

AMENDED NOTICE OF SPECIAL ELECTION

**REGARDING CHAPTER 41 WEALTH EQUALIZATION
OF THE PORT ARTHUR INDEPENDENT SCHOOL DISTRICT
JEFFERSON COUNTY, TEXAS**

TO: THE QUALIFIED VOTERS OF THE PORT ARTHUR INDEPENDENT SCHOOL DISTRICT, JEFFERSON COUNTY, TEXAS

The following AMENDED Notice of Special Election was adopted by the Board of Trustees, Port Arthur Independent School District, at its meeting on August 23, 2018.

TAKE NOTICE that an election will be held on the 6th day of November, 2018, within the Port Arthur Independent School District, Jefferson County, Texas, for the special election regarding Chapter 41 Wealth Equalization for the Port Arthur Independent School District. This special election has been called in obedience to an Amended Order duly entered by the Board of Trustees of said Port Arthur Independent School District on August 23, 2018, which order is as follows:

AMENDED NOTICE OF ELECTION

PORT ARTHUR INDEPENDENT SCHOOL DISTRICT

Date and Time - Tuesday, November 6, 2018, 7:00 a.m. to 7:00 p.m.

Proposition – Order Authorizing purchase of attendance credits from the State with local tax revenue to reduce and equalize student wealth.

Election Day Voting – **Dequeen Elementary**, 740 Dequeen Blvd.; **Jefferson County Sub-Courthouse**, 525 Lakeshore Drive; **Memorial 9th Grade Academy**, 2441 61st Street; **OW Collins Retirement Center**, 4440 Gulfway Drive; **Port Arthur YMCA**, 6790 9th Avenue; **Port Arthur Recreation Center**, 1308 9th Avenue; **R.L. Gabby Eldridge Center**, 5262 S. Gulfway Drive; **Travis Elementary**, 1115 Lakeview Avenue; **Sam Houston Elementary** 3245 36th Street.

Early Voting - In person: from 8:00 a.m. to 5:00 p.m. each weekday, from October 22, 2018 through October 26, 2018, from 7:00 a.m. to 7:00 p.m. on Saturday, October 27, 2018, from 12:00 p.m. to 5:00 p.m. on Sunday, October 28, and from 8:00 a.m. to 5:00 p.m. each weekday, from October 29, 2018 through November 2, 2018 at the **Port Arthur Sub-Courthouse**, 525 Lakeshore Drive and the **Port Arthur Public Library**, 4619 9th Avenue.

Applications for ballots by mail shall be mailed to: The Jefferson County Clerk, P.O. Box 1151, Beaumont, Texas 77704; applications for ballot by mail must be received no later than the close of business on Friday, October 26, 2018.

Election - All PAISD voters may vote for or against the proposition.

DONE in accordance with this Amended Election Order and Notice approved by the Board of Trustees on August 23, 2018.

A handwritten signature in cursive script, reading "Mark Porterie", written over a horizontal line.

Dr. Mark Porterie
Superintendent of Schools

**AMENDED ORDER CALLING SPECIAL ELECTION
REGARDING CHAPTER 41 WEALTH EQUALIZATION**

THE STATE OF TEXAS §

COUNTY OF JEFFERSON § PORT ARTHUR INDEPENDENT SCHOOL DISTRICT

WHEREAS, the Commissioner of Education (the “Commissioner”) has notified the Port Arthur Independent School District (the “District”) that the District will be required to reduce its wealth per Weighted Average Daily Attendance (“WADA”) for the 2019-2020 school year by employing one or more of the statutory options available, pursuant to Chapter 41 of the Texas Education Code (“Chapter 41”); and

WHEREAS, the PAISD Board of Trustees (the “Board”) will adopt the option provided under Section 41.003(3) (“Option 3”) Texas Education Code, as means to equalize wealth, as required by Chapter 41; and

WHEREAS, Option 3 would allow the district to equalize its wealth by purchase of the average daily attendance credit, as provided by Subchapter D, Chapter 41; and

WHEREAS, Section 41.096, Texas Education Code, requires that the qualified voters within the District ratify any agreement to equalize wealth by means of the use of Option 3; and

WHEREAS, the Commissioner must certify that the utilization of Option 3 will equalize the wealth of the District; and

WHEREAS, pursuant to Section 31.092, Texas Election Code, as amended, the District has contracted with Jefferson County, Texas (the “County”) to conduct the Election (hereinafter defined) and to perform certain election services for the District in connection with the Election, including all of the supervisory and administrative duties relating to the conduct of the Election, pursuant to an election services contract between the District and the County, (the “Election Services Contract”); and

