

## Mike Moses

Dr. Mike Moses has been an educator for over thirty years. Currently, he is Distinguished Professor of Educational Administration at the University of North Texas and holder of a chair at that institution named in his honor. He also serves as the senior educational advisor for *Raise Your Hand Texas* and the *Center for Reform of School Systems*.

Dr. Mike Moses served as the general superintendent of the Dallas Independent School District from 2001 until 2004. From 1999 through 2001, he served as the deputy chancellor for Systems Operations at the Texas Tech University System. Dr. Moses was the Commissioner of Education for the state of Texas from 1995 through 1999. Prior to that service, he was the superintendent of schools in three Texas school districts including Lubbock, LaMarque, and Tatum. He also served as a teacher and principal in the Duncanville and Garland Independent School Districts. Dr. Moses holds a bachelor's and master's degree from Stephen F. Austin State University and a doctor of education degree from Texas A&M University at Commerce.

Additionally, Dr. Moses serves in a variety of other roles. He has served as a member of the board of directors for the Trammell Crow Company, one of the largest real estate and property management companies in the world. He currently sits on the board of two publicly traded companies, Southwest Securities Services Group and Scientific Learning. Dr. Moses also serves as special advisor and consultant to corporations and entities interfacing with elementary, secondary, and higher education. His unusual blend of business and education experience gives him a unique perspective regarding matters of public policy.

Among awards that Dr. Moses has received are the Texas Business and Education Coalition's "Distinguished Service Award" and the "Golden Deeds in Education Award" from Texas A & M University. The Texas School Public Relations Association awarded Dr. Moses the "Key Communicator for Public Education Award." Both the national and Texas PTA organizations have presented him with lifetime memberships. Dr. Moses has been named distinguished alumnus in two of the state's universities. He was also selected "Superintendent of the Year" in two Texas Education Service Center Regions and has been one of the four national finalists for "Superintendent of the Year". An intermediate school in his hometown, Nacogdoches, also bears his name.

His wife, Debi, is a former public school teacher and the couple has two sons.

FYI

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**From:** Peggy Smith [mailto:PSmith@swst.com]  
**Sent:** Monday, September 27, 2010 12:01 PM  
**To:** JOHN P NEUBAUER  
**Subject:** Correspondence from Mike Moses

John,

It was good to see you at the Thompson & Horton reception on Friday. It has been a while. Nevertheless, I want to tell you how much I appreciate your having included Southwest Securities in previous bond sales. I am very grateful for your kindness and thoughtfulness.

As Tomball continues to grow and you have additional sale opportunities, I would be so grateful for your continued consideration of allowing them to work with you.

If there is every anything that we or I can do for you, please feel free to call on me.

I admire and appreciate the tenure that you have enjoyed in Tomball. If you see Lynn Etheridge, please give him my regards.

Thanks,

Mike

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05/05/11 233430  
\*\*\*\*\*102.00\*

THE SUM OF \*\*\*\*\*102\* DOLLARS AND \*NO\* CENTS

SOUTHWEST SECURITIES  
PO BOX 1959  
ARLINGTON TX 76004

31397

233430

1991	F571101	600000301032
5991	F571101	600000301032

75.75	HOMESTEAD ADJUSTMENT
26.25	HOMESTEAD ADJUSTMENT

31397 SOUTHWEST SECURITIES

233430

Server: TISD-SQLB\TISDTAX

Database: TOMBALLISD

User: TISD-AD\20035

Form: Payment History

Date: 4/19/2011 10:04:40 AM

Account	6000003010323	AD #	6000003010323
Legal	2006 CMH LAREDO 16X76 BEIGE HUD #HWC0372007 SER #CLW024249TX	Owner	EDGAR RONALD L EDGAR SUSAN G 11518 BOGS RD TOMBALL, TX 77375-2502
Refresh		Stat	
		Sup	

Dep/Recpt	Year/Dep #	Type/Status	Check#/Amt	Payer	User	Comments
12/28/2010 12/28/2010	2010 20101228-7771	CH P	39483	SOUTHWEST SECURITIES ***** PO BOX 1959 ARLINGTON TX 76004	kwilliams	
01/26/2010 01/26/2010	2009 20100125-7268	CH P	4004	EDGAR RONALD L EDGAR SUSAN G	kwilliams	

