               |                     |                           |
|-----------------|-------------------------------|---------------------|---------------------------|
| District Name:  | <u>El Campo</u>               | County/District No. | <u>241 - 903</u>          |
| Address:        | <u>700 West Norris Street</u> | Telephone No.       | <u>(979) - 543 - 6771</u> |
|                 | <u>El Campo, Texas 77437</u>  | Fax No.             | <u>(979) - 543 - 1670</u> |
| Contact Person: | <u>Carolyn Gordon</u>         | Telephone No.       | <u>(979) - 543 - 6771</u> |

**SECTION 2. PLEASE COMPLETE THIS SECTION.**

|                      |                         |               |
|----------------------|-------------------------|---------------|
| Superintendent:      | <u>Robert Mark Pool</u> | _____         |
|                      | Typed Name              | Signature     |
| Board President:     | <u>Ronny Collins</u>    | _____         |
|                      | Typed Name              | Signature     |
| Date Board Approval: | _____                   |               |
| Board Vote – For     | _____                   | Against _____ |
| Abstain              | _____                   | Absent _____  |

**SECTION 3. PLEASE COMPLETE THIS SECTION.**

**Comments of appropriate Site-Based Decision Making Committee:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**SBDM Committee Chairperson Signature** \_\_\_\_\_

**SECTION 4. COMPLETE THIS SECTION. PLEASE USE SEPARATE PAGE IF NECESSARY.**

1. Give a brief narrative description of the requested waiver. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
2. Does the district or campus plan reflect the need for this waiver? If yes, what is the specific objective impacted by the waiver? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
3. Describe the plan to be implemented, if the waiver is granted. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
4. How will granting this waiver help achieve the district or campus's objective? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. Please explain how the school district or campus will evaluate the impact of the waiver towards meeting the district or campus's goal. \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

6. Enter the date the public notice was published. 12 / 17 / 2005

7. Enter start date included on the public notice published. 08 / 16 / 2006

8. Enter the date of the public hearing. 02 / 20 / 2006

9. Include the copy of the public notice with the application.

10. Summarize consensus of opinions expressed at the public hearing: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

11. Provide the following information regarding the public hearing:  
 Number attending the public hearing \_\_\_\_\_  
 Number registering in favor of the waiver \_\_\_\_\_  
 Number registering against the waiver \_\_\_\_\_  
 Number registering no position regarding the waiver \_\_\_\_\_

12. In the event other methods are used to gather community input regarding this waiver request, indicate whether the input received was characterized as favorable, unfavorable or neutral:  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

All applications should be mailed or faxed. The fax number is (512) 475-3666.

State Waiver Unit  
 Texas Education Agency  
 1701 North Congress Avenue  
 Austin, TX 78701-1494  
 Phone (512) 463-9630

**Agenda Item Summary Sheet (7 B)**  
**Meeting Date: February 20, 2006**  
**Submitted by: Mark Pool, Superintendent**

|  |   |
|--|---|
| <b>Governance</b>                                    | MOU with William Smith Sr. Tri-County Child Development Council, Inc.   |
| <b>Summary</b>                                       | <p>At the regular meeting last month the Board tabled action on a Memorandum of Understanding with William Smith, Sr. Tri-County Child Development Council after a review of the document by the District's legal counsel, Robb Decker, who recommended that we not sign the MOU as presented.</p> <p>Dan Hammock then secured a MOU that was prepared by the Walsh-Anderson law firm for another district and submitted it to Mr. Decker who has agreed that it will better serve our needs.</p> |
| <b>ECISD Board Policy</b>                            | EHBAC (LEGAL), SPECIAL EDUCATION STUDENTS: STUDENTS IN NONDISTRICT PLACEMENT  |
| <b>Effective Date</b>                                | February 20, 2006.  |
| <b>Previous Board Action</b>                         | Action on this item was tabled at the regular meeting on January 23, 2006.  |
| <b>Future Action Expected</b>                        | None.   |
| <b>Background Information and Significant Issues</b> | None.   |
| <b>Fiscal Impact</b>                                 | Unknown.  |
| <b>Student and Public Benefit</b>                    | Pre-school children with special education needs are identified and appropriate services offered.   |
| <b>Procedural and Reporting Implications</b>         | Once the Memorandum of Understanding has been approved by the Board, it must be signed and returned to William Smith, Sr. Tri-county Child Development Council, Inc. for appropriate signatures.  |
| <b>Public Comments</b>                               | None.   |

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|--|---|
| <b>Alternatives</b>                      | None.   |
| <b>Other Comments and Related Issues</b> | None.   |
| <b>Attachments</b>                       | <ul style="list-style-type: none"> <li>• Copy of letter from Robb Decker</li> <li>• Copy of new Memorandum of Understanding</li> </ul>  |
| <b>Contact Person(s)</b>                 | Dan Hammock, Director of Special Education  |
| <b>Action Required</b>                   | Take the previously tabled item from the table and approve the Memorandum of Understanding.   |
| <b>Superintendent's Recommendation</b>   | <p>I recommend that you approve the Memorandum of Understanding between the El Campo Independent School District and the William Smith Sr. Tri-County Child Development Council.</p> <p><b>Mark Pool, Superintendent of Schools</b></p> |

WALSH, ANDERSON,  
BROWN, SCHULZE  
& ALDRIDGE, P.C.

ATTORNEYS AT LAW

AUSTIN • SAN ANTONIO • IRVING • ALBUQUERQUE

February 9, 2006

Mr. R. Mark Pool  
Superintendent El Campo ISD  
700 W. Norris  
El Campo, TX 77437

Mr. Pool:

As you may recall, this firm reviewed a draft Memorandum of Understanding (MOU) created by William Smith Sr. Tri-County Child Development Council to El Campo ISD regarding its relationship with your district concerning Child Find obligations. The agreement was such that this firm recommended the district not sign it. The basis for our recommendation are outlined in my letter to you dated January 18, 2006.

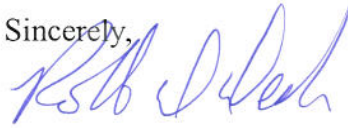
Subsequent to our review of the draft MOU, Mr. Hammock procured a copy of the "MOU Between Dewitt-Lavaca Special Education Cooperative and ACFI Head Start Program" which was drafted by another attorney in our firm. The Dewitt-Lavaca MOU, with the names changed to the applicable parties in this case, is a more appropriate agreement for your district to use with William Smith Sr. Tri-County Child Development Council. While the agreement does not cover every concern raised in our initial letter, it does not overly complicate the relationship between the two entities as did the William Smith Sr. draft agreement.

If the William Smith Sr. group raises concerns about this new MOU, I will be happy to help the district finalize a new version of the MOU or if necessary, create a new MOU specifically crafted for the district and the William Smith Sr. group.

*Mr. R. Mark Pool*  
*February 9, 2006*  
*Page 2*

Should you have any further questions or concerns about this matter, please feel free to contact me at your convenience.

Sincerely,



Robb D. Decker

cc: Mr. Dan Hammock  
Director of Special Education

VIA FACSIMILE

**Memorandum of Understanding Between  
El Campo-Louise Special Education Cooperative  
and  
William Smith Sr. Tri-County Child Development Council, Inc. Head Start Program**

**I. Membership**

This agreement is entered into between El Campo-Louise Special Education Cooperative and William Smith Sr. Tri-County Child Development Council, Inc. Head Start Program hereinafter referred to as Head Start. This agreement is developed in accordance with The State of Texas Memorandum of Understanding, 1996-1997, "Coordinated Services Delivery for Children with Disabilities."

This Memorandum of Understanding is intended to establish certain administrative procedures to assist the parties in the performance and enforcement of their respective rights and duties with respect to the provision of inclusion opportunities at the Child Development Center. This document is not intended to form either a contractual agreement or an interlocal agreement within the scope of Texas Government Code Chapter 791.

**II. Purpose of Agreement**

The purpose of this agreement is to assure that El Campo-Louise Special Education Cooperative and Head Start cooperatively develop procedures for identifying and providing special education instructional services to children with disabilities enrolled with the Head Start Program.

