

**RESOLUTION OF THE BOARD OF TRUSTEES OF
ECTOR COUNTY INDEPENDENT SCHOOL
DISTRICT**

WHEREAS, the Board of Trustees (“Board”) of the Ector County Independent School District (“District”) is authorized by Texas Education Code § 11.151 to govern and oversee the management of the public schools in the District; and

WHEREAS, the Board, through its purchasing policies, has the duty to monitor district finances to ensure that the superintendent is properly maintaining the District's financial procedures as authorized by Texas Education Code § 11.1511(b)(9); and

WHEREAS, the Board is authorized by Texas Education Code § 45.105 to expend funds of the District for purposes necessary in the conduct of the public schools as determined by the Board; and

WHEREAS, the Board acknowledges that Texas Education Code § 44.0312 provides that notwithstanding any other provision of the Education Code, in the event of a catastrophe, emergency, or natural disaster affecting a district, the board may delegate to the superintendent or designated person the authority to contract for the replacement, construction, or repair of school equipment or facilities under Education Code Chapter 44, Subchapter B if emergency replacement, construction, or repair is necessary for the health and safety of district students and staff; and

WHEREAS, the Board Acknowledges that Texas Education Code § 44.031(h) provides that school equipment, a school facility, or a part of a school facility or personal property is destroyed or severely damaged or, as a result of an unforeseen catastrophe or emergency, undergoes major operational or structural failure, and a board determines that the delay posed by the methods provided for in Education Code § 44.031 would prevent or substantially impair the conduct of classes or other essential school activities, then contracts for the replacement or repair of the equipment, school facility, or the part of the school facility may be made by methods other than those required by Education Code § 44.031; and

WHEREAS, the District’s public purpose is served by taking preventative measures to ensure District facilities are properly prepared and optimized for the safe return of students to classes; and

WHEREAS, the delays posed by procurement process and the need to likely procure services and support to respond to COVID-19 to ensure safety of all students, staff property and equipment will prevent or substantially impair student safety and or other essential school activities.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE ECTOR COUNTY INDEPENDENT SCHOOL DISTRICT:

RESOLVED, the Board of Trustees hereby suspends its normal purchasing policies and authorizing the Superintendent or designee to make emergency procurements reasonably necessary to respond to COVID-19 issues to address the specific needs related to this situation.

RESOLVED, the Board of Trustees hereby (1) determines that these payments serve a public purpose, (2) retains sufficient control over the expenditures to ensure a public purpose is served, and (3) is confident the District will receive a return benefit.

RESOLVED, the authority granted by this resolution to suspend purchasing processes is effective for a closure with a maximum duration of 60 business and/or school days unless the Board takes action to authorize this Resolution for a longer duration.

PASSED AND APPROVED this 24th day of March 2020 by the Board of Trustees for the Ector County Independent School District.

By: _____
Dr. Donna Smith, Board President

Attest: _____
Tammy Hawkins, Board Secretary