WHEREAS, the Board has determined that it is necessary and convenient to call and conduct an election to obtain voter authorization regarding Option 3, as required by Chapter 41;

IT IS, THEREFORE, ORDERED BY THE BOARD OF TRUSTEES OF THE PORT ARHTUR INDEPENDENT SCHOOL DISTRICT, THAT:

Section 1. Call of Election; Date; Eligible Electors; and Hours. An election (the “Election”) shall be held on Tuesday, November 6, 2018, within and throughout the territory of the District at which all resident, qualified voters of the District shall be entitled to vote. The

hours during which the polling places are to be open at the Election shall be from 7:00 a.m. to 7:00 p.m.

Section 2. Voting Precincts; Polling Places; Election Officers. Except as otherwise provided herein, the boundaries and territory of the respective County election precincts that are wholly or partially within the territorial boundaries of the District are hereby designated as the voting precincts of the District for the Election. The precinct numbers for the District's election precincts shall be the corresponding County precinct number of each precinct. The Election Day polling places shall be as shown in Exhibit A. The County will appoint the persons to serve as the precinct judges and alternate judges for the Election.

In the event that the County Clerk shall determine from time to time that (a) a polling place hereafter designated shall become unavailable or unsuitable for such use, or it would be in the District's best interests to relocate such polling place, or (b) a presiding judge or alternate presiding judge hereafter designated shall become unqualified or unavailable, the County Clerk is hereby authorized to designate and appoint in writing a substitute polling place, presiding judge or alternate presiding judge, giving such notice as is required by the Election Code and as deemed sufficient.

Section 3. Proposition. At the Election there shall be submitted to the qualified voters of the District the following proposition (the "Proposition"):

PROPOSITION

SHALL THE BOARD OF TRUSTEES OF THE PORT ARTHUR INDEPENDENT SCHOOL DISTRICT BE AUTHORIZED TO EXECUTE AGREEMENTS WITH THE TEXAS COMMISSIONER OF EDUCATION PURSUANT TO SUBCHAPTER D, CHAPTER 41, TEXAS EDUCATION, CODE, TO PURCHASE ATTENDANCE CREDITS IN AN AMOUNT SUFFICIENT, IN COMBINATION WITH ANY OTHER ACTIONS TAKEN UNDER CHAPTER 41, TEXAS EDUCATION CODE, TO REDUCE SAID DISTRICT'S WEALTH PER STUDENT TO A LEVEL THAT IS EQUAL TO OR LESS THAN THE EQUALIZED LEVEL?

Section 4. Ballots. The ballots shall conform to the requirements of the Election Code and shall have written or printed thereon the following:

OFFICIAL

BALLOT

PROPOSITION

AUTHORIZING THE BOARD OF TRUSTEES OF THE PORT ARTHUR INDEPENDENT SCHOOL DISTRICT TO PURCHASE ATTENDANCE CREDITS FROM THE STATE WITH LOCAL TAX REVENUES.

[] FOR

[] AGAINST

Section 5. Voting. Voting in the Election, including early voting, shall be by the voting system adopted by the Commissioner's Court of the County. Each voter desiring to vote in favor of the Proposition shall mark the ballot indicating "FOR" the Proposition, and each voter desiring to vote against the Proposition shall mark the ballot card indicating "AGAINST" the Proposition. Voting shall be in accordance with the Election Code.

Section 6. Early Voting. Early voting, both by personal appearance and by mail, will be conducted in accordance with the Election Code and shall be conducted at the locations, dates and times as designated by the County and the County election officer. Such locations, dates and times are further identified on Exhibit B hereto.

For the use of those voters who are entitled by law to vote early by mail, the early voting clerk shall provide each voter with a ballot with instructions to mark the ballot indicating his or her vote "FOR" or "AGAINST" the Proposition.

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 County Clerk, in accordance with the Election Services Contract, the Election Code, the Election Code and the Constitution and laws of the State of Texas and of the United States of America.

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, to be appointed by the County Clerk, each team to consist of two or more election officers. After completion of his 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.

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

Section 11. Notice of Election. Notice of the Election, stating in substance the contents of this order (the "Election Order"), shall be published one time in the English and Spanish languages, in a newspaper published within the District's territory or, if none is published in the District's territory, in a newspaper of general circulation in the District's

territory, at least ten (10) days and no more than thirty (30) days prior to Election Day. Notice of the Election shall also be given by posting, not later than the twenty-first (21st) day before Election Day, a substantial copy of this Election Order, in both English and Spanish, on the bulletin board used for posting notices of meetings of the Board.