**III. Joint Service Implementation Plan Components:**

**A. Child Find/Screening Activities**

Each program shall include information concerning the other agency and the services they provide in a joint child find public awareness brochure.

At least 120 days prior to the student's third birthday, the Head Start program will initiate a referral to El Campo-Louise Special Education Cooperative on Head Start students who have been diagnosed as having a disability or who (as a result of screening activities) are suspected of having a disability, recognized under IDEA. A referral will be initiated by the Head Start program immediately upon the identification of a student who is visually and/or auditorially impaired.

**B. Process for Conducting Referrals and Evaluations**

Head Start will coordinate the referral process when a child who is in the Head Start program has or is suspected of having a disability recognized under IDEA.

Specifically Head Start will:

- a) request a referral packet from ISD;
- b) gather and document relevant data, to include parent interview;
- c) conduct and record vision and hearing screening;
- d) meet with parents and explain student and parents rights under IDEA;
- e) provide parental notice of assessment and obtain consent for assessment;
- f) obtain consent for release of medical information or records from other agencies, when appropriate; and
- g) submit the written referral to ISD central office and the Cooperative on the appropriate ISD forms in a timely manner (i.e., not later than 10 days to two weeks from the initiation of the referral as described in Paragraph III above.)

The ISD or Cooperative will develop and disseminate a referral packet for Head Start use and provide technical assistance in conducting the referral process.

Upon receipt of the referral from Head Start, the Cooperative will gather any additional data needed and conduct a full and individual evaluation in accordance with federal and state regulations to determine eligibility for services under IDEA.

#### C. Individualize Education Program Development and Placement Procedures

Upon completion of the full and individual evaluation, the ISD, or Cooperative, will schedule and conduct an ARD committee meeting.

#### **IV. Training and Technical Assistance to be Provided**

The Cooperative and Head Start will share information about training, workshops and/or seminars that may be available to assist in staff training concerning the education of students with disabilities. Each program shall provide the other with a contact person for technical assistance service in delivery.

#### **V. Review/Revision/Termination Process for Overall Agreement**

This agreement is adopted and in effect until amended or replaced by another agreement. Liaisons of the respective agencies will meet at least annually to review and, if necessary, revise or discuss termination of the interagency agreement. If termination of the interagency agreement is requested by either party, at any time, a special meeting will be called to review the reason for termination and to attempt to resolve the disagreement.

#### **VI. Responsible Parties for Implementing and Monitoring Overall Implementation of Agreement Within Each Agency**

El Campo-Louise Special Education Cooperative Director and the Head Start Disabilities Coordinator will serve as liaisons for the implementation and monitoring of this agreement.

**VII. Venue**

In the event any suit is filed on this Agreement, venue shall be in Wharton County.


This agreement is mutually agreed upon this date \_\_\_\_\_, and it is further agreed that this agreement will be updated annually or as changes warrant.

\_\_\_\_\_  
Robert Mark Pool, Superintendent  
El Campo Independent School District  
(Fiscal Agent)

\_\_\_\_\_  
Helen R. Wright, Executive Director  
William Smith Sr., Tri-County CDC, Inc.

\_\_\_\_\_  
Elementary Education Representative  
El Campo Independent School District

\_\_\_\_\_  
Mariette A. Bellamy, Education Manager  
William Smith Sr., Tri-County CDC, Inc.

  
\_\_\_\_\_  
Dan Hammock, Special Education Director  
El Campo-Louise Special Education  
Cooperative

\_\_\_\_\_  
Dianne B. Brown, Disabilities Coordinator  
William Smith Sr., Tri-County CDC, Inc.

**Agenda Item Summary Sheet (7 C)**  
**Meeting Date: February 20, 2006**  
**Submitted by: Mark Pool, Superintendent**

|  |   |
|--|---|
| <b>Governance</b>                                    | Approval of Localized Policy Update 77.   |
| <b>Summary</b>                                       | <p>Last month you received a copy of the Explanatory Notes and <i>Vantage Points</i> for Localized Update 77.</p> <p>According to guidelines established by TASB Policy Service, Board action on Localized Update 77 must occur within a properly posted, open meeting of the Board.</p> <p>The Board's action on Localized Update 77 must be reflected in Board minutes. The Instruction Sheet —annotated to reflect any changes made by the Board—and the Explanatory Notes for the update should be filed with the Board minutes where they comprise the authoritative historical record of the District's policy manual. A copy of the replaced or rescinded (LOCAL) policies should also be retained in the historical record.</p> |
| <b>ECISD Board Policy</b>                            | BF (LOCAL), BOARD POLICES   |
| <b>Effective Date</b>                                | February 20, 2006   |
| <b>Previous Board Action</b>                         | Localized Policy Update 77 was presented at the regular meeting on January 23, 2006 for the Board's review.   |
| <b>Future Action Expected</b>                        | None.   |
| <b>Background Information and Significant Issues</b> | None.   |
| <b>Fiscal Impact</b>                                 | None.   |
| <b>Student and Public Benefit</b>                    | Board policies are designed to promote fair and equitable treatment for all district patrons.   |
| <b>Procedural and Reporting Implications</b>         | Following Board approval, TASB Policy Service will be notified so this action may be reflected in our Localized Policy Manual as it appears on TASB's Web server for <i>Policy On-Line</i> .  |
| <b>Public Comments</b>                               | None.   |

|  |   |
|--|---|
| <b>Alternatives</b>                      | None.   |
| <b>Other Comments and Related Issues</b> | None.   |
| <b>Attachments</b>                       | None.   |
| <b>Contact Person(s)</b>                 | Mark Pool, Superintendent of School   |
| <b>Action Required</b>                   | <p>An appropriate motion for Board action on Localized Update 77 is as follows:</p> <p><i>“I move that the Board add, revise, or delete (LOCAL) policies as recommended by TASB Policy Service and according to the Instruction Sheet for TASB Localized Policy Manual Update 77.”.</i></p> |
| <b>Superintendent’s Recommendation</b>   | <p>I recommend that you approve the (LOCAL) policies as recommended by the TASB Policy Service according to the Instruction Sheet for Localized Policy Manual Update 77.</p> <p><b>Mark Pool, Superintendent of Schools</b></p>   |

**Governance**

Board Training Annual Compliance Announcement

**Summary**

According to LEGAL policy, annually, at the meeting at which the call for election of Board members is normally scheduled, the President shall announce the name of each Board member who has completed the required continuing education, who has exceeded the required hours of continuing education, and who is deficient in the required continuing education. The President shall cause the minutes to reflect the information and shall make this information available to the local media.

According to the *Texas Education Code § 11.159*, each trustee must complete any training required by the State Board of Education. The required training is as follows:

**Tier 1**

**New Members.** New members shall participate in a local orientation session within 60 days before or after their election or appointment. The purpose of this orientation is to familiarize new Board members with local Board policies and procedures and District goals and priorities.

All newly elected Board members shall also receive the orientation to the Texas Education Code within the first year of service. The orientation shall be delivered by regional education service centers and shall be three hours in length.

**Legislative Updates.** After each session of the Texas Legislature, each Board member shall receive an updated session from a regional education service or any registered provider to the basic orientation to the Texas Education Code. This update session shall be of sufficient length to familiarize Board members with major changes in the Education Code and other relevant legal developments related to school governance.

**Tier 2**

**Team Building.** An entire Board, including all Board members, shall annually participate with the Superintendent in a team building session facilitated by the regional education service center or any registered provider. The team building session shall be of a length deemed appropriate by the Board, but generally at least three hours. The purpose of the team building session is to enhance the effectiveness of the Board-Superintendent team and to assess the continuing education needs of the Board-Superintendent team.

**Tier 3**

**Continuing Education.** In addition to the orientation and team building, all Board members shall receive additional continuing education on an annual basis. In the first year of service, Board

members shall receive at least ten hours of continuing education.

Following the first year of service, Board members shall receive at least five hours of continuing education.

The Board President shall receive continuing education related to leadership duties of the Board President as some portion of the annual requirement.

