

DC-25-09345
CAUSE NO. _____

BRIAN MORROW, ET. AL.,

Plaintiffs,

V.

RANDY SCHACKMANN, ET. AL.,

Defendants,

IN THE DISTRICT COURT OF

DALLAS COUNTY, TEXAS

95th JUDICIAL DISTRICT

**PLAINTIFFS' ORIGINAL PETITION FOR REMOVAL AND APPLICATION FOR
INJUNCTIVE RELIEF**

TO THE HONORABLE JUDGE OF SAID COURT:

Plaintiffs Brian Morrow, Lisa Sutter, Nelly Shankle, Venus Basaran, Nicole Yarbrough, Amanda Nauert, Aaron Nauert, Iris Moore, Tierney Gonzalez, Jacob Gonzalez, Candace Valenzuela, Thomas Mendez, and Katherine E. Hughey, (collectively, "Plaintiffs"), file this *Original Petition for Removal and Application for Injunctive Relief*, against Defendants Randy Schackmann, Kim Brady, Cassandra Hatfield, Ileana Garza-Rojas, and Marjorie Barnes, in their official capacities as members of the Carrollton-Farmers Branch Independent School District Board of Trustees (each individually, a "Trustee" and collectively, the "Rump Board" or "Defendants"),¹ Defendant Wendy Eldredge, in her official capacity as superintendent of the Carrollton-Farmers Branch Independent School District, and Carrollton-Farmers Branch

¹ The full Board of CFBISD (which also includes Carolyn Benavides and Paul Gilmore) is defined herein as the "Board." Plaintiffs assert no claims against Ms. Benavides or Mr. Gilmore.

Independent School District (“CFBISD” or the “District”). In support, Plaintiffs respectfully show the Court as follows:

I.
DISCOVERY CONTROL PLAN

1. Pursuant to Texas Rule of Civil Procedure 190.4, Plaintiffs intend to conduct discovery under a Level 3 Discovery Control Plan.

II.
PARTIES

2. Plaintiff, Brian Morrow, is an individual who resides and pays taxes within the boundaries of CFBISD. His residence is 1020 Magnolia Dr., Carrollton, Texas 75007.

3. Plaintiff, Lisa Sutter, is an individual who resides and pays taxes within the boundaries of CFBISD. Her residence is 2304 Watermill Court, Carrollton, Texas 75006.

4. Plaintiff, Nelly Shankle, is an individual who resides and pays taxes within the boundaries of CFBISD. Her residence is 1603 Woodcrest Lane, Carrollton, Texas 75006.

5. Plaintiff, Venus Basaran, is an individual who resides and pays taxes within the boundaries of CFBISD. Her residence is 1800 Fernwood Circle, Carrollton, Texas 75006.

6. Plaintiff, Nicole Yarbrough, is an individual who resides and pays taxes within the boundaries of CFBISD. Her residence is 2028 Lymington Road, Carrollton, Texas 75007.

7. Plaintiff, Amanda Nauert, is an individual who resides and pays taxes within the boundaries of CFBISD. Her residence is 1111 Golden Gate Drive, Carrollton, Texas 75007.

8. Plaintiff, Aaron Nauert, is an individual who resides and pays taxes within the boundaries of CFBISD. His residence is 1111 Golden Gate Drive, Carrollton, Texas 75007.

9. Plaintiff, Iris Moore, is an individual who resides and pays taxes within the boundaries of CFBISD. Her residence is 1420 Tierra Calle, Carrollton, Texas 75006.

10. Plaintiff, Tierney Gonzalez, is an individual who resides and pays taxes within the boundaries of CFBISD. Her residence is 17919 Mary Margaret Street, Dallas, Texas 75287.

11. Plaintiff, Jacob Gonzalez, is an individual who resides and pays taxes within the boundaries of CFBISD. His residence is 17919 Mary Margaret Street, Dallas, Texas 75287.

12. Plaintiff, Candace Valenzuela, is an individual who resides and pays taxes within the boundaries of CFBISD. Her residence is: 3925 Saint Christopher Lane, Dallas, Texas 75287.

13. Plaintiff, Thomas Mendez, is an individual who resides and pays taxes within the boundaries of CFBISD. His residence is 2027 Verlaine Drive, Carrollton, Texas 75007.

14. Plaintiff, Katherine E. Hughey, is an individual who resides and pays taxes within the boundaries of CFBISD. Her residence is 2311 Greenmeadow Drive, Carrollton, Texas 75006.

15. Defendant RANDY SCHACKMANN is a Trustee elected at-large to the Board until 2026, was a President of the Board during the events at issue and resides in Dallas County, Texas. Schackmann may be served with process at 1300 Osceola Trail, Carrollton, Texas 75006. Schackmann may alternatively be served with process at 2105 North Josey Lane, Apartment 137, Carrollton, Texas, 75006.

16. Defendant NANCY KIMMEL BRADY (AKA “KIM BRADY”, “KIM B”) is a Trustee elected at-large to the Board until 2028, is Vice President of the Board, and was a Secretary during the events at issue and resides in Dallas County, Texas. Brady may be served with process at 2692 Waterford Way, Carrollton, Texas 75006.

17. Defendant CASSANDRA HATFIELD is a Trustee elected at large to the Board until 2027, was, and is again, President of the Board during the events at issue and resides in Dallas County, Texas. Hatfield may be served with process at 1405 North Trail Drive, Carrollton, Texas 75006.

18. Defendant ILEANA GARZA-ROJAS is a Trustee elected at-large to the Board until 2028, is Secretary of the Board, and resides in Dallas County, Texas. Garza-Rojas may be served with process at 13212 Glenside Drive, Farmers Branch, Texas 75234.

19. Defendant MARJORIE BARNES is a Trustee elected at-large to the Board until 2027, and resides in Dallas County, Texas. Barnes may be served with process at 14340 Tanglewood Drive, Farmers Branch, Texas 75234.

20. Defendant CARROLLTON-FARMERS BRANCH INDEPENDENT SCHOOL DISTRICT is a Texas independent school district and is subject to the Texas Open Meetings Act pursuant to Tex. Gov't Code § 551.001(3)(E). CFBISD may be served with process through its Superintendent, Dr. Wendy Eldredge, at 1445 North Perry Road, Carrollton, Texas 75006.

21. Defendant WENDY ELDREDGE is the superintendent of the Carrollton-Farmers Branch Independent School District and is subject to the nepotism prohibitions pursuant to Tex. Gov't Code § 573.001(3)(A)-(B), Tex. Educ. Code § 11.1513(f), and the CFBISD Board Policy Manual Section DC—Employment Practices, Local Policy, Employment of Noncontractual Personnel.² Eldredge may be served with process at 4536 Redwood Court, Irving, Texas 75038.

III. JURISDICTION & VENUE

22. This Court has subject matter jurisdiction over this suit pursuant to Section 65.021 of the Texas Civil Practice and Remedies Code, which provides any district court with jurisdiction to hear claims for injunctive relief. Pursuant to Tex. R. Civ. P. 47, Plaintiffs seek only non-monetary relief, plus attorneys' fees.

² See, CFBSID Board Policy Manual adoption of policy delegating final authority to employ noncontractual employees, <https://pol.tasb.org/PolicyOnline/PolicyDetails?key=359&code=DC#localTabContent>

23. Venue is proper in Dallas County because that is the county where all or a substantial part of the events or omissions giving rise to this suit occurred. Tex. Civ. Prac. & Rem. Code § 15.002(a)(1).

24. This Court has jurisdiction over the individual Board members because, as further detailed herein, each acted outside the scope of their authority and failed to perform their discretionary duties in good faith. *See Ballantyne v. Champion Builders, Inc.*, 144 S.W.3d 417, 424 (Tex. 2004).

IV. **FACTUAL BACKGROUND**

A. Overview of the Texas Open Meeting Act (“TOMA”).

25. The Attorney General Handbook states, “Texas law has long agreed the inherent right of Texans to govern themselves depends on their ability to observe how public officials conduct the people’s business.” Office of the Attorney General-State of Texas, Open Meetings Handbook (2024). Indeed, “[public] access to the proceedings and decision-making process of government is essential to a properly functioning and free state.” *Id.* The Texas Supreme Court has amplified this point, declaring that Texas citizens “are entitled to more than a result. They are entitled not only to know what government decides but to observe how and why every decision is reached.” *Acker v. Texas Water Comm’n*, 790 S.W.2d 299, 300 (Tex. 1990).

26. TOMA was enacted to ensure the protection of these ideals, and to promote open and transparent government that is accountable to the people. At its core, TOMA requires government entities to keep official business open to the public by ensuring that every action taken by a governmental body be voted upon by a quorum in a properly noticed meeting. *See. Tex. Gov’t Code § 551.144.*

27. Under TOMA, every regular, special, or called meeting of a governmental body must be open to the public. *Id.* at § 551.002. The public must be given written notice of the date, hour, place, and *subject matter*, of all meetings of the governmental entity. *Id.* at § 551.041. This notice must be posted at least 72 hours in advance of the meeting in a place readily accessible to the general public. *Id.* at § 551.043. While the Texas Government Code does allow for some meetings to be closed to the public, Texas law is clear that the governmental body must give the public advance notice of the subjects it will consider at either an open meeting or closed executive session. *Cox Enterprises, Inc. v. Bd. Of Trustees of Austin Indep. Sch. Dist.*, 706 S.W.2d 956, 958 (Tex. 1986); *Porth v. Morgan*, 622 S.W.2d 470, 475-76 (Tex. App.—Tyler 1981, writ ref'd n.r.e.). Additionally, any final action, decision, or vote on a matter deliberated in a closed meeting may only be made in an open meeting that is held in compliance with the notice provisions of TOMA Tex. Gov't Code § 551.102.

B. Overview of the Nepotism Prohibitions, Chapter 573, Government Code

28. Texas codified nepotism prohibitions more than a century ago. Texas has prohibited nepotism, specifically for public officials hiring or approving payments for certain relatives, since 1907. Positions compensated by public funds are subject to the nepotism prohibitions which include “an office, clerkship, employment, or duty” according to Tex. Gov’t Code § 573.001(2). Members of the board of trustees for an independent school district are subject to nepotism prohibitions as Tex. Gov’t Code § 573.001(3)(B) states: “‘Public Official’ means’ an officer or member of a board of this state or of a district, county, municipality, school district, or other political subdivision of this state.’”

29. Tex. Gov’t Code § 573.002 prohibits relationships “within the third degree by consanguinity or within the second degree of affinity.” Consanguinity is defined by Tex. Gov’t

Code § 573.022(a) “Two individuals are related to each other by consanguinity if: (1) one is a descendant of the other; . . . “ and affinity is defined by Tex. Gov’t Code § 573.024(a) Two individuals are related to each other by affinity if: (2) they are married to each other; or (3) the spouse of one of the individuals is related by consanguinity to the other individual.”

30. Tex. Gov’t Code § 573.023(a) supplies the computation method to determine the degree of consanguinity, “The degree of relationship by consanguinity between an individual and the individuals descendent is determined by the number of generations that separate them. A parent and child are related in the first degree, . . .” Tex. Gov’t Code § 573.025(a) supplies the computation method to determine the degree of affinity, “A husband and wife are related to each other in the first degree by affinity. For other relationship by affinity, the degree of relationship is the same as the degree as the underlying relationship by consanguinity.”

31. Individuals related to a public official within a prohibited degree of relation, either by consanguinity or affinity, are prohibited from receiving public funds that are under the authority of the public official, Tex. Gov’t Code § 573.041:

A public official may not appoint, confirm the appointment of, or vote for the appointment or confirmation of the appointment of, an individual to a position that is to be directly or indirectly compensated from public funds if: (1) the individual is related to the public official within a degree described by Section 573.002; or (2) the public official holds the appointment or confirmation authority as a member of a state or local board, the legislature, or a court and the individual is related to another member of that board, legislature, or court within a degree described by Section 573.002

32. Tex. Gov’t Code § 573.061 lists the exceptions where Section 573.041 does not apply to public officials; however, none of the enumerated general exceptions are applicable in

the present case. Tex Gov't Code § 573.062(a) provides an exception for continuous employment, stating that

A nepotism prohibition prescribed by Section 573.041 or by a municipal charter or ordinance does not apply. . . if: (1) the individual is employed in the position immediately before the election or appointment of the public official . . .; and, (2) that prior employment of the individual is continuous for at least: (C) one year, if the public official is elected at the general election for state and county officers.

An individual that was employed, by the governing body to which the public official was elected, can remain employed; however, the public officials remain subject to nepotism prohibitions for those individuals continuously employed under Tex. Gov't Code § 573.062(b)

If, under subsection (a), an individual continues in a position, the public official to whom the individual is related in a prohibited degree may not participate in any deliberation or voting on the appointment, reappointment, confirmation of the appointment or reappointment, employment, reemployment, change in status, compensation, or dismissal of the individual if that action applies only to the individual and is not taken regarding a bona fide class or category of employees

33. In the present case, following phrases from Tex. Gov't Code § 573.062(b) applies: "the public official to whom the individual is related in a prohibited degree may not participate in any deliberation or voting on the" "change in status" or "compensation . . . if that action applies only to the individual and is not taken regarding a bona fide class or category of employees." The legislature's use of the conjunction "and" in the final phrase of Section 573.062(b) was

intentional to prevent circumventing the nepotism prohibitions in the manner described by Letter Opinion No. JM-1188 from The Office of the Attorney General-State of Texas:

The second issue you raise is based on the language of section 1(c) providing that an officeholder may participate in a decision that affects a relative if the decision is made “with respect to a bona fide class or category of employees.” An example of such a decision would be a decision to give a cost-of-living raise to all employees of the sheriff’s office. The situation you describe is somewhat different. Viewing the facts in light most favorable to the sheriff, it is a situation in which the sheriff’s son and daughter received promotions that were consistent with the custom of the office. We do not think that the language regarding actions taken with respect to a bona fide category of employees was intended to give an officeholder’s relatives the benefit of expectations created by custom or common practice. Furthermore, sheriffs’ deputies serve at the pleasure of the sheriff, and their statutory at-will status cannot be undone by local custom. See Batterton v. Texas Gen. Land Office, 783 F.2d 1220 (5th Cir.), cert. denied, 107 S.Ct. 316 (19876) (custom contrary to state statute that allows removal at will cannot be source of due process interest).³

The Office of the Attorney General-State of Texas: Letter Opinion No. JM-1188, authored by Jim Mattox, July 23, 1990, at 3.

34. The Opinion No. JM-1188 differentiates between an action that affects a “bona fide class or category of employees” and an action that affects a group of employees individually. The Attorney General’s opinion provides an example of an act “with respect to a bona fide class

3. See, The Office of the Attorney General – State of Texas, Opinion No. JM-1188, at 3, <https://www.texasattorneygeneral.gov/sites/default/files/opinion-files/opinion/1990/jm1188.pdf>

or category of employees” in providing “cost-of-living raise to all employees,” The example provides two criteria (1) “cost-of-living” represents a value which is (2) equally applied to all members of a bona-fide class or category of employees. The Office of the Attorney General then differentiates the facts at issue in the opinion which address whether the promotion of the sheriff’s children could be considered an act “with respect to a bona fide class or category of employees.” The Office of the Attorney General states “[w]e do not think that the language regarding actions taken with respect to a bona fide category of employees was intended to give an officeholder’s relatives the benefit of expectations created by custom or common practice.”

35. The facts presented in the opinion satisfy the two requirements which enact the nepotism prohibitions. Tex. Gov’t Code § 573.062(b) first requires an action that “applies only to the individual.” The sheriff’s children received promotions to unique positions that were applicable only to them. The son was promoted from deputy sheriff to sergeant, and the daughter was promoted from jailer to deputy sheriff.⁴ The second requirement “and is not taken with respect to a bona fide class or category of employees” is satisfied because the promotions cannot satisfy the criteria set out in the opinion’s “cost-of-living” example, the value was not equally applied to all members of a bona fide class or category of employees. The custom or common practice of the promoting individuals within an organization does not relieve the public official of the nepotism prohibitions.

36. The opinion disposes of the possibility that a public official can promote prohibited individuals, even if it is custom or common practice, and consider it “an action taken with respect to a bona fide class.” The opinion summarizes that “A sheriff may not promote his son and daughter even though they had sufficient prior continuous service to retain their jobs in

⁴ *Id.*, at 1,

the sheriff's office after their father became sheriff.”⁵ The summary supports the conclusion that when a prohibited individual is promoted to a new position after the public official takes their oath of office, the continuity of their service ends and they are subject to the prohibitions set forth in Section 573.041. Additionally, a public official cannot circumvent the nepotism prohibitions by delegating the hiring authority to another individual. Specifically, when the board of trustees for an independent school district adopts a policy that delegates final hiring authority to the superintendent, the board of trustees remain subject to the nepotism prohibitions.

37. In 2007, the 80th Legislature codified in Tex. Educ. Code § 11.1513(f) the opinion presented by The Office of the Attorney General, State of Texas: Letter Opinion No. 92-43: Dan Morales, August 26, 1992, at 2:

It has nevertheless been suggested to us that a violation has not occurred in the present case because the board of trustees has delegated its authority to manage and operate a personnel system. Case law and prior opinions of this office make it clear that “[d]elegation of hiring decisions does not relieve the members of the governing body of the burdens of the nepotism law.” Attorney General Opinion DM-2 at 1 (1991). “The applicability of the nepotism law depends on whether the officer may exercise control over hiring decisions.” *Id.* (emphasis in original); *see also* JM-1188 (1990); *Pena v. Rio Grande City Consol. Indep. School Dist.*, 616 S.W.2d 658 (Tex. Civ App. -Eastland 1981, no writ.) Clearly, the Board of Trustees of Central Texas College retains statutory authority under Education Code sections 23.26 and 130.084 to hire employees of the college. Therefore, the college may not hire any employee related within the prohibited

⁵ *Id.*, at 3.

degree to a member of the board of trustees, even if the board has a policy of non-involvement with hiring decisions.⁶

38. Tex. Educ. Code § 11.1513(f) fortifies the nepotism prohibitions in the actions of the board of trustees and the superintendent of independent school districts by ensuring that both remain subject to Chapter 573. The superintendent is deemed a public official when the board delegates final hiring authority and the board remains subject to Chapter 573 with respects to all district employees:

If, under the employment policy, the board of trustees delegates to the superintendent the final authority to select district personnel; (1) the superintendent is a public official for purposes of Chapter 573, Government Code, only with respect to a decision made under that delegation of authority; and (2) each member of the board of trustees remains subject to Chapter 573, Government Code, with respect to all district employees

Tex. Educ. Code § 11.1513(f) applies when the board of trustees of an independent school district adopt an employment policy delegating final hiring authority to the superintendent.

39. The Board of Trustees for the Carrollton-Farmers Branch Independent School District adopted the policy required by Tex. Educ. Code § 11.1513(f) in CFBISD's Board Policy Manual, Section DC - Local Policy, stating that "The Board of Trustees delegates to the Superintendent final authority to employ and dismiss noncontractual employees on an at will basis [See DCD]."⁷ The Board Policy Manual in section DCD – Employment Practices: At-Will Employment: Legal Framework specifically states that "A superintendent to whom a board has

⁶ See, the applicability of nepotism prohibitions in an analogous, if not nearly identical, fact pattern as the facts presented herein, Office of the Attorney General-State of Texas: Letter Opinion No. 92-43, at 2.

⁷ See, Section DC – Employment Practices in the CFBISD official Board Policy Manual, <https://pol.tasb.org/PolicyOnline?key=359>

delegated final hiring authority to select personnel is a “public official” with appointment authority for the purposes of nepotism laws.” The section continues by stating “at-will employment is presumed unless shown otherwise. *Gonzales v. Galveston Ind. Sch. Dist.*, 865 F. Supp. 1241 (S.D. Tex. 1994).” And Section DCD - Local Policy further clarifies that “Personnel not hired under contract shall be employed on an at will basis.”

40. Nepotism prohibitions engender public trust in government by preventing favoritism, reduce conflicts of interest, and the perception of impropriety in the workplace. Nepotism prohibitions and TOMA share the same animus in that they discourage acts that erode trust in public institutions. The public institution that is the Texas public education system received specific statutory amendments that prevent the circumvention of nepotism prohibitions by delegating hiring authority. Members of the board of trustees remain subject to Chapter 573, in regards, to all district employees and the superintendent is a public official when he or she exercises the delegated final hiring authority. Nepotism and TOMA violations in Texas’ public education system corrupt a public institution essential for Texans to govern themselves.

C. Schackmann, Brady and Eldredge Attempt to Circumvent Nepotism Prohibitions.

41. CFBISD is an independent school district located in Dallas County and Denton County Texas. Dallas County’s population was 2.606 million people in 2023, and Denton County’s population was 1.008 million people in 2023. CFBISD operates across Dallas and Denton Counties serving nearly 24,000 students amongst the cities of Carrollton, Farmers Branch, and Irving, including out of district transfers. The Board has the executive power and duty to govern and oversee the management of CFBISD.

42. The Board adopted, in Section DC of the Board Policy Manual (“BPM”),⁸ an official policy delegating final hiring authority for noncontractual, at-will, employees to the superintendent. Defendant Wendy Eldredge (“Eldredge”) was appointed as the superintendent of CFBISD on March 21, 2023, during a special meeting of the Board.⁹ By the April 6, 2023, regular school board meeting, Eldredge began introducing new hires.¹⁰

43. On June 1, 2023, during the regular school board meeting, Defendant Randy Schackmann (“Schackmann”) was sworn in and became a public official subject to Chapter 573 nepotism prohibitions. Defendants Kim Brady (“Brady”), Cassandra Hatfield (“Hatfield”), Ileana Garza-Rojas (“Garza-Rojas”), Wendy Eldredge were present at the meeting. After the Board was composed, Eldredge introduced four noncontractual, at-will, employees into their new roles.¹¹ After Eldredge introduced her newly hired team members, the agenda item 8.B. Consider/Approve All Matters Related to the 2023-2024 Compensation Plan was tabled and deliberations on the 2023-2024 Compensation Plan were postponed.

44. The Board approved the 2023-2024 Compensation Plan during the July 20, 2023, Special Meeting. Defendants Schackmann and Brady not only deliberated on, the acted on and voted to approve the 2023-2024 compensation plan. Schackmann motioned and Brady seconded the motion, that item 4A “Consider/Approve District Compensation Plan for 2023-2024” be approved as presented, by Eldredge. With a vote of 7 for, 0 against, and 0 abstentions, the motion

⁸ See, The Official CFBISD Board Policy Manual, <https://pol.tasb.org/PolicyOnline?key=359>

⁹ See, Minutes of Special Meeting, the meeting approving the superintendent contract, on March 21, 2023, <https://meetings.boardbook.org/Documents/CustomMinutesForMeeting/631?meeting=573592>

¹⁰ See, Item 2.C. District Announcements, in the approved board minutes, for the April 6, 2023, meeting <https://meetings.boardbook.org/Documents/CustomMinutesForMeeting/631?meeting=575620>

¹¹ See, Item 2- 4.A., swearing in, nominations, elections and new-role announcements, on June 1, 2023, <https://meetings.boardbook.org/Documents/CustomMinutesForMeeting/631?meeting=582883>

carried.¹² Schackmann, Brady, and Eldredge can be seen actively deliberating on and ultimately approving the 2023-2024 compensation plan that would contribute to the deficit budget the Board would ultimately approve.¹³ The 2023-2024 compensation plan authorized the public funds for newly created positions, like the Coordinator of Dual Credit, to which Eldredge appointed Defendant Schackmann's wife, Dr. Ruth Schackmann.

45. According to information received through an open records request submitted to the District,¹⁴ Dr. Ruth Schackmann's contract start date in her new role, as Coordinator of Dual Credit, was July 1, 2023. Dr. Ruth Schackmann's contract start date was thirty (30) days after Defendant Schackmann became a public official, and twenty (20) days before Defendant Schackmann deliberated and voted on the 2023-2024 compensation plan which governed the compensation of the Coordinator of Dual Credit role.

46. By the August 3, 2023, regular board meeting, the list of newly announced noncontractual roles continued to grow. Eldredge announced eight new positions and the individuals that would perform their duties. Eldredge announced new Directors, Assistant Superintendents, a new Executive Construction Officer, a new Chief of School Leadership and a Community Relations Coordinator position. Eldredge makes no mention of the newly created position of Coordinator of Dual Credit, nor of Dr. Ruth Schackmann who had faithfully served CFBISD as an English teacher for the past two decades.

¹²See, Approved Minutes of Special Called Meeting, July 20, 2023.

<https://meetings.boardbook.org/Documents/CustomMinutesForMeeting/631?meeting=592335>

¹³ See, Schackmann and Brady actively participate in the deliberations of the 2023-2024 compensation plan.
<https://www.youtube.com/watch?v=BFGCm9nxFwE#:~:text=I%20call%20this%20special%20meeting%20at%20the%20district,e,conduct%20business%20on%20behalf%20of%20the%20district>

¹⁴ The open records request sought five-years of salary information for the District which included the contract start date and hire date of district personnel across the five years. The accuracy of the information contained in the response the request has been called into question. We expect to receive evidence of the amounts and start dates for the individuals subject to Chapter 573 during discovery in preparation for trial.