Payment Details

Print Receipt

Print History

Edit Payment

Year, Unit, Type

☒ Unpaid ☒ Reversals

	Year	Unit	Type	Rec Typ	Amount	Pen Paid	Int Paid	Atty Paid	Def Int	Total Paid
Σ	Total				458.24	0.00	0.00	0.00	0.00	458.24
	2010	001	Payment	L	458.24	.00	.00	.00	.00	458.24
	2010	001	Recalc	L	-102.00	.00	.00	.00	.00	-102.00
	2010	001	Recalc	RECALC	102.00	.00	.00	.00	.00	102.00

new v



Bernhard Schaner

**Re: Correspondence from Mike Moses**

**From** Mike Moses  
**To** John Neubauer  
**Date** 2013/05/11 22:15  
**Subject:** Re: Correspondence from Mike Moses

John,

Congratulations on the bond! It must be nice to retire undefeated. You can be very proud. Great job.

Mike

---

**From:** John Neubauer [mailto:johnneubauer@tomballisd.net]  
**Sent:** Thursday, May 09, 2013 02:19 PM Central Standard Time  
**To:** Mike Moses  
**Subject:** Re: Correspondence from Mike Moses

Thanks Mike

Sent from my iPhone

On May 9, 2013, at 12:13 PM, "Mike Moses" <MMoses@swst.com> wrote:

John,

Good luck on the bond issue Saturday. I am pulling for you and the district.

Mike

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OUR LOCATION

## J. DAVID THOMPSON PARTNER



### RELATED PRACTICES

Educational Institutions  
Government  
Strategic Communications

### EXPERIENCE

David Thompson represents public school districts, junior colleges and other educational entities in the Gulf Coast area and across Texas. He is a frequent speaker on a variety of school law subjects at legal and educational meetings. He is a former member of the Board of Directors for the NSBA Council of School Attorneys, a national organization of over 3,000 attorneys who represent public school districts.

T: (713) 554-6752  
[dthompson@thompsonhorton.com](mailto:dthompson@thompsonhorton.com)

### Education

- J.D., The University of Texas School of Law, 1976
- B.A., The University of Texas at Austin, 1973

### Bar Admissions

- Texas

### Court Admissions

- U.S. Court of Appeals for the 5th Circuit
- U.S. District Court for the Southern District of Texas

### Affiliations

- Education Law Association
- Houston Bar Association
- National School Boards Association-Council of School Attorneys
- Boy Scouts of America, Sam Houston Area Council, Board of Directors

### Noteworthy

- The Best Lawyers in America, 2008
- Texas Super Lawyer, School and Education, 2004-2013
- Texas Lawyer, Go-to Lawyer in School Law, 2007

Mr. Thompson currently represents 84 public school districts that education over 1.8 million students in the *Texas Taxpayer and Student Fairness Coalition, et al vs. Williams et al*, lawsuit challenging the current public school finance system as being in violation of the Texas Constitution.

Prior to the current school finance lawsuit, Mr. Thompson represented 263 school districts in *Edgewood ISD vs. Meno* (Edgewood IV), challenging the constitutionality of the Texas public school finance system. Mr. Thompson represented the Plaintiffs in *West Orange-cove vs. Neeley*, challenging the constitutionality of the Texas Public School System, and successfully argued before the Supreme Court of Texas that the system violated the Texas Constitution.

Mr. Thompson serves as legislative counsel for the Texas Association of School Administrators, Fast Growth School Coalition, Houston Independent School District, other school districts and education organizations, and has been actively involved in most legislative activities affecting public education in the past 20 years.

Previously, Mr. Thompson worked for the Public Education Committee of the Texas House of Representatives, as briefing attorney for the Ninth Court of Appeals, as associate executive director of the Texas Association of School Boards, and as General Counsel for the Texas Education Agency. He also has been an adjunct professor at the University of Texas School of Law, University of Houston - Clear Lake, Texas A&M University, and the University of Houston - Main Campus.