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| <b>ECISD Board Policy</b>                            | BBD (LEGAL), BOARD MEMBERS: TRAINING AND ORIENTATION   |
| <b>Effective Date</b>                                | May 1, 2005 through February 17, 2006.   |
| <b>Previous Board Action</b>                         | This action is taken annually at the meeting when the Trustee Election is called.  |
| <b>Future Action Expected</b>                        | This action is taken annually at the meeting when the Trustee Election is called.  |
| <b>Background Information and Significant Issues</b> | <p>With the transition between Shelley Goodman, who has previously been responsible for reporting board member training hours, and Dianne Cerny, who is now responsible, we did not get all of the hours officially reported to the Texas Association of School Boards.</p> <p>We are working to confirm the hours completed and will have this information available at the meeting Monday evening.</p> |
| <b>Fiscal Impact</b>                                 | None.  |
| <b>Student and Public Benefit</b>                    | The Board is the educational policy-making body for the District. To effectively meet the challenges of public education, the Board and the Superintendent must function together as a leadership team. Continuing education is designed to achieve that end.  |
| <b>Procedural and Reporting Implications</b>         | The Board President shall publicly read the School Board Continuing Education Record, cause it to be reflected in the minutes, and provide the information to the media.   |
| <b>Public Comments</b>                               | None.  |
| <b>Alternatives</b>                                  | <ul style="list-style-type: none"><li>• Overview of Continuing Education Requirements for School Board Members</li></ul>   |

**Other Comments and Related Issues**

None.

**Attachments**

Individual Board Member Continuing Education Reports included as a separate document.

**Contact Person(s)**

Dianne Cerny, Administrative Assistant to Superintendent

**Action Required**

Board President must publicly make announcement that all members of the Board met or exceeded their annual continuing education requirements.

**Superintendent's Recommendation**

This is an information item only.

**Mark Pool, Superintendent of Schools**

## Overview of Continuing Education Requirements for School Board Members

| Type of Continuing Education   | Tier | First Year Board Member  | Experienced Board Member   | Provider                 |
|--|------|--|--|--------------------------|
| Local District Orientation   | 1    | Required within 60 days of election or appointment (no specified time) | Not required   | Local district           |
| Orientation to the Texas Education Code  | 1    | 3 hours  | Not required   | Education Service Center |
| Update to the Texas Education Code   | 1    | Not required   | After legislative session: of sufficient length to address major changes | Any registered provider  |
| Team-building Session/Assessment of Continuing Education Needs of the Board-Superintendent Team      | 2    | At least 3 hours   | At least 3 hours   | Any registered provider  |
| Additional Continuing Education, based on assessed needs and the Framework for Governance Leadership | 3    | At least 10 hours  | At least 5 hours   | Any registered provider  |
| <b>Total Minimum Number of Hours</b>   |      | 16 hours plus local district orientation                               | 8 hours plus TEC Update  |                          |

If you have questions about continuing education requirements for school board members, please visit the TASB web site at [www.tasb.org](http://www.tasb.org) (select Member Services, then Leadership Team Services) or call TASB at 800-580-8272, extension 6142.



Texas Association of School Boards  
Leadership Team Services

|  |  |
|--|--|
| <b>Governance</b>                                    | First Draft of District Goals  |
| <b>Summary</b>                                       | <p>Planning is a primary responsibility of the Board. Through the development of district goals the Board defines their expectations and priorities for the Superintendent.</p> <p>According to information published by TASB Leadership Services, a goal is a desired future state to be achieved. Goals describe what the organization would be like if everything were going exactly right. Organizations should have at least three goals but generally no more than eight. More than eight goals or priorities result in lack of focus and dilutes resources, making it difficult to succeed in some or all of the goals.</p> <p>The goals established by the Board become an integral part of the Superintendent evaluation process.</p> <p>At the workshop held on February 6, 2006, the Board identified several areas of concern. I have taken that information and tried to transform it into SMART goals; i.e., goals that are (1) specific and strategic; (2) measurable; (3) attainable; (4) results-based; and (5) time-bound.</p> <p>According to research conducted by Katzenbach &amp; Smith in 1993, <i>“Transforming broad directives into specific and measurable performance goals is the surest first step for a team trying to shape a common purpose.”</i></p> |
| <b>ECISD Board Policy</b>                            | BJCD (LOCAL), SUPERINTENDENT: EVALUATION   |
| <b>Effective Date</b>                                | February 20, 2006.   |
| <b>Previous Board Action</b>                         | <p>The Board approved the current goals at the regular meeting on January 24, 2005; and revisited the goals during the mid-year formative evaluation of the Superintendent on July 11, 2005.</p> <p>The Board conducted a goal setting workshop for the 2006 goals on February 06, 2006.</p>   |
| <b>Future Action Expected</b>                        | The Board should take formal action to adopt these goals at a future meeting.  |
| <b>Background Information and Significant Issues</b> | One of the four best practices identified under the Planning and Governance section of the <i>TASB Board Effectiveness Audit</i> states that “a comprehensive statement of goals for the district is   |

in place.” One of the audit criteria under this best practice states that “the board adopts or reaffirms a comprehensive list of district goals each year through formal board action.” .

|  |  |
|--|--|
| <b>Fiscal Impact</b>                         | Unknown.   |
| <b>Student and Public Benefit</b>            | Clear, measurable goals provide direction and focus for the district administration in the operations of the school.                                       |
| <b>Procedural and Reporting Implications</b> | None.  |
| <b>Public Comments</b>                       | None.  |
| <b>Alternatives</b>                          | Revise proposed goals.   |
| <b>Other Comments and Related Issues</b>     | None.  |
| <b>Attachments</b>                           | <ul style="list-style-type: none"><li>• ECISD Board of Trustees Goals for 2006 (<i>Draft</i>)</li><li>• Other Issues 2006 (<i>Draft</i>)</li></ul>         |
| <b>Contact Person(s)</b>                     | Mark Pool, Superintendent of Schools   |
| <b>Action Required</b>                       | This is a discussion item only. When there is a consensus of the Board on the goal statements, they will be placed on a future agenda for formal approval. |
| <b>Superintendent’s Recommendation</b>       | Discussion Only.<br><b>Mark Pool, Superintendent of Schools</b>  |

# El Campo Independent School District

## Board of Trustees

### Goals 2006

#### Accountability

**Goal:** The District and each campus will show continuous improvement in the Texas Assessment of Knowledge and Skills scores of all student groups and other Academic Excellence Indicator System indicators in order to achieve Recognized and/or Exemplary status, according to the state accountability system, by the year 2010.

#### Administration

**Goal:** The district administration will evaluate the current student drug testing policy and program, and make recommendations to the Board of Trustees on ways to improve the policy and/or programs designed to discourage student drug use and underage drinking by May 31, 2006.

**Goal:** The district administration will do a feasibility study on the possibility of offering conversational Spanish to elementary students, and report their findings and recommendations to the Board of Trustees by May 31, 2006.

**Goal:** The district administration will provide appropriate supplies and materials, and professional staff development on best instructional practices by schools with similar demographics, for personnel on all campuses in the areas of science and Bilingual/English as a Second Language education by December 31, 2006.

**Goal:** The district administration will continue to improve the relationships between the school and members of the community by keeping the community adequately informed of issues related to the construction of the new middle school and high school practice gymnasium through December 31, 2006.

**Goal:** The district administration will evaluate the delivery of gifted and talented services to elementary students and report their findings and recommendations to the Board of Trustees by December 31, 2006.

## **Budget and Finance**

**Goal:** The district administration will prepare a balanced budget with a General Fund fund balance that is no less than twenty percent (20%) of the estimated expenditures by August 31, 2006.

## **Governance**

## **Maintenance and Operations**

**Goal:** The district administration will conduct a feasibility study on closing the high school campus and report the results of that study to the Board of Trustees by December 31, 2006.

## **Personnel**

DRAFT

# El Campo Independent School District

## Board of Trustees Goal Setting Workshop

### Other Issues 2006

#### Accountability

- Teach students better by turning data into information, and continuing follow-up on students' progress through the grade levels; i.e., cohort groups.

