

ORDER CALLING VOTER-APPROVAL TAX RATE ELECTION

WHEREAS, the Board of Trustees (the “Board”) of the Kirbyville Consolidated Independent School District (the “District”) has adopted the District’s tax rate for the current year (the “Adopted Tax Rate”); and

WHEREAS, Section 26.08(a), Texas Tax Code provides that if the Adopted Tax Rate exceeds the District’s voter-approval tax rate (as described in Section 26.08(n), Texas Tax Code), the registered voters of the District must determine whether to approve the Adopted Tax Rate at an election held for that purpose; and

WHEREAS, in accordance with the requirements of Section 26.08, Texas Tax Code, the Board determines that it is necessary and appropriate to call an election to ratify the Adopted Tax Rate (the “Election”); and

WHEREAS, the Board finds and determines that ratification of the Adopted Tax Rate at the Election and the levy thereof would maximize funding received from the State of Texas (the “State”) under current funding formulas; and

WHEREAS, the Board finds and determines that maximizing State funding is in the best interests of the District and its students in that such additional funding will help facilitate the educational mission of the District; and

WHEREAS, the District may enter into one or more election agreements (the “Election Agreements”) with Jasper County, Texas and Newton County, Texas (each a “County” and, collectively, the “Counties”), by and through the Counties’ respective elections administrators or other election officers (collectively, the “Administrators”) and possibly other political subdivisions, in accordance with the laws of the State of Texas (the “State”) and applicable federal law; and

WHEREAS, the Board finds and declares that the meeting at which this order (the “Election Order”) is considered is open to the public, and that the public notice of the time, place and purpose of the meeting was given, as required by Chapter 551, Texas Government Code.

NOW, THEREFORE, BE IT ORDERED BY THE BOARD OF TRUSTEES OF THE KIRBYVILLE CONSOLIDATED INDEPENDENT SCHOOL DISTRICT:

Section 1. Call of Election; Date; Eligible Electors; and Hours. The Election shall be held on November 5, 2024 (“Election Day”), which is seventy-eight (78) or more days from the date of the adoption of this Election Order, within and throughout the territory of the District at which all resident, qualified electors of the District shall be entitled to vote. The Board hereby finds that holding the Election on such date is in the public interest. The hours during which the polling places are to be open on Election Day shall be from 7:00 a.m. to 7:00 p.m.

Section 5. Voting. Electronic voting machines may be used in holding and conducting the Election; provided, however, in the event the use of such electronic voting machines is not practicable, the Election may be conducted by the use of paper ballots (except as otherwise provided in this section). Electronic voting machines or paper ballots may be used for early voting by personal appearance (except as otherwise provided in this section). As required by the Election Code, the District shall provide at least one accessible voting system in each polling place used in the Election. Such voting system shall comply with Texas and federal laws establishing the requirement for voting systems that permit voters with physical disabilities to cast a secret ballot. Paper ballots may be used for early voting by mail.

Each voter desiring to vote in favor of the Proposition shall mark the ballot indicating “FOR” such Proposition, and each voter desiring to vote against the Proposition shall mark the ballot indicating “AGAINST” such Proposition. Voting will be conducted in accordance with the Election Code.

Section 6. Early Voting. For the use of those voters who are entitled by law to vote early by mail, the early voting clerks shall provide each voter with a ballot with instructions to mark the ballot indicating his or her vote “FOR” or “AGAINST” the Proposition. Early voting, both by personal appearance and by mail, will be conducted in accordance with the Election Code. Early voting by personal appearance shall be conducted at the locations, on the dates and at the times as shown in **Exhibit B**.

The Board hereby appoints the Administrators as the regular early voting clerks. The Administrators’ contact information/delivery addresses for applications for ballots to be voted by mail and other matters related to the Election are as follows:

Jasper County

Name: Holly Thomas

Official Mailing Address: P.O. Box 2070, Jasper, TX 75951

Physical Address: 121 North Austin, Jasper, TX 75951

E-mail Address: elections@co.jasper.tx.us and holly.thomas@co.jasper.tx.us

Phone Number: (409) 384-2632

Fax Number: (409) 384-7198

Website Address: <https://www.co.jasper.tx.us/page/jasper.Elections>

Newton County

Name: Sandra K. Duckworth

Official Mailing Address: P.O. Box 484, Newton, TX 75966

Physical Address: 115 Court Street, Newton, TX 75966

E-mail Address: sandra.duckworth@co.newton.tx.us

Phone Number: (409) 379-5341

Fax Number: (409) 379-9049

Website Address: <https://www.co.newton.tx.us/page/newton.Elections>

The Administrators are hereby authorized and directed to designate the early voting ballot board and other officers required to conduct early voting for the Election.