Mr. Thompson was General Counsel for the Texas Education Agency for five years and previously served as Associate Executive Director and Director of Governmental Relations for the Texas Association of School Boards. In addition to his expertise concerning the general areas of school law listed above, Mr. Thompson has extensive experience in school finance matters, legislation, board/superintendent relations, contracts, conflicts of interest, nepotism, student residency and attendance, competitive bidding, school board policy development, and employment matters. Also, he regularly assists school boards in searches for superintendents.

**Mr. Thompson is a partner in the firm Thompson & Horton LLP**, and previously practiced law with Bracewell & Giuliani, one of the oldest and most prominent law firms in Texas.

### PUBLICATIONS AND SPEECHES

"Analysis of Texas Supreme Court's Opinion in Neeley et al v. Orange Cove et al, No. 04-144," Tex. November 22, 2005.

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Thompson & Horton LLP  
Phoenix Tower, Suite 2000  
3200 Southwest Freeway  
Houston, TX 77027  
Ph: 713.554.6767

Dallas Office:  
500 North Akard Street, Suite 2550  
Dallas, TX 75201  
Ph: 972.853.5115

Austin Office:  
400 West 15th Street, Suite 1430  
Austin, TX 78701  
Ph: 512.615.2350





Tomball Independent School District Check Register

Vendor Name	Number	Date	Item Description	Amount
THOMPSON & HORTON LLP	229974	1/6/2011	FOR LEGAL EXPENSES	\$75.00
			<b>Check Total</b>	<b>\$75.00</b>
THOMPSON & HORTON LLP	231628	3/3/2011	FOR LEGAL EXPENSES	\$75.00
			<b>Check Total</b>	<b>\$75.00</b>
THOMPSON & HORTON LLP	234344	6/2/2011	OPEN PURCHASE ORDER FOR L	\$75.00
			<b>Check Total</b>	<b>\$75.00</b>
THOMPSON & HORTON LLP	235948	8/18/2011	INVOICE #4914, APRIL 11,	\$152.50
			INVOICE #4746 DATED MARCH	\$152.50
			<b>Check Total</b>	<b>\$305.00</b>
THOMPSON & HORTON LLP	237626	10/20/2011	LEGAL FEES	\$300.00
			<b>Check Total</b>	<b>\$300.00</b>
THOMPSON & HORTON LLP	242220	4/12/2012	OPEN PURCHASE ORDER FOR L	\$1,050.00
			OPEN PURCHASE ORDER FOR L	\$1,575.00
			<b>Check Total</b>	<b>\$2,625.00</b>
THOMPSON & HORTON LLP	243050	5/10/2012	OPEN PURCHASE ORDER FOR L	\$1,275.00
			<b>Check Total</b>	<b>\$1,275.00</b>
THOMPSON & HORTON LLP	244315	6/21/2012	OPEN PURCHASE ORDER FOR L	\$75.00
			<b>Check Total</b>	<b>\$75.00</b>
THOMPSON & HORTON LLP	245046	8/9/2012	OPEN PURCHASE ORDER FOR L	\$2,595.00
			OPEN PURCHASE ORDER FOR L	\$2,975.00
			<b>Check Total</b>	<b>\$5,570.00</b>
THOMPSON & HORTON LLP	246389	10/4/2012	OPEN PURCHASE ORDER FOR S	\$300.00
			<b>Check Total</b>	<b>\$300.00</b>
THOMPSON & HORTON LLP	247591	11/15/2012	GEN LEG EXP THRU 9/30	\$850.90
			<b>Check Total</b>	<b>\$850.90</b>
THOMPSON & HORTON LLP	248028	12/6/2012	GEN LEGAL EX 10/31/12	\$225.00
			<b>Check Total</b>	<b>\$225.00</b>
THOMPSON & HORTON LLP	249130	1/24/2013	SERV THRU 12/31/12	\$600.00