#### Administration

- Consistent enforcement of policy.
- Update record keeping system; i.e., full utilization of RSCCC data management system.
- Make the necessary personal and operational changes in the district's payroll department.
- Implement anti-litter campaign in early grades to promote pride in all facilities.
- **Continue to update technology.**
- Develop and encourage community volunteers for all campuses.
- Improve collaboration among teachers and minimize variances in how curriculum is delivered; i.e., continue vertical and horizontal teaming concept.
- Improve communication.
- **Career counseling initiatives.**
- Principals must be more available to parents to foster good parent, teacher, and administration communication.
- **Develop a graduate profile and modify school district strategies for preparing high school students for secondary education.**

- Consider additional letters home to our Spanish-speaking parents to encourage parental involvement in their children's education. The informative letters could also include information about programs available locally to the entire family like English classes for parents that may be available or other local or federal resources available to them (health, food, other).

## **Budget and Finance**

- Continue to improve employee compensation for teacher and administrators and staff with yearly pay increases as the budget allows.
- Explain zero-based budgeting to the employees and the need for two-year budget planning.
- More funds for books and less funds for technology.

## **Governance**

- Improve meeting efficiency by keeping board meetings to 1 ½ to 2 hours.

## **Maintenance and Operations**

- **Complete construction projects on time and under budget, without further incident.**
- Improve operating efficiencies through collaboration with neighboring districts, city, county, etc.
- Improve physical appearance of all facilities.

## Personnel

- Continue efforts to improve and maintain employee and student morale and pride in school district.
- Improve employee performance evaluation system.
- Coordinators for English Language Arts, Math, Science/Social Studies.
- **Improve rapport between administrators and teachers.**
- Provide ways for staff to develop new skills and to share in the leadership and decision making.
- Develop a mentorship program for first and second year teachers.
- Consider annual recognition for a teacher or teachers with possible monetary reward for ideas implemented or proposed to better subsets of our student population or our district as a whole.
- **Provide certified elementary art teachers, or have teachers teach art in class.**
- **Revise the counselor hierarchy so that there is no lead counselor.**
- **Consider an ESL Counselor/Coordinator who would handle LPAC meetings and keep up with required training and new laws.**
- Have newly hired personnel to attend the board meeting the month after they are hired to meet the members of the board.
- **Complete job descriptions.**

**Governance**

Superintendent Performance Goals

**Summary**

Part I of the Superintendent Evaluation Instrument assesses the superintendent's accomplishment of "*Priority Performance Goals.*"

Performance Goals should focus on improvement initiatives:

- Related to district goals and priorities; and
- Related to concerns about job performance or operations.

Performance goals should be jointly developed by the Superintendent and the Board of Trustees and designed to accomplish significant steps forward for the district. They should basically answer two questions:

- What are the most important outcomes the board expects to see by the summative evaluation time next year?
- What evidence can the board expect to see from the superintendent to demonstrate progress toward accomplishment?

With the 2006 Superintendent Evaluation complete, I began to develop performance goals to address concerns identified that were related to job performance and/or operations. Those were presented to the Board at the regular meeting on January 23, 2006.

Now I have incorporated into that first draft of Superintendent Performance Goals additional performance goals based upon the preliminary district goals established following the Board's goal setting workshop on February 6, 2006.

**ECISD Board Policy**

BJCD (LOCAL), SUPERINTENDENT: EVALUATION

**Effective Date**

February 20, 2006.

**Previous Board Action**

The Board completed the Annual Summative Evaluation of the Superintendent at a special meeting on January 9, 2006.

A first draft of performance goals based on concerns identified during the summative evaluation were presented to the Board at the regular meeting on January 23, 2006.

The Board conducted a district goal setting workshop on February 06, 2006.

|  |  |
|--|--|
| <b>Future Action Expected</b>                        | The Board will formally approve the Superintendent Performance Goals at a future meeting.                              |
| <b>Background Information and Significant Issues</b> | None.  |
| <b>Fiscal Impact</b>                                 | None.  |
| <b>Student and Public Benefit</b>                    | Improved services through improved superintendent performance.   |
| <b>Procedural and Reporting Implications</b>         | Once approved by the Board, the performance goals will become a part of the 2007 Superintendent Evaluation Instrument. |
| <b>Public Comments</b>                               | None.  |
| <b>Alternatives</b>                                  | None.  |
| <b>Other Comments and Related Issues</b>             | None.  |
| <b>Attachments</b>                                   | <ul style="list-style-type: none"><li>• Second draft of proposed Superintendent Performance Goals for 2006</li></ul>   |
| <b>Contact Person(s)</b>                             | Mark Pool, Superintendent of Schools   |
| <b>Action Required</b>                               | None at this time.   |
| <b>Superintendent's Recommendation</b>               | At this time this information is for discussion only.<br><b>Mark Pool, Superintendent of Schools</b>                   |

# Superintendent Performance Goals

## January – December 2006

### Accountability.

1. The Superintendent (and/or Assistant Superintendent of Curriculum and Instruction) will attend and monitor campus site-based committee meetings to ensure that campus principals are implementing their Campus Improvement Plans.

Following each meeting the Superintendent, Assistant Superintendent of Curriculum and Instruction, and instructional supervisors will meet with the campus principal to discuss progress toward the accomplishment of strategies and activities for achieving campus goals and objectives; to provide assistance toward the accomplishment of campus goals and objectives; and to evaluate whether or not goals and objectives are being accomplished.

2. Using “Just for the Kids” data, the Superintendent will work with each campus principal to identify outstanding schools with similar demographics, and to ensure that each campus principal is engaged in dialogue with the principals from those campuses to identify best practices for improving student achievement.
3. The Superintendent will ensure that all campus administrators (principals and assistant principals) receive “Classroom Walk-Through” training, which is a focused process to enhance the productivity of classroom visits and ultimately to increase student achievement.

Campus administrators will be required to conduct a minimum of one classroom walk-through for each teacher each semester and to use the data collected to promote reflective dialogue with the teacher about teaching and learning.

4. *The Superintendent will ensure that appropriate supplies, materials, and professional staff development on best instructional practices by schools with similar demographics, for personnel on all campuses in the areas of science and Bilingual/ESL education by December 31, 2006.*

### Administration.

1. The Superintendent will ensure that a thorough evaluation is completed of the district’s extracurricular drug testing policy, and if necessary that revisions of the policy are recommended to the Board of Trustees.
2. The Superintendent will ensure that a thorough evaluation is completed of the district’s Disciplinary Alternative Education Program (DAEP), and if necessary that revisions of the program are recommended to the Board of Trustees.
3. The Superintendent will ensure that a Multi-Hazard Emergency Operations Plan is developed and implemented by the district. Procedures in the plan are to be periodically practiced on each campus.

4. *The Superintendent will ensure that a feasibility study on the possibility of offering conversational Spanish to elementary students is completed and a report of findings and recommendations is presented to the Board of Trustees by May 31, 2006*
5. During each semester, the Superintendent will spend at least one day on each campus, making himself available to faculty and staff to visit with faculty and staff to discuss issues and/or concerns they have about their campus or the district operations.  

Efforts will be made to follow-up on these concerns with feedback to individual employees.
6. The Superintendent will re-initiate the practice of publishing monthly *Board Briefs* to the faculty and staff following each regular board meeting.
7. The Superintendent will initiate the practice of publishing a monthly e-letter to all faculty and staff members regarding current issues within the district, and will continue to send the faculty and staff relevant e-mail messages as the need arises.
8. The Superintendent will conduct a school climate survey on each campus and use the data from that survey to work with the campus principals to develop and implement a plan to improve school climate and staff morale on his/her campus.
9. The Superintendent will continue the practice of writing periodic *Viewpoint* articles for the Leader-News keeping the community informed on issues related to the construction of the new middle school and high school practice gymnasium.
10. *The Superintendent will ensure that an evaluation of the delivery of gifted and talented services to elementary students is completed and a report with recommendations is made to the Board by December 31, 2006.*

#### **Budget and Finance.**

1. *The Superintendent will ensure that the district administration prepares a balanced budget with a General Fund fund balance that is no less than twenty percent of the estimated expenditures by August 31, 2006.*

#### **Governance.**

1. The Superintendent will ensure that agenda packets are published and delivered no later than the Wednesday before each regular board meeting. Supplements to the packets will be published if necessary.
2. The Superintendent will continue with "Mid-Week Updates" and "Friday Notes" e-mail communications to the Board. A weekly list of events and activities will be included with each "Friday Notes" communication.

