



Learners Today...

Leaders Tomorrow...

*Mustangs  
Forever!*

**Marble Falls ISD  
Regular Meeting**

**Monday, August 20, 2012  
6:00 PM**

**AGENDA OF REGULAR MEETING**  
**MARBLE FALLS INDEPENDENT SCHOOL DISTRICT**  
**BOARD OF TRUSTEES**  
**MONDAY, AUGUST 20, 2012 – 6:00 PM**  
**Marble Falls ISD Central Office Community Room**

Notice is hereby given that on August 20, 2012, the Board of Trustees of the Marble Falls Independent School District will hold a Regular meeting at 6:00 PM, at the Marble Falls ISD Central Office Community Room.

The subjects to be discussed or considered, or upon which any formal action may be taken are listed below. Items do not have to be taken in the order shown on this meeting notice. The Board will consider and may act on the “Consent Agenda” with one vote. Any Trustee may request the removal of an item from the “Consent Agenda” for individual consideration and action.

1. Call to Order  
Presenter: Rick Edwards, President
2. Roll Call
3. Invocation  
Presenter: Mike Savage
4. Pledge to the Flags  
Presenter: Tommy Chaney
5. Spotlight on Excellence
  - A. Business Office 4  
Presenter: Lisa LeMon
6. Citizen Comments
7. Consent Agenda
  - A. Approval of Minutes 6
  - B. Approval of Financial Report 13
  - C. Approval of Budget Amendments 27
  - D. Approval of Lawn Maintenance and Pest Control Bids 30
  - E. Approval of Resolution Designating Burnet County 4-H Organization as an Extra-curricular Activity and Granting Extension Agents Adjunct Faculty Status 32
8. Action Items
  - A. Discussion and Possible Approval of Contract to Equalize Wealth by Purchasing Student Attendance Credits, Option 3 49  
Presenter: Lisa LeMon
  - B. Discussion and Possible Approval to Endorse a Candidate for TASB Board of Directors, Region 13 55  
Presenter: Rob O'Connor
  - C. Discussion and Possible Approval of Legal Services Agreement with Attorneys, Powell & Leon, LLP 62  
Presenter: Rob O'Connor
  - D. Discussion and Possible Approval of Resolution Providing for the Sale of Property Acquired by the Burnet Central Appraisal District at Delinquent Tax Sale 92  
Presenter: Wade Stanford
9. Superintendent's Report
  - A. 2012-2013 Budget Estimate 100  
Presenter: Lisa LeMon

B. Curriculum Report/AYP Update Presenter: Eric Penrod	113
C. Bilingual Transition Program Presenter: Leslie Talamantes	141
D. Board Meeting Calendar Presenter: Rob O'Connor	149
E. Election Update Presenter: Rob O'Connor	
10. Executive Session	
A. Discussion of Professional Personnel - Tex Gov't Code Section 551.074	
B. Discussion of Board/Superintendent Goals - Tex Gov't. Code Section 551.074	150
11. Discussion and Possible Approval of Action Arising from Executive Session	
A. Possible Employment of Professional Personnel Presenter: Rob O'Connor	
12. Adjourn	

*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, Texas Govt. 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.*

FOR THE BOARD OF TRUSTEES  
MARBLE FALLS INDEPENDENT SCHOOL

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Rob O'Connor, Superintendent of Schools

July 19, 2012

Mr. Wade Stanford  
Executive Director of Financial Services  
Marble Falls Independent School District  
1800 Colt Circle  
Marble Falls, Texas 78654-4200

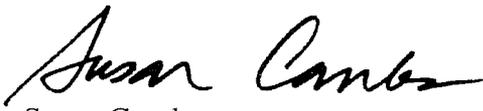
Dear Mr. Stanford:

I am pleased to inform you that Marble Falls Independent School District has earned a 2012 Gold Leadership Circle Award. Your application scored 17 points of 20 possible on our ratings criteria to earn this award.

Your listing on our "Texas Transparency" website now displays the Gold seal to indicate that you have received this award. Enclosed is your copy of a Leadership Circle Award Certificate. You will also receive a digital seal that you may post on your website.

Congratulations on your success in moving forward on financial transparency and joining our Leadership Circle.

Sincerely,

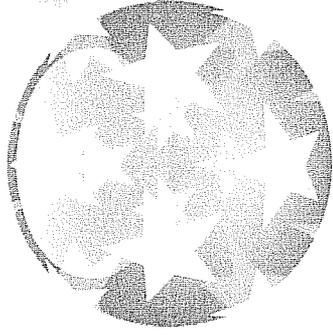


Susan Combs

Enclosure



Second  
Year  
Award



# Texas Comptroller Leadership Circle Gold Member

awarded to

## Marble Falls ISD

For setting the bar for financial transparency and opening your books to the public.

The Texas Comptroller's Leadership Circle program recognizes local governments across Texas that are striving to meet a high financial transparency online. By providing citizens with a clear, consistent picture of spending and sharing information in a user-friendly format, you are setting a strong example for other governmental entities to follow.

July 9, 2012

A handwritten signature in black ink, reading "Susan Combs". The signature is written in a cursive style and is positioned above a horizontal line.

Marble Falls Independent School District  
Board Meeting Minutes  
July 9, 2012

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Kevin Naumann, Vice-President, called this special meeting to order at 5:35 p.m. at the Marble Falls ISD Administration Building. A quorum was present; notice of this meeting was posted in accordance with the Texas Open Meetings Act, Texas Government Code Chapter 551.

- Board Members Present:** Tommy Chaney, Craig Mabray, Kevin Naumann, and Mike Savage
- Board Members Absent:** Rick Edwards, Kelly Fox and Rick Edwards
- Administrators Present:** Rob O'Connor, Superintendent
- Members of the Press:** None

**Executive Session**

At 5:36 p.m. the Board adjourned into executive session to discuss personnel matters (Gov't Code 551.074) specifically professional contracts for new personnel. The Board reconvened into open session at 6:19 p.m.

Upon a motion by Tommy Chaney, second by Craig Mabray, the Board approved the professional employment on a one year probationary contract subject to assignment of the following:

Marble Falls High School

Lauren Berkman  
Kerry Graham  
Chase Hargis  
Michelle Hinojosa  
Elisa Pittman  
Shannon Windham

Marble Falls Middle School

Teri Coffee  
Patrick Pruitt

Highland Lakes Elementary

Dr. Lesli Doan  
Katherine Wood

The Board was informed of the following resignations:

Professional

Marble Falls High School

Sandi Adamou – French teacher effective 6/27/12  
Rob Bird – Social Studies/coach effective 6/19/12  
Tami Bird – English/ESL teacher effective 6/20/12  
Jeremy Gamez – Science/Coach effective 6/20/12

Highland Lakes Elementary

Sara Gaulke – LSSP effective 6/25/12

Marble Falls Elementary

Andy Reddock – Principal effective 7/2/12

Spicewood Elementary

Jaime Reddock – 3<sup>rd</sup> grade teacher effective 7/2/12.

**Adjournment:**

Hearing no objection the Board adjourned at 6:20 p.m.

**Approved:**

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Rick Edwards, President

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Craig Mabray, Secretary

Marble Falls Independent School District  
 Board Meeting Minutes  
 July 16, 2012

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Rick Edwards, President, called the regular meeting to order at 6:04 p.m. at the Marble Falls ISD Administration Building. A quorum was present; notice of this meeting was posted in accordance with the Texas Open Meetings Act, Texas Government Code Chapter 551.

**Board Members Present:** Rick Edwards, Kelly Fox, Craig Mabray, Kevin Naumann, Mike Savage and Karl Westerman.

**Board Members Absent:** Tommy Chaney

**Administrators Present:** Dr. Rob O'Connor, Superintendent, Mary Davidson, John Schumacher, Eric Penrod, Susan Maughan, Kevin Wier, and Manuel Lunoff.

**Members of the Press:** Daniel Clifton, *The River Cities Tribune*  
 Dalton Sweat, *K-BEY Radio*

**Citizen Comments**

Sara Collard, parent and co-chair of MFISD School Health Advisory Committee, addressed the Board regarding the new policy required for the care of students with a diagnosed food allergy.

**Public Hearing**

Rick Edwards, President, opened a public hearing at 6:15 p.m. regarding the proposed tax rate for 2012. Lisa LeMon, Director of Business Operations, reviewed the financial outlook for the last two years and the proposed tax rate as follows noting a budget shortfall of \$1,580,057 due to a total reduction in state aid:

	M & O (General Operations)	I & S (Debt Payments)	Total Tax Rate
2011-12 Current	\$1.04	0.25	\$1.29
2012-13	\$1.0533	.02267	\$1.28
Net Affect	0.0133	-0.0233	-0.01

In recap, Mrs. LeMon explained that the shift in pennies from debt service to general operating will decrease the total tax rate, allow the district to maximize state funding while planning for no additional support from the state, yield an 18% return on our investment and the additional penny moved to general operating would not be subject to recapture by the state.

No patrons asked to be heard. Mr. Edwards closed the hearing at 6:23 p.m.

**Consent Agenda**

Kevin Naumann requested that the minutes from the June 4, 2012 meeting be removed from the consent agenda and voted on separately as he did not attend that meeting.

Upon a motion by Karl Westerman, second by Craig Mabray, the Board approved the minutes for the June 4, 2012 special meeting.

For: Rick Edwards, Kelly Fox, Craig Mabray, Mike Savage & Karl Westerman  
Absent: Tommy Chaney  
Abstained: Kevin Naumann

Upon a motion by Kevin Naumann, second by Karl Westerman, the Board approved the following from the consent agenda:

- Minutes from previous meetings  
Special - June 14, 2012  
Regular – June 18, 2012
- Financial Report as of June 2012
- Adoption of the District’s attorney’s, Eichelbaum, Wardell Hansen Powell & Mehl, version of local policy FFAF instead of the TASB Policy Service version as recommended in local Policy Manual Update 94 affecting local policy FFAF
- Revision to local policy FFAC - deleting the paragraph regarding injections which could conflict with Texas Education Code section 38.015 and the new guidelines from the TX Dept. of State Health Services for the care of students with food allergies at-risk for anaphylaxis.
- Appraisal calendar and PDAS certified appraisers
- Award of bid for student/athletic and catastrophic insurance to The Brokerage Store in the amount \$22,460.00.

For: 6                      Against: 0                      Absent: 1

**Action Items**

**Student Code of Conduct**

Upon a motion by Kevin Naumann, second by Craig Mabray, the Board voted to table this item until a special meeting scheduled for August 6, 2012.

For: 6                      Against: 0                      Absent: 1

**Vending Machine Bid**

Kevin Naumann made a motion to award the bid for vending machine services to Highland Lakes Vending and Coffee Service, Kingsland, TX. Kelly Fox seconded the motion. Karl Westerman amended the motion to authorize the administration to negotiate the length of the contract. Kelly Fox seconded the motion. The amended motion passed.

For: 6                      Against: 0                      Absent: 1

A vote was taken on the original motion and the motion carried.

For: 6                      Against: 0                      Absent: 1

**Tax Rate**

The following motion was made by Karl Westerman regarding the ordinance to set the tax rate for the 2012 tax year:

I move that we adopt the property tax rate of \$1.0533 per \$100 valuation for Maintenance and Operations and \$0.2267 per \$100 valuation for Interest and Sinking for a total tax rate of \$1.28 per \$100 valuation.

Craig Mabray seconded the motion and the motion carried.

For: 6                      Against: 0                      Absent: 1

**Tax Ratification Election**

Kevin Naumann made the following motion regarding the tax ratification election order:

The Board has adopted an ad valorem tax rate that exceeds the District's rollback tax rate, and therefore, finds and determines that it is necessary and advisable to call and hold the election hereinafter ordered pursuant to Section 26.08 (a), Texas Tax Code, as amended, and the Texas Election Code, as amended, regardless of the fact that we are decreasing the total tax rate by \$.01. The election will be held on August 25, 2012.

The motion was seconded by Kelly Fox and the motion carried.

For: 6                      Against: 0                      Absent: 1

**Superintendent's Report**

**Kid's Connection**

Cord Woerner, Safe & Drug Free Schools Coordinator, explained the purpose and the process of the Kids' Connection program which is funded by a grant from the Juvenile Probation Department and the success that has been realized even though it was only implemented for a short time during Spring 2012. He stated that everyone is anxious to use the character/leadership building program during the new school year.

**Human Resources Report**

Wade Stanford, Dir. of Financial Services, presented a four year comparison chart of the number of positions absorbed due to attrition and/or added at each campus. He further shared the vacancies that still needed to be filled for the 2012-2013 school year.

**Budget Update**

Wade Stanford reported on the end of year financial projections for the 2011-2012 fiscal year noting a possible surplus for the year.

**DAEP Placement Report**

This report was tabled until a future meeting.

**Executive Session**

At 7:35 p.m. the Board adjourned into executive session to discuss personnel matters (Gov't Code 551.074) specifically professional contracts for new personnel and Board/Superintendent goals. The Board reconvened into open session at 9:55 p.m.

**Budget Amendments**

Upon a motion by Kelly Fox, second by Kevin Naumann the Board approved the following budget amendments to meet current needs:

\$430,000.00 – to cover fuel costs and professional services

\$499,050.00 – to fund facility and transportation projects

For: Rick Edwards, Kelly Fox, Craig Mabray, Kevin Naumann, and Karl Westerman

Against: Mike Savage

Absent: Tommy Chaney

Upon a motion by Karl Westerman, second by Kelly Fox, the Board approved the professional employment on a one year probationary contract subject to assignment of the following:

Marble Falls Middle School

Shannon Gage

Jake Smith

Heather Wilson

Marble Falls Elementary

Ashley Bourdow

Dana Green

Melissa Hemond

Devon Payne

Colt Elementary

Danielle Sims

The Board was informed of the following transfers:

Central Office – Leslie Talamantes as Bilingual/ESL Coordinator/Bil. Reading Specialist

Marble Falls Middle School – Krissy Sralla as Curriculum & Instruction Coordinator /Social Studies

The Board was informed of the following resignations:

Marble Falls High School

Ellen Klostermann – Journalism teacher

Rhonda Etheridge – Assistant Principal

Paulette Moczygemba – Spanish teacher/coach

Benson Norton – PE teacher/coach

Shane Stewart – Math teacher

Marble Falls Elementary  
Lindsay Christopher – 2<sup>nd</sup> grade teacher  
Candice Shrout – Assistant Principal

**Adjournment:**

Hearing no objection the Board adjourned at 9:59 p.m.

**Approved:**

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Rick Edwards, President

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Craig Mabray, Secretary

Marble Falls ISD

Statement of Revenues and Expenditures - General Fund

As of July 31, 2012

92% Of Fiscal Year

REVENUES	CURRENT YEAR				PRIOR YEAR		
	BUDGET	YTD ACTIVITY	BALANCE	% OF BUDGET	BUDGET	YTD ACTIVITY	% OF FINAL BUDGET
5710 LOCAL TAX REVENUES	\$29,990,749	\$29,796,533	\$194,216	99.35%	\$30,044,700	\$29,769,728	99.08%
57XX OTHER LOCAL REVENUES	\$438,316	\$400,205	\$38,111	91.31%	\$507,441	\$572,754	112.87%
58XX STATE PROG. REVENUES	\$7,640,504	\$5,621,765	\$2,018,739	73.58%	\$5,573,472	\$6,331,811	113.61%
5900 FEDERAL REVENUE	\$610,000	\$596,275	\$13,725	97.75%	\$216,540	\$306,800	141.68%
<b>TOTAL REVENUE</b>	<b>\$ 38,679,569</b>	<b>\$ 36,414,777</b>	<b>\$2,264,792</b>	<b>94.14%</b>	<b>\$36,342,153</b>	<b>\$36,981,093</b>	<b>101.76%</b>
<b>EXPENDITURES</b>							
11 INSTRUCTION	\$ 17,967,990	\$ 15,483,893	\$ 2,484,096.52	86.17%	\$ 16,463,845	\$ 13,977,068	84.90%
12 LIBRARY	\$ 482,143	\$ 445,775	\$ 36,368.09	92.46%	\$ 521,498	\$ 457,328	87.70%
13 STAFF DEVELOPMENT	\$ 157,828	\$ 134,676	\$ 23,151.58	85.33%	\$ 168,290	\$ 136,192	80.93%
21 INST ADMINISTRATION	\$ 590,330	\$ 516,331	\$ 73,999.32	87.46%	\$ 755,498	\$ 662,705	87.72%
23 SCHOOL ADMINISTRATION	\$ 2,165,227	\$ 1,921,985	\$ 243,242.11	88.77%	\$ 2,068,147	\$ 1,782,934	86.21%
31 GUID AND COUNSELING	\$ 1,132,519	\$ 1,013,007	\$ 119,511.67	89.45%	\$ 1,085,182	\$ 996,367	91.82%
33 HEALTH SERVICES	\$ 391,009	\$ 353,871	\$ 37,137.95	90.50%	\$ 397,182	\$ 341,140	85.89%
34 PUPIL TRANSP - REGULAR	\$ 1,958,686	\$ 1,597,709	\$ 360,976.98	81.57%	\$ 1,599,745	\$ 1,736,283	108.53%
36 CO-CURRICULAR ACT	\$ 1,371,954	\$ 1,310,833	\$ 61,120.61	95.54%	\$ 1,375,863	\$ 1,274,076	92.60%
41 GEN ADMINISTRATION	\$ 1,142,880	\$ 1,035,176	\$ 107,704.24	90.58%	\$ 1,069,406	\$ 904,771	84.61%
51 PLANT MAINT & OPERATION	\$ 4,348,343	\$ 3,453,396	\$ 894,946.65	79.42%	\$ 5,098,223	\$ 4,109,504	80.61%
52 SECURITY & MONITORING	\$ 83,082	\$ 73,403	\$ 9,679.15	88.35%	\$ 80,465	\$ 72,193	89.72%
53 DATA PROCESSING	\$ 1,007,053	\$ 739,993	\$ 267,059.82	73.48%	\$ 1,151,814	\$ 1,050,266	91.18%
61 COMMUNITY SERVICES	\$ 63,341	\$ 53,664	\$ 9,676.76	84.72%	\$ 228,203	\$ 111,725	48.96%
81 FACILITIES ACQ & CONST	\$ 110,050	\$ -	\$ -	0.00%	\$ -	\$ -	0.00%
91 STUDENT ATTENDANCE CR	\$ 5,068,514	\$ 4,672,665	\$ 395,848.70	92.19%	\$ 2,861,005	\$ 3,852,278	134.65%
99 PURCHASES & CONT SRVS	\$ 667,570	\$ 659,244	\$ 8,325.54	98.75%	\$ 677,500	\$ 670,986	99.04%
<b>TOTAL EXPENDITURES</b>	<b>\$ 38,708,519</b>	<b>\$ 33,465,623</b>	<b>\$ 5,132,846</b>	<b>86.46%</b>	<b>\$ 35,601,866</b>	<b>\$ 32,135,816</b>	<b>90.26%</b>
7000 Other Sources	\$-				Other Sources	\$ 5,500	
8000 Other Uses	\$-				Other Uses	\$ 1,600	
1200 EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES	\$ 2,949,154		EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES - FY 2010-2011		\$ 4,849,177		
3000 BEG FUND BAL 9/1/11	\$ 7,821,636						
3000 END FUND BAL 7-31-12	\$ 10,770,790	Unaudited					

Marble Falls ISD

Statement of Revenues and Expenditures - Food Service

As of July 31, 2012

92% Of Fiscal Year

REVENUES	BUDGET	YTD ACTIVITY	BALANCE	% OF BUDGET
57XX Local & Intermed Revenues	\$ 902,562	\$ 608,407	\$ 294,155	67.41%
58XX State Program Revenues	\$ 12,110	\$ 12,134	\$ 12,110	100.20%
59xx Federal Program Revenues	\$ 1,457,334	\$ 1,365,701	\$ 91,633	93.71%
<b>TOTAL REVENUE</b>	<b>\$ 2,372,006</b>	<b>\$ 1,986,243</b>	<b>\$ 397,898</b>	<b>83.74%</b>
<b>EXPENDITURES</b>				
61 PAYROLL COST	\$ 1,261,933	\$ 697,611	\$ 564,322	55.28%
62 PURCHASE & CONTRACTED	\$ 35,221	\$ 30,124	\$ 5,097	85.53%
63 SUPPLIES AND MATERIALS	\$ 1,042,817	\$ 857,569	\$ 185,248	82.24%
64 OTHER OPERATING EXP	\$ 9,710	\$ 7,760	\$ 1,950	79.92%
66 CPTL OUTLAY	\$ 22,325	\$ 11,928	\$ 10,397	53.43%
<b>TOTAL EXPENDITURES</b>	<b>\$ 2,372,006</b>	<b>\$ 1,604,993</b>	<b>\$ 767,013</b>	<b>67.66%</b>
7000 Other Sources	\$-			
8000 Other Uses	\$ 104,860	\$ 104,859	\$ 1	100.00%

*Marble Falls Independent School District*

*Financial Report*

*August 20, 2012*

*\*\*Check Payment Fund Summary\*\**

*\*\*Expenditure to Budget Report\*\**

*Check Payment Fund Summary*

*For Bills Paid*

*July 1 – July 31, 2012*

## FUND SUMMARY

<u>DESCRIPTION</u>	<u>BALANCE SHEET</u>	<u>REVENUE</u>	<u>EXPENSE</u>	<u>TOTAL</u>
GENERAL FUND	22,413.47	10,300.83	311,286.90	344,001.20
TITLE I PART A, BASIC PROGRAMS	8,199.42	0.00	0.00	8,199.42
IDEA PART B FORMULA	2,499.25	0.00	574.39	3,073.64
FOOD SERVICE	288.14	0.00	15,900.61	16,188.75
SUMMER FEEDING PROGRAM-DHS	232.85	0.00	2,406.41	2,639.26
VOC. ED.-BASIC GRANT	0.00	0.00	15,176.73	15,176.73
TITLE II PART A TCHR & PRINCPL	600.95	0.00	0.00	600.95
TITLE III - BILINGUAL	157.50	0.00	49.20	206.70
TITLE VI, PART B	374.95	0.00	0.00	374.95
Texas Title I Priority Schools	6,099.91	0.00	83,895.14	89,995.05
EDUCATIONS JOBS FUND	746.92	0.00	0.00	746.92
ADVANCED PLACEMENT INCENTIVES	0.00	0.00	736.80	736.80
ACCELERATED INSTRUCTION PROG	38.24	0.00	0.00	38.24
CITY OF MARBLE FALLS CHILD SAF	0.00	0.00	394.90	394.90
PAYROLL CLEARING	749,178.99	0.00	0.00	749,178.99
Fund Summary Totals ***	790,830.59	10,300.83	430,421.08	1,231,552.50

\*\*\*\*\* End of report \*\*\*\*\*

*Expenditure to Budget Report*

*August 20, 2012*

*General Operating Fund*

*&*

*Food Service Fund*

Obj	Obj	2011-12 ESTIMATED REVENUE	July 2011-12 MTHLY ACTIVITY	2011-12 Activity	REVENUE BALANCE	PERCENT REALIZED	2011-12 YTD %
	GENERAL FUND						
0	REVENUE-LOCAL & INTERMED						
	571-	29,990,749.00	261,199.67	29,796,532.83	194,216.17	100.17	99.35
	573-	57,000.00	0.00	49,823.00	7,177.00	87.41	87.41
	574-	236,215.95	9,995.38	241,095.62	-4,879.67	104.84	102.07
	575-	145,100.00	0.00	109,286.00	35,814.00	75.55	75.32
	57--	30,429,064.95	271,195.05	30,196,737.45	232,327.50	100.06	99.24
0	STATE PROGRAM REVENUES						
	581-	6,035,504.00	51,631.00	4,402,529.00	1,632,975.00	72.94	72.94
	582-	5,000.00	0.00	0.00	5,000.00	0.00	0.00
	583-	1,600,000.00	104,884.59	1,219,235.61	380,764.39	76.20	76.20
	58--	7,640,504.00	156,515.59	5,621,764.61	2,018,739.39	73.58	73.58
0	FEDERAL PROGRAM REVENUES						
	591-	35,000.00	0.00	53,445.75	-18,445.75	152.70	152.70
	593-	575,000.00	40,089.73	542,829.46	32,170.54	94.41	94.41
	59--	610,000.00	40,089.73	596,275.21	13,724.79	97.75	97.75
	----	38,679,568.95	467,800.37	36,414,777.27	2,264,791.68	94.79	94.14

Obj	Obj	2011-12 ESTIMATED REVENUE	July 2011-12 MTHLY ACTIVITY	2011-12 Activity	REVENUE BALANCE	PERCENT REALIZED	2011-12 YTD %
	FOOD SERVICE						
	REVENUE-LOCAL & INTERMED						
574-	TRANS FROM WITHIN STATE	0.00	305.22	2,619.52	-2,619.52	0.00	0.00
575-	ENTERPRISING ACTIVITIES	902,562.00	143.10	605,787.65	296,774.35	67.12	67.12
57--	REVENUE-LOCAL & INTERMED	902,562.00	448.32	608,407.17	294,154.83	67.41	67.41
	STATE PROGRAM REVENUES						
582-	STATE REVENUE DISTRBTD BY TEA	12,110.00	0.00	12,134.49	-24.49	100.20	100.20
58--	STATE PROGRAM REVENUES	12,110.00	0.00	12,134.49	-24.49	100.20	100.20
	FEDERAL PROGRAM REVENUES						
592-		1,457,334.00	0.00	1,365,701.19	91,632.81	93.71	93.71
59--	FEDERAL PROGRAM REVENUES	1,457,334.00	0.00	1,365,701.19	91,632.81	93.71	93.71
----	FOOD SERVICE	2,372,006.00	448.32	1,986,242.85	385,763.15	83.74	83.74

Number of Accounts: 146

\*\*\*\*\* End of report \*\*\*\*\*

Obj	Obj	2011-12 ESTIMATED REVENUE	July 2011-12 MTHLY ACTIVITY	2011-12 Activity	REVENUE BALANCE	2011-12 YTD %
GENERAL FUND						
5---	REVENUE	38,679,568.95	467,800.37	36,414,777.27	2,264,791.68	94.14
----	GENERAL FUND	38,679,568.95	467,800.37	36,414,777.27	2,264,791.68	94.14
FOOD SERVICE						
5---	REVENUE	2,372,006.00	448.32	1,986,242.85	385,763.15	83.74
----	FOOD SERVICE	2,372,006.00	448.32	1,986,242.85	385,763.15	83.74