47. Eldredge did not announce to the Board that she had created the Coordinator of Dual Credit position and hired Defendant Schackmann's wife, Dr. Ruth Schackmann. Dr. Ruth Schackmann received an approximate 32.6% salary increase worth just over, \$24K in annual compensation. Eldredge exercised her final hiring authority when she appointed Dr. Ruth Schackmann. When Dr. Ruth Schackmann left her position as a teacher and accepted the position in the Eldredge administration, after her husband became a public official, Defendants Schackmann and Eldredge became subject to Chapter 573.

48. Defendants Eldredge and Schackmann again ran afoul of Chapter 573, when Mr. Hunter Allton ("Allton") was employed by the district in August of 2023. Allton is the biological son of Dr. Ruth Schackmann, Defendant Schackmann's stepson. Eldredge's administration hired Allton with a contract start date of August 3, 2023, with a job titled "Adjunct – Teacher – Science," a Calendar of "Pro 187 Teacher," a Pay Grade of "Administrative/Professional -ADJ," and listed as receiving a total compensation package of \$50K.¹⁵ Like Dr. Ruth Schackmann, Allton was hired by the District after Defendant Schackmann became a member of the Board and was compensated using public funds.

49. Defendant Schackmann continues to disregard Chapter 573 prohibitions as he deliberates and votes on the compensation plans for the 2023-2024 and the 2024-2024 school years. Compensation plans that control the amounts his wife and stepson receive through their employment of the district. Defendant Schackmann deliberated on and voted for the 2023-2024 compensation plan during the July 20, 2023, special meeting; and, deliberated and voted¹⁶ for the

¹⁵ The actual amount of compensation paid to Mr. Allton may vary based on the number of hours worked. The information provided by the District through the Open Records Request only provides an "annualized salary." The actual amount paid to Mr. Allton while in violation of the nepotism prohibitions will be determined through discovery and offered as evidence during the trial.

¹⁶ . See, official meeting minutes for June 6, 2024, regular meeting. documenting the Schackmann's vote <https://meetings.boardbook.org/Documents/CustomMinutesForMeeting/631?meeting=634910>

2024-2025 compensation plan during the June 6, 2024, regular meeting.¹⁷ Defendant Schackmann and Eldredge are subjected to Chapter 573, Government Code, because they hold authority over district personnel. The Eldredge administration’s hiring of two prohibited individuals and Defendant Schackmann’s continued participation in compensation discussion that impacted those two prohibited individuals creates four distinct acts that violate Chapter 573 nepotism prohibitions: two acts subjecting himself to Tex. Gov’t Code §573.041(1) and two acts subjecting himself to Tex. Gov’t Code. § 573.062(b).

50. Within six months of her CFBISD career, Eldredge appears to circumvent the nepotism prohibitions of Chapter 573, Government Code. Less than a year later, the Eldredge administration hires Mr. Niklas “Scotty” Brady, Defendant Brady’s son. Mr. Niklas Brady was hired during the summer of 2024, while Defendant Brady was a member of the Board. According to the same open records request previously mentioned, the Eldredge administration hired Mr. Brady on June 19, 2024, with a contract start date of July 1, 2024, a Pay Grade “TMO,” a Calendar of “TMO”, and an annual total compensation package of about \$37.5K.¹⁸ Aside from the information provided by the District about Mr. Brady’s employment, Mr. Brady, advertised on social media that he was the “Assistant to the Superintendent” for CFBISD from May 2024 – August 2024.¹⁹

51. Defendant Brady, while running for re-election, in 2025, defended the District’s decision to hire her son, going so far as to post on social media a copy of the check reimbursing

¹⁷ See, Schackmann deliberates and votes on the 2024-2025 compensation plan, during the June 6, 2024, regular meeting <https://www.youtube.com/watch?v=v6kZ8alBWTg>

¹⁸ The actual amount of compensation paid to Mr. Brady may vary based on the number of hours worked. The information provided by the District through the Open Records Request only provides an “annualized salary.” The actual amount paid to Mr. Allton while in violation of the nepotism prohibitions will be determined through discovery and offered as evidence during the trial.

¹⁹ See, Exhibit A.1 (Pg. 63) , a screen capture of LinkedIn profile for Niklas “Scotty” Brady

the district for the compensation Mr. Brady received.²⁰ Defendant Brady was a member of the Board when her son was hired by the Eldredge administration which made her subject to Chapter 573, Government Code.

52. Defendant Brady voted along with Defendant Schackmann on the 2023-2024 and 2024-2025 compensation plans that would contribute to deficit budgets in both years; however, unlike Schackmann whose family was benefiting from those compensation plans while he deliberated and voted on them, Defendant Brady's family was not subject to the compensation plans at the time of her vote. Defendant Brady appears to have violated Chapter 573, Government Code, through only one act subjecting herself to Tex. Gov't Code § 573.041(1), when the District hired her son.

53. Defendant Eldredge's Chapter 573, Government Code, violation count is more difficult to ascertain. By appointing Dr. Ruth Schackmann to the Coordinator of Dual Credit and compensating her with public funds while her husband was a member of the Board, Eldredge became subject to Chapter 573, Government Code, the first time. Depending on the noncontractual status of Mr. Hunter Allton and Mr. Niklas Brady's employment, she may be subject to the nepotism prohibitions in Chapter 573, Government Code, through two additional acts. As the District's Board Policy Manual states in Section DCD, "In Texas, at-will employment is presumed unless shown otherwise. *Gonzales v. Galveston Ind. Sch. Dist.*, 865 F.Supp. 1241 (S.D. Tex. 1994)." Until "shown otherwise" Defendant Eldredge appears to have committed three acts subject to Chapter 573, Government Code: Eldredge's acts subjected her to Tex. Gov't Code § 573.041(2).

²⁰ See, Exhibit A.2 (Pg. 64), a screenshot of Kim Brady's receipt for "repayment of internship." Additional documents were provided by the District in response to open records requests which pertain to the employment of Mr. Brady and can be offered as evidence during trial, if required.

D. The Rump Board Deliberates and Acts in Violation of TOMA.

54. CFBISD is an independent school district located in Dallas County and Denton County, Texas. CFBISD serves over 24,000 students from Carrollton, Farmers Branch, and Irving within Dallas and Denton Counties. The Board has the executive power and duty to govern and oversee the management of CFBISD.

55. For several years, the Board engaged in a pattern of persistent, systematic, and secretive conduct for the purpose of hiding its business from the public it serves. This is unsurprising given that the leaders of this group, Cassandra Hatfield (President currently and from June 1, 2023, through June 6, 2024, “Hatfield”), Randy Schackmann (President from June 6, 2024 through June 5, 2025, “Schackmann”), and Wendy Eldredge (Superintendent from approximately March 21, 2023 to Present Day, “Eldredge”) controlled what was, and was not, included in the agenda of each Board meeting; while Schackmann and Eldredge are also accused, herein, of violating the nepotism prohibitions in Tex. Gov’t Code §§ 573.001-.062(b). As further detailed herein, the conduct of the Rump Board shielded its actions from the public while it devised a highly criticized plan to permanently shutter four schools.

56. The District’s plan to shutter four schools was hatched following the May 2023 election after CFBISD voters approved a \$716.4 million bond. To help pass the 2023 bond, the District appealed to voters through the creation of the “CFBISD Citizen’s Bond Planning Committee” (“Citizen’s Committee”). The District created the Citizen’s Committee and charged them with generating “recommendations on how to proceed with a long-range facilities plan.”²¹

²¹ See Pg. 9 of the presentation found in URL, explicitly stating the Citizen’s Committee’s charge. https://resources.finalsuite.net/images/v1674763264/cfbisdedu/jrtcsjsusj8iqr3ekwm2/Jan24RecommendationPresentation_1.pdf

The Citizen's Committee invited sixty (60) community members to participate. The Citizen's Committee met nine (9) times over six (6) months, evaluated educational programs, toured campuses, hired consultants and demographers, and held a panel of construction industry experts. The Citizen's Committee presented their recommendations in January 2023 informing the Board and CFBISD voters how the 2023 Bond money should be spent if approved. In May 2023, CFBISD voters approved the bond measure. Four months later, in September 2023, the District and the Board had all but abandoned the Citizen's Committee's recommendations.

57. By September 2023, under the guise of fiscal responsibility, the District hired their own consulting firms, Woolpert Consulting ("Woolpert") and Population and Survey Analysts ("PASA"), to provide new recommendations on how to proceed with a long-range facilities plan. The District and the Rump Board would ultimately, use the Woolpert and PASA, analysis to craft a much bleaker and urgent narrative than the analysis created by the Citizen's Committee's team only one year prior. Corey G. Blackburn ("Blackburn"), the District's Executive Construction Officer, innocuously mentioned during the September 21, 2023, work study session that they were kicking off a "capacity and utilization study"²² to determine whether the school replacements recommended by the Citizen's Committee were the "right decision" based on "enrollment numbers." Blackburn continued to reveal the District's plan to discard the Citizen's Committee recommendations as he stated he would also like to have "a consultant do a long-term facilities master plan" and to re-examine "ed specs." Blackburn confirmed to the Board that these new consulting firms could change how the 2023 Bond money is spent. At that

²².See Timestamp (27:06), Blackburn states his intent for new studies and confirms that it may change the facilities plan as it was approved by the voters in May 2023. <https://www.youtube.com/watch?v=CH25k0dEtf8>

time, the Board did not question Blackburn's need for these new consulting firms despite discussing the Citizen's Committee recommendations a mere two months earlier.

58. Passing the 2023 Bond was significant enough to the Board and the District that they created the Citizen's Committee, hired consultants, and charged the Citizen's Committee to define a long-term facilities plan; however, changing how the District and the Board would spend the 2023 Bond was not significant enough to properly notice the public.

59. The Board presidents, Defendants Cassandra Hatfield ("Hatfield") and Randy Schackmann ("Schackmann"), created and posted meeting agendas using the following, and substantially similar, vague phrases as topics deliberating the Campus Consolidation Plan: "Presentation and Discussion for Facilities Master Plan," "Master Facilities Plan Update with Education Specifications," "Facilities Master Plan Update," and "Construction Update." The Board used generic phrases without additional description in the meeting agendas. The Board president and the District leadership chose to create topics that were as applicable to CFBISD's execution of the Citizen's Committee's recommendations as they would be to the abandonment of it in favor of their own.

60. The Board chose not to provide meaningful notice. The Board's posted agenda on February 28, 2025, proves they are capable to provide meaningful notice, and that their actions were not merely gross ignorance. On February 28, 2025, the Board posted in the agenda for their March 6, 2025, regular meeting: "6.B. Consider/Approve Proposed Consolidation of Central Elementary, Furneaux Elementary, McCoy Elementary, and Long Middle School and Corresponding Proposed Changes to Elementary, Middle, and High School Attendance Zones."²³ The CFBISD community attendance at the March 6, 2025 regular board meeting overflowed into

²³ <https://meetings.boardbook.org/Public/Agenda/631?meeting=676287>

the parking lot. Carrollton City Council members were refused entrance due to fire code occupancy regulations. The CFBISD community's attendance at the March 6, 2025, regular meeting, where meaningful notice was provided to the public, strongly supports that the Rump Board's deliberations to create their Campus Consolidation Plan would have met strong opposition if the public was properly noticed over the nineteen-month process.

61. On February 15, 2024, the Board met publicly with Woolpert to deliberate on their "Campus Consolidation Plan" that the District would present twelve months later, on February 6, 2025. The Board's posted agenda for their public deliberation with Woolpert referred to this meeting innocuously as "3.A. Presentation and Discussion for Facilities Master Plan."²⁴ The Board knew Woolpert's "capacity and utilization study" may change how they spent the 2023 Bond money and chose an innocuous description for their discussion.

62. The Board's decision to use nondescript language, without any additional detail, is made even more egregious, because they knew the significance of the presentation prior to posting the agenda on February 9, 2024. The Board knew the significance of the presentation because they secretly deliberated with Woolpert's Susan Miller earlier in the week. Coordinated by Christopher Moore, the Board deliberated through a series meetings intentionally designed to circumvent TOMA. The meeting on February 15, 2024, was a public display and continuation of a series of secret deliberations that occurred during the prior week:

- i. On February 5, 2024, from 8:30 AM to 9:30 AM, a video-conferencing call was scheduled to occur, coordinated by the assistant superintendent of operations for CFBISD, Christopher Moore ("Moore"). The parties invited to attend were Woolpert

²⁴ <https://meetings.boardbook.org/Public/Agenda/631?meeting=622283>

Consulting's, Susan Miller and Angela Banuelos, Defendants, Schackmann and Nancy Kimmel Brady ("Brady"), Blackburn, and Trustee Carolyn Benavides.²⁵

(i). The meeting invitation's "Subject" line states "***External Email**CFBISD – Meeting Board of Education FMP Overview"

ii. On February 7, 2024, from 3:30 PM to 4:30 PM, a video-conferencing call was scheduled to occur, coordinated by Moore. The parties invited to attend were Woolpert Consulting's, Susan Miller and Angela Banuelos, Defendants, Ileana Garza-Rojas ("Garza-Rojas") and Hatfield, Blackburn, Brian J. Moersch ("Moersch"), the Deputy Superintendent of CFBISD, and Damaris "Dee" Canada ("Canada"), the Board secretary.²⁶

(i). The meeting invitation's "Subject" line states "***External Email**CFBISD – Meeting Board of Education FMP Overview"

iii. On February 8, 2024, from 6:00 PM to 7:00 PM, a video-conferencing call was scheduled to occur, coordinated by Moore. The parties invited to attend were Woolpert Consulting's, Susan Miller and Angela Banuelos, Trustees Tara Hrbacek ("Hrbacek") and Sally Derricks ("Derricks"), Blackburn, Moersch, and Canada.²⁷

(i). The meeting invitation's "Subject" line states "***External Email**CFBISD – Meeting Board of Education FMP Overview"

63. Susan Miller from Woolpert Consulting references these undisclosed, TOMA violating, meetings during the recorded work study sessions held on February 15, 2024.

²⁵ See, Exhibit B.1, (Pgs. 67-68), the District response to an open records request regarding meetings of this nature

²⁶ See, Exhibit B.2, (Pgs. 69-70), the District response to an open records request regarding meetings of this nature

²⁷ See, Exhibit B.3, (Pgs. 71-72), the District response to an open records request regarding meetings of this nature

Woolpert's, Susan Miller, states during the forty-fourth minute, approximately (43:42) “ . . .

because I know we had talked about that last week in our conversations . . .”²⁸

64. If not for the comment made by Susan Miller, these meetings designed to circumvent TOMA, would have remained secret; unfortunately, the deliberations held in them remain out of public view. What the public can ascertain is that the Board had notice of Woolpert's “capacity and utilization study” to understand the significance of the discussion topic and provide meaningful notice to their constituents. Instead of transparency, the Board decided to further obfuscate the significance of even their public deliberations, by approving the work study session minutes to state: “Corey Blackburn, Executive Construction Officer, introduced Susan Miller from Woolpert. Ms. Miller gave and overview and answered questions regarding a Facilities Master Plan.”²⁹

65. The Board understated the significance of their February 15, 2024, work study session and Woolpert's capacity and utilization study served as the foundation for the Rump Board and the District's Campus Consolidation Plan. Woolpert Consulting, an international “architecture, engineering, geospatial (AEG) and strategic consulting firm;”³⁰ displaced the analysis of School District Strategies (“SDS”) a local North Texas firm founded “ . . . to assist DFW school districts in better meeting the challenges brought about by residential and student enrollment growth. With a historical accurate rate of 98% . . . ”³¹ Woolpert's analysis presented a new perspective that would be of significant interest to the CFBISD community; by their February 15, 2024, work study meeting, Ms. Miller asks the hypothetical question to the Board

²⁸ See, forty-fourth minute where Susan Miller reveals the occurrence of the otherwise undisclosed prior week's meetings <https://www.youtube.com/watch?v=qfEyEJxFcFM&t=2649s>

²⁹ <https://meetings.boardbook.org/Documents/CustomMinutesForMeeting/631?meeting=622283>

³⁰ <https://woolpert.com/about-us/>

³¹ <https://schooldistrictstrategies.com/>

“are we putting dollars into buildings or are we putting dollars into children and to teachers that serve them?” Ms. Miller eventually introduces an incredulous “cost per student”³² statistic that the Rump Board latches onto and uses to garner support for the Campus Consolidation Plan.

66. Woolpert’s “cost per student” simply divides the operational costs of a campus by the number of students it serves. Woolpert’s calculation admittedly does not account for differences in program needs, like Special Education or LEAP, which mandate lower student to teacher ratios. The Rump Board makes no effort during this public meeting to understand how these programs, with mandated lower student to teacher ratios, affect the actual campus cost of operation. The Rump Board’s complacency to use a flawed metric would satisfy a reasonable person’s definition of gross ignorance; unless, however, the Rump Board had obtained a greater understanding through other secret meetings.

67. The Board met Woolpert again on April 11, 2024, where the Campus Consolidation Plan was largely communicated in full to the Board. Woolpert identified the criteria that would ultimately be used by the Board’s new community engagement outreach effort to identify the schools to be shuttered. During this meeting, Woolpert’s representatives, explicitly discuss consolidation and a how to “rearrange” schools to navigate the recently passed deficit budgets. This meeting provides the Rump Board a new sound bite of “vacant seats.” To the Rump Board, nothing from this meeting seemed significant enough to provide the public meaningful notice. The details that rationalize the Rump Board’s abandonment of the Citizen’s Committee recommendations and solidify their plan to permanently shutter four schools through the Campus Consolidation Plan, weren’t significant enough to even give details in the meeting

³² See, forty-second minute, the cost per student metric is presented, and in the sixty-fifth minute where the metric’s failings are identified and then defended by Eldredge <https://www.youtube.com/watch?v=qfEyEJxFcFM&t=2649s>

minutes. The agenda items continue to list innocuous topics and the meeting minutes fail to communicate anything meaningful.

68. In the April 11, 2024, meeting with Woolpert, they identified that the next steps would engage Bond Oversight Committee (“BOC”) on April 16, 2024. The Bond Oversight Committee is charged with ensuring the 2023 bond money is spent in accordance with the Citizen’s Committee’s recommendations. Yet, like details in the Board’s agenda and meeting minutes; the records of the BOC remain absent from the public’s view. The BOC was meeting quarterly, but to know that the public only has the agenda topic from the September 5, 2024, regular meeting. The approved meeting minutes conveys no content of the BOC’s presentation, nothing to inform the public, short of watching the recorded Board meeting itself would inform the public that the BOC requested to meet more frequently.

69. The BOC and the District met four times after Woolpert was contracted to perform new capacity and utilization studies. The Board and the District knew that Woolpert’s study could change how the 2023 bond money was spent before the first meeting of the BOC. Per the September 5, 2023, contract with CFBISD, Cooperative Strategies (Woolpert)³³ was contracted to “define the current and future educational activities a facility should accommodate and provide a written communication from the School District to the design professional.”³⁴ Instead of introducing Woolpert in October 2023 to the BOC, the District and Board waited, wasting months of the BOC time and effort. Woolpert, eventually, presented to the BOC in January 2024; but, in the annual report to the Board, the BOC representative states they learned

³³ Cooperative Strategies, LLC was acquired by Woolpert in August 2023, Cooperative Strategies and Woolpert are interchangeably used in this case due to the acquisition.

³⁴ See, Exhibit E (Pgs. 91-95)- Statement of Work, Educational Specifications, Pg. A-1, *Agreement for Consulting Services* between Cooperative Strategies and CFBISD, dated September 5, 2023.

about the Planning Advisory Group in July, their final meeting of the year. The BOC seems to have been another group that did not need to know about the abandonment of the Citizen's Committee's recommendations until the District and Rump Board were confident in their decision to shutter schools.

70. By June 6, 2024, the District, and the Rump Board are all but publicly committed to closing schools in CFBISD. Blackburn opens the meetings discussion on the agenda item titled "Master Facilities Plan Update with Education Specifications," by justifying the District's abandonment of the Citizen's Committee recommendations, after which Woolpert presented their study and recommendations.

71. At the conclusion of Woolpert's presentation, Defendant Brady asks ". . . the staff and principals that will be displaced from elementary and or middle schools that we, if, we choose to close them?" Brady is heard correcting herself to insert the word "if" and make apparent that the decision to close is not, yet, official. Brady's, self-correction, can be heard during the thirty-seventh minute in the third hour (2:36:11) of the recorded meeting posted on YouTube.³⁵ After, Woolpert's Susan Miller asks Deputy Superintendent, Moersch, if he wants to answer the question "because they had discussed" this, Moersch states that no one would lose their jobs and that positions would be freed up via attrition.

72. Defendant Garza-Rojas asks whether the Pre-K build would be in addition to the "builds" and Ms. Miller, responds explicitly stating during the thirty-seventh minute of the third hour (2:36:58) "actually, it would be three of the, we would look at closing three elementary schools and then that one site that we close we would put that pre-K on that site, we would not

³⁵ See, June 6, 2024, regular meeting, at (2:36:11) as Brady corrects herself mid-sentence to say "if" and show that whether schools will be closed is still undetermined, <https://www.youtube.com/watch?v=v6kZ8aIBWTg>

build a fourth elementary school. So, we have the ones that have been identified, potentially, with one less, maybe, would depends on what the community decides, advisory committee there would really only be the three builds that we have promised to the community, not four.”³⁶ The Campus Consolidation Plan ultimately contained three builds, the rebuilding of Carrollton Elementary School, Farmers Branch Elementary School, and a pre-K center.

73. Hrbacek states that “for those of us that have been around for a while, this is a long time coming” and she clarifies wants to “hear from our community, and staff, students, I would assume whoever is on that community and that be part of the process before any action is taken, so I want to make sure that’s clear.” Hrbacek refers to “that community” which is likely referring to the Planning Advisory Group that will define the criteria for closing schools. She is seeking input from the Planning Advisory Group on what schools to close before the Rump Board takes official action.

74. Schackmann concludes this portion of the meeting seeking to appease public concerns regarding the discussion about school closures. Despite the specificity with which the plan is described, Schackmann states the following passage:

build on Mrs. Hrbacek’s point that this is not something we’re deciding tonight, especially if you are watching on TV. We are trying to give you insight into what the Board has been doing to study and to get data and understand reality of where we are and where we’re going. We’re going to get a lot of involvement from members of the community in various ways, while we go through this process.

³⁶ *Id.* at (2:36:58), <https://www.youtube.com/watch?v=v6kZ8alBWTg>

Schackmann and Hrbacek make it clear that the Board took no official action on June 6, 2024; but their concerns for the community and their desire for “that community’s” engagement sound hollow when the agenda topic they used to provide notice to the public was “Master Facilities Plan Update with Education Specifications.” Hrbacek and Schackmann’s stating that they will engage the community borders on incredulous as they make their appeals to an empty chamber. The recorded video does not show a single person in the audience’s front rows during a deliberation where the Trustees knew in advance of the significance of the presentation.

75. In the next, and last, BOC meeting of the school year, the Planning Advisory Group’s creation would be disclosed to the BOC. The Planning Advisory Group was charged with defining the criteria to identify the schools to be shuttered. The Planning Advisory Group and the Bond Oversight Committee were separate entities. The Bond *Oversight* Committee would not oversee the creation of criteria that the Rump Board would use to shutter schools. The BOC’s spokesperson used her first public opportunity, in September 2024, to request that the Board allow the BOC to meet more frequently. The BOC proposed a “Single Action Item” for the Committee “to meet every other month” so that they may “address the changing Bond issues that may arise may need addressing more frequently” than quarterly. Whether the BOC’s request was honored is unknown.

76. During the September 5, 2024, regular school board meeting, Hrbacek, ceremoniously thanked the BOC, and quickly pivoted to correct the BOC representative’s statement that the BOC “approved” a change in the Bond expenditure. Hrbacek, stated: “To clarify the Board is the only entity to approve the expenditure of funds. That the Bond Oversight Committee would ensure and give us the voice that it is in line with our bond and what the voters did . . .” The BOC representative responded by explaining the importance of the BOC’s

oversight function, and its ability to help pass future bonds, and references social media outcries about a lack of transparency from past bonds. She says that the BOC serves to reassure the public that the bond money is being spent where the voters intended. The BOC's annual report to the Board suggests that the BOC was concerned their function had been usurped.

77. The District and the Rump Board actively discouraged public oversight; but, by the BOCs annual report in September, the Rump Board's intentional opacity comes into focus. The Rump Board, now with Schackmann as president, had "data points" they could use to publicly justify their decisions to shutter schools. The Rump Board had been rehearsing their talking points since their June meeting. They were ready to move forward.

78. By December 2024, the District recognized that they could not keep their plan secret any longer, at least not to the parents. On December 20, 2024, the District sent a communication about the "facilities planning for future success." In their "District Reminders and Updates" bulletin through the "ParentSquare" application. The consequential matter was listed third behind "**Winter Break Reminder**" and "**2025-2026 Academic Calendar Survey: Deadline is Jan. 6.**" The District included the following message in the third position of their bulletin, it did not make headline news:

Be informed: Learn about CFBISD's Facilities Planning for Future Success

CFBISD is determined to ensure the future success of our students and school district. The district takes this responsibility seriously, which is why CFB is in the process of facilities planning for future success. Learn more and stay updated online.