**Maintenance and Operations.**

1. *The Superintendent will ensure that a feasibility study on closing the high school campus is completed and a report of the results is presented to the Board of Trustees by December 31, 2006.*

**Personnel Management.**

1. The Superintendent will ensure that the Board of Trustees is informed of personnel recommendations prior to the board meeting.

DRAFT

**EL CAMPO INDEPENDENT SCHOOL DISTRICT**

ROBERT MARK POOL, Superintendent

**DAVID BRIGHT**  
ASSISTANT SUPERINTENDENT  
FOR FINANCE

700 WEST NORRIS STREET  
EL CAMPO, TEXAS 77437  
(979) 543-6771 – FAX (979) 543-1670

**CAROLYN GORDON**  
ASSISTANT SUPERINTENDENT  
FOR INSTRUCTION

**Memorandum**

**TO:** Board of Trustees  
**FROM:** Mark Pool  
**DATE:** Monday, February 20, 2006  
**RE:** Superintendent's Report

**A. Update on New Middle School and Old High School Gym Replacement.** Please review the attached documents from LANWalton.

I have also attached information just received from LANWalton that provide supporting data for agenda item 5.B on approval of a prevailing wage rate for public works contracts. This information was not available when agenda packets were published on Wednesday, February 15.

The first attachment is a spreadsheet showing wage rates adopted by other school districts in the area. The second document represents the wage rates that we are recommending.

**B. Independent Audit Report of Payroll Accounts.** John R. Pechacek, *Certified Public Account*, was here on Tuesday, February 14, to review the work David Bright had done on the investigation into the theft of public funds by a payroll department employee. He was able to confirm the theft of \$45,272 over a period of the past ten years. We did not investigate any further back than that because the statute of limitations on theft of public funds by a public employee is ten years. To have audited records prior to 1996 would have served no useful purpose, even though there may have been additional funds stolen prior to that time.

A copy of Mr. Pechacek's report is attached.

This information is being furnished to our insurance carrier and District Attorney Josh McCowan.

**C. Fourth Six Weeks Enrollment, Attendance, and Effect on FSP State Funding.**

**Six Weeks Enrollment.**

|                 | EE | PK | K   | 1   | 2   | 3   | 4   | 5   | 6   | 7   | 8   | 9   | 10  | 11  | 12  | Dist |
|-----------------|----|----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|------|
| 1 <sup>st</sup> | 15 | 81 | 249 | 252 | 237 | 244 | 239 | 248 | 243 | 273 | 256 | 307 | 268 | 248 | 242 | 3456 |
| 2 <sup>nd</sup> | 16 | 83 | 248 | 253 | 239 | 240 | 243 | 245 | 239 | 270 | 251 | 293 | 267 | 248 | 235 | 3429 |
| 3 <sup>rd</sup> | 17 | 81 | 252 | 247 | 239 | 243 | 245 | 245 | 239 | 269 | 252 | 297 | 268 | 241 | 237 | 3426 |
| 4 <sup>th</sup> | 18 | 82 | 257 | 250 | 241 | 245 | 238 | 243 | 247 | 272 | 256 | 296 | 264 | 242 | 235 | 3438 |
| 5 <sup>th</sup> |    |    |     |     |     |     |     |     |     |     |     |     |     |     |     |      |
| 6 <sup>th</sup> |    |    |     |     |     |     |     |     |     |     |     |     |     |     |     |      |

Does not include students in DAEP or self-contained special education programs.

**Current Elementary Staffing Ratios.**

|   | K    | 1    | 2    | 3    | 4    | 5    |
|---|------|------|------|------|------|------|
| <b>Students</b>                               | 257  | 250  | 241  | 245  | 238  | 243  |
| <b>Teachers (Actual)</b>                      | 14   | 13   | 13   | 13   | 11   | 11   |
| <b>Ratio (Actual)</b>                         | 18.4 | 19.2 | 18.5 | 18.8 | 21.6 | 22.1 |
| <b>Without Class Size Reduction Funds</b>     | 13   | 12   | 12   | 12   | 11   |      |
| <b>Class Size Reduction Funding Threshold</b> | 19.8 | 20.8 | 20.1 | 20.4 | 21.6 |      |

**Six Weeks Attendance**

|                 | EE   | PK   | K    | 1    | 2    | 3    | 4    | 5    | 6    | 7    | 8    | 9    | 10   | 11   | 12   | Dist |
|-----------------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|
| 1 <sup>st</sup> | 91.9 | 96.1 | 95.0 | 97.3 | 98.1 | 98.0 | 97.8 | 97.7 | 97.7 | 96.6 | 96.8 | 96.1 | 96.8 | 96.1 | 96.0 | 97.0 |
| 2 <sup>nd</sup> | 90.4 | 92.1 | 95.3 | 96.1 | 97.1 | 97.3 | 97.0 | 97.1 | 96.1 | 95.5 | 95.6 | 94.3 | 96.1 | 96.2 | 96.1 | 96.0 |
| 3 <sup>rd</sup> | 90.8 | 90.7 | 95.3 | 95.4 | 96.5 | 96.4 | 96.0 | 96.8 | 95.8 | 94.8 | 95.0 | 94.6 | 95.0 | 92.4 | 94.3 | 95.2 |
| 4 <sup>th</sup> | 91.9 | 92.0 | 95.5 | 96.1 | 96.2 | 96.7 | 96.3 | 96.0 | 95.1 | 94.6 | 95.1 | 93.6 | 95.0 | 94.9 | 94.7 | 95.3 |
| 5 <sup>th</sup> |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |
| 6 <sup>th</sup> |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |

**State Aide.** The following spreadsheet shows the State District Planning Estimate from the latest Summary of Finance and the calculations made locally. The top spreadsheet provides ADA data and the bottom spreadsheet shows total state aid data

|            | Original  | First     | Second    | Third     | Fourth    | Fifth | Sixth |
|------------|-----------|-----------|-----------|-----------|-----------|-------|-------|
| DPE        |           | 3,221.826 | 3,221.826 | 3,221.826 | 3,221.826 |       |       |
| Local      | 3,281.300 | 3,290.100 | 3,260.046 | 3,232.263 | 3,290.892 |       |       |
| Difference |           | 68.274    | 38.220    | 10.437    | 69.066    | 0.000 | 0.000 |

|            | Original    | First       | Second      | Third       | Fourth      | Fifth | Sixth |
|------------|-------------|-------------|-------------|-------------|-------------|-------|-------|
| DPE        |             | \$9,665,918 | \$9,665,918 | \$9,680,257 | \$9,616,472 |       |       |
| Local      | \$9,718,405 | \$9,749,834 | \$9,628,325 | \$9,506,595 | \$9,514,800 |       |       |
| Difference |             | \$83,916    | (\$37,593)  | (\$173,662) | (\$101,672) | \$0   | \$0   |

**D. Possible Workshop with Architects on Wednesday, March 08.** Representatives from LANWalton and RWS Architects will be in the District on Wednesday, March 08, to review responses to the RFP for Construction Manager-at-Risk. I have explained to them that I want to keep the Board informed and provide the opportunity for Board input as the programming and design for the middle school and practice gym progress. I have suggested that we schedule a board workshop that night to review the preliminary program of requirements and schematic design.

**E. AIM for Success Abstinence Education Program.** Aim for Success is a non-profit 501(c)(3) educational organization based in Dallas. Founded in 1993, Aim for Success is the largest provider of abstinence education programs in the nation. The program promotes a lifestyle of excellence by encouraging the development of self control, self respect, and self discipline. Through live presentations students are encouraged to develop a strong, responsible character as they deal with sexual pressure.