Number of Accounts: 110

\*\*\*\*\* End of report \*\*\*\*\*

Obj	Obj	2011-12 BUDGET	ENCUMBRANCE YTD	2011-12 EXPENDITURES	July 2011-12 ACTIVITY	BALANCE	2011-12 YTD %
GENERAL FUND							
INSTRUCTION							
61--	PAYROLL COSTS	16,978,359.37	0.00	14,750,497.88	1,298,821.36	2,227,861.49	86.88
62--	PURCHASE & CONTRACTED SVS	338,484.83	17,219.48	287,150.60	4,149.10	34,114.75	84.83
63--	SUPPLIES AND MATERIALS	598,226.66	16,071.20	414,170.84	4,192.62	167,984.62	69.23
64--	OTHER OPERATING EXPENSES	48,544.14	1,286.96	32,074.16	0.00	15,183.02	66.07
66--	CPTL OUTLY LAND BLDG & EQ	4,375.00	0.00	0.00	0.00	4,375.00	0.00
----	INSTRUCTION	17,967,990.00	34,577.64	15,483,893.48	1,307,163.08	2,449,518.88	86.17
INST. RESOURCES & MEDIA SVCS							
61--	PAYROLL COSTS	385,153.50	0.00	354,232.19	36,084.39	30,921.31	91.97
62--	PURCHASE & CONTRACTED SVS	18,728.50	0.00	15,436.57	0.00	3,291.93	82.42
63--	SUPPLIES AND MATERIALS	73,413.50	619.78	71,590.03	0.00	1,203.69	97.52
64--	OTHER OPERATING EXPENSES	4,847.50	0.00	4,516.12	0.00	331.38	93.16
----	INST. RESOURCES & MEDIA S	482,143.00	619.78	445,774.91	36,084.39	35,748.31	92.46
CURRICULUM DEV & INST STFF DEV							
61--	PAYROLL COSTS	90,412.00	0.00	98,836.01	14,638.06	-8,424.01	109.32
62--	PURCHASE & CONTRACTED SVS	42,190.00	1,000.00	23,967.36	325.60	17,222.64	56.81
63--	SUPPLIES AND MATERIALS	10,300.00	1,775.94	6,773.90	133.13	1,750.16	65.77
64--	OTHER OPERATING EXPENSES	14,926.00	3,307.48	5,099.15	1,726.41	6,519.37	34.16
----	CURRICULUM DEV & INST STF	157,828.00	6,083.42	134,676.42	16,823.20	17,068.16	85.33
INSTRUCTIONAL LEADERSHIP							
61--	PAYROLL COSTS	540,980.00	0.00	491,596.44	60,611.18	49,383.56	90.87
62--	PURCHASE & CONTRACTED SVS	11,250.00	5,311.54	1,916.46	137.00	4,022.00	17.04
63--	SUPPLIES AND MATERIALS	20,658.00	0.00	13,457.11	151.39	7,200.89	65.14
64--	OTHER OPERATING EXPENSES	17,442.00	165.34	9,360.67	182.23	7,915.99	53.67
----	INSTRUCTIONAL LEADERSHIP	590,330.00	5,476.88	516,330.68	61,081.80	68,522.44	87.46

Obj	Obj	2011-12 BUDGET	ENCUMBRANCE YTD	2011-12 EXPENDITURES	July 2011-12 ACTIVITY	2011-12 BALANCE	2011-12 YTD %
GENERAL FUND							
SCHOOL LEADERSHIP							
61--	PAYROLL COSTS	2,046,846.00	0.00	1,832,907.56	171,509.59	215,938.44	89.46
62--	PURCHASE & CONTRACTED SVS	32,564.00	5,110.60	30,194.80	5,706.00	-2,741.40	92.72
63--	SUPPLIES AND MATERIALS	65,203.00	871.21	45,446.63	2,199.96	18,885.16	69.70
64--	OTHER OPERATING EXPENSES	18,614.00	443.60	13,435.90	1,037.79	4,734.50	72.18
----	SCHOOL LEADERSHIP	2,165,227.00	6,425.41	1,921,984.89	180,453.34	236,816.70	88.77
GUIDANCE & COUNSELING							
61--	PAYROLL COSTS	1,075,658.90	0.00	970,949.41	87,702.13	104,709.49	90.27
62--	PURCHASE & CONTRACTED SVS	8,788.00	0.00	5,474.00	0.00	3,314.00	62.29
63--	SUPPLIES AND MATERIALS	35,720.10	187.42	26,672.04	0.00	8,860.64	74.67
64--	OTHER OPERATING EXPENSES	12,352.00	74.20	9,911.88	125.00	2,365.92	80.25
----	GUIDANCE & COUNSELING	1,132,519.00	261.62	1,013,007.33	87,827.13	119,250.05	89.45
HEALTH SERVICES							
61--	PAYROLL COSTS	377,113.50	0.00	342,538.27	32,231.76	34,575.23	90.83
62--	PURCHASE & CONTRACTED SVS	5,041.40	0.00	4,762.88	0.00	278.52	94.48
63--	SUPPLIES AND MATERIALS	8,155.10	170.70	5,896.54	0.00	2,087.86	72.30
64--	OTHER OPERATING EXPENSES	699.00	0.00	673.36	0.00	25.64	96.33
----	HEALTH SERVICES	391,009.00	170.70	353,871.05	32,231.76	36,967.25	90.50
PUPIL TRANSPORTATION							
61--	PAYROLL COSTS	1,067,059.00	0.00	1,157,455.23	95,114.57	-90,396.23	108.47
62--	PURCHASE & CONTRACTED SVS	19,471.14	32,161.16	14,115.58	360.55	-26,805.60	72.49
63--	SUPPLIES AND MATERIALS	744,376.15	20,575.19	371,202.33	851.01	352,598.63	49.87
64--	OTHER OPERATING EXPENSES	-205,220.00	182.55	-70,053.83	-1,338.35	-135,348.72	34.14
66--	CPTL OUTLY LAND BLDG & EQ	333,000.00	0.00	124,990.00	0.00	208,010.00	37.53
----	PUPIL TRANSPORTATION	1,958,686.29	52,918.90	1,597,709.31	94,987.78	308,058.08	81.57

Obj	Obj	2011-12 BUDGET	ENCUMBRANCE YTD	2011-12 EXPENDITURES	July 2011-12 ACTIVITY	2011-12 BALANCE	2011-12 YTD %
GENERAL FUND							
COCURR./EXTRACURR.ACTIVITIES							
61--	PAYROLL COSTS	659,075.20	0.00	691,902.52	65,231.14	-32,827.32	104.98
62--	PURCHASE & CONTRACTED SVS	157,438.60	17,792.45	128,497.59	216.00	11,148.56	81.62
63--	SUPPLIES AND MATERIALS	268,041.34	34,193.32	249,937.20	95,343.46	-16,089.18	93.25
64--	OTHER OPERATING EXPENSES	287,398.52	7,748.32	240,495.74	2,066.08	39,154.46	83.68
----	COCURR./EXTRACURR.ACTIVIT	1,371,953.66	59,734.09	1,310,833.05	162,856.68	1,386.52	95.54
GENERAL ADMINISTRATION							
61--	PAYROLL COSTS	867,795.50	0.00	849,701.60	78,259.44	18,093.90	97.91
62--	PURCHASE & CONTRACTED SVS	164,342.00	22,084.19	91,572.57	4,543.94	50,685.24	55.72
63--	SUPPLIES AND MATERIALS	27,497.69	1,746.37	24,560.77	1,479.82	1,190.55	89.32
64--	OTHER OPERATING EXPENSES	83,244.81	1,779.94	69,340.82	1,395.49	12,124.05	83.30
----	GENERAL ADMINISTRATION	1,142,880.00	25,610.50	1,035,175.76	85,678.69	82,093.74	90.58
PLANT MAINTENANCE & OPERATIONS							
61--	PAYROLL COSTS	1,936,758.00	0.00	1,730,689.29	144,529.69	206,068.71	89.36
62--	PURCHASE & CONTRACTED SVS	1,584,510.00	65,643.93	1,129,059.35	45,023.17	389,806.72	71.26
63--	SUPPLIES AND MATERIALS	486,650.00	28,955.65	349,721.32	26,489.24	107,973.03	71.86
64--	OTHER OPERATING EXPENSES	190,700.00	35.00	166,887.39	130.00	23,777.61	87.51
66--	CPTL OUTLY LAND BLDG & EQ	149,725.00	87,960.00	77,039.00	20,314.00	-15,274.00	51.45
----	PLANT MAINTENANCE & OPERA	4,348,343.00	182,594.58	3,453,396.35	236,486.10	712,352.07	79.42
SECURITY & MONITORING SERVICES							
61--	PAYROLL COSTS	16,272.00	0.00	14,970.54	2,505.52	1,301.46	92.00
62--	PURCHASE & CONTRACTED SVS	61,810.00	1,125.00	54,869.31	51,000.00	5,815.69	88.77
63--	SUPPLIES AND MATERIALS	5,000.00	0.00	3,563.00	0.00	1,437.00	71.26
----	SECURITY & MONITORING SER	83,082.00	1,125.00	73,402.85	53,505.52	8,554.15	88.35

Obj	Obj	2011-12 BUDGET	ENCUMBRANCE YTD	2011-12 EXPENDITURES	July 2011-12 ACTIVITY	2011-12 BALANCE	2011-12 YTD %
GENERAL FUND							
DATA PROCESSING SERVICES							
61--	PAYROLL COSTS	438,083.00	0.00	412,833.10	45,594.13	25,249.90	94.24
62--	PURCHASE & CONTRACTED SVS	276,500.00	22,092.02	219,707.81	32,499.32	34,700.17	79.46
63--	SUPPLIES AND MATERIALS	267,795.00	11,013.85	96,276.01	7,709.78	160,505.14	35.95
64--	OTHER OPERATING EXPENSES	14,675.00	0.00	11,176.26	49.20	3,498.74	76.16
66--	CPTL OUTLY LAND BLDG & EQ	10,000.00	10,000.00	0.00	0.00	0.00	0.00
----	DATA PROCESSING SERVICES	1,007,053.00	43,105.87	739,993.18	85,852.43	223,953.95	73.48
COMMUNITY SERVICES							
61--	PAYROLL COSTS	52,591.00	0.00	43,527.85	283.94	9,063.15	82.77
62--	PURCHASE & CONTRACTED SVS	10,000.00	1,500.00	10,000.00	0.00	-1,500.00	100.00
64--	OTHER OPERATING EXPENSES	750.00	0.00	136.39	0.00	613.61	18.19
----	COMMUNITY SERVICES	63,341.00	1,500.00	53,664.24	283.94	8,176.76	84.72
FACILITIES ACQ. & CONSTRUCTION							
66--	CPTL OUTLY LAND BLDG & EQ	110,050.00	0.00	0.00	0.00	110,050.00	0.00
----	FACILITIES ACQ. & CONSTRU	110,050.00	0.00	0.00	0.00	110,050.00	0.00
INTERGOVERNMENTAL CHARGES							
62--	PURCHASE & CONTRACTED SVS	5,068,514.00	0.00	4,672,665.30	541,631.70	395,848.70	92.19
----	INTERGOVERNMENTAL CHARGES	5,068,514.00	0.00	4,672,665.30	541,631.70	395,848.70	92.19
OTHR INTERGOVERNMENTAL CHARGES							
62--	PURCHASE & CONTRACTED SVS	667,570.00	0.00	659,244.46	0.00	8,325.54	98.75
----	OTHR INTERGOVERNMENTAL CH	667,570.00	0.00	659,244.46	0.00	8,325.54	98.75
----	GENERAL FUND	38,708,518.95	420,204.39	33,465,623.26	2,982,947.54	4,822,691.30	86.46

Obj	Obj	2011-12 BUDGET	ENCUMBRANCE YTD	2011-12 EXPENDITURES	July 2011-12 ACTIVITY	2011-12 BALANCE	2011-12 YTD %
FOOD SERVICE							
89--	OTHER USES	104,860.00	0.00	104,858.84	0.00	1.16	100.00
----		104,860.00	0.00	104,858.84	0.00	1.16	100.00
FOOD SERVICES							
61--	PAYROLL COSTS	1,261,933.00	0.00	697,611.47	60,481.53	564,321.53	55.28
62--	PURCHASE & CONTRACTED SVS	35,221.00	1,106.63	30,124.40	1,056.70	3,989.97	85.53
63--	SUPPLIES AND MATERIALS	1,042,817.00	56,546.19	857,569.47	14,643.31	128,701.34	82.24
64--	OTHER OPERATING EXPENSES	9,710.00	1,180.78	7,759.88	413.41	769.34	79.92
66--	CPTL OUTLY LAND BLDG & EQ	22,325.00	154.34	11,928.21	0.00	10,242.45	53.43
----	FOOD SERVICES	2,372,006.00	58,987.94	1,604,993.43	76,594.95	708,024.63	67.66
----	FOOD SERVICE	2,476,866.00	58,987.94	1,709,852.27	76,594.95	708,025.79	69.03

Number of Accounts: 5109

\*\*\*\*\* End of report \*\*\*\*\*

Obj	Obj	2011-12 BUDGET	ENCUMBRANCE YTD	2011-12 EXPENDITURES	July 2011-12 ACTIVITY	2011-12 BALANCE	2011-12 YTD %
GENERAL FUND							
6---	EXPENDITURES	38,708,518.95	420,204.39	33,465,623.26	2,982,947.54	4,822,691.30	86.46
----	GENERAL FUND	38,708,518.95	420,204.39	33,465,623.26	2,982,947.54	4,822,691.30	86.46
FOOD SERVICE							
6---	EXPENDITURES	2,372,006.00	58,987.94	1,604,993.43	76,594.95	708,024.63	67.66
8---	OTHER USES	104,860.00	0.00	104,858.84	0.00	1.16	100.00
----	FOOD SERVICE	2,476,866.00	58,987.94	1,709,852.27	76,594.95	708,025.79	69.03

Number of Accounts: 4976

\*\*\*\*\* End of report \*\*\*\*\*



Marble Falls  
Independent  
School District

INTEROFFICE MEMORANDUM

Date: August 15, 2012

To: Board of Trustees and Dr. O'Connor

From: David Hemond, Accounting Supervisor

Subject: Consider Approval of Budget Amendments

---

Budget amendments included for approval (copies follow):

11-00058	To fund high school auditorium lighting project - \$7,421
11-00059	End of year budget amendment - \$367,000

**RECEIVED**  
AUG 10 2012

**MARBLE FALLS ISD  
BUDGET AMENDMENT**

<b>Batch #:</b>	11-00058													
<b>Fiscal Year:</b>	2011-12													
<b>Reason for amendment:</b>	High School Auditorium Lighting Project Balance													
<b>Account Number</b>	<b>Account Description</b>	<b>Debit</b>												
		Increase      Decrease												
<b>EXPENDITURES</b>														
1	199-11-6399.00-041-011-000	General Supplies - Middle School												
2	199-11-63.98.00-041-011-H00	Technology Supplies - Middle School Choir												
3	199-36-6219.00-001-041-B00	Professional Services - High School Band												
4	199-11-6399.01-041-011-B00	General Supplies - Middle School Band												
5	199-11-6398.00-001-099-000	Technology Supplies - High School												
6	199-51-6629.00-936-099-000	Capital Improvements												
7		7,421.00												
8														
9														
10														
11														
12														
13														
14														
15														
16														
17														
18														
19														
20														
	<b>REVENUE</b>	Decrease      Increase												
21														
22														
23														
24														
<b>Totals</b>		7,421.00      7,421.00												
<table border="0" style="width:100%;"> <tr> <td style="width:30%;"><b>Board Approval Required</b></td> <td style="width:30%;"><input checked="" type="checkbox"/> Yes    <input type="checkbox"/> No</td> <td style="width:30%;"><b>Prepared by:</b> Lisa LeMon</td> </tr> <tr> <td></td> <td></td> <td><b>Approved by:</b> <i>Lisa LeMon</i></td> </tr> <tr> <td></td> <td><b>Date:</b> 08/10/12</td> <td><b>Reviewed by:</b></td> </tr> <tr> <td></td> <td></td> <td><b>Date:</b></td> </tr> </table>			<b>Board Approval Required</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<b>Prepared by:</b> Lisa LeMon			<b>Approved by:</b> <i>Lisa LeMon</i>		<b>Date:</b> 08/10/12	<b>Reviewed by:</b>			<b>Date:</b>
<b>Board Approval Required</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<b>Prepared by:</b> Lisa LeMon												
		<b>Approved by:</b> <i>Lisa LeMon</i>												
	<b>Date:</b> 08/10/12	<b>Reviewed by:</b>												
		<b>Date:</b>												



# Marble Falls ISD Lawn Service 2012-2013

## Minutes of the Bid Opening for Lawn Maintenance Service

On Tuesday August 14, 2012 bids were opened at 7:45 am CST at MFISD 306 Industrial Blvd. Marble Falls, Texas

Witnessed by:

1. Jeff Rowland
2. Darlene Brinkley
3. Debbie Rector
4. Carmen Foster

	Received	HS	Colt	HLES	Spicewood	Admin / Transp
Duich Turf Services	8/6/2012 @ 3:55 pm	\$350.00	\$350.00	\$315.00	\$300.00	\$350.00
Lemaster Landscapes	8/7/2012 @ 11:23 am	\$400.00	\$400.00	\$325.00	\$350.00	\$400 ( Admin \$300 Transp \$100)
Lawn Patrol	8/8/2012 @ 11:18 am	\$720.00	\$480.00	\$480.00	\$480.00	\$600.00
Matts Lawn Service	8/8/2012 @ 2:59 pm	\$650.00	\$320.00	\$320.00	\$320.00	\$650.00

Dr. O'Connor and Board Members,

After reviewing the Lawn Maintenance Bids and past service quality and abilities to deliver my recommendation is that we use Lemaster Landscapes for High School, Colt and Admin/Transportation and Matt's Lawn Service for HLES and Spicewood.

Thank you,

Michael Phillips  
Maintenance Director

8/15/2012

# Marble Falls ISD Pest Control Service 2012-2013

## Minutes of the Bid Opening for Pest Control Service

On Tuesday August 14, 2012 bids were opened at 7:30 am CST at MFISD 306 Industrial Blvd. Marble Falls, Texas

Witnessed by:

1. Jeff Rowland
2. Darlene Brinkley
3. Debbie Rector
4. Carmen Foster

	Received	District - Monthly
Quality Pest Control	8/10/12 @ 10:16 am	\$500.00

**Dr. O'Connor and Board Members,**

After reviewing the Pest Control Bids, I recommend that we use Quality Pest Control.

Thank you,  
Michael Phillips  
Maintenance Director

8/15/2012

**TEXAS EDUCATION CODE (NO PASS, NO PLAY)  
COMPLIANCE PROCEDURES FOR 4-H IN TEXAS 4-H**  
(These procedures cover all 4-H members in public, private, and home schools.)

**COUNTY:**

Each Year:

1. As a total county Extension faculty, meet and discuss the Texas Education Code requirements and specify procedures the county is going to use during the upcoming year (see Attachments C & D for recommended procedures). Also, plan for interpretation of the educational value of 4-H participation to teachers, school administration, and school boards.
2. A meeting should be scheduled with each school superintendent and/or principal that has 4-H members that will be involved in 4-H extracurricular activities during the year to discuss the procedures Extension plans to use. At this meeting, the following should occur:
  - ◆ Seek extracurricular status for 4-H (see sample letter – Attachment A1; and sample resolution – Attachment A2). [The approval of organizations (approval of extracurricular organizations) outside of school sponsored or UIL sponsored groups continues to be the responsibility of the local board of trustees. A resolution regarding Extracurricular Status of 4-H and an example letter for agents to use in contacting school superintendents requesting that 4-H be recognized as an extracurricular organization. See attached.]
  - ◆ Request Adjunct Faculty Appointment for CEA(s) (see sample Adjunct Faculty Appointment Request Agreement – Attachments A3, A4, and A5.)
3. Extension faculty, volunteers, 4-H members, and their parents should be informed in writing of the procedures that will be followed during the upcoming school year to ensure 4-H members abide by the provisions of the Texas Education Code, thus ensuring 4-H retain its extracurricular status.
4. Thirty days prior to a 4-H competitive activity or a 4-H activity that requires a member to be absent from school, put the procedures into action.
5. To address any problems or violations during the school year:
  - ◆ Report them immediately to your District Extension Administrator.
  - ◆ Report them to the local school administrator for then to enforce their procedures covering violations of the Texas Education Code of members of approved non-UIL organizations. Many districts have incorporated these procedures into their discipline management systems.

**DISTRICT:**

- ◆ District Extension Administrators will immediately report any problems or violations to the Texas AgriLife Extension Service administrator responsible for the Texas Education Code, Associate Director – County Programs.

**STATE:**

- ◆ The Associate Director – County Programs and the 4-H and Youth Development Program Director will facilitate resolution of the problem and communicate action to the Texas Education Agency Complaint Department.

OFFICE OF BURNET COUNTY

August 7, 2012  
1701 E. Polk Street, Suite 12  
Burnet, TX 78611  
512.756.5463  
Fax 512.715.5220

Marble Falls Independent School District  
1800 Colt Drive  
Marble Falls, TX 78654

Dear Mr. Rob O'Connor:

On behalf of the 4-H members of Burnet County, I/we hereby respectfully request that the 4-H organization, by the attached resolution, be sanctioned as an extracurricular activity. The enclosed RESOLUTION should be presented for consideration at the next scheduled meeting of the Board of Trustees of the (name of school district). I/we further request that questions regarding this RESOLUTION be directed to me/us in a timely manner so that I/we may prepare and present an appropriate response so as not to delay action on this request.

Finally, I/we request that a signed copy of this RESOLUTION, along with a copy of the minutes of the Board meeting, be forwarded to me/us for my/our files.

Thank you and members of the Board of Trustees for your consideration of this request.

Sincerely,



Wade Hibler  
Burnet County Extension Agent  
Agriculture and Natural Resources



Linda S. Wells  
Burnet County Extension Agent  
Family and Consumer Sciences

Enclosure: RESOLUTION  
(Regarding EXTRACURRICULAR STATUS OF 4-H ORGANIZATION)

**RESOLUTION  
regarding  
EXTRACURRICULAR STATUS OF 4-H ORGANIZATION**

Be it hereby resolved that upon this date, the duly elected Board of Trustees of the  
\_\_\_\_\_ Marble Falls Independent School District \_\_\_\_\_

*(Complete name of school district)*

meeting in public with a quorum present and certified, did adopt this resolution that recognizes the  
\_\_\_\_\_ Burnet \_\_\_\_\_ County Texas 4-H Organization as approved for recognition and eligible for  
extracurricular status consideration under 19 Texas Administrative Code, Chapter 76.1, pertaining to extracurricular  
activities.

Participation by 4-H members under provisions of this resolution are subject to all rules and regulations set forth  
under the 19 Texas Administrative Code as interpreted by this Board and designated officials of this school district  
whose rules shall be final.

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
*(For Board of Trustees)*

\_\_\_\_\_  
*(Superintendent)*

## STATE BOARD OF EDUCATION RULING ADJUNCT FACULTY APPOINTMENT

The State Board of Education passed a rule June 9, 1994 that allows public school students to be considered in attendance when participating in approved off-campus activities with an adjunct staff member of the school district. The amendment that was adopted states:

Amendments to 19 TAC§129.21 (k)(1). Requirements for Student Attendance Accounting for State Funding Purposes.

(4-12) A student not actually on campus at the time attendance is taken may be considered in attendance for Foundation School Program (FSP) purposes under the following conditions:

1. The student is participating in an activity which is approved by the local board and is under the direction of a professional staff member of the school district or an adjunct staff member. This adjunct staff member must have a minimum of a bachelor's degree and be eligible for participation in the Teacher Retirement System of Texas.

(4-13) Students participating in any activity which is not approved by the local school board and/or without certified district personnel supervision are counted absent [see (4-12)]. To qualify for funding purposes, the certified district staff member/adjunct staff member must be accompanying the students as an official of the school district for the specific purpose of supervising the students and must be approved by the school board to supervise the activity. For example, students participating in 4-H activities which are supervised solely by a county Extension agent are reported present.

The approved rule changes provide local school boards the opportunity to recognize county Extension agents as adjunct staff members and to count the students in attendance for the Foundation School Program purposes. Note: The approval for county Extension agents to be recognized as adjunct staff members and the activity in which the student is participating must be approved by the local board of school trustees.

As you develop plans for contacting local school districts, these guidelines should be followed:

1. A strategy for contacting all local school districts should be discussed in a joint office conference involving all staff members. Immediate action should be taken to initiate these contacts in order for this to be considered by the school board as early in the school year as possible.
2. As local school districts are contacted requesting for the county faculty to be recognized as adjunct staff members, each member of the county Extension staff should be named in the request. All county Extension agents have responsibility for the 4-H youth development program and there should not be single members of the staff requesting adjunct staff status.
3. Contact the appropriate school administrator i.e. school superintendent, assistant superintendent or designee to schedule an appointment to discuss extracurricular status of 4-H programs and adjunct faculty appointments. A personal meeting is recommended; however, in the urban counties, it may be necessary to contact the various school officials through correspondence and/or phone. The staff should request written confirmation of the local school board's approval in order to maintain appropriate documentation of adjunct status. Follow-up with the local school officials may be needed to obtain a written response.
4. All activities that require students to be absent from school must be approved by the local board of school trustees in order for them to be considered in attendance for Foundation School purposes. Approval for 4-H youth to participate in various activities, i.e. stock shows, judging contests, consumer decision making contests, National 4-H Congress, etc., must be granted prior to the date of the event. The county Extension staff should develop a comprehensive list of all activities that would require 4-H youth to be absent from school and submit this request for board approval at the same time.
5. County Extension agents are to receive no compensation from the local school system as a result of their adjunct staff status.

## INFORMATION FOR LOCAL SCHOOL DISTRICTS

MEMORANDUM TO: Mr. Rob O'Connor

SUBJECT: Adjunct Faculty Agreement

The State Board of Education passed an amendment to 19 TAC§129.21 (k)(1). Requirements for Student Attendance Accounting for State Funding Purposes allows public school students to be considered "in attendance" when participating in off-campus activities with an adjunct staff member of the school district. Section 3 of the Student Attendance Handbook states:

- (4-12) The student is participating in an activity which is approved by the local board and is under the direction of a professional staff member of the school district or an adjunct staff member. This adjunct staff member must have a minimum of a bachelor's degree and be eligible for participation in the Teacher Retirement System of Texas.
- (4-13) Student participating in any activity which is not approved by the local school board and/or without certified district personnel supervision are counted absent [see 4-12]. To qualify for funding purposes, the certified district staff member/adjunct staff member must be accompanying the students as an official of the school district for the specific purpose of supervising the students and must be approved by the school board to supervise the activity. For example, students participating in 4-H activities which are supervised solely by a county Extension agent are reported present.

This amendment provides local school boards the opportunity to recognize county Extension agents as adjunct staff members and to count students participating in 4-H/Extension educational activities "in attendance" for Foundation School Program purposes.

Burnet County requests adjunct staff member status for the county Extension agents for the school year 2011-2012. The following faculty, are eligible for participation in the Teacher Retirement System of Texas and have a minimum of a bachelor's degree.

Name: Wade Hibler Title: CEA-Ag & NR Degree: MS Date: 8/16/1986 Institution: TX A&M College Station

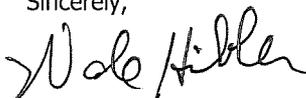
Name: Linda S. Wells Title: FCS Degree: MA Date: May 12, 2001 Institution: NM State University, NM

Name: \_\_\_\_\_ Title: \_\_\_\_\_ Degree: \_\_\_\_\_ Date: \_\_\_\_\_ Institution: \_\_\_\_\_

Name: \_\_\_\_\_ Title: \_\_\_\_\_ Degree: \_\_\_\_\_ Date: \_\_\_\_\_ Institution: \_\_\_\_\_

I hope Burnet Consolidated Independent School District will accept this request. Please let me know if you would like to schedule an appointment to discuss the amendment and request or if you need further information.

Sincerely,



Wade Hibler  
County Extension Agent  
County Coordinator

Attachments:  
cc:

## ADJUNCT FACULTY APPOINTMENT AGREEMENT

County Extension agents which are granted approval for adjunct faculty status remain under the direct supervision of the appropriate District Extension Administrator or County Extension Director. Adjunct faculty members will remain employees of Texas AgriLife Extension Service and will receive no compensation, salary, or remuneration from the school district entering into this agreement.

As local school districts are contacted requesting the county faculty to be recognized as adjunct staff members, each member of the county Extension staff should be named in the request. All county Extension agents have responsibility for the 4-H youth development program and there should not be single members of the staff requesting adjunct faculty status.

Those counties that have already received approval as adjunct staff members do not need to have this agreement signed. This has been developed to provide those school districts that have requested or questioned the additional risk that may be assumed in recognizing agents as adjunct faculty. This agreement will provide consistency across the state in the event school districts request a formal agreement.