The last sentence's final word "online" was a hyperlink that took attentive parents to a news post created two days earlier, on December 18, 2024. The first and only, meaningful notification to the affected parents before the vote, was a transitory news post, sent to the parents buried as the

third topic in the “District Reminders and Updates” two days before the start of the District’s winter break. By January 1, 2025, the consequential notice was four stories old and by January 7, 2025, the notice was the last story (6th listed) on the News Hub before being required to “Load More.” Although the news post contained enough pertinent information and distressed enough parents to circulate broadly amongst the CFBISD parents; the District’s attempt to provide meaningful notice to the CFBISD parents, was perfunctory.

79. With the District having sent news to the CFBISD community, the Rump Board charged forward clarifying the details of their plan and started the attendance rezoning process. The Board, again with the assistance of the Eldredge administration, conspired to meet covertly as they deliberated attendance rezoning with their new demographers PASA. This time, the Board and the District felt more brazen. They did not bother conducting public deliberations. PASA never presented their attendance zone plans to the Board in a public forum, work study, special session, or general meeting. The Board and the District only met out of public view through a series of meetings, again designed to circumvent TOMA. This time Blackburn and Moersch coordinated the TOMA circumvention by intentionally keeping the Board attendees below a quorum.³⁷

80. Blackburn, contacted PASA representative Kris Pool (“Pool”), on January 8, 2025, at 9:03 AM stating,

We found out this morning that we will need to visit with the remainder of the board in 2x2 sessions on Monday 1/27 or Tuesday, 1/28, after we have the meeting with the board officers on Friday, 1/24.

³⁷ See, the email exchanges between the District and PASA intentionally scheduling meetings to avoid a quorum, Exhibit C.1-C.6, (Pgs. 73-78).

81. Blackburn, again contacted Pool, on Monday, January 13, 2025, at 5:00 PM stating that,

... if you can make the 24th and two 2x2 meetings the following week, we should be good without you coming on 2/6. I will get Dee Canada, the board secretary, to coordinate with you tomorrow to confirm the details.

82. As Blackburn coordinated the TOMA violating series of meetings, Deputy Superintendent, Brian Moersch, sent an email to Demaris “Dee” Canada on Wednesday, January 22, 2025, at 7:42:58 AM stating, “Please see if she can attend one of the other meetings in which her attendance will not create a quorum.”

83. Pool, responded on January 22, 2025, at 1:06 PM stating that she “received the invites to a meeting on Friday at 11:30, and on Monday at 8:30 and 1:00”

84. CFBISD Administration posted in BOARD MEMO WEEKLY (BMW) dated January 24, 2025, “Monday, January 27 Rezoning Update @ Admin, 8:30-9:30 & 1-2PM.”

85. PASA never presented to the Board in an open meeting. PASA must have met sufficiently with the Board and District so that they were “... good without you coming to 2/6,” referring to the February 6, 2025, regular meeting where the District would publicly unveil their Campus Consolidation Plan to the Board.

86. Despite the perfunctory notice sent by the District, the Board continued providing no meaningful notice to the public through their posted agenda. The posted agenda for the presentation would close four schools used the topic, “3.B Facilities Master Plan Update”³⁸

³⁸ <https://meetings.boardbook.org/Public/Agenda/631?meeting=672338>

87. Closing four schools and disrupting thousands of families commanded approximately thirty minutes of deliberation during February 6, 2025, regular board meeting.³⁹ The thirty minute deliberation was consumed by twenty-five minutes of presentation and five minutes of questions from a single Board member. Beginning during the meeting's forty-third minute of the second hour (1:42:06). With no questions from the Rump Board, Trustee Benavides asked questions for the final five minutes and Schackmann closed deliberations on the matter in the twelfth minute of the third hour (2:11:56).

88. The effectiveness with which the Board and the District averted public scrutiny is profound. The normally vacant Board chamber was standing room only and overflowing into the entryway of the building, on February 6, 2025; the word had spread amongst the parents of the CFBISD community despite the perfunctory notice provided by the District. The February 6, 2025, regular board meeting, demonstrates the difference in attendance when meaningful notice is provided to a portion of the community regarding matters of significant concern.

89. On February 7, 2025, the day following the record attendance at the February 6, 2025, board meeting, the Board published the February 12, 2025, work study agenda. The agenda listed “3.B. Student Enrollment and Transfer Process” as the topic for discussion. The Board had not yet decided to provide meaningful notice through their posted agenda. The Board continued to use nondescript topics with no description to discourage public engagement.

90. During the February 12, 2025, work study Session, the Board deliberated for approximately twenty minutes on the Campus Consolidation Plan. Hatfield was absent and did not deliberate in public at this time. The Board began deliberations on the Campus Consolidation

³⁹See Recording of February 6, 2025, CFBISD Board meeting, https://www.youtube.com/watch?v=PFGgVxo_2p8&t=7633s

Plan beginning one hour nine minutes (1:09:39) into their recorded meeting. The Board's deliberation ended at one hour and twenty-nine minutes (1:29:40) into their recorded meeting. The Board spent their twenty minutes deliberating the Campus Consolidation Plan with the District's Assistant Superintendent of Student Services, Dr. Lance Hamlin ("Hamlin").

91. Hamlin presented on rezoning, the registration process and transfer, and transportation. Hamlin demonstrated the zoning changes using a fully functional, unpublished, page of the CFBISD district website. The Board did not ask any questions regarding the rezoning, apparently any questions that they may have had were answered during the secret meetings with PASA occurring in late January. The Board's questions centered on the only publicly disclosed agenda topic, the registration and transfer process. The Board raised concerns about existing transfer students and whether they will stay in the schools they attended during the 2024-2025 school year. Eldredge claimed that the existing transfer students would be "grandfathered" into those schools. Hamlin corrected Eldredge stating that "grandfathered" transfers were limited only to specific cases because; "we can't grandfather everyone because we don't have the space."

92. With no further comment or discussion about "not having the space," Hrbacek asked about the method, timing of, and delivery of the communications informing parents of the enrollment and transfer process. Hamlin stated the goal was for all communications to be distributed was by March 14, 2025, six business days after the March 6, 2025, vote to approve the Campus Consolidation Plan. Schackmann closed the deliberations on that topic and no other public deliberations were held until the vote on March 6, 2025.

93. On February 28, 2025, through the CFBISD website, the Board published the agenda for the March 6, 2025, regular meeting. The agenda, for the first time, provided meaningful notice to the public:

6.B. Consider/Approve Proposed Consolidation of Central Elementary, Furneaux Elementary, McCoy Elementary, and Long Middle School and Corresponding Proposed Changes to Elementary, Middle, and High School Attendance Zones.

Attendance at the March 6, 2025, meeting was so numerous people were denied entry into the building. The primary chamber was standing room only with people filling the entryway, the secondary chamber was at capacity, community members thronged the building's entrance and were denied entry, including a city councilmember for the City of Carrollton. Meaningful notice was finally given to the public.

94. The CFBISD Board of Trustees deliberated for approximately two-hours and twenty-four minutes (2:24) during the regular meeting occurring on March 6, 2025. On March 6, 2025, at a Regular Board Meeting of the Carrollton-Farmers Branch Independent School District ("CFBISD"), where a quorum of board members were present and seated, the Board of Trustees, heard public opposition to the Campus Consolidation Plan, heard revisions to the Campus Consolidation Plan presented by the District, read prepared speeches, and voted to approve the Campus Consolidation Plan.

95. The Board listened to one-hour of public speeches regarding the Campus Consolidation Plan during the "Audience for Guests" agenda item. Most if not all, opposed the Campus Consolidation Plan. The "Audience for Guests" speeches began at hour one in the

twenty-eighth minute (1:27:52) and ended one hour later in the second hour and twenty eighth minute (2:27:29).⁴⁰

96. Schackmann motioned to vote on agenda item “6.B.” the Campus Consolidation Plan, during the thirty-fifth minute of the third hour, but did not receive a second after a period of confusion amongst the Board. Eldredge, addressed the audience reading a prepared speech before the District presented revisions to the “Campus Consolidation Plan” beginning in the thirty-seventh minute of the third hour (2:37:46) and ending in the twenty-sixth minute of the fourth hour (3:25:16).⁴¹

97. Schackmann opened the floor for questions from the Board beginning in the twenty-sixth minute of the fourth hour (3:25:18) and ending in the fifty-second minute of the fourth hour (3:51:54).⁴² During the twenty-six minutes used for questions, the Rump Board asked questions that seemed scripted to publicly justify their decision. Trustee Benavides was the sole Trustee to raise concerns brought forth by the CFBISD community that did not appear scripted. Trustee Benavides asked why, if Woolpert, said that we were not facing “Armageddon” why, was the Board and District moving with such haste? Benavides received a nonresponsive answer. Schackmann asked no questions.

98. Schackmann motioned to publicly approve the Campus Consolidation Plan during the fifty-third minute of the fourth hour (3:52:27) and Hatfield seconded the motion. Beginning in the fifty-third minute of the fourth hour (3:52:37) Hrbacek, Hatfield, Brady, and Barnes, read prepared speeches. Trustee Benavides and Defendant Schackmann, spoke seemingly impromptu,

⁴⁰ <https://www.youtube.com/watch?v=M76xiKMMbiE&t=40s>

⁴¹ *Id.*

⁴² *Id.*

with the Board commentary ending during the fourth minute of the fifth hour (4:03:07).⁴³ In the fourth minute of the fifth hour, the Rump Board voted to approve the “Campus Consolidation Plan” as presented and recommended by the District with six (6) votes to approve and one (1) vote to deny. The following reflects how each of the Board members voted:

- iv. The Defendants, Randy Schackmann, Cassandra Hatfield, Kim Brady, Ileana Garza-Rojas, and Marjorie Barnes, and Trustee Hrbacek, in their official capacity members of the CFBISD Board of Trustees, voted FOR.
- v. Trustee, CAROLYN BENAVIDES, in her official capacity as Trustee of the CFBISD Board of Trustees, voted to AGAINST.

V.
CAUSES OF ACTION

A. Injunctive Relief for Violations of TOMA.

99. Plaintiffs incorporate by reference and re-allege in full the preceding paragraphs of this Petition.

i. **TOMA Standard and Requirements.**

100. TOMA mandates that every regular, special, or called meeting of a governmental body be open to the public, except as otherwise provided. Tex. Gov’t Code § 551.002. The term “governmental body” expressly includes a school district board of trustees. *Id.* at § 551.001(3)(E). The Texas Supreme Court “has demanded ‘exact and literal compliance with the terms of the statute,’” *Markowski v. City of Marlin*, 940 S.W.2d 720 (Tex. App.—Waco 1997, no

⁴³ *Id.*

writ) (quoting *Acker v Tex. Water Comm'n*, 790 S.W.2d 299, 300 (Tex. 1990)). If a governmental body violates TOMA, any actions taken by the body are voidable. Tex. Gov't Code § 551.141.

101. A governmental body must provide written notice of the date, hour, place, and subject of each meeting. *Id.* at § 551.041. When an issue is one of special importance to the public, the governmental body must provide full and adequate notice of the subject matter of the meeting so that an objective reader receives meaningful notices. *Odessa Tex. Sheriff's Posse, Inc. v Ector Cnty.*, 215 S.W.3d 458, 471 (Tex. App.—Eastland 2006, pet. denied).

102. TOMA provides certain limited exceptions to the general rule that all meetings of a governmental body be open to the public. *See Tex Gov't Code §§ 551.071–.089*. Even so, all actions, decisions, or votes on a matter deliberated in a closed meeting must be made in an open meeting that is held in compliance with TOMA's notice provisions. *Id.* § 551.102.

103. A member of a governmental body violates TOMA when the member, outside of an open meeting (a) send at least one communication within a larger series of communications regarding an issue within the governmental body's jurisdiction, (b) the members engaged in the series of communications constitute a quorum, and (c) the member has knowledge that the discussions involved or would involve a quorum, and would constitute a deliberation once a quorum of members engaged in the series of communications. *Id.* at § 551.143.

ii. **Defendant's Violations of TOMA.**

104. As described above, Defendants have engaged in intentional, persistent and systematic violations of TOMA. These violations include:

i. Improperly convening in a series of meetings that would constitute a deliberation once a quorum of members engaged in the series of communications on February 5, 2024, February 7, 2024, and February 8, 2024.

(i). Exhibits B.1 to B.3 ⁴⁴ reflects the District’s response to an Open Records Request requesting meetings scheduled between the Board and Woolpert between February 2, 2024, and February 14, 2024. The Exhibits provide evidence of a TOMA Violation.

(ii). The Defendants engaged in a series of communications that did, in fact, constitute a quorum. Each Defendant had knowledge that the discussions would involve a quorum and would constitute a deliberation regarding an issue within the governmental body’s jurisdiction because the meeting invitation’s “Subject” line explicitly states “CFBISD – Meeting Board of Education FMP Overview.”

ii. Improperly convening in a series of meetings that would constitute a deliberation once a quorum of members engaged in the series of communications on January 24, 2025, and January 27, 2025.

(i). Exhibit C.1 to C.6⁴⁵ reflects the District’s response to an Open Records Request requesting communications between PASA and the Board. The Exhibits provide evidence of TOMA violations and the Defendant’s intent to circumvent TOMA through a series of “2x2 meetings.”

(ii). The Defendants engaged in a series of communications that did, in fact, constitute a quorum. Each Defendant had knowledge that the discussions would involve a quorum and would constitute a deliberation regarding an issue within

⁴⁴ Exhibits B.1 – B.3, (Pgs. 67-72) accurately reflect the District provided documents in response to the Open Records request; screenshots of the original images precede images enhanced to increase readability.

⁴⁵ Exhibits C.1 – C.6, (Pgs. 73-78) accurately reflect the District provided documents in response to Open Records request with screenshots of the original images.

the governmental body's jurisdiction because the meeting invitation's "Subject" line explicitly states, "Meet with Board members regarding Community Feedback and Woolpert Study/Rezoning."

iii. Failing to provide adequate and meaningful notice of the significance of subject matter of the Board's meetings, including multiple meetings to deliberate on the results of capacity and utilization studies completed by Woolpert, deliberations for attendance zone revisions recommended by PASA, when the Board and the District would deliberate on matters involving the Campus Consolidation Plan, and the public announcement of the Campus Consolidation Plan; all of which would deviate from the Citizen's Committee's recommendations for Long-Term Facility Planning which constitute matters of special importance to the public;

i. Exhibit D.1 to D.12⁴⁶ represents a sample of screenshots of CFBISD official agendas that exemplify the typical detail provided to the public regarding the Board's deliberations. These samples are representative of the entirety of detail provided to the general public until the March 6, 2025, agenda. The Boards official agendas are publicly available at:

<https://meetings.boardbook.org/Public/Organization/631>

105. Each of the violations detailed herein were performed in furtherance of the Rump Board's implementation of the Campus Consolidation Plan. Upon information and belief, the scheduled vote on the Campus Consolidation Plan was to primarily avoid the appearance of misconduct and lend credibility to the possibility that in the twenty-eight days between the public

⁴⁶ Exhibits D.1 – D.12, (Pgs. 79-90), accurately reflect the District Agenda and Meeting Minutes with screenshots of the original images that are available through <https://meetings.boardbook.org/Public/Organization/631>

unveiling of the Campus Consolidation Plan and the vote, the Board had sufficiently deliberated on the final recommendations of the district to permanently shutter four schools.

iii. **Plaintiffs May Seek Relief for Defendants' Violations of TOMA.**

106. An interested person may bring an action by mandamus or injunction to stop, prevent, or reverse a violation or threatened violation of TOMA by members of a governmental body. Tex. Gov't Code Ann. § 551.142(a).

107. “[T]he majority of courts addressing the ‘interested person’ requirement have adopted an extremely broad interpretation regarding who constitutes an ‘interested person.’” *Matagorda Cty. Hosp. Dist. v. City of Palacios*, 47 S.W.3d 96, 102 (Tex. App.—Corpus Christi 2001, no pet.). Indeed, a plaintiff seeking to bring a TOMA challenge need not show that he was affected differently from other members of the general public. *City of Donna v. Ramirez*, 548 S.W.3d 26, 34 (Tex. App.—Corpus Christi-Edinburg 2017, pet. denied). A plaintiff need only demonstrate that he shares the general public’s interest in ensuring that the protections of TOMA are enforced. *Id.*

108. Plaintiffs here are interested persons that have a right to bring an action to stop, prevent, and/or reverse the Board’s actions and threatened actions in violation of TOMA. Plaintiffs share the general public’s interest in ensuring that the Board of Trustees for CFBISD comply with the requirements of TOMA, and that they receive proper meaningful notice of all Board actions.

109. All Plaintiffs have children, grandchildren, or great-grandchildren that are affected by the Campus Consolidation Plan. Each Plaintiff will suffer the loss of their educational communities that they have built because their children, grandchildren, or great-grandchildren are attending the schools which will be permanently shuttered. The students will

be forced into different educational environments that will separate them from their friends, families, and familiar support systems that have helped them through their educational journey.

110. Specifically, Plaintiffs Nelly Shankle, Venus Basaran, Nicole Yarbrough, Iris Moore, and Katherine Hughey are CFBISD residents who live in the attendance zones that will have their neighborhood school shuttered. These Plaintiffs chose their homes because of the proximity to their neighborhood schools and have built close relationships within their neighborhood and community through engagement at those schools. The community focal point will be closed and with it the communal connections that each plaintiff enjoys by engaging there.

111. Nelly Shankle, Nicole Yarbrough, Iris Moore and Venus Basaran have an additional interest in this case because the proposed Campus Consolidation Plan would shutter their neighborhood schools reducing their neighborhood's appeal to young families that are essential to the longevity of their neighborhoods and the City of Carrollton. A closed, boarded up building, has proven detrimental effects on surrounding home values. Studies have measured the impact of abandoned homes, but the effects of what is akin to an abandoned school will have equal or greater negative impact to the surrounding home values.

112. Plaintiffs Brian Morrow, Lisa Sutter, Nelly Shankle, Iris Moore, Venus Basaran, Amanda Nauert, Aaron Nauert, Iris Moore, Tierney Gonzalez, Jacob Gonzalez, and Thomas Mendez, all will suffer similar irreparable and imminent harm as their educational communities, neighborhood and children's schools, are torn from their families, disrupting the continuity of their children's educational experiences and creating significant emotional distress amongst all parties.

113. Pursuant to Tex. Gov't Code § 551.142, Plaintiffs may obtain temporary and permanent injunctive relief to restrain the Defendants, who have violated, and continue to violate

TOMA. Accordingly, and as further detailed in the incorporated Application for Injunctive Relief, Plaintiffs seek appropriate injunctive orders to void the Defendant's decisions and actions stemming from deliberations that violated TOMA, prevent Defendants' continued violations of TOMA, and restore the status quo.

iv. **Plaintiffs' Right to Attorneys' Fees.**

114. As a result of Defendants' violations of TOMA, Plaintiffs were forced to retain the undersigned counsel in relation to this action.

115. This is an action brought by Plaintiffs for injunctive relief under Tex. Gov't Code § 551.142(a). Accordingly, Plaintiffs are entitled to recover and collect reasonable attorneys' fees and costs. Tex. Gov't Code § 551.142(b). In the event of an appeal to the Court of Appeals or to the Supreme Court, Plaintiffs would be entitled to recover and collect additional reasonable attorneys' fees and court costs.

B. Removal of the Rump Board for TOMA Violations

116. Plaintiffs incorporate by reference and re-allege in full the preceding paragraphs of this Petition.

117. Chapter 87 of the Texas Local Government Code establishes the procedure for removing certain public officials, including members of the board of trustees of independent school district, from office. Specifically, an officer may be removed for: "(1) incompetency; (2) official misconduct; or (3) intoxication on or off duty caused by drinking an alcoholic beverage." Tex. Loc. Gov't Code Ann. § 87.013.

118. A petition for removal is initiated by filing a written petition in a district court in which the officer resides. *Id.* at 87.015(a). And any residents who have lived in the county for at least six months can file a removal action.

119. Plaintiffs bring this action to remove each member of the Rump Board from office for incompetency and official misconduct. As detailed above, the Rump Board's continued violations of TOMA, and their secretive construct of a plan to consolidate campuses in CFBISD, constitute incompetency and official misconduct. Accordingly, pursuant to § 87.018 of the Texas Local Government Code, Plaintiffs seek to have the Rump Board removed from the CFBISD Board of Trustees following a jury trial.

C. Removal of Defendants Schackmann, Brady, and Eldredge for Official Misconduct

120. Plaintiffs incorporate by reference and re-allege in full the preceding paragraphs of this Petition.

i. Official Misconduct Standard and Requirements

121. Tex. Loc. Gov't Code Ann § 87.011(3), "Official misconduct" means intentional, unlawful behavior related to official duties by an officer entrusted with the administration of justice or the execution of the law. The term includes: (A) an intentional or corrupt failure, refusal, or neglect of an officer to perform a duty imposed on the officer by law"

122. Chapter 87 of the Texas Local Government Code identifies the officers to which it applies in, including members of the board of trustees of independent school district, § 87.012(14); and, a county officer, not otherwise named by this section, whose office created under the constitution or other law of this state, § 87.012(15). A superintendent of an independent school district is deemed a "public official" for the purposes of Chapter 573, Government Code,

when exercising the final hiring authority delegated to her by the Board. Tex. Educ. Code § 11.1513(f).⁴⁷

123. A public official commits an offense of “official misconduct” when they perform “intentional, unlawful behavior related to official duties by an officer entrusted with the administration of justice or the execution of the law.” Chapter 573, Government Code, prohibits public officials from nepotism, which includes acts that compensate, with public funds, individuals within a prohibited degree of relation to themselves or other members of the board. Tex. Gov’t Code § 573.084(a), “An individual commits an offense involving official misconduct if the individual violates Subchapter C or Section 573.062(b) or 573.083.”

ii. Defendants’ Violation of Chapter 573, Government Code

124. As described above, Defendants Schackmann, Brady and Eldredge engaged in intentional acts of nepotism violating Chapter 573, Government Code. These violations include:

i. Defendant Eldredge’s administration’s appointment of Dr. Ruth Schackmann on or around July 1, 2023, to a noncontractual position titled “Coordinator of Dual Credit” for the CFBISD School District and compensating her with public funds while her husband, Defendant Schackmann, was a member of the Board.⁴⁸

ii. Defendant Eldredge’s administration’s appointment of Mr. Hunter Allton on or around August 3, 2023, to an assumed noncontractual position titled “Adjunct – Teacher – Science” for the CFBISD School District and compensating him with public funds while his stepfather, Defendant Schackmann, was a member of the Board.⁴⁹

⁴⁷ Tex. Educ. Code § 11.1513(g) does not apply as the population of both Dallas and Denton county exceed 35,000.

⁴⁸ See, Exhibit A.3, (Pg.65), a screen capture of Dr. Ruth Schackmann’s LinkedIn profile, prior to filing this petition.

⁴⁹ See, Exhibit A.4, (Pg. 66), a screen capture of CFBISD’s Newman Smith website listing Hunter Allton as a teacher.

- iii. Defendant Eldredge's administration's appointment of Mr. Niklas Brady on or around June 19, 2024, to an assumed noncontractual position for the CFBISD School District and compensating him with public funds while his mother, Defendant Brady, was a member of the Board.
- iv. Defendant Schackmann's deliberation and vote on the 2023-2024 compensation plan which occurred during the July 20, 2023, special meeting, while his wife Dr. Ruth Schackmann was a noncontractual employee subject to the 2023-2024 compensation plan.
- v. Defendant Schackmann's deliberation and vote on the 2024-2025 compensation plan occurring during the June 6, 2024, regular meeting, while his wife Dr. Ruth Schackmann was a noncontractual employee subject to the 2024-2025 compensation plan.

iii. Plaintiffs May Seek Relief for Defendants' Official Misconduct

125. Plaintiffs are resident of Texas who have lived in Dallas and Denton Counties for at least six months and have the right to file this petition for removal, Tex. Loc. Gov't Code Ann. § 87.015(b) "A petition for removal of an officer other than a prosecuting attorney may be filed by any resident of this state who has lived for at least six months in the county in which the petition is to be filed and who is not currently under indictment in the county."

126. Chapter 87 of the Texas Local Government Code establishes the procedure for removing certain elected officials, including members of the board of trustees of independent school district, from office. Specifically, an officer may be removed for: "(1) incompetency; (2) official misconduct; or (3) intoxication on or off duty caused by drinking an alcoholic beverage." Tex. Loc. Gov't Code Ann. § 87.013.

127. A petition for removal is initiated by filing a written petition in a district court in which the officer resides. *Id.* at 87.015(a). Defendants Schackmann, Brady, and Eldredge reside in Dallas County.

128. Plaintiffs bring this action to remove Defendants Schackmann, Brady, and Eldredge from their positions for incompetency and official misconduct. As detailed above, Defendant Randy Schackmann, Defendant Kim Brady, and Defendant Wendy Eldredge's violations of the nepotism prohibitions in Chapter 573, Government Code, constitute officially misconduct. Defendants Schackmann specifically for violations of Tex. Gov't Code § 573.041(1) and Tex. Gov't Code § 573.062(b). Defendant Brady for violating Tex. Gov't Code § 573.041(1). Defendant Eldredge for violating Tex. Gov't Code § 573.041(2); Tex. Educ. Code § 11.1513(f). Accordingly, pursuant to § 87.018 of the Texas Local Government Code, Plaintiffs seek to have the Defendants Schackman, Brady, and Eldredge removed from their positions within CFBISD Board of Trustees and CFBISD following a jury trial.