			SERV THRU 11/30/12	\$2,925.00
			<b>Check Total</b>	<b>\$3,525.00</b>
THOMPSON & HORTON LLP	250209	2/28/2013	GEN LEGAL TO 1/31/13	\$1,500.00
			<b>Check Total</b>	<b>\$1,500.00</b>
THOMPSON & HORTON LLP	250960	4/4/2013	GEN LEGAL THRU 2/28	\$115.00
			<b>Check Total</b>	<b>\$115.00</b>
THOMPSON & HORTON LLP	251985	5/9/2013	OPEN PURCHASE ORDER FOR M	\$750.00
			<b>Check Total</b>	<b>\$750.00</b>
THOMPSON & HORTON LLP	252816	6/6/2013	GEN LEGAL THRU 4/30	\$2,250.00
			<b>Check Total</b>	<b>\$2,250.00</b>
THOMPSON & HORTON LLP	253536	7/18/2013	GENLEGAL THRU 5/31/13	\$1,593.75
			<b>Check Total</b>	<b>\$1,593.75</b>
THOMPSON & HORTON LLP	254010	8/22/2013	GEN SERV THRU 6/30/13	\$750.00
			GEN SERV THRU 7/31/13	\$1,290.00
			<b>Check Total</b>	<b>\$2,040.00</b>
THOMPSON & HORTON LLP	254902	10/3/2013	GEN LEGAL THRU 8/31	\$600.00
			<b>Check Total</b>	<b>\$600.00</b>
THOMPSON & HORTON LLP	255548	10/24/2013	LEGAL EXPN THRU 09/30	\$500.68
			<b>Check Total</b>	<b>\$500.68</b>
THOMPSON & HORTON LLP	256960	12/12/2013	GEN LEGAL THRU 10/31	\$325.00
			GEN LEGAL THRU 11/30	\$450.00
			<b>Check Total</b>	<b>\$775.00</b>
THOMPSON & HORTON LLP	259351	3/20/2014	GENLEGAL THRU 1/31/14	\$3,833.46
			<b>Check Total</b>	<b>\$3,833.46</b>
THOMPSON & HORTON LLP	261523	5/29/2014	INVOICE #12590 FOR GENERA	\$222.50
			<b>Check Total</b>	<b>\$222.50</b>
THOMPSON & HORTON LLP	261764	6/5/2014	GEN SERV TO 12/2013	\$1,428.10
			<b>Check Total</b>	<b>\$1,428.10</b>
THOMPSON & HORTON LLP	262291	7/2/2014	LEGAL FEES THRU 5/31	\$612.96
			<b>Check Total</b>	<b>\$612.96</b>
THOMPSON & HORTON LLP	274925	12/3/2015	LEGAL SVC OCT 2015	\$150.00
			<b>Check Total</b>	<b>\$150.00</b>
THOMPSON & HORTON LLP	275380	12/17/2015	PROF GEN SVC-11/30/15	\$435.00

06/27/13 253236

\*\*\*\*21,570.83\*

THE SUM OF \*\*\*\*\*21570\* DOLLARS AND \*83\* CENTS

MOSES MIKE

DBA SCHOOL EXECUTIVE CONSULTING INC  
5532 ROYAL CREST  
DALLAS TX 75229

33436

19934170299000	629902	SUPT SEARCH	21,570.83	CONSULT FIRM/SUPT SEA
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33436 MOSES MIKE

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## TOMBALL INDEPENDENT SCHOOL DISTRICT

## PAYMENT AUTHORIZATION FORM

CHECK NUMBER

DATE PAID

VENDOR #: 33436

VENDOR NAME: School Executive Consulting Inc.

Mike Moses

DATE: June 21 2013

INVOICE #: Candidate Selection

NAME: Rita Beisert

INVOICE DATE: 06/20/13

LOCATION: CO-Board

DUE DATE:

DESCRIPTION: Expenses for Consulting firm for the Superintendent Search for Mr. Neubauer's replacement

Item #	Budget Code	Account	Amount	1099	Item #	Budget Code	Account	Amount	1099
01)	19934170299000	629902	21570.83	<u>total</u> <u>in board</u>	11)				
02)					12)				
03)					13)				
04)					14)				
05)					15)				
06)					16)				
07)					17)				
08)					18)				
09)					19)				
10)					20)				

TOTAL AMOUNT DUE: \$21,570.83

SPECIAL INSTRUCTIONS:

BUDGET MANAGER APPROVAL:

