



**BOARD OF TRUSTEES, EL PASO INDEPENDENT SCHOOL DISTRICT
SPECIAL BOARD MEETING
JUNE 15, 2026
5:00 PM
EPISD Administration Building (1014 North Stanton Street, El Paso, Texas, 79902)**

Videoconference Notice:

A quorum of the Board of Trustees will be physically present at the EPISD Administration Building (1014 North Stanton Street, El Paso, Texas, 79902), and it is the intent to have a quorum of the Board present at that location. Pursuant to Texas Government Code 551.127, if a quorum of the Board is physically present at the designated location, other Trustees may attend and participate in this meeting via videoconference.

**Announcement of Meeting/Agenda
As Directed under the Provisions of the
Texas Open Meetings Act,
Texas Government Code, Chapter 551**

If, during the course of the meeting covered by this Notice, the Board of Trustees should determine that a closed or executive meeting or session of the Board of Trustees is required, then such closed or executive meeting or session as authorized by the Texas Open Meetings Act, Texas Government Code Section 551.001 et seq., or Texas Government Code 418.183 (f), will be held by the School Board at the date, hour, and place given in this Notice or as soon after the commencement of the meeting covered by this Notice as the School Board may conveniently meet in such closed or executive meeting or session concerning any and all purposes permitted by the Act. 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.

Subject of Meeting

1. **Call to Order**
2. **Meeting to be Closed Under Sections 551.071 and 551.074 of the Texas Government Code as follows:**
 - A. **Consultation with Legal Counsel Concerning Legal Issues Related to:**
 1. Recommendation of Proposed Termination of One-Year Probationary Contracts Certified Classroom Teacher for the 2026-2027 School Year: Probationary Contracts Years 1, 2, and 3 Employees Unassigned or in Temporary Staff Teacher Positions; Pursuant to Texas Government Code Sections 551.071 and 551.074
 2. Recommendation of Proposed Termination of One-Year Probationary Contracts Certified Classroom Teacher for the 2026-2027 School Year: Campus and/or Department Probationary Contracts Years 1 and 2 at the Following Campuses and/ or Departments: Andress High School, Austin High School, Bobby Joe Hill PK-8, Bowie High School, Brown Middle School, Canyon Hills Middle School, Chapin High School, Coach Wally Hartley PK-8, Coronado High School, Delta Academy, Don Haskins PK-8, Dr. Josefina V. Tinajero PK-8, El Paso High School, Franklin High School, Hornedo Middle School, Irvin High School, Jefferson High School, Magoffin Middle School, and Wiggs Middle School with the Following Teaching Positions and Titles: Middle School Science, Business, High School AP Social Studies Combo, High School Science Combination, High School EL English Teacher, High School Social Studies, Middle School Social Studies, High School AP English Combo, Middle School Social Studies Combo, Staff Teacher, High School English, Middle School Math, High School Mathematics, Middle School Physical Education, and High School Science; Pursuant to Texas Government Code Sections 551.071 and 551.074
 3. Recommendation of Proposed Termination of One-Year Term Contract Certified Administrator or Professional for the 2026-2027 School Year: Academics - Advanced Academics, Facilitator Planetarium; Pursuant to Texas Government Code Sections 551.071 and 551.074
 4. Recommendation of Proposed Termination of One-Year Term Contract Certified Administrator or

Professional for the 2026-2027 School Year: Diagnostician Positions; Pursuant to Texas Government Code Sections 551.071 and 551.074

5. Recommendation of Proposed Termination of One-Year Term Contracts Certified Classroom Teacher and One-Year Probationary Contracts Certified Classroom Teacher for the 2026-2027 School Year: High School Testing Coordinator Positions; Pursuant to Texas Government Code Sections 551.071 and 551.074
6. Recommendation of Proposed Termination of One-Year Term Contract Certified Classroom Teacher for the 2026-2027 School Year: Bliss Elementary School Instructional Coach Positions; Pursuant to Texas Government Code Sections 551.071 and 551.074
7. Recommendation of Proposed Termination of One-Year Term Contract Certified Classroom Teacher for the 2026-2027 School Year: Clendenin Elementary School Instructional Coach Positions; Pursuant to Texas Government Code Sections 551.071 and 551.074
8. Recommendation of Proposed Termination of One-Year Term Contract Certified Classroom Teacher for the 2026-2027 School Year: Crockett Elementary School Instructional Coach Positions; Pursuant to Texas Government Code Sections 551.071 and 551.074
9. Recommendation of Proposed Termination of One-Year Term Contract Certified Classroom Teacher for the 2026-2027 School Year: Hart Elementary School Instructional Coach Positions; Pursuant to Texas Government Code Sections 551.071 and 551.074
10. Recommendation of Proposed Termination of One-Year Term Contract Certified Classroom Teacher for the 2026-2027 School Year: Tom Lea Elementary School Instructional Coach Positions; Pursuant to Texas Government Code Sections 551.071 and 551.074
11. Recommendation of Proposed Termination of One-Year Term Contract Certified Classroom Teacher for the 2026-2027 School Year: Torres Elementary School Instructional Coach Positions; Pursuant to Texas Government Code Sections 551.071 and 551.074
12. Declaration that One-Year Contracts Administrator or Professional Position not Requiring Certification by the State Board for Education Certification for Designated Employment Areas of Master Social Worker and School Psychologist Positions are Terminated thereby Authorizing Administration to Determine the Positions to be Eliminated; Pursuant to Texas Government Code Sections 551.071 and 551.074

Any final action as a result of this discussion will be taken at the re-opening of this meeting, later during the Open Session or at a subsequent meeting.

3. Action Items to be Considered after Closed Session

- A. [Discuss and Take Appropriate Action on Recommendation for Proposed Termination of One-Year Probationary Contracts Certified Classroom Teacher for the 2026-2027 School Year: Probationary Contracts Years 1, 2, and 3 Employees Unassigned or in Temporary Staff Teacher Positions](#)
(To allow the Board to take action, if needed)
- B. [Discuss and Take Appropriate Action on Recommendation for Proposed Termination of One-Year Probationary Contracts Certified Classroom Teacher for the 2026-2027 School Year: Campus and/or Department Probationary Contracts Years 1 and 2 at the Following Campuses and/ or Departments: Andress High School, Austin High School, Bobby Joe Hill PK-8, Bowie High School, Brown Middle School, Canyon Hills Middle School, Chapin High School, Coach Wally Hartley PK-8, Coronado High School, Delta Academy, Don Haskins PK-8, Dr. Josefina V. Tinajero PK-8, El Paso High School, Franklin High School, Hornedo Middle School, Irvin High School, Jefferson High School, Magoffin Middle School, and Wiggs Middle School with the Following Teaching Positions and Titles: Middle School Science, Business, High School AP Social Studies Combo, High School Science Combination, High School EL English Teacher, High School Social Studies, Middle School Social Studies, High School AP English Combo, Middle School Social Studies Combo, Staff Teacher, High School English, Middle School Math, High School Mathematics, Middle School Physical Education, and High School Science](#)
(To allow the Board to take action, if needed)
- C. [Discuss and Take Appropriate Action on Recommendation for Proposed Termination of One-Year Term Contract Certified Administrator or Professional for the 2026-2027 School Year: Academics - Advanced Academics, Facilitator Planetarium](#)
(To allow the Board to take action, if needed)

- D. Discuss and Take Appropriate Action on Recommendation for Proposed Termination of One-Year Term Contract Certified Administrator or Professional for the 2026-2027 School Year: Diagnostician Positions
(To allow the Board to take action, if needed)
- E. Discuss and Take Appropriate Action on Recommendation for Proposed Termination of One-Year Term Contracts Certified Classroom Teacher and One-Year Probationary Contracts Certified Classroom Teacher for the 2026-2027 School Year: High School Testing Coordinator Positions
(To allow the Board to take action, if needed)
- F. Discuss and Take Appropriate Action on Recommendation for Proposed Termination of One-Year Term Contract Certified Classroom Teacher for the 2026-2027 School Year: Bliss Elementary School Instructional Coach Positions
(To allow the Board to take action, if needed)
- G. Discuss and Take Appropriate Action on Recommendation for Proposed Termination of One-Year Term Contract Certified Classroom Teacher for the 2026-2027 School Year: Clendenin Elementary School Instructional Coach Positions
(To allow the Board to take action, if needed)
- H. Discuss and Take Appropriate Action on Recommendation for Proposed Termination of One-Year Term Contract Certified Classroom Teacher for the 2026-2027 School Year: Crockett Elementary School Instructional Coach Positions
(To allow the Board to take action, if needed)
- I. Discuss and Take Appropriate Action on Recommendation for Proposed Termination of One-Year Term Contract Certified Classroom Teacher for the 2026-2027 School Year: Hart Elementary School Instructional Coach Positions
(To allow the Board to take action, if needed)
- J. Discuss and Take Appropriate Action on Recommendation for Proposed Termination of One-Year Term Contract Certified Classroom Teacher for the 2026-2027 School Year: Tom Lea Elementary School Instructional Coach Positions
(To allow the Board to take action, if needed)
- K. Discuss and Take Appropriate Action on Recommendation for Proposed Termination of One-Year Term Contract Certified Classroom Teacher for the 2026-2027 School Year: Torres Elementary School Instructional Coach Positions
(To allow the Board to take action, if needed)
- L. Discuss and Take Appropriate Action on Declaration that One-Year Contracts Administrator or Professional Position not Requiring Certification by the State Board for Education Certification for Designated Employment Areas of Master Social Worker and School Psychologist Positions are Terminated thereby Authorizing Administration to Determine the Positions to be Eliminated
(To allow the Board to take action, if needed)

4. Adjournment

If not adjourned beforehand, the meeting will recess at 11:00 p.m. or within a reasonable timeframe thereafter. If there is any unfinished business, the meeting will be reconvened at 5:00 p.m. on Tuesday of the following week to take up any such unfinished business.

Superintendent

The district condemns and prohibits discrimination, including harassment, against any employee on the basis of race, color, age, sex, religion, national origin, marital status, citizenship, military status, disability, genetic information, gender stereotyping and perceived sexuality, perceived or actual sexual orientation, gender identity or gender expression, or any other basis prohibited by law. Inquiries concerning the application of Title VI, VII, and IX, and Section 504 may be referred to the District Compliance Officer, Rosa Ramos, at (915) 230-2031; 504 inquiries regarding students may be referred to Kelly Ball at (915) 230-2856.



Board of Trustees
Executive Summary of Board Agenda Item

TITLE:

Discuss and Take Appropriate Action on Recommendation for Proposed Termination of One-Year Probationary Contracts Certified Classroom Teacher for the 2026-2027 School Year: Probationary Contracts Years 1, 2, and 3 Employees Unassigned or in Temporary Staff Teacher Positions

JUSTIFICATION STATEMENT:

To allow the Board to take action, if needed

PURPOSE OF AGENDA ITEM: Action

TO BE HELD IN: Open Session

TEXAS GOVERNMENT CODES:

AUTHORITY FOR ACTION: Legal/Local Policy

STAFF RESPONSIBLE: Dr. Brian Lusk, Superintendent; Cezy Collins, Legal Counsel

DISTRICT IMPROVEMENT PLAN OBJECTIVE, GOAL, OR NEED ADDRESSED:

SUMMARY:

On June 4, 2026, the Board of Trustees declared a Financial Exigency for the 2025-2026 fiscal year and extended that Financial Exigency into the 2026-2027 fiscal year. See Exhibit A. Also on June 4, 2026, the Board designated the attached employment areas to be affected by the Reduction in Force in accordance with DFFA (Local). See Exhibit B. A reduction in force due to financial exigency is good cause for termination of a probationary contract.

Due to the Financial Exigency all positions in the employment area of Probationary Contracts Years 1, 2, and 3 employees unassigned or in temporary staff teacher positions are being eliminated for 2026-2027. All probationary contracts for 2026-2027 in the employment area of Probationary Contracts Years 1, 2, and 3 employees unassigned or in temporary staff teacher positions are recommended for proposed termination.

ADMINISTRATIVE RECOMMENDATION/MOTION:

FUNDING SOURCE: ACCOUNT NO.:

FISCAL IMPACT AND COST:

IMPACT ON OTHER FUCTIONS/OPERATIONS:

CONSEQUENCES OF NON-APPROVAL:

IMPLEMENTATION TIMELINE:

COMMENTS RECEIVED, IF ANY:

ATTACHMENTS:

[Exhibit A - Financial Exigency Forms.pdf](#)

[ExhibitB.Employment areas and DFFA\(LOCAL\).pdf](#)



Declaration of Financial Exigency Financial Compliance Division

The terms of this form are governed by 19 Texas Administrative Code Chapter 109, Subchapter BB, §109.2001.

Definition

Financial exigency means the financial position of the school district as a whole is such that the financial resources of the school district are insufficient to support the school district's instructional programs or the school district is unable to finance the full compensation of staff for the current or succeeding fiscal year.

Requestor Information

Name of School District	County-District Number	
El Paso Independent School District	071-902	
Date of Initial Declaration (expires on last day of fiscal year)	Fiscal Year Begin Date	Fiscal Year End Date
	07/01/2025	06/30/2026

Reason for Declaration

Financial exigency may be declared by the board of trustees for different reasons. Please select your school district's reason for declaration or extension of financial exigency (check all that apply):

- 1. A decrease of more than 20 percent in unassigned General Fund balance per student in weighted average daily attendance over the past two years or a projected reduction of 20 percent compared to the current year.
- 2. A decline in enrollment by more than 10 percent over the past five years.
- 3. A reduction of more than 10 percent in total General Fund total funding per student in weighted average daily attendance over one year or a projected reduction of 10 percent compared to the current year.
- 4. A natural disaster or casualty loss defined as damage, destruction, or loss of property resulting from an identifiable event that is sudden, unexpected, or unusual; and that requires expenditures for repair or remediation in excess of 15 percent of the current-year General Fund budget.
- 5. Any of the following, or a combination of the following, that exceeds 15 percent of the current-year General Fund budget: an unanticipated major expense, including significant repair costs; litigation expenses, excluding lawsuits against the state; or tax refunds.
- 6. Any other circumstances approved in writing by the commissioner of education. (Please attach documentation and a description of the circumstances.)

Approval

This form must be printed and signed by the board president and superintendent. TEA must receive the declaration of financial exigency within 20 calendar days of declaration. Please mail the signed form to Texas Education Agency, Financial Compliance Division, 1701 N. Congress Ave., Austin, TX 78701.

Certification

I hereby certify that the board has determined that the school district meets one or more of the reasons for declaration of financial exigency in accordance with 19 TAC Chapter 109, Subchapter BB, §109.2001.

Name of Board President	Signature of Board President	Signature Date
Leah Hanany		6/4/26
Name of Superintendent	Signature of Superintendent	Signature Date
Brian Lusk, Ed.D.		6/4/26

For TEA Use Only

Received Date



Board Resolution to Extend or Terminate a Declaration of Financial Exigency

Financial Compliance Division

The terms of this form are governed by 19 Texas Administrative Code Chapter 109, Subchapter BB, §109.2001.

Requestor Information

Name of School District	County-District Number
<input type="text" value="El Paso Independent School District"/>	<input type="text" value="071-902"/>

Resolution

Be it resolved by the Board of Trustees for Name of School District

that the declaration of financial exigency adopted on Date of Initial Declaration

for the fiscal year ended June 30, Year OR August 31, Year

- is extended for another fiscal year. The board has determined that the district continues to meet one or more of the reasons given on its *initial* Declaration of Financial Exigency.
- is terminated as of the date of this resolution.

Approval

Agreed and accepted on Date

This form must be printed and signed by the board president and superintendent. TEA must receive the resolution to extend or terminate a declaration of financial exigency within 20 days of the agreed and accepted date above.

Please mail the signed form to:
Texas Education Agency
Financial Compliance Division
1701 N. Congress Ave.
Austin, TX 78701

Certification

I hereby certify that the board is in compliance with 19 Texas Administrative Code Chapter 109, Subchapter BB, §109.2001 regarding declaration of financial exigency.

Name of Board President	Signature of Board President	Signature Date
<input type="text" value="Leah Hanany"/>	<input type="text" value="Leah Hanany"/>	<input type="text" value="6/4/26"/>
Name of Superintendent	Signature of Superintendent	Signature Date
<input type="text" value="Brian Lusk, Ed.D."/>	<input type="text" value="Brian Lusk, Ed.D."/>	<input type="text" value="6/4/26"/>

For TEA Use Only

Received Date

El Paso ISD (071-902)
(2025-2026)-(2026-2027)
Financial Exigency

Fiscal Year	Fund Balance Source	Unassigned General Operating FB	WADA	FB Per WADA	% Change	
2021-2022	Audited	\$ 125,155,933	64,706.07	\$ 1,934.22		
2022-2023	Audited	\$ 127,953,604	63,136.80	\$ 2,026.61	4.78%	
2023-2024	Audited	\$ 120,461,757	62,912.83	\$ 1,914.74	-5.52%	
2024-2025	Audited	\$ 101,016,490	61,680.13	\$ 1,637.75	-14.47%	-19.19%
2025-2026	Projected	\$ 60,287,685	59,379.92	\$ 1,015.29	-38.01%	-46.98%
2026-2027	Projected	\$ 22,325,380	58,069.66	\$ 384.46	-62.13%	-76.53%

FE - A decrease of more than 20 percent in unassigned General Fund balance per student in weighted average daily attendance over the past two years or a projected reduction of 20 percent compared to the current year.

Fiscal Year	Fund Balance Source	Total General Fund Revenues	WADA	Funding Per WADA	% Change	
2021-2022	Audited	\$522,518,951	64,706.07	8,075.27		
2022-2023	Audited	\$520,468,794	63,136.80	8,243.51	2.08%	
2023-2024	Audited	\$533,583,388	62,912.83	8,481.31	2.88%	
2024-2025	Audited	\$516,091,008	61,680.13	8,367.22	-1.35%	
2025-2026	Projected	\$527,933,812	59,379.92	8,890.78	6.26%	

Fiscal Year	Source	Enrollment	% Change	5 Year Change
2021-2022	PEIMS	50,769		
2022-2023	PEIMS	50,031	-1.45%	
2023-2024	PEIMS	49,139	-1.78%	
2024-2025	PEIMS	48,118	-2.08%	
2025-2026	PEIMS	46,244	-3.89%	-8.91%

Employment Areas Affected by Reduction in Force

Probationary Contracts Years 1, 2, and 3 employees unassigned or in temporary staff teacher positions;

Campus and/or department Probationary Contracts Years 1 and 2 at the following campuses and/ or departments: Andress High School, Austin High School, Bobby Joe Hill PK-8, Bowie High School, Brown Middle School, Burges High School, Canyon Hills Middle School, Chapin High School, Coach Wally Hartley PK-8, Coronado High School, Delta Academy, Don Haskins PK-8, Dr. Josefina V. Tinajero PK-8, El Paso High School, Franklin High School, Hornedo Middle School, Irvin High School, Jefferson High School, Magoffin Middle School, SPED Instructional Services, Telles Academy, Wiggs Middle School, and Young Women's Academy with the following teaching positions and titles: High School AP Math Combo, High School AP Science Combo, Middle School Science, Business, High School AP Social Studies Combo, High School Science Combination, High School EL English Teacher, High School Social Studies, Middle School Social Studies, High School AP English Combo, Middle School Social Studies Combo, High School Social Studies Combination, Staff Teacher, High School English, Middle School Math, High School Mathematics, Middle School Physical Education, and High School Science;

Academics - Advanced Academics, Facilitator Planetarium positions;

Diagnostician positions;

High School Testing Coordinator positions;

Bliss Elementary School Instructional Coach positions;

Clendenin Elementary School Instructional Coach positions;

Cooley Elementary School Instructional Coach positions;

Crockett Elementary School Instructional Coach positions;

Hart Elementary School Instructional Coach positions;

Logan Elementary School Instructional Coach positions;

Moye Elementary School Instructional Coach positions;

Powell Elementary School Instructional Coach positions;

Tom Lea ES Instructional Coach positions;

Torres Elementary School Instructional Coach positions;

Mesita EC/DC Instructional Coach positions;

Milam Elementary School Instructional Coach positions;

Special Education Department, Climate Behavior Specialist positions;

Master Social Worker positions;

Special Education Department, Facilitator positions; and

School Psychologist positions.

**Plan to Reduce
Personnel Costs**

If the Superintendent determines that there is a need to reduce personnel costs, the Superintendent shall develop, in consultation with the Board as necessary, a plan for reducing costs that may include one or more of the following:

- Salary reductions [see DEA];
- Furloughs [see DEA];
- Reductions in force of contract personnel due to financial exigency, if the District meets the standard for declaring a financial exigency as defined by the commissioner [see CEA and provisions at Reduction in Force Due to Financial Exigency, below];
- Reductions in force of contract personnel due to program change [see DFFB]; or
- Other means of reducing personnel costs.

A plan to reduce personnel costs may include the reduction of personnel employed pursuant to employment arrangements not covered at Applicability, below.

- See DCD for the termination at any time of at-will employment.
- See DFAB for the termination of a probationary contract at the end of the contract period.
- See DFCA for the termination of a continuing contract, if applicable.
- See DCE for the termination at the end of the contract period of a contract not governed by Chapter 21 of the Education Code.

**Reduction in Force
Due to Financial
Exigency**

Applicability

The following provisions shall apply when a reduction in force due to financial exigency requires:

1. The nonrenewal or termination of a term contract;
2. The termination of a probationary contract during the contract period; or
3. The termination of a contract not governed by Chapter 21 of the Education Code during the contract period.

Definitions

Definitions used in this policy are as follows:

1. "Nonrenewal" shall mean the termination of a term contract at the end of the contract period.

2. "Discharge" shall mean termination of a contract during the contract period.

General Grounds

A reduction in force may take place when the Superintendent recommends and the Board adopts a resolution declaring a financial exigency. [See CEA] A determination of financial exigency constitutes sufficient reason for nonrenewal or sufficient cause for discharge.

Employment Areas

When a reduction in force is to be implemented, the Superintendent shall recommend the employment areas to be affected.

Employment areas may include, for example:

1. Elementary grades, levels, subjects, departments, or programs;
2. Secondary grades, levels, subjects, departments, or programs, including career and technical education subjects;
3. Special programs, such as gifted and talented, bilingual/ESL programs, special education and related services, compensatory education, or migrant education;
4. Disciplinary alternative education programs (DAEPs) and other discipline management programs;
5. Counseling programs;
6. Library programs;
7. Nursing and other health services programs;
8. An educational support program that does not provide direct instruction to students;
9. Other District-wide programs;
10. An individual campus;
11. Any administrative position, unit, or department;
12. Programs funded by state or federal grants or other dedicated funding; and
13. Other contractual positions.

The Superintendent's recommendation may address whether any employment areas should be:

1. Combined or adjusted (e.g., "elementary programs" and "compensatory education programs" can be combined to identify an employment area of "elementary compensatory education programs"); and/or

2. Applied on a District-wide or campus-wide basis (e.g., “the counseling program at [named elementary campus]”).

The Board shall determine the employment areas to be affected.

Criteria for Decision

The Superintendent shall apply the following criteria to the employees within an affected employment area when a reduction in force will not result in the nonrenewal or discharge of all staff in the employment area. The criteria are listed in the order of importance and shall be applied sequentially to the extent necessary to identify the employees who least satisfy the criteria and therefore are subject to the reduction in force. For example, if all necessary reductions can be accomplished by applying the first criterion, it is not necessary to apply the second criterion, and so forth.

1. Qualifications for Current or Projected Assignment: Certification, multiple or composite certifications, bilingual certification, licensure, endorsement, and/or specialized or advanced content-specific training or skills for the current or projected assignment.
2. Performance: Effectiveness, as reflected by the most recent formal appraisal, whether completed by the District or by a previous district, and any other written evaluative information, including disciplinary information, from the last 36 months. If the Superintendent at his or her discretion decides that the documented performance differences between two or more employees are too insubstantial to rely upon, he or she may proceed to apply the remaining criteria in the order listed below.
3. Extra Duties: Currently performing an extra-duty assignment, such as department or grade-level chair, band director, athletic coach, or activity sponsor.
4. Professional Background: Professional education and work experience related to the current or projected assignment.
5. Seniority: Length of service in the District, as measured from the employee’s most recent date of hire.

Superintendent
Recommendation

The Superintendent shall recommend to the Board the nonrenewal or discharge of the identified employees within the affected employment areas.

Board Vote

After considering the Superintendent’s recommendations, the Board shall determine the employees to be proposed for nonrenewal or discharge, as appropriate.

REDUCTION IN FORCE
FINANCIAL EXIGENCY

DFFA
(LOCAL)

If the Board votes to propose nonrenewal of one or more employees, the Board shall specify the manner of hearing in accordance with DFBB(LOCAL).

If the Board votes to propose discharge of one or more employees, the Board shall determine whether the hearing will be conducted by a TEA-appointed hearing examiner [see DFD] or will be a local hearing under Education Code 21.207 [see DFBB].

Notice

The Superintendent shall provide each employee written notice of the proposed nonrenewal or discharge, as applicable. The notice shall include:

1. The proposed action, as applicable;
2. A statement of the reason for the proposed action; and
3. Notice that the employee is entitled to a hearing of the type determined by the Board.

**Consideration for
Available Positions**

An employee who has received notice of proposed nonrenewal or discharge may apply for available positions for which he or she wishes to be considered. The employee is responsible for reviewing posted vacancies, submitting an application, and otherwise complying with District procedures.

If the employee meets the District's objective criteria for the position and is the most qualified internal applicant, the District shall offer the employee the position until:

1. Final action by the Board to end the employee's contract, if the employee does not request a hearing.
2. The evidentiary hearing by the independent hearing examiner, the Board, or other person designated in DFBB(LOCAL), if the employee requests a hearing.

Hearing Request

Nonrenewal: Term
Contract

An employee receiving notice of proposed nonrenewal of a term contract may request a hearing in accordance with DFBB.

Discharge: Chapter
21 Contract

An employee receiving notice of proposed discharge from a contract governed by Chapter 21 of the Education Code may request a hearing. The hearing shall be conducted in accordance with DFD or the nonrenewal hearing process in DFBB, as determined by the Board and specified in the notice of proposed discharge.