If any questions arise regarding this matter, please do not hesitate to call Dr. Darrell Dromgoole, Associate Director – County Programs.

**ADJUNCT FACULTY APPOINTMENT  
COUNTY REQUEST FORM/PRESENTATION**

Burnet County requests adjunct staff member status for the county Extension agents for the school year 2012-2013. The following faculty, are eligible for participation in the Teacher Retirement System of Texas and have a minimum of a bachelor's degree.

Name: Wade Hibler Title: CEA-Ag & NR Degree: MS Date: 8/16/1986 Institution: TX A&M College Station

Name: Linda S. Wells Title: FCS Degree: MA Date: May 12, 2001 Institution: NM State University, NM

Name: \_\_\_\_\_ Title: \_\_\_\_\_ Degree: \_\_\_\_\_ Date: \_\_\_\_\_ Institution: \_\_\_\_\_

Name: \_\_\_\_\_ Title: \_\_\_\_\_ Degree: \_\_\_\_\_ Date: \_\_\_\_\_ Institution: \_\_\_\_\_

ADJUNCT FACULTY APPOINTMENT  
FOR ISD'S WHO APPROVE MORE THAN 1 YEAR

COUNTY 4-H  
CONTINUACE OF EXISTING RESOLUTION  
REGARDING  
EXTRACURRICULAR STATUS OF 4-H ORGANIZATION

Marble Falls ISD has continuously adopted resolutions recognizing the Burnet County 4-H Organization as approved for recognition and eligible for extracurricular status consideration under Title 19, Texas Administrative Code, Chapter 76.1, pertaining to extracurricular activities. As designee for the Board, I extend and make continuous the resolution last adopted on September 19, 2011. Participation by 4-H members under provisions of this resolution are subject to all rules and regulations set forth under the 19 Texas Administrative Code as interpreted by the board through the designated officials of Marble Falls ISD whose rulings shall be final.

This resolution shall be continuous unless and upon written notice by the Board or their designee that the resolution is withdrawn, or the law changes.

Adjunct faculty status is granted to all members of the current county Extension faculty, who meet the eligibility requirements for participation in the Teacher Retirement System of Texas and have a minimum of a bachelor's degree. The county Extension staff will annually provide a current list of adjunct faculty to the appropriate principal on or before request of completion of Declaration of Eligibility Forms. If the faculty changes, the list shall be edited by the county Extension staff and forwarded to the appropriate principal(s). This appointment is subject to the following conditions and provisions of such appointment, to wit:

1. Adjunct faculty member will receive no compensation, salary, or remuneration from Marble Falls ISD.
2. Adjunct faculty member is and shall remain an employee, in good standing, of the Texas AgriLife Extension Service.
3. Adjunct faculty member shall be under the direction of either the District Extension Administrator, Extension District, or Burnet County Extension Director.
4. Adjunct faculty member shall receive all group insurance benefits, workman's compensation insurance benefits, unemployment insurance, and any and all other plans for the benefit of Texas AgriLife Extension Service employees. District shall have no responsibility for any of such benefits or plans.

Adjunct faculty members shall direct the activities and participation of students of the school district in sponsored and approved activities as designated from time to time by adjunct faculty member for which notice shall be given to School District administrative personnel. Adjunct faculty members' activities and participation with students of the School District are directed, supervised, and controlled by and through supervisory personnel of Texas AgriLife Extension Service. Adjunct faculty member is not the employee of the School District, and School District does not nor shall not supervise, direct, or control the activities and/or participation of such Burnet County Extension Agent(s) who has/have been herein designated as an adjunct faculty member.

This appointment is made by Marble Falls Independent School District by and through the action of the Board of Trustees of said District for the benefit of allowing voluntary student participation in programs conducted by Texas AgriLife Extension Service in recognition of the educational benefits arising from such participation and activities and/or directed by Texas AgriLife Extension Service. This appointment is made in accordance with the provisions of Section 12921 (k)(1) of the Texas Administrative Code authorizing the school to deem such participating students in attendance for Foundation School Program purposes.

This appointment of the Burnet County Extension Agent(s) Wade Hibler and Linda S. Wells is/are not intended nor shall be construed as a waiver of any claim or defense of sovereign or governmental immunity from liability now possessed by Marble Falls Independent School District or any of its employees agents, officers, and/or board members in the performance of governmental functions.

For the Board

Mr. Rob O'Connor  
Superintendent of Schools  
Marble Falls ISD  
August 7, 2012

**RECOMMENDED PROCEDURES FOR SECURING TEXAS  
EDUCATION CODE (NO PASS, NO PLAY) ELIGIBILITY  
INFORMATION FOR 4-H MEMBERS TO PARTICIPATE  
IN A COMPETITIVE 4-H EVENT**

This procedure applies to all competitive events in which 4-H members participate during the school year regardless of when the events are conducted. This includes 4-H sponsored competitive events and events in which students compete representing 4-H.

For instance, 1) if a food show in which a 4-H member is a competitor is conducted on a Saturday, the 4-H member would have to be eligible according to the Texas Education Code to compete in the show; 2) if a member is a competitor in the Houston Livestock Show representing 4-H on a school day, the 4-H member would have to be eligible to compete.

**I. Procedures are as follows:**

At the beginning of each school year, Extension agents should meet with school officials to determine the steps the agent needs to take to assist 4-H members in obtaining excused absences to participate in 4-H events, and to determine eligibility of 4-H members for competitive events.

Extension agents should submit a **written request at least 30 days in advance** of each 4-H event to the appropriate school administrator (principal) with the following information:

- a. Name of 4-H member(s) involved
- b. School they attend
- c. Current grade level in school
- d. Dates of proposed absence(s)
- e. Name of event
- f. Educational value
- g. Chaperone

**II. Recommended Procedure**

1. Thirty days prior to a 4-H competitive event, the CEA sends a letter to each superintendent or principal requesting information on the eligibility of members.
2. The school should respond to CEA, if there are any students who are eligible. If the school does not contact the CEA, it will be assumed that all students are eligible.
3. If a 4-H member is ineligible for a 4-H competitive event, the agent must notify the 4-H member, their parents and the sponsoring agency, by letter, of this situation. If the parent has any questions, they should be referred to the school administrator.

If county Extension faculty develop procedures that they deem more efficient and effective and still ensures 4-H's compliance with the Texas Education Code requirements, they should request approval of the system in writing, before the system is initiated. If their District Extension Administrator approves the alternate procedures, they may use the alternate procedures and provide an evaluation of the procedures at the end of the year.

**RECOMMENDED PROCEDURES FOR SECURING  
ELIGIBILITY INFORMATION AND EXCUSED ABSENCES  
FOR 4-H MEMBERS TO PARTICIPATE IN ANY 4-H EVENT  
OR ACTIVITY THAT WOULD REQUIRE THEM TO BE  
ABSENT FROM SCHOOL**

This procedure applies to ALL 4-H events or activities (competitive or non-competitive) and all 4-H members in public, private, and/or home school that requires a 4-H member to be absent from school. For instance, if a 4-H member is a member of a state planning task force and needs to miss a day of school to participate, the 4-H member would have to be eligible according to the Texas Education Code to be excused from school.

**I. Procedures are as follows:**

At the beginning of each school year, Extension agents should meet with school officials to determine the steps the agent needs to take to assist 4-H members in obtaining excused absences to participate in 4-H events, and to determine eligibility of 4-H members for competitive events.

Extension agents should submit a **written request at least 30 days in advance** of each 4-H event to the appropriate school administrator (principal) with the following information:

- a. Name of 4-H member(s) involved
- b. School they attend
- c. Current grade level in school
- d. Dates of proposed absence(s)
- e. Name of event
- f. Educational value
- g. Chaperone

**II. Recommended Procedure**

1. Thirty days prior to a 4-H competitive event, the CEA sends a letter to each superintendent or principal requesting information on the eligibility of members.
2. The school should respond to CEA, if there are any students who are eligible. If the school does not contact the CEA, it will be assumed that all students are eligible.
3. If a 4-H member is ineligible for a 4-H competitive event, the agent must notify the 4-H member, their parents and the sponsoring agency, by letter, of this situation. If the parent has any questions, they should be referred to the school administrator.

If county Extension faculty develop procedures that they deem more efficient and effective and still ensures 4-H's compliance with the Texas Education Code requirements, they should request approval of the system in writing, before the system is initiated. If their District Extension Administrator approves the alternate procedures, they may use the alternate procedures and provide an evaluation of the procedures at the end of the year.

## DECLARATION OF ELIGIBILITY FORM GUIDELINES

The Declaration of Eligibility Form for the Texas AgriLife Extension Service/4-H provides an alternate approach to the current system in ensuring 4-H's compliance with the Texas Education Code requirements. This procedure does not replace the current system of Extension agents submitting a written request in advance of each 4-H event to the appropriate school administrator to determine academic eligibility of 4-H youth. It adds another method of determining eligibility of 4-H members. The decision as to which system to implement should be made by the total county Extension faculty with each faculty member fully aware of the implications.

### PROCEDURES

1. A visit should be scheduled with each school superintendent and/or principal that will have 4-H members involved in 4-H extracurricular activities during the year, to discuss the procedures Extension plans to use.
2. Extension faculty, volunteers, 4-H members, and their parents should be informed **in writing** of the procedures that will be followed during the upcoming school year, to ensure 4-H members abide by the provisions of the Texas Education Code, thus ensuring 4-H retains its extracurricular status.

The procedures that will be followed should be included in 4-H Adult Leader meetings, 4-H Club Manager meetings, 4-H Club meetings, as well as being in 4-H newsletters and other correspondence informing youth of 4-H policies and procedures.

3. The Declaration of Eligibility Form will require county Extension agent's signature prior to the principal and/or designee signing. The agent's signature certifies that the youth is enrolled in 4-H; prevents the form from being manipulated or falsified by ineligible youth; allows county Extension agents to maintain control of this request; and legitimizes the form for school officials.

### INSTRUCTIONS FOR COMPLETING THE FORM

#### Parent/Guardian/County Extension Agent Section

- **Academic eligibility information only.** (Used to verify academic eligibility only for 4-H competitive events/activities.)
- **Academic eligibility information and authorization to receive an excused absence from school.** (Used to verify academic eligibility as well as receive authorization to receive an excused absence. This would be used for events held during school hours such as stock shows, state and national 4H contests and events, etc.)
- **Date and name of activity.** (Used to notify school officials of exact dates/times a student would be participating in a 4-H activity or representing 4-H at an event.)
- **Parent/Guardian signature is required.** The signature of the parent/guardian confirms that this person is aware of the academic eligibility and excused absence requirements of the Texas Education Code.
- **Certification of 4-H members is completed by the county Extension agent.**
- **County Extension agent signature/date certifies that the youth is enrolled in 4-H and is eligible to compete in the above-named activity.**

Principal/Designee Section

The principal or designee will be asked to verify a student's academic eligibility. In addition to academic eligibility verification, this person would verify authorization when there is a need for an excused absence for those 4-H events/activities that would require a student's absence. The signature and date must be completed in order for the form to be valid.

Instructions

4-H'ers should complete a separate form for each competitive event/activity in which they plan to participate. The original form should be returned to the county Extension office at least one week prior to the event/activity. **NOTE:** Schools requiring a copy of this form should make their copy before returning it to the student.



**Texas AgriLife Extension Service  
DECLARATION OF ELIGIBILITY FORM**



*This form is requested in accordance with the requirement of  
the Texas Education Code and in cooperation with the Texas Education Agency  
and local public school board policies.*

**PARENT/GUARDIAN/COUNTY EXTENSION AGENT – Complete This Section**

In accordance with 4-H policy, provided by our local Extension office, I respectfully request (check [✓] one):

- Academic eligibility information only
- Academic eligibility information and authorization to receive an excused absence from school

Date: \_\_\_\_\_ Name of Activity: \_\_\_\_\_

Signature of Parent/Guardian: \_\_\_\_\_

I hereby certify that \_\_\_\_\_ is a member of 4-H in \_\_\_\_\_ County and is scheduled to participate in this activity representing 4-H. He/she will be under the supervision of the Texas AgriLife Extension Service faculty or agency's designated volunteer leader.

\_\_\_\_\_ Date

\_\_\_\_\_ County Extension Agent

**PRINCIPAL – Complete This Section**

Check [✓] one:

- I do certify that the student is academically eligible to participate in the above mentioned extracurricular activity.
- I do not certify the student because he/she is NOT academically eligible to participate in the above mentioned extracurricular activity.

Check [✓] one:

- An excused absence will be granted.
- An excused absence will **not** be granted.
- Does not apply.

Signed: \_\_\_\_\_  
Principal or Designee

Date: \_\_\_\_\_

\_\_\_\_\_ Name of School

*Instructions: Complete one form per activity. 4-H member should return original form to the County Extension Office.*

## **DAEP PLACEMENT AND PARTICIPATION IN SCHOOL ACTIVITIES**

Section 37.006 includes a list of types of conduct for which a district is required to place a student in a DAEP (Disciplinary Alternative Education Program). Subsection (g) of that section provides that “[t]he terms of a placement under this section must prohibit the student from attending or participating in a school-sponsored or school-related activity.” (Emphasis added). In addition to the required placements under Section 37.006, a district may include other bases for a DAEP placement in its student code of conduct under Section 37.0001(a)(1). Also, a principal may make a DAEP placement under Section 37.0029(c) in response to a classroom removal under that section.

The application of Section 37.006(g) is expressly limited to placements “under” that section. Section 37.006(g) does not apply to a placement made pursuant to Sections 37.001(a)(1) or 37.002(c) if the conduct is not included in Section 37.006. A district may adopt its own policy governing the terms of such a placement with respect to participation in school-sponsored or school-related activities. A district must be careful to apply Section 37.006(g) to any placement made for conduct that is included in Section 37.006 even if the conduct is separately identified in the district’s code of conduct or resulted in a removal under Section 37.002.

6/20/2001

## ADJUNCT FACULTY AGREEMENT

1. We encourage a plan for cross-county CEA joint appointments to consolidate travel and supervisory responsibilities at major livestock shows.
2. Remember, when you have youth chosen for National 4-H Congress, National 4-H Conference, or Texas 4-H Leadership Conference, include one of the chaperones on your adjunct list.

THE STATE OF TEXAS  
COUNTY OF BURNET

On this date, at a regularly scheduled and posted meeting, came the Board of Trustees of the Marble Falls Independent School District, hereinafter referred to as "District." A quorum having been established, the Board proceeded to consider the appointment of the herein named individual as an adjunct member of the Marble Falls Independent School District.

Upon consideration and vote of \_\_\_\_\_ in favor, \_\_\_\_\_ is hereby named as adjunct faculty member of the \_\_\_\_\_ Independent School District subject to the following considerations and provisions of such appointment to wit:

1. This appointment shall commence on the 27th day of August and end on the day 31st of May, being the end of the 2012-2013 academic year.
2. Adjunct faculty member will receive no compensation, salary, or remuneration from Marble Falls Independent School District.
3. Adjunct faculty member is and shall remain an employee, in good standing, of the Texas AgriLife Extension Service.
4. Adjunct faculty member shall be under the direct supervision of either the District Extension Administrator of District 7, Extension District, or Burnet County Extension Director.
5. Adjunct faculty member shall receive all group insurance benefits, workman's compensation insurance benefits, unemployment insurance, and any and all other plans for the benefit of Texas AgriLife Extension Service employees. District shall have no responsibility for any of such benefits or plans.

Adjunct faculty member shall direct the activities and participation of students of the school district in sponsored and approved activities as designated from time to time by adjunct faculty members for which notice shall be given to School District administrative personnel. Adjunct faculty members' activities and participation with students of the School District are directed, supervised, and controlled by and through supervisory personnel of Texas AgriLife Extension Service pursuant to the supervisory authority of the District Extension Administrator or County Extension Director. Adjunct faculty member is not the employee of the School District, and School District does not nor shall not supervise, direct or control the activities and/or participation of such Burnet County Extension Agent(s) who have/has been herein designated as an adjunct faculty member.

This appointment is made by the Independent School District by and through the Board of Trustees of said district for the benefit of allowing voluntary student participation in programs conducted by the Texas AgriLife Extension Service in recognition of the educational benefits arising from such participation and activities and/or directed by the Texas AgriLife Extension Service. This appointment is made in accordance with the provisions of Section 129.21 (k)(1) of the Texas Administrative Code authorizing the school to deem such participating students in attendance for foundation school program purposes.

Page two

This appointment of the herein named Wade Hibler and Linda S. Wells County Extension Agent(s) (Extension employee) is/are not intended nor shall be construed as a waiver of any claim or defense of sovereign or governmental immunity from liability now possessed by Marble Falls Independent School District or any of its employees, agents, officers, and/or board members in the performance of governmental functions.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

Marble Falls Independent School District

By: \_\_\_\_\_

Adjunct Faculty Appointment Accepted By:

Wade Hibler      Linda S. Wells  
County Extension Agent(s)

Approved:

\_\_\_\_\_  
County/District Extension Administrator, District 7  
Texas AgriLife Extension Service

## Agreement for the Purchase of Attendance Credits

This agreement is entered into pursuant to the Texas Education Code (TEC), Chapter 41, Subchapters A and D, and rules adopted by the commissioner of education as authorized by the TEC, §41.006. The purpose of this agreement is to enable the district to reduce its wealth per weighted student to a level that is not greater than the equalized wealth level as determined by the commissioner of education in accordance with the TEC, §41.002.

The school year to which this agreement applies is **2012-2013** (the "school year").

The agreement is for **Marble Falls Independent School District** ("the district"), with a county-district number of **027-904**, to purchase attendance credits from the state for the school year.

This agreement is subject to the approval of the voters of the district as provided by the TEC, §41.096. The board of trustees of the district agrees to submit to the commissioner of education, on request, a certified copy of the board minutes showing the canvass of the election.

Initial payments will be based on the commissioner's estimate of the cost of each credit using the district's projected maintenance and operations tax revenue and the estimated number of weighted students in average daily attendance for the school year (TEC, §41.093). The district agrees to make the payments in accordance with the schedule specified in the TEC, §41.094.

The actual cost of each credit will be determined by the commissioner in accordance with the TEC, §41.093, when final data are available for the school year on the district's maintenance and operations tax revenue and the number of weighted students in average daily attendance. If that amount is less than the amount paid by the district through August 15 of the school year, the difference will be refunded. If that amount is greater than the amount paid, the district shall remit an amount equal to the difference for deposit in the state treasury to be used for the Foundation School Program.

The cost of purchased attendance credits will be reduced for county appraisal district (CAD) costs. The reduction will be computed in accordance with the TEC, §41.097. If the reduction exceeds the cost for the school year, the difference will be carried forward and applied to each subsequent year's cost until the total amount of the reduction has been exhausted.

\_\_\_\_\_  
Signature of President, Board of Trustees  
Date:

\_\_\_\_\_  
Signature of Superintendent

\_\_\_\_\_  
Signature of Secretary, Board of Trustees  
Date:

Dr. Robert O'Connor  
\_\_\_\_\_  
Typed Name of Superintendent  
Date:

\_\_\_\_\_  
Signature of Robert Scott, Commissioner of Education  
or Designee  
Date:

# Chapter 41 Options for Wealth Equalization



# What Options are Available?

- Option 1 – Consolidate with another district
- Option 2 – Detach property
- Option 3 – Purchase attendance credits from the state
- Option 4 – Contract to educate nonresident students from a partner district
- Option 5 – Consolidate tax bases with another district.



# Which one to choose?

- Virtually all districts in the state choose option 3 or 4.
- Options 3, 4, and 5 require voter approval. (We have already conducted our election in 2005.)



**2012-13 Cost of Recapture - Level 1**  
**MARBLE FALLS ISD**  
**027-904**

<b>Level 1 (\$476,500)</b> <b>Cost of Recapture</b>		<b>Based on Data Entry</b>	
		<b>Option 3</b>	<b>Option 4</b>
1.	1992-93 M&O Tax Collections	\$1,434,573	\$1,434,573
2.	1992-93 CED Distribution	\$6,994,048	\$6,994,048
3.	1992-93 Chapter 36 WADA	2,870.0000	2,870.0000
4.	1991 State Certified Property Value	\$523,865,020	\$523,865,020
5.	2012-13 M&O Tax Collections	\$28,849,216	\$28,849,216
6.	2012-13 Adopted M&O Tax Rate	\$1.0400	\$1.0400
6a.	2012-13 Compressed M&O Rate	\$0.9933	\$0.9933
7.	2012-13 Chapter 41 WADA	5,051.5150	5,051.5150
8.	2011 State Certified Property Value Adjusted for Decline, if any	\$2,861,156,663	\$2,861,156,663
9.	2012-13 ASF Amount	\$1,585,850	\$1,585,850
10.	Transfers Out, for Which Tuition is Paid	0	0
11.	Tuition Paid per Student	\$0	\$0
12.	New Instructional Facilities Allotment (NIFA)	\$0	\$0
<b>Type of Calculation</b>			
<b>Hold Harmless Tax Rate</b>			
13.	1992-92 Total M&O Tax Revenue	\$8,428,621	\$8,428,621
14.	WADA Ratio (Current Year to 1992-93)	1.7601	1.7601
15.	1992-93 M&O Revenue Adjusted for WADA	\$14,835,298	\$14,835,298
16.	1992-93 M&O Revenue Adjusted for WADA Less ASF	\$13,249,448	\$13,249,448
17.	1992-93 Effective M&O Tax Rate	0.0127	0.0127
18.	2012-13 Hold Harmless Effective Tax Rate	0.0150	0.0150
<b>Tax Base at Equalized Level</b>			
19.	Tax Base at Equalized Level	\$2,407,046,898	\$2,407,046,898
<b>Tax Base at Hold Harmless Level</b>			
20.	1992-93 Hold Harmless Tax Base	\$883,296,508	N/A
21.	Hold Harmless Tax Base Retained per WADA	\$174,858	N/A
22.	Adjusted Hold Harmless Tax Base Retained per WADA	\$283,936	N/A
23.	Adjusted Tax Base at Hold Harmless Level	\$1,434,305,281	N/A
24.	Tax Base Retained	\$2,407,046,898	\$2,407,046,898
25.	Excess Tax Base	\$454,109,766	\$454,109,766
26.	Proportional Tax Base Reduction	0.1587	0.1587
<b>Cost of Buying WADA Before Cost Discounts</b>			
27.	Cost Before Any Discounts	\$4,578,816	\$4,578,816
28.	Additional WADA Needed to Equalize Wealth	953.0111	953.0111
29.	Cost per WADA: per 41.093 of the TEC (Est Min = \$2,780)	\$4,805	\$4,805
30.	WADA Credit for Tuition Paid	0.0000	0.0000
31.	WADA Credit for NIFA	0.0000	0.0000
32.	WADA Needed to be Purchased	953.0111	953.0111
33.	Adjusted Cost After WADA Credit	\$4,578,816	\$4,578,816

## Potential Cost Discounts

### Early Agreement Credit

34.	4% of Cost Before Discounts	\$183,153		N/A
35.	\$80 * Each WADA Needed to Equalize Wealth	\$76,241		N/A
36.	Credit Amount	\$76,241		N/A

### Credit for CAD Costs

37.	2012-13 CAD Cost	\$667,570		\$667,570
38.	2012-13 Cost Before Discounts	\$4,578,816		\$4,578,816
39.	2012-13 M&O Tax Collections	\$28,849,216		\$28,849,216
40.	2012-13 Credit Amount	\$105,954		\$0
41.	CAD Credit Balance From Prior Years	\$0		\$0
42.	Unclaimed Historical CAD Credit	\$0		\$0
43.	Total CAD Credit Amount	\$105,954		\$0

### Estimated Final Costs

44.	Cost With No Discounts	\$4,578,816		\$4,578,816
45.	<b>Final Discounted Cost</b>	<b>\$4,396,622</b>		<b>\$4,578,816</b>
46.	<b>Final Cost per WADA</b>	<b>\$4,613</b>		<b>\$4,805</b>

### Final Cost Calculation of Chapter 41 WADA

47.	2012-13 Chapter 42 WADA	5,051.5150		5,051.5150
48.	2012-13 Non-Resident Students Charged Tuition	0		0
49.	2012-13 Enrollment	4,028		4,028

### Type of Calculation

#### Resident Student Adjustment

50.	2012-13 Non-Resident Students Charged Tuition	0		0
51.	Chapter 42 WADA to Enrollment Ratio	1.2541		1.2541
52.	Non-Residents Converted to WADA	5,051.5150		5,051.5150

### Chapter 41 WADA

53.	TEA Calculation of 2012-13 Chapter 41 WADA	5,051.5150		5,051.5150
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July 9, 2012

Dear Superintendent and Board President:

My name is Cynthia Keene and I am running for the TASB Board of Directors, Region 13, Position C. I am writing to humbly request your endorsement for this position.

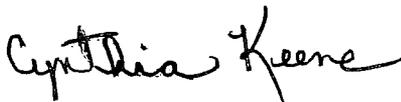
By means of introducing myself I have bulleted a few of my accomplishments depicting why I believe I would be an effective TASB Board member:

- Serving my 15<sup>th</sup> consecutive year as a trustee for Johnson City Independent School District;
- Have been the Vice President of JCISD Board of Trustees since 2006;
- Have acquired over 300 credit hours of continuing education;
- Actively involved with legislators by twice representing our district and public education at the Federal Relations Network Conference;
- Successfully completed Leadership TASB and am an active member of the Legislative Advisory Council;
- Repeatedly serve as the Board's delegate at TASA/TASB conventions.

I believe that the success of a community is strongly linked to the success of its school district. As a result of this belief I have volunteered my time to numerous community organizations. For example I am an active member of Johnson City Library Board. As the President of the Library Board I helped to raise funds to build a new city library and currently remain very active in policy training for this board. I am a founding member of the Johnson City Education Foundation and continue to rally support for the benefit of our graduating seniors.

School funding, local governance, as well as the recruitment and retention of highly qualified staff are just some of the issues facing both large and small public school districts. My experience as a trustee and as a volunteer has helped me to understand these challenges and better prepare me as an advocate for public education. I believe that it is only by working together that we can continue to ensure every student receive the highest quality of education. And so I ask for your consideration in supporting me as a TASB Board of Director by completing the attached endorsement form and returning it to TASB.

Sincerely,



Cynthia Keene



# Johnson City Independent School District

*"Building for the Future"*

David Shanley  
Superintendent

P.O. Box 498  
Johnson City, Texas 78636  
(830) 868-7410  
Fax: (830) 868-7375

Email: [shanley@johnsoncity.txed.net](mailto:shanley@johnsoncity.txed.net)

July 13, 2012

Dear Superintendent and Board President:

The Johnson City ISD Board of Trustees and I are proud to support Mrs. Cynthia Keene as a candidate for the position of Region XIII, Position C, TASB Board of Directors. With fifteen consecutive years of service as a board member, and vice president since May of 2006, Mrs. Keene has proven to be a tireless advocate for public education.

Throughout Mrs. Keene's service to JCISD she has taken every opportunity to attend trainings and stay aware of the issues facing public schools. She has graciously been the district's delegate for the majority of TASA/TASB conferences, is a member of the School Board Advocacy Network and Legislative Action Committee. During her service as a board member, Mrs. Keene worked diligently to aide in the passing of a ten million dollar bond to build a new high school and remodel existing facilities. In a small community with limited resources, she still considers this one of her greatest accomplishments. Mrs. Keene has twice received support from her fellow board members to attend the Federal Relations Network Conference in Washington, D.C. Her attendance gave public schools a strong voice at the federal level for grassroots control.

To her credit, Mrs. Keene also has a long history of community service. Many of these organizations have strong ties to the educational policy-making board. For example, as President of the Johnson City Library Board she was instrumental in raising funds to build a new library. The ground breaking ceremony was held in 2009! Mrs. Keene is also a member of the Johnson City Education Foundation and an avid supporter of the Blanco County Youth Show.