WHITE - AUDIT COPY  
COLORED - FOR COPY - OPTIONAL

06/20/2013



**Meeting with Mike Moses and David Thompson - Superintendent Search Firm**

**From** Rita Beisert  
Amy Schindewolf, Carol Houston, Darrell Mcreynolds, Gregory  
**To** Chappell Jr, Greg Quinn, Jeanine Deyoe, Jo Ann Colson, Kate Lacy,  
Mary Marshall, Meredith Walker, Becky Dale, Robert Frost, Daron  
Aston, Teresa Sullivan, Valerie Petrzeka  
**Date** 2013/03/21 16:29  
**Subject:** Meeting with Mike Moses and David Thompson - Superintendent  
Search Firm

The Board of Trustees would like to have the Principals meet with the Superintendent Search Firm and give them your thoughts concerning the profile of the next Superintendent.

**Mike Moses**

**From** Rita Beisert

**To** Gayle Henry, John Neubauer

**Date** 2013/03/27 08:36

**Subject:** Mike Moses

Mike Moses would like to speak with you at 10:45 for about 15 min about the search. He will call you.  
Peggy's number is 214.859.9372 should you need to reschedule.

RE: Letter of Engagement from David Thompson and Mike Moses

From Peggy Smith  
To McStravick, John Rita Beisert  
Date 2013/02/25 08:39  
Subject: RE: Letter of Engagement from David Thompson and Mike Moses

This email contained an attached file "image001.gif" that was Parked by MessageScreen™ Email Firewall. You may retrieve the attachment by clicking here: [image001.gif](#)

Thanks so much! This will work perfectly.

Have a great weekend.

Peggy

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From: McStravick, John  
Sent: Friday, February 22, 2013 1:31 PM  
To: Peggy Smith  
Cc: ritabeisert@tomballisd.net  
Subject: RE: Letter of Engagement from David Thompson and Mike Moses

} 552.117

Peggy,

Attached find a scan of the fully executed engagement letter. I think we are all set now. Let Rita, our Board secretary (copied above), know if you need an original mailed. (Rita, please use the attached for TISD records and to provide to the full Board. I can give you the original Wed if necessary.)

Thanks and have a good weekend...JEM

  
John E. McStravick, P.E.

} 552.117

\*\*\*\*\*  
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\*\*\*\*\*

**From:** Peggy Smith [mailto:PSmith@swst.com]  
**Sent:** Wednesday, February 20, 2013 4:27 PM  
**To:** McStravick, John  
**Subject:** Letter of Engagement from David Thompson and Mike Moses

Mr. McStravick,

Attached you will find the letter of engagement from Mr. Thompson and Dr. Moses. Also, Dr. Moses wanted me to let you know that a new timeline will be forthcoming.

Thanks so much,

Peggy Smith

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**School Executive Consulting, Inc.***Mike Moses, Ed.D*

5532 Royal Crest  
Dallas, TX 75229  
Phone: 214-363-0794  
Fax: 214-363-0796

**INVOICE**

**TO:**  
Tomball Independent School District  
310 S. Cherry St.  
Tomball, TX 77375

**FOR:**  
Superintendent Search Consulting Services

ATTN: John McStravick

DESCRIPTION	AMOUNT
Candidate Expenses	\$234.48
Advertising Expense - TexasISD.com, TASA	\$200.00
Supplies/Postage	\$125.00
Consultant Expenses	\$1011.35
Consultant Fee	\$20,000.00
TOTAL	\$21,570.83

Make checks payable to: School Executive Consulting, Inc.

( 552.136

*Mike Moses*

Thank you.

# CONFLICT OF INTEREST QUESTIONNAIRE

FORM CIQ

For vendor or other person doing business with local governmental entity

This questionnaire reflects changes made to the law by H.B. 1491, 80th Leg., Regular Session.

This questionnaire is being filed in accordance with Chapter 176, Local Government Code by a person who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the person meets requirements under Section 176.006(a).

By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th business day after the date the person becomes aware of facts that require the statement to be filed. See Section 176.006, Local Government Code.

A person commits an offense if the person knowingly violates Section 176.006, Local Government Code. An offense under this section is a Class C misdemeanor.