Discharge:
Non-Chapter 21
Contract

An employee receiving notice of proposed discharge during the period of an employment contract not governed by Chapter 21 of the Education Code may request a hearing before the Board or its designee in accordance with DCE.

REDUCTION IN FORCE
FINANCIAL EXIGENCY

DFFA
(LOCAL)

Final Action

Hearing Requested

If the employee requests a hearing, the Board shall take final action after the hearing in accordance with DCE, DFBB, or DFD, as applicable, and shall notify the employee in writing.

No Hearing
Requested

If the employee does not request a hearing, the Board shall take final action in accordance with DCE, DFBB, or DFD, as applicable, and shall notify the employee in writing.



Board of Trustees
Executive Summary of Board Agenda Item

TITLE:

Discuss and Take Appropriate Action on Recommendation for Proposed Termination of One-Year Probationary Contracts Certified Classroom Teacher for the 2026-2027 School Year: Campus and/or Department Probationary Contracts Years 1 and 2 at the Following Campuses and/ or Departments: Andress High School, Austin High School, Bobby Joe Hill PK-8, Bowie High School, Brown Middle School, Canyon Hills Middle School, Chapin High School, Coach Wally Hartley PK-8, Coronado High School, Delta Academy, Don Haskins PK-8, Dr. Josefina V. Tinajero PK-8, El Paso High School, Franklin High School, Hornedo Middle School, Irvin High School, Jefferson High School, Magoffin Middle School, and Wiggs Middle School with the Following Teaching Positions and Titles: Middle School Science, Business, High School AP Social Studies Combo, High School Science Combination, High School EL English Teacher, High School Social Studies, Middle School Social Studies, High School AP English Combo, Middle School Social Studies Combo, Staff Teacher, High School English, Middle School Math, High School Mathematics, Middle School Physical Education, and High School Science

JUSTIFICATION STATEMENT:

To allow the Board to take action, if needed

PURPOSE OF AGENDA ITEM: Action

TO BE HELD IN: Open Session

TEXAS GOVERNMENT CODES:

AUTHORITY FOR ACTION: Legal/Local Policy

STAFF RESPONSIBLE: Dr. Brian Lusk, Superintendent; Cezy Collins, Legal Counsel

DISTRICT IMPROVEMENT PLAN OBJECTIVE, GOAL, OR NEED ADDRESSED:

SUMMARY:

On June 4, 2026, the Board of Trustees declared a Financial Exigency for the 2025-2026 fiscal year and extended that Financial Exigency into the 2026-2027 fiscal year. See Exhibit A. Also on June 4, 2026, the Board designated the attached employment areas to be affected by the Reduction in Force in accordance with DFFA (Local). See Exhibit B. A reduction in force due to financial exigency is good cause for termination of a probationary contract.

Due to the Financial Exigency all positions in the employment area of Campus and/or department Probationary Contracts Years 1 and 2 at the following campuses and/ or departments: Andress High School, Austin High School, Bobby Joe Hill PK-8, Bowie High School, Brown Middle School, Canyon Hills Middle School, Chapin High School, Coach Wally Hartley PK-8, Coronado High School, Delta Academy, Don Haskins PK-8, Dr. Josefina V. Tinajero PK-8, El Paso High School, Franklin High School, Hornedo Middle School, Irvin High School, Jefferson High School, Magoffin Middle School, and Wiggs Middle School with the following teaching positions and titles: Middle School Science, Business, High School AP Social Studies Combo, High School Science Combination, High School EL English Teacher, High School Social Studies, Middle School Social Studies, High School AP English Combo, Middle School Social Studies Combo, Staff Teacher, High School English, Middle School Math, High School Mathematics, Middle School Physical Education, and High School Science are being eliminated for 2026-2027. All probationary contracts for 2026-2027 in the employment area of Campus and/or department Probationary Contracts Years 1 and 2 at the following campuses and/ or departments: Andress High School, Austin High School, Bobby Joe Hill PK-8, Bowie High School, Brown Middle School, Canyon Hills Middle School, Chapin High School, Coach Wally Hartley PK-8, Coronado High School, Delta Academy, Don Haskins PK-8, Dr. Josefina V. Tinajero PK-8, El Paso High School, Franklin High School, Hornedo Middle School, Irvin High School, Jefferson High School, Magoffin Middle School, and Wiggs Middle School with the following teaching positions and titles: Middle School Science, Business, High School AP Social Studies Combo, High

School Science Combination, High School EL English Teacher, High School Social Studies, Middle School Social Studies, High School AP English Combo, Middle School Social Studies Combo, Staff Teacher, High School English, Middle School Math, High School Mathematics, Middle School Physical Education, and High School Science are recommended for proposed termination.

ADMINISTRATIVE RECOMMENDATION/MOTION:

FUNDING SOURCE: ACCOUNT NO.:

FISCAL IMPACT AND COST:

IMPACT ON OTHER FUCTIONS/OPERATIONS:

CONSEQUENCES OF NON-APPROVAL:

IMPLEMENTATION TIMELINE:

COMMENTS RECEIVED, IF ANY:

ATTACHMENTS:

[Exhibit A - Financial Exigency Forms.pdf](#)

[ExhibitB.Employment areas and DFFA\(LOCAL\).pdf](#)



Declaration of Financial Exigency Financial Compliance Division

The terms of this form are governed by 19 Texas Administrative Code Chapter 109, Subchapter BB, §109.2001.

Definition

Financial exigency means the financial position of the school district as a whole is such that the financial resources of the school district are insufficient to support the school district's instructional programs or the school district is unable to finance the full compensation of staff for the current or succeeding fiscal year.

Requestor Information

Name of School District	County-District Number	
El Paso Independent School District	071-902	
Date of Initial Declaration (expires on last day of fiscal year)	Fiscal Year Begin Date	Fiscal Year End Date
	07/01/2025	06/30/2026

Reason for Declaration

Financial exigency may be declared by the board of trustees for different reasons. Please select your school district's reason for declaration or extension of financial exigency (check all that apply):

- 1. A decrease of more than 20 percent in unassigned General Fund balance per student in weighted average daily attendance over the past two years or a projected reduction of 20 percent compared to the current year.
- 2. A decline in enrollment by more than 10 percent over the past five years.
- 3. A reduction of more than 10 percent in total General Fund total funding per student in weighted average daily attendance over one year or a projected reduction of 10 percent compared to the current year.
- 4. A natural disaster or casualty loss defined as damage, destruction, or loss of property resulting from an identifiable event that is sudden, unexpected, or unusual; and that requires expenditures for repair or remediation in excess of 15 percent of the current-year General Fund budget.
- 5. Any of the following, or a combination of the following, that exceeds 15 percent of the current-year General Fund budget: an unanticipated major expense, including significant repair costs; litigation expenses, excluding lawsuits against the state; or tax refunds.
- 6. Any other circumstances approved in writing by the commissioner of education. (Please attach documentation and a description of the circumstances.)

Approval

This form must be printed and signed by the board president and superintendent. TEA must receive the declaration of financial exigency within 20 calendar days of declaration. Please mail the signed form to Texas Education Agency, Financial Compliance Division, 1701 N. Congress Ave., Austin, TX 78701.

Certification

I hereby certify that the board has determined that the school district meets one or more of the reasons for declaration of financial exigency in accordance with 19 TAC Chapter 109, Subchapter BB, §109.2001.

Name of Board President	Signature of Board President	Signature Date
Leah Hanany		6/4/26
Name of Superintendent	Signature of Superintendent	Signature Date
Brian Lusk, Ed.D.		6/4/26

For TEA Use Only

Received Date



Board Resolution to Extend or Terminate a Declaration of Financial Exigency

Financial Compliance Division

The terms of this form are governed by 19 Texas Administrative Code Chapter 109, Subchapter BB, §109.2001.

Requestor Information

Name of School District	County-District Number
<input type="text" value="El Paso Independent School District"/>	<input type="text" value="071-902"/>

Resolution

Be it resolved by the Board of Trustees for Name of School District

that the declaration of financial exigency adopted on Date of Initial Declaration

for the fiscal year ended June 30, Year OR August 31, Year

- is extended for another fiscal year. The board has determined that the district continues to meet one or more of the reasons given on its *initial* Declaration of Financial Exigency.
- is terminated as of the date of this resolution.

Approval

Agreed and accepted on Date

This form must be printed and signed by the board president and superintendent. TEA must receive the resolution to extend or terminate a declaration of financial exigency within 20 days of the agreed and accepted date above.

Please mail the signed form to:
Texas Education Agency
Financial Compliance Division
1701 N. Congress Ave.
Austin, TX 78701

Certification

I hereby certify that the board is in compliance with 19 Texas Administrative Code Chapter 109, Subchapter BB, §109.2001 regarding declaration of financial exigency.

Name of Board President	Signature of Board President	Signature Date
<input type="text" value="Leah Hanany"/>	<input type="text" value="Leah Hanany"/>	<input type="text" value="6/4/26"/>
Name of Superintendent	Signature of Superintendent	Signature Date
<input type="text" value="Brian Lusk, Ed.D."/>	<input type="text" value="Brian Lusk, Ed.D."/>	<input type="text" value="6/4/26"/>

For TEA Use Only

Received Date

**El Paso ISD (071-902)
(2025-2026)-(2026-2027)
Financial Exigency**

Fiscal Year	Fund Balance Source	Unassigned General Operating FB	WADA	FB Per WADA	% Change
2021-2022	Audited	\$ 125,155,933	64,706.07	\$ 1,934.22	
2022-2023	Audited	\$ 127,953,604	63,136.80	\$ 2,026.61	4.78%
2023-2024	Audited	\$ 120,461,757	62,912.83	\$ 1,914.74	-5.52%
2024-2025	Audited	\$ 101,016,490	61,680.13	\$ 1,637.75	-14.47%
2025-2026	Projected	\$ 60,287,685	59,379.92	\$ 1,015.29	-38.01%
2026-2027	Projected	\$ 22,325,380	58,069.66	\$ 384.46	-62.13%

FE - A decrease of more than 20 percent in unassigned General Fund balance per student in weighted average daily attendance over the past two years or a projected reduction of 20 percent compared to the current year.

Fiscal Year	Fund Balance Source	Total General Fund Revenues	WADA	Funding Per WADA	% Change
2021-2022	Audited	\$522,518,951	64,706.07	8,075.27	
2022-2023	Audited	\$520,468,794	63,136.80	8,243.51	2.08%
2023-2024	Audited	\$533,583,388	62,912.83	8,481.31	2.88%
2024-2025	Audited	\$516,091,008	61,680.13	8,367.22	-1.35%
2025-2026	Projected	\$527,933,812	59,379.92	8,890.78	6.26%

Fiscal Year	Source	Enrollment	% Change	5 Year Change
2021-2022	PEIMS	50,769		
2022-2023	PEIMS	50,031	-1.45%	
2023-2024	PEIMS	49,139	-1.78%	
2024-2025	PEIMS	48,118	-2.08%	
2025-2026	PEIMS	46,244	-3.89%	-8.91%

Employment Areas Affected by Reduction in Force

Probationary Contracts Years 1, 2, and 3 employees unassigned or in temporary staff teacher positions;

Campus and/or department Probationary Contracts Years 1 and 2 at the following campuses and/ or departments: Andress High School, Austin High School, Bobby Joe Hill PK-8, Bowie High School, Brown Middle School, Burges High School, Canyon Hills Middle School, Chapin High School, Coach Wally Hartley PK-8, Coronado High School, Delta Academy, Don Haskins PK-8, Dr. Josefina V. Tinajero PK-8, El Paso High School, Franklin High School, Hornedo Middle School, Irvin High School, Jefferson High School, Magoffin Middle School, SPED Instructional Services, Telles Academy, Wiggs Middle School, and Young Women's Academy with the following teaching positions and titles: High School AP Math Combo, High School AP Science Combo, Middle School Science, Business, High School AP Social Studies Combo, High School Science Combination, High School EL English Teacher, High School Social Studies, Middle School Social Studies, High School AP English Combo, Middle School Social Studies Combo, High School Social Studies Combination, Staff Teacher, High School English, Middle School Math, High School Mathematics, Middle School Physical Education, and High School Science;

Academics - Advanced Academics, Facilitator Planetarium positions;

Diagnostician positions;

High School Testing Coordinator positions;

Bliss Elementary School Instructional Coach positions;

Clendenin Elementary School Instructional Coach positions;

Cooley Elementary School Instructional Coach positions;

Crockett Elementary School Instructional Coach positions;

Hart Elementary School Instructional Coach positions;

Logan Elementary School Instructional Coach positions;

Moye Elementary School Instructional Coach positions;

Powell Elementary School Instructional Coach positions;

Tom Lea ES Instructional Coach positions;

Torres Elementary School Instructional Coach positions;

Mesita EC/DC Instructional Coach positions;

Milam Elementary School Instructional Coach positions;

Special Education Department, Climate Behavior Specialist positions;

Master Social Worker positions;

Special Education Department, Facilitator positions; and

School Psychologist positions.

**Plan to Reduce
Personnel Costs**

If the Superintendent determines that there is a need to reduce personnel costs, the Superintendent shall develop, in consultation with the Board as necessary, a plan for reducing costs that may include one or more of the following:

- Salary reductions [see DEA];
- Furloughs [see DEA];
- Reductions in force of contract personnel due to financial exigency, if the District meets the standard for declaring a financial exigency as defined by the commissioner [see CEA and provisions at Reduction in Force Due to Financial Exigency, below];
- Reductions in force of contract personnel due to program change [see DFFB]; or
- Other means of reducing personnel costs.

A plan to reduce personnel costs may include the reduction of personnel employed pursuant to employment arrangements not covered at Applicability, below.

- See DCD for the termination at any time of at-will employment.
- See DFAB for the termination of a probationary contract at the end of the contract period.
- See DFCA for the termination of a continuing contract, if applicable.
- See DCE for the termination at the end of the contract period of a contract not governed by Chapter 21 of the Education Code.

**Reduction in Force
Due to Financial
Exigency**

Applicability

The following provisions shall apply when a reduction in force due to financial exigency requires:

1. The nonrenewal or termination of a term contract;
2. The termination of a probationary contract during the contract period; or
3. The termination of a contract not governed by Chapter 21 of the Education Code during the contract period.

Definitions

Definitions used in this policy are as follows:

1. "Nonrenewal" shall mean the termination of a term contract at the end of the contract period.

2. "Discharge" shall mean termination of a contract during the contract period.

General Grounds

A reduction in force may take place when the Superintendent recommends and the Board adopts a resolution declaring a financial exigency. [See CEA] A determination of financial exigency constitutes sufficient reason for nonrenewal or sufficient cause for discharge.

Employment Areas

When a reduction in force is to be implemented, the Superintendent shall recommend the employment areas to be affected.

Employment areas may include, for example:

1. Elementary grades, levels, subjects, departments, or programs;
2. Secondary grades, levels, subjects, departments, or programs, including career and technical education subjects;
3. Special programs, such as gifted and talented, bilingual/ESL programs, special education and related services, compensatory education, or migrant education;
4. Disciplinary alternative education programs (DAEPs) and other discipline management programs;
5. Counseling programs;
6. Library programs;
7. Nursing and other health services programs;
8. An educational support program that does not provide direct instruction to students;
9. Other District-wide programs;
10. An individual campus;
11. Any administrative position, unit, or department;
12. Programs funded by state or federal grants or other dedicated funding; and
13. Other contractual positions.

The Superintendent's recommendation may address whether any employment areas should be:

1. Combined or adjusted (e.g., "elementary programs" and "compensatory education programs" can be combined to identify an employment area of "elementary compensatory education programs"); and/or

2. Applied on a District-wide or campus-wide basis (e.g., “the counseling program at [named elementary campus]”).

The Board shall determine the employment areas to be affected.

Criteria for Decision

The Superintendent shall apply the following criteria to the employees within an affected employment area when a reduction in force will not result in the nonrenewal or discharge of all staff in the employment area. The criteria are listed in the order of importance and shall be applied sequentially to the extent necessary to identify the employees who least satisfy the criteria and therefore are subject to the reduction in force. For example, if all necessary reductions can be accomplished by applying the first criterion, it is not necessary to apply the second criterion, and so forth.

1. Qualifications for Current or Projected Assignment: Certification, multiple or composite certifications, bilingual certification, licensure, endorsement, and/or specialized or advanced content-specific training or skills for the current or projected assignment.
2. Performance: Effectiveness, as reflected by the most recent formal appraisal, whether completed by the District or by a previous district, and any other written evaluative information, including disciplinary information, from the last 36 months. If the Superintendent at his or her discretion decides that the documented performance differences between two or more employees are too insubstantial to rely upon, he or she may proceed to apply the remaining criteria in the order listed below.
3. Extra Duties: Currently performing an extra-duty assignment, such as department or grade-level chair, band director, athletic coach, or activity sponsor.
4. Professional Background: Professional education and work experience related to the current or projected assignment.
5. Seniority: Length of service in the District, as measured from the employee’s most recent date of hire.

Superintendent
Recommendation

The Superintendent shall recommend to the Board the nonrenewal or discharge of the identified employees within the affected employment areas.

Board Vote

After considering the Superintendent’s recommendations, the Board shall determine the employees to be proposed for nonrenewal or discharge, as appropriate.

REDUCTION IN FORCE
FINANCIAL EXIGENCY

DFFA
(LOCAL)

If the Board votes to propose nonrenewal of one or more employees, the Board shall specify the manner of hearing in accordance with DFBB(LOCAL).

If the Board votes to propose discharge of one or more employees, the Board shall determine whether the hearing will be conducted by a TEA-appointed hearing examiner [see DFD] or will be a local hearing under Education Code 21.207 [see DFBB].

Notice

The Superintendent shall provide each employee written notice of the proposed nonrenewal or discharge, as applicable. The notice shall include:

1. The proposed action, as applicable;
2. A statement of the reason for the proposed action; and
3. Notice that the employee is entitled to a hearing of the type determined by the Board.

**Consideration for
Available Positions**

An employee who has received notice of proposed nonrenewal or discharge may apply for available positions for which he or she wishes to be considered. The employee is responsible for reviewing posted vacancies, submitting an application, and otherwise complying with District procedures.

If the employee meets the District's objective criteria for the position and is the most qualified internal applicant, the District shall offer the employee the position until:

1. Final action by the Board to end the employee's contract, if the employee does not request a hearing.
2. The evidentiary hearing by the independent hearing examiner, the Board, or other person designated in DFBB(LOCAL), if the employee requests a hearing.

Hearing Request

Nonrenewal: Term
Contract

An employee receiving notice of proposed nonrenewal of a term contract may request a hearing in accordance with DFBB.

Discharge: Chapter
21 Contract

An employee receiving notice of proposed discharge from a contract governed by Chapter 21 of the Education Code may request a hearing. The hearing shall be conducted in accordance with DFD or the nonrenewal hearing process in DFBB, as determined by the Board and specified in the notice of proposed discharge.

Discharge:
Non-Chapter 21
Contract

An employee receiving notice of proposed discharge during the period of an employment contract not governed by Chapter 21 of the Education Code may request a hearing before the Board or its designee in accordance with DCE.

REDUCTION IN FORCE
FINANCIAL EXIGENCY

DFFA
(LOCAL)

Final Action

Hearing Requested

If the employee requests a hearing, the Board shall take final action after the hearing in accordance with DCE, DFBB, or DFD, as applicable, and shall notify the employee in writing.

No Hearing
Requested

If the employee does not request a hearing, the Board shall take final action in accordance with DCE, DFBB, or DFD, as applicable, and shall notify the employee in writing.



Board of Trustees
Executive Summary of Board Agenda Item

TITLE:

Discuss and Take Appropriate Action on Recommendation for Proposed Termination of One-Year Term Contract Certified Administrator or Professional for the 2026-2027 School Year: Academics - Advanced Academics, Facilitator Planetarium

JUSTIFICATION STATEMENT:

To allow the Board to take action, if needed

PURPOSE OF AGENDA ITEM: Action

TO BE HELD IN: Open Session

TEXAS GOVERNMENT CODES:

AUTHORITY FOR ACTION: Legal/Local Policy

STAFF RESPONSIBLE: Dr. Brian Lusk, Superintendent; Cezy Collins, Legal Counsel

DISTRICT IMPROVEMENT PLAN OBJECTIVE, GOAL, OR NEED ADDRESSED:

SUMMARY:

On June 4, 2026, the Board of Trustees declared a Financial Exigency for the 2025-2026 fiscal year and extended that Financial Exigency into the 2026-2027 fiscal year. See Exhibit A. Also on June 4, 2026, the Board designated the attached employment areas to be affected by the Reduction in Force in accordance with DFFA (Local). See Exhibit B. A reduction in force due to financial exigency is good cause for termination of a term contract.

Due to the Financial Exigency one position in the employment area of Academics - Advanced Academics, Facilitator Planetarium is being eliminated for 2026-2027. One term contract for 2026-2027 in the employment area of Academics - Advanced Academics, Facilitator Planetarium is recommended for proposed termination.

ADMINISTRATIVE RECOMMENDATION/MOTION:

FUNDING SOURCE: ACCOUNT NO.:

FISCAL IMPACT AND COST:

IMPACT ON OTHER FUCTIONS/OPERATIONS:

CONSEQUENCES OF NON-APPROVAL:

IMPLEMENTATION TIMELINE:

COMMENTS RECEIVED, IF ANY:

ATTACHMENTS:

Exhibit A - Financial Exigency Forms.pdf
ExhibitB.Employment areas and DFFA(LOCAL).pdf



Declaration of Financial Exigency Financial Compliance Division

The terms of this form are governed by 19 Texas Administrative Code Chapter 109, Subchapter BB, §109.2001.

Definition

Financial exigency means the financial position of the school district as a whole is such that the financial resources of the school district are insufficient to support the school district's instructional programs or the school district is unable to finance the full compensation of staff for the current or succeeding fiscal year.

Requestor Information

Name of School District	County-District Number	
El Paso Independent School District	071-902	
Date of Initial Declaration (expires on last day of fiscal year)	Fiscal Year Begin Date	Fiscal Year End Date
	07/01/2025	06/30/2026

Reason for Declaration

Financial exigency may be declared by the board of trustees for different reasons. Please select your school district's reason for declaration or extension of financial exigency (check all that apply):

- 1. A decrease of more than 20 percent in unassigned General Fund balance per student in weighted average daily attendance over the past two years or a projected reduction of 20 percent compared to the current year.
- 2. A decline in enrollment by more than 10 percent over the past five years.
- 3. A reduction of more than 10 percent in total General Fund total funding per student in weighted average daily attendance over one year or a projected reduction of 10 percent compared to the current year.
- 4. A natural disaster or casualty loss defined as damage, destruction, or loss of property resulting from an identifiable event that is sudden, unexpected, or unusual; and that requires expenditures for repair or remediation in excess of 15 percent of the current-year General Fund budget.
- 5. Any of the following, or a combination of the following, that exceeds 15 percent of the current-year General Fund budget: an unanticipated major expense, including significant repair costs; litigation expenses, excluding lawsuits against the state; or tax refunds.
- 6. Any other circumstances approved in writing by the commissioner of education. (Please attach documentation and a description of the circumstances.)

Approval

This form must be printed and signed by the board president and superintendent. TEA must receive the declaration of financial exigency within 20 calendar days of declaration. Please mail the signed form to Texas Education Agency, Financial Compliance Division, 1701 N. Congress Ave., Austin, TX 78701.

Certification

I hereby certify that the board has determined that the school district meets one or more of the reasons for declaration of financial exigency in accordance with 19 TAC Chapter 109, Subchapter BB, §109.2001.

Name of Board President	Signature of Board President	Signature Date
Leah Hanany		6/4/26
Name of Superintendent	Signature of Superintendent	Signature Date
Brian Lusk, Ed.D.		6/4/26

For TEA Use Only

Received Date



Board Resolution to Extend or Terminate a Declaration of Financial Exigency

Financial Compliance Division

The terms of this form are governed by 19 Texas Administrative Code Chapter 109, Subchapter BB, §109.2001.

Requestor Information

Name of School District	County-District Number
<input type="text" value="El Paso Independent School District"/>	<input type="text" value="071-902"/>

Resolution

Be it resolved by the Board of Trustees for Name of School District

that the declaration of financial exigency adopted on Date of Initial Declaration

for the fiscal year ended June 30, Year OR August 31, Year

- is extended for another fiscal year. The board has determined that the district continues to meet one or more of the reasons given on its *initial* Declaration of Financial Exigency.
- is terminated as of the date of this resolution.

Approval

Agreed and accepted on Date

This form must be printed and signed by the board president and superintendent. TEA must receive the resolution to extend or terminate a declaration of financial exigency within 20 days of the agreed and accepted date above.

Please mail the signed form to:
Texas Education Agency
Financial Compliance Division
1701 N. Congress Ave.
Austin, TX 78701

Certification

I hereby certify that the board is in compliance with 19 Texas Administrative Code Chapter 109, Subchapter BB, §109.2001 regarding declaration of financial exigency.

Name of Board President	Signature of Board President	Signature Date
<input type="text" value="Leah Hanany"/>	<input type="text" value="Leah Hanany"/>	<input type="text" value="6/4/26"/>
Name of Superintendent	Signature of Superintendent	Signature Date
<input type="text" value="Brian Lusk, Ed.D."/>	<input type="text" value="Brian Lusk, Ed.D."/>	<input type="text" value="6/4/26"/>

For TEA Use Only

Received Date

El Paso ISD (071-902)
(2025-2026)-(2026-2027)
Financial Exigency

Fiscal Year	Fund Balance Source	Unassigned General Operating FB	WADA	FB Per WADA	% Change	
2021-2022	Audited	\$ 125,155,933	64,706.07	\$ 1,934.22		
2022-2023	Audited	\$ 127,953,604	63,136.80	\$ 2,026.61	4.78%	
2023-2024	Audited	\$ 120,461,757	62,912.83	\$ 1,914.74	-5.52%	
2024-2025	Audited	\$ 101,016,490	61,680.13	\$ 1,637.75	-14.47%	-19.19%
2025-2026	Projected	\$ 60,287,685	59,379.92	\$ 1,015.29	-38.01%	-46.98%
2026-2027	Projected	\$ 22,325,380	58,069.66	\$ 384.46	-62.13%	-76.53%

FE - A decrease of more than 20 percent in unassigned General Fund balance per student in weighted average daily attendance over the past two years or a projected reduction of 20 percent compared to the current year.