Section 12. 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 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 13. Authority of the Superintendent. The Superintendent shall have the authority to take, or cause to be taken, all actions reasonable and necessary to insure that the Election is fairly held and returns properly counted and tabulated for canvass by the Board, which actions are hereby ratified and confirmed.

Section 14. 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 15. Effective Date. This Amended Election Order is effective immediately upon its passage and approval.

PASSED AND APPROVED August 23, 2018.



President, Board of Trustees
Port Arthur Independent School District

ATTEST:



Secretary, Board of Trustees
Port Arthur Independent School District

EXHIBIT A

ELECTION DAY POLLING LOCATIONS

NAME	ADDRESS
DEQUEEN ELEMENTARY	740 DEQUEEN BLVD.
JEFFERSON COUNTY SUB-COURTHOUSE	525 LAKESHORE DRIVE
MEMORIAL 9 TH GRADE ACADEMY	2441 61 ST STREET
OW COLLINS RETIREMENT CENTER	4440 GULFWAY DRIVE
PORT ARTHUR YMCA	6790 9 TH AVENUE
PORT ARTHUR RECREATION CENTER	1308 9 TH AVENUE
R.L. GABBY ELDRIDGE CENTER	5262 S. GULFWAY DRIVE
TRAVIS ELEMENTARY	1115 LAKEVIEW AVENUE
SAM HOUSTON ELEMENTARY	3245 36 TH STREET

EXHIBIT B

EARLY VOTING POLLING LOCATIONS AND TIMES

VOTE EARLY AT *ONE* OF THE FOLLOWING LOCATIONS:

Port Arthur Sub-Courthouse	525 Lakeshore Drive
Port Arthur Public Library – TENTATIVE	4616 9 th Avenue

DATES AND HOURS FOR ABOVE LOCATIONS:

October 22-26	Monday – Friday	8:00 a.m. – 5:00 p.m.
October 27	Saturday	7:00 a.m. – 7:00 p.m.
October 28	Sunday	12:00 p.m. – 5:00 p.m.
October 29 – November 2	Monday – Friday	7:00 a.m. – 7:00 p.m.

Applications for ballot my mail shall be mailed to:

Carolyn Guidry
Jefferson County Clerk
P.O. Box 1151
Beaumont, Texas 77704

PROPOSITION

SHALL THE BOARD OF TRUSTEES OF THE PORT ARTHUR INDEPENDENT SCHOOL DISTRICT BE AUTHORIZED TO EXECUTE AGREEMENTS WITH THE TEXAS COMMISSIONER OF EDUCATION PURSUANT TO SUBCHAPTER D, CHAPTER 41, TEXAS EDUCATION, CODE, TO PURCHASE ATTENDANCE CREDITS IN AN AMOUNT SUFFICIENT, IN COMBINATION WITH ANY OTHER ACTIONS TAKEN UNDER CHAPTER 41, TEXAS EDUCATION CODE, TO REDUCE SAID DISTRICT'S WEALTH PER STUDENT TO A LEVEL THAT IS EQUAL TO OR LESS THAN THE EQUALIZED LEVEL?

OFFICIAL

BALLOT

PROPOSITION

AUTHORIZING THE BOARD OF TRUSTEES OF THE PORT ARTHUR INDEPENDENT SCHOOL DISTRICT TO PURCHASE ATTENDANCE CREDITS FROM THE STATE WITH LOCAL TAX REVENUES.

[] FOR

[] AGAINST

PROPUESTA

¿Se autorizará a la Junta Directiva del Distrito Escolar Independiente de Puerto Arturo a ejecutar acuerdos con el Comisionado de Educación de Texas de conformidad con el subcapítulo D, Capítulo 41, del código de Educación de Texas para adquirir créditos de asistencia en una cantidad suficiente, en combinación con cualquier otra acción tomada en virtud del Capítulo 41, Código de Educación de Texas, para reducir la riqueza de dichos distritos por estudiante a un nivel que es igual o menor que el nivel igualado?

OFICIAL

BOLETA

PROPUESTA

Autorizar a la Junta Directiva del Distrito Escolar Independiente de Puerto Arturo a adquirir créditos de asistencia del estado con ingresos tributarios locales.

A FAVOR

EN CONTRA