

*[This document should be used for Trustee elections only- please  
Consult with bond counsel for an order postponing a bond election]*

**ORDER OF THE BOARD OF TRUSTEES DECLARING THE  
POSTPONEMENT OF THE DISTRICT'S MAY 2, 2020 ELECTION  
TO THE NOVEMBER 3, 2020 UNIFORM ELECTION DATE**

**WHEREAS**, the \_\_\_\_\_ Independent School District (the “*District*”) is a political subdivision of the State of Texas (the “*State*”); and

**WHEREAS**, the Board of Trustees of the District (the “*Board*”) serve staggered three-year terms, the Board elections are held in May of each year (the “*Trustee Election*”), and the District scheduled its current Trustee Election to be held within the boundaries of the District on the May 2, 2020 uniform election date; and

**WHEREAS**, State and local officials have determined that a State of Emergency exists in Texas due to the public health risks posed by COVID-19; and

**WHEREAS**, the recent COVID-19 outbreak has resulted in the closure of schools, businesses and other public gathering places statewide and is reasonably anticipated to interfere with the Trustee Election; and

**WHEREAS**, the District administrators continue to respond to new recommendations and guidance related to public health and safety from national and state educational and public health officials, including the Governor of the State, Gregg Abbott (“*Governor Abbott*”) during this rapidly developing situation; and

**WHEREAS**, pursuant to the powers conferred on the Governor of the State, Governor Abbott issued a proclamation on March 13, 2020 certifying that COVID-19 poses an imminent threat of disaster in the state and declaring a state of disaster for all counties in the State; and

**WHEREAS**, pursuant to the powers conferred on the Governor of the State, Governor Abbott issued a proclamation on March 18, 2020 suspending certain provisions of the Texas Election Code and the Texas Water Code to allow all local political subdivisions that are utilizing the May 2, 2020 uniform election date to postpone their election to the November 3, 2020 uniform election date (the “*March 18<sup>th</sup> Proclamation*”); and

**WHEREAS**, the Office of the Governor suspended certain provisions of Chapter 551, as amended, Texas Government Code, to allow governmental bodies to conduct meetings via teleconference or video conference, subject to certain provisions of the advisory issued by the Office of the Governor, until such suspension is terminated by the Office of the Governor or the March 13, 2020 disaster declaration is removed or expires;

**WHEREAS**, the District officials acknowledge and agree that the District is impacted by a state and national public health crisis that is rapidly changing and therefore, the District’s primary concern is the health and safety of voters, election workers, and local election officials; and

**WHEREAS**, the Board hereby finds and determines that it is in the best interest of the District to postpone the Trustee Election to the November 3, 2020 uniform election date.

**NOW THEREFORE, BE IT ORDERED BY THE \_\_\_\_\_ INDEPENDENT SCHOOL DISTRICT BOARD OF TRUSTEES THAT:**

1. The facts and matters set forth in the recitals of this Order are hereby found to be true and correct; and such recitals are incorporated into and made a part of this Order for all purposes and are adopted as a part of the judgment and findings of the Board.

2. The Board declares that pursuant to the March 18<sup>th</sup> Proclamation, the District shall exercise the authority provided by the same and postpone the Trustee Election to the November 3, 2020 uniform election date.

3. The Board finds that the postponement of the Trustee Election to the November 3, 2020 uniform election date is necessary for the health and safety of the District, voters, election workers and election officials.

4. The Board further finds that a public purpose is served by the postponement of the Trustee Election to the November 3, 2020 uniform election date.

5. The Board further authorizes the Superintendent of Schools and the President and Secretary of the Board to take any and all necessary action to facilitate the postponement of the Trustee Election to the November 3, 2020 election date contemplated by this Order.

6. All Orders and Resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Order are hereby modified and superseded to the extent of such conflict, and the provisions of this Order shall be and remain controlling as to the matters resolved herein.

7. All candidates for Trustee of the Board whose names were to appear on the ballot for the May 2, 2020 Trustee Election will appear on the ballot for the November 3, 2020 election date without the necessity to file an application for a place on the November 3, 2020 ballot. Additionally, the filing period for filing an application for a place on the ballot will not be re-opened for the November 3, 2020 election date.

8. All applications for ballots by mail for voters in the District that have been submitted to the early voting clerk by voters who are over the age of 65 or disabled will be valid for the November 3, 2020 uniform election date, however, applications for ballots by mail submitted by voters who expect to be absent from the District on the May 2, 2020 election date and during the related period for early voting by personal appearance will not be valid for the November 3, 2020 election date.

9. For the November 3, 2020 election date, the voter registration deadline is October 5, 2020, the deadline to submit an application for ballot by mail is October 23, 2020, and the dates

for early voting are October 19, 2020 – October 30, 2020.

10. This Order shall be construed and enforced in accordance with the laws of the State and the United States of America.

11. It is officially found, determined, and declared that the meeting at which this Order is adopted was in compliance with the advisory issued by the Office of the Governor and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Order, was given, all as required by Chapter 551, as amended, Texas Government Code.

12. This Order shall be in force and effect from and after the date of its adoption.

Approved this \_\_\_ day of \_\_\_\_\_, 2020.

By:

\_\_\_\_\_  
INDEPENDENT SCHOOL DISTRICT

\_\_\_\_\_  
President, Board of Trustees

Attest:

\_\_\_\_\_  
Secretary, Board of Trustees