Fiscal Year	Fund Balance Source	Total General Fund Revenues	WADA	Funding Per WADA	% Change	
2021-2022	Audited	\$522,518,951	64,706.07	8,075.27		
2022-2023	Audited	\$520,468,794	63,136.80	8,243.51	2.08%	
2023-2024	Audited	\$533,583,388	62,912.83	8,481.31	2.88%	
2024-2025	Audited	\$516,091,008	61,680.13	8,367.22	-1.35%	
2025-2026	Projected	\$527,933,812	59,379.92	8,890.78	6.26%	

Fiscal Year	Source	Enrollment	% Change	5 Year Change
2021-2022	PEIMS	50,769		
2022-2023	PEIMS	50,031	-1.45%	
2023-2024	PEIMS	49,139	-1.78%	
2024-2025	PEIMS	48,118	-2.08%	
2025-2026	PEIMS	46,244	-3.89%	-8.91%

Employment Areas Affected by Reduction in Force

Probationary Contracts Years 1, 2, and 3 employees unassigned or in temporary staff teacher positions;

Campus and/or department Probationary Contracts Years 1 and 2 at the following campuses and/ or departments: Andress High School, Austin High School, Bobby Joe Hill PK-8, Bowie High School, Brown Middle School, Burges High School, Canyon Hills Middle School, Chapin High School, Coach Wally Hartley PK-8, Coronado High School, Delta Academy, Don Haskins PK-8, Dr. Josefina V. Tinajero PK-8, El Paso High School, Franklin High School, Hornedo Middle School, Irvin High School, Jefferson High School, Magoffin Middle School, SPED Instructional Services, Telles Academy, Wiggs Middle School, and Young Women's Academy with the following teaching positions and titles: High School AP Math Combo, High School AP Science Combo, Middle School Science, Business, High School AP Social Studies Combo, High School Science Combination, High School EL English Teacher, High School Social Studies, Middle School Social Studies, High School AP English Combo, Middle School Social Studies Combo, High School Social Studies Combination, Staff Teacher, High School English, Middle School Math, High School Mathematics, Middle School Physical Education, and High School Science;

Academics - Advanced Academics, Facilitator Planetarium positions;

Diagnostician positions;

High School Testing Coordinator positions;

Bliss Elementary School Instructional Coach positions;

Clendenin Elementary School Instructional Coach positions;

Cooley Elementary School Instructional Coach positions;

Crockett Elementary School Instructional Coach positions;

Hart Elementary School Instructional Coach positions;

Logan Elementary School Instructional Coach positions;

Moye Elementary School Instructional Coach positions;

Powell Elementary School Instructional Coach positions;

Tom Lea ES Instructional Coach positions;

Torres Elementary School Instructional Coach positions;

Mesita EC/DC Instructional Coach positions;

Milam Elementary School Instructional Coach positions;

Special Education Department, Climate Behavior Specialist positions;

Master Social Worker positions;

Special Education Department, Facilitator positions; and

School Psychologist positions.

**Plan to Reduce
Personnel Costs**

If the Superintendent determines that there is a need to reduce personnel costs, the Superintendent shall develop, in consultation with the Board as necessary, a plan for reducing costs that may include one or more of the following:

- Salary reductions [see DEA];
- Furloughs [see DEA];
- Reductions in force of contract personnel due to financial exigency, if the District meets the standard for declaring a financial exigency as defined by the commissioner [see CEA and provisions at Reduction in Force Due to Financial Exigency, below];
- Reductions in force of contract personnel due to program change [see DFFB]; or
- Other means of reducing personnel costs.

A plan to reduce personnel costs may include the reduction of personnel employed pursuant to employment arrangements not covered at Applicability, below.

- See DCD for the termination at any time of at-will employment.
- See DFAB for the termination of a probationary contract at the end of the contract period.
- See DFCA for the termination of a continuing contract, if applicable.
- See DCE for the termination at the end of the contract period of a contract not governed by Chapter 21 of the Education Code.

**Reduction in Force
Due to Financial
Exigency**

Applicability

The following provisions shall apply when a reduction in force due to financial exigency requires:

1. The nonrenewal or termination of a term contract;
2. The termination of a probationary contract during the contract period; or
3. The termination of a contract not governed by Chapter 21 of the Education Code during the contract period.

Definitions

Definitions used in this policy are as follows:

1. "Nonrenewal" shall mean the termination of a term contract at the end of the contract period.

2. "Discharge" shall mean termination of a contract during the contract period.

General Grounds

A reduction in force may take place when the Superintendent recommends and the Board adopts a resolution declaring a financial exigency. [See CEA] A determination of financial exigency constitutes sufficient reason for nonrenewal or sufficient cause for discharge.

Employment Areas

When a reduction in force is to be implemented, the Superintendent shall recommend the employment areas to be affected.

Employment areas may include, for example:

1. Elementary grades, levels, subjects, departments, or programs;
2. Secondary grades, levels, subjects, departments, or programs, including career and technical education subjects;
3. Special programs, such as gifted and talented, bilingual/ESL programs, special education and related services, compensatory education, or migrant education;
4. Disciplinary alternative education programs (DAEPs) and other discipline management programs;
5. Counseling programs;
6. Library programs;
7. Nursing and other health services programs;
8. An educational support program that does not provide direct instruction to students;
9. Other District-wide programs;
10. An individual campus;
11. Any administrative position, unit, or department;
12. Programs funded by state or federal grants or other dedicated funding; and
13. Other contractual positions.

The Superintendent's recommendation may address whether any employment areas should be:

1. Combined or adjusted (e.g., "elementary programs" and "compensatory education programs" can be combined to identify an employment area of "elementary compensatory education programs"); and/or

2. Applied on a District-wide or campus-wide basis (e.g., “the counseling program at [named elementary campus]”).

The Board shall determine the employment areas to be affected.

Criteria for Decision

The Superintendent shall apply the following criteria to the employees within an affected employment area when a reduction in force will not result in the nonrenewal or discharge of all staff in the employment area. The criteria are listed in the order of importance and shall be applied sequentially to the extent necessary to identify the employees who least satisfy the criteria and therefore are subject to the reduction in force. For example, if all necessary reductions can be accomplished by applying the first criterion, it is not necessary to apply the second criterion, and so forth.

1. Qualifications for Current or Projected Assignment: Certification, multiple or composite certifications, bilingual certification, licensure, endorsement, and/or specialized or advanced content-specific training or skills for the current or projected assignment.
2. Performance: Effectiveness, as reflected by the most recent formal appraisal, whether completed by the District or by a previous district, and any other written evaluative information, including disciplinary information, from the last 36 months. If the Superintendent at his or her discretion decides that the documented performance differences between two or more employees are too insubstantial to rely upon, he or she may proceed to apply the remaining criteria in the order listed below.
3. Extra Duties: Currently performing an extra-duty assignment, such as department or grade-level chair, band director, athletic coach, or activity sponsor.
4. Professional Background: Professional education and work experience related to the current or projected assignment.
5. Seniority: Length of service in the District, as measured from the employee’s most recent date of hire.

Superintendent
Recommendation

The Superintendent shall recommend to the Board the nonrenewal or discharge of the identified employees within the affected employment areas.

Board Vote

After considering the Superintendent’s recommendations, the Board shall determine the employees to be proposed for nonrenewal or discharge, as appropriate.

REDUCTION IN FORCE
FINANCIAL EXIGENCY

DFFA
(LOCAL)

If the Board votes to propose nonrenewal of one or more employees, the Board shall specify the manner of hearing in accordance with DFBB(LOCAL).

If the Board votes to propose discharge of one or more employees, the Board shall determine whether the hearing will be conducted by a TEA-appointed hearing examiner [see DFD] or will be a local hearing under Education Code 21.207 [see DFBB].

Notice

The Superintendent shall provide each employee written notice of the proposed nonrenewal or discharge, as applicable. The notice shall include:

1. The proposed action, as applicable;
2. A statement of the reason for the proposed action; and
3. Notice that the employee is entitled to a hearing of the type determined by the Board.

**Consideration for
Available Positions**

An employee who has received notice of proposed nonrenewal or discharge may apply for available positions for which he or she wishes to be considered. The employee is responsible for reviewing posted vacancies, submitting an application, and otherwise complying with District procedures.

If the employee meets the District's objective criteria for the position and is the most qualified internal applicant, the District shall offer the employee the position until:

1. Final action by the Board to end the employee's contract, if the employee does not request a hearing.
2. The evidentiary hearing by the independent hearing examiner, the Board, or other person designated in DFBB(LOCAL), if the employee requests a hearing.

Hearing Request

Nonrenewal: Term
Contract

An employee receiving notice of proposed nonrenewal of a term contract may request a hearing in accordance with DFBB.

Discharge: Chapter
21 Contract

An employee receiving notice of proposed discharge from a contract governed by Chapter 21 of the Education Code may request a hearing. The hearing shall be conducted in accordance with DFD or the nonrenewal hearing process in DFBB, as determined by the Board and specified in the notice of proposed discharge.

Discharge:
Non-Chapter 21
Contract

An employee receiving notice of proposed discharge during the period of an employment contract not governed by Chapter 21 of the Education Code may request a hearing before the Board or its designee in accordance with DCE.

REDUCTION IN FORCE
FINANCIAL EXIGENCY

DFFA
(LOCAL)

Final Action

Hearing Requested

If the employee requests a hearing, the Board shall take final action after the hearing in accordance with DCE, DFBB, or DFD, as applicable, and shall notify the employee in writing.

No Hearing
Requested

If the employee does not request a hearing, the Board shall take final action in accordance with DCE, DFBB, or DFD, as applicable, and shall notify the employee in writing.



Board of Trustees
Executive Summary of Board Agenda Item

TITLE:

Discuss and Take Appropriate Action on Recommendation for Proposed Termination of One-Year Term Contract Certified Administrator or Professional for the 2026-2027 School Year: Diagnostician Positions

JUSTIFICATION STATEMENT:

To allow the Board to take action, if needed

PURPOSE OF AGENDA ITEM: Action

TO BE HELD IN: Open Session

TEXAS GOVERNMENT CODES:

AUTHORITY FOR ACTION: Legal/Local Policy

STAFF RESPONSIBLE: Dr. Brian Lusk, Superintendent; Cezy Collins, Legal Counsel

DISTRICT IMPROVEMENT PLAN OBJECTIVE, GOAL, OR NEED ADDRESSED:

SUMMARY:

On June 4, 2026, the Board of Trustees declared a Financial Exigency for the 2025-2026 fiscal year and extended that Financial Exigency into the 2026-2027 fiscal year. See Exhibit A. Also on June 4, 2026, the Board designated the attached employment areas to be affected by the Reduction in Force in accordance with DFFA (Local). See Exhibit B. A reduction in force due to financial exigency is good cause for termination of a term contract.

Due to the Financial Exigency one position in the employment area of Diagnostician positions is being eliminated for 2026-2027. One term contract for 2026-2027 in the employment area of Diagnostician positions is recommended for proposed termination.

ADMINISTRATIVE RECOMMENDATION/MOTION:

FUNDING SOURCE: ACCOUNT NO.:

FISCAL IMPACT AND COST:

IMPACT ON OTHER FUCTIONS/OPERATIONS:

CONSEQUENCES OF NON-APPROVAL:

IMPLEMENTATION TIMELINE:

COMMENTS RECEIVED, IF ANY:

ATTACHMENTS:

Exhibit A - Financial Exigency Forms.pdf
ExhibitB.Employment areas and DFFA(LOCAL).pdf



Declaration of Financial Exigency Financial Compliance Division

The terms of this form are governed by 19 Texas Administrative Code Chapter 109, Subchapter BB, §109.2001.

Definition

Financial exigency means the financial position of the school district as a whole is such that the financial resources of the school district are insufficient to support the school district's instructional programs or the school district is unable to finance the full compensation of staff for the current or succeeding fiscal year.

Requestor Information

Name of School District	County-District Number	
El Paso Independent School District	071-902	
Date of Initial Declaration (expires on last day of fiscal year)	Fiscal Year Begin Date	Fiscal Year End Date
	07/01/2025	06/30/2026

Reason for Declaration

Financial exigency may be declared by the board of trustees for different reasons. Please select your school district's reason for declaration or extension of financial exigency (check all that apply):

- 1. A decrease of more than 20 percent in unassigned General Fund balance per student in weighted average daily attendance over the past two years or a projected reduction of 20 percent compared to the current year.
- 2. A decline in enrollment by more than 10 percent over the past five years.
- 3. A reduction of more than 10 percent in total General Fund total funding per student in weighted average daily attendance over one year or a projected reduction of 10 percent compared to the current year.
- 4. A natural disaster or casualty loss defined as damage, destruction, or loss of property resulting from an identifiable event that is sudden, unexpected, or unusual; and that requires expenditures for repair or remediation in excess of 15 percent of the current-year General Fund budget.
- 5. Any of the following, or a combination of the following, that exceeds 15 percent of the current-year General Fund budget: an unanticipated major expense, including significant repair costs; litigation expenses, excluding lawsuits against the state; or tax refunds.
- 6. Any other circumstances approved in writing by the commissioner of education. (Please attach documentation and a description of the circumstances.)

Approval

This form must be printed and signed by the board president and superintendent. TEA must receive the declaration of financial exigency within 20 calendar days of declaration. Please mail the signed form to Texas Education Agency, Financial Compliance Division, 1701 N. Congress Ave., Austin, TX 78701.

Certification

I hereby certify that the board has determined that the school district meets one or more of the reasons for declaration of financial exigency in accordance with 19 TAC Chapter 109, Subchapter BB, §109.2001.

Name of Board President	Signature of Board President	Signature Date
Leah Hanany		6/4/26
Name of Superintendent	Signature of Superintendent	Signature Date
Brian Lusk, Ed.D.		6/4/26

For TEA Use Only

Received Date



Board Resolution to Extend or Terminate a Declaration of Financial Exigency

Financial Compliance Division

The terms of this form are governed by 19 Texas Administrative Code Chapter 109, Subchapter BB, §109.2001.

Requestor Information

Name of School District	County-District Number
<input type="text" value="El Paso Independent School District"/>	<input type="text" value="071-902"/>

Resolution

Be it resolved by the Board of Trustees for Name of School District

that the declaration of financial exigency adopted on Date of Initial Declaration

for the fiscal year ended June 30, Year OR August 31, Year

- is extended for another fiscal year. The board has determined that the district continues to meet one or more of the reasons given on its *initial* Declaration of Financial Exigency.
- is terminated as of the date of this resolution.

Approval

Agreed and accepted on Date

This form must be printed and signed by the board president and superintendent. TEA must receive the resolution to extend or terminate a declaration of financial exigency within 20 days of the agreed and accepted date above.

Please mail the signed form to:
Texas Education Agency
Financial Compliance Division
1701 N. Congress Ave.
Austin, TX 78701

Certification

I hereby certify that the board is in compliance with 19 Texas Administrative Code Chapter 109, Subchapter BB, §109.2001 regarding declaration of financial exigency.

Name of Board President	Signature of Board President	Signature Date
<input type="text" value="Leah Hanany"/>	<input type="text" value="Leah Hanany"/>	<input type="text" value="6/4/26"/>
Name of Superintendent	Signature of Superintendent	Signature Date
<input type="text" value="Brian Lusk, Ed.D."/>	<input type="text" value="Brian Lusk, Ed.D."/>	<input type="text" value="6/4/26"/>

For TEA Use Only

Received Date

El Paso ISD (071-902)
(2025-2026)-(2026-2027)
Financial Exigency

Fiscal Year	Fund Balance Source	Unassigned General Operating FB	WADA	FB Per WADA	% Change	
2021-2022	Audited	\$ 125,155,933	64,706.07	\$ 1,934.22		
2022-2023	Audited	\$ 127,953,604	63,136.80	\$ 2,026.61	4.78%	
2023-2024	Audited	\$ 120,461,757	62,912.83	\$ 1,914.74	-5.52%	
2024-2025	Audited	\$ 101,016,490	61,680.13	\$ 1,637.75	-14.47%	-19.19%
2025-2026	Projected	\$ 60,287,685	59,379.92	\$ 1,015.29	-38.01%	-46.98%
2026-2027	Projected	\$ 22,325,380	58,069.66	\$ 384.46	-62.13%	-76.53%

FE - A decrease of more than 20 percent in unassigned General Fund balance per student in weighted average daily attendance over the past two years or a projected reduction of 20 percent compared to the current year.

Fiscal Year	Fund Balance Source	Total General Fund Revenues	WADA	Funding Per WADA	% Change	
2021-2022	Audited	\$522,518,951	64,706.07	8,075.27		
2022-2023	Audited	\$520,468,794	63,136.80	8,243.51	2.08%	
2023-2024	Audited	\$533,583,388	62,912.83	8,481.31	2.88%	
2024-2025	Audited	\$516,091,008	61,680.13	8,367.22	-1.35%	
2025-2026	Projected	\$527,933,812	59,379.92	8,890.78	6.26%	

Fiscal Year	Source	Enrollment	% Change	5 Year Change
2021-2022	PEIMS	50,769		
2022-2023	PEIMS	50,031	-1.45%	
2023-2024	PEIMS	49,139	-1.78%	
2024-2025	PEIMS	48,118	-2.08%	
2025-2026	PEIMS	46,244	-3.89%	-8.91%

Employment Areas Affected by Reduction in Force

Probationary Contracts Years 1, 2, and 3 employees unassigned or in temporary staff teacher positions;

Campus and/or department Probationary Contracts Years 1 and 2 at the following campuses and/ or departments: Andress High School, Austin High School, Bobby Joe Hill PK-8, Bowie High School, Brown Middle School, Burges High School, Canyon Hills Middle School, Chapin High School, Coach Wally Hartley PK-8, Coronado High School, Delta Academy, Don Haskins PK-8, Dr. Josefina V. Tinajero PK-8, El Paso High School, Franklin High School, Hornedo Middle School, Irvin High School, Jefferson High School, Magoffin Middle School, SPED Instructional Services, Telles Academy, Wiggs Middle School, and Young Women's Academy with the following teaching positions and titles: High School AP Math Combo, High School AP Science Combo, Middle School Science, Business, High School AP Social Studies Combo, High School Science Combination, High School EL English Teacher, High School Social Studies, Middle School Social Studies, High School AP English Combo, Middle School Social Studies Combo, High School Social Studies Combination, Staff Teacher, High School English, Middle School Math, High School Mathematics, Middle School Physical Education, and High School Science;

Academics - Advanced Academics, Facilitator Planetarium positions;

Diagnostician positions;

High School Testing Coordinator positions;

Bliss Elementary School Instructional Coach positions;

Clendenin Elementary School Instructional Coach positions;

Cooley Elementary School Instructional Coach positions;

Crockett Elementary School Instructional Coach positions;

Hart Elementary School Instructional Coach positions;

Logan Elementary School Instructional Coach positions;

Moye Elementary School Instructional Coach positions;

Powell Elementary School Instructional Coach positions;

Tom Lea ES Instructional Coach positions;

Torres Elementary School Instructional Coach positions;

Mesita EC/DC Instructional Coach positions;

Milam Elementary School Instructional Coach positions;

Special Education Department, Climate Behavior Specialist positions;

Master Social Worker positions;

Special Education Department, Facilitator positions; and

School Psychologist positions.

**Plan to Reduce
Personnel Costs**

If the Superintendent determines that there is a need to reduce personnel costs, the Superintendent shall develop, in consultation with the Board as necessary, a plan for reducing costs that may include one or more of the following:

- Salary reductions [see DEA];
- Furloughs [see DEA];
- Reductions in force of contract personnel due to financial exigency, if the District meets the standard for declaring a financial exigency as defined by the commissioner [see CEA and provisions at Reduction in Force Due to Financial Exigency, below];
- Reductions in force of contract personnel due to program change [see DFFB]; or
- Other means of reducing personnel costs.

A plan to reduce personnel costs may include the reduction of personnel employed pursuant to employment arrangements not covered at Applicability, below.

- See DCD for the termination at any time of at-will employment.
- See DFAB for the termination of a probationary contract at the end of the contract period.
- See DFCA for the termination of a continuing contract, if applicable.
- See DCE for the termination at the end of the contract period of a contract not governed by Chapter 21 of the Education Code.

**Reduction in Force
Due to Financial
Exigency**

Applicability

The following provisions shall apply when a reduction in force due to financial exigency requires:

1. The nonrenewal or termination of a term contract;
2. The termination of a probationary contract during the contract period; or
3. The termination of a contract not governed by Chapter 21 of the Education Code during the contract period.

Definitions

Definitions used in this policy are as follows:

1. "Nonrenewal" shall mean the termination of a term contract at the end of the contract period.

2. "Discharge" shall mean termination of a contract during the contract period.

General Grounds

A reduction in force may take place when the Superintendent recommends and the Board adopts a resolution declaring a financial exigency. [See CEA] A determination of financial exigency constitutes sufficient reason for nonrenewal or sufficient cause for discharge.

Employment Areas

When a reduction in force is to be implemented, the Superintendent shall recommend the employment areas to be affected.

Employment areas may include, for example:

1. Elementary grades, levels, subjects, departments, or programs;
2. Secondary grades, levels, subjects, departments, or programs, including career and technical education subjects;
3. Special programs, such as gifted and talented, bilingual/ESL programs, special education and related services, compensatory education, or migrant education;
4. Disciplinary alternative education programs (DAEPs) and other discipline management programs;
5. Counseling programs;
6. Library programs;
7. Nursing and other health services programs;
8. An educational support program that does not provide direct instruction to students;
9. Other District-wide programs;
10. An individual campus;
11. Any administrative position, unit, or department;
12. Programs funded by state or federal grants or other dedicated funding; and
13. Other contractual positions.

The Superintendent's recommendation may address whether any employment areas should be:

1. Combined or adjusted (e.g., "elementary programs" and "compensatory education programs" can be combined to identify an employment area of "elementary compensatory education programs"); and/or

2. Applied on a District-wide or campus-wide basis (e.g., “the counseling program at [named elementary campus]”).

The Board shall determine the employment areas to be affected.

Criteria for Decision

The Superintendent shall apply the following criteria to the employees within an affected employment area when a reduction in force will not result in the nonrenewal or discharge of all staff in the employment area. The criteria are listed in the order of importance and shall be applied sequentially to the extent necessary to identify the employees who least satisfy the criteria and therefore are subject to the reduction in force. For example, if all necessary reductions can be accomplished by applying the first criterion, it is not necessary to apply the second criterion, and so forth.

1. Qualifications for Current or Projected Assignment: Certification, multiple or composite certifications, bilingual certification, licensure, endorsement, and/or specialized or advanced content-specific training or skills for the current or projected assignment.
2. Performance: Effectiveness, as reflected by the most recent formal appraisal, whether completed by the District or by a previous district, and any other written evaluative information, including disciplinary information, from the last 36 months. If the Superintendent at his or her discretion decides that the documented performance differences between two or more employees are too insubstantial to rely upon, he or she may proceed to apply the remaining criteria in the order listed below.
3. Extra Duties: Currently performing an extra-duty assignment, such as department or grade-level chair, band director, athletic coach, or activity sponsor.
4. Professional Background: Professional education and work experience related to the current or projected assignment.
5. Seniority: Length of service in the District, as measured from the employee’s most recent date of hire.

Superintendent
Recommendation

The Superintendent shall recommend to the Board the nonrenewal or discharge of the identified employees within the affected employment areas.

Board Vote

After considering the Superintendent’s recommendations, the Board shall determine the employees to be proposed for nonrenewal or discharge, as appropriate.

REDUCTION IN FORCE
FINANCIAL EXIGENCY

DFFA
(LOCAL)

If the Board votes to propose nonrenewal of one or more employees, the Board shall specify the manner of hearing in accordance with DFBB(LOCAL).

If the Board votes to propose discharge of one or more employees, the Board shall determine whether the hearing will be conducted by a TEA-appointed hearing examiner [see DFD] or will be a local hearing under Education Code 21.207 [see DFBB].

Notice

The Superintendent shall provide each employee written notice of the proposed nonrenewal or discharge, as applicable. The notice shall include:

1. The proposed action, as applicable;
2. A statement of the reason for the proposed action; and
3. Notice that the employee is entitled to a hearing of the type determined by the Board.

**Consideration for
Available Positions**

An employee who has received notice of proposed nonrenewal or discharge may apply for available positions for which he or she wishes to be considered. The employee is responsible for reviewing posted vacancies, submitting an application, and otherwise complying with District procedures.

If the employee meets the District's objective criteria for the position and is the most qualified internal applicant, the District shall offer the employee the position until:

1. Final action by the Board to end the employee's contract, if the employee does not request a hearing.
2. The evidentiary hearing by the independent hearing examiner, the Board, or other person designated in DFBB(LOCAL), if the employee requests a hearing.

Hearing Request

Nonrenewal: Term
Contract

An employee receiving notice of proposed nonrenewal of a term contract may request a hearing in accordance with DFBB.

Discharge: Chapter
21 Contract

An employee receiving notice of proposed discharge from a contract governed by Chapter 21 of the Education Code may request a hearing. The hearing shall be conducted in accordance with DFD or the nonrenewal hearing process in DFBB, as determined by the Board and specified in the notice of proposed discharge.

Discharge:
Non-Chapter 21
Contract

An employee receiving notice of proposed discharge during the period of an employment contract not governed by Chapter 21 of the Education Code may request a hearing before the Board or its designee in accordance with DCE.

REDUCTION IN FORCE
FINANCIAL EXIGENCY

DFFA
(LOCAL)

Final Action

Hearing Requested

If the employee requests a hearing, the Board shall take final action after the hearing in accordance with DCE, DFBB, or DFD, as applicable, and shall notify the employee in writing.

No Hearing
Requested

If the employee does not request a hearing, the Board shall take final action in accordance with DCE, DFBB, or DFD, as applicable, and shall notify the employee in writing.