VI. **APPLICATION FOR INJUNCTIVE RELIEF**

A. Applicable Legal Standard.

129. The purpose of both a temporary restraining order ("TRO") and temporary injunction is to preserve the status quo. *Butnaru v. Ford Motor Co.*, 84 S.W.3d 198, 204 (Tex. 2004); *Cannan v. Green Oaks Apts., Ltd.*, 758 S.W.2d 753, 755 (Tex. 1988). In interpreting what the preservation of the status quo means, Texas courts have noted that the status quo is the "last actual, peaceable, non-contested status which preceded the pending controversy." *In re Newton*, 146 S.W.3d 648, 651 (Tex. 2004). In order to maintain the status quo and, thus, to obtain a TRO, an injunctive-relief-applicant must show (i) a probable right to recovery; (ii) that without

extraordinary relief, the applicant will be subjected to imminent harm and irreparable injury; and (iii) that there is no adequate remedy at law. *Sun Oil Co. v. Whitaker*, 424 S.W.2d 216, 218 (Tex. 1968).

130. A plaintiff may obtain temporary and permanent injunctive relief to stop, prevent, or reverse a violation or threatened violation of TOMA by a defendant. Tex. Gov't Code § 551.142; Tex. Educ. Code § 44.032. A movant for injunctive relief is not required to meet the common law criteria to obtain injunctive relief when a statute expressly authorizes injunctive relief. *See Sonwalkar v. St. Luke's Sugar Land Partnership, L.L.P.*, 394 S.W.3d 186, 197 (Tex. App.—Houston [1st Dist.] 2012, no pet.).

131. A plaintiff alleging an ultra vires action may also obtain appropriate prospective injunctive relief against government actors to require compliance with their duties going forward. *PermianCare*, 600 S.W.3d at 442.

B. Argument and Authorities.

132. Plaintiffs can affirmatively demonstrate that they have a probable right to recover, that they would be subjected to imminent and irreparable harm, and that there is no adequate remedy at law. As Plaintiffs need not show these elements to receive injunctive relief under TOMA, Plaintiffs limit their arguments on these points to their ultra vires claim against the Rump Board. Accordingly, Plaintiffs request a Temporary Restraining Order to reverse the Defendants' violations of TOMA, prevent Defendants' ongoing violations of TOMA, and require the Rump Board's compliance with its duties under the law. Injunctive relief should, thus, issue.

i. Plaintiffs Have a Probable Right of Recovery.

133. To obtain injunctive relief, an applicant must first show that it has a probable right to recover the relief it seeks upon a final hearing. *Sun Oil Co.*, 424 S.W.2d at 218. The term “probably right to recover” is a “term of art” and does not require the Court to make a determination of the facts based upon “probabilities.” *183/620 Grp. Joint Venture v. SPF Joint Venture*, 765 S.W.2d 901, 904 (Tex. App.—Austin 1999, writ dism’d w.o.j.). Rather, it merely means that the applicant must “adduce evidence that tends to support his right to recover on the merits.” *Id.* (citing *Camp v. Shannon*, 348 S.W.2d 517, 519 (Tex. 1961)). Within this context, a party seeking a TRO does not need to show a probable right to recover on each cause of action it pled; instead, it only needs to show a probable right to recover on one of its claims. *Argyle Indep. Sch. Dist. ex rel. Bd. Of Trs. v. Wolf*, 234 S.W.3d 229, 237-38 (Tex. App.—Fort Worth 2007, no pet.).

134. As described above, the Rump Board—through private meetings, secret deliberations, reliance upon reports from unapproved vendor third parties like Woolpert,⁵⁰ developed and approved its Campus Consolidation Plan without public oversight, ultimately shattering the Plaintiffs’ trust in the Board’s transparency and governance. The Defendants, president Hatfield, and former-president Schackmann, working in concert with superintendent Eldredge, whether intentional or by gross ignorance, failed to provide meaningful notice to the Plaintiffs, their constituents, and the families whose children are under their charge. The innocuous and vague agenda topics, with no additional details, the Defendants used to provide notice of the Campus Consolidation Plan deliberations were not in parity with the significant impact those deliberations would have, and are having, on the Plaintiffs and the community. The Board’s official minutes of the meetings were, similarly, devoid of details, failing to

⁵⁰ The District’s response to an open records request for a list of approved vendors did no contain Woolpert.

meaningfully convey the deliberations after the significance of deliberations was known to the Board.

135. Even if the Plaintiffs abandoned the practice of representative democracy, and the lives it allows non-public officials to lead, and attended every posted meeting of the Board; the Plaintiffs would still have been deprived of deliberations on the Campus Consolidation Plan. The series of meetings occurring in February 2024 with Woolpert, and the series of meetings occurring in January 2025 with PASA would remain inaccessible to the Plaintiffs and the community. Plaintiffs believe that these series of meetings are common practice for the Board and the existing CFBISD administration and have occurred more than current discovery has provided and will continue to occur.

136. The facts herein establish a probable right of recovery on Plaintiffs' claims against Defendants

ii. Without Extraordinary Relief, Plaintiffs Will be Subjected to Imminent and Irreparable Injury.

137. Here, Plaintiffs will suffer irreparable harm if Defendants are not enjoined from implementing their Campus Consolidation Plan and permanently shuttering four neighborhood schools. The Plaintiffs, and hundreds of other affected families, are being forcibly displaced from their educational communities by the Rump Board's approval of the Campus Consolidation Plan. The neighborhood schools and the communities they create were, for many of the Plaintiffs and other families, the core reasons for their home purchases. The Plaintiffs and their families will be deprived of the relationships developed through the years of daily interactions and shared experiences that are only accessible through their interactions at their neighborhood schools. The Rump Board's opaque, TOMA violating, process of developing their Campus Consolidation Plan

over nineteen months deprived the Plaintiffs from essential information, that they had an inherent right to, while they made many of the most consequential decisions of their lives.

138. If the Board acted open and transparently with the community, the Plaintiffs would have made different decisions that would have significant and consequential ramifications in their lives. Plaintiffs would have enrolled their children in different schools to preserve the continuity of their children's educational community. Plaintiffs would have purchased homes in different neighborhoods. Plaintiffs would not have retired-in-place. The Board's TOMA violations, and the Rump Boards approval of the Campus Consolidation Plan, deprived the Plaintiffs, and hundreds of affected families, of their personal autonomy. The Plaintiffs and the CFBISD community were deprived of the ability to make informed decisions.

139. The Rump Board's approval of the Campus Consolidation Plan permanently shuttered schools, has re-drawn attendance zones, and altered the school transfer process creating significant emotional distress amongst the community and the Plaintiffs. Unless the Defendants are enjoined and the status quo is restored, the Plaintiffs can never recover the loss of their communities, developed through shared experiences at their neighborhood schools. The Plaintiffs cannot be "made whole" without restoring what the Rump Board's actions stole from them.

140. The Rump Board's deliberations and approval of the Campus Consolidation Plans stole the Plaintiffs of, as the Office of the Attorney General-State of Texas Handbook describes, "a properly functioning and free state." The Rump Board's vote deprived from the Plaintiffs, and all citizens the Board serves, an entitlement that the Texas Supreme Court declared in *Acker v. Texas Water Comm'n*, 790 S.W.2d 299, 300 (Tex. 1990); the Plaintiffs "are entitled to more than a result. They are entitled not only to know what the government decides but to observe how and

why every decision is reached.” The Plaintiffs received the “result” *Acker* references through the Rump Board’s March 6, 2025, vote; but the Board deprived the Plaintiffs the ability to “observe how and why every decision is reached.”

141. If injunctive relief does not issue, and the Rump Board proceeds with its Campus Consolidation Plan, Plaintiffs will suffer irreparable harm that is incapable of calculation. If the Rump Board continues to act without authority to consolidate campuses, the lost communities, the political disenfranchisement, and the lost personal autonomy all but guarantee the loss of the Plaintiffs entitlement to “a properly functioning and free state” which is incapable of calculation.

142. Moreover, there is no pecuniary standard that can measure the Plaintiff’s loss of their educational and social community, their children’s displacement from their friends, teachers, and familiar educational environment. Plaintiffs remained in their homes so that their children, grandchildren, and great grandchildren would have an opportunity to attend these campuses, which will now be impossible. The Rump Board’s Campus Consolidation Plan rips that dream away from the Plaintiffs and hundreds of other families.

143. Finally, if the Campus Consolidation Plan is implemented, it will be too late for Plaintiffs to act remedy to the school closure. The facts set forth herein dictate a determination that Plaintiffs will be imminently and irreparably harmed if injunctive relief does not issue.

iii. Plaintiffs Do Not Have an Adequate Remedy at Law.

144. The final requirement for injunctive relief is that the applicant must show that it does not have an adequate remedy at law. *Khaledi v. H.K. Global Trading, Ltd.*, 126 S.W.3d 273, 284 (Tex. App.—San Antonio 2003, no pet.). An adequate legal remedy is one that is as complete, practical, and efficient to the prompt administration of justice as is equitable relief. *Id.* Thus, a legal remedy is inadequate if, among other things, damages are difficult to calculate or

their award may come too late. *Cardinal Health Staffing, Inc. v. Bowen*, 106 S.W.3d 230, 235-36 (Tex. App.—Houston [1st Dist.] 2003, no pet.).

145. Here, as detailed above, Plaintiffs do not have an adequate remedy at law because an award of damages is impossible to calculate and would come too late to remedy the harm. *See T-N-T Motorsports, Inc. v. Hennessey Motorsports, Inc.*, 965 S.W.2d 18, 24 (Tex. App.—Houston [1st Dist.] 1998, pet. dism'd) (“A legal remedy is inadequate if damages are difficult to calculate or their award may come too late.”) Furthermore, civil penalties would not serve as an adequate remedy as such penalties would not return funds to CFBISD coffers, would not restore public trust in the Board’s actions, and would not reopen the shuttered schools.

C. Injunctive Relief Requested.

146. For the reasons set forth herein, Plaintiffs seek injunctive relief, including a temporary restraining order, a temporary injunction, and a permanent injunction, decreeing that Defendants and those in active concert or participation with them be:

- iv. prevented from enforcing any decision or approval by the Board regarding the Campus Consolidation Plan, or any component of the Campus Consolidation Plan,
- v. prevented from implementing, effectuating, or taking any action in furtherance of the Campus Consolidation Plan, or any similar plan of consolidation or closure,
- vi. prevented from relocating special services programs, like ABC, AVID, and LEAP from the campus where they operated prior to the Campus Consolidation Plan.
- vii. prevented from making or enforcing any decision regarding allocation or expenditures of the 2023 Bond,

viii. required to unwind all actions taken to implement or effectuate in furtherance of the Campus Consolidation Plan, and restore the status quo that existed prior to the approval of the Campus Consolidation Plan including, but not limited to:

- i. re-open the shuttered schools,
- ii. restore the attendance zones to the boundaries that existed prior to the approval of the Campus Consolidation Plan,
- iii. re-enroll the applicable students to the schools they attended in the 2024-2025 school year,
- iv. restore the special services programs, like ABC, AVID, Dual Language, ESL, and LEAP, to the campus where they operated in the 2024-2025 school year,
- v. re-assign teachers to the campuses where they were assigned to during the 2024-2025 school year,
- vi. provide reasonable assistance to teachers relocating their materials back to their 2024-2025 classrooms, including packing, transportation, and delivery of those material into the classrooms they occupied during the 2024-2025 school year,
- vii. post a meaningful notice that persists on the CFBISD homepage/landing page, that is prominently displayed to provide updates regarding the restoration of status quo process,
- viii. send detailed letters through the United States Postal Service to all CFBISD families enrolled in the 2024-2025 school year informing of the restoration of the status quo,

- ix. communicate to parents of children enrolled with CFBISD for the 2025-2026 school year of the campus they will attend based on the restoration of the status quo,
- x. and any other actions necessary restore CFBISD's schools, campuses, and programs to the operational state of the 2024-2025 school year.
- ix. required to communicate their actions, as detailed above, to restore the status quo by unwinding their actions within a maximum of six business days from the issuance of the Court's order to restore the status quo.
- x. required to act restore the status quo prior to the start of the 2025-2026 school year, so as to not further disrupt the lives of the students and families.
- xi. required to restore the campus facilities to their state before the Campus Consolidation Plan,
- xii. restore any, and all, allocations of the 2023 Bond to their intended allocation in accordance with the Citizen's Committee's recommendations that were in place prior to the approval of the Campus Consolidation Plan,
- xiii. required to grant the Bond Oversight Committee the ability to meet as frequently as their body deems necessary for proper oversight of the 2023 Bond expenditure.
- xiv. required to post meaningful news and updates from the Bond Oversight Committee in an accessible, prominently placed location on the CFBISD homepage,
- xv. required to declare all contracts or other forms of agreement entered into by the Board or the District in derogation of the law or the adopted policies and procedures of CFBISD terminated, and null and void,

xvi. required to take any additional steps necessary, not listed herein, to restore the status quo of the District and the community it serves,

xvii. required to comply with the requirements of TOMA.

147. The requested relief will preserve the status quo until the trial on merits of the case.

148. Additionally, and for the reasons set forth above, Plaintiffs further request that following a trial on the merits of this case that the Court enter a permanent injunction against Defendants. Plaintiffs request a permanent injunction to the extent necessary to preserve the relief granted as requested herein.

VII.
JURY DEMAND

149. In accordance with Texas Rule of Civil Procedure 216, Plaintiffs request a jury trial for all issues so triable.

VIII.
CONDITIONS PRECEDENT

150. All conditions precedent have been performed, been met, have occurred, or otherwise been satisfied.

IX.
PRAYER FOR RELIEF

Plaintiff respectfully request that the Court enter judgment for Plaintiffs and against Defendants awarding Plaintiffs the following relief:

a) A Temporary Restraining Order, Temporary Injunction, and Permanent Injunction as described above;

- b) Invalidation of the actions taken by Defendants in violation of TOMA, as described above;
- c) Removal from CFBISD board of Trustees of Randy Schackmann, Kim Brady, Cassandra Hatfield, Ileana Garza-Rojas, and Marjorie Barnes pursuant to Chapter 87 of the Texas Local Government Code;
- d) Removal of Wendy Eldredge from her position as superintendent of CFBISD, and her contract declared null and void,
- e) Repayment to the District of public funds received by the prohibited individuals while in violation of Chapter 573, Government Code;
- f) Attorneys' fees and costs as described above; and,
- g) Such other and further relief, whether at law or in equity, to which Plaintiffs may be justly entitled.

Respectfully submitted,

/s/ Brian T. Morrow
Brian T. Morrow
State Bar No. 24110136
b.thomas.morrow@gmail.com
The Law Office of Brian T. Morrow
PO Box 116100
Carrollton, Texas 75007
Tel: (805) 801-5253

ATTORNEY FOR PLAINTIFFS

DECLARATION REGARDING PETITION FOR REMOVAL

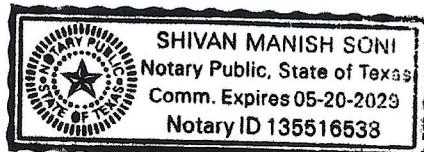
I affirm that I have been a resident of the State of Texas and lived in Dallas County, Texas for at least 6 months prior to the filing of the Petition for Removal contained within this pleading. In accordance with Tex. Loc. Gov't Code Ann. § 87.015(b), I hereby swear to and affirm the Petition for Removal.


Lisa Anne Sutter

State of Texas §

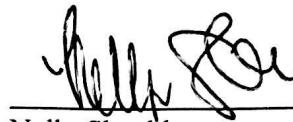
County of Dallas §

SIGNED under oath before me on June 9th 2025.


Shivan Manish Soni
Notary Public, State of Texas

DECLARATION REGARDING PETITION FOR REMOVAL

I affirm that I have been a resident of the State of Texas and lived in Dallas County, Texas for at least 6 months prior to the filing of the Petition for Removal contained within this pleading. In accordance with Tex. Loc. Gov't Code Ann. § 87.015(b), I hereby swear to and affirm the Petition for Removal.



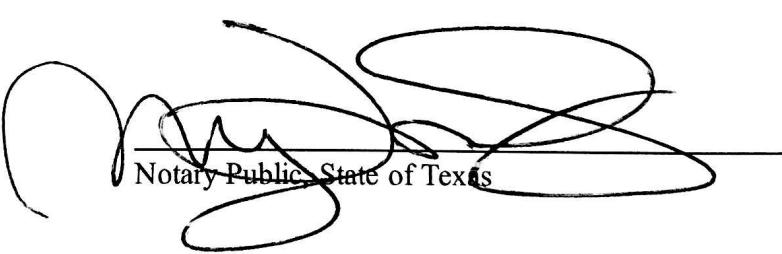
Nelly Shankle

State of Texas §

County of Dallas §

SIGNED under oath before me on June 11, 2025





Notary Public, State of Texas

DECLARATION REGARDING PETITION FOR REMOVAL

I affirm that I have been a resident of the State of Texas and lived in Dallas County, Texas for at least 6 months prior to the filing of the Petition for Removal contained within this pleading. In accordance with Tex. Loc. Gov't Code Ann. § 87.015(b), I hereby swear to and affirm the Petition for Removal.

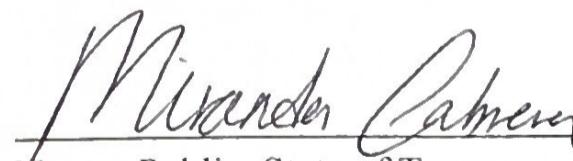


Venus Basaran

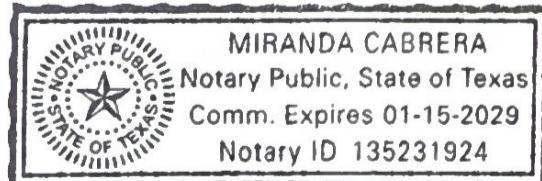
State of Texas §

County of Dallas §

SIGNED under oath before me on June 11th, 2025.



Miranda Cabrera
Notary Public, State of Texas



DECLARATION REGARDING PETITION FOR REMOVAL

I affirm that I have been a resident of the State of Texas and lived in Dallas County, Texas for at least 6 months prior to the filing of the Petition for Removal contained within this pleading. In accordance with Tex. Loc. Gov't Code Ann. § 87.015(b), I hereby swear to and affirm the Petition for Removal.

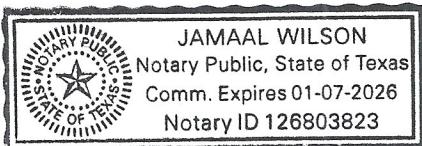
Iris Moore
Iris Moore

State of Texas §

County of Dallas §

SIGNED under oath before me on 9/6th 6/9/2025

Jamaal Wilson
Notary Public, State of Texas



DECLARATION REGARDING PETITION FOR REMOVAL

I affirm that I have been a resident of the State of Texas and lived in Denton County, Texas for at least 6 months prior to the filing of the Petition for Removal contained within this pleading. In accordance with Tex. Loc. Gov't Code Ann. § 87.015(b), I hereby swear to and affirm the Petition for Removal.



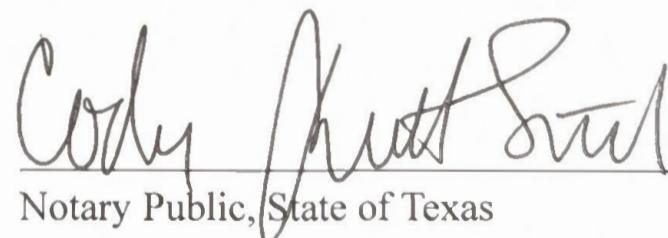
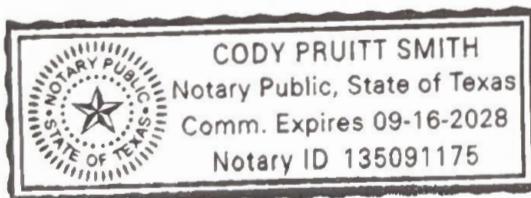
Brian Morrow

State of Texas §

County of Denton §

SIGNED under oath before me on

June 10 2025



Cody Pruitt Smith
Notary Public, State of Texas

Exhibit A.1



Niklas (Scotty) Brady
Student at Missouri S&T Studying Computer and Electrical Engineering

Experience



Member

Missouri S&T Racing: Formula SAE
Jan 2025 - Present · 3 mos

Designed and implemented electronic systems for the Formula SAE combustion vehicle, including installing the wiring harness and assisting programming the ECU (Engine Control Unit)... [...see more](#)



Assistant to the Superintendent

Carrollton-Farmers Branch ISD
May 2024 - Aug 2024 · 4 mos

Collaborated with event organizers to provide on-site support, manage logistics, and ensure accurate material distribution for school events, addressing last-minute needs to ensure smooth operations



Scout Lead

Scouting America
Feb 2016 - Apr 2024 · 8 yrs 3 mos

Led and supervised weekly meetings/outdoor activities for a troop of 80+ scouts
Managed event logistics, including campouts, service projects, and community outreach... [...see more](#)



Team Lead

High School Football
Aug 2022 - Nov 2023 · 1 yr 4 mos

Led team practices and motivated players to enhance performance and teamwork
Acted as a liaison between player and coaching staff, ensuring clear communication... [...see more](#)

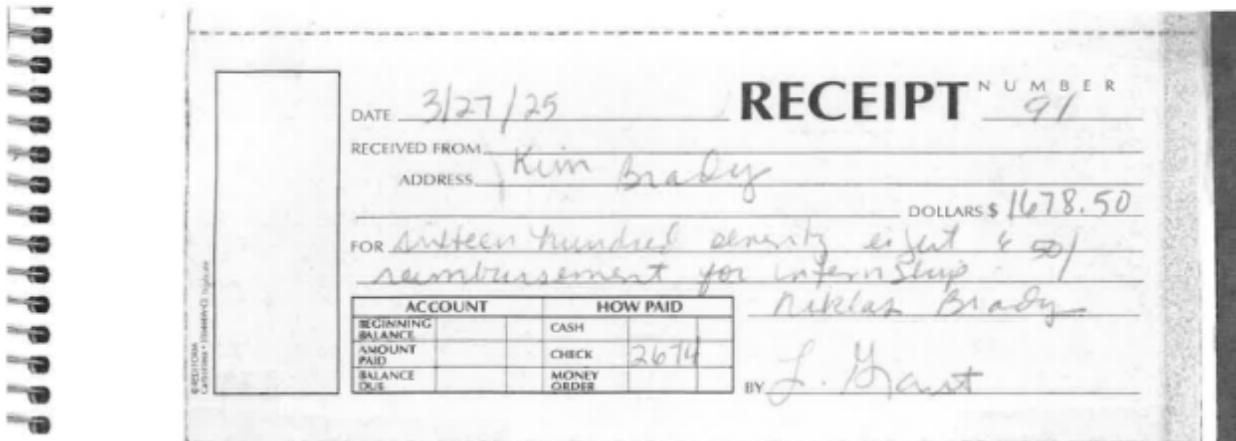


Actor

Destination Imagination
Aug 2015 - May 2023 · 7 yrs 10 mos

Collaborated with team members to create and perform spontaneous, unscripted skits based on prompts
Performed under pressure at regional, state, and global competitions (150+ teams), adapting to dynamic... [...see more](#)

Exhibit A.2



Header Text

Sales Receipt

Batch Number: 10047

Receipt Number: 46233

Date: 04-03-2025

Clerk: Laura Grant

Printed on: 04-03-2025 8:27 AM

Received From: Kim Brady

Notes: repayment of internship

Description	Account Number	Paid By	Amount
--------------------	-----------------------	----------------	---------------

Other Local Revenue	199-00-5749-99 -000-00-000	Check 2674	\$1,678.50
---------------------	-------------------------------	---------------	------------

Total: **\$1,678.50**

Footer Text

Exhibit A.3

 **Dr. Ruth Schackmann**
Coordinator of Dual Credit for Carrollton-Farmers Branch ISDC

 **Top skills**
Professional Learning Communities • Classroom Management • Teacher Training • Curriculum Design • →
Program Evaluation

Activity
5,678 followers

Dr. Ruth Schackmann commented on a post • 1mo
Congratulations!

[Show all comments →](#)

Experience

 **Carrollton-Farmers Branch ISD**
Full-time • 24 yrs 8 mos

- **Coordinator of Dual Credit, OnRamps, and IB**
Jul 2023 - Present • 1 yr 9 mos
↳ **Program Evaluation, Classroom Management and +2 skills**
- **Educator, Organization and Leadership Specialist**
Aug 2000 - Aug 2023 • 23 yrs 1 mo
↳ **Program Evaluation, Teacher Training and +2 skills**

Source: LinkedIn Profile as of March 7, 2023. 

