

**ORDER DECLARING POSTPONEMENT OF MAY 2, 2020 ELECTIONS
AND PROVIDING FOR OTHER MATTERS INCIDENTAL AND
RELATED THERETO**

WHEREAS, the Bastrop Independent School District (the “*District*”) is a political subdivision of the State of Texas (the “*State*”), and the Board of Trustees of the District (the “*Board*”) has previously approved that certain Order Calling School Building Bond Election (the “*Bond Election Order*”) and Order of Election for Bastrop Independent School District Trustee Election (the “*Trustee Election Order*,” and together with the Bond Election Order, the “*Election Orders*”) calling elections to be held within the boundaries of the District on May 2, 2020 (collectively, the “*Elections*”); and

WHEREAS, the public health risks posed by Coronavirus Disease 2019 (“*COVID-19*”) have resulted in the closure of schools and businesses and governmental decrees restricting and prohibiting public gatherings statewide and such closures, restrictions and prohibitions are reasonably anticipated to interfere with the Elections; and

WHEREAS, District administration continues to evaluate and respond to new and evolving recommendations and guidance related to public health and safety from national and state educational and public health officials, including the Governor of the State, Greg Abbott (the “*Governor*”); and

WHEREAS, pursuant to Section 418.018, Texas Government Code, the Governor 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 Section 418.016, Texas Government Code, the Governor issued a proclamation on March 18, 2020 suspending certain provisions of the Texas Election Code to allow all local political subdivisions that are utilizing the May 2, 2020 uniform election date to postpone their elections to the November 3, 2020 uniform election date (collectively with the proclamation issued on March 13, 2020, the “*Proclamation*”); and

WHEREAS, the Governor suspended certain provisions of Chapter 551, Texas Government Code, as amended, to allow governmental bodies to conduct meetings via teleconference or video conference, subject to certain provisions of the Proclamation; and

WHEREAS, the Board has determined that the public health risks posed by COVID-19 threaten the health and safety of voters and election officials in the District and that such threat to the health and safety of voters and election officials is expected to persist throughout the period for early voting and election day voting for the Elections; and

WHEREAS, the Board has further determined that the adversity, economic disruption and turmoil caused by COVID-19 and the related measures implemented by national, state and local governmental authorities, business organizations and other stakeholders in response to COVID-19 are expected to endure for many months and throughout the remainder of this year, resulting in

unknown operational and financial challenges in the nation, the state and the District which may impact the needs of the District for bond financed improvements, and the Proclamation only allows postponement of the Bond Elections to the November 3, 2020 uniform election date, a date that the Board expects will occur in the midst of such unknown operational and financial challenges facing the nation, the state and the District;

WHEREAS, in the absence of legal authority to cancel the Bond Election or postpone the Bond Election to a date beyond the reasonably anticipated period of operational and financial challenges inflicted by COVID-19, the Board hereby finds and determines that it is in the best interest of the District to postpone the Elections to the November 3, 2020 uniform election date, unless and until such time as the Board is authorized by law to cancel the Bond Election or postpone the Bond Election to a date beyond the reasonably anticipated period of operational and financial challenges inflicted by COVID-19.

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

Section 1. The declarations, determinations and findings set forth in the recitals of this Order are hereby restated and 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.

Section 2. Pursuant to the Proclamation, the Board hereby exercises the authority conferred by the Proclamation and orders the Elections postponed until the November 3, 2020 uniform election date, unless and until such time as the Board is authorized by law to cancel the Bond Election or postpone the Bond Election to a date beyond the 2020 calendar year or the Board finds that the period of operational and financial challenges inflicted by COVID-19 has abated to an extent that the Bond Election should proceed.

At a subsequent meeting which shall occur not later than August 17, 2020, the Board shall meet to consider any necessary action to revise the Election Orders, including changes to the date of the Elections, changes in the location of the main early voting location, changes to early voting dates and hours, changes to the identity of and contact information for the early voting clerk, changes to branch early voting locations and such other changes as the Board shall deem necessary or appropriate.

Section 3. The Board further authorizes and directs the Superintendent and the President and Secretary of the Board to take any and all necessary action contemplated by this Order to facilitate the postponement of the Elections to the November 3, 2020 uniform election date, including posting notice of the postponement of the Elections on the District's website, notifying the appropriate county election officer and providing any other notice deemed appropriate in connection with the postponement.

Section 4. All orders and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Order are hereby repealed to the extent of such conflict, and the provisions of this Order shall be and remain controlling as to the matters resolved herein.

Section 5. All candidates for the Board of Trustees of the District whose names were

to appear on the ballot for the May 2, 2020 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.

Section 6. 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.

Section 7. For the November 3, 2020 uniform 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 period for early voting shall commence on October 19, 2020 and end on October 30, 2020.

Section 8. This Order shall be construed and enforced in accordance with the laws of the State and the United States of America.

Section 9. 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 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, Texas Government Code as amended.

Section 10. This Order shall be in force and effect from and after the date of its adoption.

[Signature Page Follows]

PASSED AND APPROVED this 27th day of March, 2020.

/s/ Ashley Mutschink
President, Board of Trustees
Bastrop Independent School District

Attest:

/s/ Billy Moore
Secretary, Board of Trustees
Bastrop Independent School District

(SEAL)