For more information go to their website at <http://www.aimforsuccess.org/home.html>

**F. LifeTracks Graduate Tracking Program.** We have contracted with LifeTracks, Inc., a graduate follow-up program to provide us with feedback from El Campo High School graduates on how well their public school experience prepared them for post-secondary education, a career, military service, etc.

We have currently contracted for the 24 month program which provides for a graduate exit survey and an initial graduate survey 18-24 months after graduation. If these surveys provide us with the kind of data we are looking for we may expand the program to include the advanced graduate survey 60 months after graduation.

**G. Timetable for Sale of Bonds.** Following our discussions last month, I asked Lewis Wilks to prepare all bond documents to issue the entire \$19.9 million at one time. According to the proposed timetable, at the regular meeting on Monday, March 20, 2006, the Board will adopt the bond order authorizing the Bond Purchase Agreement and other related matters. Delivery of the bonds will be on April 18, 2006.

A copy of the Timetable of Events is attached for your review.

**H. Northside Center, Inc. Board Meeting Report.** The Board did not meet in December. January's minutes and financial report will not be ready until the February board meeting which is not until February 27..

**I. Preliminary Agenda for March Board Meeting.**

**Consent Agenda**

- Minutes
- TAC Invoice
- Monthly Financial Reports
- Review of Checks Written for the Month
- Quarterly Investment Report

**Business and Operations**

- TAC Performance Contract Work Update
- Comptroller's Property Tax Value Study
- Bond Purchase Agreement
- Insurance Renewals
- Budget Assumptions and Priorities
- Compensation Benchmark Study

**Curriculum and Instruction**

- Review Summer School Plans
- Evaluation of the Special Education Program
- Instructional Technology Improvement Plan

**Governance**

- Election of Region III Board of Directors
- District Goals
- Superintendent Performance Goals
- Review / Revise Superintendent Evaluation Instrument

**Personnel**

- Teacher and Other Professional Contracts

**Superintendent's Report**

- Update from LANWalton

- Northside Center, Inc. Board Meeting Information
- Preliminary Agenda for Regular Board Meeting, April 17, 2006

**FEBRUARY 20, 2006**

**PROGRESS REPORT  
NEW MIDDLE SCHOOL  
EL CAMPO INDEPENDENT SCHOOL DISTRICT**

**Contracts**

1. As of Monday, February 13, 2006, the final **Owner-Architect Agreement** by and between RWS Architects and the El Campo ISD has been reviewed by George Grimes with Walsh, Anderson, Brown Schulze & Aldridge, P.C. All final edits are being reviewed. All approved modifications shall be incorporated in the Agreement and final execution of the Agreement should occur within the next seven days.
2. A proposal for developing a final topographic survey for the new El Campo Middle School site has been requested from Kolacny and Associates.

**Workshops/Meetings**

1. A kick-off meeting to review the preliminary Program of Requirements including a discussion of the mechanical and electrical systems for the new Middle School occurred on Friday, January 20, 2006. A second programming session to clarify wants vs. needs occurred on Thursday, February 9, 2006. In addition, the meeting considered the procurement method to be used on the proposed new middle school and the new HS gymnasium project. The projects delivery methods shall be determined by the Board of Trustees on February 20, 2006.

**Site Visits**

1. No formal site visits have been made at this time. However, as soon as a preliminary site development plan is available, a site review workshop shall be scheduled. The participants of the workshop will include, but not necessarily limited to representatives of the City of El Campo including decision makers in the Public Works Department, TxDOT representatives, area engineer(s) of the local storm water drainage authority, ECISD representatives, RWS Architects and their civil engineering consultant and representatives of LAN Walton. The purpose of the meeting is to examine all potential site development issues and coordinate the new school design with those jurisdictions having authority over the proposed project.

**Problem Areas**

None identified at this time.

**Financial**

The financial tracking report has not been changed since last month.

Respectfully submitted,

LAN Walton  
Chuck Dunham, AIA  
Program Manager

**FEBRUARY 20, 2006**

**PROGRESS REPORT  
NEW HIGH SCHOOL GYMNASIUM  
EL CAMPO INDEPENDENT SCHOOL DISTRICT**

**Contracts**

1. The agreement for the new High School Gymnasium scope of work shall be included in the final **Owner-Architect Agreement** for the new Middle School. Rather than execute two agreements, both projects have been established in a single contract. However, the scope, budget, schedule and fees for both projects will be clearly defined and delineated as separate projects. As of Monday, February 13, 2006, the final Agreement has been reviewed by George Grimes with Walsh, Anderson, Brown Schulze & Aldridge, P.C. All final edits are being reviewed. All approved modifications shall be incorporated in the Agreement and final execution of the Agreement should occur within the next seven days.
2. A purchase order has been issued for a topographic survey of the proposed site. Surveying work should start within the next seven to ten days.
3. A proposal for a geotechnical investigation of the proposed site has been received. The proposal's scope of work involved a total of five test holes. RWS Architects submitted a recommendation that required only three test holes. An amendment to the original proposal for a cost reduction in the geotechnical services has been requested. Once the revised cost has been approved, the work shall be authorized. The geotechnical investigation work should be completed within the next four weeks.

**Workshops/Meetings**

1. A programming session to review the spatial and functional requirements for the development of a new practice gymnasium occurred on Friday, January 20, 2006. A preliminary design has been generated by RWS Architects and reviewed by representatives of ECISD's administration, faculty and staff on Thursday February 9, 2006.

**Site Visits**

None at this time.

**Problem Areas**

None identified at this time.

**Financial**

The financial tracking report has not change since last month.