Board of Trustees
Executive Summary of Board Agenda Item

TITLE:

Discuss and Take Appropriate Action on Recommendation for Proposed Termination of One-Year Term Contracts Certified Classroom Teacher and One-Year Probationary Contracts Certified Classroom Teacher for the 2026-2027 School Year: High School Testing Coordinator Positions

JUSTIFICATION STATEMENT:

To allow the Board to take action, if needed

PURPOSE OF AGENDA ITEM: Action

TO BE HELD IN: Open Session

TEXAS GOVERNMENT CODES:

AUTHORITY FOR ACTION: Legal/Local Policy

STAFF RESPONSIBLE: Dr. Brian Lusk, Superintendent; Cezy Collins, Legal Counsel

DISTRICT IMPROVEMENT PLAN OBJECTIVE, GOAL, OR NEED ADDRESSED:

SUMMARY:

On June 4, 2026, the Board of Trustees declared a Financial Exigency for the 2025-2026 fiscal year and extended that Financial Exigency into the 2026-2027 fiscal year. See Exhibit A. Also on June 4, 2026, the Board designated the attached employment areas to be affected by the Reduction in Force in accordance with DFFA (Local). See Exhibit B. A reduction in force due to financial exigency is good cause for termination of a term and probationary contract.

Due to the Financial Exigency six positions in the employment area High School Testing Coordinator positions are being eliminated for 2026-2027. Five term and one probationary contracts for 2026-2027 in the employment area of High School Testing Coordinator positions are recommended for proposed termination.

ADMINISTRATIVE RECOMMENDATION/MOTION:

FUNDING SOURCE: ACCOUNT NO.:

FISCAL IMPACT AND COST:

IMPACT ON OTHER FUCTIONS/OPERATIONS:

CONSEQUENCES OF NON-APPROVAL:

IMPLEMENTATION TIMELINE:

COMMENTS RECEIVED, IF ANY:

ATTACHMENTS:

[Exhibit A - Financial Exigency Forms.pdf](#)

[ExhibitB.Employment areas and DFFA\(LOCAL\).pdf](#)



Declaration of Financial Exigency Financial Compliance Division

The terms of this form are governed by 19 Texas Administrative Code Chapter 109, Subchapter BB, §109.2001.

Definition

Financial exigency means the financial position of the school district as a whole is such that the financial resources of the school district are insufficient to support the school district's instructional programs or the school district is unable to finance the full compensation of staff for the current or succeeding fiscal year.

Requestor Information

Name of School District	County-District Number	
El Paso Independent School District	071-902	
Date of Initial Declaration (expires on last day of fiscal year)	Fiscal Year Begin Date	Fiscal Year End Date
	07/01/2025	06/30/2026

Reason for Declaration

Financial exigency may be declared by the board of trustees for different reasons. Please select your school district's reason for declaration or extension of financial exigency (check all that apply):

- 1. A decrease of more than 20 percent in unassigned General Fund balance per student in weighted average daily attendance over the past two years or a projected reduction of 20 percent compared to the current year.
- 2. A decline in enrollment by more than 10 percent over the past five years.
- 3. A reduction of more than 10 percent in total General Fund total funding per student in weighted average daily attendance over one year or a projected reduction of 10 percent compared to the current year.
- 4. A natural disaster or casualty loss defined as damage, destruction, or loss of property resulting from an identifiable event that is sudden, unexpected, or unusual; and that requires expenditures for repair or remediation in excess of 15 percent of the current-year General Fund budget.
- 5. Any of the following, or a combination of the following, that exceeds 15 percent of the current-year General Fund budget: an unanticipated major expense, including significant repair costs; litigation expenses, excluding lawsuits against the state; or tax refunds.
- 6. Any other circumstances approved in writing by the commissioner of education. (Please attach documentation and a description of the circumstances.)

Approval

This form must be printed and signed by the board president and superintendent. TEA must receive the declaration of financial exigency within 20 calendar days of declaration. Please mail the signed form to Texas Education Agency, Financial Compliance Division, 1701 N. Congress Ave., Austin, TX 78701.

Certification

I hereby certify that the board has determined that the school district meets one or more of the reasons for declaration of financial exigency in accordance with 19 TAC Chapter 109, Subchapter BB, §109.2001.

Name of Board President	Signature of Board President	Signature Date
Leah Hanany		6/4/26
Name of Superintendent	Signature of Superintendent	Signature Date
Brian Lusk, Ed.D.		6/4/26

For TEA Use Only

Received Date



Board Resolution to Extend or Terminate a Declaration of Financial Exigency

Financial Compliance Division

The terms of this form are governed by 19 Texas Administrative Code Chapter 109, Subchapter BB, §109.2001.

Requestor Information

Name of School District	County-District Number
<input type="text" value="El Paso Independent School District"/>	<input type="text" value="071-902"/>

Resolution

Be it resolved by the Board of Trustees for Name of School District

that the declaration of financial exigency adopted on Date of Initial Declaration

for the fiscal year ended June 30, Year OR August 31, Year

- is extended for another fiscal year. The board has determined that the district continues to meet one or more of the reasons given on its *initial* Declaration of Financial Exigency.
- is terminated as of the date of this resolution.

Approval

Agreed and accepted on Date

This form must be printed and signed by the board president and superintendent. TEA must receive the resolution to extend or terminate a declaration of financial exigency within 20 days of the agreed and accepted date above.

Please mail the signed form to:
Texas Education Agency
Financial Compliance Division
1701 N. Congress Ave.
Austin, TX 78701

Certification

I hereby certify that the board is in compliance with 19 Texas Administrative Code Chapter 109, Subchapter BB, §109.2001 regarding declaration of financial exigency.

Name of Board President	Signature of Board President	Signature Date
<input type="text" value="Leah Hanany"/>	<input type="text" value="Leah Hanany"/>	<input type="text" value="6/4/26"/>
Name of Superintendent	Signature of Superintendent	Signature Date
<input type="text" value="Brian Lusk, Ed.D."/>	<input type="text" value="Brian Lusk, Ed.D."/>	<input type="text" value="6/4/26"/>

For TEA Use Only

Received Date

El Paso ISD (071-902)
(2025-2026)-(2026-2027)
Financial Exigency

Fiscal Year	Fund Balance Source	Unassigned General Operating FB	WADA	FB Per WADA	% Change	
2021-2022	Audited	\$ 125,155,933	64,706.07	\$ 1,934.22		
2022-2023	Audited	\$ 127,953,604	63,136.80	\$ 2,026.61	4.78%	
2023-2024	Audited	\$ 120,461,757	62,912.83	\$ 1,914.74	-5.52%	
2024-2025	Audited	\$ 101,016,490	61,680.13	\$ 1,637.75	-14.47%	-19.19%
2025-2026	Projected	\$ 60,287,685	59,379.92	\$ 1,015.29	-38.01%	-46.98%
2026-2027	Projected	\$ 22,325,380	58,069.66	\$ 384.46	-62.13%	-76.53%

FE - A decrease of more than 20 percent in unassigned General Fund balance per student in weighted average daily attendance over the past two years or a projected reduction of 20 percent compared to the current year.

Fiscal Year	Fund Balance Source	Total General Fund Revenues	WADA	Funding Per WADA	% Change	
2021-2022	Audited	\$522,518,951	64,706.07	8,075.27		
2022-2023	Audited	\$520,468,794	63,136.80	8,243.51	2.08%	
2023-2024	Audited	\$533,583,388	62,912.83	8,481.31	2.88%	
2024-2025	Audited	\$516,091,008	61,680.13	8,367.22	-1.35%	
2025-2026	Projected	\$527,933,812	59,379.92	8,890.78	6.26%	

Fiscal Year	Source	Enrollment	% Change	5 Year Change
2021-2022	PEIMS	50,769		
2022-2023	PEIMS	50,031	-1.45%	
2023-2024	PEIMS	49,139	-1.78%	
2024-2025	PEIMS	48,118	-2.08%	
2025-2026	PEIMS	46,244	-3.89%	-8.91%

Employment Areas Affected by Reduction in Force

Probationary Contracts Years 1, 2, and 3 employees unassigned or in temporary staff teacher positions;

Campus and/or department Probationary Contracts Years 1 and 2 at the following campuses and/ or departments: Andress High School, Austin High School, Bobby Joe Hill PK-8, Bowie High School, Brown Middle School, Burges High School, Canyon Hills Middle School, Chapin High School, Coach Wally Hartley PK-8, Coronado High School, Delta Academy, Don Haskins PK-8, Dr. Josefina V. Tinajero PK-8, El Paso High School, Franklin High School, Hornedo Middle School, Irvin High School, Jefferson High School, Magoffin Middle School, SPED Instructional Services, Telles Academy, Wiggs Middle School, and Young Women's Academy with the following teaching positions and titles: High School AP Math Combo, High School AP Science Combo, Middle School Science, Business, High School AP Social Studies Combo, High School Science Combination, High School EL English Teacher, High School Social Studies, Middle School Social Studies, High School AP English Combo, Middle School Social Studies Combo, High School Social Studies Combination, Staff Teacher, High School English, Middle School Math, High School Mathematics, Middle School Physical Education, and High School Science;

Academics - Advanced Academics, Facilitator Planetarium positions;

Diagnostician positions;

High School Testing Coordinator positions;

Bliss Elementary School Instructional Coach positions;

Clendenin Elementary School Instructional Coach positions;

Cooley Elementary School Instructional Coach positions;

Crockett Elementary School Instructional Coach positions;

Hart Elementary School Instructional Coach positions;

Logan Elementary School Instructional Coach positions;

Moye Elementary School Instructional Coach positions;

Powell Elementary School Instructional Coach positions;

Tom Lea ES Instructional Coach positions;

Torres Elementary School Instructional Coach positions;

Mesita EC/DC Instructional Coach positions;

Milam Elementary School Instructional Coach positions;

Special Education Department, Climate Behavior Specialist positions;

Master Social Worker positions;

Special Education Department, Facilitator positions; and

School Psychologist positions.

**Plan to Reduce
Personnel Costs**

If the Superintendent determines that there is a need to reduce personnel costs, the Superintendent shall develop, in consultation with the Board as necessary, a plan for reducing costs that may include one or more of the following:

- Salary reductions [see DEA];
- Furloughs [see DEA];
- Reductions in force of contract personnel due to financial exigency, if the District meets the standard for declaring a financial exigency as defined by the commissioner [see CEA and provisions at Reduction in Force Due to Financial Exigency, below];
- Reductions in force of contract personnel due to program change [see DFFB]; or
- Other means of reducing personnel costs.

A plan to reduce personnel costs may include the reduction of personnel employed pursuant to employment arrangements not covered at Applicability, below.

- See DCD for the termination at any time of at-will employment.
- See DFAB for the termination of a probationary contract at the end of the contract period.
- See DFCA for the termination of a continuing contract, if applicable.
- See DCE for the termination at the end of the contract period of a contract not governed by Chapter 21 of the Education Code.

**Reduction in Force
Due to Financial
Exigency**

Applicability

The following provisions shall apply when a reduction in force due to financial exigency requires:

1. The nonrenewal or termination of a term contract;
2. The termination of a probationary contract during the contract period; or
3. The termination of a contract not governed by Chapter 21 of the Education Code during the contract period.

Definitions

Definitions used in this policy are as follows:

1. "Nonrenewal" shall mean the termination of a term contract at the end of the contract period.

2. "Discharge" shall mean termination of a contract during the contract period.

General Grounds

A reduction in force may take place when the Superintendent recommends and the Board adopts a resolution declaring a financial exigency. [See CEA] A determination of financial exigency constitutes sufficient reason for nonrenewal or sufficient cause for discharge.

Employment Areas

When a reduction in force is to be implemented, the Superintendent shall recommend the employment areas to be affected.

Employment areas may include, for example:

1. Elementary grades, levels, subjects, departments, or programs;
2. Secondary grades, levels, subjects, departments, or programs, including career and technical education subjects;
3. Special programs, such as gifted and talented, bilingual/ESL programs, special education and related services, compensatory education, or migrant education;
4. Disciplinary alternative education programs (DAEPs) and other discipline management programs;
5. Counseling programs;
6. Library programs;
7. Nursing and other health services programs;
8. An educational support program that does not provide direct instruction to students;
9. Other District-wide programs;
10. An individual campus;
11. Any administrative position, unit, or department;
12. Programs funded by state or federal grants or other dedicated funding; and
13. Other contractual positions.

The Superintendent's recommendation may address whether any employment areas should be:

1. Combined or adjusted (e.g., "elementary programs" and "compensatory education programs" can be combined to identify an employment area of "elementary compensatory education programs"); and/or

2. Applied on a District-wide or campus-wide basis (e.g., “the counseling program at [named elementary campus]”).

The Board shall determine the employment areas to be affected.

Criteria for Decision

The Superintendent shall apply the following criteria to the employees within an affected employment area when a reduction in force will not result in the nonrenewal or discharge of all staff in the employment area. The criteria are listed in the order of importance and shall be applied sequentially to the extent necessary to identify the employees who least satisfy the criteria and therefore are subject to the reduction in force. For example, if all necessary reductions can be accomplished by applying the first criterion, it is not necessary to apply the second criterion, and so forth.

1. Qualifications for Current or Projected Assignment: Certification, multiple or composite certifications, bilingual certification, licensure, endorsement, and/or specialized or advanced content-specific training or skills for the current or projected assignment.
2. Performance: Effectiveness, as reflected by the most recent formal appraisal, whether completed by the District or by a previous district, and any other written evaluative information, including disciplinary information, from the last 36 months. If the Superintendent at his or her discretion decides that the documented performance differences between two or more employees are too insubstantial to rely upon, he or she may proceed to apply the remaining criteria in the order listed below.
3. Extra Duties: Currently performing an extra-duty assignment, such as department or grade-level chair, band director, athletic coach, or activity sponsor.
4. Professional Background: Professional education and work experience related to the current or projected assignment.
5. Seniority: Length of service in the District, as measured from the employee’s most recent date of hire.

Superintendent
Recommendation

The Superintendent shall recommend to the Board the nonrenewal or discharge of the identified employees within the affected employment areas.

Board Vote

After considering the Superintendent’s recommendations, the Board shall determine the employees to be proposed for nonrenewal or discharge, as appropriate.

REDUCTION IN FORCE
FINANCIAL EXIGENCY

DFFA
(LOCAL)

If the Board votes to propose nonrenewal of one or more employees, the Board shall specify the manner of hearing in accordance with DFBB(LOCAL).

If the Board votes to propose discharge of one or more employees, the Board shall determine whether the hearing will be conducted by a TEA-appointed hearing examiner [see DFD] or will be a local hearing under Education Code 21.207 [see DFBB].

Notice

The Superintendent shall provide each employee written notice of the proposed nonrenewal or discharge, as applicable. The notice shall include:

1. The proposed action, as applicable;
2. A statement of the reason for the proposed action; and
3. Notice that the employee is entitled to a hearing of the type determined by the Board.

**Consideration for
Available Positions**

An employee who has received notice of proposed nonrenewal or discharge may apply for available positions for which he or she wishes to be considered. The employee is responsible for reviewing posted vacancies, submitting an application, and otherwise complying with District procedures.

If the employee meets the District's objective criteria for the position and is the most qualified internal applicant, the District shall offer the employee the position until:

1. Final action by the Board to end the employee's contract, if the employee does not request a hearing.
2. The evidentiary hearing by the independent hearing examiner, the Board, or other person designated in DFBB(LOCAL), if the employee requests a hearing.

Hearing Request

Nonrenewal: Term
Contract

An employee receiving notice of proposed nonrenewal of a term contract may request a hearing in accordance with DFBB.

Discharge: Chapter
21 Contract

An employee receiving notice of proposed discharge from a contract governed by Chapter 21 of the Education Code may request a hearing. The hearing shall be conducted in accordance with DFD or the nonrenewal hearing process in DFBB, as determined by the Board and specified in the notice of proposed discharge.

Discharge:
Non-Chapter 21
Contract

An employee receiving notice of proposed discharge during the period of an employment contract not governed by Chapter 21 of the Education Code may request a hearing before the Board or its designee in accordance with DCE.

REDUCTION IN FORCE
FINANCIAL EXIGENCY

DFFA
(LOCAL)

Final Action

Hearing Requested

If the employee requests a hearing, the Board shall take final action after the hearing in accordance with DCE, DFBB, or DFD, as applicable, and shall notify the employee in writing.

No Hearing
Requested

If the employee does not request a hearing, the Board shall take final action in accordance with DCE, DFBB, or DFD, as applicable, and shall notify the employee in writing.



Board of Trustees
Executive Summary of Board Agenda Item

TITLE:

Discuss and Take Appropriate Action on Recommendation for Proposed Termination of One-Year Term Contract Certified Classroom Teacher for the 2026-2027 School Year: Bliss Elementary School Instructional Coach Positions

JUSTIFICATION STATEMENT:

To allow the Board to take action, if needed

PURPOSE OF AGENDA ITEM: Action

TO BE HELD IN: Open Session

TEXAS GOVERNMENT CODES:

AUTHORITY FOR ACTION: Legal/Local Policy

STAFF RESPONSIBLE: Dr. Brian Lusk, Superintendent; Cezy Collins, Legal Counsel

DISTRICT IMPROVEMENT PLAN OBJECTIVE, GOAL, OR NEED ADDRESSED:

SUMMARY:

On June 4, 2026, the Board of Trustees declared a Financial Exigency for the 2025-2026 fiscal year and extended that Financial Exigency into the 2026-2027 fiscal year. See Exhibit A. Also on June 4, 2026, the Board designated the attached employment areas to be affected by the Reduction in Force in accordance with DFFA (Local). See Exhibit B. A reduction in force due to financial exigency is good cause for termination of a term contract.

Due to the Financial Exigency one position in the employment area of Bliss Elementary School Instructional Coach positions is being eliminated for 2026-2027. One term contract for 2026-2027 in the employment area of Bliss Elementary School Instructional Coach positions is recommended for proposed termination.

ADMINISTRATIVE RECOMMENDATION/MOTION:

FUNDING SOURCE: ACCOUNT NO.:

FISCAL IMPACT AND COST:

IMPACT ON OTHER FUCTIONS/OPERATIONS:

CONSEQUENCES OF NON-APPROVAL:

IMPLEMENTATION TIMELINE:

COMMENTS RECEIVED, IF ANY:

ATTACHMENTS:

Exhibit A - Financial Exigency Forms.pdf
ExhibitB.Employment areas and DFFA(LOCAL).pdf



Declaration of Financial Exigency Financial Compliance Division

The terms of this form are governed by 19 Texas Administrative Code Chapter 109, Subchapter BB, §109.2001.

Definition

Financial exigency means the financial position of the school district as a whole is such that the financial resources of the school district are insufficient to support the school district's instructional programs or the school district is unable to finance the full compensation of staff for the current or succeeding fiscal year.

Requestor Information

Name of School District	County-District Number	
El Paso Independent School District	071-902	
Date of Initial Declaration (expires on last day of fiscal year)	Fiscal Year Begin Date	Fiscal Year End Date
	07/01/2025	06/30/2026

Reason for Declaration

Financial exigency may be declared by the board of trustees for different reasons. Please select your school district's reason for declaration or extension of financial exigency (check all that apply):

- 1. A decrease of more than 20 percent in unassigned General Fund balance per student in weighted average daily attendance over the past two years or a projected reduction of 20 percent compared to the current year.
- 2. A decline in enrollment by more than 10 percent over the past five years.
- 3. A reduction of more than 10 percent in total General Fund total funding per student in weighted average daily attendance over one year or a projected reduction of 10 percent compared to the current year.
- 4. A natural disaster or casualty loss defined as damage, destruction, or loss of property resulting from an identifiable event that is sudden, unexpected, or unusual; and that requires expenditures for repair or remediation in excess of 15 percent of the current-year General Fund budget.
- 5. Any of the following, or a combination of the following, that exceeds 15 percent of the current-year General Fund budget: an unanticipated major expense, including significant repair costs; litigation expenses, excluding lawsuits against the state; or tax refunds.
- 6. Any other circumstances approved in writing by the commissioner of education. (Please attach documentation and a description of the circumstances.)

Approval

This form must be printed and signed by the board president and superintendent. TEA must receive the declaration of financial exigency within 20 calendar days of declaration. Please mail the signed form to Texas Education Agency, Financial Compliance Division, 1701 N. Congress Ave., Austin, TX 78701.

Certification

I hereby certify that the board has determined that the school district meets one or more of the reasons for declaration of financial exigency in accordance with 19 TAC Chapter 109, Subchapter BB, §109.2001.

Name of Board President	Signature of Board President	Signature Date
Leah Hanany		6/4/26
Name of Superintendent	Signature of Superintendent	Signature Date
Brian Lusk, Ed.D.		6/4/26

For TEA Use Only

Received Date



Board Resolution to Extend or Terminate a Declaration of Financial Exigency

Financial Compliance Division

The terms of this form are governed by 19 Texas Administrative Code Chapter 109, Subchapter BB, §109.2001.

Requestor Information

Name of School District	County-District Number
<input type="text" value="El Paso Independent School District"/>	<input type="text" value="071-902"/>

Resolution

Be it resolved by the Board of Trustees for Name of School District

that the declaration of financial exigency adopted on Date of Initial Declaration

for the fiscal year ended June 30, Year OR August 31, Year

- is extended for another fiscal year. The board has determined that the district continues to meet one or more of the reasons given on its *initial* Declaration of Financial Exigency.
- is terminated as of the date of this resolution.

Approval

Agreed and accepted on Date

This form must be printed and signed by the board president and superintendent. TEA must receive the resolution to extend or terminate a declaration of financial exigency within 20 days of the agreed and accepted date above.

Please mail the signed form to:
Texas Education Agency
Financial Compliance Division
1701 N. Congress Ave.
Austin, TX 78701

Certification

I hereby certify that the board is in compliance with 19 Texas Administrative Code Chapter 109, Subchapter BB, §109.2001 regarding declaration of financial exigency.

Name of Board President	Signature of Board President	Signature Date
<input type="text" value="Leah Hanany"/>	<input type="text" value="Leah Hanany"/>	<input type="text" value="6/4/26"/>
Name of Superintendent	Signature of Superintendent	Signature Date
<input type="text" value="Brian Lusk, Ed.D."/>	<input type="text" value="Brian Lusk, Ed.D."/>	<input type="text" value="6/4/26"/>

For TEA Use Only

Received Date

El Paso ISD (071-902)
(2025-2026)-(2026-2027)
Financial Exigency

Fiscal Year	Fund Balance Source	Unassigned General Operating FB	WADA	FB Per WADA	% Change	
2021-2022	Audited	\$ 125,155,933	64,706.07	\$ 1,934.22		
2022-2023	Audited	\$ 127,953,604	63,136.80	\$ 2,026.61	4.78%	
2023-2024	Audited	\$ 120,461,757	62,912.83	\$ 1,914.74	-5.52%	
2024-2025	Audited	\$ 101,016,490	61,680.13	\$ 1,637.75	-14.47%	-19.19%
2025-2026	Projected	\$ 60,287,685	59,379.92	\$ 1,015.29	-38.01%	-46.98%
2026-2027	Projected	\$ 22,325,380	58,069.66	\$ 384.46	-62.13%	-76.53%

FE - A decrease of more than 20 percent in unassigned General Fund balance per student in weighted average daily attendance over the past two years or a projected reduction of 20 percent compared to the current year.

Fiscal Year	Fund Balance Source	Total General Fund Revenues	WADA	Funding Per WADA	% Change	
2021-2022	Audited	\$522,518,951	64,706.07	8,075.27		
2022-2023	Audited	\$520,468,794	63,136.80	8,243.51	2.08%	
2023-2024	Audited	\$533,583,388	62,912.83	8,481.31	2.88%	
2024-2025	Audited	\$516,091,008	61,680.13	8,367.22	-1.35%	
2025-2026	Projected	\$527,933,812	59,379.92	8,890.78	6.26%	

Fiscal Year	Source	Enrollment	% Change	5 Year Change
2021-2022	PEIMS	50,769		
2022-2023	PEIMS	50,031	-1.45%	
2023-2024	PEIMS	49,139	-1.78%	
2024-2025	PEIMS	48,118	-2.08%	
2025-2026	PEIMS	46,244	-3.89%	-8.91%

Employment Areas Affected by Reduction in Force

Probationary Contracts Years 1, 2, and 3 employees unassigned or in temporary staff teacher positions;

Campus and/or department Probationary Contracts Years 1 and 2 at the following campuses and/ or departments: Andress High School, Austin High School, Bobby Joe Hill PK-8, Bowie High School, Brown Middle School, Burges High School, Canyon Hills Middle School, Chapin High School, Coach Wally Hartley PK-8, Coronado High School, Delta Academy, Don Haskins PK-8, Dr. Josefina V. Tinajero PK-8, El Paso High School, Franklin High School, Hornedo Middle School, Irvin High School, Jefferson High School, Magoffin Middle School, SPED Instructional Services, Telles Academy, Wiggs Middle School, and Young Women's Academy with the following teaching positions and titles: High School AP Math Combo, High School AP Science Combo, Middle School Science, Business, High School AP Social Studies Combo, High School Science Combination, High School EL English Teacher, High School Social Studies, Middle School Social Studies, High School AP English Combo, Middle School Social Studies Combo, High School Social Studies Combination, Staff Teacher, High School English, Middle School Math, High School Mathematics, Middle School Physical Education, and High School Science;

Academics - Advanced Academics, Facilitator Planetarium positions;

Diagnostician positions;

High School Testing Coordinator positions;

Bliss Elementary School Instructional Coach positions;

Clendenin Elementary School Instructional Coach positions;

Cooley Elementary School Instructional Coach positions;

Crockett Elementary School Instructional Coach positions;

Hart Elementary School Instructional Coach positions;

Logan Elementary School Instructional Coach positions;

Moye Elementary School Instructional Coach positions;

Powell Elementary School Instructional Coach positions;

Tom Lea ES Instructional Coach positions;

Torres Elementary School Instructional Coach positions;

Mesita EC/DC Instructional Coach positions;

Milam Elementary School Instructional Coach positions;

Special Education Department, Climate Behavior Specialist positions;

Master Social Worker positions;

Special Education Department, Facilitator positions; and

School Psychologist positions.