Cynthia Keene is very aware of the challenges facing public education and is dedicated to finding solutions that make public schools more effective. As a mother of three she has successfully managed both parenthood and civic duty. She has experience in leadership roles that serve not only the community, but Johnson City ISD as well. She knows the critical questions to ask and how to work as an effective team member. And it is this experience and sense of commitment to the betterment of public schools that has prepared her for the responsibility of serving as a TASB Director.

The JCISD Board of Trustees unanimously endorses Mrs. Keene's nomination for Region XIII Position C, of the TASB Board of Directors and respectfully asks for your endorsement as well. If you would like to contact me regarding this endorsement, please do not hesitate to call my office.

Sincerely,

David Shanley  
Superintendent of School

**ENDORSEMENT FORM**

Date \_\_\_\_\_

Sylvester E. Vasquez, Jr., Chair  
 TASB Nominations Committee  
 P. O. Box 400  
 Austin, Texas 78767-0400

This form to be used to endorse a nominated individual from a BOARD within your TASB Region who has completed the July 2, 2012 requirements.

**Endorsements will only be accepted if acted on from JULY 3 to AUGUST 29. Must be received in the TASB Austin office on or before AUGUST 29, 2012**

Dear Mr. Vasquez:

Our school board endorses the candidacy of the following individual nominated to fill a position on the TASB Board of Directors.

**CANDIDATE INFORMATION**

NAME: **Cynthia Keene**  
 SCHOOL DISTRICT: **Johnson City ISD**  
 MAILING ADDRESS: **PO Box 498**  
 CITY: **Johnson City, TEXAS ZIP 78636**

This endorsement was approved by our school district's board of trustees at a duly called meeting on \_\_\_\_\_  
 (Date)

Sincerely,

\_\_\_\_\_  
 (BOARD PRESIDENT)

NAME: \_\_\_\_\_  
 SCHOOL DISTRICT: \_\_\_\_\_  
 MAILING ADDRESS: \_\_\_\_\_  
 CITY: \_\_\_\_\_, TEXAS ZIP \_\_\_\_\_

**Must be received in the TASB Austin office on or before August 29, 2012**

**RETURN TO:  
 TASB, Attn: Management Services  
 P.O. Box 400, Austin, Texas 78767-0400  
 or FAX (512) 467-3554**

## Weed, Sylvia

---

**From:** Vrmott@aol.com  
**Sent:** Tuesday, August 14, 2012 1:43 PM  
**To:** Weed, Sylvia  
**Subject:** Emailing: Region13C,Mott  
**Attachments:** Region13C,Mott[1].zip

This is the final document. Kindly confirm receipt of the 3.

It has been a rewarding service to represent Region 13 on the TASB Board of Directors. A recent accomplishment included the waiving of the registration fees at events due to the underfunding of public education by the legislature. The upcoming legislative session with significant new faces and the change in committee chair positions due to retirement or loss of an election will require significant time and energy to inform capital staff and elected officials of the issues facing Texas public schools. I accept that challenge.

I seek your vote of confidence in an action item on your August agenda to endorse me for another term joining districts such as Burnet, Leander, Hutto, Elgin, Pflugerville, San Marcos, Gonzales, Del Valle, Manor, Giddings, Seguin and others in my support.

Regretfully, I can not attend your meeting due to a conflict. If you need additional info, do call. Perhaps I can join you at a future meeting.

With appreciation of your dedication, service and leadership to students, staff and stakeholders in Marble Falls ISD,

Vernagene Mott  
Pflugerville ISD Board Vice President  
TASB Director Region 13  
1401 West Pecan  
Pflugerville, Texas 78660  
512-251-3682

**TO: Board Presidents and Superintendents, TASB Region 13**  
**FROM: Vernagene Mott, Pflugerville ISD**  
**DATE: June 7, 2012**  
**SUBJECT: TASB Director, Region 13, Position C**

I, Vernagene Mott, have filed the necessary forms as a candidate for TASB Director, Region 13, Position C. I seek your endorsement. You received a yellow packet mailed 5/18 from Hershawna Turner, Administrative Assistant at TASB. I hope you will complete Form E, the tan Endorsement Form, which requires the board President's signature and the date of the meeting (between July 3-August 29<sup>th</sup>) the endorsement was acted upon. Promptly return with my name (fax 512-467-3554). The submission deadline to TASB is August 29.

A few items of interest regarding myself:

- I am currently in my 3<sup>rd</sup> term on the PISD Board presently serving as Vice President
- 2007 LTASB Master Trustee; LTASB Alumni Association charter board member
- Organizer and Charter Member of the Pflugerville Education Foundation
- Committee member to develop/implement the new superintendent evaluation instrument
- 2007 Lifetime Achievement Award Recipient of Greater Pflugerville Chamber of Commerce
- Retired High School Math/Chemistry Teacher (35+yrs); Dept. Chair, NHS Sponsor
- Hobbies: organist, pianist, gardening, grandchildren, local history (co-authored & published 2 books);
- E3 Alliance in Central Texas participant
- Commitment in attendance and preparation for meetings on the local, regional and state level
- Attendance at State and National Conventions: NSBA-FRNC
- PISD has grown from a small 1A district to over 23,000 students today with 29 campuses in a fast-growth minority-majority district
- Central Texas School Board Association member, organizer and contributor
- 2010 Region 13 Board and State Honor Board (recognized finalist at TASA/TASB Convention)
- 2010 Pflugerville Education Foundation Distinguished Alumni Award for Excellence in Community Service
- PISD Board was 2011 Pflugerville Chamber of Commerce Outstanding Citizen of the Year
- Region 13 SOTY Selection Committee
- Architectural Committee for the Caudill Award at Convention
- Active in Advocacy with lawmakers and participates in Grassroots meetings and LAC

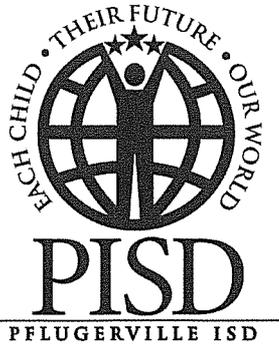
Through TASB events, I have had the opportunity to meet dedicated board members and staff that have inspired and motivated me by their action and commitment to the public education of Texas students. I am anxious and excited to actively join them in collaborating on issues and promoting the mission, beliefs and purpose of the organization in a unified manner. I believe my past experiences, my flexible schedule, and positive open-minded adaptable personality would make me a candidate worthy of your consideration. It has been an honor to represent and serve you the past years and I seek your continued support and confidence.

I would be happy to visit with your board if you would share with me your July or August meeting time and place.

Please forward this letter to your entire board. They may refer specific questions to my e-mail [vmott@aol.com](mailto:vmott@aol.com)

With appreciation of your endorsement,

Vernagene Mott  
TASB Director, Region 13, Position C  
Pflugerville ISD Trustee, Place 4  
512-251-3682



June 7, 2012

Greetings from Pflugerville ISD!

I am writing to seek your support of Vernagene Mott for the position of Director, TASB Region XIII, Position C.

As superintendent, I have the pleasure of working closely with Ms. Mott. In the nearly seven years I have known her, she has demonstrated outstanding leadership, and I believe those qualities will serve her well as a member of the TASB Board of Directors.

Ms. Mott is currently serving her third term on the Pflugerville Board, and second year as Board Vice President. She has provided a consistent voice for District students, staff, and other stakeholders since her election in 2005. Ms. Mott rarely misses board meetings, and is a fixture at school and community events. Through her leadership, Pflugerville formed the Pflugerville Education Foundation, an organization that provides resources to promote excellence in education.

As a graduate of Pflugerville High School, and retired educator, Ms. Mott is a member of families whose roots in Pflugerville and Central Texas date back more than 100 years. She is a respected voice in our community, and has actively participated in Pflugerville's growth from a sleepy rural district able to contain all its students in one building, to a booming Austin suburb with 28 campuses. Because of her experiences, Ms. Mott is able to understand the unique needs of districts large and small. Her acute awareness of the challenges faced by teachers and administrators makes her a tireless champion of educators, and a fierce advocate of Texas public schools. Ms. Mott understands where education has been, and has a clear vision of where it must go to prepare an increasingly diverse student population for their future in our world.

Ms. Mott is an active member of TASB, participating in numerous training events and grassroots committee meetings. She is also a member of the Leadership TASB Class of 2007 – a Master Trustee. Through her involvement with TASB, she has established contacts in districts throughout the state. She enjoys and cultivates these relationships that allow her to compare notes and to glean best practices implemented in other districts and regions. Ms. Mott's passion for education is undeniable, and her commitment to community service is unparalleled. Her leadership skills, understanding of school district needs and dedication to improving public education make her the perfect candidate for a position on the TASB Board of Directors.

***Therefore, the PISD Board of Trustees unanimously and wholeheartedly supports, and seeks your endorsement of, Vernagene Mott as Director, TASB Region XIII, Position C.***

Sincerely,

Charles E. Dupre

1401 West Pecan, Pflugerville, Texas 78660 ~ Phone: 594-0000 ~ Fax: 594-0005

**ENDORSEMENT FORM**

Date \_\_\_\_\_

This form to be used to endorse a nominated individual from a BOARD within your TASB Region who has completed the July 2, 2012 requirements.

**Endorsements will only be accepted if acted on from JULY 3 to AUGUST 29. Must be received in the TASB Austin office on or before AUGUST 29, 2012**

Sylvester E. Vasquez, Jr., Chair  
TASB Nominations Committee  
P. O. Box 400  
Austin, Texas 78767-0400

Dear Mr. Vasquez:

Our school board endorses the candidacy of the following individual nominated to fill a position on the TASB Board of Directors.

**CANDIDATE INFORMATION**

NAME: \_\_\_\_\_

SCHOOL DISTRICT: \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_, TEXAS ZIP \_\_\_\_\_

This endorsement was approved by our school district's board of trustees at a duly called meeting on \_\_\_\_\_  
(Date)

Sincerely,

\_\_\_\_\_  
(BOARD PRESIDENT)

NAME: \_\_\_\_\_

SCHOOL DISTRICT: \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_, TEXAS ZIP \_\_\_\_\_

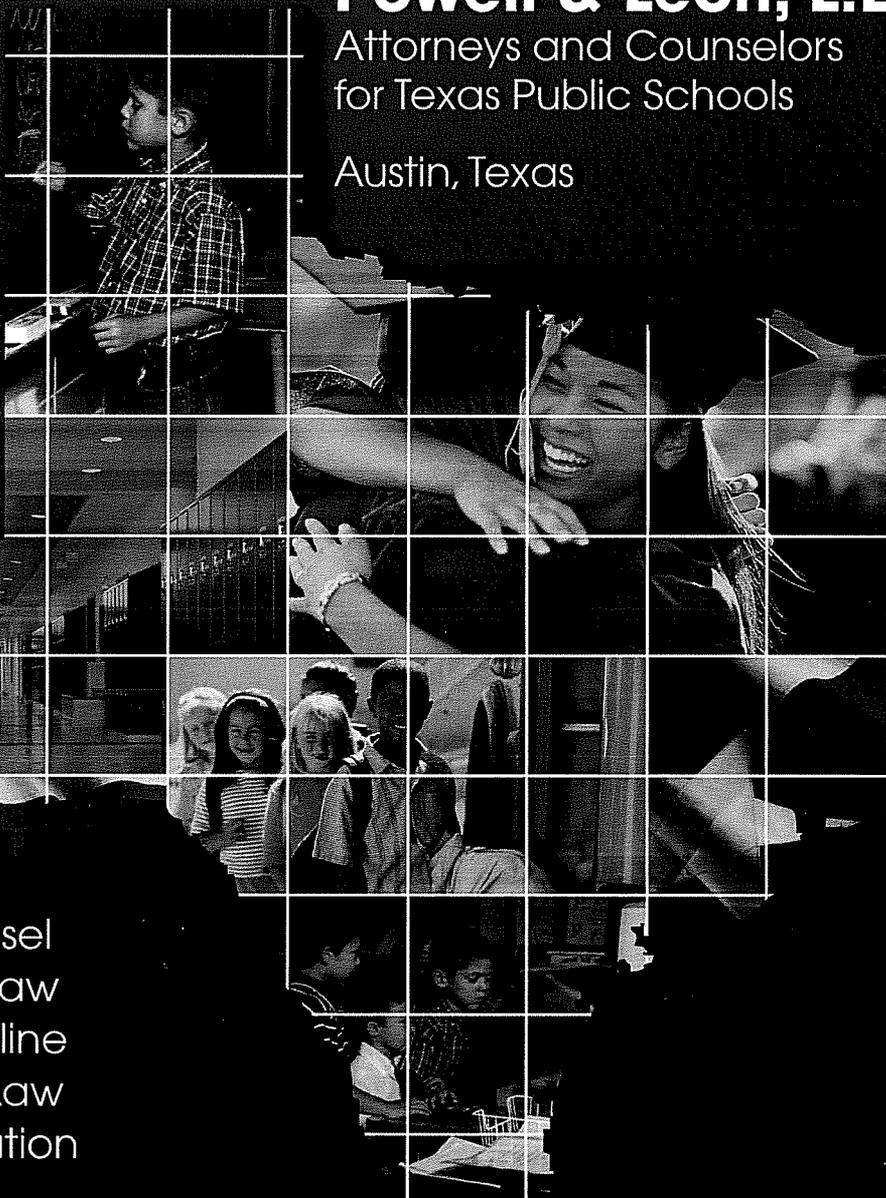
**Must be received in the TASB Austin office on or before AUGUST 29, 2012**

**RETURN TO:  
TASB, Attn: Management Services  
P.O. Box 400, Austin, Texas 78767-0400  
or FAX (512) 467-3554**

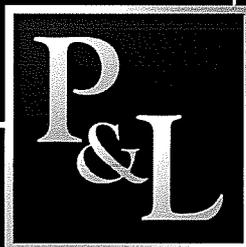
# Powell & Leon, L.L.P.

Attorneys and Counselors  
for Texas Public Schools

Austin, Texas



- General Counsel
- Employment Law
- Student Discipline
- Construction Law
- Special Education
- Litigation



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1706 West Sixth Street | Austin, Texas 78703 | (800) 494-1971

[www.powell-leon.com](http://www.powell-leon.com)

# **Powell & Leon, LLP**

## **Firm Brochure**



(512) 494-1177 office  
(512) 494-1188 facsimile  
1706 West Sixth Street  
Austin, Texas 78703

Federal Employer Identification No. 74-2768755

Contact:

**Blake G. Powell**

Partner

**Sara Hardner Leon**

Partner

(800) 494-1971

### **General Firm Information**

Powell & Leon is a Limited Liability Partnership established in 1996. Our law offices are centrally located in downtown Austin at 1706 West Sixth Street, Austin, Texas, and we serve school and college district across Texas in the capacity of general and special counsel. Our attorneys are both counselors and advocates, dedicated to an uncompromising commitment to excellence and client service. Our approach to the practice of law involves early consultation and intervention, client training, and timely responses to client concerns.

Our law practice concentrates upon the representation of Texas public school districts. We serve public educational entities in all areas of school law issues, including employment contract disputes, student discipline issues, business torts, labor and employment matters, administrative law, construction disputes, and civil rights and constitutional claims. As general and special legal counsel to districts across the state, we regularly advocate on behalf of schools in contested bench and jury trials, arbitrations and administrative hearings. Our firm has represented community colleges and public school

schools in contested bench and jury trials, arbitrations and administrative hearings. Our firm has represented community colleges and public school districts since its inception and has a prominent education law practice throughout Texas.

### **Experience Providing Legal Services to Public School Districts**

Our attorneys have devoted their professional careers to the representation of Texas public school and college districts. We are qualified to handle the broad range of general school law and litigation issues that will face Texas public school districts, and bring significant experience in every area of school law to our clients.

***Consultation.*** Our attorneys practice in all areas of school law, and we are available on a 24-hours basis for both telephone and in-person consultation. We firmly believe in preventative law, and find that early consultation on a matter of potential dispute can be very effective in avoiding more costly litigation later on. A significant portion of our practice consists of responding to requests for general consultation; we invite the evaluation team to seek candid responses from our clients as to the value of this service to their schools.

***Training.*** Our attorneys are frequently called upon as speakers and trainers in a variety of areas. As noted in the individual attorney resumes, our attorneys are frequently invited to speak and provide training on a wide variety of public education related topics. We provide, as a service to all of our clients, a legal training session, on a subject or subjects requested by the Client, for up to three hours. Examples of training performed by our attorneys in recent months include training on sexual harassment investigations for managers; compliance with University Interscholastic League rules; construction delivery methods; student rights and discipline; discipline of special education students; open meetings and board member ethics; workplace violence; and teacher contract issues; to name only a few. Our clients receive client alerts on a regular basis via e-mail, on issues of general interest and late-breaking legal news. A sample Powell & Leon "Client Alert" is provided in hard-copy format in the supplementary materials.

***Review of District Policies and Procedures/Proactive Policies and Procedures.*** Effective policies and procedures are important tools for employees, patrons, and students, and can be essential for avoiding potential disputes and/or legal liability. Our broad, substantive knowledge base in public education law enhances our services in this area. We provide comprehensive policy development and review services for our clients in all areas. In advising clients on an ongoing basis, we keep up-to-date on changes in the law, and provide timely updates and policy recommendations via our e-mail "Client Alert" newsletters. Recent examples of our services in this area include: comprehensive review and revision of the Northeast Texas Community College Policy Manual; development of legally sound student drug testing policies; Personnel policy review for the A.W. Brown Charter School; comprehensive review and revision of

student codes of conduct; and review and analysis of the policies and procedures of the Austin Independent School District as they relate to student safety.

***Administrative Hearings.*** Our attorneys have represented school districts and administrators in all areas of school-related administrative proceedings. As with any contested litigation, our approach to administrative hearings includes thorough preparation and effective presentation. As distinguished from other types of litigation, the demeanor of a school district's attorney in such proceedings can be essential to long-term relations with outside agencies, patrons and students. We are sensitive to the special circumstances school administrators face in contested hearings and public proceedings before the Board. Representative examples of administrative hearings our attorneys have handled include: employee terminations before independent hearing examiners; contested teacher non-renewal hearings; student discipline hearings and appeals; grievance hearings; special education due process hearings; EEOC/THRC proceedings; U.S. Department of Education Office of Civil Rights investigations; contested student expulsion hearings; State Board for Educator Certification actions; school nurse and counselor licensing board complaints; UIL district and state level hearings; and Commissioner of Education appeals.

***State and District Court Proceedings.*** Although pro-active intervention to avoid unnecessary litigation is a mainstay of our practice, a thorough mastery of the administrative and judicial process, trial tactics, and the ability to evaluate the effectiveness of potential witnesses and the impact of a claim on a jury or judge is essential to providing our clients with a well-reasoned assessment of a case. In some instances, litigation may be unavoidable. In other cases, a client may elect, for policy reasons, to seek a judicial determination of contested issues. Powell & Leon attorneys have significant litigation experience and maintain an active litigation docket. We are admitted in good standing to practice before all state and federal courts in the State of Texas, as well as the United States Fifth Circuit Court of Appeals, and the U.S. Supreme Court. Our litigation experience includes jury trials, bench trials, mediation, arbitration and contested administrative proceedings and we are accustomed to preserving trial court success on appeal. Included later in this proposal is a representative list of cases our attorneys have handled.

***Contract Drafting/Negotiation.*** Our purchasing, contract and construction law experience includes consultation and litigation on competitive procurement issues, drafting contracts, and practical legal counsel on all aspects of school purchasing and construction contracts. We routinely advise clients concerning the purchase and acquisition of real property, competitive procurement, insurance and bond issues, development of criteria for evaluating proposals, construction delivery methods, and the development and negotiation of contracts that meet the special needs of school districts. Blake Powell is a frequent speaker on these areas of school business, and examples of his work in this area over the past several months include: assisting in the negotiation and drafting of real estate purchasing agreements for real estate

acquisition, drafting and negotiating CM-At Risk and CM-Agent agreements. Mr. Powell has experience serving as district counsel in the lease/purchase of facilities and Powell & Leon is currently assisting the Region VIII Education Service Center in their continued expansion of their regional purchasing cooperative. Other recent examples of our work in this area include: lease/purchase of school buses and school equipment; negotiation of contracts for the acquisition of goods and services, such as transportation, energy management, soft drink and food service vendor agreements; and drafting and negotiating joint use agreements for athletic and park facilities.

***Intergovernmental Negotiations/Communications.*** The firm represents the Dallas and Travis County Juvenile Boards, and Sara Leon developed and assisted in the negotiation and development of the juvenile justice alternative education programs for Dallas and Travis Counties. She has assisted a number of other school districts in Chapter 41 contract issues, including the development of shared technology services programs funded from Chapter 41 funds. She is also general counsel to the Travis County JJAEP Co-Op and the Dallas County JJAEP, and originally drafted the complex memoranda of understanding under which these interlocal cooperative agreements operate. These are examples of complex intergovernmental cooperative agreements where our specialized knowledge of school and governmental law, and our ability to bring diverse parties together have been particularly recognized. All of our attorneys routinely work with governmental entities to develop agreements for the joint use and development of parks and athletic facilities, community partnership programs, and partnerships with law enforcement and juvenile authorities. We have been successful in working with TEA on a number of issues, and during the past legislative session were successful in assisting public school districts with the drafting and passage of legislation that addressed areas of particular concern for those districts.

***Facilities and Construction.*** After advising on the form of project delivery (*e.g.* general contractor, construction manager-agent, construction management-at risk, or design-build), we negotiate and draft contracts in an effort to allocate risk in a manner that serves the interests of our clients. For example, we offer suggested Addenda, Supplemental and Special Conditions to American Institute of Architects Contract Document forms that incorporate state and federal guidelines on a project-specific basis. We also offer advice on subjects such as change order management, construction delays (Texas Prompt Payment Act), design defects, payment and performance bonds (Texas Government Code, Ch. 2253), warranty issues, insurance, labor law (Prevailing Wage Rates), default and insolvency, and other governmental requirements (including Title VII, Title IX, OSHA, the Americans with Disabilities Act and trenching/shoring procedures, Texas Government Code, Section 2166.303 and Texas Health and Safety Code, Subchapter C, Sections 756.02 1, *et seq.*). As legal counsel, our objective is to help clients create a team environment. Although problems will occur on complex projects, a team environment encourages a cooperative rather than adversarial response. We focus on dispute avoidance and resolution and know-how to create team environments that facilitate problem solving rather than litigation.

**Public Finance Issues.** Powell & Leon is experienced in interpreting public finance legislation and in providing counsel to public entities on public finance issues. Sara Leon represented school districts challenging Senate Bill 7 in the landmark *Edgewood IV* school finance litigation, and Blake Powell represented a coalition of ten school districts in a contested case involving the distribution of County Education District funds. We have assisted many school districts in construction transactions involving state Instructional Facility Allotment funds and revenue bonds for the lease-purchase of permanent school facilities. Powell & Leon regularly assists school districts in developing cooperative agreements for the use of school equalization funds for such uses as funding alternative education programs and regional technology programs and has been sought out by a number of school districts to develop specialized interlocal agreements involving the use and disposition of Chapter 41 funds. We counsel school boards routinely on various aspects of elections requirements in local elections, including acting as District counsel in local bond elections. Powell & Leon is listed in the Bond Buyer's Municipal Marketplace (*Redbook*).

**Legal In-Service Training.** We are frequently invited to speak to clients and professional organizations on a variety of matters. The attached supplementary materials contain sample in-service materials prepared by members of the firm.

Additionally, we are called upon as guest lecturers on school law subjects by Departments of Education at the University of Mary Hardin Baylor and TAMU Corpus Christi. We annually teach the school law components of the New Superintendent's Academies for ESC VIII in Mt. Pleasant and ESC VI in Huntsville as well as for the Ratliff Executive Academy, East Texas A&M Commerce (since 2001). Powell & Leon is proud to serve Texas A&M University as a corporate partner in its annual Administrative Leadership Institute (ALI).

**Labor and Employment Law.** Our attorneys regularly advise school districts on labor and employment issues that include the development of personnel policies, employee handbooks, procedures for discipline, investigation of complaints, and documentation of misconduct. Our attorneys are frequently invited to speak on a wide range of labor and employment law issues, both to school district administrators as well as HR professionals for a wide range of governmental entities. We advise clients on compliance with general state and federal employment laws, as well as state laws that are unique to school district employees. It is our practice to counsel with supervisors in the earliest stages of decisions involving consequences adverse to an individual's employment. We help administrators develop accurate documentation that fairly and appropriately addresses employee performance, and if necessary, will constitute effective evidence in a contested proceeding. In working with our clients through the early stages of employment difficulties, we are frequently successful in assisting school districts in eliciting the voluntary departure of unsuccessful employees. In the event

early intervention is not possible or an employment action results in litigation, we are very experienced in successful litigation of employment disputes in state and federal court, through appeals to the Texas Supreme Court and Fifth Circuit Court of Appeals.

***Student Rights/Special Populations.*** Our attorneys are well-versed in matters involving student rights, privacy interests, and the rights of special populations. We have litigated cases involving student discipline matters, UIL participation, special education due process rights, valedictorian and salutatorian challenges, and challenges to student academic competitions. Our attorneys have handled numerous contested student discipline and special education discipline hearings for public school districts, and have represented districts in emergency appeals involving student discipline and UIL eligibility. Our attorneys have successfully represented school districts in Office of Civil Rights complaints and contested special education due process hearings. Sara Leon has published numerous articles regarding student discipline under Chapter 37 of the Education Code.

We recognize that school administrators must respond, on a daily basis, to a broad range of legal concerns and challenges, and require a consistently knowledgeable, prompt response from its legal team. The District should expect that its attorneys will be up-to-date on school law issues, and able to work closely and collaboratively with the District's administration and board. Additionally, in order to respond effectively to requests for legal services, the District should expect that a designated attorney or attorneys will be available at all times to respond to the need for both ordinary and extraordinary legal services. The designated attorney must be familiar at all times with all work being handled by the firm, so that attorney-client communications are at all times clear, efficient, and timely. Powell & Leon clients enjoy 24-hours access to their attorneys, and feel comfortable contacting us at any hour in the event a special legal concern should arise. We believe our commitment to personal and responsive service is responsible for the firm's lasting relationships with clients and the steady growth of the firm since its inception.

By hiring our firm, the District will have access to a team of experienced attorneys, with the experience and flexibility to be able to respond to legal problems and concerns promptly and effectively. In addition to being able to provide general consultation, our litigation skills allow us to effectively represent the District in the event a matter develops into a contested case proceeding.

We are confident that our firm is qualified to provide the highest level of legal services, with personal attention to the special needs of our clients. We invite the District to contact any of our clients for a full and candid reference. A list of representative clients is included below.