## OFFICE USE ONLY

Date Received

1 Name of person who has a business relationship with local governmental entity.

NA

2 ☐ Check this box if you are filing an update to a previously filed questionnaire.

(The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 7th business day after the date the originally filed questionnaire becomes incomplete or inaccurate.)

3 Name of local government officer with whom filer has employment or business relationship.

NA  
Name of Officer

This section (item 3 including subparts A, B, C & D) must be completed for each officer with whom the filer has an employment or other business relationship as defined by Section 176.001(1-a), Local Government Code. Attach additional pages to this Form CIQ as necessary.

A. Is the local government officer named in this section receiving or likely to receive taxable income, other than investment income, from the filer of the questionnaire?

☐

Yes

☐

No

B. Is the filer of the questionnaire receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer named in this section AND the taxable income is not received from the local governmental entity?

☐

Yes

☐

No

C. Is the filer of this questionnaire employed by a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership of 10 percent or more?

☐

Yes

☐

No

D. Describe each employment or business relationship with the local government officer named in this section.

4

NA

Signature of person doing business with the governmental entity

Date

Certification Regarding Debarment Suspension, Ineligibility and Voluntary  
Exclusion  
Lower Tier Covered Transactions

This certificate is required by the regulations implementing Executive Order 12549, Debarment and Suspension, 7 CFR Part 3017, Section 3017.510, Participants' responsibilities. The regulations were published as Part IV of the January 30, 1989, *Federal Register* (pages 4722-4733). Copies of the regulations may be obtained by contacting the Department of Agriculture agency with which this transaction originated.


- 1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by a Federal department or agency.
- 2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation of this proposal.

School Executive Consulting, Inc.

Organization Name

Mike Moses

Name and Title of Authorized Representative

  
Signature

06/21/2013

Date



## ***Tomball Independent School District***

### **Vendor Application Form**

**Return completed application to:**

**Tomball ISD Purchasing Department, 310 South Cherry St, Tomball, TX 77375-6668**

<b>Vendor Application</b>	
Vendor Name	School Executive Consulting, Inc.
Federal/Tax ID Number	680556803
Address	1201 Elm St., Suite 3500
City	Dallas
State	TX
Zip Code	75270
County	Dallas
Description of goods/services you wish to provide to the District	Superintendent Search
Company email address	mmoses@swst.com
Contact Name	Mike Moses/David Thompson
Phone Number	214-859-9372
Fax Number	214-859-9309
Email Address	mmoses@swst.com
Co-op Memberships (check one)	<input type="checkbox"/> Buyboard <input type="checkbox"/> HCDE <input type="checkbox"/> TCPN <input type="checkbox"/> HGACBuy <input type="checkbox"/> 2013 Coop (ESC-20) <input type="checkbox"/> Other
HUB (check one)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
HUB expiration date	
<b>Internal Use – TISD only</b>	
Date	
Vendor Number	
Commodity Code 1	
Commodity Code 2	
Commodity Code 3	
Commodity Code 4	
Commodity Code 5	
Commodity Code 6	
Comments	

Please see the information on the District Website regarding Conflict of Interest located under Departments, Purchasing.



SCHOOL EXECUTIVE CONSULTING, INC.

1201 Elm Street, Suite 3500

Dallas, Texas 75270

February 20, 2013

Board of Trustees  
Tomball Independent School District  
310 S. Cherry St.  
Tomball, TX 77375

Re: Engagement of School Executive Consulting, Inc. for Superintendent Selection  
Process

Dear Board of Trustees:

We are very pleased that the Board of Trustees of the Tomball Independent School District is considering an engagement with School Executive Consulting, Inc. (Firm) as the search consultant to the District to assist the District with the selection of the superintendent. For the District to receive the maximum benefit from this representation, we believe it is helpful to define the expectations for the relationship. The purpose of this engagement letter is to set forth the roles and responsibilities to both the Firm and the District.