Section 7. Conduct of Election. The Election shall be conducted by election officers, including the precinct judges and alternate judges or clerks appointed by the Board, in accordance with the Election Agreements, the Education Code, the Election Code and the Constitution and laws of the State and the United States of America. The President of the Board, the Superintendent, and their respective designees, are authorized to enter into, execute and deliver one or more Election Agreements, in accordance with applicable provisions of the Election Code. The terms and provisions of each Election Agreement are hereby incorporated into this Election Order. To the extent of any conflict between this Election Order and an Election Agreement, the terms and provisions of the Election Agreement shall prevail, and the President of the Board, the Superintendent, and their respective designees, are authorized to make such corrections, changes, revisions and modifications to this Election Order, including the exhibits hereto, as are deemed necessary or appropriate to conform to the Election Agreement, to comply with applicable state and federal law and to carry out the intent of the Board, as evidenced by this Election Order. The Administrators shall be responsible for establishing the central counting station for the ballots cast in the Election and appointing the personnel necessary for such station.

Section 8. Bilingual Election Materials. All notices, instructions, and ballots pertaining to the Election shall be furnished to voters in both English and Spanish and persons capable of acting as translators in both English and Spanish shall be made available to assist Spanish language speaking voters in understanding and participating in the election process.

Section 9. Delivery of Voted Ballots; Counting; Tabulation; Canvassing of Returns; Declaring Results. The ballots shall be counted by one or more teams of election officers assigned by the presiding judges, each team to consist of two or more election officers. After completion of his or her responsibilities under the Election Code, including the counting of the voted ballots and the tabulation of the results, the presiding judge shall make a written return of the Election results to the District in accordance with the Election Code. The Board shall canvass the returns and declare the results of the Election.

If a majority of the resident, qualified electors of the District voting at the Election, including those voting early, shall vote in favor of the Proposition, then the tax rate for the current year shall be the rate adopted by the Board. If the Proposition is not approved, then the Board may not adopt a rate that exceeds the District's voter-approval tax rate.

Section 10. Training of Election Officials. Pursuant to the Election Code, a public school of instruction for all election officers and clerks may be held as arranged or contracted by the Administrators.

Section 11. Notice of Election. Notice of the Election shall be given in the manner required by the Election Code and other applicable law. To the extent required by law, each notice of the Election shall include the District's internet website address, which is <https://www.kirbyvillecisd.org/>.

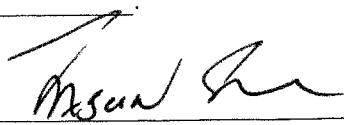
Section 12. Efficiency Audit Not Required. The District hereby finds and determines that on or about April 15, 2024, Governor Greg Abbott issued a disaster proclamation pursuant to Chapter 418 of the Texas Government Code, declaring a disaster in the Counties and other areas in the State. Pursuant to Section 11.184(b-1), Texas Education Code, the District is not required to conduct an efficiency audit otherwise required under Section 11.184, Texas Education Code. Notwithstanding the foregoing, the District may elect to conduct an informal audit investigating the efficiency of its operations and any and all actions related thereto are hereby ratified, approved and confirmed.

Section 13. Notice of Meeting. The Board officially finds, determines, recites and declares that written notice of the date, hour, place and subject of the meeting at which this Election Order is adopted was posted on a bulletin board located at a place convenient to the public at the District's administrative offices for a least seventy-two (72) hours preceding the scheduled time of the meeting; that a telephonic or telegraphic notice of such meeting was given to all news media who have consented to pay any and all expenses incurred by the District in connection with providing such notice, both as required by the Open Meetings Law, Chapter 551, Texas Government Code, as amended; and that such meeting was open to the public as required by law at all times during which this Election Order and the subject matter thereof was discussed, considered and formally acted upon.

Section 14. Authority of the Superintendent. The Superintendent shall have the authority to take, or cause to be taken, all reasonable or necessary actions to ensure that the Election is fairly held and returns properly counted and tabulated for canvass by the Board, which actions are hereby ratified and confirmed. Without limiting the generality of the immediately preceding sentence, the Superintendent and the Superintendent's designees are hereby authorized to complete and update, as necessary, the exhibits attached hereto with any alterations or changes in or additions to the polling locations and other information, as necessary.

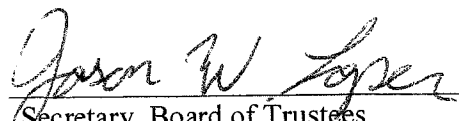
Section 15. Authorization to Execute. The President or Vice President of the Board is authorized to execute and the Secretary of the Board is authorized to attest this Election Order on behalf of the Board; and the President or Vice President of the Board is authorized to do all other things legal and necessary in connection with the holding and consummation of the Election.

Section 16. Effective Date. This Election Order is effective immediately upon its passage and approval. PASSED AND APPROVED this _____



President, Board of Trustees

ATTEST:



Secretary, Board of Trustees

EXHIBIT A¹

Election Day Polling Place Information

[To be inserted upon receipt from the Counties]

¹ This Exhibit shall be updated by the Superintendent, the Superintendent's designee(s) and/or the District's Counsel with information as and when received from the County.

EXHIBIT B²

Early Voting Polling Place Information

[To be inserted upon receipt from the Counties]

² This Exhibit shall be updated by the Superintendent, the Superintendent's designee(s) and/or the District's Counsel with information as and when received from the County.