**Plan to Reduce
Personnel Costs**

If the Superintendent determines that there is a need to reduce personnel costs, the Superintendent shall develop, in consultation with the Board as necessary, a plan for reducing costs that may include one or more of the following:

- Salary reductions [see DEA];
- Furloughs [see DEA];
- Reductions in force of contract personnel due to financial exigency, if the District meets the standard for declaring a financial exigency as defined by the commissioner [see CEA and provisions at Reduction in Force Due to Financial Exigency, below];
- Reductions in force of contract personnel due to program change [see DFFB]; or
- Other means of reducing personnel costs.

A plan to reduce personnel costs may include the reduction of personnel employed pursuant to employment arrangements not covered at Applicability, below.

- See DCD for the termination at any time of at-will employment.
- See DFAB for the termination of a probationary contract at the end of the contract period.
- See DFCA for the termination of a continuing contract, if applicable.
- See DCE for the termination at the end of the contract period of a contract not governed by Chapter 21 of the Education Code.

**Reduction in Force
Due to Financial
Exigency**

Applicability

The following provisions shall apply when a reduction in force due to financial exigency requires:

1. The nonrenewal or termination of a term contract;
2. The termination of a probationary contract during the contract period; or
3. The termination of a contract not governed by Chapter 21 of the Education Code during the contract period.

Definitions

Definitions used in this policy are as follows:

1. "Nonrenewal" shall mean the termination of a term contract at the end of the contract period.

2. "Discharge" shall mean termination of a contract during the contract period.

General Grounds

A reduction in force may take place when the Superintendent recommends and the Board adopts a resolution declaring a financial exigency. [See CEA] A determination of financial exigency constitutes sufficient reason for nonrenewal or sufficient cause for discharge.

Employment Areas

When a reduction in force is to be implemented, the Superintendent shall recommend the employment areas to be affected.

Employment areas may include, for example:

1. Elementary grades, levels, subjects, departments, or programs;
2. Secondary grades, levels, subjects, departments, or programs, including career and technical education subjects;
3. Special programs, such as gifted and talented, bilingual/ESL programs, special education and related services, compensatory education, or migrant education;
4. Disciplinary alternative education programs (DAEPs) and other discipline management programs;
5. Counseling programs;
6. Library programs;
7. Nursing and other health services programs;
8. An educational support program that does not provide direct instruction to students;
9. Other District-wide programs;
10. An individual campus;
11. Any administrative position, unit, or department;
12. Programs funded by state or federal grants or other dedicated funding; and
13. Other contractual positions.

The Superintendent's recommendation may address whether any employment areas should be:

1. Combined or adjusted (e.g., "elementary programs" and "compensatory education programs" can be combined to identify an employment area of "elementary compensatory education programs"); and/or

2. Applied on a District-wide or campus-wide basis (e.g., “the counseling program at [named elementary campus]”).

The Board shall determine the employment areas to be affected.

Criteria for Decision

The Superintendent shall apply the following criteria to the employees within an affected employment area when a reduction in force will not result in the nonrenewal or discharge of all staff in the employment area. The criteria are listed in the order of importance and shall be applied sequentially to the extent necessary to identify the employees who least satisfy the criteria and therefore are subject to the reduction in force. For example, if all necessary reductions can be accomplished by applying the first criterion, it is not necessary to apply the second criterion, and so forth.

1. Qualifications for Current or Projected Assignment: Certification, multiple or composite certifications, bilingual certification, licensure, endorsement, and/or specialized or advanced content-specific training or skills for the current or projected assignment.
2. Performance: Effectiveness, as reflected by the most recent formal appraisal, whether completed by the District or by a previous district, and any other written evaluative information, including disciplinary information, from the last 36 months. If the Superintendent at his or her discretion decides that the documented performance differences between two or more employees are too insubstantial to rely upon, he or she may proceed to apply the remaining criteria in the order listed below.
3. Extra Duties: Currently performing an extra-duty assignment, such as department or grade-level chair, band director, athletic coach, or activity sponsor.
4. Professional Background: Professional education and work experience related to the current or projected assignment.
5. Seniority: Length of service in the District, as measured from the employee’s most recent date of hire.

Superintendent
Recommendation

The Superintendent shall recommend to the Board the nonrenewal or discharge of the identified employees within the affected employment areas.

Board Vote

After considering the Superintendent’s recommendations, the Board shall determine the employees to be proposed for nonrenewal or discharge, as appropriate.

REDUCTION IN FORCE
FINANCIAL EXIGENCY

DFFA
(LOCAL)

If the Board votes to propose nonrenewal of one or more employees, the Board shall specify the manner of hearing in accordance with DFBB(LOCAL).

If the Board votes to propose discharge of one or more employees, the Board shall determine whether the hearing will be conducted by a TEA-appointed hearing examiner [see DFD] or will be a local hearing under Education Code 21.207 [see DFBB].

Notice

The Superintendent shall provide each employee written notice of the proposed nonrenewal or discharge, as applicable. The notice shall include:

1. The proposed action, as applicable;
2. A statement of the reason for the proposed action; and
3. Notice that the employee is entitled to a hearing of the type determined by the Board.

**Consideration for
Available Positions**

An employee who has received notice of proposed nonrenewal or discharge may apply for available positions for which he or she wishes to be considered. The employee is responsible for reviewing posted vacancies, submitting an application, and otherwise complying with District procedures.

If the employee meets the District's objective criteria for the position and is the most qualified internal applicant, the District shall offer the employee the position until:

1. Final action by the Board to end the employee's contract, if the employee does not request a hearing.
2. The evidentiary hearing by the independent hearing examiner, the Board, or other person designated in DFBB(LOCAL), if the employee requests a hearing.

Hearing Request

Nonrenewal: Term
Contract

An employee receiving notice of proposed nonrenewal of a term contract may request a hearing in accordance with DFBB.

Discharge: Chapter
21 Contract

An employee receiving notice of proposed discharge from a contract governed by Chapter 21 of the Education Code may request a hearing. The hearing shall be conducted in accordance with DFD or the nonrenewal hearing process in DFBB, as determined by the Board and specified in the notice of proposed discharge.

Discharge:
Non-Chapter 21
Contract

An employee receiving notice of proposed discharge during the period of an employment contract not governed by Chapter 21 of the Education Code may request a hearing before the Board or its designee in accordance with DCE.

REDUCTION IN FORCE
FINANCIAL EXIGENCY

DFFA
(LOCAL)

Final Action

Hearing Requested

If the employee requests a hearing, the Board shall take final action after the hearing in accordance with DCE, DFBB, or DFD, as applicable, and shall notify the employee in writing.

No Hearing
Requested

If the employee does not request a hearing, the Board shall take final action in accordance with DCE, DFBB, or DFD, as applicable, and shall notify the employee in writing.



Board of Trustees
Executive Summary of Board Agenda Item

TITLE:

Discuss and Take Appropriate Action on Recommendation for Proposed Termination of One-Year Term Contract Certified Classroom Teacher for the 2026-2027 School Year: Clendenin Elementary School Instructional Coach Positions

JUSTIFICATION STATEMENT:

To allow the Board to take action, if needed

PURPOSE OF AGENDA ITEM: Action

TO BE HELD IN: Open Session

TEXAS GOVERNMENT CODES:

AUTHORITY FOR ACTION: Legal/Local Policy

STAFF RESPONSIBLE: Dr. Brian Lusk, Superintendent; Cezy Collins, Legal Counsel

DISTRICT IMPROVEMENT PLAN OBJECTIVE, GOAL, OR NEED ADDRESSED:

SUMMARY:

On June 4, 2026, the Board of Trustees declared a Financial Exigency for the 2025-2026 fiscal year and extended that Financial Exigency into the 2026-2027 fiscal year. See Exhibit A. Also on June 4, 2026, the Board designated the attached employment areas to be affected by the Reduction in Force in accordance with DFFA (Local). See Exhibit B. A reduction in force due to financial exigency is good cause for termination of a term contract.

Due to the Financial Exigency one position in the employment area of Clendenin Elementary School Instructional Coach positions is being eliminated for 2026-2027. One term contract for 2026-2027 in the employment area of Clendenin Elementary School Instructional Coach positions is recommended for proposed termination.

ADMINISTRATIVE RECOMMENDATION/MOTION:

FUNDING SOURCE: ACCOUNT NO.:

FISCAL IMPACT AND COST:

IMPACT ON OTHER FUCTIONS/OPERATIONS:

CONSEQUENCES OF NON-APPROVAL:

IMPLEMENTATION TIMELINE:

COMMENTS RECEIVED, IF ANY:

ATTACHMENTS:

Exhibit A - Financial Exigency Forms.pdf
ExhibitB.Employment areas and DFFA(LOCAL).pdf



Declaration of Financial Exigency

Financial Compliance Division

The terms of this form are governed by 19 Texas Administrative Code Chapter 109, Subchapter BB, §109.2001.

Definition

Financial exigency means the financial position of the school district as a whole is such that the financial resources of the school district are insufficient to support the school district's instructional programs or the school district is unable to finance the full compensation of staff for the current or succeeding fiscal year.

Requestor Information

Name of School District	County-District Number	
El Paso Independent School District	071-902	
Date of Initial Declaration (expires on last day of fiscal year)	Fiscal Year Begin Date	Fiscal Year End Date
	07/01/2025	06/30/2026

Reason for Declaration

Financial exigency may be declared by the board of trustees for different reasons. Please select your school district's reason for declaration or extension of financial exigency (check all that apply):

- 1. A decrease of more than 20 percent in unassigned General Fund balance per student in weighted average daily attendance over the past two years or a projected reduction of 20 percent compared to the current year.
- 2. A decline in enrollment by more than 10 percent over the past five years.
- 3. A reduction of more than 10 percent in total General Fund total funding per student in weighted average daily attendance over one year or a projected reduction of 10 percent compared to the current year.
- 4. A natural disaster or casualty loss defined as damage, destruction, or loss of property resulting from an identifiable event that is sudden, unexpected, or unusual; and that requires expenditures for repair or remediation in excess of 15 percent of the current-year General Fund budget.
- 5. Any of the following, or a combination of the following, that exceeds 15 percent of the current-year General Fund budget: an unanticipated major expense, including significant repair costs; litigation expenses, excluding lawsuits against the state; or tax refunds.
- 6. Any other circumstances approved in writing by the commissioner of education. (Please attach documentation and a description of the circumstances.)

Approval

This form must be printed and signed by the board president and superintendent. TEA must receive the declaration of financial exigency within 20 calendar days of declaration. Please mail the signed form to Texas Education Agency, Financial Compliance Division, 1701 N. Congress Ave., Austin, TX 78701.

Certification

I hereby certify that the board has determined that the school district meets one or more of the reasons for declaration of financial exigency in accordance with 19 TAC Chapter 109, Subchapter BB, §109.2001.

Name of Board President	Signature of Board President	Signature Date
Leah Hanany		6/4/26
Name of Superintendent	Signature of Superintendent	Signature Date
Brian Lusk, Ed.D.		6/4/26

For TEA Use Only

Received Date



Board Resolution to Extend or Terminate a Declaration of Financial Exigency

Financial Compliance Division

The terms of this form are governed by 19 Texas Administrative Code Chapter 109, Subchapter BB, §109.2001.

Requestor Information

Name of School District	County-District Number
<input type="text" value="El Paso Independent School District"/>	<input type="text" value="071-902"/>

Resolution

Be it resolved by the Board of Trustees for Name of School District

that the declaration of financial exigency adopted on Date of Initial Declaration

for the fiscal year ended June 30, Year OR August 31, Year

- is extended for another fiscal year. The board has determined that the district continues to meet one or more of the reasons given on its *initial* Declaration of Financial Exigency.
- is terminated as of the date of this resolution.

Approval

Agreed and accepted on Date

This form must be printed and signed by the board president and superintendent. TEA must receive the resolution to extend or terminate a declaration of financial exigency within 20 days of the agreed and accepted date above.

Please mail the signed form to:
Texas Education Agency
Financial Compliance Division
1701 N. Congress Ave.
Austin, TX 78701

Certification

I hereby certify that the board is in compliance with 19 Texas Administrative Code Chapter 109, Subchapter BB, §109.2001 regarding declaration of financial exigency.

Name of Board President	Signature of Board President	Signature Date
<input type="text" value="Leah Hanany"/>	<input type="text" value="Leah Hanany"/>	<input type="text" value="6/4/26"/>
Name of Superintendent	Signature of Superintendent	Signature Date
<input type="text" value="Brian Lusk, Ed.D."/>	<input type="text" value="Brian Lusk, Ed.D."/>	<input type="text" value="6/4/26"/>

For TEA Use Only

Received Date

**El Paso ISD (071-902)
(2025-2026)-(2026-2027)
Financial Exigency**

Fiscal Year	Fund Balance Source	Unassigned General Operating FB	WADA	FB Per WADA	% Change
2021-2022	Audited	\$ 125,155,933	64,706.07	\$ 1,934.22	
2022-2023	Audited	\$ 127,953,604	63,136.80	\$ 2,026.61	4.78%
2023-2024	Audited	\$ 120,461,757	62,912.83	\$ 1,914.74	-5.52%
2024-2025	Audited	\$ 101,016,490	61,680.13	\$ 1,637.75	-14.47%
2025-2026	Projected	\$ 60,287,685	59,379.92	\$ 1,015.29	-38.01%
2026-2027	Projected	\$ 22,325,380	58,069.66	\$ 384.46	-62.13%

FE - A decrease of more than 20 percent in unassigned General Fund balance per student in weighted average daily attendance over the past two years or a projected reduction of 20 percent compared to the current year.

Fiscal Year	Fund Balance Source	Total General Fund Revenues	WADA	Funding Per WADA	% Change
2021-2022	Audited	\$522,518,951	64,706.07	8,075.27	
2022-2023	Audited	\$520,468,794	63,136.80	8,243.51	2.08%
2023-2024	Audited	\$533,583,388	62,912.83	8,481.31	2.88%
2024-2025	Audited	\$516,091,008	61,680.13	8,367.22	-1.35%
2025-2026	Projected	\$527,933,812	59,379.92	8,890.78	6.26%

Fiscal Year	Source	Enrollment	% Change	5 Year Change
2021-2022	PEIMS	50,769		
2022-2023	PEIMS	50,031	-1.45%	
2023-2024	PEIMS	49,139	-1.78%	
2024-2025	PEIMS	48,118	-2.08%	
2025-2026	PEIMS	46,244	-3.89%	-8.91%

Employment Areas Affected by Reduction in Force

Probationary Contracts Years 1, 2, and 3 employees unassigned or in temporary staff teacher positions;

Campus and/or department Probationary Contracts Years 1 and 2 at the following campuses and/ or departments: Andress High School, Austin High School, Bobby Joe Hill PK-8, Bowie High School, Brown Middle School, Burges High School, Canyon Hills Middle School, Chapin High School, Coach Wally Hartley PK-8, Coronado High School, Delta Academy, Don Haskins PK-8, Dr. Josefina V. Tinajero PK-8, El Paso High School, Franklin High School, Hornedo Middle School, Irvin High School, Jefferson High School, Magoffin Middle School, SPED Instructional Services, Telles Academy, Wiggs Middle School, and Young Women's Academy with the following teaching positions and titles: High School AP Math Combo, High School AP Science Combo, Middle School Science, Business, High School AP Social Studies Combo, High School Science Combination, High School EL English Teacher, High School Social Studies, Middle School Social Studies, High School AP English Combo, Middle School Social Studies Combo, High School Social Studies Combination, Staff Teacher, High School English, Middle School Math, High School Mathematics, Middle School Physical Education, and High School Science;

Academics - Advanced Academics, Facilitator Planetarium positions;

Diagnostician positions;

High School Testing Coordinator positions;

Bliss Elementary School Instructional Coach positions;

Clendenin Elementary School Instructional Coach positions;

Cooley Elementary School Instructional Coach positions;

Crockett Elementary School Instructional Coach positions;

Hart Elementary School Instructional Coach positions;

Logan Elementary School Instructional Coach positions;

Moye Elementary School Instructional Coach positions;

Powell Elementary School Instructional Coach positions;

Tom Lea ES Instructional Coach positions;

Torres Elementary School Instructional Coach positions;

Mesita EC/DC Instructional Coach positions;

Milam Elementary School Instructional Coach positions;

Special Education Department, Climate Behavior Specialist positions;

Master Social Worker positions;

Special Education Department, Facilitator positions; and

School Psychologist positions.

**Plan to Reduce
Personnel Costs**

If the Superintendent determines that there is a need to reduce personnel costs, the Superintendent shall develop, in consultation with the Board as necessary, a plan for reducing costs that may include one or more of the following:

- Salary reductions [see DEA];
- Furloughs [see DEA];
- Reductions in force of contract personnel due to financial exigency, if the District meets the standard for declaring a financial exigency as defined by the commissioner [see CEA and provisions at Reduction in Force Due to Financial Exigency, below];
- Reductions in force of contract personnel due to program change [see DFFB]; or
- Other means of reducing personnel costs.

A plan to reduce personnel costs may include the reduction of personnel employed pursuant to employment arrangements not covered at Applicability, below.

- See DCD for the termination at any time of at-will employment.
- See DFAB for the termination of a probationary contract at the end of the contract period.
- See DFCA for the termination of a continuing contract, if applicable.
- See DCE for the termination at the end of the contract period of a contract not governed by Chapter 21 of the Education Code.

**Reduction in Force
Due to Financial
Exigency**

Applicability

The following provisions shall apply when a reduction in force due to financial exigency requires:

1. The nonrenewal or termination of a term contract;
2. The termination of a probationary contract during the contract period; or
3. The termination of a contract not governed by Chapter 21 of the Education Code during the contract period.

Definitions

Definitions used in this policy are as follows:

1. "Nonrenewal" shall mean the termination of a term contract at the end of the contract period.

2. "Discharge" shall mean termination of a contract during the contract period.

General Grounds

A reduction in force may take place when the Superintendent recommends and the Board adopts a resolution declaring a financial exigency. [See CEA] A determination of financial exigency constitutes sufficient reason for nonrenewal or sufficient cause for discharge.

Employment Areas

When a reduction in force is to be implemented, the Superintendent shall recommend the employment areas to be affected.

Employment areas may include, for example:

1. Elementary grades, levels, subjects, departments, or programs;
2. Secondary grades, levels, subjects, departments, or programs, including career and technical education subjects;
3. Special programs, such as gifted and talented, bilingual/ESL programs, special education and related services, compensatory education, or migrant education;
4. Disciplinary alternative education programs (DAEPs) and other discipline management programs;
5. Counseling programs;
6. Library programs;
7. Nursing and other health services programs;
8. An educational support program that does not provide direct instruction to students;
9. Other District-wide programs;
10. An individual campus;
11. Any administrative position, unit, or department;
12. Programs funded by state or federal grants or other dedicated funding; and
13. Other contractual positions.

The Superintendent's recommendation may address whether any employment areas should be:

1. Combined or adjusted (e.g., "elementary programs" and "compensatory education programs" can be combined to identify an employment area of "elementary compensatory education programs"); and/or

2. Applied on a District-wide or campus-wide basis (e.g., “the counseling program at [named elementary campus]”).

The Board shall determine the employment areas to be affected.

Criteria for Decision

The Superintendent shall apply the following criteria to the employees within an affected employment area when a reduction in force will not result in the nonrenewal or discharge of all staff in the employment area. The criteria are listed in the order of importance and shall be applied sequentially to the extent necessary to identify the employees who least satisfy the criteria and therefore are subject to the reduction in force. For example, if all necessary reductions can be accomplished by applying the first criterion, it is not necessary to apply the second criterion, and so forth.

1. Qualifications for Current or Projected Assignment: Certification, multiple or composite certifications, bilingual certification, licensure, endorsement, and/or specialized or advanced content-specific training or skills for the current or projected assignment.
2. Performance: Effectiveness, as reflected by the most recent formal appraisal, whether completed by the District or by a previous district, and any other written evaluative information, including disciplinary information, from the last 36 months. If the Superintendent at his or her discretion decides that the documented performance differences between two or more employees are too insubstantial to rely upon, he or she may proceed to apply the remaining criteria in the order listed below.
3. Extra Duties: Currently performing an extra-duty assignment, such as department or grade-level chair, band director, athletic coach, or activity sponsor.
4. Professional Background: Professional education and work experience related to the current or projected assignment.
5. Seniority: Length of service in the District, as measured from the employee’s most recent date of hire.

Superintendent
Recommendation

The Superintendent shall recommend to the Board the nonrenewal or discharge of the identified employees within the affected employment areas.

Board Vote

After considering the Superintendent’s recommendations, the Board shall determine the employees to be proposed for nonrenewal or discharge, as appropriate.

REDUCTION IN FORCE
FINANCIAL EXIGENCY

DFFA
(LOCAL)

If the Board votes to propose nonrenewal of one or more employees, the Board shall specify the manner of hearing in accordance with DFBB(LOCAL).

If the Board votes to propose discharge of one or more employees, the Board shall determine whether the hearing will be conducted by a TEA-appointed hearing examiner [see DFD] or will be a local hearing under Education Code 21.207 [see DFBB].

Notice

The Superintendent shall provide each employee written notice of the proposed nonrenewal or discharge, as applicable. The notice shall include:

1. The proposed action, as applicable;
2. A statement of the reason for the proposed action; and
3. Notice that the employee is entitled to a hearing of the type determined by the Board.

**Consideration for
Available Positions**

An employee who has received notice of proposed nonrenewal or discharge may apply for available positions for which he or she wishes to be considered. The employee is responsible for reviewing posted vacancies, submitting an application, and otherwise complying with District procedures.

If the employee meets the District's objective criteria for the position and is the most qualified internal applicant, the District shall offer the employee the position until:

1. Final action by the Board to end the employee's contract, if the employee does not request a hearing.
2. The evidentiary hearing by the independent hearing examiner, the Board, or other person designated in DFBB(LOCAL), if the employee requests a hearing.

Hearing Request

Nonrenewal: Term
Contract

An employee receiving notice of proposed nonrenewal of a term contract may request a hearing in accordance with DFBB.

Discharge: Chapter
21 Contract

An employee receiving notice of proposed discharge from a contract governed by Chapter 21 of the Education Code may request a hearing. The hearing shall be conducted in accordance with DFD or the nonrenewal hearing process in DFBB, as determined by the Board and specified in the notice of proposed discharge.

Discharge:
Non-Chapter 21
Contract

An employee receiving notice of proposed discharge during the period of an employment contract not governed by Chapter 21 of the Education Code may request a hearing before the Board or its designee in accordance with DCE.

REDUCTION IN FORCE
FINANCIAL EXIGENCY

DFFA
(LOCAL)

Final Action

Hearing Requested

If the employee requests a hearing, the Board shall take final action after the hearing in accordance with DCE, DFBB, or DFD, as applicable, and shall notify the employee in writing.

No Hearing
Requested

If the employee does not request a hearing, the Board shall take final action in accordance with DCE, DFBB, or DFD, as applicable, and shall notify the employee in writing.



Board of Trustees
Executive Summary of Board Agenda Item

TITLE:

Discuss and Take Appropriate Action on Recommendation for Proposed Termination of One-Year Term Contract Certified Classroom Teacher for the 2026-2027 School Year: Crockett Elementary School Instructional Coach Positions

JUSTIFICATION STATEMENT:

To allow the Board to take action, if needed

PURPOSE OF AGENDA ITEM: Action

TO BE HELD IN: Open Session

TEXAS GOVERNMENT CODES:

AUTHORITY FOR ACTION: Legal/Local Policy

STAFF RESPONSIBLE: Dr. Brian Lusk, Superintendent; Cezy Collins, Legal Counsel

DISTRICT IMPROVEMENT PLAN OBJECTIVE, GOAL, OR NEED ADDRESSED:

SUMMARY:

On June 4, 2026, the Board of Trustees declared a Financial Exigency for the 2025-2026 fiscal year and extended that Financial Exigency into the 2026-2027 fiscal year. See Exhibit A. Also on June 4, 2026, the Board designated the attached employment areas to be affected by the Reduction in Force in accordance with DFFA (Local). See Exhibit B. A reduction in force due to financial exigency is good cause for termination of a term contract.

Due to the Financial Exigency one position in the employment area of Crockett Elementary School Instructional Coach positions is being eliminated for 2026-2027. One term contract for 2026-2027 in the employment area of Crockett Elementary School Instructional Coach positions is recommended for proposed termination.

ADMINISTRATIVE RECOMMENDATION/MOTION:

FUNDING SOURCE: ACCOUNT NO.:

FISCAL IMPACT AND COST:

IMPACT ON OTHER FUCTIONS/OPERATIONS:

CONSEQUENCES OF NON-APPROVAL:

IMPLEMENTATION TIMELINE:

COMMENTS RECEIVED, IF ANY:

ATTACHMENTS:

Exhibit A - Financial Exigency Forms.pdf
ExhibitB.Employment areas and DFFA(LOCAL).pdf



Declaration of Financial Exigency

Financial Compliance Division

The terms of this form are governed by 19 Texas Administrative Code Chapter 109, Subchapter BB, §109.2001.

Definition

Financial exigency means the financial position of the school district as a whole is such that the financial resources of the school district are insufficient to support the school district's instructional programs or the school district is unable to finance the full compensation of staff for the current or succeeding fiscal year.

Requestor Information

Name of School District	County-District Number	
El Paso Independent School District	071-902	
Date of Initial Declaration (expires on last day of fiscal year)	Fiscal Year Begin Date	Fiscal Year End Date
	07/01/2025	06/30/2026

Reason for Declaration

Financial exigency may be declared by the board of trustees for different reasons. Please select your school district's reason for declaration or extension of financial exigency (check all that apply):

- 1. A decrease of more than 20 percent in unassigned General Fund balance per student in weighted average daily attendance over the past two years or a projected reduction of 20 percent compared to the current year.
- 2. A decline in enrollment by more than 10 percent over the past five years.
- 3. A reduction of more than 10 percent in total General Fund total funding per student in weighted average daily attendance over one year or a projected reduction of 10 percent compared to the current year.
- 4. A natural disaster or casualty loss defined as damage, destruction, or loss of property resulting from an identifiable event that is sudden, unexpected, or unusual; and that requires expenditures for repair or remediation in excess of 15 percent of the current-year General Fund budget.
- 5. Any of the following, or a combination of the following, that exceeds 15 percent of the current-year General Fund budget: an unanticipated major expense, including significant repair costs; litigation expenses, excluding lawsuits against the state; or tax refunds.
- 6. Any other circumstances approved in writing by the commissioner of education. (Please attach documentation and a description of the circumstances.)