1. Scope of Engagement. As search consultant for the District, we will provide services related to the District's selection of its superintendent in accordance with the following:
  - a. We will assist the Board of Trustees in recruiting and reviewing candidates that the Board may wish to consider for the position.
  - b. We will assist the Board of Trustees in preparing for an evaluation process of any candidates the Board may wish to consider.
  - c. We will assist the Board of Trustees in preparing an evaluation instrument for any candidates that the Board may wish to consider.
  - d. We will assist the Board of Trustees in preparing for the interview process with any candidate that the Board may wish to consider.
  - e. We will furnish interview questions for the Board of Trustees to utilize with any candidates that the Board may wish to consider.

- f. We will help to prepare a report document to the community outlining both the interview and evaluation process utilized to consider any candidates.
  - g. We will assist the Board of Trustees in the preparation of a final contract document with any candidates that the Board shall identify its finalist for the position.
- 2. Fees. Our total consultant fee, not including incidental charges, for assisting the Board in this process is \$20,000.00.
- 3. Incidental Charges. In addition to our fees, we will only charge for items incidental to the performance of our consulting services, such as advertising, travel expenses at coach rates or mileage rates approved by the Internal Revenue Code, and hotel accommodations (at mid-level rates). These charges will be itemized on our billing invoice to be submitted as set forth in number 4 below; supporting documentation for such charges will be provided at the District's request.
- 4. Invoices. We will submit one invoice at the successful conclusion of the selection process. The District agrees to pay the statement within thirty (30) days after receipt. The Board is encouraged to review the statement and discuss any question with us concerning the level of activities and the nature of the services rendered.
- 5. Cooperation. To enable us to render effective consulting services, we ask the District to agree to advise us of all facts and keep us informed of all developments relating to the matters referred to us by the District. We necessarily must rely on the accuracy and completeness of the facts and information the district provides us. Also, we cannot address any concerns with our representation unless we have knowledge of the concerns. Accordingly, if any problems or concerns arise during the course of our representation, please call us so the concerns may be addressed at the earliest possible time.
- 6. "At-Will" Engagement. Our engagement by the District is "at-will" and may be terminated by either of us at any time by written notice to the other party. In the event of such termination, the District is only responsible for payment for Incidental Charges incurred through the date of termination.
- 7. Documents. An essential factor in the Firm's ability to effectively perform its services to its clients is the Firm's ability to ensure confidentiality of all documents submitted to the Firm by all candidates in the search process. As

such, the Firm maintains all candidate documents submitted to the Firm as its proprietary information, and candidates that submit information to the Firm do so in reliance upon this promise confidentiality (hereinafter, all documents submitted by candidates for the superintendent search are referred to as "proprietary information"). Disclosure of this proprietary information would cause substantial harm to the competitive position of the Firm. As such, the district may not disclose the Firm's proprietary information to any third party without the Firm's express permission. We will retain all proprietary information in our files for a limited time before destroying them in accordance with our record retention program.

Very truly yours,

School Executive Consulting, Inc.

*David Thompson*

David Thompson

*Mike Moses*

Mike Moses

Approved By: *John E. McArthur*

Date: 2/22/13

President, Board of Trustees

Tomball Independent School District



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HOUSTON, TEXAS 77057  
PHONE: (713) 960-6000 • FAX: (713) 960-6025  
[www.rmglp.com](http://www.rmglp.com)

STEPHANIE E. MAHER  
Direct Dial: (713) 960-6037  
[smaher@rmglp.com](mailto:smaher@rmglp.com)

April 25, 2016

Via CM-RRR 7013 2250 0002 1875 4986 &  
Emai: [dtompson@thompsonhorton.com](mailto:dtompson@thompsonhorton.com)

Dr. Mike Moses  
Mr. David Thompson  
School Executive Consulting, Inc.  
128 South Bay Drive  
Bullard, Texas 75757

Re: Texas Public Information Act Request Submitted for  
Tomball Independent School District

Dear Dr. Moses and Mr. Thompson:

**We are sending you this statutorily required notice as you are Tomball Independent School District's contact for your company.**