## Representative List of Clients and Contact Persons

The following are representative clients of the firm:

### **Anna ISD (ESC 10)**

December 2010 to present  
General Legal Services

Contact: Mr. Larry Johnson, Supt.  
(972) 924-1000

### **Austin ISD (ESC 13)**

January 2001 to present  
General Legal Services

Contact: Mr. Melvin E. (Mel) Waxler  
(512) 414-6425

### **Avery ISD (ESC 8)**

January 2001 to present  
General Legal Services

Contact: Mrs. Kelly Burns, Supt.  
(903) 684-3460

### **Avinger ISD (ESC 8)**

October 2009 to present  
General Legal Services

Contact: Ms. Jacquelyn Smith, Supt.  
(903) 562-1271

### **A.W. Brown Fellowship Charter School (ESC 10)**

February 2001 to present  
General Counsel

Contact: Rev. A.W. Brown, Exec. Dir.  
(972) 709-4700

### **Banquete ISD (ESC 2)**

February 2006 to present  
General Counsel

Contact: Mr. Jim Ramage, Supt.  
(361) 387-2551

### **Bartlett ISD (ESC 12)**

February 2003 to present  
General Counsel

Contact: Mr. Mike Mayfield, Supt.  
(254) 527-4247

### **Center Point ISD (ESC 20)**

February 2009 to present  
General Counsel

Contact: Mr. Cody Newcomb, Supt.  
(830) 634-2171

### **Blackwell CISD (ESC 14)**

October 2009 to present  
General Counsel

Contact: Mr. Abe Gott, Supt.  
(325) 282-2311

### **Bland ISD (ESC 10)**

August 2005 to present  
General Counsel

Contact: Mr. Bryan E. Clark, Supt.  
(903) 776-2239

### **Blooming Grove ISD (ESC 12)**

December 2003 to present  
General Counsel

Contact: Mr. Michael Baldree, Supt.  
(903) 695-2541

### **Boles ISD (ESC 10)**

January 1996 to present  
General Counsel

Contact: Dr. Graham Sweeney, Supt.  
(903) 883-4464

### **Bremond ISD (ESC 6)**

February 2008 to present  
General Counsel

Contact: Mr. Walter Fenn, Supt.  
(254) 746-7145

### **Bryan ISD (ESC 6)**

December 2008 to present  
General Counsel

Contact: Mr. Mike Cargill, Supt.  
(979) 209-1000

### **Buna ISD (ESC 5)**

August 2011 to present  
General Counsel

Contact: Dr. Robin Perez, Supt.  
(409) 994-5101

### **Celeste ISD (ESC 10)**

August 2003 to present  
General Counsel

Contact: Mr. Ricky Beadles, Supt.  
(903) 776-2239

**Chapel Hill ISD (ESC 7)**

July 2011 to present  
Special Counsel

Contact: Dr. Donni Cook, Supt.  
(903) 566-2441

**Chapel Hill ISD (ESC 8)**

June 2002 to present  
General Counsel

Contact: Mr. Marc Levesque, Supt.  
(903) 572-8096

**Chillicothe ISD (ESC 9)**

January 2012 to present  
General Counsel

Contact: Mr. Coby Norman, Supt.  
(940) 852-5391

**China Spring ISD (ESC 12)**

October 2009 to present  
General Legal Services

Contact: Dr. Jason McCullough, Supt.  
(254) 836-1115

**Chisum ISD (ESC 8)**

February 2003 to present  
General Counsel

Contact: Ms. Diane Stegall, Supt.  
(903) 737-2830

**Cisco ISD (ESC 14)**

September 2000 to present  
General Counsel

Contact: Mr. Kelly West, Supt.  
(254) 442-3056

**Clarksville ISD (ESC 8)**

February 2009 to present  
General Counsel

Contact: Ms. Pamela Bryant, Supt.  
(903) 427-3891

**Cooper ISD (ESC 8)**

July 2002 to present  
General Counsel

Contact: Mrs. Denicia Hohenberger, Supt.  
(903) 345-2112

**Copperas Cove ISD (ESC 12)**

September 1997 to present

**Corrigan-Camden ISD (ESC 6)**

June 2001 to present  
General Counsel

Contact: Mr. Tom Bowman, Supt.  
(936) 398-4040

**Crockett Country Cons. CSD (ESC 15)**

January 1998 to present  
General Counsel

Contact: Mr. Chris duBois, Supt.  
(915) 392-5501

**Crockett ISD (ESC 6)**

January 2012 to present  
General Counsel

Contact: Dr. Douglas Moore, Supt.  
(936) 544-2125

**Cumby ISD (ESC 8)**

August 2005 to present  
General Counsel

Contact: Mr. Lance Campbell, Supt.  
(903) 994-2775

**Dekalb ISD (ESC 8)**

February 2003 to present  
General Counsel

Contact: Mr. David Manley, Supt.  
(903) 667-2566

**Del Valle ISD (ESC 13)**

August 2003 to present  
General Counsel

Contact: Dr. Kelly Crook, Supt.  
(512) 386-3010

**Detroit ISD (ESC 8)**

August 2006 to present  
General Counsel

Contact: Mr. Mark Keahey, Supt.  
(903) 674-6131

**Dodd City ISD (ESC 10)**

December 1999 to present  
General Counsel

Contact: Mr. Craig Reed, Supt.  
(903) 583-7585

**Dublin ISD (ESC 11)**

October 2009 to present

General Counsel  
Contact: Dr. Rose Cameron, Supt.  
(254) 547-1227

**Elkhart ISD (ESC 7)**  
September 1997 to present  
General Counsel  
Contact: Dr. Raymond Despain, Supt.  
(903) 764-2952

**Evant ISD (ESC 12)**  
August 2009 to present  
General Counsel  
Contact: Mr. James Slone, Supt.  
(254) 471-5536

**Fannindel ISD (ESC 8)**  
August 2010 to present  
General Counsel  
Contact: Mr. H L Milton, Supt.  
(903) 367-7251

**Franklin ISD (ESC 6)**  
August 2011 to present  
General Legal Services  
Contact: Mr. Timothy Lowry, Supt.  
(979) 828-7010

**Garner ISD (ESC 11)**  
August 2008 to present  
General Counsel  
Contact: Mr. Marion Ferguson, Supt.  
(940) 682-4251

**Gordon ISD (ESC 11)**  
February 2003 to present  
General Counsel  
Contact: Mr. Jon Hartgraves, Supt.  
(254) 693-5582

**Grape Creek ISD (ESC 15)**  
August 2002 to present  
General Counsel  
Contact: Mr. David Hale, Supt.  
(325) 658-7823

**Hull-Daisetta ISD (ESC 4)**  
June 2008 to present  
General Counsel  
Contact: Ms. Mary Huckabay, Supt.  
(936) 536-6321

General Counsel  
Contact: Dr. Rodney Schenider, Supt.  
(254) 445-3341

**Groesbeck ISD (ESC 12)**  
January 2008 to present  
General Counsel  
Contact: Dr. Harold Ramm, Supt.  
(254) 729-4100

**Groveton ISD (ESC 6)**  
August 2004 to present  
General Counsel  
Contact: Mr. Joe Driskell, Supt.  
(936) 642-1473

**Harts Bluff ISD (ESC 8)**  
August 2002 to present  
General Counsel  
Contact: Mr. Eddie Johnson, Supt.  
(903) 577-1146

**Hemphill ISD (ESC 7)**  
August 2011 to present  
General Counsel  
Contact: Mr. Lawton Trekell, Supt.  
(409) 787-3371

**Hico ISD (ESC 12)**  
January 2011 to present  
General Counsel  
Contact: Mr. Bill Tarleton, Supt.  
(254) 796-2181

**Honey Grove ISD (ESC 10)**  
November 2004 to present  
General Counsel  
Contact: Mr. Jeff Clark, Supt.  
(903) 378-2264

**Hubbard ISD (ESC 8)**  
January 2004 to present  
General Counsel  
Contact: Ms. Traci Drake, Supt.  
(903) 667-2645

**Hubbard ISD (ESC 12)**  
January 1998 to present  
General Counsel  
Contact: Mr. Randy O'Brien, Supt.  
(254) 576-2564

**Jefferson ISD (ESC 8)**

June 2009 to present  
General Counsel

Contact: Dr. Sharon Ross, Supt.  
(903) 665-2461

**Hughes Springs ISD (ESC 8)**

January 2004 to present  
General Counsel

Contact: Mr. Rick Ogden, Supt.  
(903) 639-3802

**Kirbyville CISD (ESC 5)**

June 2002 to present  
General Counsel

Contact: Mr. Richard Hazlewood, Supt.  
(409) 423-2284

**Leonard ISD (ESC 10)**

January 2005 to present  
General Counsel

Contact: Mr. Larry Lafavers, Supt.  
(903) 587-2318

**Lago Vista ISD (ESC 13)**

February 2010 to present  
General Counsel

Contact: Mr. Matt Underwood, Supt.  
(512) 267-8300

**Linden-Kildare ISD (ESC 8)**

May 2011 to present  
General Counsel

Contact: Dr. James Cowley, Supt.  
(903) 756-5027

**Latexo ISD (ESC 5)**

September 2007 to present  
General Counsel

Contact: Mr. Don Elsom, Supt.  
(936) 544-5664

**Lohn ISD (ESC 15)**

January 2012 to present  
General Counsel

Contact: Mr. Leon Freeman, Supt.  
(325) 344-5749

**Leakey ISD (ESC 20)**

February 2011 to present  
General Counsel

Contact: Mr. James Hesson, Supt.  
(830) 232-6122

**Lone Oak ISD (ESC 10)**

January 1997 to present  
General Counsel

Contact: Mr. Eddie White, Supt.  
(903) 662-5427

**Leary ISD (ESC 8)**

December 2005 to present  
General Counsel

Contact: Mr. Jim Tankersley, Supt.  
(903) 838-8960

**Longview ISD (ESC 7)**

August 2003 to present  
General Counsel

Contact: Dr. James E. Wilcox, Supt.  
(903) 381-2200

**Malta ISD (ESC 7)**

October 2006 to present  
General Counsel

Contact: Ms. Linda Estill Supt.  
(903) 667-2950

**Lorena ISD (ESC 12)**

August 2003 to present  
General Counsel

Contact: Ms. Sandra Talbert, Supt.  
(254) 857-3239

**Mason ISD (ESC 15)**

September 2005 to present  
General Counsel

Contact: Ms. Pam Kruse, Supt.  
(325) 347-1144

**Lovelady ISD (ESC 6)**

August 1999 to present  
General C

Contact: Dr. Micah Dyer, Supt.  
(936) 636-7616

**Maud ISD (ESC 8)**

**Lyford CISD (ESC 1)**

August 1997 to present  
General Counsel  
Contact: Mr. Susan Fields, Supt.  
(903) 585-2219

**McCamey ISD (ESC 18)**  
August 2008 to present  
General Counsel  
Contact: Mr. Donny Wiley, Supt.  
(432) 652-3666

**McMullen ISD (ESC 2)**  
August 2004 to present  
General Counsel  
Contact: Mr. Dave Underwood, Supt.  
(361) 274-2000

**McLeod ISD (ESC 8)**  
July 2006 to present  
General Counsel  
Contact: Ms. Cathy May, Supt.  
(903) 796-7181

**Menard Spec. Ed. Coop (ESC 15)**  
August 2002 to present  
General Counsel  
Contact: Ms. Lee Ann Holt, Director  
(915) 396-4587

**Mexia ISD (ESC 12)**  
April 2010 to present  
General Counsel  
Contact: Mr. John Turpin Supt.  
(254) 562-4000

**Miller Grove ISD (ESC 8)**  
July 2005 to present  
General Counsel  
Contact: Mr. Steve Johnson, Supt.  
(903) 459-3288

**Olfen ISD (ESC 15)**  
August 2007 to present  
General Counsel  
Contact: Mr. Frank Walter, Supt.  
(325) 442-4301

January 2000 to present  
General Counsel  
Contact: Mr. Eduardo Infante, Supt.  
(956) 347-3900

**Madisonville ISD (ESC 6)**  
May 2011 to present  
General Counsel  
Contact: Mr. Keith Smith, Supt.  
(936) 348-2797

**Millsap ISD (ESC 11)**  
March 2007 to present  
General Counsel  
Contact: Mr. David Belding, Supt.  
(940) 682-3101

**Mount Calm ISD (ESC 12)**  
November 2008 to present  
General Counsel  
Contact: Ms. Barbara Lane, Supt.  
(254) 993-2611

**New Boston ISD (ESC 8)**  
August 2003 to present  
General Counsel  
Contact: Dr. Gary VanDeaver, Supt.  
(903) 628-2521

**New Summerfield ISD (ESC 7)**  
January 2006 to present  
General Counsel  
Contact: Mr. Gregg Weiss, Supt.  
(903) 726-3306

**Northeast Texas Comm. Coll. (ESC 8)**  
January 1996 to present  
General Counsel  
Contact: Dr. Brad Johnson, President  
(903) 572-1911

**Normangee ISD (ESC 6)**  
January 2011 to present  
General Counsel  
Contact: Mr. Jerry Burger, Supt.  
(936) 396-3111

**Orangefield ISD (ESC 5)**

October 2003 to present  
General Counsel

Contact: Mrs. Kay Karr, Supt.  
(409) 735-5337

**Oakwood ISD (ESC 6)**

January 2007 to present  
General Counsel

Contact: Mr. Richard Scoggin, Supt.  
(903) 545-2666

**Pewitt CISD (ESC 8)**

March 2004 to present  
General Counsel

Contact: Dr. David Fitts, Supt.  
(903) 884-2804

**Prairiland ISD (ESC 8)**

June 2002 to present  
General Counsel

Contact: Mr. Jeff Ballard, Supt.  
(903) 652-6476

**Princeton ISD (ESC 10)**

June 2000 to present  
General Counsel

Contact: Mr. Philip Anthony, Supt.  
(972) 736-3503

**Quanah ISD (ESC 9)**

February 2011 to present  
General Counsel

Contact: Mr. Buddy Freeman, Supt.  
(940) 663-2281

**Queen City ISD (ESC 8)**

June 2005 to present  
General Counsel

Contact: Mr. Rob Barnwell, Supt.  
(903) 796-8256

**Roxton ISD (ESC 8)**

August 2006 to present  
General Legal Services

Contact: Mr. Trevor Rogers, Supt.  
(903) 346-3213

**North Hopkins ISD (ESC 8)**

January 2003 to present  
General Counsel

Contact: Ms. Donna George, Supt.  
(903) 572-1911

**North Lamar ISD (ESC 8)**

January 2005 to present  
General Counsel

Contact: Mr. James Dawson, Supt.  
(903) 737-2000

**North Zulch ISD (ESC6)**

August 2009 to present  
General Counsel

Contact: Mr. Morris Lyon, Supt.  
(936) 399-1000

**Red Lick ISD (ESC 8)**

October 2009 to present  
General Counsel

Contact: Ms. Rose Mary Neshyba, Supt.  
(940) 663-2281

**Region VI Education Service Center**

August 2005 to present  
General Counsel

Contact: Mr. Thomas Poe, Exec. Dir.  
(936) 435-8200

**Region VIII Education Service Center**

August 2004 to present  
General Counsel

Contact: Dr. Raymond Glynn, Executive Director  
(903) 572-8551

**Region XII Education Service Center**

August 2005 to present  
General Counsel

Contact: Dr. Jerry Maze, Executive Director  
(254) 297-1212

**Region XV Education Service Center**

August 2011 to present  
General Counsel

Contact: Dr. Scott Goen, Executive Director  
(903) 572-8551

**Saltillo ISD (ESC 8)**

January 2005 to present  
General Counsel

Contact: Mr. Paul Jones, Supt.  
(903) 537-2386

**Sam Rayburn ISD (ESC 10)**

September 1997 to present  
General Counsel

Contact: Mr. Jeff Irvin, Supt.  
(903) 664-2255

**San Vicente ISD (ESC 18)**

October 2010 to present  
General Legal Services

Contact: Mr. Eric Stoddard, Supt.  
(432) 477-2220

**Schleicher County ISD (ESC 15)**

January 1998 to present  
General Counsel

Contact: Mr. Billy Collins, Supt.  
(915) 853-2514

**Schulenburg ISD (ESC 13)**

January 2009 to present  
General Counsel

Contact: Mr. Walter Padgett, Supt.  
(979) 743-3448

**Sealy ISD (ESC 6)**

April 2008 to present  
General Counsel

Contact: Mr. Scott Kana, Supt.  
(979) 885-3516

**Warren ISD (ESC 5)**

November 2010 to present  
General Counsel

Contact: Mr. Lance Johnson, Supt.  
(409) 547-2241

**Waxahachie ISD (ESC 10)**

August 2005 to present  
General Counsel

Contact: Mr. Tom Collins, Supt.  
(972) 923-4631

**Rising Star ISD (ESC 14)**

August 2008 to present  
General Counsel

Contact: Dr. Max Thompson, Supt.  
(254) 643-2717

**Rivercrest ISD (ESC 8)**

February 2003 to present  
General Counsel

Contact: Mr. Charlie Martin, Supt.  
(903) 632-5203

**Simms ISD (ESC 8)**

March 2009 to present  
General Counsel

Contact: Mr. Rex Burks, Supt.  
(903) 543-2219

**Stamford ISD (ESC 14)**

January 2012 to present  
General Counsel

Contact: Mr. Shaun Barnett, Supt.  
(325) 773-2705

**Texas Rural Education Association**

2003 to present  
General Counsel

Contact: Dr. Don Rogers, Executive Director  
(512) 423-0293

**Tidehaven ISD (ESC 3)**

February 2011 to present  
General Counsel

Contact: Dr. Andrew Seigrist, Supt.  
(361) 588-6321

**Tom Bean ISD (ESC 10)**

August 2006 to present  
General Counsel

Contact: Ms. Kathy Garrison, Supt.  
(903) 546-6076

**Tornillo ISD (ESC 20)**

September 2004 to present  
General Counsel

Contact: Mr. Paul Vranish, Supt.  
(915) 764-2366

**Westhoff ISD (ESC 3)**

September 2011 to present  
General Legal Services

Contact: Mr. David Kennedy  
(830) 236-5519

**Whitewright ISD (ESC 10)**

August 2008 to present  
General Counsel

Contact: Mr. Steve Arthur, Supt.  
(903) 364-2155

**Yantis ISD (ESC 7)**

February 2011 to present  
General Counsel

Contact: Mr. Harold Cowley, Supt.  
(903) 383-2463

**Trent ISD (ESC 14)**

October 2010 to present  
General Counsel

Contact: Mr. Gregory Priddy, Supt.  
(325) 862-6400

**Vidor ISD (ESC 5)**

August 2009 to present  
General Counsel

Contact: Dr. Joseph Burns, Supt.  
(409) 951-8714

**Westwood ISD (ESC 7)**

January 1996 to present  
General Counsel

Contact: Dr. Ed Lyman, Supt.  
(903) 729-1776

**Wolfe City ISD (ESC 10)**

March 2006 to present  
General Counsel

Contact: Mr. James Scott, Supt.  
(903) 496-7333

The following are representative clients of the firm that we have provided bond counsel services to:

**Atlanta ISD**

2007

**Bloomburg ISD**

2007

**Boles ISD**

2007

**Borger Jr. College**

2007

**Christoval ISD**

2007

**Denton CAD**

2007

**Grape Creek ISD**

2007

**Henderson ISD**

2007

**La Feria ISD**

2007

**La Pryor ISD**

2007

**Leakey ISD**

2007

**Lorenzo ISD**

2007

May ISD  
2007

West Texas College  
2007

Bremond ISD  
2008

Ferris ISD  
2008

Honey Grove ISD  
2008

Runge ISD  
2008

White Oak ISD  
2008

Brookeline FPD  
2009

Denton CAD  
2009

Kennard ISD  
2009

Kopperl ISD  
2009

Oakwood ISD  
2009

Pringle-Morse  
2009

City of Cottonwood Shores  
2010

City of Keene  
2010

Eastland Memorial Hospital District  
2010

Waskom VFD  
2010

Trent ISD  
2007

Blue Ridge ISD  
2008

Coleman City MCD  
2008

Grape Creek ISD  
2008

May ISD  
2008

Taft ISD  
2008

Blue Ridge  
2009

City of Kenedy  
2009

Gun Barrel City  
2009

Kirbyville CISD  
2009

Northeast Texas Community College  
2009

Overton ISD  
2009

Royse City  
2009

Leahey ISD  
2010

Darrouzett ISD  
2010

Grandview VFD  
2010

Bartlett ISD  
2010

**City of Blue Mound**

2010

**Lyford CISD**

2010

**Nolan County H.D.**

2010

**Saratoga VFD**

2010

**Comal County ESD No. 1**

2011

**Eastland Memorial Hospital**

2011

**Millsap VFD**

2011

**Williamson County ESD No. 6**

2011

**Hill County**

2010

**Midway ISD**

2010

**Sansom Park ECD**

2010

**Brazos County ESD No. 3**

2011

**Crockett County CCSD**

2011

**Grandview VFD**

2011

**Newcastle ISD**

2011

## **Attorneys**

A short biography follows for each of the firm's attorneys. Detailed résumés are included in the supplementary materials attached.

### **Blake G. Powell, Equity Partner**

Mr. Powell is a founding partner and equity shareholder in the firm of Powell & Leon, L.L.P. He is a 1987 graduate of Baylor University and a 1990 graduate of the Baylor University School of Law. Mr. Powell was licensed to practice law in Texas in 1990, and is admitted to practice in the Federal District Courts for the Northern, Southern, Eastern, and Western Districts of Texas; the Fifth Circuit Court of Appeals; and the Supreme Court of the United States. He is a member of the State Bar of Texas Construction Law, Litigation, School Law, Administrative Law, Labor and Employment Sections, the National Association of Bond Lawyers, the American Institute of Architects, the National School Boards Association Council of School Attorneys and the Texas Association of School Boards Council of School Attorneys. Mr. Powell is the son of a former public school administrator, and has focused his legal career on all aspects of school law, beginning his career with the firm of Henslee, Ryan & Groce and later establishing this firm, dedicated to the practice of school law, in 1996. Mr. Powell routinely handles all areas of school law, with a special emphasis on school business matters, school construction, real estate and litigation.

### **Sara Hardner Leon, Equity Partner**

Ms. Leon is an equity shareholder in the firm. She is a 1985 graduate of Brown University and a 1990 graduate of the University of Texas School of Law. She was licensed to practice law in Texas in 1990, and is admitted to practice in the Federal District Courts for the Northern, Southern, Eastern, and Western Districts of Texas, the Fifth Circuit Court of Appeals, and the United States Supreme Court. She is a member of the State Bar of Texas Litigation, Labor and Employment, and School Law Sections, as well as the Travis County Bar Association's Labor and Employment and Administrative Law Sections and the National Education Law Association. Prior to becoming a shareholder in the firm in 1998, she was associated with the Austin firm of Bickerstaff, Heath, Smiley, Pollan, Kever & McDaniel, L.L.P. Ms. Leon has focused her practice in all areas of school law since 1990, with a particular emphasis on student rights, employment law issues, litigation, and public school finance matters.

#### **Andrew D. Clark, Associate Attorney**

Mr. Clark is an associate attorney with the firm. He earned his B.B.A. in Secondary Business Education from Baylor University in 2002, and his J.D., with honors, from the St. Mary's University School of Law in 2007. During law school, he served as a law student clerk to the Honorable Emilio M. Garza of the United States Court of Appeals for the Fifth Circuit. He was admitted to the Texas Bar in 2007 and is admitted to practice in the Federal District Courts for the Northern, Southern, Eastern, and Western Districts of Texas. He is a member of the School Law, Construction Law, and Litigation sections of the State Bar of Texas. He has been involved with the firm since his graduation from law school.

#### **Jennifer M. Engdale, Associate Attorney**

Ms. Engdale is an associate attorney with the firm. She earned her B.S. in Deaf Studies: Teacher Education from MacMurray College in 1995, her Masters of Education in Business Education from the University of Missouri in 2000, and her J.D., from South Texas College of Law in 2008. She was admitted to the Texas Bar in 2008 and is admitted to practice in the Federal District Courts for the Northern, Southern, Eastern, and Western Districts of Texas. She is a member of the School Law and Employment Law sections of the State Bar of Texas. Ms. Engdale is a former special education teacher and has been involved with the firm since 2009.

#### **Tiffany B. Duncan, Associate Attorney**

Tiffany Duncan joined the firm in 2011 as an associate attorney. Mrs. Duncan focuses her practice on the representation of Texas school districts in all areas of school law with an emphasis on labor and employment law, student discipline and employment matters. Before attending law school, Mrs. Duncan worked as an English teacher for

Texas Public Schools. While in law school, Mrs. Duncan interned in the Attorney General's Office, Child Support Division, of Waco, Texas as well as the McLennan County Prosecutorial Office.

### **William C. Bednar, Of Counsel**

Mr. Bednar is Of Counsel with the firm. He earned his B.A. in Political Science from Stanford University in 1962, and his J.D. from the University of Texas School of Law in 1970. Mr. Bednar has been active in the practice of law during his career having served as Assistant Attorney General for the State of Texas: Chief Education and Civil Rights Section, Senior Lecturer on Law and the Handicapped for UT Austin, TEA General Counsel, and private practice.

### **Technology and Support**

All attorneys and staff have high-speed personal computers that are connected to each other via a Local Area Network. All PCs have high-speed Internet connections allowing attorneys access to an abundance of up-to-the-minute online legal research tools. Attorneys primarily utilize the Westlaw Legal Database for legal research—arguably the most comprehensive online legal database available. Powell & Leon attorneys also travel with Dell 8200 Series Inspiron laptop computers or better, that allow our attorneys unlimited access the Westlaw Legal Database from any telephone or data line.

Our support staff includes experienced administrative assistant, Magdalena ("Maggie") Powell, Brynne West, a graduate of Texas Christian University, and legal assistant Laci Lofton, a graduate of Texas A&M University.

### **Library**

Legal libraries and legal research tools have undergone a substantial transformation over the past several years. With the refinement of legal databases (such as Westlaw) and widespread publication of legal resources on the Internet, many law firms are moving away from—or abandoning completely—the traditional law library in favor of more efficient and timely on-line legal research tools. Powell & Leon continues to maintain a legal library which includes all current volumes of Vernon's Texas Statutes, West's Annotated United States Code and an extensive collection of school law, litigation, construction and labor and employment law resources. Additionally, all of our attorneys use the extensive legal and policy resources available by way of the Internet on a daily basis, and up-to-date case and statutory law and commentary on the Westlaw data base.

### **Access to Legal Advice**

Powell & Leon represents clients in every region of Texas. Immediate access to experienced legal counsel is an element of service that distinguishes Powell & Leon from other school law firms in Texas—just ask our clients. Every member of our firm is accessible by toll-free telephone. Each attorney has a cellular telephone and personal e-mail address available to clients and, when necessary, can usually be present in a school district's central administrative office or specific campus within a few hours.

In an effort to keep its clients informed, Powell & Leon maintains a website, [www.powell-leon.com](http://www.powell-leon.com), which includes numerous useful education related links. Powell & Leon employs email to provide regular updates and detailed responses to specific inquiries. In addition, Powell & Leon publishes Client Alerts to its clients in an ongoing effort to keep clients informed of legal issues that could impact their business and risk management planning. Powell & Leon's Client Alerts are disseminated to our clients on our website and via e-mail communication.

## Legal Fees

We propose membership in the firm's Legal Services Program, which is a reduced rate hourly fee for services, so that legal fees are incurred only as the need for legal services arises. Additionally, the Legal Services Program permits access to our attorneys for questions that can be answered without extensive research or review at no cost to the District, and three hours of board and/or in-service training are also included at no additional cost. A copy of the LSP agreement is enclosed.

Should a school district require legal services beyond those that can be resolved through the question call service, or should a district become involved in litigation which is not otherwise covered by insurance, Powell & Leon will charge an hourly fee for service.

Travel time will be billed hourly fees for only half of the travel time, although actual costs of travel incurred will be charged.

## Expenses

Under any Powell & Leon fee arrangement, Powell & Leon attorneys maintain daily time records, in 1/10 hour increments. Monthly invoices identify the person performing the work, describe the work performed, and record the time expended on each task. A summary of costs appears below the summary of services and separate totals for services and costs are provided and followed by a grand total.