Approval

This form must be printed and signed by the board president and superintendent. TEA must receive the declaration of financial exigency within 20 calendar days of declaration. Please mail the signed form to Texas Education Agency, Financial Compliance Division, 1701 N. Congress Ave., Austin, TX 78701.

Certification

I hereby certify that the board has determined that the school district meets one or more of the reasons for declaration of financial exigency in accordance with 19 TAC Chapter 109, Subchapter BB, §109.2001.

Name of Board President	Signature of Board President	Signature Date
Leah Hanany		6/4/26
Name of Superintendent	Signature of Superintendent	Signature Date
Brian Lusk, Ed.D.		6/4/26

For TEA Use Only

Received Date



Board Resolution to Extend or Terminate a Declaration of Financial Exigency

Financial Compliance Division

The terms of this form are governed by 19 Texas Administrative Code Chapter 109, Subchapter BB, §109.2001.

Requestor Information

Name of School District	County-District Number
<input type="text" value="El Paso Independent School District"/>	<input type="text" value="071-902"/>

Resolution

Be it resolved by the Board of Trustees for Name of School District

that the declaration of financial exigency adopted on Date of Initial Declaration

for the fiscal year ended June 30, Year OR August 31, Year

- is extended for another fiscal year. The board has determined that the district continues to meet one or more of the reasons given on its *initial* Declaration of Financial Exigency.
- is terminated as of the date of this resolution.

Approval

Agreed and accepted on Date

This form must be printed and signed by the board president and superintendent. TEA must receive the resolution to extend or terminate a declaration of financial exigency within 20 days of the agreed and accepted date above.

Please mail the signed form to:
Texas Education Agency
Financial Compliance Division
1701 N. Congress Ave.
Austin, TX 78701

Certification

I hereby certify that the board is in compliance with 19 Texas Administrative Code Chapter 109, Subchapter BB, §109.2001 regarding declaration of financial exigency.

Name of Board President	Signature of Board President	Signature Date
<input type="text" value="Leah Hanany"/>	<input type="text" value="Leah Hanany"/>	<input type="text" value="6/4/26"/>
Name of Superintendent	Signature of Superintendent	Signature Date
<input type="text" value="Brian Lusk, Ed.D."/>	<input type="text" value="Brian Lusk, Ed.D."/>	<input type="text" value="6/4/26"/>

For TEA Use Only

Received Date

**El Paso ISD (071-902)
(2025-2026)-(2026-2027)
Financial Exigency**

Fiscal Year	Fund Balance Source	Unassigned General Operating FB	WADA	FB Per WADA	% Change
2021-2022	Audited	\$ 125,155,933	64,706.07	\$ 1,934.22	
2022-2023	Audited	\$ 127,953,604	63,136.80	\$ 2,026.61	4.78%
2023-2024	Audited	\$ 120,461,757	62,912.83	\$ 1,914.74	-5.52%
2024-2025	Audited	\$ 101,016,490	61,680.13	\$ 1,637.75	-14.47%
2025-2026	Projected	\$ 60,287,685	59,379.92	\$ 1,015.29	-38.01%
2026-2027	Projected	\$ 22,325,380	58,069.66	\$ 384.46	-62.13%

FE - A decrease of more than 20 percent in unassigned General Fund balance per student in weighted average daily attendance over the past two years or a projected reduction of 20 percent compared to the current year.

Fiscal Year	Fund Balance Source	Total General Fund Revenues	WADA	Funding Per WADA	% Change
2021-2022	Audited	\$522,518,951	64,706.07	8,075.27	
2022-2023	Audited	\$520,468,794	63,136.80	8,243.51	2.08%
2023-2024	Audited	\$533,583,388	62,912.83	8,481.31	2.88%
2024-2025	Audited	\$516,091,008	61,680.13	8,367.22	-1.35%
2025-2026	Projected	\$527,933,812	59,379.92	8,890.78	6.26%

Fiscal Year	Source	Enrollment	% Change	5 Year Change
2021-2022	PEIMS	50,769		
2022-2023	PEIMS	50,031	-1.45%	
2023-2024	PEIMS	49,139	-1.78%	
2024-2025	PEIMS	48,118	-2.08%	
2025-2026	PEIMS	46,244	-3.89%	-8.91%

Employment Areas Affected by Reduction in Force

Probationary Contracts Years 1, 2, and 3 employees unassigned or in temporary staff teacher positions;

Campus and/or department Probationary Contracts Years 1 and 2 at the following campuses and/ or departments: Andress High School, Austin High School, Bobby Joe Hill PK-8, Bowie High School, Brown Middle School, Burges High School, Canyon Hills Middle School, Chapin High School, Coach Wally Hartley PK-8, Coronado High School, Delta Academy, Don Haskins PK-8, Dr. Josefina V. Tinajero PK-8, El Paso High School, Franklin High School, Hornedo Middle School, Irvin High School, Jefferson High School, Magoffin Middle School, SPED Instructional Services, Telles Academy, Wiggs Middle School, and Young Women's Academy with the following teaching positions and titles: High School AP Math Combo, High School AP Science Combo, Middle School Science, Business, High School AP Social Studies Combo, High School Science Combination, High School EL English Teacher, High School Social Studies, Middle School Social Studies, High School AP English Combo, Middle School Social Studies Combo, High School Social Studies Combination, Staff Teacher, High School English, Middle School Math, High School Mathematics, Middle School Physical Education, and High School Science;

Academics - Advanced Academics, Facilitator Planetarium positions;

Diagnostician positions;

High School Testing Coordinator positions;

Bliss Elementary School Instructional Coach positions;

Clendenin Elementary School Instructional Coach positions;

Cooley Elementary School Instructional Coach positions;

Crockett Elementary School Instructional Coach positions;

Hart Elementary School Instructional Coach positions;

Logan Elementary School Instructional Coach positions;

Moye Elementary School Instructional Coach positions;

Powell Elementary School Instructional Coach positions;

Tom Lea ES Instructional Coach positions;

Torres Elementary School Instructional Coach positions;

Mesita EC/DC Instructional Coach positions;

Milam Elementary School Instructional Coach positions;

Special Education Department, Climate Behavior Specialist positions;

Master Social Worker positions;

Special Education Department, Facilitator positions; and

School Psychologist positions.

**Plan to Reduce
Personnel Costs**

If the Superintendent determines that there is a need to reduce personnel costs, the Superintendent shall develop, in consultation with the Board as necessary, a plan for reducing costs that may include one or more of the following:

- Salary reductions [see DEA];
- Furloughs [see DEA];
- Reductions in force of contract personnel due to financial exigency, if the District meets the standard for declaring a financial exigency as defined by the commissioner [see CEA and provisions at Reduction in Force Due to Financial Exigency, below];
- Reductions in force of contract personnel due to program change [see DFFB]; or
- Other means of reducing personnel costs.

A plan to reduce personnel costs may include the reduction of personnel employed pursuant to employment arrangements not covered at Applicability, below.

- See DCD for the termination at any time of at-will employment.
- See DFAB for the termination of a probationary contract at the end of the contract period.
- See DFCA for the termination of a continuing contract, if applicable.
- See DCE for the termination at the end of the contract period of a contract not governed by Chapter 21 of the Education Code.

**Reduction in Force
Due to Financial
Exigency**

Applicability

The following provisions shall apply when a reduction in force due to financial exigency requires:

1. The nonrenewal or termination of a term contract;
2. The termination of a probationary contract during the contract period; or
3. The termination of a contract not governed by Chapter 21 of the Education Code during the contract period.

Definitions

Definitions used in this policy are as follows:

1. "Nonrenewal" shall mean the termination of a term contract at the end of the contract period.

2. "Discharge" shall mean termination of a contract during the contract period.

General Grounds

A reduction in force may take place when the Superintendent recommends and the Board adopts a resolution declaring a financial exigency. [See CEA] A determination of financial exigency constitutes sufficient reason for nonrenewal or sufficient cause for discharge.

Employment Areas

When a reduction in force is to be implemented, the Superintendent shall recommend the employment areas to be affected.

Employment areas may include, for example:

1. Elementary grades, levels, subjects, departments, or programs;
2. Secondary grades, levels, subjects, departments, or programs, including career and technical education subjects;
3. Special programs, such as gifted and talented, bilingual/ESL programs, special education and related services, compensatory education, or migrant education;
4. Disciplinary alternative education programs (DAEPs) and other discipline management programs;
5. Counseling programs;
6. Library programs;
7. Nursing and other health services programs;
8. An educational support program that does not provide direct instruction to students;
9. Other District-wide programs;
10. An individual campus;
11. Any administrative position, unit, or department;
12. Programs funded by state or federal grants or other dedicated funding; and
13. Other contractual positions.

The Superintendent's recommendation may address whether any employment areas should be:

1. Combined or adjusted (e.g., "elementary programs" and "compensatory education programs" can be combined to identify an employment area of "elementary compensatory education programs"); and/or

2. Applied on a District-wide or campus-wide basis (e.g., “the counseling program at [named elementary campus]”).

The Board shall determine the employment areas to be affected.

Criteria for Decision

The Superintendent shall apply the following criteria to the employees within an affected employment area when a reduction in force will not result in the nonrenewal or discharge of all staff in the employment area. The criteria are listed in the order of importance and shall be applied sequentially to the extent necessary to identify the employees who least satisfy the criteria and therefore are subject to the reduction in force. For example, if all necessary reductions can be accomplished by applying the first criterion, it is not necessary to apply the second criterion, and so forth.

1. Qualifications for Current or Projected Assignment: Certification, multiple or composite certifications, bilingual certification, licensure, endorsement, and/or specialized or advanced content-specific training or skills for the current or projected assignment.
2. Performance: Effectiveness, as reflected by the most recent formal appraisal, whether completed by the District or by a previous district, and any other written evaluative information, including disciplinary information, from the last 36 months. If the Superintendent at his or her discretion decides that the documented performance differences between two or more employees are too insubstantial to rely upon, he or she may proceed to apply the remaining criteria in the order listed below.
3. Extra Duties: Currently performing an extra-duty assignment, such as department or grade-level chair, band director, athletic coach, or activity sponsor.
4. Professional Background: Professional education and work experience related to the current or projected assignment.
5. Seniority: Length of service in the District, as measured from the employee’s most recent date of hire.

Superintendent
Recommendation

The Superintendent shall recommend to the Board the nonrenewal or discharge of the identified employees within the affected employment areas.

Board Vote

After considering the Superintendent’s recommendations, the Board shall determine the employees to be proposed for nonrenewal or discharge, as appropriate.

REDUCTION IN FORCE
FINANCIAL EXIGENCY

DFFA
(LOCAL)

If the Board votes to propose nonrenewal of one or more employees, the Board shall specify the manner of hearing in accordance with DFBB(LOCAL).

If the Board votes to propose discharge of one or more employees, the Board shall determine whether the hearing will be conducted by a TEA-appointed hearing examiner [see DFD] or will be a local hearing under Education Code 21.207 [see DFBB].

Notice

The Superintendent shall provide each employee written notice of the proposed nonrenewal or discharge, as applicable. The notice shall include:

1. The proposed action, as applicable;
2. A statement of the reason for the proposed action; and
3. Notice that the employee is entitled to a hearing of the type determined by the Board.

**Consideration for
Available Positions**

An employee who has received notice of proposed nonrenewal or discharge may apply for available positions for which he or she wishes to be considered. The employee is responsible for reviewing posted vacancies, submitting an application, and otherwise complying with District procedures.

If the employee meets the District's objective criteria for the position and is the most qualified internal applicant, the District shall offer the employee the position until:

1. Final action by the Board to end the employee's contract, if the employee does not request a hearing.
2. The evidentiary hearing by the independent hearing examiner, the Board, or other person designated in DFBB(LOCAL), if the employee requests a hearing.

Hearing Request

Nonrenewal: Term
Contract

An employee receiving notice of proposed nonrenewal of a term contract may request a hearing in accordance with DFBB.

Discharge: Chapter
21 Contract

An employee receiving notice of proposed discharge from a contract governed by Chapter 21 of the Education Code may request a hearing. The hearing shall be conducted in accordance with DFD or the nonrenewal hearing process in DFBB, as determined by the Board and specified in the notice of proposed discharge.

Discharge:
Non-Chapter 21
Contract

An employee receiving notice of proposed discharge during the period of an employment contract not governed by Chapter 21 of the Education Code may request a hearing before the Board or its designee in accordance with DCE.

REDUCTION IN FORCE
FINANCIAL EXIGENCY

DFFA
(LOCAL)

Final Action

Hearing Requested

If the employee requests a hearing, the Board shall take final action after the hearing in accordance with DCE, DFBB, or DFD, as applicable, and shall notify the employee in writing.

No Hearing
Requested

If the employee does not request a hearing, the Board shall take final action in accordance with DCE, DFBB, or DFD, as applicable, and shall notify the employee in writing.



Board of Trustees
Executive Summary of Board Agenda Item

TITLE:

Discuss and Take Appropriate Action on Recommendation for Proposed Termination of One-Year Term Contract Certified Classroom Teacher for the 2026-2027 School Year: Hart Elementary School Instructional Coach Positions

JUSTIFICATION STATEMENT:

To allow the Board to take action, if needed

PURPOSE OF AGENDA ITEM: Action

TO BE HELD IN: Open Session

TEXAS GOVERNMENT CODES:

AUTHORITY FOR ACTION: Legal/Local Policy

STAFF RESPONSIBLE: Dr. Brian Lusk, Superintendent; Cezy Collins, Legal Counsel

DISTRICT IMPROVEMENT PLAN OBJECTIVE, GOAL, OR NEED ADDRESSED:

SUMMARY:

On June 4, 2026, the Board of Trustees declared a Financial Exigency for the 2025-2026 fiscal year and extended that Financial Exigency into the 2026-2027 fiscal year. See Exhibit A. Also on June 4, 2026, the Board designated the attached employment areas to be affected by the Reduction in Force in accordance with DFFA (Local). See Exhibit B. A reduction in force due to financial exigency is good cause for termination of a term contract.

Due to the Financial Exigency one position in the employment area of Hart Elementary School Instructional Coach positions is being eliminated for 2026-2027. One term contract for 2026-2027 in the employment area of Hart Elementary School Instructional Coach positions is recommended for proposed termination.

ADMINISTRATIVE RECOMMENDATION/MOTION:

FUNDING SOURCE: ACCOUNT NO.:

FISCAL IMPACT AND COST:

IMPACT ON OTHER FUCTIONS/OPERATIONS:

CONSEQUENCES OF NON-APPROVAL:

IMPLEMENTATION TIMELINE:

COMMENTS RECEIVED, IF ANY:

ATTACHMENTS:

Exhibit A - Financial Exigency Forms.pdf
ExhibitB.Employment areas and DFFA(LOCAL).pdf



Declaration of Financial Exigency

Financial Compliance Division

The terms of this form are governed by 19 Texas Administrative Code Chapter 109, Subchapter BB, §109.2001.

Definition

Financial exigency means the financial position of the school district as a whole is such that the financial resources of the school district are insufficient to support the school district's instructional programs or the school district is unable to finance the full compensation of staff for the current or succeeding fiscal year.

Requestor Information

Name of School District	County-District Number	
El Paso Independent School District	071-902	
Date of Initial Declaration (expires on last day of fiscal year)	Fiscal Year Begin Date	Fiscal Year End Date
	07/01/2025	06/30/2026

Reason for Declaration

Financial exigency may be declared by the board of trustees for different reasons. Please select your school district's reason for declaration or extension of financial exigency (check all that apply):

- 1. A decrease of more than 20 percent in unassigned General Fund balance per student in weighted average daily attendance over the past two years or a projected reduction of 20 percent compared to the current year.
- 2. A decline in enrollment by more than 10 percent over the past five years.
- 3. A reduction of more than 10 percent in total General Fund total funding per student in weighted average daily attendance over one year or a projected reduction of 10 percent compared to the current year.
- 4. A natural disaster or casualty loss defined as damage, destruction, or loss of property resulting from an identifiable event that is sudden, unexpected, or unusual; and that requires expenditures for repair or remediation in excess of 15 percent of the current-year General Fund budget.
- 5. Any of the following, or a combination of the following, that exceeds 15 percent of the current-year General Fund budget: an unanticipated major expense, including significant repair costs; litigation expenses, excluding lawsuits against the state; or tax refunds.
- 6. Any other circumstances approved in writing by the commissioner of education. (Please attach documentation and a description of the circumstances.)

Approval

This form must be printed and signed by the board president and superintendent. TEA must receive the declaration of financial exigency within 20 calendar days of declaration. Please mail the signed form to Texas Education Agency, Financial Compliance Division, 1701 N. Congress Ave., Austin, TX 78701.

Certification

I hereby certify that the board has determined that the school district meets one or more of the reasons for declaration of financial exigency in accordance with 19 TAC Chapter 109, Subchapter BB, §109.2001.

Name of Board President	Signature of Board President	Signature Date
Leah Hanany		6/4/26
Name of Superintendent	Signature of Superintendent	Signature Date
Brian Lusk, Ed.D.		6/4/26

For TEA Use Only

Received Date



Board Resolution to Extend or Terminate a Declaration of Financial Exigency

Financial Compliance Division

The terms of this form are governed by 19 Texas Administrative Code Chapter 109, Subchapter BB, §109.2001.

Requestor Information

Name of School District	County-District Number
<input type="text" value="El Paso Independent School District"/>	<input type="text" value="071-902"/>

Resolution

Be it resolved by the Board of Trustees for Name of School District

that the declaration of financial exigency adopted on Date of Initial Declaration

for the fiscal year ended June 30, Year OR August 31, Year

- is extended for another fiscal year. The board has determined that the district continues to meet one or more of the reasons given on its *initial* Declaration of Financial Exigency.
- is terminated as of the date of this resolution.

Approval

Agreed and accepted on Date

This form must be printed and signed by the board president and superintendent. TEA must receive the resolution to extend or terminate a declaration of financial exigency within 20 days of the agreed and accepted date above.

Please mail the signed form to:
Texas Education Agency
Financial Compliance Division
1701 N. Congress Ave.
Austin, TX 78701

Certification

I hereby certify that the board is in compliance with 19 Texas Administrative Code Chapter 109, Subchapter BB, §109.2001 regarding declaration of financial exigency.

Name of Board President	Signature of Board President	Signature Date
<input type="text" value="Leah Hanany"/>	<input type="text" value="Leah Hanany"/>	<input type="text" value="6/4/26"/>
Name of Superintendent	Signature of Superintendent	Signature Date
<input type="text" value="Brian Lusk, Ed.D."/>	<input type="text" value="Brian Lusk, Ed.D."/>	<input type="text" value="6/4/26"/>

For TEA Use Only

Received Date

El Paso ISD (071-902)
(2025-2026)-(2026-2027)
Financial Exigency

Fiscal Year	Fund Balance Source	Unassigned General Operating FB	WADA	FB Per WADA	% Change	
2021-2022	Audited	\$ 125,155,933	64,706.07	\$ 1,934.22		
2022-2023	Audited	\$ 127,953,604	63,136.80	\$ 2,026.61	4.78%	
2023-2024	Audited	\$ 120,461,757	62,912.83	\$ 1,914.74	-5.52%	
2024-2025	Audited	\$ 101,016,490	61,680.13	\$ 1,637.75	-14.47%	-19.19%
2025-2026	Projected	\$ 60,287,685	59,379.92	\$ 1,015.29	-38.01%	-46.98%
2026-2027	Projected	\$ 22,325,380	58,069.66	\$ 384.46	-62.13%	-76.53%

FE - A decrease of more than 20 percent in unassigned General Fund balance per student in weighted average daily attendance over the past two years or a projected reduction of 20 percent compared to the current year.

Fiscal Year	Fund Balance Source	Total General Fund Revenues	WADA	Funding Per WADA	% Change	
2021-2022	Audited	\$522,518,951	64,706.07	8,075.27		
2022-2023	Audited	\$520,468,794	63,136.80	8,243.51	2.08%	
2023-2024	Audited	\$533,583,388	62,912.83	8,481.31	2.88%	
2024-2025	Audited	\$516,091,008	61,680.13	8,367.22	-1.35%	
2025-2026	Projected	\$527,933,812	59,379.92	8,890.78	6.26%	

Fiscal Year	Source	Enrollment	% Change	5 Year Change
2021-2022	PEIMS	50,769		
2022-2023	PEIMS	50,031	-1.45%	
2023-2024	PEIMS	49,139	-1.78%	
2024-2025	PEIMS	48,118	-2.08%	
2025-2026	PEIMS	46,244	-3.89%	-8.91%

Employment Areas Affected by Reduction in Force

Probationary Contracts Years 1, 2, and 3 employees unassigned or in temporary staff teacher positions;

Campus and/or department Probationary Contracts Years 1 and 2 at the following campuses and/ or departments: Andress High School, Austin High School, Bobby Joe Hill PK-8, Bowie High School, Brown Middle School, Burges High School, Canyon Hills Middle School, Chapin High School, Coach Wally Hartley PK-8, Coronado High School, Delta Academy, Don Haskins PK-8, Dr. Josefina V. Tinajero PK-8, El Paso High School, Franklin High School, Hornedo Middle School, Irvin High School, Jefferson High School, Magoffin Middle School, SPED Instructional Services, Telles Academy, Wiggs Middle School, and Young Women's Academy with the following teaching positions and titles: High School AP Math Combo, High School AP Science Combo, Middle School Science, Business, High School AP Social Studies Combo, High School Science Combination, High School EL English Teacher, High School Social Studies, Middle School Social Studies, High School AP English Combo, Middle School Social Studies Combo, High School Social Studies Combination, Staff Teacher, High School English, Middle School Math, High School Mathematics, Middle School Physical Education, and High School Science;

Academics - Advanced Academics, Facilitator Planetarium positions;

Diagnostician positions;

High School Testing Coordinator positions;

Bliss Elementary School Instructional Coach positions;

Clendenin Elementary School Instructional Coach positions;

Cooley Elementary School Instructional Coach positions;

Crockett Elementary School Instructional Coach positions;

Hart Elementary School Instructional Coach positions;

Logan Elementary School Instructional Coach positions;

Moye Elementary School Instructional Coach positions;

Powell Elementary School Instructional Coach positions;

Tom Lea ES Instructional Coach positions;

Torres Elementary School Instructional Coach positions;

Mesita EC/DC Instructional Coach positions;

Milam Elementary School Instructional Coach positions;

Special Education Department, Climate Behavior Specialist positions;

Master Social Worker positions;

Special Education Department, Facilitator positions; and

School Psychologist positions.

**Plan to Reduce
Personnel Costs**

If the Superintendent determines that there is a need to reduce personnel costs, the Superintendent shall develop, in consultation with the Board as necessary, a plan for reducing costs that may include one or more of the following:

- Salary reductions [see DEA];
- Furloughs [see DEA];
- Reductions in force of contract personnel due to financial exigency, if the District meets the standard for declaring a financial exigency as defined by the commissioner [see CEA and provisions at Reduction in Force Due to Financial Exigency, below];
- Reductions in force of contract personnel due to program change [see DFFB]; or
- Other means of reducing personnel costs.

A plan to reduce personnel costs may include the reduction of personnel employed pursuant to employment arrangements not covered at Applicability, below.

- See DCD for the termination at any time of at-will employment.
- See DFAB for the termination of a probationary contract at the end of the contract period.
- See DFCA for the termination of a continuing contract, if applicable.
- See DCE for the termination at the end of the contract period of a contract not governed by Chapter 21 of the Education Code.

**Reduction in Force
Due to Financial
Exigency**

Applicability

The following provisions shall apply when a reduction in force due to financial exigency requires:

1. The nonrenewal or termination of a term contract;
2. The termination of a probationary contract during the contract period; or
3. The termination of a contract not governed by Chapter 21 of the Education Code during the contract period.

Definitions

Definitions used in this policy are as follows:

1. "Nonrenewal" shall mean the termination of a term contract at the end of the contract period.

2. "Discharge" shall mean termination of a contract during the contract period.

General Grounds

A reduction in force may take place when the Superintendent recommends and the Board adopts a resolution declaring a financial exigency. [See CEA] A determination of financial exigency constitutes sufficient reason for nonrenewal or sufficient cause for discharge.

Employment Areas

When a reduction in force is to be implemented, the Superintendent shall recommend the employment areas to be affected.

Employment areas may include, for example:

1. Elementary grades, levels, subjects, departments, or programs;
2. Secondary grades, levels, subjects, departments, or programs, including career and technical education subjects;
3. Special programs, such as gifted and talented, bilingual/ESL programs, special education and related services, compensatory education, or migrant education;
4. Disciplinary alternative education programs (DAEPs) and other discipline management programs;
5. Counseling programs;
6. Library programs;
7. Nursing and other health services programs;
8. An educational support program that does not provide direct instruction to students;
9. Other District-wide programs;
10. An individual campus;
11. Any administrative position, unit, or department;
12. Programs funded by state or federal grants or other dedicated funding; and
13. Other contractual positions.

The Superintendent's recommendation may address whether any employment areas should be:

1. Combined or adjusted (e.g., "elementary programs" and "compensatory education programs" can be combined to identify an employment area of "elementary compensatory education programs"); and/or

2. Applied on a District-wide or campus-wide basis (e.g., “the counseling program at [named elementary campus]”).

The Board shall determine the employment areas to be affected.

Criteria for Decision

The Superintendent shall apply the following criteria to the employees within an affected employment area when a reduction in force will not result in the nonrenewal or discharge of all staff in the employment area. The criteria are listed in the order of importance and shall be applied sequentially to the extent necessary to identify the employees who least satisfy the criteria and therefore are subject to the reduction in force. For example, if all necessary reductions can be accomplished by applying the first criterion, it is not necessary to apply the second criterion, and so forth.