<https://www.linkedin.com/in/dr-ruth-schackmann-3a01172b/>

Exhibit A.4



HOME > CAMPUS INFORMATION > STAFF DIRECTORY

Staff Directory

1 2 3 ... 5 > showing 1 - 50 of 238 constituents

Margaret Adams

Title: Special Education Assistant- Func/Supp Learning
Email: [✉](#)

Khadijah Aden

Title: SpEd - Speech
Email: [✉](#)

Hunter Alton

Title: Adjunct - Teacher - HS Science
Email: [✉](#)

Lucero Alvizo A

Title: Spanish Team
Email: [✉](#)

Elizabeth Atkins

Title: Special Education - Instructional Coach
Email: [✉](#)

Kiely Baer

Title: Counselor - I
Email: [✉](#)

Source: Newman.Smith.Staff.Directory.as.of.March.78?868①

<https://smith.cfbisd.edu/campus-information/staff-directory>

Exhibit B.1

Moore, Christopher "Chris"

Subject: **External Email**CFBISD - Meeting Board of Education FMP Overview
Location: [https://coopstrategies.zoom.us/j/82466316499?
pwd=GbQJkaP85gSK7vFTBidwMgk4m2RZ5Y.1](https://coopstrategies.zoom.us/j/82466316499?pwd=GbQJkaP85gSK7vFTBidwMgk4m2RZ5Y.1)

Start: Mon 2/5/2024 8:30 AM
End: Mon 2/5/2024 9:30 AM

Recurrence: (none)

Meeting Status: Accepted

Organizer: Miller, Susan

CAUTION: This email originated from outside of Carrollton-Farmers Branch ISD. Do not click links or open attachments unless you recognize the sender's email address and know the content is safe.

Susan Miller is inviting you to a scheduled Zoom meeting.

Join Zoom Meeting

[https://coopstrategies.zoom.us/j/82466316499?
pwd=GbQJkaP85gSK7vFTBidwMgk4m2RZ5Y.1](https://coopstrategies.zoom.us/j/82466316499?pwd=GbQJkaP85gSK7vFTBidwMgk4m2RZ5Y.1)

Meeting ID: 824 6631 6499

Passcode: 548977

One tap mobile

+17207072699,,82466316499# US (Denver)

+17193594580,,82466316499# US

Dial by your location

- +1 720 707 2699 US (Denver)
- +1 719 359 4580 US
- +1 253 215 8782 US (Tacoma)
- +1 346 248 7799 US (Houston)
- +1 669 444 9171 US
- +1 253 205 0468 US
- +1 386 347 5053 US
- +1 507 473 4847 US
- +1 564 217 2000 US
- +1 646 558 8656 US (New York)
- +1 646 931 3860 US
- +1 689 278 1000 US
- +1 301 715 8592 US (Washington DC)

Exhibit B.1

The screenshot shows a calendar interface for Monday, February 5, 2024. The top left shows a list of attendees with checkboxes next to their names. The top right shows a timeline from 8:00 AM to 4:00 PM. The bottom left shows the same list of attendees. The bottom right shows a search bar and a zoom level of 100%.

Attendees:

- Miller, Susan <Susan.Miller@woolpert.com>
- Schackmann, Randy
- bradyk@cfbisd.edi
- Benavides, Carolyn
- Blackburn, Corey G.
- Moore, Christopher 'Chris'
- Banuelos, Angela <Angela.Banuelos@woolpert.com>

Exhibit B.2

PLAINTIFFS' ORIGINAL PETITION FOR REMOVAL AND APPLICATION FOR INJUNCTIVE RELIEF

Moore, Christopher "Chris"

Subject: **External Email**CFBISD Meeting Board of Education FMP Overview
Location: [https://coopstrategies.zoom.us/j/81655850867?
pwd=zNhabNqNKfb3KNaAFpcbmICA2sNaQg.1](https://coopstrategies.zoom.us/j/81655850867?pwd=zNhabNqNKfb3KNaAFpcbmICA2sNaQg.1)

Start: Wed 2/7/2024 3:30 PM
End: Wed 2/7/2024 4:30 PM

Recurrence: (none)

Meeting Status: Accepted

Organizer: Miller, Susan

CAUTION: This email originated from outside of Carrollton-Farmers Branch ISD. Do not click links or open attachments unless you recognize the sender's email address and know the content is safe.

Susan Miller is inviting you to a scheduled Zoom meeting.

Join Zoom Meeting

[https://coopstrategies.zoom.us/j/81655850867?
pwd=zNhabNqNKfb3KNaAFpcbmICA2sNaQg.1](https://coopstrategies.zoom.us/j/81655850867?pwd=zNhabNqNKfb3KNaAFpcbmICA2sNaQg.1)

Meeting ID: 816 5585 0867

Passcode: 787404

One tap mobile

+17207072699,,81655850867# US (Denver)
+17193594580,,81655850867# US

Dial by your location

- +1 720 707 2699 US (Denver)
- +1 719 359 4580 US
- +1 253 215 8782 US (Tacoma)
- +1 346 248 7799 US (Houston)
- +1 669 444 9171 US
- +1 253 205 0468 US
- +1 312 626 6799 US (Chicago)
- +1 360 209 5623 US
- +1 386 347 5053 US
- +1 507 473 4847 US
- +1 564 217 2000 US
- +1 646 558 8656 US (New York)
- +1 646 931 3860 US

Exhibit B.2

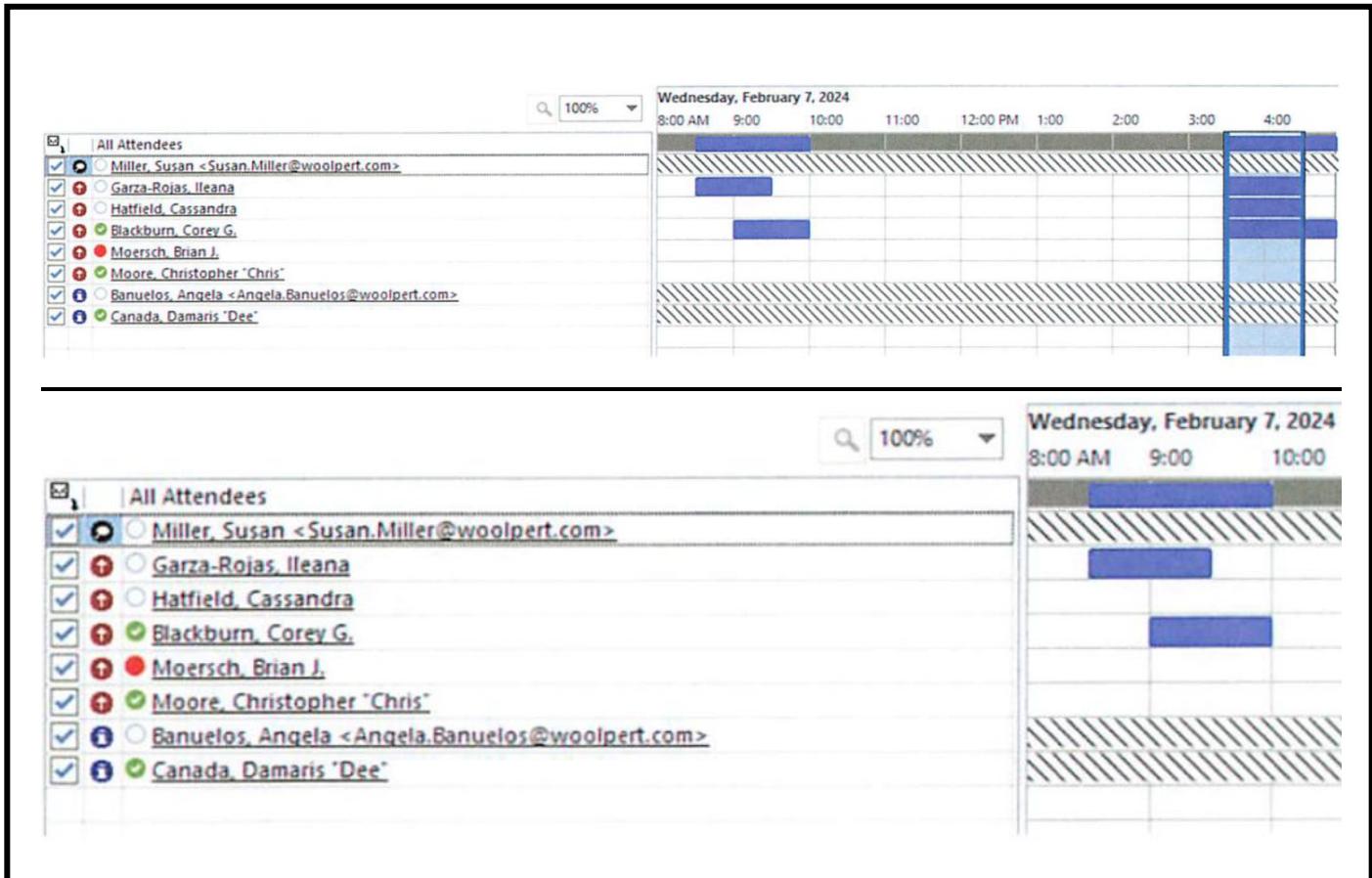


Exhibit B.3

Moore, Christopher "Chris"

Subject: **External Email**CFBISD - Meeting Board of Education FMP Overview
Location: [https://coopstrategies.zoom.us/j/86943701836?
pwd=eBXDyjK6tYJndXkdTPgDmigbw2VCla.1](https://coopstrategies.zoom.us/j/86943701836?pwd=eBXDyjK6tYJndXkdTPgDmigbw2VCla.1)

Start: Thu 2/8/2024 6:00 PM
End: Thu 2/8/2024 7:00 PM

Recurrence: (none)

Meeting Status: Accepted

Organizer: Miller, Susan

CAUTION: This email originated from outside of Carrollton-Farmers Branch ISD. Do not click links or open attachments unless you recognize the sender's email address and know the content is safe.

Susan Miller is inviting you to a scheduled Zoom meeting.

Join Zoom Meeting

[https://coopstrategies.zoom.us/j/86943701836?
pwd=eBXDyjK6tYJndXkdTPgDmigbw2VCla.1](https://coopstrategies.zoom.us/j/86943701836?pwd=eBXDyjK6tYJndXkdTPgDmigbw2VCla.1)

Meeting ID: 869 4370 1836

Passcode: 455828

One tap mobile

+17193594580,,86943701836# US

+17207072699,,86943701836# US (Denver)

Dial by your location

- +1 719 359 4580 US
- +1 720 707 2699 US (Denver)
- +1 253 205 0468 US
- +1 253 215 8782 US (Tacoma)
- +1 346 248 7799 US (Houston)
- +1 669 444 9171 US
- +1 646 931 3860 US
- +1 689 278 1000 US
- +1 301 715 8592 US (Washington DC)
- +1 305 224 1968 US
- +1 309 205 3325 US
- +1 312 626 6799 US (Chicago)
- +1 360 209 5623 US

Exhibit B.3

The screenshot shows a calendar application interface. At the top, there is a search bar and a zoom control set to 100%. Below this is a timeline for Thursday, February 8, 2024, from 12:00 AM to 11:00 PM. The timeline is divided into 15-minute intervals. A blue bar represents a scheduled event from 12:00 PM to 1:00 PM. Below the timeline is a list of attendees under the heading "All Attendees". The list includes the following names:

- Miller, Susan <Susan.Miller@moj.state.us>
- perkins@chisago.edu
- Blackburn, Cora S.
- Moore, Christopher "Chris"
- Martin, Brian J.
- Battuelo, Angela <Angela.Battuelo1@moj.state.us>
- Canada, Damara "Ree"

Exhibit C.1

From: [Canada, Damaris "Dee"](#)
To: [Blackburn, Corey G.](#)
Cc: [Moore, Christopher "Chris"](#); [Moersch, Brian J.](#); [Kris Pool](#)
Subject: RE: Attendance Zone Discussions
Date: Wednesday, January 15, 2025 9:46:54 AM
Attachments: [image001.png](#)

Thank you Corey ♦ I will get those meeting scheduled.

Dee

From: Blackburn, Corey G. <blackburnc@cfbisd.edu>
Sent: Wednesday, January 15, 2025 8:41 AM
To: Canada, Damaris "Dee" <canadad@cfbisd.edu>
Cc: Moore, Christopher "Chris" <moorechr@cfbisd.edu>; Moersch, Brian J. <moerschb@cfbisd.edu>; Kris Pool <kpool@pasatx.com>
Subject: Attendance Zone Discussions

Dee,

Kris Pool from PASA (copied), who is helping us with rezoning, told us she was available to meet with the Board Officers on 1/24. She is also available on 1/27 & 1/28 for 2x2 meetings with the remainder of the board as requested.

- I have forwarded the 1/24 meeting invite to Kris; **please add a Teams virtual meeting option for her use.**
- Please send invites for the 1/27 and 1/28 meetings.

COREY BLACKBURN

Executive Construction Officer

email_signature_logo



1505 Randolph St. Carrollton, TX 75006
Office: 972.968.6319

Exhibit C.2

From: Moersch, Brian J.
To: Moore, Christopher "Chris"; Eldredge, Wendy P.
Cc: Blackburn, Corey G.
Subject: RE: For tomorrow's meeting with board officers (3)
Date: Friday, January 24, 2025 7:53:35 AM
Attachments: image001.png

I have a call with TASB Policy Services from 8-8:30 am. I am available from 8:30-10 AM. I can move meetings to ensure availability.

From: Moore, Christopher "Chris" <moorechr@cfbisd.edu>
Sent: Thursday, January 23, 2025 10:10 PM
To: Moersch, Brian J. <moerschb@cfbisd.edu>; Eldredge, Wendy P. <EldredgeW@cfbisd.edu>
Cc: Blackburn, Corey G. <blackburnc@cfbisd.edu>
Subject: For tomorrow's meeting with board officers

Good evening,

I would like to talk through this presentation with you two and Corey before we visit with board members tomorrow. It can be over the phone if needed but there are some recommendations we are developing that need consent higher than ours and you both need to hear them in general♦namely a high level look at funding and plans for vacated facilities. You can see that in the slide deck toward the end. This is the basic shell. Corey is still tweaking and will add some more in morning.

A major note (and I am re-emphasizing what I already shared yesterday)♦the tables we are referencing move LEAP at both the elementary level and secondary level. Elementary is moving from McCoy to Landry as part of the consolidation recommendation. Middle school is moving from Perry to Bush as a general move. The extra space at Perry freed up room for almost 100 students from the Polk feeder, which lessened Polk♦s utilization. Also, 51 of the middle school LEAP students are currently transferring to Perry from Bush. Money that would have gone to Long could also remain centered at the middle school level and redirected to Bush to help dress up LEAP as part of that program move. And it better balances middle school attendance.

This will be a lot to talk through tomorrow and I suspect the bulk of time will be spent on rezoning♦both as it relates specifically to the consolidation recommendations and also as it relates to the overall balancing of zones since it has not been done in 20 years. We will have printouts of the tables and maps in addition to what is on the slides.

High level of what we will cover:

- Recap Woolpert summary of 3 ES/1 MS (from June 2024)
- Introduce neighborhood rings slide
- Talk through rezone as it relates to Woolpert 3/1
- Talk through rezone as it relates to demographer report, by HS feeder
- High level funding
- High level vacated facilities

Exhibit C.3

From: [Moersch, Brian J.](#)
To: [Hrbacek, Tara](#)
Subject: RE: Meet with Board Officers regarding Community Feedback and Woolpert Study (3)
Date: Wednesday, January 22, 2025 8:54:14 AM

Good morning Tara,

We have two other meetings scheduled next week. Dee will reach out to see if you are available for either meeting.

Stay warm!

Brian

-----Original Appointment-----

From: Hrbacek, Tara <hrbacekt@cfbisd.edu>
Sent: Tuesday, January 21, 2025 11:25 PM
To: Moersch, Brian J.
Subject: Declined: Meet with Board Officers regarding Community Feedback and Woolpert Study
When: Friday, January 24, 2025 11:30 AM-1:00 PM (UTC-06:00) Central Time (US & Canada).
Where: Administration Building, Exec Conf Room

Brian - my return to Dallas from my work trip this week has changed from Friday morning to Friday night; I will not be able to attend this meeting.

Thanks,

Tara

Exhibit C.4

From: [Moersch, Brian J.](#)
To: [Canada, Damaris "Dee"](#)
Subject: FW: Meet with Board Officers regarding Community Feedback and Woolpert Study (2)
Date: Wednesday, January 22, 2025 7:42:58 AM

Please see if she can attend one of the other meetings in which her attendance will not create a quorum. Thank you

-----Original Appointment-----

From: Hrbacek, Tara <hrbacekt@cfbisd.edu>
Sent: Tuesday, January 21, 2025 11:25 PM
To: Moersch, Brian J.
Subject: Declined: Meet with Board Officers regarding Community Feedback and Woolpert Study
When: Friday, January 24, 2025 11:30 AM-1:00 PM (UTC-06:00) Central Time (US & Canada).
Where: Administration Building, Exec Conf Room

Brian - my return to Dallas from my work trip this week has changed from Friday morning to Friday night; I will not be able to attend this meeting.

Thanks,

Tara

Exhibit C.5

Kris,

We are meeting with district leadership this Thursday, 1/9 to brainstorm suggestions for rezoning to send to you for review. You should have them by end of day 1/9.

1. Would it be possible to have your response back by noon on the following Thursday, 1/16? We plan to reconvene the same group that afternoon and see if we can settle on our preferred zoning option to proceed with.
2. Are you available if needed for a workshop with the Board Officers on Friday, 1/24 at 11:30 am?
3. Are you available if needed for the formal board recommendation on Thursday, 2/6 at 7:00 pm? Might also need you for the pre-meeting briefing at 6 pm.

COREY BLACKBURN

Executive Construction Officer

email_signature_logo



1505 Randolph St. Carrollton, TX 75006
Office: 972.968.6319

Exhibit C.6

Attendee responses: 6 accepted, 0 tentatively accepted, 0 declined.

<input type="checkbox"/>	To...	Benavides, Carolyn; Garza-Rojas, Ileana; Moore, Christopher "Chris"; Blackburn, Corey G.; Moersch, Brian J.; Kris Pool <kpool@pasatx.com>; Hamlin, Lance M.; Rodriguez, Caren I.; Hrbacek, Tara				
Send Update	Subject	Meet with Board members regarding Community Feedback and Woolpert Study/Rezoning				
	Location	Administration Building, Executive Conference Room				
	Start time	Mon 1/27/2025	8:30 AM	Central Time (US & Canada)	<input type="checkbox"/> All day event	
	End time	Mon 1/27/2025	9:30 AM	Central Time (US & Canada)		

Attendee responses: 6 accepted, 0 tentatively accepted, 0 declined.

<input type="checkbox"/>	To...	Hatfield, Cassandra; Barnes, Marjorie; Moore, Christopher "Chris"; Blackburn, Corey G.; Moersch, Brian J.; Kris Pool <kpool@pasatx.com>; Rodriguez, Caren I.; Hamlin, Lance M.; Schackmann, Randy				
Send Update	Subject	Meet with Board Officers regarding Community Feedback and Woolpert Study/Rezoning				
	Location	Administration Building, Executive Conference Room				
	Start time	Mon 1/27/2025	1:00 PM	Central Time (US & Canada)	<input type="checkbox"/> All day event	
	End time	Mon 1/27/2025	2:00 PM	Central Time (US & Canada)		

Attendee responses: 7 accepted, 1 tentatively accepted, 1 declined.

<input type="checkbox"/>	To...	Schackmann, Randy; Brady, Kim; Hrbacek, Tara; Blackburn, Corey G.; Moore, Christopher "Chris"; Kris Pool <kpool@pasatx.com>; Hamlin, Lance M.; Stout, Robin W.; Rodriguez, Caren I.; Cox, Donal "Donna"				
Send Update	Subject	Meet with Board Officers regarding Community Feedback and Woolpert Study				
	Location	Administration Building, Exec Conf Room				
	Start time	Fri 1/24/2025	11:30 AM	Central Time (US & Canada)	<input type="checkbox"/> All day event	
	End time	Fri 1/24/2025	1:00 PM	Central Time (US & Canada)		

Date Change
Lunch will be provided.

If you have any questions, please provide those prior to the meeting, with ample time for us to be prepared to address them. Please email Brian with your questions.

Please RSVP to this invite.

Enhanced Image

ES: 6 accepted, 0 tentatively accepted, 0 declined.

<input type="checkbox"/>	Benavides, Carolyn; Garza-Rojas, Ileana; Moore, Christopher "Chris"; Blackburn, Corey G.; Moersch, Brian J.; Kris Pool <kpool@pasatx.com>; Hamlin, Lance M.; Rodriguez, Caren I.; Hrbacek, Tara				
Meet with Board members regarding Community Feedback and Woolpert Study/Rezoning					
Administration Building, Executive Conference Room					
	Mon 1/27/2025	8:30 AM	Central Time (US & Canada)	<input type="checkbox"/> All day event	
	Mon 1/27/2025	9:30 AM	Central Time (US & Canada)		

ises: 6 accepted, 0 tentatively accepted, 0 declined.

<input type="checkbox"/>	Hatfield, Cassandra; Barnes, Marjorie; Moore, Christopher "Chris"; Blackburn, Corey G.; Moersch, Brian J.; Kris Pool <kpool@pasatx.com>; Rodriguez, Caren I.; Hamlin, Lance M.; Schackmann, Randy				
Meet with Board Officers regarding Community Feedback and Woolpert Study/Rezoning					
Administration Building, Executive Conference Room					
	Mon 1/27/2025	1:00 PM	Central Time (US & Canada)	<input type="checkbox"/> All day event	
	Mon 1/27/2025	2:00 PM	Central Time (US & Canada)		

<input type="checkbox"/>	Schackmann, Randy; Brady, Kim; Hrbacek, Tara; Blackburn, Corey G.; Moore, Christopher "Chris"; Kris Pool <kpool@pasatx.com>; Hamlin, Lance M.; Stout, Robin W.; Rodriguez, Caren I.; Cox, Donal "Donna"				
Meet with Board Officers regarding Community Feedback and Woolpert Study					
Administration Building, Exec Conf Room					
	Fri 1/24/2025	11:30 AM	Central Time (US & Canada)	<input type="checkbox"/> All day event	
	Fri 1/24/2025	1:00 PM	Central Time (US & Canada)		

Exhibit D.1

Posted Agenda

Topic 3.B. 2023 Bond Planning

Recorded videos show Blackburn and the Board discusses intent to hire new consultants for studies that would serve as the foundation for the Campus Consolidation Plan and the departure from the Citizen's Committee recommendations.

View Options:

- [>Show Everything](#)
- [Description](#)
- [Attachments](#)
- [Policies](#)
- [Hide Everything](#)

September 21, 2023 at 6:00 PM - Work-Study

Agenda
1. Call Meeting to Order
2. Audience for Guests - Limited to Posted Agenda Items for this Meeting
3. Work/Study Discussion Items
3.A. Bond 101 Training
3.B. 2023 Bond Planning
3.C. Bond Oversight Committee (BOC)
3.D. Facilities
4. Adjournment

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Exhibit D.2

Approved Minutes

Signed by Defendant (then) President Cassandra Hatfield

Minutes of Work/Study Session
September 21, 2023

The Board of Trustees
Carrollton-Farmers Branch ISD

A Work/Study Session of the Board of Trustees of Carrollton-Farmers Branch ISD was held Thursday, September 21, 2023, beginning at 6:00 PM in the Board of the District Administration Building, 1445 North Perry Road, Carrollton, Texas.

1. Call Meeting to Order

Board President Cassandra Hatfield called the Work/Study Meeting to order at 6:00 p.m.

Board members in attendance were:

Cassandra Hatfield, Tara Hrbacek, Sally Derrick, Ileana Garza-Rojas, Randy Schackmann and Kim Brady. Carolyn Benavides was absent.

Administrative staff present were Superintendent Dr. Wendy Eldredge, Deputy Superintendent Brian Moersch, Associate Superintendent of Operations Chris Moore, Chief Financial Officer Larry Guerra, and Executive Construction Officer Corey Blackburn. Board Secretary, Dee Canada recorded the minutes of the meeting.

2. Audience for Guests – Limited to Posted Agenda Items for this Meeting

Jo Lyne Porter – spoke in regard to the 2023 Bond

3. Work/Study Discussion Items

A. Bond 101 Training

Larry Guerra introduced Derek Honea, RBC Capital who gave an overview of the Bond sale and current status.

B. 2023 Bond Planning

Corey Blackburn presented an overview of projected Bond projects, expenditures and timelines.

C. Bond Oversight Committee

Corey Blackburn and Chris Moore presented the updated Bond Oversight Committee Guidelines for the incoming Bond 2023 Committee.

D. Facilities

Corey Blackburn shared a map/document that noted the unoccupied land and/or buildings owned by the District and available for possible sale.

4. Adjournment

Cassandra Hatfield adjourned the meeting at 6:49 p.m.

Signed:



Cassandra Hatfield, President
Board of Trustees
Carrollton-Farmers Branch ISD

Attest:



Sally Derrick, Secretary
Board of Trustees
Carrollton-Farmers Branch ISD

October 5, 2023

Exhibit D.3

Topic 3.A. Presentation and Discussion for Facilities Master Plan

Recorded videos show Woolpert's, Susan Miller, reviewing the utilization and capacity study with the Board where she discusses feeder patterns, meetings from the previous week, and presents the cost per student metric that would serve as the Campus Consolidation Plan's sound bite.

View Options:

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February 15, 2024 at 6:00 PM - Work-Study

Agenda

1. Call Meeting to Order

2. Audience for Guests - Limited to Posted Agenda Items for this Meeting

3. Work/Study Discussion Items

3.A. Presentation and Discussion for Facilities Master Plan

3.B. Governance Core Book Study

4. Adjournment

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Exhibit D.4

Approved Minutes

Signed by Defendant (then) President Cassandra Hatfield

Minutes of Work/Study Session
February 15, 2024

The Board of Trustees
Carrollton-Farmers Branch ISD

A Work/Study Session of the Board of Trustees of Carrollton-Farmers Branch ISD was held Thursday, February 15, 2024, beginning at 6 PM at the District Administration Building, 1445 North Perry Road, Carrollton, Texas.