Powell & Leon charges only for those expenses which represent direct costs of the provision of legal services. In other words, we include no hidden overhead costs as part of our expense structure, and will only charge for those expenses where monetary costs to the firm are incurred on behalf of the client. Powell & Leon charges only for expenses which represent direct costs of the provision of legal services. ***We charge hourly fees for only half of the travel***

**time.** It is our philosophy that in order to best serve our clients, and to encourage preventative intervention, our clients should not hesitate to request a personal meeting with their attorneys. When we travel to a school district, only our actual mileage costs are billed. Other expenses are billed as follows:

In-house photocopies:	\$ .25 per copy
Outside photocopy services:	At cost as billed by provider
<i>Westlaw</i> Electronic Library Charges:	\$95.00 per hour (not to exceed \$300/month)
Postage:	At cost
Litigation expenses (consultants, expert witness, court reporter, graphic exhibits):	At cost
Mileage:	\$.50/mile (or current IRS rate)
Travel/Lodging:	At cost
Courier services:	At cost

Powell & Leon employs the *Timeslips* software system. Magdalena (“Maggie”) Powell, Powell & Leon’s office manager since 1997, regularly implements *Timeslips* software updates as this system continues to develop. Monthly invoices generated with this software identify the person performing the work, describe the legal work performed and specify the time expended on each task. A summary of costs appears below the summary of services and separate totals for services and costs are provided and followed by a grand total.

### Professional Liability Insurance

Powell & Leon, LLP maintains professional liability insurance:

\$500,000.00 per claim  
 \$1,000,000.00 per occurrence  
 \$5,000.00 deductible

Current certificates of Liability Insurance are available upon request. The firm has never had a claim against it for professional negligence, and all attorneys are in good standing to practice in all courts in Texas.

# POWELL & LEON<sub>LLP</sub>

**Blake G. Powell**  
**Sara Hardner Leon**  
**Andrew D. Clark**  
**Jennifer M. Engdale**  
**Tiffany B. Duncan**  
**William C. Bednar of Counsel**

June 8, 2012

*Via First Class US Mail*

Dr. Robert O'Connor  
Superintendent, Marble Falls ISD  
1800 Colt Circle  
Marble Falls, Texas 78654

Dear Dr. O'Connor:

Congratulations on another successful school year.

Powell & Leon, LLP welcomes the opportunity to work with you again in the 2012-2013 school year. I have enclosed a copy of Powell & Leon, LLP's LSP Agreement so you can see what the extra benefits are. If you have any questions please feel free to contact our office and we will be more than happy to assist you.

On behalf of everyone at Powell and Leon, LLP, I would feel privileged to serve you and the Marble Falls Independent School District. We sincerely look forward to the opportunity to serve you and the district.

We wish you the very best in the 2012-2013 School Year.

With best regards, I am

Respectfully Yours,



Blake G. Powell  
For the Firm

Enc.

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## 2012-2013 Legal Services Program Agreement

In accordance with Board Policy BDD (LOCAL), the undersigned entity ("Client") hereby retains the law firm of Powell & Leon, LLP ("Firm") to serve as the Client's general legal counsel and representative in matters requiring legal services, as requested by Client. Services to be performed and compensation to be paid by the Client are set forth in this Legal Services Program Agreement ("Agreement") between the Client and the Firm.

**Legal Services** - As a part of this Agreement, Client will receive the following general counsel legal services:

- Prompt access to a school attorney (including access after hours);
- use of Firm's toll-free legal information telephone line (800-494-1971);
- Firm publications and electronic ***Client Alert*** newsletters;
- Three (3) hours of board member training, teacher in-service, administrator or other training on current legal topics provided upon Client's request<sup>1</sup>.
- All requested legal services at Firm's reduced LSP member hourly rate.
- Complimentary insurance audit evaluating all existing insurance coverage upon request of Client.
- Powell & Leon, LLP, partnering with Responsive Learning, is pleased to provide training modules and resources that will assist schools in meeting the mandated training requirements for a broad scope of legal topics, including Family Law, FERPA and Student Privacy Rights, Sexual Harassment, Handling School Employee Grievances, and other school-related topics dealing with legal issues.
- *DVR Educational Solutions* desktop data review that includes: Component 1 only of the PEIMS/Data Review for a discounted flat fee of \$400. (Contact: Jim Vinson at (936) 349-3668) (Components 2 and 3 are available for an additional fee.
- Powell & Leon, LLP is approved as bond counsel by the *Bond Buyer's Municipal Market Place (Red Book)*. And will also provide bond counsel services at the Client's request.

Client shall receive prompt responses to all legal inquiries, and any "question calls" (that is, telephone consultation of a routine, non-substantive nature, such as those requiring no research or drafting effort, or which are not part of an ongoing legal matter) are responded to at no charge. This Agreement includes Firm's publications and training components, which are provided at no cost. Firm regularly publishes ***Client Alert*** newsletters on subjects of interest to school administrators. Client will receive, upon request, a legal training session, on a subject or subjects requested by the Client, for up to three hours. Training and resource materials are generated for each training session, and presented in a format that Client may distribute. In the

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<sup>1</sup> No fees will be charged for attorney time in preparing for or conducting the training. Travel time will be billed at ½ the attorney's hourly rate, and actual costs of travel will be charged. In-services will be scheduled on a first-come, first-served basis. For training during the months of July and August, advanced scheduling is strongly recommended.

event that Client desires more training sessions, additional training will be provided at the firm's reduced LSP Member hourly rate.

**Annual Retainer and Hourly Fees** - Client agrees to an annual membership fee of **\$500.00** for participation in the Firm's Legal Services Program for the 2011-2012 School Year. All requested legal services shall be provided at Firm's reduced LSP member rate.

**Monthly Statements** - P&L attorneys maintain daily time records, in 1/10 hour increments. Monthly invoices identify the person performing the work, describe the legal work performed, and record the time expended on each task. Invoices provide separate totals for services and expenses followed by a combined total of services and costs. Fees and expenses are due and payable within 30 days after the date of billing.

**Expenses** - As part of the computation of legal fees, Court costs, deposition costs, postage, filing fees, travel expenses, courier fees, consultant's fees and other professional fees incurred on Client's behalf (including specialized or local legal counsel), and other disbursements are billed at the amount incurred by the Firm. Expenses are included separately within each invoice. (See **P&L Schedule of Fees and Expenses**).

**Insurance Defense** - Client shall make every effort to require its insurance carrier to assign its litigation cases to P&L. The Client agrees that any costs or time incurred by P&L on litigation but not paid by the Client's insurer(s) shall be borne by the Client.

**Termination and Withdrawal** - This Agreement may be terminated and the Firm may withdraw from Client's representation at any time if:

- (a) Client or Firm request termination;
- (b) Client insists on presenting a claim or defense that is not warranted under existing law and cannot be supported by good-faith argument for an extension, modification, or reversal of existing law; or
- (c) Client insists that the Firm pursue a course of conduct that is illegal or that is prohibited under the disciplinary rules or disregards an agreement or obligation to the Firm as to expenses or fees for services rendered.

In the event of withdrawal from employment, the Firm will take reasonable steps to avoid foreseeable prejudice to the rights of Client, including giving due notice to Client, allowing time for employment of other counsel, delivering to Client all papers and property to which Client is entitled, and complying with the applicable laws and rules.

**CLIENT UNDERSTANDS THAT THE FIRM HAS MADE NO REPRESENTATION CONCERNING THE SUCCESSFUL OUTCOME OF ANY LEGAL ACTION THAT IS OR MAY BE FILED, AND HAS NOT GUARANTEED THAT THE FIRM WILL OBTAIN REIMBURSEMENT TO CLIENT OF ANY OF THE FEES, COSTS, AND/OR EXPENSES INCURRED BY CLIENT IN THE PROSECUTION OR DEFENSE OF SAID CLAIM OR CLAIMS. CLIENT FURTHER EXPRESSLY ACKNOWLEDGES THAT ALL STATEMENTS OF ATTORNEY ON THESE MATTERS ARE STATEMENTS OF OPINION ONLY.**

**Confidentiality** - Conversations between an attorney and client are protected by law and by the disciplinary rules to which attorneys are subject. No attorney can be compelled to reveal anything a client says to him or her, except in instances where a person's life may be endangered or as prescribed by section 261.101 of the Texas Family Code regarding child

abuse. The reason for this protection is that the experience of many hundreds of years has proved that the interests of the client are best served when the client's attorneys are fully informed of *all* the facts well in advance of any possible contest.

**Electronic Mail** - Firm hereby advises Client that the Firm will attempt to promptly check for and respond to any e-mail correspondence from Client. Client understands that e-mail correspondence is not as secure as mail through the Postal Service and that e-mail can be intercepted by third parties. By the sending of an e-mail to Firm, Client consents to Firm responding and using e-mail in the future to communicate with Client and Client bears all risks of the loss of privacy that may occur with e-mail communication and releases Firm from any liability for loss of privacy.

**Information and Communication** - Firm pledges to do its best to keep Client advised on how the legal matter is progressing, based on information received from the court, opposing party, and from Client. Firm routinely sends Client copies of all pleadings, discovery and correspondence for Client's information. Day-to-day communication between Client and the Firm is typically between the Superintendent (and appropriate administrative staff) and the Firm. The LSP Response Form below invites the Superintendent to identify specific staff members, if desired, who are authorized to access the services of the Firm. In accordance with this written Agreement and Board Policy BDD (LOCAL), individual Trustees shall channel legal inquiries through the Superintendent or Board designee, as appropriate, when advice or information from the District's legal counsel is sought. A report of legal advice received shall be presented to the Board when deemed appropriate by the administration or upon request of the Board.

**Duty to Advise of Current Address** - Client agrees to keep the Firm advised of any changes in residence address, work address, all telephone numbers, and e-mail addresses.

**Records Management and Destruction of File** - Client's records management officer is responsible to ensure compliance with the applicable minimum retention schedules. The Firm shall return any original instruments to the Client. However, **unless notified to the contrary, in writing, the Firm reserves the right and privilege to destroy files five (5) years from the date a file matter is closed.** If Client fails to request, in writing, the return of any items, Client consents that said items may be destroyed after the passage of five (5) years from the date the file or matter is closed.

**Texas Lawyer's Creed** - The Texas Supreme Court and Courts of Appeals have adopted the Texas Lawyer's Creed as a mandate to the legal profession in Texas. The Creed requires Texas attorneys to advise clients of the contents of the creed when undertaking to represent a client. A copy of the Texas Lawyer's Creed is attached to this Agreement for Client's review. Client understands that the Firm may do nothing which violates this Creed.

**Notice to Client** - The State Bar of Texas investigates and prosecutes professional misconduct committed by Texas attorneys. Although not every complaint against or dispute with a lawyer involves professional misconduct, the State Bar Office of General Counsel will provide you with information about how to file a complaint. For more information, please call 1-800-932-1900. This is a toll-free call.

**Texas law** - Texas law shall govern this Agreement. In the event any part or provision of this Agreement shall be held to be illegal, such illegal provision shall be deleted, shall not affect any other part of this Agreement, and this Agreement shall be construed as if such illegal provision had never been contained herein.

**Binding Agreement** - The Client binds itself, its administrators, trustees, successors, assigns and legal representative to P&L and to the shareholders, successors, assigns and legal representatives of P&L with respect to all covenants of the Agreement.

**Entire Agreement** - This Agreement represents the entire and integrated agreement between the Client and P&L and supersedes all prior negotiations, representations or agreements, either written or oral. This Agreement may be amended only by written instrument signed by both the Client and P&L.

**P&L Schedule of Fees and Expenses**

Members of P&L’s Legal Services Program receive a reduced hourly fee for services from the firm’s attorneys, as well as “question call” services at no cost to Client. P&L has a sliding fee scale for attorneys, based upon the experience of the attorney. The maximum hourly rate for P&L attorney time is currently \$245.00 per hour (reduced from the full fee of \$310.00 per hour for non-LSP members). Fees may be charged for paralegal services or administrative services at a billing rate of \$60-\$100 per hour. P&L reserves the right to increase its hourly rate during the term of this Agreement, particularly in the event of unanticipated increases in the costs of doing business, but only after first providing Client with notice of the proposed change in rates, and permitting Client the opportunity to terminate the Agreement.

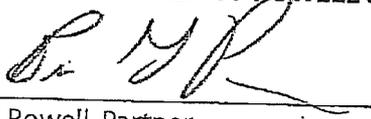
P&L charges attorney time on the following fee scale:

Partner	\$245.00 per hour
Senior Associate	\$235.00 per hour
Junior Associate	\$205.00 per hour
Certified Paralegal	\$100.00 per hour
Legal Assistant	\$80.00 per hour
Travel Time	½ the Attorney’s hourly rate

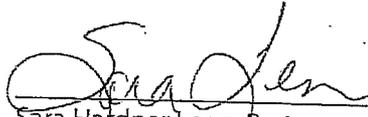
P&L charges only for expenses which represent direct costs of the provision of legal services. Expenses are to be billed as follows:

In-house photocopies:	25¢ per copy
Westlaw Electronic Library Charges	\$95.00 per hour (not to exceed \$300/month)
Outside photocopy services	At cost as billed by provider
Postage	At cost
Litigation expenses (consultants, expert witness, court reporter, graphic exhibits)	At cost
Mileage:	55.5¢/mile (or current IRS rate)
Travel/Lodging	At cost
Courier Services	At cost

EXECUTED ON BEHALF OF POWELL & LEON, LLP BY:



Blake G. Powell, Partner  
Powell & Leon, LLP



Sara Hardner Leon, Partner  
Powell & Leon, LLP

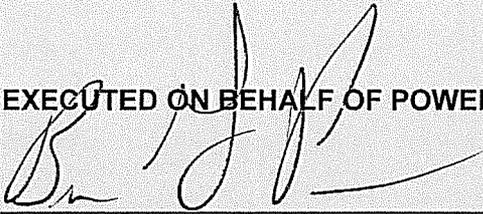
EXECUTED ON BEHALF OF THE LEGAL SERVICES PROGRAM MEMBER CLIENT BY:

\_\_\_\_\_  
Superintendent of Schools

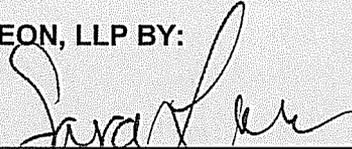
Date: \_\_\_\_\_

*This original is for your file*

EXECUTED ON BEHALF OF POWELL & LEON, LLP BY:



Blake G. Powell, Partner  
Powell & Leon, LLP



Sara Hardner Leon, Partner  
Powell & Leon, LLP

EXECUTED ON BEHALF OF THE LEGAL SERVICES PROGRAM MEMBER CLIENT BY:

\_\_\_\_\_  
Superintendent of Schools

Date: \_\_\_\_\_

\_\_\_\_\_  
School District

*Please return this form in the self-addressed stamped envelope along with the completed form below*

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**2012-2013 Legal Services Program Response Form**  
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- Yes, I would like to enroll in Powell & Leon's Legal Services Program for the 2012-2013 School Year. I am enclosing a \$500.00 check in payment of the 2012-2013 LSP membership.**
  
- Yes, I would like to enroll in Powell & Leon's Legal Services Program for the 2012-2013 School Year. Please invoice me \$500.00 for the 2011-2012 LSP membership after August 31, 2012.**

**Name:** \_\_\_\_\_ **Title:** \_\_\_\_\_

**School:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Superintendent's Current Electronic Mail Address:** \_\_\_\_\_

**Client's Tax-Exempt ID No.:** \_\_\_\_\_

**Other administrators or categories of administrators authorized to contact Firm:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Electronic mail address of other administrator(s) who wish to receive P&L's *Client Alert*:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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*[Please return this form in the self-addressed stamped envelope]*

**Powell & Leon, LLP    EIN No.: 74-2768755**

**ATTORNEY REPORT CARD FOR POWELL & LEON, LLP**  
**2011-2012 School Year**

*Instructions: Please grade your attorneys on the following:*

1. Timely response to telephone calls.	A	B	C	D	Not Applicable
2. Availability of attorneys during business hours.	A	B	C	D	Not Applicable
3. Availability of attorneys after hours.	A	B	C	D	Not Applicable
4. Legal work is completed in a timely fashion.	A	B	C	D	Not Applicable
5. Reliability of attorneys' advice.	A	B	C	D	Not Applicable
6. Performance of attorneys in Board meetings and local hearings.	A	B	C	D	Not Applicable
7. Performance of attorneys in contested litigation.	A	B	C	D	Not Applicable
8. Client Alert	A	B	C	D	Not Applicable
9. In-service Training	A	B	C	D	Not Applicable
10. Effectiveness of auxiliary staff	A	B	C	D	Not Applicable

**How may we better serve your school district?** \_\_\_\_\_

**Additional Comments:** \_\_\_\_\_

<i>[optional]</i>	
Name: _____	Title: _____
School: _____	Date: _____

**BURNET CENTRAL APPRAISAL DISTRICT**

P.O. Box 908/223 South Pierce  
Burnet, Texas 78611  
(512) 756-8291 Telephone  
(512) 756-7873 Fax

*August  
Agenda*

July 26, 2012

Rick Edwards  
President, Board of Trustees  
Marble Falls Independent School District  
1800 Colt Circle  
Marble Falls, TX 78654

Re: Lots 463 & 464, Scarlet Oaks Section of Cottonwood Shores, City of Cottonwood Shores, Burnet County, Texas

Dear President Edwards,

Enclosed is information on a bid we received for the above referenced property. Please schedule time at your next Board of Trustees meeting to discuss this bid.

If the bid is approved, please return the dated and signed Resolution to the Burnet Central Appraisal District, Attn: Joy. If the bid is not approved, please call us at 512-756-8291 ext. 39 to inform us of the Board's decision.

Thank you for your attention to this matter. Please call us with any questions you may have.

Sincerely,

*Stan Hemphill*  
Stan Hemphill  
Chief Appraiser

Enc.

MCCREARY, VESELKA, BRAGG & ALLEN, P.C.

ATTORNEYS AT LAW

223 South Pierce  
Burnet, Texas 78611  
(512) 756-8291

July 25, 2012

Mr. Stan Hemphill, Chief Appraiser  
Burnet Central Appraisal District  
P.O. Box 908  
Burnet, TX 78611

RE: Distribution of Funds: Cause No. 33,029; Burnet Central Appraisal District vs. Z. T. Tucker et al; Lots 463 and 464, Scarlet Oaks Section of Cottonwood Shores, City of Cottonwood Shores, Burnet County, Texas Account Numbers 38059 and 38060 (2011 Assessed Value on each = \$2,500)

Dear Mr. Hemphill:

A bid of \$2,000.00 has been made by Richard Carusi to purchase the property, the subject of the above-referenced suit. The money should be disbursed as follows:

CAUSE NO. 33,029

FEES:	AMOUNT:	TO WHOM:
Deed Recording Fee:	\$ 28.00	Burnet Co. Clerk
Abstract Fee:	\$ 150.00	MVBA
Court Costs:	\$ 414.00	Burnet Co. Dist. Clerk
Attorney ad Litem Fee:	\$ 250.00	Webb Walker III
Due to Burnet Central Appraisal District		
Burnet County	\$ 184.48	Burnet CAD
Burnet County Special	\$ 20.02	
Water Conservation District	\$ 1.47	
City of Cottonwood Shores	\$ 161.45	
Marble Falls ISD	<u>\$ 790.58</u>	
<b>TOTAL MONIES DISBURSED</b>	<b>\$ 2,000.00</b>	

Please contact me if you have any questions or need further information.

Sincerely,

Darby Howell  
Legal Assistant

DH/jb

Allotment of funds to Accounts 38059 and 38060 on Carusi bid

Cause 33,029

Burnet CAD v. Z. T. Tucker et al

Date of Tax Sale 3/1/2011

Total amount to distribute: \$1,158.00

Amount to post per entity:

GBU	\$184.48
RSP	\$20.02
SMA	\$790.58
CCO	\$161.45
WCD	\$1.47
	<u>\$1,158.00</u>

	Amount Due as of 9/8/11	Percent of Total Due as of 9/8/11	Account #
GBU	\$535.80	15.930877	38059
RSP	\$58.14	1.728669632	\$267.90
SMA/EBU	\$2,296.14	68.27085464	\$29.07
CCO	\$468.92	13.942342	\$1,148.07
WCD	\$4.28	0.127256726	\$234.46
	<u>\$3,363.28</u>	<u>100</u>	<u>\$2.14</u>
			<u>\$1,681.64</u>
			<u>\$1,681.64</u>

**RESOLUTION PROVIDING FOR THE SALE  
OF PROPERTY ACQUIRED BY THE BURNET CENTRAL APPRAISAL DISTRICT  
AT DELINQUENT TAX SALE**

**WHEREAS**, Lots 463 and 464, Scarlet Oaks Section of Cottonwood Shores, City of Cottonwood Shores, Burnet County, Texas being that property more particularly described in Vol. 144, Page 523 of the Deed Records of Burnet County, Texas were offered for sale by the Sheriff at Burnet County, Texas at public auction pursuant to judgments of foreclosure for delinquent taxes by the District Court; and

**WHEREAS**, no sufficient bid was received and the property was struck off to the Burnet Central Appraisal District or Lake LBJ Municipal Utility District, Trustee, and thereafter assigned to the Burnet Central Appraisal District, Trustee, pursuant to the "ASSIGNMENT OF TAX SALE TRUSTEESHIP" from the Lake LBJ Municipal Utility District to the Burnet Central Appraisal District of record in the Official Public Records of Burnet County, Texas File No. 011690 in Volume 1277, Page 264, pursuant to TEX.PROP.TAX CODE Section 34.01(c); and

**WHEREAS**, TEX.PROP.TAX CODE Section 34.05(a) provides that we may accept a sufficient bid. A bid of TWO THOUSAND AND NO/100 DOLLARS (\$2,000.00) has been made by RICHARD CARUSI, said bid being less than the taxes due, and

**THEREFORE, BE IT HEREBY RESOLVED** by the Board of Trustees of the Marble Falls Independent School District, that the President of the Board of Trustees of the Marble Falls Independent School District is hereby authorized to convey Lots 463 and 464, Scarlet Oaks Section of Cottonwood Shores, City of Cottonwood Shores, Burnet County, Texas to RICHARD CARUSI, for the sum of TWO THOUSAND AND NO/100 DOLLARS (\$2,000.00) payable to the Chief Appraiser of Burnet Central Appraisal District for distribution as provided by law.

**PASSED, APPROVED AND ADOPTED THIS** \_\_\_\_\_ day of \_\_\_\_\_,  
20\_\_.

\_\_\_\_\_  
Rick Edwards  
President, Board of Trustees  
MARBLE FALLS INDEPENDENT SCHOOL DISTRICT

**BURNET CENTRAL APPRAISAL DISTRICT**

P.O. Box 908/223 South Pierce  
Burnet, Texas 78611  
(512) 756-8291 Telephone  
(512 756-7873 Fax

July 25, 2012

Rick Edwards  
President, Board of Trustees  
Marble Falls Independent School District  
1800 Colt Circle  
Marble Falls, TX 78654

Re: Desert Mountain Land Holdings, LLC's bid on 150 Horseshoe Bay South, Burnet County, Texas lots

Dear President Edwards,

Enclosed is information on a bid we received for the above referenced property. Please schedule time at your next Board of Trustees meeting to discuss this bid.

If the bid is approved, please return the dated and signed Resolution to the Burnet Central Appraisal District, Attn: Joy. If the bid is not approved, please call us at 512-756-8291 ext. 39 to inform us of the Board's decision.

Thank you for your attention to this matter. Please call us with any questions you may have.

Sincerely,

  
Stan Hemphill  
Chief Appraiser

Enc.

McCREARY, VESELKA, BRAGG & ALLEN, P.C.  
ATTORNEYS AT LAW

223 South Pierce  
Burnet, Texas 78611  
(512) 756-8291

July 25, 2012

Mr. Stan Hemphill, Chief Appraiser  
Burnet Central Appraisal District  
P.O. Box 908  
Burnet, TX 78611

RE: Distribution of Funds

Dear Mr. Hemphill:

A bid of \$15,000.00 has been made by Desert Mountain Land Holdings, LLC to purchase the property, the subject of the various suits filed on behalf of the Burnet Central Appraisal District and Lake LBJ Municipal Utility District listed on the attached spreadsheet. The money should be disbursed as follows:

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<b>FEES:</b>	<b>AMOUNT:</b>	<b>TO WHOM:</b>
Deed Recording Fee	\$ 32.00	Burnet Co. Clerk
Court Costs	\$12,424.00	District Clerk
Court Costs (Cit. by Pub. Fee)	\$ 246.20	MVBA
Attorney Ad Litem Fee	\$ 1,625.00	See Spread Sheet
Abstract Fee	\$ 61.68	LGB&S
Abstract Fee	\$ 180.52	MVBA
Notice of Sale Fee	\$ 430.60	LGB&S
Due the Burnet Central Appraisal District	\$ <u>0.00</u>	
<b>TOTAL MONIES DISBURSED</b>	<b>\$ 15,000.00</b>	

---

Please contact me if you have any questions or need further information.

Sincerely,

Darby Howell  
Legal Assistant

DH/jeb

**RESOLUTION PROVIDING FOR THE SALE  
OF PROPERTY ACQUIRED BY THE BURNET CENTRAL APPRAISAL DISTRICT  
AT DELINQUENT TAX SALE**

**WHEREAS**, Lots K1061, K1160, K2014, K2026, K2029, K2031, K2050, K2053, K2066, K2077, K2078, K2087, K2096, K2098, K3009, K3010, K3023, K3026, K3028, K3039, K3050, K3053, K3056, K3058, K3061, K3064, K3071, K3075, K3107, K3109, K3117, K4077, K4100, K4108, K5008, K5014, K5016, K5017, K5018, K6003, K6006, K6017, K6022, K6023, K6024, K6038, K6043, K6046, K6049, K6050, K6061, K6063, K6065, K6069, K6074, K6083, K6084, K6085, K6086, K6087, K6088, K6094, K6096, K6099, K6112, K7004, K7009, K7036, K7037, K7064, K7065, K7066, K7067, K7069, K7070, K7092, K7093, K7157, K7158, K7193, K7211, K7267, K7311, K7317, K7337, K7365, K7374, K7375, K7376, K7387, K7396, K7421, K7422, K7423, K7424, K7427, K7438, K7441, K7449, K7455, K7456, K7464, K7468, K7470, K7483, K7484, K7489, K7495, K8035, K8071, K8123, K8124, K8130, K9007, K9008, K9048, K9052, K9060, K10035, K10036, K10072, K10085, K10114, K10149, K10167, K10173, K10175, K10177, K10191, K10194, K10017, K11051, K11066, K11087, K12009, K12015, K12029, K12070, K12099, K13004, K13021, K13033, K13044, K13045, K13107, K14031, K15002, K15003, K15023 and K15056, Horseshoe Bay South, Burnet County, Texas being that property more particularly described in the Plat Records, Burnet County, Texas were offered for sale by the Sheriff at Burnet County, Texas at public auction pursuant to judgments of foreclosure for delinquent taxes by the District Court; and

**WHEREAS**, no sufficient bid was received and the property was struck off to the Burnet Central Appraisal District or Lake LBJ Municipal Utility District, Trustee, and thereafter assigned to the Burnet Central Appraisal District, Trustee, pursuant to the "ASSIGNMENT OF TAX SALE TRUSTEESHIP" from the Lake LBJ Municipal Utility District to the Burnet Central Appraisal District of record in the Official Public Records of Burnet County, Texas File No. 011690 in Volume 1277, Page 264, pursuant to TEX.PROP.TAX CODE Section 34.01(c); and

**WHEREAS**, TEX.PROP.TAX CODE Section 34.05(a) provides that we may accept a sufficient bid. A bid of FIFTEEN THOUSAND AND NO/100 DOLLARS (\$15,000.00), being ONE HUNDRED AND NO/100 DOLLARS (\$100.00) for EACH LOT, has been made by DESERT MOUNTAIN LAND HOLDINGS, LLC, said bid being less than the taxes due, and

**THEREFORE, BE IT HEREBY RESOLVED** by the Board of Trustees of the Marble Falls Independent School District, that the President of the Board of Trustees of the Marble Falls Independent School District is hereby authorized to convey Lots K1061, K1160, K2014, K2026, K2029, K2031, K2050, K2053, K2066, K2077, K2078, K2087, K2096, K2098, K3009, K3010, K3023, K3026, K3028, K3039, K3050, K3053, K3056, K3058, K3061, K3064, K3071, K3075, K3107, K3109, K3117, K4077, K4100, K4108, K5008, K5014, K5016, K5017, K5018, K6003, K6006, K6017, K6022, K6023, K6024, K6038, K6043, K6046, K6049, K6050, K6061, K6063, K6065, K6069, K6074, K6083, K6084, K6085, K6086, K6087, K6088, K6094, K6096, K6099, K6112, K7004, K7009, K7036, K7037, K7064, K7065, K7066, K7067, K7069, K7070, K7092, K7093, K7157, K7158, K7193, K7211, K7267, K7311, K7317, K7337, K7365, K7374, K7375, K7376, K7387, K7396, K7421, K7422, K7423, K7424, K7427, K7438, K7441, K7449, K7455, K7456, K7464, K7468, K7470, K7483, K7484, K7489, K7495, K8035, K8071, K8123, K8124, K8130, K9007, K9008, K9048, K9052, K9060, K10035, K10036, K10072, K10085, K10114, K10149, K10167, K10173, K10175, K10177, K10191, K10194, K10017, K11051, K11066, K11087, K12009, K12015, K12029, K12070, K12099, K13004, K13021, K13033, K13044, K13045, K13107, K14031, K15002, K15003, K15023 and K15056, Horseshoe Bay South, Burnet County, Texas

to DESERT MOUNTAIN LAND HOLDINGS, LLC, for the sum of FIFTEEN THOUSAND AND NO/100 DOLLARS (\$15,000.00), being ONE HUNDRED AND NO/100 DOLLARS (\$100.00) for EACH LOT payable to the Chief Appraiser of Burnet Central Appraisal District for distribution as provided by law.