We have received a formal request to inspect or copy some of our files. A copy of the request for information is enclosed. The requested files include records we received from you or from your company. **The Office of the Attorney General is reviewing this matter,** and will issue a decision on whether Texas law requires us to release your records. Generally, the Public Information Act (the "Act") requires the release of requested information, but there are exceptions. As described below, you have the right to object to the release of your records by submitting written arguments to the attorney general that one or more exceptions apply to your records. You are not required to submit arguments to the attorney general, but if you decide not to submit arguments, the Office of the Attorney General will presume that you have no interest in withholding your records from disclosure. In other words, if you fail to take timely action, the attorney general will more than likely rule that your records must be released to the public. If you decide to submit arguments, **you must do so not later than the tenth business day after the date you receive this notice.**

If you submit arguments to the attorney general, you must:



1. identify the legal exceptions that apply,
2. identify the specific parts of each document that are covered by each exception, and
3. explain why each exception applies.

Gov't Code § 552.305(d). A claim that an exception applies without further explanation will not suffice. Attorney General Opinion H-436 (1974). You may contact this office to review the information at issue in order to make your arguments. We will provide the attorney general with a copy of the request for information and a copy of the requested information, along with other material required by the Act. The attorney general is generally required to issue a decision within 45 business days.

Please send your written comments to the Office of the Attorney General at the following address:

Office of the Attorney General  
Open Records Division  
P.O. Box 12548  
Austin, Texas 78711-2548

If you wish to submit your written comments electronically, you may only do so via the Office of the Attorney General's eFiling System. An administrative convenience charge will be assessed for use of the eFiling System. No other method of electronic submission is available. Please visit the attorney general's website at <http://www.texasattorneygeneral.gov> for more information.

In addition, you are required to provide the requestor with a copy of your communication to the Office of the Attorney General. Gov't Code § 552.305(e). You may redact the requestor's copy of your communication to the extent it contains the substance of the requested information. Gov't Code § 552.305(e).

### **Commonly Raised Exceptions**

In order for a governmental body to withhold requested information, specific tests or factors for the applicability of a claimed exception must be met. Failure to meet these tests may result in the release of requested information. We have listed the most commonly claimed exceptions in the Government Code concerning proprietary



information and the leading cases or decisions discussing them. This listing is not intended to limit any exceptions or statutes you may raise.

**Section 552.101: Information Made Confidential by Law**

Open Records Decision No. 652 (1997).

**Section 552.110: Confidentiality of Trade Secrets and Commercial or Financial Information**

Trade Secrets:

In re Bass, 113 S.W.3d 735 (Tex. 2003).

Hyde Corp. v. Huffines, 314 S.W.2d 763, 776 (Tex.), cert. denied, 358 U.S. 898 (1958).

Open Records Decision No. 552 (1990).

Commercial or Financial Information:

Birnbaum v. Alliance of Am. Insurers, 994 S.W.2d 766 (Tex. App.--Austin 1999, pet. filed)

(construing previous version of section 552.110), abrogated by In re Bass, 113 S.W.3d 735 (Tex. 2003).

Open Records Decision No. 639 (1996).

Open Records Decision No. 661 (1999).

**Section 552.113: Confidentiality of Geological or Geophysical Information**

Open Records Decision No. 627 (1994).

**Section 552.131: Confidentiality of Certain Economic Development Negotiation Information**

If you have questions about this notice or release of information under the Act, please refer to the Public Information Handbook published by the Office of the Attorney General, or contact the attorney general's Open Government Hotline at (512) 478-OPEN (6736) or toll-free at (877) 673-6839 (877-OPEN TEX). To access the Public Information



April 25, 2016  
Page 4

Handbook or Attorney General Opinions, including those listed above, please visit the attorney general's website at <http://www.texasattorneygeneral.gov>.

Very truly yours,

ROGERS, MORRIS & GROVER, L.L.P.



Stephanie E. Maher  
Counsel for Tomball Independent School  
District

Enclosure: Copy of March 1, 2016 request for information.

cc: Chris Trotter

*Via email, w/o encls.*



*Via CM-RRR 7013 2250 0002 1875 4979, w/o encl.*

Honorable Ken Paxton  
Attorney General of Texas  
Capital Station  
Post Office Box 12548  
Austin, Texas 78711-2548  
Attention: Open Records Division

*Via CM-RRR 7013 2250 0002 1875 4962, w/o encl.*