1. Call to Order

President Cassandra Hatfield called the meeting to order at 6:00 pm. Trustees present: President Cassandra Hatfield, Vice President Tara Hrbacek, Carolyn Benavides, Kim Brady, Ileana Garza-Rojas, and Randy Schackmann. Sally Derrick was absent.

Executive Staff present: Superintendent Dr. Wendy Eldredge, and Deputy Superintendent Brian Moersch. Board Secretary, Dee Canada, took the minutes of the meeting.

2. Audience for Guests

None

3. Work/Study Discussion Items

A. Presentation and Discussion for Facilities Master Plan

Corey Blackburn, Executive Construction Officer, introduced Susan Miller from Woolpert. Ms. Miller gave an overview and answered questions regarding a Facilities Master Plan.

The meeting recessed at 7:15pm.

Meeting reconvened at 7:25pm.

B. Governance Core Book Study

Board members participated in an open discussion on chapter five (5) of the book titled: The Governance Core.

4. Adjournment

President Cassandra Hatfield adjourned the meeting at 8:22 pm.

Signed: C Hatfield
Cassandra Hatfield, President
Board of Trustees
Carrollton-Farmers Branch ISD

Attest: Sally Derrick
Sally Derrick, Secretary
Board of Trustees
Carrollton-Farmers Branch ISD

Exhibit D.5

Topic 3.A. Presentation and Discussion for Facilities Master Plan

Recorded videos show Woolpert's, Susan Miller, reviewing the utilization and capacity study with the Board where Woolpert states the district is stable and not losing children, contradicting the later narrative used by the District when presenting the Plan on February 6, 2025.

View Options:

- [Show Everything](#)
- [Description](#)
- [Attachments](#)
- [Policies](#)
- [Hide Everything](#)

April 11, 2024 at 6:00 PM - Work-Study

Agenda

1. Call Meeting to Order

2. Audience for Guests - Limited to Posted Agenda Items for this Meeting

3. Work/Study Discussion Items

3.A. Presentation and Discussion for Facilities Master Plan

3.B. Budget Workshop #1

3.C. Governance Core Book Study

4. Adjournment

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Exhibit D.6

Approved Minutes

Signed by Defendant (then) Cassandara Hatfield

Minutes of Work/Study Session **April 11, 2024**

The Board of Trustees* *Carrollton-Farmers Branch ISD

A Work/Study Session of the Board of Trustees of Carrollton-Farmers Branch ISD was held Thursday, April 11, 2024, beginning at 6 PM at the District Administration Building, 1445 North Perry Road, Carrollton, Texas.

1. Call to Order

President Cassandra Hatfield called the meeting to order at 6:00 pm. Trustees present: President Cassandra Hatfield, Vice President Tara Hrbacek, Secretary Sally Derrick, Carolyn Benavides, Kim Brady, Ileana Garza-Rojas, and Randy Schackmann.

Executive Staff present: Superintendent Dr. Wendy Eldredge, and Deputy Superintendent Brian Moersch, Chief Financial Officer Larry Guerra and Assistant Superintendent of Operations Chris Moore. Board Secretary, Dee Canada, took the minutes of the meeting.

2. Audience for Guests

None

3. Work/Study Discussion Items

A. Presentation and Discussion for Facilities Master Plan

Chris Moore, Assistant Superintendent of Operation, introduced Susan Miller and David Sturtz from Woolpert, who gave an update and answered questions regarding a Facilities Master Plan.

The meeting recessed at 7:25pm.

Meeting reconvened at 7:37pm.

B. Budget Workshop ·1

Chief Financial Officer Larry Guerra and Director of Budget Karla Stastny presented the first of three Budget Workshops to the Board.

C. Governance Core Book Study

Board members participated in an open discussion on chapter five (6) of the book titled: The Governance Core.

Exhibit D.7

Topic 4.C. Master Facilities Plan Update with Education Specifications

Recorded videos shows Blackburn justifying departing from the Citizen's Committee's recommendations because of the adoption of a deficit budget. Woolpert proceeds to present their study previously presented to the board in private discussions and public meetings.

View Options:

- [Show Everything](#)
- Description
- Attachments
- Policies
- [Hide Everything](#)

June 6, 2024 at 7:00 PM - Regular Meeting

Agenda

1. Call to Order

1.A. Moment of Reflection and Pledge of Allegiance

1.B. Welcome Visitors

2. Special Presentations and Recognitions

2.A. Recognitions

2.B. District Announcements

2.C. Trustee's Reports

2.D. Update from PTA

2.E. Update from Educational Foundation

3. Audience for Guests

4. Non-Action Items for Discussion

4.A. SHAC Report

4.B. Preliminary STAAR EOC Results & Update on State Testing

Attachments: (1)

 [2024 Spring EOC & Accountability Update \(June 6\) Slides Only](#)

5/31/2024 at 11:58 AM

4.C. Master Facilities Plan Update with Education Specifications

5. Consent Agenda

5.A. Consider/Approve Requests for Carrollton-Farmers Branch Students to Travel Out-of-State

Description: Priority #1: Optimize Engaging and Diverse Learning

Background: In accordance with Policy FMG (LOCAL), students may be permitted to take out-of-state school-sponsored trips for the following purposes:

Exhibit D.8

Approved Minutes of June 6, 2024, Regular Meeting

Signed by Defendant (current) President Randy Schackmann

She also expressed condolences on behalf of the District to the family of Shirley Tarpley and Juanita Rainwater in their recent passing.

A warm welcome was conveyed to newly elected Board Member, Marjorie Barnes.

Dr. Eldredge announced the Back-to-School event on August 2nd taking place at RL Turner HS.

Dr. Eldredge celebrated the fact that 1672 seniors graduated during the 2024 Graduation Ceremonies in May 2024.

D. Update from PTA

Stacy Homan gave an update regarding PTA.

3. Audience for Guests - Limited to Posted Agenda Items

Karim Kara addressed the Board regarding use of District track facilities.

4. Non-Action Items for Discussion

Note: Trustee Carolyn Benavides left meeting at 8:31pm due to feeling ill.

A. SHAC Report

Sandra Lieck, Director of Health Services, introduced April Hooper Christiansen, co-chair for SHAC Committee who shared an update.

B. Preliminary STAAR EOC Results & Update on State Testing

Director of Assessment and Accountability Hope Keane shared an overview of the preliminary STAAR EOC results and gave an update on state testing.

C. Master Facilities Plan Update with Education Specifications

Corey Backburn, Executive Construction Officer, gave a brief overview and then introduced Susan Miller, Woolpert, who gave an extensive update on the Master Facilities Plan.

A brief recess was announced at 8:46pm.

President Schackmann called the meeting back to order at 8:53pm.

Exhibit D.9

Topic 3.B. Facilities Master Plan

Recorded videos shows the presentation of the official Campus Consolidation Plan that would be approved twenty-eight days later to close four campus and change the attendance zones for hundreds of families within the district.

View Options:

[Show Everything](#)
 [Description](#)
 [Attachments](#)
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 [Hide Everything](#)

February 6, 2025 at 7:00 PM - Regular Meeting

Agenda

1. Call to Order

1.A. Moment of Reflection and Pledge of Allegiance

1.B. Welcome Visitors

2. Special Presentations and Recognitions

2.A. Recognitions

2.B. President's Report

2.C. Committee Reports

2.D. District Announcements

2.E. Update from PTA

3. Non-Action Items for Discussion

3.A. District Annual Report and HB3 Goals (TAPR)

Attachments: (1)

 [2023-24 CFBISD Annual Report \(TAPR\) \(1\)](#)

1/31/2025 at 4:02 PM

3.B. Facilities Master Plan Update

4. Audience for Guests

5. Consent Agenda

5.A. Consider/Approve Personnel Report

Description: Priority #1: Optimize Engaging and Diverse Learning

Background: The District employs full-time professional employees in positions requiring a certificate from the State Board of Educator Certification (SBEC), nurses under a probationary or term contract and other designated employees. The purpose of this agenda item is to facilitate Board approval of these contracts.

Exhibit D.10

Approved Minutes for the February 6, 2025, regular meeting

Signed by Defendant (current) President Randy Schackmann

D. District Announcements

Dr. Eldredge highlighted the 30yr anniversary celebration for Rainwater Elementary. She also thanked the Caterpillar Corporation for donating a Manufacturing Box for the students of Ranchview HS. Dr. Eldredge commented on the Folklorico Competition and the work of teacher, Carla Hardaway.

E. Update from PTA

Deana Nunez gave an update of PTA

Golden Apple Awards were awarded to various campuses.

3. Non-Action Items for Discussion

A. District Annual Report and HB3 Goals (TAPR)

Hope Keane, Director of Assessment and Accountability reviewed the Annual Report from TEA.

B. Facilities Master Plan Update

Superintendent, Dr Wendy Eldredge along with Corey Blackburn, Dr, Tamy Smalskas, and Dr. Lance Hamlin presented the recommendation for school consolidations and rezoning of boundaries.

4. Audience for Guests

All speakers addressed the topic of school consolidation

Pranav Vemireddy – stakeholder/student

Diana Farrar – stakeholder/parent

Sarah Amond – stakeholder/parent

Brady Barnett – stakeholder/parent

Exhibit D.11

Topic 6.B. Consider/Approve Proposed Consolidation of Central, Furneaux Elementary, McCoy Elementary, and Long Middle School and Corresponding Proposed Changes to Elementary, Middle, and High School Attendance Zones.

Recorded videos shows what is described in the agenda topic.

5.O. Consider/Approve Minutes of Regular Meeting Held February 6, 2025

Attachments: (1)



[2.6.25 Minutes Regular Mtg](#)

2/12/2025 at 4:50 PM

5.P. Consider/Approve Minutes of Work Study Meeting Held February 12, 2025

Attachments: (1)



[2.12.25 Minutes of Work Study](#)

2/13/2025 at 11:39 AM

6. Items for Discussion and/or Action

6.A. Items Removed from Consent

6.B. Consider/Approve Proposed Consolidation of Central Elementary, Furneaux Elementary, McCoy Elementary, and Long Middle School and Corresponding Proposed Changes to Elementary, Middle, and High School Attendance Zones

7. Comments from Board Members Regarding Posted Agenda Items

8. Adjournment

e for Carrollton-Farmers Branch ISD

Exhibit D.12

Approved Minutes for the March 6, 2025, regular meeting

Signed by Defendant (current) President Randy Schackmann

B. Consider/Approve Proposed Consolidation of Central Elementary, Furneaux Elementary, McCoy Elementary, and Long Middle School and Corresponding Proposed Changes to Elementary, Middle, and High School Attendance Zones

Superintendent Dr. Eldredge, Asst Superintendent of Operations Chris Moore, Asst. Superintendent of Student Services Dr. Lance Hamlin, Chief Financial Officer Carla Settle, and Asst. Superintendent of Human Resources Tamy Smalskas gave an overview of the item in preparation for the vote.

Board members each spoke pertaining to the difficulty of making this decision.

A motion was given by Randy Schackmann that the Board approve the proposed Consolidation of Central Elementary, Furneaux Elementary, McCoy Elementary, and Long Middle School and Corresponding Proposed Changes to Elementary, Middle, and High School Attendance Zones as presented. A second was offered by Cassandra Hatfield. With a vote of 6 in favor, 1 opposed (CB) the motion carried.

7. Comments from Board Members Regarding Posted Agenda Items

None

8. Adjournment

President Randy Schackmann adjourned the meeting at 10:04 pm.



AGREEMENT FOR CONSULTING SERVICES

THIS AGREEMENT FOR CONSULTING SERVICES ("Agreement") is made and entered into this 5th day of September 2023 ("Effective Date"), by and between Carrollton-Farmers Branch Independent School District at 1445 North Perry Road, Carrollton, TX 75006, hereinafter called "Client", and Cooperative Strategies, LLC at 4675 Lakehurst Ct., Ste. 200, Dublin, OH 43016, hereinafter "Consultant" and each, a "Party" or together, the "Parties". The Parties, in consideration of the mutual promises and conditions herein contained agree as follows:

ARTICLE I **SERVICES TO BE PERFORMED BY CONSULTANT**

Section 1.1 Services, Statement of Work. Client hereby retains Consultant to perform the services ("Services") set forth in the Statement of Work (the "SOW") attached as Exhibit A to this Agreement, which is hereby incorporated by reference. In the event of a conflict between this Agreement and the SOW, the SOW shall prevail for the purposes of such SOW only.

Section 1.2 No Agency. The relationship of the Parties is that of independent contractors. Nothing herein will be deemed to create an employment, agency, joint venture, or partnership relationship between the Parties or any of their agents or employees. Neither Party will have the power to enter into any contracts or to incur any liabilities on behalf of the other. Consultant shall retain the exclusive right to control and direct all details of the Services, within the proscribed guidelines set by Client.

ARTICLE II **OWNERSHIP; USE**

Section 2.1 Consultant Materials. Consultant owns any and all work product created in the performance of this Agreement, including all intellectual property rights therein, including, but not limited to: (a) computer software (including financial models, compilations of formulas and spreadsheet models), inventions, designs, programs, improvements, techniques, ideas, concepts, trade secrets and know-how, proprietary models, processes and methods, and (b) reports, drawings, templates, specifications, computer files, field data, notes, other documents and instruments and other works of authorship and developments conceived, created, discovered, invented, or reduced to practice ("Consultant Materials").

Section 2.2 Client's Rights and Obligations. This Agreement only entitles Client to a right to use the hard copy or electronic reports portion of the Consultant Materials (each a "Report"). Client shall not reuse Reports for any unlawful purpose.

EXHIBIT A – STATEMENT OF WORK
CARROLLTON-FARMERS BRANCH INDEPENDENT SCHOOL DISTRICT

STATEMENT OF WORK
EDUCATIONAL SPECIFICATIONS

Cooperative Strategies, LLC (CS or "We") will provide Educational Specification services to (CFBISD or "School District"). These services define the current and future educational activities a facility should accommodate and provide a written communication from the School District to the design professional. The table below details the specific activities and tasks we will perform under this Statement of Work.

ACTIVITY	TASKS
1. Teacher Interviews	<p>1.A. Teacher Interviews (Virtual)</p> <p>CS will meet with teachers and/or department chairs of the current facility to gain an understanding of current and future program vision. Each grade level and program area should be represented to include core academics, visual and performing arts, physical education, career and technical Carrollton-Farmers Branch ISD education, special education, library/media center, administration, food service, custodial, and any other special area of curriculum that is planned for the future facility. These interviews will be approximately one hour each, usually scheduled across one to two days.</p>
2. Create Committee and Gather Data	<p>2.A. Committee Formation</p> <p>CS will help CFBISD create a committee to assist in the development of educational specifications.</p> <p>2.B. Data Collection</p> <p>CS will develop, gather, review, and summarize key documents and data to develop the educational specifications. We will collect data such as:</p> <ul style="list-style-type: none">• Historical and projected enrollment*• Floor plans• Programs and curricula• Capacity and utilization• Master schedules• Technology standards <p><i>*In the event the District does not have enrollment projections, we can develop them for an additional fee.</i></p>

EXHIBIT A – STATEMENT OF WORK
CARROLLTON-FARMERS BRANCH INDEPENDENT SCHOOL DISTRICT

ACTIVITY	TASKS
<p>3. Perform Outreach</p>	<p>3.A. Planning Lab #1 (in-person)</p> <p>CS will facilitate an initial work session with the committee to examine future trends and determine program requirements. Participants will discuss programmatic and space needs and generate a draft compilation of space. Topics discussed include such things as:</p> <ul style="list-style-type: none"> • Demographics and economics • Size and number of spaces • Adjacencies of spaces • Activities and special considerations • What the learning environments will look like • Impact of technology • 21st Century Learning best practices <p>3.B. Planning Lab #2 (in-person)</p> <p>CS will facilitate a second work session with the committee to further refine and edit the program and design requirements drafted from Task 3.A. This lab will incorporate large group work as well as smaller, breakout group work. Participants will resolve space requirements and begin to conceptualize the facility. Groups will also discuss topics such as community use, safety and security, aesthetics, technology, site considerations, and sustainable construction.</p>
<p>4. Prepare Report and Present to Board</p>	<p>4.A. Final Report</p> <p>CS will prepare a final report containing:</p> <ul style="list-style-type: none"> • Results of the planning labs • Compilation of space and program illustrations as well as spatial relationship diagrams for each program area and the entire facility • Detailed program area descriptions • Discussion of non-programmatic topics such as: community use, safety and security, aesthetics, technology, site considerations, and sustainable construction <p>4.B. Board Presentation (in-person)</p> <p>At the School District's request, CS will present the report at up to one School Board meeting.</p>

EXHIBIT B – FEE SCHEDULE
CARROLLTON-FARMERS BRANCH INDEPENDENT SCHOOL DISTRICT

FEE SCHEDULE

The proposed fee for Cooperative Strategies, LLC (CS or "We") to provide Educational Specifications to Carrollton-Farmers Branch Independent School District (CFBISD or "School District") as described in the Statement of Work, is shown in the table below. This fee shall be payable in monthly installments based on the percentage of work completed. Fees below are based on Agreement being entered into prior to September 30, 2023.

SERVICE DESCRIPTION	PROPOSED FEE
Educational Specifications	\$82,500 (*plus reimbursable expenses)

***REIMBURSABLE EXPENSES**

In addition to professional fees, CFBISD is responsible for expenses including travel (mileage, lodging, parking, etc.), meals, all printing, postage, overnight delivery service, and other direct expenses associated with the project. Reimbursable expenses will be invoiced monthly with professional fees.

EXHIBIT B – FEE SCHEDULE
CARROLLTON-FARMERS BRANCH INDEPENDENT SCHOOL DISTRICT

STANDARD HOURLY RATES

Should CFBISD request meetings or additional services outside the scope outlined in this proposal—such as our attendance at Board Meetings—the fee for such services, including meeting preparation and travel time, will be billed at the standard hourly rates below, plus reimbursable expenses.

POSITION	RATE
CEO	\$300/hour
Executive Director / Partner	\$275/hour
Senior Director	\$225/hour
Senior Associate Director	\$200/hour
Associate Director	\$175/hour
Senior Associate	\$150/hour
Associate	\$120/hour

LIMITATIONS

It is assumed that the School District or its consultants will provide all required enrollment, school facility, and other data and materials identified in the Statement of Work. If Cooperative Strategies must assume primary responsibility for any responsibilities of the School District or attend additional meetings at the School District, such tasks may be defined as Additional Work if they cause the maximum budget amount to be exceeded. Additional Work may also include other tasks not described in the Statement of Work.

CAUSE NO. _____

BRIAN MORROW, ET. AL.,

§

Plaintiffs,

§

V.

§

RANDY SCHACKMANN, ET. AL.,

§

Defendants,

§

IN THE DISTRICT COURT OF

DALLAS COUNTY, TEXAS

_____ JUDICIAL DISTRICT

AFFIDAVIT IN SUPPORT BY BRIAN MORROW

Brian Morrow appeared in person before me today and stated under oath:

1. "My name is Brian Morrow. I am over eighteen years of age. I suffer no legal disabilities. I am of sound mind, and I am capable of making this declaration. I am a resident of Denton County, Texas. I am an attorney licensed in the State of Texas, and a Plaintiff in this matter. I verify that the facts set forth below are within my personal knowledge and are true and correct.

2. Two of my children attended McCoy Elementary School during the 2024-2025 school year. I am a registered voter and taxpayer within the Carrollton-Farmers Branch Independent School District. I am a member of the Carrollton-Farmers Branch Rotary Club, and a leader within Scouting America, Circle Ten, Elm Fork District, Cub Scout Pack 715.

3. I am an attorney licensed in the State of Texas, Northern District of Texas, State of Hawaii, and District of Hawaii. My legal practice has solely focused on pro bono cases, most of which I volunteered for through the Dallas Volunteer Attorney Program (DVAP). All other legal work I have performed has been pro bono for friends and family.

4. I support myself and family through my career as a data and analytics consultant for a nationally recognized consulting firm. The past two decades of my career have focused on analyzing data to create revenue forecasts, risk and opportunity models, and essential KPI performance dashboards for Fortune 500 companies. I assist when companies desire to make data driven decisions on critical projects that drive their business forward. My professional career in data and analytics allows my law practice to focus the needs of people rather than a means to achieve my financial goals.

5. I am filing suit against the Board of Trustees for the Carrollton-Farmers Branch Independent School District (“the Trustees” or “the Board”) and the administration of the Carrollton-Farmers Branch Independent School District (“CFBISD” or “the District”) to preserve my faith, trust, and belief in our Constitution and the form of governance it set forth. The Board and the District have violated laws in furtherance of a plan that, when implemented in full, will irreparably harm me and members of my community. I am compelled to file suit because the Court is the only remaining option to provide a check against a corrupt governing body that acts with blatant disregard for the laws of the State of Texas.

6. The State of Texas requires the people’s business be deliberated and actioned in open meetings so that Texans can exercise their inherent right to govern themselves. The Board and the District receive annual training on the Texas Open Meetings Act (“TOMA”); however, they chose to work in concert to deliberate behind closed doors, without public notice in a series of meetings that would constitute a quorum, in February 2024 and January 2025, with consulting agencies to construct a plan to permanently shutter four schools within the District, specifically within the City of Carrollton. The Board and the District effectively deterred public observation as they developed their plan by avoiding meaningful notice when posting agenda topics that were

believed to pertain to the implementation of the long-term facilities plan created by the Citizen's Committee, presented to, and approved, by the CFBISD constituents in the 2023 Bond election. I no longer believe that the Board operates openly or transparently, nor do I believe that they intend to in the future. The ideals that serve as the foundation for Texans to govern themselves, for which TOMA was enacted, have been corrupted and undermined for myself and many CFBISD community members.

7. Similar to TOMA, the State of Texas prohibits nepotism under the Texas Government Code as a means to protect the ideals necessary for Texans to govern themselves. Nepotism prohibitions promote fairness, equality, prevent conflicts of interest, and ultimately maintain the public trust. Trustee Randy Schackmann and Trustee Kim Brady are elected public officials subject to the nepotism prohibition laws. Superintendent Wendy Eldredge ("Eldredge") is also subject to the nepotism prohibitions since the Board delegated final authority to select district personnel. Eldredge promoted Trustee Schackmann's wife, Ruth Schackmann, and awarded her a significant salary increase months after Trustee Schackmann was sworn in as a Board member. Eldredge hired and provided financial compensation to Ruth Schackmann's son and Trustee Brady's son after both Trustee Schackmann and Trustee Brady were sitting Board members. The Board and Eldredge violated the nepotism prohibitions by hiring relatives within a prohibited degree of relation to sitting Board members. Again, the Board and the District have destroyed my belief in the ideals necessary for Texans to govern themselves.

8. CFBISD was a significant factor when we decided to purchase our home within CFBISD in Carrollton, Texas in 2016. Until recently, CFBISD's leadership maintained a strong reputation in the increasingly competitive North Texas region. I voted for the 2018 and the 2023 school bond measures. The District and the Board engaged the community to create a long-term

facilities plan for which the 2023 school bond money would be spent. The District and Board of Trustees publicly announced a Bond Oversight Committee like the one that oversaw the 2018 school bond expenditures. I voted for the 2023 Bond because it was an investment into the schools which make CFBISD a desirable school district. I was wrong. The Board voted to permanently shutter McCoy Elementary, the best school in the District.

9. My children attend McCoy Elementary. By passing the 2023 Bond, my children would have received improved educational facilities, but instead they are being denied these improvements and forced into different schools. My voting rights, and the community members that voted to approve the 2023 Bond for similar reasons, have effectively been disenfranchised.

10. I retain my right to vote; but, due to the concerted actions of the Board and the District, my right to vote, as it relates to bond measures, has been rendered impotent. By permanently shuttering schools, the Board and District will not spend the 2023 Bond funds in accordance with the plan that the voters approved. My vote has been deprived of its inherent power. Unlike an elected public official, I cannot vote to repeal the 2023 bond. The Board's effective sublimination of public oversight since the 2023 Bond election deprived me and the CFBISD community from information that would have changed our votes and engagement in future elections and matters of public concern. My fundamental right to vote and the trust and belief required exercise it has been stolen from me because of the Board and the District's violations of TOMA and the nepotism prohibitions.

11. The Board and the District destroyed my belief that local government officials seek to faithfully and transparently serve the communities that they represent. I am compelled to spend hundreds of hours to pursue legal action in the hopes the Court can restore my faith in our

form of government. The Board and the District's actions have caused irreparable harm that cannot be remedied without injunctive relief ordered by the Court.

12. Whether intentionally or through gross ignorance, the Board precluded public deliberations to permanently shutter the school my children attend. Their actions are depriving me of the educational community I rely on to assist in the raising of my children to be contributing members of society. The diversity of perspectives and of the community at McCoy cannot be re-created or replaced by another school. No other school within CFBISD is comparable to the cultural demographics present at McCoy. I cannot replace the community's diversity while having my children attend the same school. By closing McCoy, the District will relocate the LEAP program my son requires for educational needs from McCoy Elementary which is ranked first in the district and 132nd in the state to Good Elementary, which is ranked sixteenth in the District and 2556th in the state. To receive the education programming my son requires he will necessarily be deprived of the cultural diversity present at McCoy.