1. Qualifications for Current or Projected Assignment: Certification, multiple or composite certifications, bilingual certification, licensure, endorsement, and/or specialized or advanced content-specific training or skills for the current or projected assignment.
2. Performance: Effectiveness, as reflected by the most recent formal appraisal, whether completed by the District or by a previous district, and any other written evaluative information, including disciplinary information, from the last 36 months. If the Superintendent at his or her discretion decides that the documented performance differences between two or more employees are too insubstantial to rely upon, he or she may proceed to apply the remaining criteria in the order listed below.
3. Extra Duties: Currently performing an extra-duty assignment, such as department or grade-level chair, band director, athletic coach, or activity sponsor.
4. Professional Background: Professional education and work experience related to the current or projected assignment.
5. Seniority: Length of service in the District, as measured from the employee’s most recent date of hire.

Superintendent
Recommendation

The Superintendent shall recommend to the Board the nonrenewal or discharge of the identified employees within the affected employment areas.

Board Vote

After considering the Superintendent’s recommendations, the Board shall determine the employees to be proposed for nonrenewal or discharge, as appropriate.

REDUCTION IN FORCE
FINANCIAL EXIGENCY

DFFA
(LOCAL)

If the Board votes to propose nonrenewal of one or more employees, the Board shall specify the manner of hearing in accordance with DFBB(LOCAL).

If the Board votes to propose discharge of one or more employees, the Board shall determine whether the hearing will be conducted by a TEA-appointed hearing examiner [see DFD] or will be a local hearing under Education Code 21.207 [see DFBB].

Notice

The Superintendent shall provide each employee written notice of the proposed nonrenewal or discharge, as applicable. The notice shall include:

1. The proposed action, as applicable;
2. A statement of the reason for the proposed action; and
3. Notice that the employee is entitled to a hearing of the type determined by the Board.

**Consideration for
Available Positions**

An employee who has received notice of proposed nonrenewal or discharge may apply for available positions for which he or she wishes to be considered. The employee is responsible for reviewing posted vacancies, submitting an application, and otherwise complying with District procedures.

If the employee meets the District's objective criteria for the position and is the most qualified internal applicant, the District shall offer the employee the position until:

1. Final action by the Board to end the employee's contract, if the employee does not request a hearing.
2. The evidentiary hearing by the independent hearing examiner, the Board, or other person designated in DFBB(LOCAL), if the employee requests a hearing.

Hearing Request

Nonrenewal: Term
Contract

An employee receiving notice of proposed nonrenewal of a term contract may request a hearing in accordance with DFBB.

Discharge: Chapter
21 Contract

An employee receiving notice of proposed discharge from a contract governed by Chapter 21 of the Education Code may request a hearing. The hearing shall be conducted in accordance with DFD or the nonrenewal hearing process in DFBB, as determined by the Board and specified in the notice of proposed discharge.

Discharge:
Non-Chapter 21
Contract

An employee receiving notice of proposed discharge during the period of an employment contract not governed by Chapter 21 of the Education Code may request a hearing before the Board or its designee in accordance with DCE.

REDUCTION IN FORCE
FINANCIAL EXIGENCY

DFFA
(LOCAL)

Final Action

Hearing Requested

If the employee requests a hearing, the Board shall take final action after the hearing in accordance with DCE, DFBB, or DFD, as applicable, and shall notify the employee in writing.

No Hearing
Requested

If the employee does not request a hearing, the Board shall take final action in accordance with DCE, DFBB, or DFD, as applicable, and shall notify the employee in writing.



Board of Trustees
Executive Summary of Board Agenda Item

TITLE:

Discuss and Take Appropriate Action on Recommendation for Proposed Termination of One-Year Term Contract Certified Classroom Teacher for the 2026-2027 School Year: Tom Lea Elementary School Instructional Coach Positions

JUSTIFICATION STATEMENT:

To allow the Board to take action, if needed

PURPOSE OF AGENDA ITEM: Action

TO BE HELD IN: Open Session

TEXAS GOVERNMENT CODES:

AUTHORITY FOR ACTION: Legal/Local Policy

STAFF RESPONSIBLE: Dr. Brian Lusk, Superintendent; Cezy Collins, Legal Counsel

DISTRICT IMPROVEMENT PLAN OBJECTIVE, GOAL, OR NEED ADDRESSED:

SUMMARY:

On June 4, 2026, the Board of Trustees declared a Financial Exigency for the 2025-2026 fiscal year and extended that Financial Exigency into the 2026-2027 fiscal year. See Exhibit A. Also on June 4, 2026, the Board designated the attached employment areas to be affected by the Reduction in Force in accordance with DFFA (Local). See Exhibit B. A reduction in force due to financial exigency is good cause for termination of a term contract.

Due to the Financial Exigency one position in the employment area of Tom Lea Elementary School Instructional Coach positions is being eliminated for 2026-2027. One term contract for 2026-2027 in the employment area of Tom Lea Elementary School Instructional Coach positions is recommended for proposed termination.

ADMINISTRATIVE RECOMMENDATION/MOTION:

FUNDING SOURCE: ACCOUNT NO.:

FISCAL IMPACT AND COST:

IMPACT ON OTHER FUCTIONS/OPERATIONS:

CONSEQUENCES OF NON-APPROVAL:

IMPLEMENTATION TIMELINE:

COMMENTS RECEIVED, IF ANY:

ATTACHMENTS:

Exhibit A - Financial Exigency Forms.pdf
ExhibitB.Employment areas and DFFA(LOCAL).pdf



Declaration of Financial Exigency Financial Compliance Division

The terms of this form are governed by 19 Texas Administrative Code Chapter 109, Subchapter BB, §109.2001.

Definition

Financial exigency means the financial position of the school district as a whole is such that the financial resources of the school district are insufficient to support the school district's instructional programs or the school district is unable to finance the full compensation of staff for the current or succeeding fiscal year.

Requestor Information

Name of School District	County-District Number	
El Paso Independent School District	071-902	
Date of Initial Declaration (expires on last day of fiscal year)	Fiscal Year Begin Date	Fiscal Year End Date
	07/01/2025	06/30/2026

Reason for Declaration

Financial exigency may be declared by the board of trustees for different reasons. Please select your school district's reason for declaration or extension of financial exigency (check all that apply):

- 1. A decrease of more than 20 percent in unassigned General Fund balance per student in weighted average daily attendance over the past two years or a projected reduction of 20 percent compared to the current year.
- 2. A decline in enrollment by more than 10 percent over the past five years.
- 3. A reduction of more than 10 percent in total General Fund total funding per student in weighted average daily attendance over one year or a projected reduction of 10 percent compared to the current year.
- 4. A natural disaster or casualty loss defined as damage, destruction, or loss of property resulting from an identifiable event that is sudden, unexpected, or unusual; and that requires expenditures for repair or remediation in excess of 15 percent of the current-year General Fund budget.
- 5. Any of the following, or a combination of the following, that exceeds 15 percent of the current-year General Fund budget: an unanticipated major expense, including significant repair costs; litigation expenses, excluding lawsuits against the state; or tax refunds.
- 6. Any other circumstances approved in writing by the commissioner of education. (Please attach documentation and a description of the circumstances.)

Approval

This form must be printed and signed by the board president and superintendent. TEA must receive the declaration of financial exigency within 20 calendar days of declaration. Please mail the signed form to Texas Education Agency, Financial Compliance Division, 1701 N. Congress Ave., Austin, TX 78701.

Certification

I hereby certify that the board has determined that the school district meets one or more of the reasons for declaration of financial exigency in accordance with 19 TAC Chapter 109, Subchapter BB, §109.2001.

Name of Board President	Signature of Board President	Signature Date
Leah Hanany		6/4/26
Name of Superintendent	Signature of Superintendent	Signature Date
Brian Lusk, Ed.D.		6/4/26

For TEA Use Only

Received Date



Board Resolution to Extend or Terminate a Declaration of Financial Exigency

Financial Compliance Division

The terms of this form are governed by 19 Texas Administrative Code Chapter 109, Subchapter BB, §109.2001.

Requestor Information

Name of School District	County-District Number
<input type="text" value="El Paso Independent School District"/>	<input type="text" value="071-902"/>

Resolution

Be it resolved by the Board of Trustees for Name of School District

that the declaration of financial exigency adopted on Date of Initial Declaration

for the fiscal year ended June 30, Year OR August 31, Year

- is extended for another fiscal year. The board has determined that the district continues to meet one or more of the reasons given on its *initial* Declaration of Financial Exigency.
- is terminated as of the date of this resolution.

Approval

Agreed and accepted on Date

This form must be printed and signed by the board president and superintendent. TEA must receive the resolution to extend or terminate a declaration of financial exigency within 20 days of the agreed and accepted date above.

Please mail the signed form to:
Texas Education Agency
Financial Compliance Division
1701 N. Congress Ave.
Austin, TX 78701

Certification

I hereby certify that the board is in compliance with 19 Texas Administrative Code Chapter 109, Subchapter BB, §109.2001 regarding declaration of financial exigency.

Name of Board President	Signature of Board President	Signature Date
<input type="text" value="Leah Hanany"/>	<input type="text" value="Leah Hanany"/>	<input type="text" value="6/4/26"/>
Name of Superintendent	Signature of Superintendent	Signature Date
<input type="text" value="Brian Lusk, Ed.D."/>	<input type="text" value="Brian Lusk, Ed.D."/>	<input type="text" value="6/4/26"/>

For TEA Use Only

Received Date

**El Paso ISD (071-902)
(2025-2026)-(2026-2027)
Financial Exigency**

Fiscal Year	Fund Balance Source	Unassigned General Operating FB	WADA	FB Per WADA	% Change
2021-2022	Audited	\$ 125,155,933	64,706.07	\$ 1,934.22	
2022-2023	Audited	\$ 127,953,604	63,136.80	\$ 2,026.61	4.78%
2023-2024	Audited	\$ 120,461,757	62,912.83	\$ 1,914.74	-5.52%
2024-2025	Audited	\$ 101,016,490	61,680.13	\$ 1,637.75	-14.47%
2025-2026	Projected	\$ 60,287,685	59,379.92	\$ 1,015.29	-38.01%
2026-2027	Projected	\$ 22,325,380	58,069.66	\$ 384.46	-62.13%

FE - A decrease of more than 20 percent in unassigned General Fund balance per student in weighted average daily attendance over the past two years or a projected reduction of 20 percent compared to the current year.

Fiscal Year	Fund Balance Source	Total General Fund Revenues	WADA	Funding Per WADA	% Change
2021-2022	Audited	\$522,518,951	64,706.07	8,075.27	
2022-2023	Audited	\$520,468,794	63,136.80	8,243.51	2.08%
2023-2024	Audited	\$533,583,388	62,912.83	8,481.31	2.88%
2024-2025	Audited	\$516,091,008	61,680.13	8,367.22	-1.35%
2025-2026	Projected	\$527,933,812	59,379.92	8,890.78	6.26%

Fiscal Year	Source	Enrollment	% Change	5 Year Change
2021-2022	PEIMS	50,769		
2022-2023	PEIMS	50,031	-1.45%	
2023-2024	PEIMS	49,139	-1.78%	
2024-2025	PEIMS	48,118	-2.08%	
2025-2026	PEIMS	46,244	-3.89%	-8.91%

Employment Areas Affected by Reduction in Force

Probationary Contracts Years 1, 2, and 3 employees unassigned or in temporary staff teacher positions;

Campus and/or department Probationary Contracts Years 1 and 2 at the following campuses and/ or departments: Andress High School, Austin High School, Bobby Joe Hill PK-8, Bowie High School, Brown Middle School, Burges High School, Canyon Hills Middle School, Chapin High School, Coach Wally Hartley PK-8, Coronado High School, Delta Academy, Don Haskins PK-8, Dr. Josefina V. Tinajero PK-8, El Paso High School, Franklin High School, Hornedo Middle School, Irvin High School, Jefferson High School, Magoffin Middle School, SPED Instructional Services, Telles Academy, Wiggs Middle School, and Young Women's Academy with the following teaching positions and titles: High School AP Math Combo, High School AP Science Combo, Middle School Science, Business, High School AP Social Studies Combo, High School Science Combination, High School EL English Teacher, High School Social Studies, Middle School Social Studies, High School AP English Combo, Middle School Social Studies Combo, High School Social Studies Combination, Staff Teacher, High School English, Middle School Math, High School Mathematics, Middle School Physical Education, and High School Science;

Academics - Advanced Academics, Facilitator Planetarium positions;

Diagnostician positions;

High School Testing Coordinator positions;

Bliss Elementary School Instructional Coach positions;

Clendenin Elementary School Instructional Coach positions;

Cooley Elementary School Instructional Coach positions;

Crockett Elementary School Instructional Coach positions;

Hart Elementary School Instructional Coach positions;

Logan Elementary School Instructional Coach positions;

Moye Elementary School Instructional Coach positions;

Powell Elementary School Instructional Coach positions;

Tom Lea ES Instructional Coach positions;

Torres Elementary School Instructional Coach positions;

Mesita EC/DC Instructional Coach positions;

Milam Elementary School Instructional Coach positions;

Special Education Department, Climate Behavior Specialist positions;

Master Social Worker positions;

Special Education Department, Facilitator positions; and

School Psychologist positions.

**Plan to Reduce
Personnel Costs**

If the Superintendent determines that there is a need to reduce personnel costs, the Superintendent shall develop, in consultation with the Board as necessary, a plan for reducing costs that may include one or more of the following:

- Salary reductions [see DEA];
- Furloughs [see DEA];
- Reductions in force of contract personnel due to financial exigency, if the District meets the standard for declaring a financial exigency as defined by the commissioner [see CEA and provisions at Reduction in Force Due to Financial Exigency, below];
- Reductions in force of contract personnel due to program change [see DFFB]; or
- Other means of reducing personnel costs.

A plan to reduce personnel costs may include the reduction of personnel employed pursuant to employment arrangements not covered at Applicability, below.

- See DCD for the termination at any time of at-will employment.
- See DFAB for the termination of a probationary contract at the end of the contract period.
- See DFCA for the termination of a continuing contract, if applicable.
- See DCE for the termination at the end of the contract period of a contract not governed by Chapter 21 of the Education Code.

**Reduction in Force
Due to Financial
Exigency**

Applicability

The following provisions shall apply when a reduction in force due to financial exigency requires:

1. The nonrenewal or termination of a term contract;
2. The termination of a probationary contract during the contract period; or
3. The termination of a contract not governed by Chapter 21 of the Education Code during the contract period.

Definitions

Definitions used in this policy are as follows:

1. "Nonrenewal" shall mean the termination of a term contract at the end of the contract period.

2. "Discharge" shall mean termination of a contract during the contract period.

General Grounds

A reduction in force may take place when the Superintendent recommends and the Board adopts a resolution declaring a financial exigency. [See CEA] A determination of financial exigency constitutes sufficient reason for nonrenewal or sufficient cause for discharge.

Employment Areas

When a reduction in force is to be implemented, the Superintendent shall recommend the employment areas to be affected.

Employment areas may include, for example:

1. Elementary grades, levels, subjects, departments, or programs;
2. Secondary grades, levels, subjects, departments, or programs, including career and technical education subjects;
3. Special programs, such as gifted and talented, bilingual/ESL programs, special education and related services, compensatory education, or migrant education;
4. Disciplinary alternative education programs (DAEPs) and other discipline management programs;
5. Counseling programs;
6. Library programs;
7. Nursing and other health services programs;
8. An educational support program that does not provide direct instruction to students;
9. Other District-wide programs;
10. An individual campus;
11. Any administrative position, unit, or department;
12. Programs funded by state or federal grants or other dedicated funding; and
13. Other contractual positions.

The Superintendent's recommendation may address whether any employment areas should be:

1. Combined or adjusted (e.g., "elementary programs" and "compensatory education programs" can be combined to identify an employment area of "elementary compensatory education programs"); and/or

2. Applied on a District-wide or campus-wide basis (e.g., “the counseling program at [named elementary campus]”).

The Board shall determine the employment areas to be affected.

Criteria for Decision

The Superintendent shall apply the following criteria to the employees within an affected employment area when a reduction in force will not result in the nonrenewal or discharge of all staff in the employment area. The criteria are listed in the order of importance and shall be applied sequentially to the extent necessary to identify the employees who least satisfy the criteria and therefore are subject to the reduction in force. For example, if all necessary reductions can be accomplished by applying the first criterion, it is not necessary to apply the second criterion, and so forth.

1. Qualifications for Current or Projected Assignment: Certification, multiple or composite certifications, bilingual certification, licensure, endorsement, and/or specialized or advanced content-specific training or skills for the current or projected assignment.
2. Performance: Effectiveness, as reflected by the most recent formal appraisal, whether completed by the District or by a previous district, and any other written evaluative information, including disciplinary information, from the last 36 months. If the Superintendent at his or her discretion decides that the documented performance differences between two or more employees are too insubstantial to rely upon, he or she may proceed to apply the remaining criteria in the order listed below.
3. Extra Duties: Currently performing an extra-duty assignment, such as department or grade-level chair, band director, athletic coach, or activity sponsor.
4. Professional Background: Professional education and work experience related to the current or projected assignment.
5. Seniority: Length of service in the District, as measured from the employee’s most recent date of hire.

Superintendent
Recommendation

The Superintendent shall recommend to the Board the nonrenewal or discharge of the identified employees within the affected employment areas.

Board Vote

After considering the Superintendent’s recommendations, the Board shall determine the employees to be proposed for nonrenewal or discharge, as appropriate.

REDUCTION IN FORCE
FINANCIAL EXIGENCY

DFFA
(LOCAL)

If the Board votes to propose nonrenewal of one or more employees, the Board shall specify the manner of hearing in accordance with DFBB(LOCAL).

If the Board votes to propose discharge of one or more employees, the Board shall determine whether the hearing will be conducted by a TEA-appointed hearing examiner [see DFD] or will be a local hearing under Education Code 21.207 [see DFBB].

Notice

The Superintendent shall provide each employee written notice of the proposed nonrenewal or discharge, as applicable. The notice shall include:

1. The proposed action, as applicable;
2. A statement of the reason for the proposed action; and
3. Notice that the employee is entitled to a hearing of the type determined by the Board.

**Consideration for
Available Positions**

An employee who has received notice of proposed nonrenewal or discharge may apply for available positions for which he or she wishes to be considered. The employee is responsible for reviewing posted vacancies, submitting an application, and otherwise complying with District procedures.

If the employee meets the District's objective criteria for the position and is the most qualified internal applicant, the District shall offer the employee the position until:

1. Final action by the Board to end the employee's contract, if the employee does not request a hearing.
2. The evidentiary hearing by the independent hearing examiner, the Board, or other person designated in DFBB(LOCAL), if the employee requests a hearing.

Hearing Request

Nonrenewal: Term
Contract

An employee receiving notice of proposed nonrenewal of a term contract may request a hearing in accordance with DFBB.

Discharge: Chapter
21 Contract

An employee receiving notice of proposed discharge from a contract governed by Chapter 21 of the Education Code may request a hearing. The hearing shall be conducted in accordance with DFD or the nonrenewal hearing process in DFBB, as determined by the Board and specified in the notice of proposed discharge.

Discharge:
Non-Chapter 21
Contract

An employee receiving notice of proposed discharge during the period of an employment contract not governed by Chapter 21 of the Education Code may request a hearing before the Board or its designee in accordance with DCE.

REDUCTION IN FORCE
FINANCIAL EXIGENCY

DFFA
(LOCAL)

Final Action

Hearing Requested

If the employee requests a hearing, the Board shall take final action after the hearing in accordance with DCE, DFBB, or DFD, as applicable, and shall notify the employee in writing.

No Hearing
Requested

If the employee does not request a hearing, the Board shall take final action in accordance with DCE, DFBB, or DFD, as applicable, and shall notify the employee in writing.



Board of Trustees
Executive Summary of Board Agenda Item

TITLE:

Discuss and Take Appropriate Action on Recommendation for Proposed Termination of One-Year Term Contract Certified Classroom Teacher for the 2026-2027 School Year: Torres Elementary School Instructional Coach Positions

JUSTIFICATION STATEMENT:

To allow the Board to take action, if needed

PURPOSE OF AGENDA ITEM: Action

TO BE HELD IN: Open Session

TEXAS GOVERNMENT CODES:

AUTHORITY FOR ACTION: Legal/Local Policy

STAFF RESPONSIBLE: Dr. Brian Lusk, Superintendent; Cezy Collins, Legal Counsel

DISTRICT IMPROVEMENT PLAN OBJECTIVE, GOAL, OR NEED ADDRESSED:

SUMMARY:

On June 4, 2026, the Board of Trustees declared a Financial Exigency for the 2025-2026 fiscal year and extended that Financial Exigency into the 2026-2027 fiscal year. See Exhibit A. Also on June 4, 2026, the Board designated the attached employment areas to be affected by the Reduction in Force in accordance with DFFA (Local). See Exhibit B. A reduction in force due to financial exigency is good cause for termination of a term contract.

Due to the Financial Exigency one position in the employment area of Torres Elementary School Instructional Coach positions is being eliminated for 2026-2027. One term contract for 2026-2027 in the employment area of Torres Elementary School Instructional Coach positions is recommended for proposed termination.

ADMINISTRATIVE RECOMMENDATION/MOTION:

FUNDING SOURCE: ACCOUNT NO.:

FISCAL IMPACT AND COST:

IMPACT ON OTHER FUCTIONS/OPERATIONS:

CONSEQUENCES OF NON-APPROVAL:

IMPLEMENTATION TIMELINE:

COMMENTS RECEIVED, IF ANY:

ATTACHMENTS:

Exhibit A - Financial Exigency Forms.pdf
ExhibitB.Employment areas and DFFA(LOCAL).pdf



Declaration of Financial Exigency Financial Compliance Division

The terms of this form are governed by 19 Texas Administrative Code Chapter 109, Subchapter BB, §109.2001.

Definition

Financial exigency means the financial position of the school district as a whole is such that the financial resources of the school district are insufficient to support the school district's instructional programs or the school district is unable to finance the full compensation of staff for the current or succeeding fiscal year.

Requestor Information

Name of School District	County-District Number	
El Paso Independent School District	071-902	
Date of Initial Declaration (expires on last day of fiscal year)	Fiscal Year Begin Date	Fiscal Year End Date
	07/01/2025	06/30/2026

Reason for Declaration

Financial exigency may be declared by the board of trustees for different reasons. Please select your school district's reason for declaration or extension of financial exigency (check all that apply):

- 1. A decrease of more than 20 percent in unassigned General Fund balance per student in weighted average daily attendance over the past two years or a projected reduction of 20 percent compared to the current year.
- 2. A decline in enrollment by more than 10 percent over the past five years.
- 3. A reduction of more than 10 percent in total General Fund total funding per student in weighted average daily attendance over one year or a projected reduction of 10 percent compared to the current year.
- 4. A natural disaster or casualty loss defined as damage, destruction, or loss of property resulting from an identifiable event that is sudden, unexpected, or unusual; and that requires expenditures for repair or remediation in excess of 15 percent of the current-year General Fund budget.
- 5. Any of the following, or a combination of the following, that exceeds 15 percent of the current-year General Fund budget: an unanticipated major expense, including significant repair costs; litigation expenses, excluding lawsuits against the state; or tax refunds.
- 6. Any other circumstances approved in writing by the commissioner of education. (Please attach documentation and a description of the circumstances.)

Approval

This form must be printed and signed by the board president and superintendent. TEA must receive the declaration of financial exigency within 20 calendar days of declaration. Please mail the signed form to Texas Education Agency, Financial Compliance Division, 1701 N. Congress Ave., Austin, TX 78701.

Certification

I hereby certify that the board has determined that the school district meets one or more of the reasons for declaration of financial exigency in accordance with 19 TAC Chapter 109, Subchapter BB, §109.2001.

Name of Board President	Signature of Board President	Signature Date
Leah Hanany		6/4/26
Name of Superintendent	Signature of Superintendent	Signature Date
Brian Lusk, Ed.D.		6/4/26

For TEA Use Only

Received Date



Board Resolution to Extend or Terminate a Declaration of Financial Exigency

Financial Compliance Division

The terms of this form are governed by 19 Texas Administrative Code Chapter 109, Subchapter BB, §109.2001.

Requestor Information

Name of School District	County-District Number
<input type="text" value="El Paso Independent School District"/>	<input type="text" value="071-902"/>

Resolution

Be it resolved by the Board of Trustees for Name of School District

that the declaration of financial exigency adopted on Date of Initial Declaration

for the fiscal year ended June 30, Year OR August 31, Year

- is extended for another fiscal year. The board has determined that the district continues to meet one or more of the reasons given on its *initial* Declaration of Financial Exigency.
- is terminated as of the date of this resolution.

Approval

Agreed and accepted on Date

This form must be printed and signed by the board president and superintendent. TEA must receive the resolution to extend or terminate a declaration of financial exigency within 20 days of the agreed and accepted date above.

Please mail the signed form to:
Texas Education Agency
Financial Compliance Division
1701 N. Congress Ave.
Austin, TX 78701

Certification

I hereby certify that the board is in compliance with 19 Texas Administrative Code Chapter 109, Subchapter BB, §109.2001 regarding declaration of financial exigency.

Name of Board President	Signature of Board President	Signature Date
<input type="text" value="Leah Hanany"/>	<input type="text" value="Leah Hanany"/>	<input type="text" value="6/4/26"/>
Name of Superintendent	Signature of Superintendent	Signature Date
<input type="text" value="Brian Lusk, Ed.D."/>	<input type="text" value="Brian Lusk, Ed.D."/>	<input type="text" value="6/4/26"/>

For TEA Use Only

Received Date

**El Paso ISD (071-902)
(2025-2026)-(2026-2027)
Financial Exigency**

Fiscal Year	Fund Balance Source	Unassigned General Operating FB	WADA	FB Per WADA	% Change
2021-2022	Audited	\$ 125,155,933	64,706.07	\$ 1,934.22	
2022-2023	Audited	\$ 127,953,604	63,136.80	\$ 2,026.61	4.78%
2023-2024	Audited	\$ 120,461,757	62,912.83	\$ 1,914.74	-5.52%
2024-2025	Audited	\$ 101,016,490	61,680.13	\$ 1,637.75	-14.47%
2025-2026	Projected	\$ 60,287,685	59,379.92	\$ 1,015.29	-38.01%
2026-2027	Projected	\$ 22,325,380	58,069.66	\$ 384.46	-62.13%

FE - A decrease of more than 20 percent in unassigned General Fund balance per student in weighted average daily attendance over the past two years or a projected reduction of 20 percent compared to the current year.