**PASSED, APPROVED AND ADOPTED THIS** \_\_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_.

---

Rick Edwards  
President, Board of Trustees  
MARBLE FALLS INDEPENDENT SCHOOL DISTRICT



# Marble Falls ISD

Budget Workshop

**August 20, 2012**

By [PresenterMedia.com](http://PresenterMedia.com)



# General Fund Assumptions:

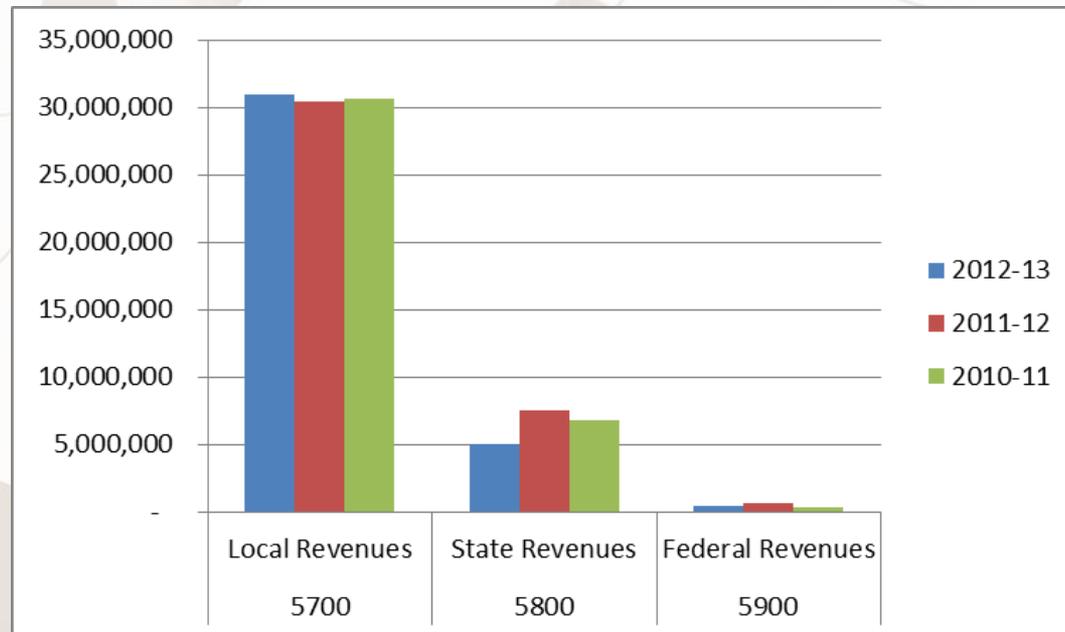
What is the budget based on?

- ADA 3788
- Tax Collections
  - 98% Collections
  - Certified Property Values \$2,536,439,142



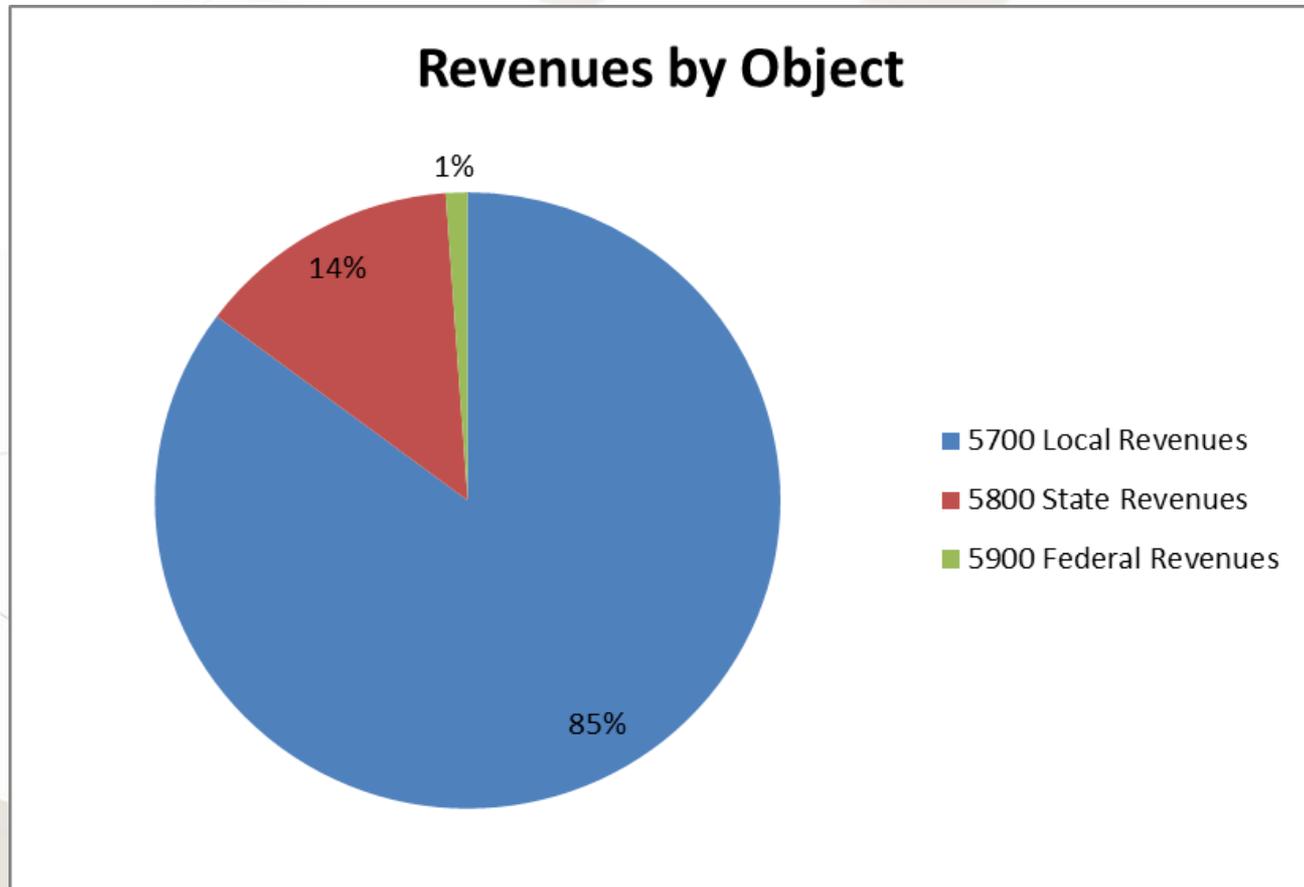
# Revenues without TRE

Revenue:		2012-13	2011-12	2010-11
5700	Local Revenues	30,981,062	30,387,229	30,679,467
5800	State Revenues	4,977,378	7,564,740	6,771,900
5900	Federal Revenues	410,000	621,275	332,555
<b>Total</b>		<b>36,368,440</b>	<b>38,573,244</b>	<b>37,783,922</b>





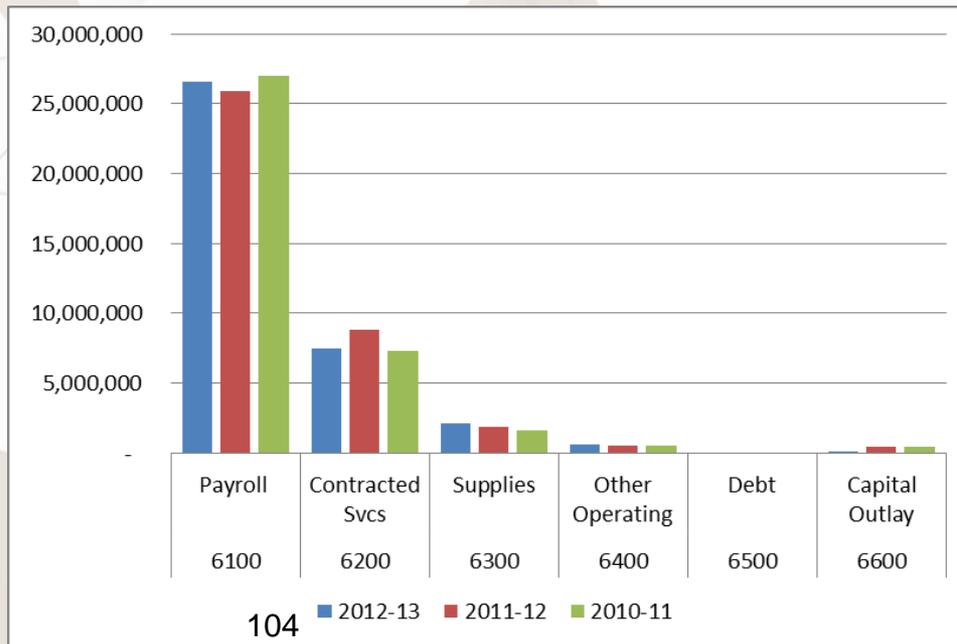
# General Fund



# Expenditures

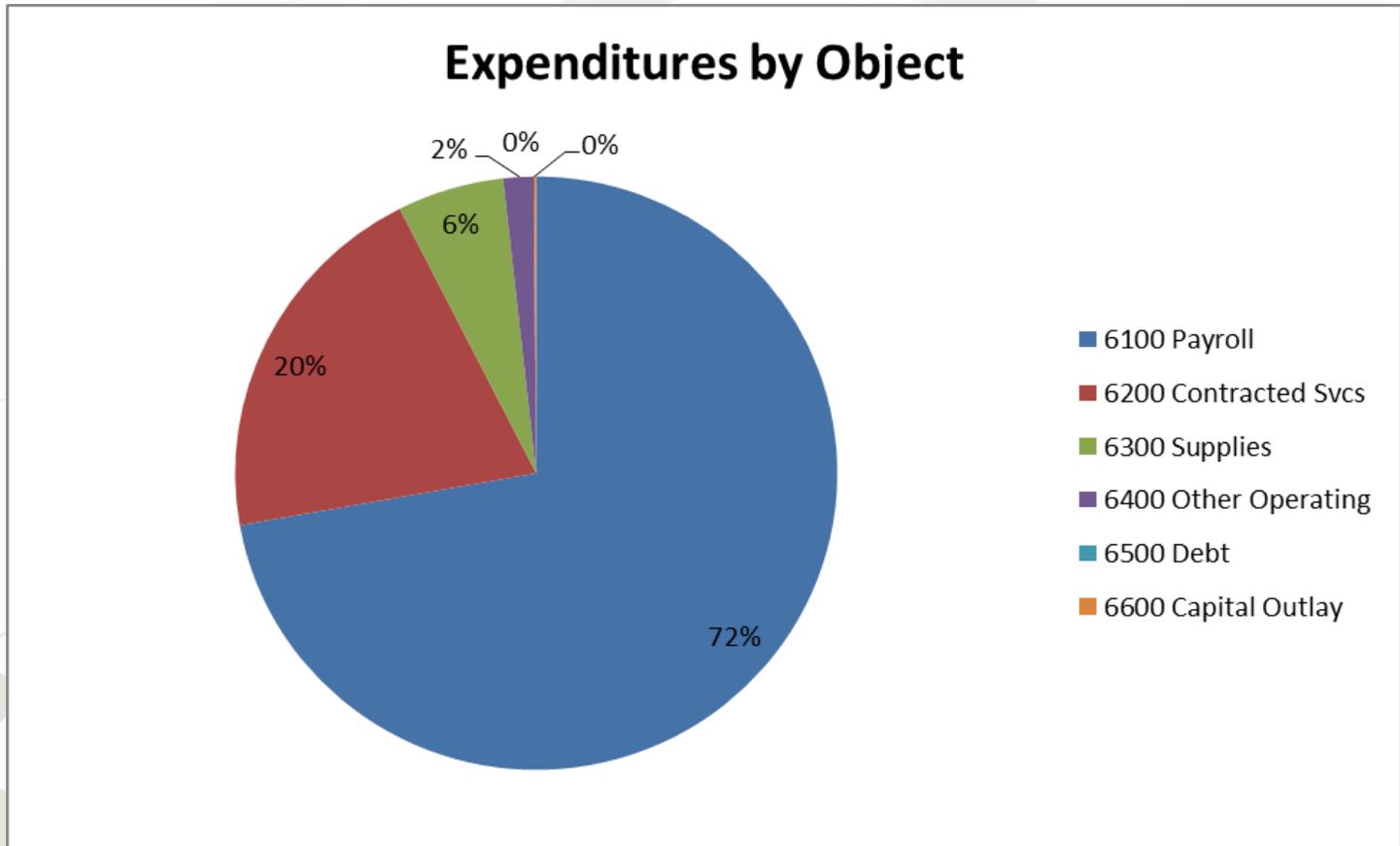
## By Object

Expenditures:		2012-13	2011-12	2010-11
6100	Payroll	26,546,381	25,897,668	27,028,313
6200	Contracted Svcs	7,472,276	8,820,966	7,281,394
6300	Supplies	2,106,598	1,857,867	1,624,065
6400	Other Operating	600,622	501,312	534,650
6500	Debt			
6600	Capital Outlay	47,000	400,039	433,823
<b>Total</b>		<b>36,772,876</b>	<b>37,477,853</b>	<b>36,902,245</b>





# General Fund





# 2012-13 Proposed Budget

## By Object

Marble Falls ISD  
2012-13 Budget Projection  
As of August 20, 2012

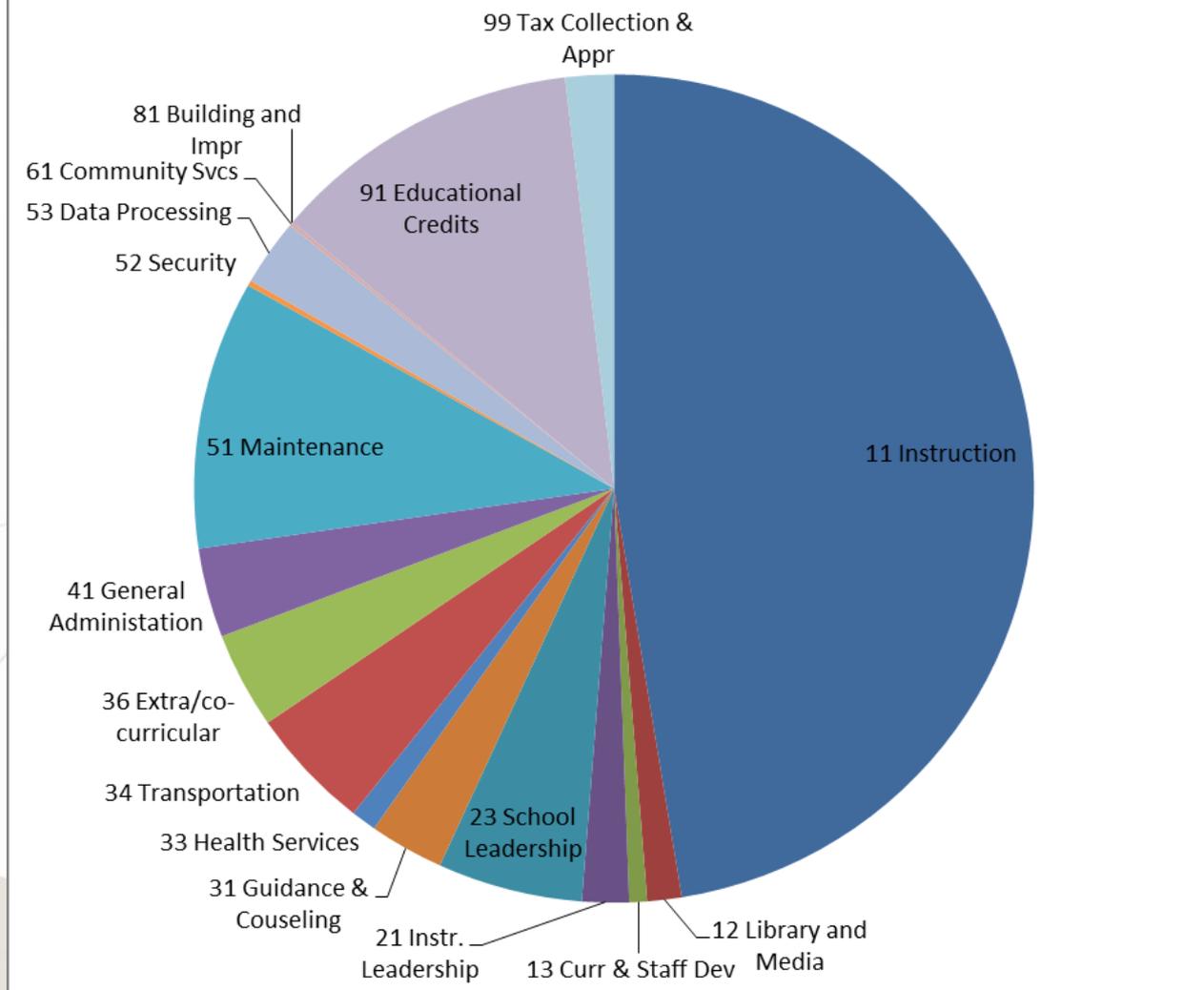
Revenue:		2012-13	2011-12	2010-11
5700	Local Revenues	30,981,062	30,387,229	30,679,467
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<hr/>				
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6400	Other Operating	600,622	501,312	534,650
6500	Debt	-	-	-
6600	Capital Outlay	47,000	400,039	433,823
<b>Total</b>		<b>36,772,876</b>	<b>37,477,853</b>	<b>36,902,245</b>
<hr/>				
Net Inc (Dec) to Fund Balance		(404,436)	1,095,391	881,677

Marble Falls ISD  
2012-13 Budget Projection  
As of August 20, 2012

		2012-13	2011-12	2010-11
Revenue:		Proposed Budget	Projected Actual	Audited Actual
5700	Local Revenues	30,981,062	30,387,229	30,679,467
5800	State Revenues	4,977,378	7,564,740	6,771,900
5900	Federal Revenues	410,000	621,275	332,555
<b>Total</b>		<b>36,368,440</b>	<b>38,573,244</b>	<b>37,783,922</b>
Expenditures:				
11	Instruction	17,436,076	16,678,773	17,550,630
12	Library and Media	486,009	481,998	516,827
13	Curr & Staff Dev	252,218	156,772	142,391
21	Instr. Leadership	662,417	579,013	710,123
23	School Leadership	2,053,046	2,105,728	1,967,032
31	Guidance & Counseling	1,056,873	1,109,162	1,121,394
33	Health Services	361,535	379,943	399,499
34	Transportation	1,755,292	1,920,524	1,836,023
36	Extra/co-curricular	1,382,064	1,523,894	1,387,700
41	General Administration	1,281,989	1,188,469	987,040
51	Maintenance	3,852,700	4,286,602	4,425,966
52	Security	77,119	75,146	74,730
53	Data Processing	957,957	949,411	1,112,709
61	Community Svcs	52,790	50,500	113,930
81	Building and Impr	-	110,050	-
91	Educational Credits	4,418,176	5,214,297	3,885,871
99	Tax Collection & Appr	686,614	667,570	670,380
<b>Total</b>		<b>36,772,876</b>	<b>37,477,853</b>	<b>36,902,245</b>
Revenues less Expenditures		(404,436)	1,095,391	881,677
Other Financing Sources (Uses)		-	-	3,950
Prior Period Adjustment		-	-	(455,151)
Net Change in Fund Balance		<b>(404,436)</b>	<b>1,095,391</b>	<b>430,476</b>



## Expenditures by Function





# Child Nutrition

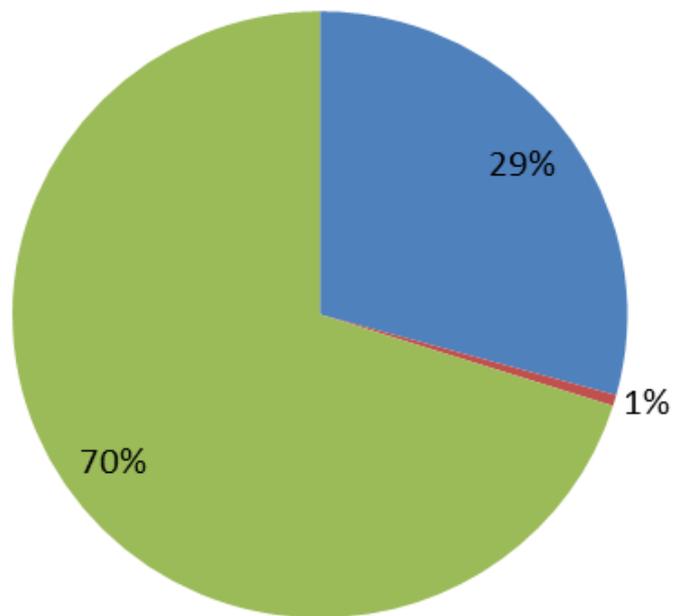
Marble Falls ISD  
2012-13 Budget Projection - Child Nutrition Fund  
As of August 20, 2012

		2012-13	2011-12	2010-11
Revenue:		Proposed Budget	Projected Actual	Audited Actual
5700	Local Revenues	606,453	608,461	636,745
5800	State Revenues	12,110	12,134	12,109
5900	Federal Revenues	1,452,229	1,365,701	1,300,135
Total		<u>2,070,792</u>	<u>1,986,296</u>	<u>1,948,989</u>
Expenditures:		2012-13	2011-12	2010-11
6100	Payroll	742,647	791,400	24,705
6200	Contracted Svcs	1,514	30,513	1,732,726
6300	Supplies	984,848	873,273	92,816
6400	Other Operating	9,850	7,920	2,393
6600	Capital Outlay	25,000	11,928	86,722
Total		<u>1,763,858</u>	<u>1,715,034</u>	<u>1,939,363</u>
Revenues less Expenditures		306,934	271,263	9,626
Other Financing Sources (Uses)		-	(104,859)	-
Net Inc (Dec) to Fund Balance		<u>306,934</u>	<u>166,404</u>	<u>9,626</u>



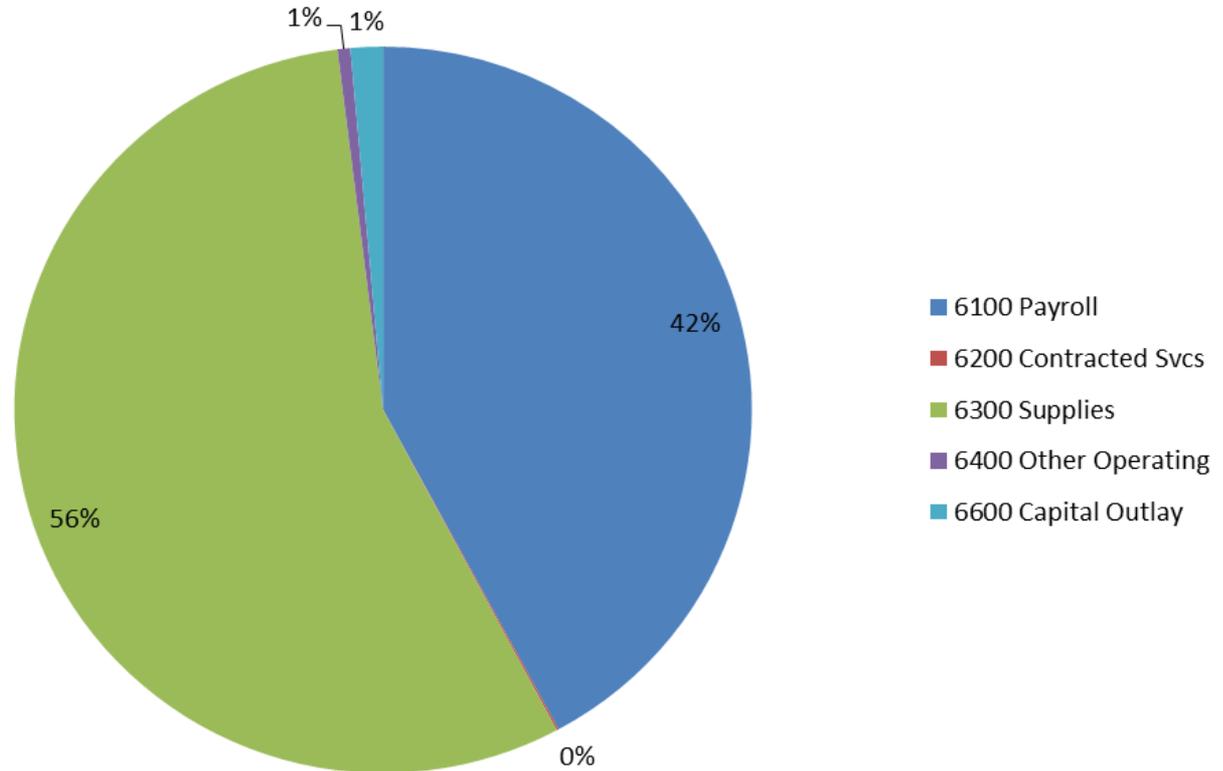
## Revenues by Object

■ 5700 Local Revenues    ■ 5800 State Revenues    ■ 5900 Federal Revenues





## Expenditures by Object





# Debt Service

Marble Falls ISD  
 2012-13 Budget Projection - Debt Service Fund  
 As of August 20, 2012

		2012-13	2011-12	2010-11
		Proposed Budget	Projected Actual	Audited Actual
<b>Revenue:</b>				
5700	Local Revenues	6,643,445	7,293,785	7,194,074
5800	State Revenues	-	-	-
5900	Federal Revenues	-	-	-
<b>Total</b>		<b>6,643,445</b>	<b>7,293,785</b>	<b>7,194,074</b>
<b>Expenditures:</b>				
6100	Payroll	-	-	-
6200	Contracted Svcs	-	-	-
6300	Supplies	-	-	-
6400	Other Operating	-	-	-
6500	Debt	6,669,461	6,668,661	6,663,786
6600	Capital Outlay	-	-	-
<b>Total</b>		<b>6,669,461</b>	<b>6,668,661</b>	<b>6,663,786</b>
<b>Net Inc (Dec) to Fund Balance</b>		<b>(26,016)</b>	<b>625,124</b>	<b>530,288</b>

# Federal Accountability

Adequate Yearly Progress  
(AYP)



**Public Law 107-110**

**No Child Left Behind Act of 2001**

# Federal Indicators

Reading/ELA

1

Math

2

Other

Graduation/Attendance

3

# Federal Indicator Standards 2012-2013

READING/ELA

93

87

# Federal Indicator Standards 2012-2013

MATH

92

83

# Federal Indicator Standards 2011-2012

OTHER

Attendance

90

Graduation Rate

75



# Federal Standards Phase In

	2002-2003	2004-2005	2006-2007	2008-2009	2009-2010	2010-2011	2011-2012	2012-2013	2013-2014
	2003-2004	2005-2006	2007-2008						
Reading ELA	47%	53%	60%	67%	73%	80%	87%	93%	100%
Math	33%	42%	50%	58%	67%	75%	83%	92%	100%



100 %!!!