13. My daughter who has different educational needs must attend a different school to receive an equivalent educational program with similar cultural diversity as McCoy. Through the illegal actions of the Board and the District, by deliberating in private, without meaningful notice, to permanently shutter my children's school, my children will be deprived of the shared elementary school experiences that strengthen sibling bonds necessary for healthy adult relationships. The Board and District's actions created significant adverse impact on the emotional development of my elementary aged children. My children's emotional distress by uprooting of their sense of place causes me significant mental anguish.

14. I experience mental anguish as I process and help my children process their emotions through this ordeal which was thrust upon us and voted on in less than thirty days. On

February 6, 2025, I believed in our local government. I believed the school board was comprised of persons of with integrity who held the best interest of the community and the children they served in their hearts. I believed our locally elected Board members would listen to their constituents, evaluate their concerns, and vote no on the Campus Consolidation proposal, if nothing more than to provide the CFBISD community time to process the need for school closures. I was naïve and wrong. I now believe the Board intentionally, publicly, unveiled their plans on February 6, 2025, because it provided them the shortest duration between board meetings. The February 6, 2025, public unveiling meant that the Board only needed to endure twenty-eight days of public scrutiny before they could ceremonially vote and move forward with their plan on March 6, 2025.

15. Naively, I, and many in the CFBISD community, believed that the Board's integrity was intact, so we worked to engage the Board and voice our concerns, in what turned out to be a hopeless attempt, to persuade them to vote against the Campus Consolidation Plan. Within those twenty-eight days, I met with five of the seven Board members specifically to discuss discrepancies I perceived in the District's financial reports. I spent between one to three hours with Trustees Hrbacek, Hatfield, Barnes, Garza-Rojas, and Benavides. I had a brief discussion with Trustee Schackmann at a parent information night, and I reached out to Trustee Brady through text message. Trustees Schackmann and Brady were unable to accommodate a meeting. While Schackmann and Brady seemed unconcerned, the remaining Trustees were willing to help me meet with CFBISD's Chief Financial Officer.

16. In the days following the February 6, 2025, regular meeting of the Board, I investigated the financial situation of CFBISD, trying to understand how the District managed to go from a balanced budget in the 2022 fiscal year to passing deficit budgets in the 2023 and 2024

fiscal years. I learned how the State of Texas funds public schools and created a forecasting model for the District's expenditures and Foundation School Program ("FSP") entitlements. I could not reconcile the budget deficits that justified the Board's Campus Consolidation Plan. My professional experience, with decades of financial modeling experience, gave me the confidence to ask the Board why my model did not predict the deficits presented by the District.

17. I attempted to reconcile my forecasting model by reaching out to the Board members to help me understand where or why my model may have failed to reconcile with the approved budgets. I met every willing Trustee and presented my financial models and the FSP worksheets on which the model was built. The Trustees I met with had little to no familiarity with the FSP and the worksheets I presented. I met with the CFO and Deputy Superintendent Moersch on March 5, 2025. The day prior to the vote. The District's CFO stated that the District's budget is not created solely from the data provided from the FSP, but she otherwise could not explain the variations in trends that were present in the FSP. Unfortunately, I left the CFO meeting without understanding how the District funding could go from a balanced budget to an \$18 million dollar deficit in two fiscal years. What was more concerning was that the Trustees seem to have no reconcilable explanation either.

18. On March 6, 2025, I spoke during the regular board meeting, prior to the Board voting on the Campus Consolidation Plan. I again pleaded with the Board to vote against the proposal because five of the seven could not reconcile the financial variances found in the FSP and the District's approved budget. I still believed in the integrity of our elected public officials. I believed that they could not, with a clear conscience, vote for a Campus Consolidation Plan that would permanently shutter the best school in the District, especially when they could not understand or explain apparent discrepancies in the District's financial reporting. I pleaded, if

concerns remained amongst the Board about the financial reporting discrepancies I raised, they were obligated to vote against the Campus Consolidation Plan under the Texas Education Code. The Board was abrogating their duty to “monitor district finances to ensure that the superintendent is properly maintaining the district’s financial procedures and records” required by Tex. Educ. Code § 11.1511(b)(9), to allow their statements of financial need to justify their decisions to approve the Campus Consolidation Plan.

19. The Board’s justification for their Campus Consolidation Plan could not withstand public scrutiny. Each justification they presented was dispensed with by the CFBISD community within the twenty-eight days the Board afforded us to provide feedback. If the community could disassemble the rationale for the Campus Consolidation Plan within twenty-eight days, the opacity of the Board and District’s process pushing their Plan through appears intentionally designed to circumvent TOMA and the public engagement it invites.

20. The imminent and irreparable harm caused by the actions of the Board and the District stated herein, are not exclusively summarized as follows:

- a. the loss of the McCoy campus and the McCoy community supporting the educational and emotional development needs of my children and me,
- b. the ability to provide my children a similar educational experience with a diverse student population, while satisfying for both of their academic needs.
- c. mental anguish caused by the Board’s intentional brevity between the public announcement and the vote, their shifting justifications, and seemingly intentional obfuscation of their actions, all to avert public engagement, and make their jobs easier when they are determined to pass a Plan which that their constituents reject.

- d. mental anguish caused by witnessing the emotional distress, and confusion, in my children and the communities that are affected,
- e. lost belief in the integrity of our local officials and broken trust that they work in the interest of the people they represent,
- f. the disenfranchisement of my vote in the 2023 Bond election, which will forever alter my voting behavior in Bond elections; and,
- g. the desecration of deeply held and cherished ideals, that TOMA and the nepotism prohibitions, are designed to protect which afford Texans the inherent right to govern ourselves,

I offer this affidavit in support of the petition."



Brian Morrow

State of Texas

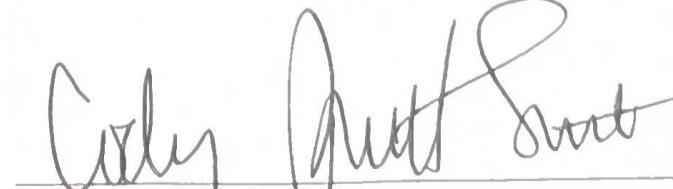
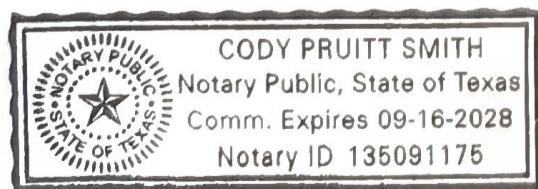
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County of Denton

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SIGNED under oath before me on

June 10 2025



Cody Pruitt Smith
Notary Public, State of Texas

CAUSE NO. _____

BRIAN MORROW, ET. AL,

Plaintiffs,

V.

RANDY SCHACKMANN, ET. AL,

Defendants,

IN THE DISTRICT COURT OF

DALLAS COUNTY, TEXAS

JUDICIAL DISTRICT

AFFIDAVIT IN SUPPORT BY LISA ANNE SUTTER

Lisa Anne Sutter appeared in person before me today and stated under oath:

1. "My name is Lisa Anne Sutter. I am above the age of eighteen years, and I am fully competent to make this affidavit. The facts stated in this affidavit are within my personal knowledge and are true and correct.
2. I am a forty-seven-year resident of Carrollton with grown children and a granddaughter who attended the Carrollton Farmers Branch Independent School District (CFBISD), and now a great granddaughter who resides with us due to the death of her mother and currently attends CFBISD.
3. My Husband, John Sutter and I are former City Council Members for the City of Carrollton, and we have been actively involved in the community for 47 years.
4. When we first found out about the school closures, we were stunned, CFBISD has been exceptional all these years and over the last several years or so, I started hearing how divisive the Trustees have become, being manipulative and secretive to the public meeting processes and the community.

5. I witnessed firsthand the lack of respect shown to the parents and community when they decided to publicly discuss the closures of schools at a February 6, 2025, public meeting and the vote that would occur the following month, on March 6, 2025.

6. I personally called several Trustees with my concerns about the lack of transparency, the lack of proper notice to the community and that the community passed over \$900 million in two Bond elections which included improvements for the very schools they have proposed to close. I asked that they not vote to close the schools and that instead perform a public outreach over the next year before deciding on any school closures. I pointed out that their consultant, Woolpert, had even stated they could delay closures until next year.

7. During a call with CFBISD Trustee, Carolyn Benavides, she told me that she had concerns over the demographic data being used from Woolpert, and when she tried to ask questions and point out discrepancies within the data, President Randy Schackmann would tell her they would get back to her and then would fail to do so. On the night of the closure vote on March 6, 2025, when she tried to publicly raise her questions, Schackmann tried to gavel her down, and only after the audience yelled to let her speak, was the staff allowed to answer. Carolyn was the lone vote against the school closures.

8. During one of my multiple calls with Kim Brady, prior to the vote, she talked about meetings the Trustees previously had with staff and the consultants, and that the Trustees planned on closing the schools and that she would not change her mind. At the same time, she told me that the district had so many Covid babies that they were going to build a new pre-school to handle the increase in students coming from that group. I questioned this as she told me the data from Woolpert indicated a reduction in students, but they planned on building a new Preschool for the increase in students. She stated that two years of \$9 million budget deficits had

to be addressed and that closing schools was the only way. When I told her that the closures would not create the savings she expected, she told me that they also planned on a 25% attrition in teachers. This was also confirmed in the presentation made by CFBISD staff during the March 6, 2025, meeting to close schools.

9. It is only through Open Meeting Records that were shared, that I and others discovered that Trustees were, as suspected, and admitted to by Trustee Kim Brady, privately meeting with consultant Woolpert about the school closures, deliberately in small groups to avoid public meetings and engagement by the community, thereby violating the Texas Open Meetings Act (TOMA).

10. As a public leader who has been and is currently required to adhere to TOMA from current and past public positions, I know this Act was enacted to ensure, protect, and promote open and transparent government that is accountable to the people. At its core, TOMA requires government entities to keep official business open to the public by ensuring that every action taken by a governmental body be voted upon by a quorum in a properly noticed meeting.

11. It appears through discovery with the Open Records request, that for several years, the CFBISD Board of Trustees engaged in a pattern of persistent, systematic, and secretive conduct for the purpose of hiding its business from the public it serves. This is not surprising given that the leaders of this group, Cassandra Hatfield (President from June 1, 2023, through June 6, 2024, “Hatfield”), Randy Schackmann (President from June 6, 2024 through Present Day, “Schackmann”), and Wendy Eldredge (Superintendent from approximately March 21, 2023 to Present Day, “Eldredge”) tightly controlled what was, and was not, included in the agenda of each Board meeting. In addition, Schackmann and Eldredge are also credibly accused of violating the nepotism prohibitions in Tex. Gov’t Code §§ 573.001-.062(b). This nefarious

conduct of the Trustees shielded its actions from the public view, while it devised a highly criticized plan to permanently shutter four schools. Purposefully, through the use of benign and non-descript meeting agenda postings, the Trustees effectively avoided public scrutiny as they developed their Campus Consolidation Plan. In addition, the actual vote on March 6, 2025, to close the school was obviously pre-planned, scripted and choreographed.

12. Regarding the previously noted Bond Elections totaling more than \$900 million, I personally participated in meetings with other community leaders to promote the passage of the 2023 bond election. I worked alongside many others, utilizing social media and direct conversations, to educate the public about the bond election and the district's need for capital improvements to schools. The voters approved both bond measures.

13. Passing the 2023 Bond package was significant enough to the Trustees and the District that they hired consultants, created a Citizen's Committee, and then charged the Citizen's Committee with developing a long-term facilities plan. In contrast, the recent actions of the Trustees, changing how the District and the Board would spend the 2023 Bond funds was not significant enough a matter in the minds of the Trustees to properly notice the public.

14. In my mind, the CFBISD Trustees and staff betrayed the public interest and trust when, barely a year after voters approved bonds on the promise, they would be used to fund improvements at specifically identified schools, they began secretly to develop a plan to close some of the identified schools and to manipulate and re-direct bond monies to other unrelated purposes. It is of great concern to me that the funds from bonds that I supported and took to the community, and that were approved by the community will be used in ways that were never approved by the voters.

15. Finally, leaders of several of the cities that have areas within the CFBISD territory were taken by surprise as well about the announcement of the closures, as they heard it for the first time at the February 2025 meeting. Various City Council members questioned the demographic data used by Woolpert, expressed concern over CFBISD's lack of open transparency and argued that CFBISD Trustees did not take into consideration the impact on the families, neighborhoods and property values as a result of closed and boarded up schools. A Carrollton council representative asked CFBISD for their reconsideration of the closures, which the Trustees refused to consider.

16. I share these concerns and others which I have enumerated herein and I offer this affidavit in support of the petition."



Lisa Anne Sutter

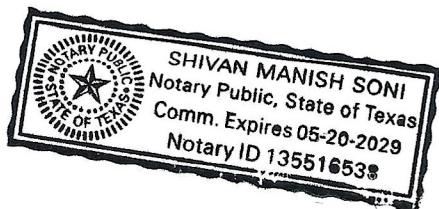
State of Texas §

County of Dallas §

SIGNED under oath before me on June 9th 2025.



Shivan Soni
Notary Public, State of Texas



CAUSE NO. _____

BRIAN MORROW, ET. AL.,

Plaintiffs,

V.

RANDY SCHACKMANN, ET. AL.,

Defendants,

IN THE DISTRICT COURT OF

DALLAS COUNTY, TEXAS

JUDICIAL DISTRICT

AFFIDAVIT IN SUPPORT BY NELLY SHANKLE

Nelly Shankle appeared in person before me today and stated under oath:

- 1.. My name is Nelly Shankle. I reside at 1603 Woodcrest Lane, Carrollton, Texas 75006, and have lived in this home since April 1993. I am over eighteen years old, of sound mind, and fully competent to make this affidavit. All statements herein are true and based on my personal knowledge.
2. We specifically chose our neighborhood so our children could attend McCoy Elementary, which has long been regarded as one of the top public schools in the area. Since then, two of our children and five of our grandchildren have attended McCoy. The school has been part of our family's life for over 30 years. My husband and I even sponsored a commemorative brick on the front of the school, a small but lasting symbol of our love and support for the McCoy community.
3. My fourth-grade grandson was enrolled at McCoy Elementary when the school board voted to close it. Since learning about the closure, he has shown stress and emotional withdrawal. He has expressed anxiety over losing his close-knit group of friends, who

AFFIDAVIT IN SUPPORT BY NELLY SHANKLE

have been together since kindergarten, and he now dreads going to school. His enthusiasm for learning and being in a classroom has significantly diminished.

4. My daughter, who lives next door, is now considering selling her home and moving to a different school district. This would have devastating effects on our family's support system. We used our retirement savings to help her purchase her home near us so her children could go to McCoy, and we frequently care for our grandchildren. We are their support system. Our decision to settle here long-term was based on the strength and stability of McCoy Elementary.
5. McCoy was the heart of our neighborhood. It brought together families, created deep community bonds, and gave new residents confidence in the area's schools. Its closure has caused a profound sense of loss. Families are leaving, home values are declining, and morale has plummeted. Neighbors who bought homes here for McCoy's reputation are devastated.
6. I heard rumors that McCoy might be on the chopping block, but I didn't believe it at first. I asked around and learned the CFBISD Board had a meeting scheduled for February 6, 2025. That was the first time the proposal to close McCoy was presented to the public. No one from the District had warned us beforehand. There was no meaningful outreach.
7. In support of the 2023 Bond, the District formed a "Citizen's Bond Planning Committee" to determine how to allocate funds for an upcoming bond election. That committee, which included parents and residents, recommended renovations for both McCoy Elementary and Central Elementary. Based on those recommendations, the bond package was presented to the public and approved by voters in May 2023. My family and I supported the bond because we believed it would directly benefit our neighborhood schools. However, just months later, the District hired Woolpert, a consulting firm known

for advising districts on school closures. This sudden shift shows that the District was already considering school consolidation or closures while publicly campaigning for school improvements. It was a betrayal of public trust and a misleading use of citizen participation.

8. I do not believe the board gave us, or anyone in the public, a real opportunity to influence their decision. They had already written apology speeches before the vote, indicating their minds were made up. No real dialogue took place. There was never an open forum to ask questions or present alternatives.
9. The process felt deceptive and deliberately hidden. Instead of engaging with the public, the District rushed a major decision that affects thousands of students and homeowners. That betrayal has completely destroyed my trust in the board. The way this was handled makes me question the integrity and competence of those in charge.
10. This situation has caused me significant anxiety, sleepless nights, and a deep sense of powerlessness. I've spent decades investing in this neighborhood, volunteering at the school, and supporting the district. I never imagined that such a monumental decision could be made without transparency or public input.
11. What has been lost is irreplaceable. McCoy's unique culture and excellence—what we called the "McCoy Magic"—cannot be recreated elsewhere. You cannot transfer a student from a top-rated school into a school with far lower ratings and expect the same outcome. More than that, you cannot rebuild the trust that has been broken. I no longer believe the board is acting in good faith or in the interest of our children.
12. No amount of money can restore what has been taken from us. This isn't about compensation. It's about community. It's about children. It's about honesty from those

elected to serve. The damage to our family and our neighborhood is profound, and it cannot be undone with a check.



Nelly Shankle

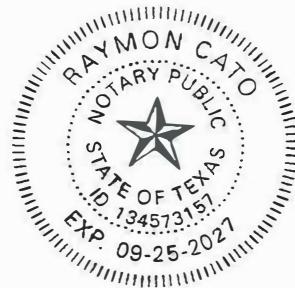
State of Texas §

County of Smith §

SIGNED under oath before me on June 10, 2025.



Notary Public, State of Texas



CAUSE NO. _____

BRIAN MORROW, ET. AL.,

Plaintiffs,

v.

RANDY SCHACKMANN, ET. AL.,

Defendants,

IN THE DISTRICT COURT OF

DALLAS COUNTY, TEXAS

_____ JUDICIAL DISTRICT

AFFIDAVIT IN SUPPORT BY VENUS BASARAN

BEFORE ME, the undersigned authority, on this day personally appeared VENUS BASARAN, who being by me duly sworn, stated as follows:

1. "My name is Venus Basaran. I am over the age of eighteen (18) years, of sound mind, and competent to make this affidavit. I currently reside at 1800 Fernwood Circle in Carrollton, Texas, and have lived in this home for the past 12 years.
2. I am the parent of Nova Basaran, my five-year-old daughter, who is set to begin first grade in August 2025. She attended McCoy Elementary School for kindergarten during the 2024–2025 school year.
3. On or around February 6, 2025, I, along with other parents, was notified by the Board of Trustees of a "possible" closure of McCoy Elementary. On March 6, 2025, the Board voted to close McCoy Elementary, along with three other campuses, giving our community only 28 days' notice prior to this decision being finalized.
4. McCoy Elementary is a top-rated school, scoring 10 out of 10 on GreatSchools.org, and is known for its high academic standards and rich diversity, which was one of the most important

AFFIDAVIT IN SUPPORT BY VENUS BASARAN

factors for me as an immigrant mother in choosing to raise my daughter here. My family, including my half-brother who graduated from McCoy, has always viewed the school as a central part of our lives and community.

5. I have built my life around this community. I've lived in Carrollton for over a decade, built friendships here, and am involved in volunteer work including at the local animal shelter and the Carrollton American Legion. We chose this location specifically so that my daughter would benefit from attending McCoy.

6. Since the school district cannot provide a school like McCoy in academic achievement and diversity, I am forced to look outside Carrollton-Farmers Branch Independent School District. The school closure has forced my family to completely alter our plans for housing, finances, and my daughter's education. My daughter has been deeply upset about her school closing. While we were approved for a transfer to Rainwater Elementary (where she previously attended Pre-K), we are not zoned for that school and must reapply every single year—with no guarantee she will be accepted. This instability is unacceptable and has created immense stress and uncertainty for my family.

7. As a result, I am now attempting to move into the Lewisville Independent School District, specifically to the Old Settlers Elementary School zone, which offers similar academic quality and diversity. However, because of the district's delayed vote and the rushed notice, I was not able to apply for a transfer, as the transfer window in LISD had already closed by the time I was able to act. CFBISD does not care about the disruption they cause in our lives. I cannot trust their ability to run the school district. I do not believe they will tell us when they close more schools. My daughter needs stability right now and I do not trust CFBISD will not to do this again. They could not give us time to plan. I cannot risk that they will close my daughter's

school when they do this again. We are losing so much now because the school district did not notify us, we cannot go through it again. LISD closed schools but gave the families time to plan.

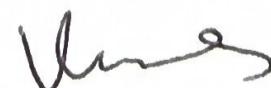
8. This situation is forcing me to make difficult financial decisions. I do not have adequate time to sell my home, buy a new one, and manage international travel for urgent family matters before the school year begins. I am now pursuing loans to purchase a second home while keeping the one I currently own if, by chance, the school district is stopped, and the Board of Trustees is removed.

9. The lack of transparency and rushed decision-making, and potential violation of Texas's Open Meetings Act by the Board of Trustees has caused irreparable harm to my family. We have lost the ability to plan effectively plan our daughter's 2025-2026 school year. This disruption affects her emotional well-being, our financial stability, and our long-standing connection to the Carrollton community.

10. Furthermore, the closure of McCoy Elementary is likely to negatively impact the value of my home, as property values are closely tied to school zoning and school quality.

11. My family, like many others, has been deeply affected by this decision. We are being forced to uproot our lives, navigate complex bureaucratic and financial barriers, and do so with no guarantee of stability for our children—all because of a process that lacked community input, transparency, and due process.

12. I make this affidavit in support of legal action against the Board of Trustees for violating transparency laws and to give voice to the real harm their actions have caused.”



Venus Basaran

State of Texas

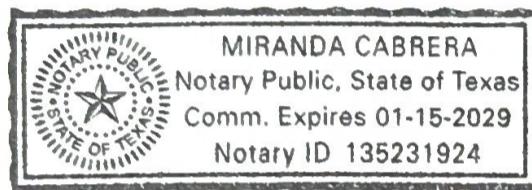
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County of Dallas

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SIGNED under oath before me on June 11th, 2025

Miranda Cabrera
Notary Public, State of Texas



Notary Public – State of Texas

My Commission Expires: 01/15/29

CAUSE NO. _____

BRIAN MORROW, ET. AL,

§

Plaintiffs,

§

V.

IN THE DISTRICT COURT OF

RANDY SCHACKMANN, ET. AL,

§

Defendants,

§

DALLAS COUNTY, TEXAS

_____ **JUDICIAL DISTRICT**

AFFIDAVIT IN SUPPORT BY AMANDA M. NAUERT

Amanda M. Nauert appeared in person before me today and stated under oath:

1. "My name is Amanda M. Nauert. I am over eighteen years of age. I suffer no legal disabilities. I am of sound mind, and I am capable of making this declaration.
2. My husband Aaron Nauert and I are registered voters and taxpayers residing in Carrollton, Texas within the boundaries of the Carrollton-Farmers Branch Independent School District ("CFBISD").
3. We are the parents and legal guardians of an 8-year-old child who attended McCoy Elementary School during the 2023-2024 and 2024-2025 school years.
4. In early 2021, our son, then four years old, was evaluated by the Carrollton-Farmers Branch Independent School District (CFBISD) and determined to qualify for Early Childhood Special Education (ECSE). He was immediately enrolled in pre-kindergarten under this program. We understood that ECSE was not available at every campus; however, we reasonably expected that once he reached kindergarten age, he would attend our zoned campus, Rainwater Elementary, which is located directly behind our residence.

AFFIDAVIT IN SUPPORT BY AMANDA M. NAUERT

5. From April 2021 through the end of that school year, he attended McWhorter Elementary. Due to his birthdate, he was not yet eligible for kindergarten the following year 2021–2022 and instead attended a full year of ECSE pre-kindergarten assigned to Kent Elementary.

6. Despite Rainwater Elementary being a highly rated campus and a core reason for our home purchase in 2016, it did not offer an appropriate classroom for students with Autism Spectrum Disorder (ASD). The same was true for Kent, Good, and other highly rated northern campuses in the district. Consequently, for the 2022–2023 school year, our son was assigned to Davis Elementary—a campus with a below-average rating, known to be overcrowded and socioeconomically disadvantaged.

7. We were informed that Davis was implementing an inclusive “Kinder Co-Teach” model, wherein general education and special education teachers collaborated to serve neurodiverse students alongside their general education peers. However, this was the program's inaugural year at Davis, and execution fell drastically short. The general education teachers were young and inexperienced, and only one special education teacher was responsible for servicing multiple classrooms and subjects. Some of the general education peers in the co-teach setting—while not formally diagnosed—exhibited significant behavioral and emotional challenges. Our son, who is a gestalt language processor and learns through mimicry and scripting, was placed in an unsuitable, sometimes unsafe, and ultimately ineffective learning environment for all involved.

8. Moreover, Davis Elementary failed to timely identify signs of dyslexia in our son. We expressed concern to teachers and administrators as early as January 2023. We began completing the requisite evaluation request forms and soliciting feedback from our private

speech and language therapists. Although we formally requested an evaluation in February 2023 the administration delayed the process. When the assessment was eventually conducted and the results provided at ARD the following May we were told dyslexia was not indicated. Finally, a week after school was out, we were contacted to pick up a letter from the Davis front office stating in fact dyslexia was an issue for our student. Kent Elementary would later determine the Davis evaluation was inadequate, confusing and needed to be redone. It was not until we reached McCoy that our son began receiving dyslexia intervention services. This delay caused significant emotional stress, hindered early intervention, and further eroded our trust in the district's commitment to our child's academic development.