Fiscal Year	Fund Balance Source	Total General Fund Revenues	WADA	Funding Per WADA	% Change
2021-2022	Audited	\$522,518,951	64,706.07	8,075.27	
2022-2023	Audited	\$520,468,794	63,136.80	8,243.51	2.08%
2023-2024	Audited	\$533,583,388	62,912.83	8,481.31	2.88%
2024-2025	Audited	\$516,091,008	61,680.13	8,367.22	-1.35%
2025-2026	Projected	\$527,933,812	59,379.92	8,890.78	6.26%

Fiscal Year	Source	Enrollment	% Change	5 Year Change
2021-2022	PEIMS	50,769		
2022-2023	PEIMS	50,031	-1.45%	
2023-2024	PEIMS	49,139	-1.78%	
2024-2025	PEIMS	48,118	-2.08%	
2025-2026	PEIMS	46,244	-3.89%	-8.91%

Employment Areas Affected by Reduction in Force

Probationary Contracts Years 1, 2, and 3 employees unassigned or in temporary staff teacher positions;

Campus and/or department Probationary Contracts Years 1 and 2 at the following campuses and/ or departments: Andress High School, Austin High School, Bobby Joe Hill PK-8, Bowie High School, Brown Middle School, Burges High School, Canyon Hills Middle School, Chapin High School, Coach Wally Hartley PK-8, Coronado High School, Delta Academy, Don Haskins PK-8, Dr. Josefina V. Tinajero PK-8, El Paso High School, Franklin High School, Hornedo Middle School, Irvin High School, Jefferson High School, Magoffin Middle School, SPED Instructional Services, Telles Academy, Wiggs Middle School, and Young Women's Academy with the following teaching positions and titles: High School AP Math Combo, High School AP Science Combo, Middle School Science, Business, High School AP Social Studies Combo, High School Science Combination, High School EL English Teacher, High School Social Studies, Middle School Social Studies, High School AP English Combo, Middle School Social Studies Combo, High School Social Studies Combination, Staff Teacher, High School English, Middle School Math, High School Mathematics, Middle School Physical Education, and High School Science;

Academics - Advanced Academics, Facilitator Planetarium positions;

Diagnostician positions;

High School Testing Coordinator positions;

Bliss Elementary School Instructional Coach positions;

Clendenin Elementary School Instructional Coach positions;

Cooley Elementary School Instructional Coach positions;

Crockett Elementary School Instructional Coach positions;

Hart Elementary School Instructional Coach positions;

Logan Elementary School Instructional Coach positions;

Moye Elementary School Instructional Coach positions;

Powell Elementary School Instructional Coach positions;

Tom Lea ES Instructional Coach positions;

Torres Elementary School Instructional Coach positions;

Mesita EC/DC Instructional Coach positions;

Milam Elementary School Instructional Coach positions;

Special Education Department, Climate Behavior Specialist positions;

Master Social Worker positions;

Special Education Department, Facilitator positions; and

School Psychologist positions.

**Plan to Reduce
Personnel Costs**

If the Superintendent determines that there is a need to reduce personnel costs, the Superintendent shall develop, in consultation with the Board as necessary, a plan for reducing costs that may include one or more of the following:

- Salary reductions [see DEA];
- Furloughs [see DEA];
- Reductions in force of contract personnel due to financial exigency, if the District meets the standard for declaring a financial exigency as defined by the commissioner [see CEA and provisions at Reduction in Force Due to Financial Exigency, below];
- Reductions in force of contract personnel due to program change [see DFFB]; or
- Other means of reducing personnel costs.

A plan to reduce personnel costs may include the reduction of personnel employed pursuant to employment arrangements not covered at Applicability, below.

- See DCD for the termination at any time of at-will employment.
- See DFAB for the termination of a probationary contract at the end of the contract period.
- See DFCA for the termination of a continuing contract, if applicable.
- See DCE for the termination at the end of the contract period of a contract not governed by Chapter 21 of the Education Code.

**Reduction in Force
Due to Financial
Exigency**

Applicability

The following provisions shall apply when a reduction in force due to financial exigency requires:

1. The nonrenewal or termination of a term contract;
2. The termination of a probationary contract during the contract period; or
3. The termination of a contract not governed by Chapter 21 of the Education Code during the contract period.

Definitions

Definitions used in this policy are as follows:

1. "Nonrenewal" shall mean the termination of a term contract at the end of the contract period.

2. "Discharge" shall mean termination of a contract during the contract period.

General Grounds

A reduction in force may take place when the Superintendent recommends and the Board adopts a resolution declaring a financial exigency. [See CEA] A determination of financial exigency constitutes sufficient reason for nonrenewal or sufficient cause for discharge.

Employment Areas

When a reduction in force is to be implemented, the Superintendent shall recommend the employment areas to be affected.

Employment areas may include, for example:

1. Elementary grades, levels, subjects, departments, or programs;
2. Secondary grades, levels, subjects, departments, or programs, including career and technical education subjects;
3. Special programs, such as gifted and talented, bilingual/ESL programs, special education and related services, compensatory education, or migrant education;
4. Disciplinary alternative education programs (DAEPs) and other discipline management programs;
5. Counseling programs;
6. Library programs;
7. Nursing and other health services programs;
8. An educational support program that does not provide direct instruction to students;
9. Other District-wide programs;
10. An individual campus;
11. Any administrative position, unit, or department;
12. Programs funded by state or federal grants or other dedicated funding; and
13. Other contractual positions.

The Superintendent's recommendation may address whether any employment areas should be:

1. Combined or adjusted (e.g., "elementary programs" and "compensatory education programs" can be combined to identify an employment area of "elementary compensatory education programs"); and/or

2. Applied on a District-wide or campus-wide basis (e.g., “the counseling program at [named elementary campus]”).

The Board shall determine the employment areas to be affected.

Criteria for Decision

The Superintendent shall apply the following criteria to the employees within an affected employment area when a reduction in force will not result in the nonrenewal or discharge of all staff in the employment area. The criteria are listed in the order of importance and shall be applied sequentially to the extent necessary to identify the employees who least satisfy the criteria and therefore are subject to the reduction in force. For example, if all necessary reductions can be accomplished by applying the first criterion, it is not necessary to apply the second criterion, and so forth.

1. Qualifications for Current or Projected Assignment: Certification, multiple or composite certifications, bilingual certification, licensure, endorsement, and/or specialized or advanced content-specific training or skills for the current or projected assignment.
2. Performance: Effectiveness, as reflected by the most recent formal appraisal, whether completed by the District or by a previous district, and any other written evaluative information, including disciplinary information, from the last 36 months. If the Superintendent at his or her discretion decides that the documented performance differences between two or more employees are too insubstantial to rely upon, he or she may proceed to apply the remaining criteria in the order listed below.
3. Extra Duties: Currently performing an extra-duty assignment, such as department or grade-level chair, band director, athletic coach, or activity sponsor.
4. Professional Background: Professional education and work experience related to the current or projected assignment.
5. Seniority: Length of service in the District, as measured from the employee’s most recent date of hire.

Superintendent
Recommendation

The Superintendent shall recommend to the Board the nonrenewal or discharge of the identified employees within the affected employment areas.

Board Vote

After considering the Superintendent’s recommendations, the Board shall determine the employees to be proposed for nonrenewal or discharge, as appropriate.

If the Board votes to propose nonrenewal of one or more employees, the Board shall specify the manner of hearing in accordance with DFBB(LOCAL).

If the Board votes to propose discharge of one or more employees, the Board shall determine whether the hearing will be conducted by a TEA-appointed hearing examiner [see DFD] or will be a local hearing under Education Code 21.207 [see DFBB].

Notice

The Superintendent shall provide each employee written notice of the proposed nonrenewal or discharge, as applicable. The notice shall include:

1. The proposed action, as applicable;
2. A statement of the reason for the proposed action; and
3. Notice that the employee is entitled to a hearing of the type determined by the Board.

Consideration for Available Positions

An employee who has received notice of proposed nonrenewal or discharge may apply for available positions for which he or she wishes to be considered. The employee is responsible for reviewing posted vacancies, submitting an application, and otherwise complying with District procedures.

If the employee meets the District's objective criteria for the position and is the most qualified internal applicant, the District shall offer the employee the position until:

1. Final action by the Board to end the employee's contract, if the employee does not request a hearing.
2. The evidentiary hearing by the independent hearing examiner, the Board, or other person designated in DFBB(LOCAL), if the employee requests a hearing.

Hearing Request

Nonrenewal: Term Contract

An employee receiving notice of proposed nonrenewal of a term contract may request a hearing in accordance with DFBB.

Discharge: Chapter 21 Contract

An employee receiving notice of proposed discharge from a contract governed by Chapter 21 of the Education Code may request a hearing. The hearing shall be conducted in accordance with DFD or the nonrenewal hearing process in DFBB, as determined by the Board and specified in the notice of proposed discharge.

Discharge: Non-Chapter 21 Contract

An employee receiving notice of proposed discharge during the period of an employment contract not governed by Chapter 21 of the Education Code may request a hearing before the Board or its designee in accordance with DCE.

REDUCTION IN FORCE
FINANCIAL EXIGENCY

DFFA
(LOCAL)

Final Action

Hearing Requested

If the employee requests a hearing, the Board shall take final action after the hearing in accordance with DCE, DFBB, or DFD, as applicable, and shall notify the employee in writing.

No Hearing
Requested

If the employee does not request a hearing, the Board shall take final action in accordance with DCE, DFBB, or DFD, as applicable, and shall notify the employee in writing.



Board of Trustees
Executive Summary of Board Agenda Item

TITLE:

Discuss and Take Appropriate Action on Declaration that One-Year Contracts Administrator or Professional Position not Requiring Certification by the State Board for Education Certification for Designated Employment Areas of Master Social Worker and School Psychologist Positions are Terminated thereby Authorizing Administration to Determine the Positions to be Eliminated

JUSTIFICATION STATEMENT:

To allow the Board to take action, if needed

PURPOSE OF AGENDA ITEM: Action

TO BE HELD IN: Open Session

TEXAS GOVERNMENT CODES:

AUTHORITY FOR ACTION: Legal/Local Policy

STAFF RESPONSIBLE: Dr. Brian Lusk, Superintendent; Cezy Collins, Legal Counsel

DISTRICT IMPROVEMENT PLAN OBJECTIVE, GOAL, OR NEED ADDRESSED:

SUMMARY:

El Paso ISD employs certain individuals under a One-Year Contract Administrator or Professional Position not Requiring Certification by the State Board for Education Certification. Section 9 of that contract provides that the contract will terminate at any time during the contract term upon a determination by the Board of financial exigency. On June 4, 2026, the Board of Trustees declared Financial Exigency for the 2025-2026 fiscal year and extended that Financial Exigency into the 2026-2027 fiscal year. Also on June 4, 2026, the Board designated the employment areas to be affected by the Reduction in Force in accordance with DFFA (Local). Because the Board declared financial exigency, the One-Year Contracts Administrator or Professional Position not Requiring Certification by the State Board for Education Certification for the designated employment areas of Master Social Worker and School Psychologist positions are terminated and those individuals will now be employed at-will unless otherwise terminated due to financial exigency.

ADMINISTRATIVE RECOMMENDATION/MOTION:

FUNDING SOURCE: ACCOUNT NO.:

FISCAL IMPACT AND COST:

IMPACT ON OTHER FUCTIONS/OPERATIONS:

CONSEQUENCES OF NON-APPROVAL:

IMPLEMENTATION TIMELINE:

COMMENTS RECEIVED, IF ANY:

ATTACHMENTS:

[Exhibit A - Financial Exigency Forms.pdf](#)

[ExhibitB.Employment areas and DFFA\(LOCAL\).pdf](#)



Declaration of Financial Exigency

Financial Compliance Division

The terms of this form are governed by 19 Texas Administrative Code Chapter 109, Subchapter BB, §109.2001.

Definition

Financial exigency means the financial position of the school district as a whole is such that the financial resources of the school district are insufficient to support the school district's instructional programs or the school district is unable to finance the full compensation of staff for the current or succeeding fiscal year.

Requestor Information

Name of School District	County-District Number	
El Paso Independent School District	071-902	
Date of Initial Declaration (expires on last day of fiscal year)	Fiscal Year Begin Date	Fiscal Year End Date
	07/01/2025	06/30/2026

Reason for Declaration

Financial exigency may be declared by the board of trustees for different reasons. Please select your school district's reason for declaration or extension of financial exigency (check all that apply):

- 1. A decrease of more than 20 percent in unassigned General Fund balance per student in weighted average daily attendance over the past two years or a projected reduction of 20 percent compared to the current year.
- 2. A decline in enrollment by more than 10 percent over the past five years.
- 3. A reduction of more than 10 percent in total General Fund total funding per student in weighted average daily attendance over one year or a projected reduction of 10 percent compared to the current year.
- 4. A natural disaster or casualty loss defined as damage, destruction, or loss of property resulting from an identifiable event that is sudden, unexpected, or unusual; and that requires expenditures for repair or remediation in excess of 15 percent of the current-year General Fund budget.
- 5. Any of the following, or a combination of the following, that exceeds 15 percent of the current-year General Fund budget: an unanticipated major expense, including significant repair costs; litigation expenses, excluding lawsuits against the state; or tax refunds.
- 6. Any other circumstances approved in writing by the commissioner of education. (Please attach documentation and a description of the circumstances.)

Approval

This form must be printed and signed by the board president and superintendent. TEA must receive the declaration of financial exigency within 20 calendar days of declaration. Please mail the signed form to Texas Education Agency, Financial Compliance Division, 1701 N. Congress Ave., Austin, TX 78701.

Certification

I hereby certify that the board has determined that the school district meets one or more of the reasons for declaration of financial exigency in accordance with 19 TAC Chapter 109, Subchapter BB, §109.2001.

Name of Board President	Signature of Board President	Signature Date
Leah Hanany		6/4/26
Name of Superintendent	Signature of Superintendent	Signature Date
Brian Lusk, Ed.D.		6/4/26

For TEA Use Only

Received Date



Board Resolution to Extend or Terminate a Declaration of Financial Exigency

Financial Compliance Division

The terms of this form are governed by 19 Texas Administrative Code Chapter 109, Subchapter BB, §109.2001.

Requestor Information

Name of School District	County-District Number
<input type="text" value="El Paso Independent School District"/>	<input type="text" value="071-902"/>

Resolution

Be it resolved by the Board of Trustees for Name of School District

that the declaration of financial exigency adopted on Date of Initial Declaration

for the fiscal year ended June 30, Year OR August 31, Year

- is extended for another fiscal year. The board has determined that the district continues to meet one or more of the reasons given on its *initial* Declaration of Financial Exigency.
- is terminated as of the date of this resolution.

Approval

Agreed and accepted on Date

This form must be printed and signed by the board president and superintendent. TEA must receive the resolution to extend or terminate a declaration of financial exigency within 20 days of the agreed and accepted date above.

Please mail the signed form to:
Texas Education Agency
Financial Compliance Division
1701 N. Congress Ave.
Austin, TX 78701

Certification

I hereby certify that the board is in compliance with 19 Texas Administrative Code Chapter 109, Subchapter BB, §109.2001 regarding declaration of financial exigency.

Name of Board President	Signature of Board President	Signature Date
<input type="text" value="Leah Hanany"/>	<input type="text" value="Leah Hanany"/>	<input type="text" value="6/4/26"/>
Name of Superintendent	Signature of Superintendent	Signature Date
<input type="text" value="Brian Lusk, Ed.D."/>	<input type="text" value="Brian Lusk, Ed.D."/>	<input type="text" value="6/4/26"/>

For TEA Use Only

Received Date

**El Paso ISD (071-902)
(2025-2026)-(2026-2027)
Financial Exigency**

Fiscal Year	Fund Balance Source	Unassigned General Operating FB	WADA	FB Per WADA	% Change	
2021-2022	Audited	\$ 125,155,933	64,706.07	\$ 1,934.22		
2022-2023	Audited	\$ 127,953,604	63,136.80	\$ 2,026.61	4.78%	
2023-2024	Audited	\$ 120,461,757	62,912.83	\$ 1,914.74	-5.52%	
2024-2025	Audited	\$ 101,016,490	61,680.13	\$ 1,637.75	-14.47%	-19.19%
2025-2026	Projected	\$ 60,287,685	59,379.92	\$ 1,015.29	-38.01%	-46.98%
2026-2027	Projected	\$ 22,325,380	58,069.66	\$ 384.46	-62.13%	-76.53%

FE - A decrease of more than 20 percent in unassigned General Fund balance per student in weighted average daily attendance over the past two years or a projected reduction of 20 percent compared to the current year.

Fiscal Year	Fund Balance Source	Total General Fund Revenues	WADA	Funding Per WADA	% Change
2021-2022	Audited	\$522,518,951	64,706.07	8,075.27	
2022-2023	Audited	\$520,468,794	63,136.80	8,243.51	2.08%
2023-2024	Audited	\$533,583,388	62,912.83	8,481.31	2.88%
2024-2025	Audited	\$516,091,008	61,680.13	8,367.22	-1.35%
2025-2026	Projected	\$527,933,812	59,379.92	8,890.78	6.26%

Fiscal Year	Source	Enrollment	% Change	5 Year Change
2021-2022	PEIMS	50,769		
2022-2023	PEIMS	50,031	-1.45%	
2023-2024	PEIMS	49,139	-1.78%	
2024-2025	PEIMS	48,118	-2.08%	
2025-2026	PEIMS	46,244	-3.89%	-8.91%

Employment Areas Affected by Reduction in Force

Probationary Contracts Years 1, 2, and 3 employees unassigned or in temporary staff teacher positions;

Campus and/or department Probationary Contracts Years 1 and 2 at the following campuses and/ or departments: Andress High School, Austin High School, Bobby Joe Hill PK-8, Bowie High School, Brown Middle School, Burges High School, Canyon Hills Middle School, Chapin High School, Coach Wally Hartley PK-8, Coronado High School, Delta Academy, Don Haskins PK-8, Dr. Josefina V. Tinajero PK-8, El Paso High School, Franklin High School, Hornedo Middle School, Irvin High School, Jefferson High School, Magoffin Middle School, SPED Instructional Services, Telles Academy, Wiggs Middle School, and Young Women's Academy with the following teaching positions and titles: High School AP Math Combo, High School AP Science Combo, Middle School Science, Business, High School AP Social Studies Combo, High School Science Combination, High School EL English Teacher, High School Social Studies, Middle School Social Studies, High School AP English Combo, Middle School Social Studies Combo, High School Social Studies Combination, Staff Teacher, High School English, Middle School Math, High School Mathematics, Middle School Physical Education, and High School Science;

Academics - Advanced Academics, Facilitator Planetarium positions;

Diagnostician positions;

High School Testing Coordinator positions;

Bliss Elementary School Instructional Coach positions;

Clendenin Elementary School Instructional Coach positions;

Cooley Elementary School Instructional Coach positions;

Crockett Elementary School Instructional Coach positions;

Hart Elementary School Instructional Coach positions;

Logan Elementary School Instructional Coach positions;

Moye Elementary School Instructional Coach positions;

Powell Elementary School Instructional Coach positions;

Tom Lea ES Instructional Coach positions;

Torres Elementary School Instructional Coach positions;

Mesita EC/DC Instructional Coach positions;

Milam Elementary School Instructional Coach positions;

Special Education Department, Climate Behavior Specialist positions;

Master Social Worker positions;

Special Education Department, Facilitator positions; and

School Psychologist positions.

**Plan to Reduce
Personnel Costs**

If the Superintendent determines that there is a need to reduce personnel costs, the Superintendent shall develop, in consultation with the Board as necessary, a plan for reducing costs that may include one or more of the following:

- Salary reductions [see DEA];
- Furloughs [see DEA];
- Reductions in force of contract personnel due to financial exigency, if the District meets the standard for declaring a financial exigency as defined by the commissioner [see CEA and provisions at Reduction in Force Due to Financial Exigency, below];
- Reductions in force of contract personnel due to program change [see DFFB]; or
- Other means of reducing personnel costs.

A plan to reduce personnel costs may include the reduction of personnel employed pursuant to employment arrangements not covered at Applicability, below.

- See DCD for the termination at any time of at-will employment.
- See DFAB for the termination of a probationary contract at the end of the contract period.
- See DFCA for the termination of a continuing contract, if applicable.
- See DCE for the termination at the end of the contract period of a contract not governed by Chapter 21 of the Education Code.

**Reduction in Force
Due to Financial
Exigency**

Applicability

The following provisions shall apply when a reduction in force due to financial exigency requires:

1. The nonrenewal or termination of a term contract;
2. The termination of a probationary contract during the contract period; or
3. The termination of a contract not governed by Chapter 21 of the Education Code during the contract period.

Definitions

Definitions used in this policy are as follows:

1. "Nonrenewal" shall mean the termination of a term contract at the end of the contract period.

2. "Discharge" shall mean termination of a contract during the contract period.

General Grounds

A reduction in force may take place when the Superintendent recommends and the Board adopts a resolution declaring a financial exigency. [See CEA] A determination of financial exigency constitutes sufficient reason for nonrenewal or sufficient cause for discharge.

Employment Areas

When a reduction in force is to be implemented, the Superintendent shall recommend the employment areas to be affected.

Employment areas may include, for example:

1. Elementary grades, levels, subjects, departments, or programs;
2. Secondary grades, levels, subjects, departments, or programs, including career and technical education subjects;
3. Special programs, such as gifted and talented, bilingual/ESL programs, special education and related services, compensatory education, or migrant education;
4. Disciplinary alternative education programs (DAEPs) and other discipline management programs;
5. Counseling programs;
6. Library programs;
7. Nursing and other health services programs;
8. An educational support program that does not provide direct instruction to students;
9. Other District-wide programs;
10. An individual campus;
11. Any administrative position, unit, or department;
12. Programs funded by state or federal grants or other dedicated funding; and
13. Other contractual positions.

The Superintendent's recommendation may address whether any employment areas should be:

1. Combined or adjusted (e.g., "elementary programs" and "compensatory education programs" can be combined to identify an employment area of "elementary compensatory education programs"); and/or

2. Applied on a District-wide or campus-wide basis (e.g., “the counseling program at [named elementary campus]”).

The Board shall determine the employment areas to be affected.

Criteria for Decision

The Superintendent shall apply the following criteria to the employees within an affected employment area when a reduction in force will not result in the nonrenewal or discharge of all staff in the employment area. The criteria are listed in the order of importance and shall be applied sequentially to the extent necessary to identify the employees who least satisfy the criteria and therefore are subject to the reduction in force. For example, if all necessary reductions can be accomplished by applying the first criterion, it is not necessary to apply the second criterion, and so forth.

1. Qualifications for Current or Projected Assignment: Certification, multiple or composite certifications, bilingual certification, licensure, endorsement, and/or specialized or advanced content-specific training or skills for the current or projected assignment.
2. Performance: Effectiveness, as reflected by the most recent formal appraisal, whether completed by the District or by a previous district, and any other written evaluative information, including disciplinary information, from the last 36 months. If the Superintendent at his or her discretion decides that the documented performance differences between two or more employees are too insubstantial to rely upon, he or she may proceed to apply the remaining criteria in the order listed below.
3. Extra Duties: Currently performing an extra-duty assignment, such as department or grade-level chair, band director, athletic coach, or activity sponsor.
4. Professional Background: Professional education and work experience related to the current or projected assignment.
5. Seniority: Length of service in the District, as measured from the employee’s most recent date of hire.

Superintendent
Recommendation

The Superintendent shall recommend to the Board the nonrenewal or discharge of the identified employees within the affected employment areas.

Board Vote

After considering the Superintendent’s recommendations, the Board shall determine the employees to be proposed for nonrenewal or discharge, as appropriate.

If the Board votes to propose nonrenewal of one or more employees, the Board shall specify the manner of hearing in accordance with DFBB(LOCAL).

If the Board votes to propose discharge of one or more employees, the Board shall determine whether the hearing will be conducted by a TEA-appointed hearing examiner [see DFD] or will be a local hearing under Education Code 21.207 [see DFBB].

Notice

The Superintendent shall provide each employee written notice of the proposed nonrenewal or discharge, as applicable. The notice shall include:

1. The proposed action, as applicable;
2. A statement of the reason for the proposed action; and
3. Notice that the employee is entitled to a hearing of the type determined by the Board.

Consideration for Available Positions

An employee who has received notice of proposed nonrenewal or discharge may apply for available positions for which he or she wishes to be considered. The employee is responsible for reviewing posted vacancies, submitting an application, and otherwise complying with District procedures.

If the employee meets the District's objective criteria for the position and is the most qualified internal applicant, the District shall offer the employee the position until:

1. Final action by the Board to end the employee's contract, if the employee does not request a hearing.
2. The evidentiary hearing by the independent hearing examiner, the Board, or other person designated in DFBB(LOCAL), if the employee requests a hearing.

Hearing Request

Nonrenewal: Term Contract

An employee receiving notice of proposed nonrenewal of a term contract may request a hearing in accordance with DFBB.

Discharge: Chapter 21 Contract

An employee receiving notice of proposed discharge from a contract governed by Chapter 21 of the Education Code may request a hearing. The hearing shall be conducted in accordance with DFD or the nonrenewal hearing process in DFBB, as determined by the Board and specified in the notice of proposed discharge.

Discharge: Non-Chapter 21 Contract

An employee receiving notice of proposed discharge during the period of an employment contract not governed by Chapter 21 of the Education Code may request a hearing before the Board or its designee in accordance with DCE.

REDUCTION IN FORCE
FINANCIAL EXIGENCY

DFFA
(LOCAL)

Final Action

Hearing Requested

If the employee requests a hearing, the Board shall take final action after the hearing in accordance with DCE, DFBB, or DFD, as applicable, and shall notify the employee in writing.

No Hearing
Requested

If the employee does not request a hearing, the Board shall take final action in accordance with DCE, DFBB, or DFD, as applicable, and shall notify the employee in writing.