



UNITED INDEPENDENT SCHOOL DISTRICT AGENDA ACTION ITEM

TOPIC: Discussion and possible action on a Resolution to allow the District to expend funds to employ

The District's legal counsel to represent District's booster clubs or school-affiliated organization

Who lost money from cancelled school related events due to Covid-19

SUBMITTED BY: Juan Cruz

OF: Attorney

APPROVED FOR TRANSMITTAL TO SCHOOL BOARD: _____

DATE ASSIGNED FOR BOARD CONSIDERATION: May 26, 2020

RECOMMENDATION:

It is recommended that the UISD Board of Trustees take possible action on a Resolution to allow the District to expend funds to employ the District's legal counsel to represent District's booster clubs or school-affiliated organization who lost money from cancelled school related events due to Covid-19

RATIONALE:

BUDGETARY INFORMATION:

POLICY REFERENCE & COMPLIANCE:

**RESOLUTION OF THE BOARD OF TRUSTEES
OF THE UNITED INDEPENDENT SCHOOL DISTRICT
REGARDING THE RECOUPMENT OF EXPENDITURES MADE BY
DISTRICT BOOSTER AND SCHOOL-AFFILIATED (PARENT)
ORGANIZATIONS RELATED TO THE CANCELLATION OF YEAR END
RECOGNITION EVENTS DUE TO COVID-19**

WHEREAS, the United Independent School District (“UISD” or “the District”), a political subdivision of the State of Texas, is governed by a Board of Trustees, who have the exclusive power and duty to govern and oversee the management of the public schools of the District; and

WHEREAS, pursuant to Board Policy GE (local), school-affiliated (Parent) or booster organizations are recognized as separate entities from the District but are mediums through which District personnel, parents, and other community members may strengthen ties with the school and District and work to enhance educational progress for all students; and

WHEREAS, these booster and school-affiliated organizations have entered into agreements and made monetary expenditures (“Deposits”) to persons, proprietorships, and/or companies (“Vendors” and/or “Suppliers”) in order for these organizations to be able to host local recognition events for District students at local venues; and

WHEREAS, due to the Covid-19 pandemic, these local recognition events have been cancelled; and, these booster and school-affiliated organizations have requested and been denied the return of their Deposits due the cancelling of these recognition events; and

WHEREAS, the District is seeking to retain its District’s counsel to assist these booster and school affiliated organizations to recover their deposits from these Vendors and/or Suppliers; and

WHEREAS, Texas Education Code section 45.105 governs the expenditures of public funds by school districts; and

WHEREAS, the District, through its Board of Trustees, has determined that the retention of District Counsel and the payment of legal fees to be incurred by District’s counsel in assisting these booster and school affiliated organizations to recover their deposits is a service necessary for the conduct of public schools pursuant to Texas Education Code section 45.105.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The findings and recitals in the preamble of this Resolution are hereby found to be true and correct.
2. The UISD Board of Trustees determines that the District's expenditure of public funds to retain District's legal counsel to assist these school-affiliated (Parent) or booster organizations in recovering their Deposits from these vendors or suppliers is a service necessary for the conduct of public schools .
3. The UISD Board of Trustees also determines in good-faith that a legitimate interest of the District is served to employ the District's legal counsel to represent these school-affiliated (Parent) or booster organizations which is consistent with expenditure of funds pursuant to Texas Education Code section 45.105.
4. It is hereby found, determined and declared that a sufficient written notice of the date, time, place, and subject of the meeting of the UISD Board of Trustees at which this Resolution was adopted was posted at a place convenient and readily accessible at all times to the general public for the time required by Texas Government Code chapter 551, and that this meeting has been virtually open to the public as required by law at all times during which this Resolution and the subject matter thereof has been discussed, considered and formally acted upon. The UISD Board of Trustees further ratifies, approves, and conforms such written notice and posting thereof.

Motion was made by _____, seconded by _____, that the resolution above and foregoing be adopted.

For _____ Against _____

The above resolution was voted on at a regular meeting of the Board of Trustees held on the _____ day of May, 2020.

BY: _____
Ramiro Veliz, III
President of the Board

ATTEST:

Ricardo “Rick” Rodriguez
Board Secretary