9. Our son's kindergarten year was marked by emotional regression, academic stagnation, and persistent school aversion. He expressed anxiety each morning, often accompanied by tears and physical complaints. In March 2023, the ARD (Admission, Review, and Dismissal) Committee incorrectly determined he no longer required special education services and placed him in general education with some support services outlined in his IEP. Given our discontent with Davis, we opted to re-enroll him at Kent for the 2023–2024 school year to provide some continuity in a familiar environment.

10. Unfortunately, his transition to a general education setting at Kent was marred by a lack of teacher preparedness and understanding of neurodiversity. Within two months—following continuous challenges, parent-teacher meetings, and declining mental health across our household—Kent's principal recommended exploring placement in the ABC program at nearby McCoy Elementary.

11. (“ABC”) stands for Academic Bridging Classroom. These classes offer smaller student to teacher ratios, embedded paraprofessionals and a classroom experience designed to

support students with autism who perform at or near grade level. This allows for full inclusion with their general education peers during Specials, Recess, Lunch and the opportunity to join the GenEd classrooms for subjects in which they do not require extra support. It is a steppingstone into general education while addressing significant but not profound developmental delays.

12. Upon transferring to McCoy, we were immediately impressed. The administration, faculty, and campus culture exceeded all prior experiences. Communication was consistent and professional, the student body was diverse and engaged, and our son began making tremendous strides academically and socially. By the end of the 2023–2024 school year, he exhibited confidence, emotional regulation, and had developed meaningful friendships. We enthusiastically secured his 2024–2025 placement through the district’s Fast Pass early enrollment initiative.

13. McCoy Elementary, the nearest campus to our home offering the ABC program, is the only A-rated campus in the northern portion of the district with such services. While we reside within CFBISD boundaries, our Denton County address places us outside McCoy’s feeder zone—technically closer than Davis but zoned differently. We qualified for McCoy via in-district transfer.

14. On April 12, 2024, we received our online registration confirmation of our son’s continued enrollment at McCoy (confirmation number 266452 effective 04-12-2024 10:45am).¹ However, on June 13, 2024, we were notified by email that a district-wide “Program Review” would reassign students to their zoned feeders,² which was apparently more important than fit, performance, or parental concerns. We were instructed to prepare for reassignment to Davis. Despite our prompt objections and repeated appeals citing proximity and program availability,

¹ Online Registration Confirmation dated 20240412

² 24-25 CFB ISD Campus Assignment dated 20240613

we were not granted the option to remain at McCoy at that time. Alternative campuses offered (Davis, Thompson, Stark) were not comparable in quality or rating.³

15. We were ultimately allowed to remain at McCoy after spending the entire Summer break locked in a contentious back and forth with the district. We believe now based on documents, email discussions and the piecing together of a timeline of events that we, and others, were being directed away from McCoy either because the decision to shutter it had already been reached or because the District needed to show low utilization numbers in order to justify McCoy, the highest performing elementary school in the district, being selected for consolidation.

16. Now that the Board and District have decided to close McCoy as part of the Campus Consolidation Plan our son will be entering third grade in the 2025–2026 school year, at Thompson Elementary which will mark his fifth campus placement in as many years. He has endured repeated disruptions—not due to family relocation, but due to the district's limited placement infrastructure and lack of focus on student well-being. In the Bond Oversight Committee meeting held January 23, 2024, Special Services representatives acknowledged that their students in CFBISD can expect to change campuses 7–10 times mostly during elementary school.⁴ This is deeply concerning.

17. We have resided in Carrollton since purchasing our home in 2016—prior to our son's birth. We selected our home under the reasonable belief that he would receive a quality education at our neighborhood school. We did not anticipate the complexities of a future autism diagnosis, nor could we have foreseen that specialized classrooms would only be hosted at

³ 2023-2024 Comparison school performance ratings via TEA website as of 6/10/2025 at 1:25pm

⁴ Bond Oversight Committee meeting minutes 01/23/2024, pg. 3

under-resourced campuses, based not on student need but internal logistics and Title I considerations.

18. The continual disruption, emotional toll, academic delays, and lack of consistent educational planning have compromised our child's fundamental right to a meaningful education. McCoy was the first and only school environment where our son felt seen, supported, and successful. The ill-conceived and improperly reached decision to consolidate our schools forcing us into yet another reassignment without any concern for long-term outcomes—epitomizes a systemic disregard for student stability and parent input.

19. As I understand it the Texas Open Meetings Act (TOMA) was established to ensure that public business is discussed and decided in open forums, preserving Texans' fundamental right to participate in and oversee the actions of their government. Although the CFBISD Board of Trustees and District administrators receive annual training on TOMA, they knowingly chose to conduct deliberations in private, without proper public notice, in a series of meetings that constituted a quorum in February 2024 and January 2025. These meetings, held in conjunction with outside consulting agencies, led to the development of a plan to permanently close four schools—each located within the City of Carrollton. Rather than promoting transparency, the Board and District appeared to intentionally limit public awareness by using vague or misleading agenda language, even when items were directly related to the long-term facilities strategy approved by voters during the 2023 Bond election, which was developed by the Citizens' Committee. This pattern of behavior has eroded my confidence in the Board's commitment to open governance. I no longer believe that transparency or accountability are their guiding principles. For myself and many others in the CFBISD community, the democratic values that TOMA was designed to protect have been compromised.

20. As a direct result of the actions taken by the Board and the District, I and my family have suffered—and continue to face—imminent and irreparable harm. This includes, but is not limited to, the following:

- a. The loss of the McCoy Elementary educational community that provided vital support to my child.
- b. Significant emotional distress and mental anguish arising from the short interval between the public release of the Campus Consolidation Plan and the Board's swift vote to approve it, leaving no meaningful opportunity for community input.
- c. Emotional hardship stemming from the lack of credible or substantiated reasons presented by the District to justify the campus closures.
- d. A deep sense of mistrust and perceived injustice caused by repeated instances of nepotistic conduct involving both the Board and District leadership.
- e. A profound loss of faith in the foundational principles safeguarded by the Texas Open Meetings Act and state nepotism statutes—principles intended to ensure that Texans retain the right to govern themselves through openness, accountability, and integrity in public institutions.

I offer this affidavit in support of the petition.”



Amanda M. Nauert

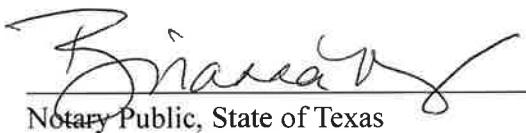
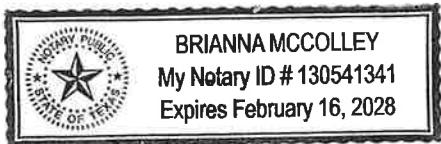
State of Texas

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County of Dallas

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SIGNED under oath before me on June 10th, 2025.



Brianna

Notary Public, State of Texas

CAUSE NO. _____

BRIAN MORROW, ET. AL.,

Plaintiffs,

V.

RANDY SCHACKMANN, ET. AL.,

Defendants,

IN THE DISTRICT COURT OF

DALLAS COUNTY, TEXAS

JUDICIAL DISTRICT

AFFIDAVIT IN SUPPORT BY IRIS MOORE

Iris Moore appeared in person before me today and stated under oath:

1. "My name is Iris Moore. I reside at 1420 Tierra Calle, Carrollton, Texas 75006, and have lived there since December 2015. I am over eighteen years old, of sound mind, and fully competent to make this affidavit. All statements herein are true and based on my personal knowledge.
2. My husband and I intentionally purchased our home in this neighborhood because it was zoned for McCoy Elementary, which at the time had recently been designated a National Blue Ribbon School. We were starting our family and wanted our children to attend a top-performing neighborhood school. It was not just a home. It was a plan for our children's future.
3. My eldest child attended McCoy for kindergarten during the 2024–2025 school year. Due to the District's decision to close McCoy Elementary, he is now being forced to transfer to a new campus. Our assigned school, Blanton Elementary, has an extremely low academic rating (4 out of 10 on GreatSchools), in contrast to McCoy's 10 out of 10. That option was

unacceptable, so we submitted a transfer request to Rainwater Elementary, which has a 7 out of 10 rating and a STEM academy. We were fortunate to be approved, but the process was anxiety-inducing. We will now have to reapply for a transfer every year.

4. My son suffers from anxiety. His kindergarten teacher confirmed our concerns, and he began therapy sessions every other week early in the school year. During the school closure process, his sessions sometimes increased to weekly. He was also included in a small group for students with social anxiety that met with the school counselor during lunch. These interventions helped, but the closure caused a noticeable regression. He was aware of the proposal and of the vote to close McCoy, but it wasn't until the end-of-year farewell event that the loss truly hit him. After saying goodbye to his teacher, principal, and friends, he cried for hours.
5. Had we known about the school closure plan, we never would have encouraged my parents to buy a home in our neighborhood as they did in September 2023. We likely would have moved to a different area with stronger school options and had them move close to us. But the District's disclosure came too late to make those decisions.
6. Now we feel trapped, locked into a home in a suddenly undesirable school zone, with property values likely to fall and with no acceptable neighborhood school option. Our son's friends have scattered. One is attending a private school, another is transferring out of the district, and a third is being relocated due to program displacement. None are attending Blanton.
7. In the weeks following the announcement, I began noticing more "For Sale" signs in the neighborhood than usual, which is concerning given the current market conditions. This confirms a growing sense of instability and loss of confidence in the district.

8. I helped lead the Save McCoy campaign and witnessed firsthand how our community came together in grief, confusion, and anger. We held protests, organized information sessions, and pleaded for answers, but our efforts were ignored. We were met with vague presentations, unanswered emails, and performative public meetings.
9. I had never been politically active before this. I served on the PTA, volunteered regularly, and maintained strong communication with teachers. I believed that was enough to be an informed parent. I never imagined I would have to monitor Board agendas or attend administrative meetings to protect my child's education.
10. The District presented their Campus Consolidation Proposal at the February 6, 2025 Board Meeting. One week later, on February 13, they held a "Consolidation Information Meeting" for McCoy parents. That meeting made the news because of parents' frustration and outrage over the District's unwillingness to answer questions. The staff was unprepared, and it was clear they did not expect scrutiny. On March 6, I spoke at the Board Meeting before the vote. I called out the District for using inaccurate or outdated demographic data, which a Farmers Branch city council member had already publicly disputed. I pleaded with the Board to delay their decision until they could review correct information. They ignored our concerns.
11. This experience has deeply eroded my trust in CFBISD. The District's state rating dropped from a B to a C this year. Yet they closed their highest-rated school with little notice, no public involvement, and questionable data. After the vote, I received an unsolicited phone call from CFBISD's Mental Health and Behavior Department. It felt like intimidation. I became afraid that my activism might trigger retaliation against my child. I hesitated to join this lawsuit for that very reason. But I ultimately decided that our children and our community deserve better. Elected officials must be held accountable.

12. This ordeal has taken an emotional toll. I suffered from insomnia, anxiety, and burnout while organizing events, fielding media requests, and trying to protect my child's well-being. I cried with him the day McCoy said goodbye. I cried alone on the nights I couldn't sleep. But I kept going, because my child's education is worth fighting for.

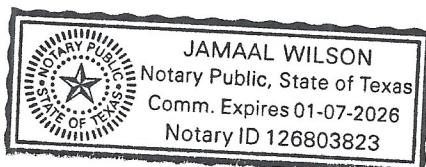
13. The harm done cannot be undone. I cannot reopen McCoy or move back in time. The District betrayed its voters. They asked for bond money to renovate McCoy, never completed those renovations, then cited the school's age and condition as a reason to shut it down. That is deceptive and cruel.

14. No amount of money can compensate for what has been lost. I am not seeking damages. I want good schools, honest leadership, and a school district that does not operate under a cloud of secrecy. CFBISD is large, well-funded, and full of potential. But it is being dragged down by poor decisions, unchecked administrators, and a School Board that failed in its duty to protect students and earn public trust."

Iris Moore
Iris Moore

State of Texas §
County of Dallas §

SIGNED under oath before me on 6/9/2025.



Jamaal Wilson
Notary Public, State of Texas

CAUSE NO. _____

BRIAN MORROW, ET. AL.,

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Plaintiffs,

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V.

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RANDY SCHACKMANN, ET. AL.,

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Defendants,

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IN THE DISTRICT COURT OF

DALLAS COUNTY, TEXAS

JUDICIAL DISTRICT

AFFIDAVIT IN SUPPORT BY CANDACE HOPE VALENZUELA

BEFORE ME, the undersigned authority, personally appeared CANDACE HOPE VALENZUELA, who, being by me duly sworn, stated as follows:

1. "My name is Candace Hope Valenzuela. I am over eighteen years old, fully competent to make this affidavit, and everything stated here is based on my personal knowledge and is true and correct.
2. I've lived in the Carrollton-Farmers Branch ISD for over 11 years, since I first moved to the Dallas area. I first got publicly involved with the district in 2017 when I ran for school board and won. I was proud to be the first Black woman and the first Latina to serve on the board, representing over 26,000 students and their families. I served from 2017 to 2019.
3. In 2019, my oldest son started school in the district, first virtually through McKamy Elementary and later as a student at McCoy Elementary, where he just finished fourth grade. My younger son just completed pre-K at another CFBISD elementary school.
4. Even after my term on the board, I stayed involved. While working as a federal appointee in the Biden administration (a job that required me to travel frequently), I stayed connected to the

district. My husband was active in the PTA, and I continued to advise parents, board candidates, and even current trustees because I care deeply about this community and the people who serve it.

5. That's why I was blindsided when I heard that my son's school, McCoy, was going to be closed. A board member gave me a heads-up in January 2024 that something was coming, and I attended a meeting in early February. What I heard that night stunned me: four elementary schools were likely to be shut down within a few months.

6. I wasn't the only one surprised. Even longtime city officials who had served our community for decades didn't know this was coming. A year prior, when I had heard rumblings of school closures elsewhere, I asked the district directly if that was a possibility. I was told no, that the budget was in great shape. I had even sat down with Superintendent Wendy Eldredge to talk about ways the district could work with the six cities it serves to ensure housing policies supported teachers and young families, heading off at the pass any possible issues because I knew firsthand how hard it was for young families and teachers to stay in the neighborhoods they preferred.

7. I did everything someone could reasonably do to stay informed and involved, and still, I was caught off guard, just like any parent hearing the news from a local broadcast.

8. At first, I leaned on the trust I had in some current board members, like Tara Hrbacek, Marjorie Barnes, and Ileana Garza-Rojas. I joined conversations with other McCoy parents, trying to bring clarity, calm, and transparency. I reassured people that no one was acting in bad faith, that this was a hard but necessary decision. But as more parents started asking tough questions, things started to feel off.

9. The reasons for closing McCoy kept shifting. First, we heard it was academic performance, but McCoy is in the top 2% of elementary schools in the state. Then it was enrollment, but we had over 100 transfers and a waitlist. The most serious justification was the building's condition, but other schools with similar issues weren't being closed. I also found out that the budget was NOT fine and had been in deficit for 3 years. None of it added up.

10. Then I saw something that shocked me to my core. Fellow parent Mary Patton shared the results of an open records request that included internal district emails. That's when I learned the board had been using something they called "2x2s", informal meetings between small groups of trustees that kept the board from forming a quorum. They used these meetings to discuss the school closures.

11. On the surface, it might just look like a scheduling workaround. But I've served on this board. I understand the Texas Open Meetings Act. These kinds of discussions, about school closures that affect thousands of families, are meant to happen in public. These weren't minor procedural conversations. They were about decisions that would deeply impact our children, our teachers, and our neighborhoods. And from what I saw, they were happening behind closed doors, in a way that, to me, appeared to deliberately avoid public accountability.

12. What really broke my trust was realizing this process wasn't just mishandled, it was hidden. It didn't just hurt me as a parent. It hurt my trust in the institutions I've worked within and tried to strengthen. More importantly, it hurt our community's children, and similar decisions would continue to put the district and them at greater risk.

13. The trust I had in the district, the kind that allowed me to take on a demanding federal job while my sons stayed grounded and thriving at home, was built on the relationships my husband and I have had with their teachers and principals. These weren't just educators doing a job; they were

professionals who knew my sons personally, understood their strengths and challenges, and supported them with care. My boys have learning disabilities, and at every IEP meeting, I felt seen, heard, and supported. Those meetings weren't just routine, they were collaborative and affirming.

14. To find out, less than half a year before the end of school, that those same teachers might not even have jobs next year, and that students with special needs or in programs like LEAP and AVID might lose the support systems they relied on was heartbreaking. There was little to no communication. Parents were left scrambling. Teachers were left in the dark until days before the end of school.

15. We still don't have firm answers about whether programs like LEAP will remain stable after next year, and many families, feeling equally in the dark, have already left. Some of my son's classmates have transferred to charter schools, others are being homeschooled, and several families have even moved their children to elementary schools in neighboring districts. My son feels like his community has been shattered, and it's hard for him to understand why. He even participated, by his own request, in protests against the district's decision to close the schools.

16. We hoped that being active would help him process everything, but the anxiety hasn't gone away. He's had trouble sleeping. The night after his last day at McCoy, he woke up in the middle of the night sobbing, and I had to hold him until he calmed down. He's not the only one. I've spoken with parents of kids as young as four and as old as eleven who are experiencing distress, confusion, and fear. And through it all, there's been no meaningful outreach from the district to offer support.

17. I'm sharing this not just as a former trustee or public servant, but as a mom, one who did everything I reasonably could, and still got blindsided by a process that wasn't transparent, wasn't fair, and from what I've seen, wasn't legal.

18. I make this affidavit in support of the claim that the school board's decisions regarding these closures were made without the open and lawful process required by the Texas Open Meetings Act. And I do so because I believe our children, and our communities, deserve better."

Further affiant sayeth not.

Candace Valenzuela

Candace Hope Valenzuela

State of Texas §

County of Denton §

SIGNED under oath before me on 06/09/2025.

Notarized online using audio-video communication



Joseph Byers

Notary Public, State of Texas

CAUSE NO. _____

BRIAN MORROW, ET. AL,

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IN THE DISTRICT COURT OF

Plaintiffs,

V.

DALLAS COUNTY, TEXAS

RANDY SCHACKMANN, ET. AL,

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Defendants,

_____ JUDICIAL DISTRICT

AFFIDAVIT IN SUPPORT BY KATHERINE E. HUGHEY

Katherine E. Hughey appeared in person before me today and stated under oath:

1.

“My name is Katherine E. Hughey. I am a resident of Carrollton, Texas, over the age of eighteen, of sound mind, and under no legal disabilities. I am fully competent to make this declaration. I am the Plaintiff in this matter, and the facts set forth herein are true, correct, and based on my personal knowledge.

2.

I am the mother of one child—my only son—who is nearly four years old. As he approached kindergarten, our family made firm and hopeful plans for him to attend McCoy Elementary School. It was not merely a logistical choice but a deliberate, values-based decision to invest in a community centered around a school known for academic excellence and neighborhood cohesion.

3.

McCoy Elementary was more than a school to us—it was the cornerstone of our neighborhood and our future. Its stellar reputation, walkability, and community-centered culture were decisive in our choice to establish long-term roots in Carrollton.

4.

I have long served the Carrollton community through volunteer efforts in the civic and arts sectors. McCoy Elementary was an extension of that service—an anchor institution that brought together families, inspired children, and enhanced civic pride.

5.

When I learned that McCoy Elementary was targeted for closure, I acted swiftly and without hesitation. As a degreed architect, I voluntarily produced and submitted a professionally developed counter-concept proposal to the District and to each member of the Carrollton City Council. This was not a symbolic gesture—it was a tangible, feasible alternative rooted in my professional training and civic responsibility.

6.

My proposal specifically challenged the District's stated justifications for closure—most notably the alleged safety concerns. I demonstrated, through objective site analysis, that McCoy's location offered superior access to nearby police and fire services. I also emphasized the school's economic importance, noting that within hours of a simple online community survey, over 30

individuals cited McCoy Elementary as the sole reason for choosing to purchase homes in the area.

7.

My intent was clear: to use my expertise to protect a critical community institution. McCoy represented not just quality education, but neighborhood stability, cultural variety, and long-term economic and social investment for hundreds of families.

8.

I believe the actions taken by the CFBISD Board of Trustees and administration constitute a breach of ethical duties and represent violations of state law and the public trust. The closure of McCoy was not handled with transparency, community input, or fidelity to the values the District purports to uphold.

9.

Despite receiving formal training under the Texas Open Meetings Act, CFBISD leaders held private meetings with paid consultants where key decisions were made without genuine public discourse. These decisions were later presented as final, giving families like mine no real opportunity to participate in or influence the outcome.

10.

The school closure plan announced in the 2024–2025 school year targeted four campuses, including McCoy Elementary. The process was abrupt, lacking in due process, and devoid of the open dialogue essential to good governance and public education stewardship.

11.

Additionally, I harbor serious concerns regarding apparent nepotism and conflicts of interest in the District. Superintendent Wendy Eldredge hired individuals with familial ties to sitting board members. Even if technically permissible, such actions severely undermine public confidence in fair and impartial decision-making.

12.

I am on record in *Star Local Media* prior to closure proposals stating that our family moved to Carrollton based on one unwavering criterion schools and the perfect 10/10 ranked school. This reflected the academic and ethical priorities we held for the upbringing of our future offspring.

13.

Since the closure announcement, our family has endured significant emotional distress. Our son has been denied the chance to begin his educational journey at the school we planned for. We are now scrambling to find alternatives—none of which match McCoy’s cultural richness, reputation, or proximity. The instability and grief this has caused is immeasurable.

14.

I have sought medical treatment due to stress and insomnia triggered by the closure process and the emotional toll it has taken. This ordeal coincided with the loss of my mother—an irreplaceable life event now forever overshadowed by upheaval and bureaucratic callousness. The early years with my child, already shortened by grief, have been further fractured by this disruption.

15.

I contacted CFBISD trustees, staff, and city leaders numerous times via email and phone. I offered reasoned feedback, alternative proposals, and heartfelt pleas to reconsider the closure. These communications were largely ignored or brushed aside, leaving parents and community members silenced.

16.

I addressed the Carrollton City Council on two separate occasions—between the February of 2025 public briefing by the District and the vote for closures in March of 2025 —speaking not only as a mother and practicing degreed architect but as a taxpaying, engaged citizen. Despite heartfelt, informed public testimony from myself and others, our voices were dismissed, and the vote proceeded without meaningful consideration of community feedback.

17.

McCoy Elementary occupies a highly desirable plot of land in central Carrollton—a location that is undoubtedly attractive to predatory developers. Its closure and potential repurposing represent not just a loss of educational space, but the stripping of public land to fuel private interests. The school was an economic engine—surrounding property values were elevated by its presence, and real estate activity consistently linked McCoy as a driver of neighborhood appeal. The closure has caused immediate and measurable drops in nearby property valuations, hurting local families' financial security.

18.

The District's school closure plan has disproportionately targeted campuses in the City of Carrollton, which comprises roughly 60% of CFBISD's school locations. Despite serving multiple municipalities, the burden of closures has fallen almost exclusively on Carrollton. This inequity raises serious concerns about fairness, representation, and potential bias in how resources and burdens are distributed within the District.

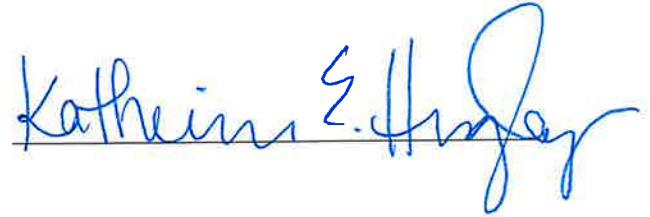
19.

I submit this affidavit in support of the petition due to the imminent and irreparable harm inflicted upon me and others by the actions of the Board of Trustees and the Carrollton-Farmers Branch Independent School District. These harms include, but are not limited to, the following:

- a. The severe emotional distress and mental anguish inflicted on myself and my family arising from the Board's abrupt and insufficiently transparent timeline—from the public disclosure of the Campus Consolidation Plan to its subsequent approval—resulting in a profound sense of shock, disempowerment, and betrayal;
- b. The compounding emotional trauma resulting in documented medical attention caused by the District's reliance on questionable, unsubstantiated, or misrepresented data and justifications used to advance the Campus Consolidation Plan, particularly where such justifications have been demonstrably refuted or publicly contested;
- c. A sustained erosion of public trust stemming from recurring indications of nepotistic practices within the governance and administrative ranks of the District and Board, which undermine both the integrity of public service and the perception of fair decision-making;
- d. The degradation of principles enshrined in the Texas Open Meetings Act (TOMA)—principles which affirm that public institutions must act with transparency and integrity and that Texans have the inherent right to participate meaningfully in the governance of their communities.

These cumulative injuries, in both tangible and intangible form, are ongoing, irreparable, and not readily remediable through monetary relief alone.

I offer this affidavit in support of the petition."



Katherine E Hughey

State of Texas

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County of Dallas

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SIGNED under oath before me on June 10, 2025.



Notary Public, State of Texas

Automated Certificate of eService

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Brian Morrow on behalf of Brian Morrow
Bar No. 24110136
b.thomas.morrow@gmail.com
Envelope ID: 101920377
Filing Code Description: Original Petition
Filing Description:
Status as of 6/18/2025 1:57 PM CST

Case Contacts

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