Respectfully submitted,

LAN Walton  
Chuck Dunham, AIA  
Program Manager

| Prevailing Wage Schedule Building Construction Trades |  | Ft. Bend ISD Wage Rate | Alief ISD Wage Rate | Edna ISD Wage Rate | Victoria ISD | Lamar CISD | Cuero ISD | Average  |
|---|--|------------------------|---------------------|--------------------|--------------|------------|-----------|----------|
| BASE TRADES   | Asbestos Workers, Insulators                     | \$ 10.00               |                     |                    |              |            |           | \$ 10.00 |
|   | Bricklayers; Stone masons                        | \$ 15.00               | \$ 17.43            | \$ 10.18           | \$ 10.18     | \$ 16.50   | \$ 10.18  | \$ 13.25 |
|   | Carpenters/Caseworkers                           | \$ 8.00                | \$ 13.94            | \$ 8.11            | \$ 8.11      | \$ 13.25   | \$ 8.11   | \$ 9.92  |
|   | Carpet Layers/Floor installers                   | \$ 12.20               | \$ 14.38            |                    |              | \$ 12.20   |           | \$ 12.93 |
|   | Concrete finishers/cement mason                  | \$ 8.00                | \$ 13.98            | \$ 9.00            | \$ 9.00      | \$ 12.50   | \$ 9.00   | \$ 10.25 |
|   | Drywall installers/Ceiling                       | \$ 8.00                | \$ 13.04            |                    |              | \$ 12.10   |           | \$ 11.05 |
|   | Electricians                                     | \$ 13.00               | \$ 18.58            | \$ 8.50            | \$ 8.50      | \$ 16.65   | \$ 8.50   | \$ 12.29 |
|   | Elevator Mechanics                               | \$ 21.75               | \$ 22.65            |                    |              | \$ 21.75   |           | \$ 22.05 |
|   | Light Equipment Operators                        | \$ 9.00                | \$ 11.63            |                    |              | \$ 12.75   |           | \$ 11.13 |
|   | Heavy Equipment Operators                        | \$ 10.50               | \$ 13.00            |                    |              | \$ 15.75   |           | \$ 13.08 |
|   | Glaziers   | \$ 11.00               | \$ 15.75            | \$ 8.50            | \$ 8.50      | \$ 15.75   | \$ 8.50   | \$ 11.33 |
|   | Insulators                                       |                        | \$ 12.13            | \$ 5.15            | \$ 5.15      | \$ 12.65   | \$ 5.15   | \$ 8.05  |
|   | Iron Workers                                     |                        | \$ 12.64            | \$ 7.29            | \$ 7.29      | \$ 13.64   | \$ 7.29   | \$ 9.63  |
|   | Laborers   | \$ 6.00                | \$ 8.85             | \$ 5.15            | \$ 5.15      | \$ 9.00    | \$ 5.15   | \$ 6.55  |
|   | Lathers  | \$ 12.00               | \$ 12.48            |                    |              | \$ 13.85   |           | \$ 12.78 |
|   | Millwright                                       | \$ 11.00               | \$ 13.00            |                    |              | \$ 14.90   |           | \$ 12.97 |
|   | Painters Wall Covering                           | \$ 8.00                | \$ 12.38            | \$ 7.25            | \$ 7.25      | \$ 12.10   | \$ 7.25   | \$ 9.04  |
|   | Pipefitters                                      | \$ 15.00               | \$ 20.62            | \$ 8.22            | \$ 8.22      | \$ 16.25   | \$ 8.22   | \$ 12.76 |
|   | Plasterers                                       | \$ 14.00               | \$ 12.60            | \$ 11.00           | \$ 11.00     | \$ 15.75   | \$ 11.00  | \$ 12.56 |
|   | Plumbers   | \$ 10.00               | \$ 19.99            | \$ 8.22            | \$ 8.22      | \$ 17.00   | \$ 8.22   | \$ 11.94 |
|   | Reinforcing Steel Setters                        |                        |                     |                    |              |            |           |          |
|   | Roofers  | \$ 8.00                | \$ 12.13            | \$ 9.09            | \$ 9.09      | \$ 12.13   | \$ 9.09   | \$ 9.92  |
|   | Sheet metal workers                              |                        | \$ 15.70            | \$ 10.94           | \$ 10.94     | \$ 14.25   | \$ 10.94  | \$ 12.55 |
|   | Sprinkler fitters                                | \$ 12.50               | \$ 19.38            |                    |              | \$ 17.67   |           | \$ 16.52 |
|   | Terrazzo workers                                 | \$ 16.40               | \$ 17.72            |                    |              | \$ 16.40   |           | \$ 16.84 |
|   | Tile setters                                     | \$ 12.00               | \$ 15.88            |                    |              | \$ 13.25   |           | \$ 13.71 |
| Waterproofers/caulkers                                | \$ 7.50  | \$ 13.00               | \$ 5.56             | \$ 5.56            | \$ 12.40     | \$ 5.56    | \$ 8.26   |          |
| ADD TRADES  | Air conditioning mechanics                       |                        |                     | \$ 8.50            | \$ 8.50      |            | \$ 8.50   | \$ 8.50  |
|   | Cement masons                                    |                        |                     |                    |              |            |           |          |
|   | Iron Workers                                     |                        |                     |                    |              |            |           |          |
|   | Mason tenders                                    |                        |                     |                    |              |            |           |          |
|   | Truck drivers                                    | \$ 9.00                |                     | \$ 5.50            | \$ 5.50      |            |           | \$ 6.67  |
|   | Insulators, building                             | \$ 8.00                |                     |                    |              |            |           | \$ 8.00  |
|   | Data communication/telecom/fire alarm installers |                        |                     |                    |              |            |           |          |
|   | Fire alarm installers                            |                        |                     |                    |              |            |           |          |
|   | Mortar mixers                                    |                        |                     |                    |              |            |           |          |
|   | Formbuilding/Formsetting                         |                        |                     |                    |              |            |           |          |
|   | Sport floor installation                         |                        |                     |                    |              |            |           |          |
|   | All other work                                   |                        |                     |                    |              |            |           |          |
|   | Ironworkers/reinforcing                          |                        |                     |                    |              |            |           |          |
|   | Pipe layers                                      |                        |                     |                    |              |            |           |          |
|   | Painter, brush                                   |                        |                     |                    |              |            |           |          |
|   | Soft floor layer                                 |                        |                     | \$ 7.40            | \$ 7.40      |            |           | \$ 7.40  |
|   | Fireproofing installers                          |                        |                     |                    |              |            |           |          |
|   | Insulator mechanical piping                      | \$ 6.00                |                     |                    |              |            |           | \$ 6.00  |
|   | Iron worker rebar                                | \$ 8.00                |                     |                    |              |            |           | \$ 8.00  |
|   | Iron worker structural                           | \$ 9.00                |                     |                    |              |            |           | \$ 9.00  |
|   | Power Equip Operator - Backhoe                   |                        |                     | \$ 7.58            | \$ 7.58      |            | \$ 7.58   | \$ 7.58  |
|   | Power Equip Operator - Cherry Picker             |                        |                     |                    |              |            |           |          |
|   | Crane  |                        |                     | \$ 9.00            | \$ 9.00      |            | \$ 9.00   | \$ 9.00  |
|   | Sheet metal worker - ductwork                    | \$ 8.00                |                     |                    |              |            |           | \$ 8.00  |
|   | Sheet metal worker - roofing                     | \$ 8.00                |                     |                    |              |            |           | \$ 8.00  |

**EL CAMPO INDEPENDENT SCHOOL DISTRICT  
PREVAILING WAGE SCALE  
FOR BUILDING CONSTRUCTION**

| <u>CLASSIFICATION</u>   | <u>WAGE</u> |
|---|-------------|
| Air Conditioning Mechanics.....   | \$ 8.50     |
| Bricklayers / Stonemasons.....  | 13.25       |
| Carpenters / Caseworkers.....   | 9.92        |
| Carpet Layers / Floor Installers.....   | 12.93       |
| Concrete Finishers / Cement Mason.....  | 10.25       |
| Drywall Installers / Ceilings.....  | 11.05       |
| Electricians .....  | 12.29       |
| Elevator Mechanics.....   | 22.05       |
| Light Equipment Operators.....  | 11.13       |
| Heavy Equipment Operators.....  | 13.08       |
| Glaziers.....   | 11.33       |
| Insulators.....   | 8.05        |
| Ironworkers.....  | 9.63        |
| Laborer.....  | 6.55        |
| Lathers.....  | 12.78       |
| Millwright.....   | 12.97       |
| Painters / Wallcovering.....  | 9.04        |
| Pipefitters.....  | 12.76       |
| Plasters.....   | 12.56       |
| Plumbers.....   | 11.94       |
| Roofers.....  | 9.92        |
| Sheet Metal workers.....  | 12.55       |
| Sprinkler fitters.....  | 16.52       |
| Terrazzo Workers.....   | 16.84       |
| Tile Setters.....   | 13.71       |
| Truck Drivers.....  | 6.67        |
| Waterproofers / Caulkers.....   | 8.26        |
| Welders: Receive rate prescribed for craft performing operation<br>Which welding is incidental. |             |