Participation

95

# Federal Cap



1%



2%



# Federal Standards Phase In

	2002-2003	2004-2005	2006-2007	2008-2009	2009-2010	2010-2011	2011-2012	2012-2013	2013-2014
	2003-2004	2005-2006	2007-2008						
Reading ELA	47%	53%	60%	67%	73%	80%	87%	93%	100%
Math	33%	42%	50%	58%	67%	75%	83%	92%	100%

# Increasing Standards

**STAAR**

**Increasingly Difficult  
Assessments**

**TAKS**

**TAAS**

**TPM**

**NO TPM**

**To Waiver**

**or**

**Not To Waiver**

## 2012 Preliminary AYP State Summary Table

### District Results



AYP Status	Title I	Non-Title I	Total	Percent of All Districts
Meets AYP	312	27	339	27.6%
Missed AYP	863	13	876	71.4%
Not Evaluated: New Charter District	6	2	8	0.7%
Not Evaluated: Other	4	0	4	0.3%
<b>TOTAL</b>	<b>1,185</b>	<b>42</b>	<b>1,227</b>	<b>100.0%</b>

### Campus Results (Regular and Charter)



AYP Status	Title I	Non-Title I	Total	Percent of All Campuses
Meets AYP	2,483	1,290	3,773	44.2%
Missed AYP	3,305	775	4,080	47.8%
Not Evaluated: New Campus	72	128	200	2.3%
Not Evaluated: PK-K Campus	3	8	11	0.1%
Not Evaluated: Other	98	367	465	5.5%
<b>TOTAL</b>	<b>5,961</b>	<b>2,568</b>	<b>8,529</b>	<b>100.0%</b>

## 2012 Preliminary AYP State Summary Table

### Campus Results (Regular and Charter)

AYP Campus Status by Campus Type	Count	Percent of All Campuses
<b>Meets AYP</b>	<b>3,773</b>	<b>44.2%</b>
Elementary Campuses	2,483	29.1%
Middle School Campuses	496	5.8%
Secondary Campuses	623	7.3%
Combined Elementary and Secondary	171	2.0%
<b>Missed AYP</b>	<b>4,080</b>	<b>47.8%</b>
Elementary Campuses	1,949	22.9%
Middle School Campuses	1,111	13.0%
Secondary Campuses	830	9.7%
Combined Elementary and Secondary	190	2.2%
<b>Not Evaluated</b>	<b>676</b>	<b>7.9%</b>
Elementary Campuses	142	1.7%
Middle School Campuses	91	1.1%
Secondary Campuses	315	3.7%
Combined Elementary and Secondary	128	1.5%
<b>TOTAL</b>	<b>8,529</b>	<b>100.0%</b>

## 2012 Preliminary AYP State Summary Table

### District Results (Regular and Charter)

AYP Status: Reasons for Missing AYP	Count	Percent of All Districts That Missed AYP
<b>Missed due to the 1% and/or 2% Federal Cap Only</b>	<b>107</b>	<b>12.2%</b>
Reading	30	3.4%
Math	23	2.6%
Both	54	6.2%
<b>Missed due to the 1% or 2% Federal Cap and Other Reasons</b>	<b>287</b>	<b>32.8%</b>
<b>Reasons other than 1% or 2% Cap</b>	<b>482</b>	<b>55.0%</b>
Performance Only	455	51.9%
Reading	54	6.2%
Mathematics	143	16.3%
Both	258	29.5%
Participation Only	1	0.1%
Reading	0	0.0%
Mathematics	0	0.0%
Both	1	0.1%
Other Measure Only	0	0.0%
Graduation Rate	0	0.0%
Attendance Rate	0	0.0%
Performance and Participation	5	0.6%
Performance and Other	18	2.1%
Participation and Other	0	0.0%
Performance, Participation, and Other	3	0.3%
<b>Total Missed AYP</b>	<b>876</b>	<b>100.0%</b>

TEXAS EDUCATION AGENCY  
Adequate Yearly Progress District Data Table

Preliminary 2012 AYP Results

District Name: MARBLE FALLS (027904)  
Status: Missed AYP - Reading (Performance) and Mathematics (Performance)

2012-13 School Improvement Program Requirement: Stage 2 Math Read

2012 AYP Explanation Table

	All Students	African American	Hispanic	White	Econ. Disadv.	Special Education	LEP
Performance: Reading/ELA	+	-	%	+	%	+	+
Performance: Math	+	-	%	+	%	+	X
Participation: Reading/ELA	+	-	+	+			+
Participation: Math	+	-	+	+			+
Other: Graduation Rate	+	-	+	+			-
Other: Attendance Rate	-						

23  
28

- + Meets AYP
- Not Evaluated for AYP due to not meeting minimum size criteria, alternative not used, or the measure is not applicable
- % Missed AYP for this performance measure due to the 2% and/or the 1% federal caps
- X Missed AYP for this measure

 Meets AYP

 Missed AYP

 Missed AYP due to cap

 Not Evaluated

# Marble Falls ISD

## Marble Falls ISD 6 Year AYP History

### Reading

Year	All Students			White			Hispanic			African American			SPED			Eco-Dis			LEP		
	Met Std	Tested	%	Met Std	Tested	%	Met Std	Tested	%	Met Std	Tested	%	Met Std	Tested	%	Met Std	Tested	%	Met Std	Tested	%
2011-2012	1745	2005	87%	1005	1119	90%	672	805	83%	28	38	74%	138	224	62%	993	1202	83%	258	317	81%
2010-2011	1742	2018	86%	1022	1140	90%	638	774	82%	35	50	70%	133	236	56%	977	1184	83%	231	299	77%
2009-2010	1706	1931	88%	1050	1140	92%	591	716	83%	41	50	82%	138	233	59%	892	1066	84%	223	283	79%
2008-2009	1759	1970	89%	1119	1202	93%	580	697	83%	40	51	78%	157	241	65%	886	1042	85%	215	281	77%
2007-2008	1683	1900	89%	1088	1188	92%	548	649	84%	28	41	68%	149	249	60%	814	968	84%	191	247	77%
2006-2007	1687	1940	87%	1107	1213	91%	523	657	80%	44	57	77%	162	249	65%	794	978	81%	183	243	75%
<b>Total</b>	<b>10322</b>	<b>11764</b>	<b>88%</b>	<b>6391</b>	<b>7002</b>	<b>91%</b>	<b>3552</b>	<b>4298</b>	<b>83%</b>	<b>216</b>	<b>287</b>	<b>75%</b>	<b>877</b>	<b>1432</b>	<b>61%</b>	<b>5356</b>	<b>6440</b>	<b>83%</b>	<b>1301</b>	<b>1670</b>	<b>78%</b>

### Math

Year	All Students			White			Hispanic			African American			SPED			Eco-Dis			LEP		
	Met Std	Tested	%	Met Std	Tested	%	Met Std	Tested	%	Met Std	Tested	%	Met Std	Tested	%	Met Std	Tested	%	Met Std	Tested	%
2011-2012	1703	2008	85%	1016	970	105%	621	804	77%	31	38	82%	131	225	58%	970	1205	80%	244	317	77%
2010-2011	1662	2014	83%	979	1139	86%	605	771	78%	34	50	68%	135	235	57%	922	1180	78%	235	298	79%
2009-2010	1706	1931	88%	1050	1140	92%	591	716	83%	41	50	82%	138	233	59%	892	1066	84%	223	283	79%
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2006-2007	1687	1940	44%	1107	1213	91%	523	657	80%	44	57	77%	162	249	65%	794	978	81%	183	243	75%
<b>Total</b>	<b>10200</b>	<b>11763</b>	<b>87%</b>	<b>6359</b>	<b>6852</b>	<b>93%</b>	<b>3468</b>	<b>4294</b>	<b>81%</b>	<b>218</b>	<b>287</b>	<b>76%</b>	<b>872</b>	<b>1432</b>	<b>61%</b>	<b>5278</b>	<b>6439</b>	<b>82%</b>	<b>1291</b>	<b>1669</b>	<b>77%</b>



## 2012 Preliminary AYP State Summary Table

### District Results

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Not Evaluated: PK-K Campus	3	8	11	0.1%
Not Evaluated: Other	98	367	465	5.5%
<b>TOTAL</b>	<b>5,961</b>	<b>2,568</b>	<b>8,529</b>	<b>100.0%</b>

### Charter Campus Results

AYP Status	Title I	Non-Title I	Total	Percent of All Campuses
Meets AYP	161	39	200	39.5%
Missed AYP	209	19	228	45.1%
Not Evaluated: New Campus	27	14	41	8.1%
Not Evaluated: PK-K Campus	3	2	5	1.0%
Not Evaluated: Other	29	3	32	6.3%
<b>TOTAL</b>	<b>429</b>	<b>77</b>	<b>506</b>	<b>100.0%</b>

## 2012 Preliminary AYP State Summary Table

### Campus Results (Regular and Charter)

AYP Campus Status by Campus Type	Count	Percent of All Campuses
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<b>TOTAL</b>	<b>8,529</b>	<b>100.0%</b>

## 2012 Preliminary AYP State Summary Table

### District Results (Regular and Charter)

AYP Status: Reasons for Missing AYP	Count	Percent of All Districts That Missed AYP
<b>Missed due to the 1% and/or 2% Federal Cap Only</b>	<b>107</b>	<b>12.2%</b>
Reading	30	3.4%
Math	23	2.6%
Both	54	6.2%
<b>Missed due to the 1% or 2% Federal Cap and Other Reasons</b>	<b>287</b>	<b>32.8%</b>
<b>Reasons other than 1% or 2% Cap</b>	<b>482</b>	<b>55.0%</b>
Performance Only	455	51.9%
Reading	54	6.2%
Mathematics	143	16.3%
Both	258	29.5%
Participation Only	1	0.1%
Reading	0	0.0%
Mathematics	0	0.0%
Both	1	0.1%
Other Measure Only	0	0.0%
Graduation Rate	0	0.0%
Attendance Rate	0	0.0%
Performance and Participation	5	0.6%
Performance and Other	18	2.1%
Participation and Other	0	0.0%
Performance, Participation, and Other	3	0.3%
<b>Total Missed AYP</b>	<b>876</b>	<b>100.0%</b>

T E X A S E D U C A T I O N A G E N C Y  
Adequate Yearly Progress District Data Table

Preliminary 2012 AYP Results

District Name: MARBLE FALLS (027904)  
Status: Missed AYP - Reading (Performance) and Mathematics (Performance)

2012-13 School Improvement Program Requirement: Stage 2 Math Read

	All Students	African American	Hispanic	White	Econ. Disadv.	Special Education	LEP (Measure: Current & Monitored)	LEP (Students)
Performance: Reading/English Language Arts (ELA) (AYP Target: 87%)								
AYP Proficiency Rate								
2011-12 Assessments								
Met Standard	1,745	28	672	1,005	993	138	258	n/a
Number Tested	2,005	38	805	1,119	1,202	224	317	227
% Met Standard	87%	74%	83%	90%	83%	62%	81%	n/a
Student Group %	100%	2%	40%	56%	60%	11%	n/a	11%
Performance Improvement/Safe Harbor								
2010-11 Assessments								
Met Standard	1,742	35	638	1,022	977	133	231	n/a
Number Tested	2,018	50	774	1,140	1,184	236	299	207
% Met Standard	86%	70%	82%	90%	83%	56%	77%	n/a
Change in % Met Standard Improvement Required	1	4	1 2	0	0 2	6 4	4 2	

Special formats ('\*', >99%, <1%) are used to protect student confidentiality  
n/a indicates that the data are not available or applicable  
A dash (-) indicates there were no students in that group or the calculation is not applicable

T E X A S E D U C A T I O N A G E N C Y  
Adequate Yearly Progress District Data Table

Preliminary 2012 AYP Results

District Name: MARBLE FALLS (027904)  
Status: Missed AYP - Reading (Performance) and Mathematics (Performance)

2012-13 School Improvement Program Requirement: Stage 2 Math Read

	All Students	African American	Hispanic	White	Econ. Disadv.	Special Education	LEP (Measure: Current & Monitored)	LEP (Students)
<b>Performance: Mathematics (AYP Target: 83%)</b>								
<b>AYP Proficiency Rate</b>								
<b>2011-12 Assessments</b>								
Met Standard	1,703	31	621	1,016	970	131	244	n/a
Number Tested	2,008	38	804	1,123	1,205	225	317	227
% Met Standard	85%	82%	77%	90%	80%	58%	77%	n/a
Student Group %	100%	2%	40%	56%	60%	11%	n/a	11%
<b>Performance Improvement/Safe Harbor</b>								
<b>2010-11 Assessments</b>								
Met Standard	1,662	34	605	979	922	135	235	n/a
Number Tested	2,014	50	771	1,139	1,180	235	298	206
% Met Standard	83%	68%	78%	86%	78%	57%	79%	n/a
Change in % Met Standard	2	14	-1	4	2	1	-2	
Improvement Required			2		2	4	2	

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A dash (-) indicates there were no students in that group or the calculation is not applicable

T E X A S E D U C A T I O N A G E N C Y  
Adequate Yearly Progress District Data Table

Preliminary 2012 AYP Results

District Name: MARBLE FALLS (027904)  
Status: Missed AYP - Reading (Performance) and Mathematics (Performance)

2012-13 School Improvement Program Requirement: Stage 2 Math Read

	All Students	African American	Hispanic	White	Econ. Disadv.	Special Education	LEP (Measure)	LEP (Students)
<b>Participation: Reading/ELA (AYP Target: 95%)</b>								
<b>2011-12 Assessments</b>								
Number Participating	*	*	*	*	*	*		*
Total Students	*	*	*	*	*	*		*
Participation Rate	>99%	>99%	>99%	>99%	>99%	99%		>99%
Student Group %	*	*	*	*	*	*		*
<b>2010-11 Assessments</b>								
Number Participating	*	*	*	*	*	*		221
Total Students	*	*	*	*	*	*		225
Participation Rate	>99%	>99%	>99%	>99%	>99%	>99%		98%
<b>Participation: Mathematics (AYP Target: 95%)</b>								
<b>2011-12 Assessments</b>								
Number Participating	*	*	*	*	*	*		*
Total Students	*	*	*	*	*	*		*
Participation Rate	>99%	>99%	>99%	>99%	>99%	>99%		>99%
Student Group %	*	*	*	*	*	*		*
<b>2010-11 Assessments</b>								
Number Participating	*	*	*	*	*	*		*
Total Students	*	*	*	*	*	*		*
Participation Rate	>99%	>99%	>99%	>99%	>99%	>99%		>99%

Special formats ('\*', >99%, <1%) are used to protect student confidentiality  
n/a indicates that the data are not available or applicable  
A dash (-) indicates there were no students in that group or the calculation is not applicable

T E X A S E D U C A T I O N A G E N C Y  
Adequate Yearly Progress District Data Table

Preliminary 2012 AYP Results

District Name: MARBLE FALLS (027904)  
Status: Missed AYP - Reading (Performance) and Mathematics (Performance)

2012-13 School Improvement Program Requirement: Stage 2 Math Read

	All Students	African American	Hispanic	White	Econ. Disadv.	Special Education	LEP (Measure: Ever HS)	LEP (Students)
<b>Four-Year Longitudinal Cohort</b>								
<b>Graduation Rate Class of 2011 (AYP Target: 75%)</b>								
Graduates	261	6	92	159	127	31	11	n/a
Number in Class	270	7	94	165	135	34	11	6
Graduation Rate	96.7%	85.7%	97.9%	96.4%	94.1%	91.2%	100.0%	n/a
Student Group %	100%	3%	35%	61%	50%	13%	n/a	2%
<b>Graduation Rate Class of 2010 (Safe Harbor or Improvement of 1.0)</b>								
Graduates	231	10	69	147	95	27	5	n/a
Number in Class	246	10	75	156	102	30	5	2
Graduation Rate	93.9%	100.0%	92.0%	94.2%	93.1%	90.0%	100.0%	n/a
Change 2010 to 2011	2.8	-14.3	5.9	2.2	1.0	1.2	0.0	
Safe Harbor Target	-	-	-	-	-	-	-	

**Five-Year Longitudinal Cohort (AYP Target: 80%)**

<b>Class of 2010 Five-Year Graduation Rate</b>								
Graduates	235	10	69	151	96	29	5	n/a
Number in Class	243	10	73	155	100	31	5	2
Graduation Rate	96.7%	100.0%	94.5%	97.4%	96.0%	93.5%	100.0%	n/a

Special formats ('\*', >99%, <1%) are used to protect student confidentiality  
n/a indicates that the data are not available or applicable  
A dash (-) indicates there were no students in that group or the calculation is not applicable

T E X A S E D U C A T I O N A G E N C Y  
Adequate Yearly Progress District Data Table

Preliminary 2012 AYP Results

District Name: MARBLE FALLS (027904)  
Status: Missed AYP - Reading (Performance) and Mathematics (Performance)

2012-13 School Improvement Program Requirement: Stage 2 Math Read

2012 AYP Explanation Table

	All Students	African American	Hispanic	White	Econ. Disadv.	Special Education	LEP
Performance: Reading/ELA	+	-	%	+	%	+	+
Performance: Math	+	-	X	+	+	%	X
Participation: Reading/ELA	+	-	+	+	+	+	+
Participation: Math	+	-	+	+	+	+	+
Other: Graduation Rate	+	-	+	+	+	-	-
Other: Attendance Rate	-						

- + Meets AYP
- Not Evaluated for AYP due to not meeting minimum size criteria, alternative not used, or the measure is not applicable
- % Missed AYP for this performance measure due to the 2% and/or the 1% federal caps
- X Missed AYP for this measure

**MARBLE FALLS ISD**  
**BILINGUAL/ESL**  
**DEPARTMENT OF ACADEMIC PROGRAMS**

- ◎ Dual Language One Way (Current)
- ◎ Bilingual Transitional Program (Shift)
- ◎ Challenges/Gains
- ◎ Phase-In Plan

# Dual Language One Way

	PRE-K	KINDER (90/10)	1 <sup>ST</sup> (80/20)	2 <sup>ND</sup> (70/30)	3 <sup>RD</sup> (50/50)	4 <sup>TH</sup> (50/50)	5 <sup>TH</sup> (50/50)
English Commensurate With Student Needs	Specials	Specials	Specials	Specials	Specials	Specials	Specials
	Science	Science	Science	Science	Science	Science	Science
Spanish Language Arts/Social Studies	Spanish Language Arts/Social Studies	Spanish Language Arts/Social Studies	Spanish Language Arts/Social Studies	Reading/Writing	Reading/Writing	Reading/Writing	Reading/Writing
				Spanish Language Arts/Social Studies			
Math	Math	Math	Math	Math	Spanish Language Arts/Social Studies	Spanish Language Arts/Social Studies	Spanish Language Arts/Social Studies
Science				Math			

# Bilingual Transitional Late Exit

PRE-K	KINDER (90/10)	1 <sup>ST</sup> (80/20)	2 <sup>ND</sup> (70/30)	3 <sup>RD</sup> (50/50)	4 <sup>TH</sup> (20/80)	5 <sup>TH</sup> (10/90)
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English Language Development	Specials	Specials	Specials	Specials	Specials	Specials
Spanish Language Arts/Social Studies	English Language Development	Literacy-based ESL*	Literacy-based ESL*	Literacy-based ESL*	<i>Sheltered Instruction</i>	<i>Sheltered Instruction</i>
	Spanish Language Arts/Social Studies	Content-based ESL**	Content-based ESL**	Science		
		Spanish Language Arts/Social Studies	Spanish Language Arts/Social Studies	Content-based ESL**	ELA/SS	Math
		Math	Math	Spanish Language Arts/Social Studies	Science	Math
Math	Math	Math **	Math **	Reading	Science	
Science	Science	Science **	Science **	Math **	Reading	Reading

\*Direct, explicit lessons in English literacy sheltered for ELLs

\*\*ELPS strategies implemented for academic vocabulary/concept development

# Challenges

- ◉ Weak foundation in Primary grades, both academically and linguistically
- ◉ Lends itself to segregated student population, isolated bilingual teachers
- ◉ Does not prepare our 5<sup>th</sup> graders for middle school, no “exit” plan in place

# Gains

- ◉ Content knowledge in first language AND second language (English), in **all** contents
- ◉ TEKS-focused instructional planning for bilingual teachers alongside colleagues
- ◉ Merged student groups in academic AND social settings

# Phase-In

- Colt and Highland Lakes Elementary
- 2012-13 PreK, Kinder, First Grade
- Professional Learning Community-ongoing feedback
- Monitor 2<sup>nd</sup>-5<sup>th</sup> grade Dual Language use of Focused Curriculum and TEKS-Based Assessments (English & Spanish)

**DUAL LANGUAGE ONE WAY**  
LANGUAGE OF INSTRUCTION FRAMEWORK

*Phasing Out, Adding English  
TEKS-Based Assessments*

PRE-K	KINDER (90/10)	1 <sup>ST</sup> (80/20)	2 <sup>ND</sup> (70/30)	3 <sup>RD</sup> (50/50)	4 <sup>TH</sup> (50/50)	5 <sup>TH</sup> (50/50)
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English Commensurate With Student Needs	Specials	Specials	Specials	Specials	Specials	Specials
	Science	Science	Science	Science	Science	Science
Spanish Language Arts/Social Studies	Spanish Language Arts/Social Studies	Spanish Language Arts/Social Studies	Spanish Language Arts/Social Studies	Reading/Writing (2012 - add English TBAs)	Reading/Writing (2012 - add English TBAs)	Reading/Writing (2012 - add English TBAs)
				Spanish Language Arts/Social Studies		
				Math	Spanish Language Arts/Social Studies	Spanish Language Arts/Social Studies
Math	Math	Math	Math	Math	Math	Math
Science	Math	Math	Math	Math	Math	Math

This is where we will start

**BILINGUAL LATE-EXIT TRANSITIONAL MODEL**  
 LANGUAGE OF INSTRUCTION FRAMEWORK

PRE-K	KINDER (90/10)	1 <sup>ST</sup> (80/20)	2 <sup>ND</sup> (70/30)	3 <sup>RD</sup> (50/50)	4 <sup>TH</sup> (20/80)	5 <sup>TH</sup> (10/90)
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English Language Development	Specials	Specials	Specials	Specials	Specials	Specials
Spanish Language Arts/Social Studies	English Language Development	Literacy-based ESL*	Literacy-based ESL*	Literacy-based ESL*	<i>Sheltered Instruction</i>	<i>Sheltered Instruction</i>
	Spanish Language Arts/Social Studies	Content-based ESL**	Content-based ESL**	Science		
		Spanish Language Arts/Social Studies	Spanish Language Arts/Social Studies	Content-based ESL**	ELA/SS	Math
		Math	Math	Spanish Language Arts/Social Studies	Math	Science
Math	Math	Math **	Spanish Language Arts/Social Studies	Science	ELA/SS	Math
Science	Science	Science **	Science **	Math **	Reading	Science
						Reading

\*Direct, explicit lessons in English literacy sheltered for ELLs

\*\*ELPS strategies implemented for academic vocabulary/concept development

Marble Falls Independent School District  
Board of Trustees  
Regular Meeting Calendar 2012-2013

September 17, 2012

October 15, 2012

November 12, 2012  
2<sup>nd</sup> Monday due to Holiday Break

December 10, 2012  
2<sup>nd</sup> Monday due to Holiday Break

January 28, 2013  
4<sup>th</sup> Monday due to 1/21 In-service/Comp Day

February 18, 2013

March 25, 2013  
4<sup>th</sup> Monday due to Spring Break

April 15, 2013

May 20, 2013

June 17, 2013

July 15, 2013

August 19, 2013

## **“Option 2.2” Draft of Board Goals for 2012-13**

**District Goal 1: To engage all stakeholders, the district will provide ongoing communication with community, school board, and staff.**

Superintendent Performance Goals:

- 1) The Superintendent will provide quarterly “State of the District” updates to the school board and staff.
- 2) The Superintendent will write an editorial article semi-annually for our local newspaper updating the community on the state of the district or other current educational issues.
- 3) The Superintendent will establish a teacher advisory committee to garner teacher input and share district-wide initiative.
- 4) The Superintendent will develop culture of excellence by identify the strengths and opportunities that exist within the District and build upon these to establish expectations within departments and programs to achieve excellence as measured by student participation, record, etc.

**District Goal 2: Provide high quality Career and Technology programs.**

Superintendent Performance Goals:

- 1) The Superintendent will develop a Career/Technical and Vocational Comprehensive Plan- with the support of the HS principal, staff and community stakeholders.

**District Goal 3: Improved academic achievement**

Superintendent Performance Goals:

- 1) The Superintendent will establish an assessment process that measures and reports at regular intervals on the status and the effectiveness of District programs:
  - District Data Wall associated with attendance, and assessments.
  - Establish district wide curriculum based assessments to ensure that the curriculum is vertically aligned
- 2) The Superintendent will continue development and implementation of TEKS based assessments on prioritized TEKS and SE at least four times a year according to the district’s FCP plan.
- 3) The Superintendent will oversee the review of the bilingual program to determine program effectiveness and implement a model as needed to improve student performance.
- 4) The Superintendent will establish leadership academies to develop leadership capacity for administrators and teachers within the district.

**District Goal 4: The school district will continue to be financially sound by maintaining appropriate fund balances.**

Superintendent Performance Goals:

- 1) The Superintendent will use the findings of the TASB staffing study to guide the filling of open position or new positions, taking into consideration qualifications of our current staff. A complete report will be provided to the Board annually showing financial gains.
- 2) The Superintendent will maintain and protect an adequate fund balance equal to two months operating costs of the annual budget.
- 3) The Superintendent will research and develop creative financing opportunities through grants, TRE, bonds, etc.
- 4) The Superintendent will develop and implement a staffing model that will lead the district to maintain high academic standards with less funding.

**District Goal 5: The school district will establish 21 century classrooms across the district that promotes student engagement.**

Superintendent Performance Goals:

- 1) The Superintendent will oversee the revision of the district's technology plan that includes measurable goals, objectives and activities designed to support student instruction and district operations.
  - a. Conduct a staff survey to determine areas of strength and desired improvements related to the services offered by the Technology Department.

**District Goal 6: Provide a positive climate and a safe educational environment that supports student achievement and promotes an atmosphere of cooperation and teamwork.**

Superintendent Performance Goals:

- 1) The Superintendent will cultivate a district culture of working together to achieve our collective purpose of learning for all students. Learning communities will be established to cultivate a collaborative culture through the development of high performing teams.
- 2) The Superintendent will support and ensure that every campus will provide opportunities for leadership and teacher collaboration within the school day on a regular basis.
- 3) The Superintendent will support and ensure every campus will provide collaborative team protocols that focus on what students must learn, gather evidence of student learning, and analyze the evidence to adjust the instructional delivery across all team members.