**EL CAMPO INDEPENDENT SCHOOL DISTRICT**  
**\$19,900,000 UNLIMITED TAX SCHOOL BUILDING BONDS, SERIES 2006**

**Timetable of Events**

| FEBRUARY |    |    |    |    |    |    |
|----------|----|----|----|----|----|----|
| S        | M  | T  | W  | Th | F  | S  |
|          |    |    | 1  | 2  | 3  | 4  |
| 5        | 6  | 7  | 8  | 9  | 10 | 11 |
| 12       | 13 | 14 | 15 | 16 | 17 | 18 |
| 19       | 20 | 21 | 22 | 23 | 24 | 25 |
| 26       | 27 | 28 |    |    |    |    |

| MARCH |    |    |    |    |    |    |
|-------|----|----|----|----|----|----|
| S     | M  | T  | W  | Th | F  | S  |
|       |    |    | 1  | 2  | 3  | 4  |
| 5     | 6  | 7  | 8  | 9  | 10 | 11 |
| 12    | 13 | 14 | 15 | 16 | 17 | 18 |
| 19    | 20 | 21 | 22 | 23 | 24 | 25 |
| 26    | 27 | 28 | 29 | 30 | 31 |    |

| APRIL |    |    |    |    |    |    |
|-------|----|----|----|----|----|----|
| S     | M  | T  | W  | Th | F  | S  |
|       |    |    |    |    |    | 1  |
| 2     | 3  | 4  | 5  | 6  | 7  | 8  |
| 9     | 10 | 11 | 12 | 13 | 15 | 15 |
| 16    | 17 | 18 | 19 | 20 | 21 | 22 |
| 23    | 24 | 25 | 26 | 27 | 28 | 29 |
| 30    |    |    |    |    |    |    |

| <u>Date</u> | <u>Action</u>   | <u>Responsibility</u> |
|-------------|---|-----------------------|
| January     | <b>Board Meeting</b> – Discuss and consider approving Timetable of Events and par amount of bond sale                         | ISD, BC, CS           |
| 1/27        | Financial Advisor submits application to Permanent School Fund guarantee program  | CS                    |
| 2/10        | Financial Advisor submits documents to the rating agency  | CS                    |
| 2/10        | First draft of bond documents to working group  | CS                    |
| 2/14        | Receive Permanent School Fund guarantee   | CS                    |
| 2/17        | Submit Instructional Facilities Allotment (IFA) application to TEA (if applicable)  | ISD, CS               |
| 2/22        | Comments from working group on first draft of documents   | BC, CS, UC            |
| 2/27        | Second draft of bond documents to working group   | CS                    |
| 2/28        | Bond Counsel prepares draft order and draft opinion   | BC                    |
| 3/2-3       | Rating agency meetings (if necessary)   | ISD, CS               |
| 3/7         | Final comments from working group on documents  | BC, CS, U             |
| 3/8         | Notify Texas Bond Reporter, The Bond Buyer, and Bloomberg of sale   | CS                    |
| 3/10        | Print and distribute offering documents   | CS                    |
| 3/14        | Receive ratings   | CS                    |
| 3/20        | Pricing   | CS, U                 |
| 3/20        | <b>Regular Board Meeting</b> – adopt bond order authorizing the Bond Purchase Agreement and other related matters (7:00 p.m.) | ISD, BC, CS           |
| 3/23        | Bond counsel compiles transcript of proceedings and submits to Attorney General   | BC                    |
| 3/27        | Print and distribute final offering documents   | CS                    |
| 4/11        | Prepare and distribute closing memorandum/amend IFA application   | ISD, CS               |
| 4/18        | Deliver bonds   | BC, CS, U             |

**Financing Team Members:**

ISD - El Campo Independent School District  
BC - Bond Counsel – Vinson & Elkins, L.L.P.  
CS - Financial Advisor - Coastal Securities  
U - Underwriter – RBC Dain Rauscher, UBS Securities, Bank of America Securities, Edward Jones  
UC - Underwriter’s Counsel – Andrews Kurth LLP

***John R. Pechacek***

***Certified Public Accountant***

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Board of Trustees  
El Campo Independent School District  
700 West Norris Street  
El Campo, Texas 77437-2499

At the request of Mr. David Bright and Mr. Robert Pool, I have conducted a review of certain payroll discrepancies discovered by Mr. Bright during his routine review of the bank statements for the payroll bank account. Mr. Bright observed that the canceled checks in the November, 2005 bank statement included three manually written checks payable to a District employee assigned to the payroll department. Since routine payroll checks are written by the computer system automatically, Mr. Bright began to review prior bank statements and found many such manually written checks payable to this same employee in prior months.

Mr. Bright reviewed bank statements and canceled checks from January, 1996 through December, 2005, and, as a result, it appears that a total amount of \$45,272 was taken from District accounts and diverted to the personal use of this employee. I have reviewed and confirmed the work performed by Mr. Bright and am of the opinion that this is a true and correct total of the amount of unauthorized payments to this individual.

The process that Mr. Bright followed required an examination of the bank statements and canceled checks for the period January, 1996 through December, 2005; however, a number of the bank statements could not be located. Mr. Bright asked the bank to provide copies of the missing statements together with copies of the canceled checks. These copies were provided, however, the quality of some of these copies was so poor that it was difficult to ascertain with certainty that all checks to this employee were located. I also reviewed these statements and copies of canceled checks and, in my opinion, substantially all of the checks to this employee are listed on the accompanying schedule.

This diversion of District funds was made possible by a breakdown of stated internal controls - the District's stated policy was for the payroll bank account to be reconciled by the District bookkeeper who had no access to the detail payroll records. This employee normally performed this task without difficulty, however, occasionally encountered difficulty. At those times she asked the payroll clerk for

assistance or explanation, but the payroll account was always reported to the supervisor as being successfully completed. When a new bookkeeper without prior school district accounting was employed, an assistant payroll clerk was assigned to the payroll department and was given the task of reconciling the payroll bank account. This appeared to be working as planned, however, unknown to the supervisory personnel, the payroll clerk responsible for the unauthorized payments was actually performing the routine reconciliation. On the surface it appeared that the stated District policy was being followed, but, in fact, the policy was being circumvented and the tests performed by the independent auditor were did not detect the fact that the bank reconciliation was not being properly completed by the assigned personnel in accordance with stated District policy.

Another control that was circumvented was the unauthorized use of the check protector / signature plate by this employee who had unrestricted use of the signature plate and machine. The long standing policy of the District was for the signature plate and machine to be accessible to the payroll department personnel for the purpose of preparing routine payroll deduction payment checks. There was no policy for these or other manual checks to be reviewed by a supervisory employee.

In order to help to deter any future unauthorized use of District funds and establish a system which will detect, on a timely basis, any future unauthorized withdrawals, I recommend that the following controls and procedures be established immediately and that their use be strictly required and monitored by supervisory personnel:

1. All manually written checks must be reviewed and approved by a designated supervisory employee prior to being presented for processing by the check protector / signature machine.
2. The key to the check protector / signature machine must be kept in a secure location which is not accessible to business office personnel. When this machine is used, the custodian of the machine must be present and physically observe each document being processed. A list of the payees and amounts should be prepared, signed and dated by both the employee presenting the checks for signature and the custodian of the check protector. This list should then be reviewed and approved by a supervisory employee.
3. Bank statements must be reconciled by an employee who has no access to input for the account involved. If difficulty is experienced during the reconciliation process, the designated employee may ask for and receive input from the staff persons responsible for entries into the District's records pertaining to that account, but in no case shall that staff person have unmonitored access to the

unreconciled bank statement. The bank reconciliation must be reviewed by a supervisory employee who should initial and date that review. Any reconciling items that do not clear in the month subsequent to their occurrence must be explained fully and this explanation reviewed and initialed separately.

4. All District employees handling cash or who are responsible for preparing disbursement checks or electronic funds transfers should be bonded in an amount commensurate with the amount of potential exposure.

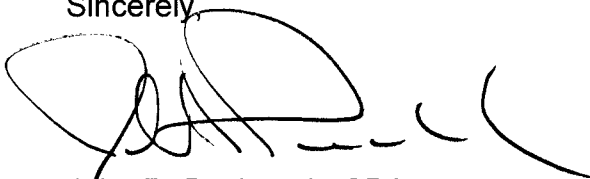
District officials have instituted the procedure of assigning the responsibility for bank reconciliation to employees who have no access to the receipt, disbursement or recording of activities related to that bank account. The Assistant Superintendent for Business is reviewing and approving all manual checks prior to issuance and is reviewing all bank reconciliations. Custody of the check protector / signature plate has been removed from the business office and is maintained in the vault under the custody of the Superintendent's secretary.

In my opinion, the procedures already instituted together with the implementation of the other recommendations will provide a significant deterrent to future misuse of District funds. This control system will provide an effective system to alert District officials in a timely manner should unauthorized use of District funds occur.

I will monitor the effectiveness of these controls on a periodic, unannounced basis and report my findings to the District's Superintendent, Assistant Superintendent for Business and / or the Board as appropriate.

If I may be of further service or if you need additional information, please advise.

Sincerely,



John R. Pechacek, CPA  
February 14, 2006