

# **NOTICE OF GENERAL ELECTION FOR SCHOOL TRUSTEE**

**THE STATE OF TEXAS** §  
**COUNTY OF SMITH** §  
**TYLER INDEPENDENT SCHOOL DISTRICT** §

**TO THE RESIDENT QUALIFIED VOTERS OF TYLER INDEPENDENT SCHOOL DISTRICT:**

NOTICE IS HEREBY GIVEN THAT a general election for school trustee will be held within Tyler Independent School District on May 4, 2024, as provided in the order calling the election passed by the Board of Trustees of Tyler Independent School District, a substantial copy of which is printed below:

## ORDER CALLING GENERAL ELECTION FOR SCHOOL TRUSTEE

THE STATE OF TEXAS                                 §  
COUNTY OF SMITH                                 §  
TYLER INDEPENDENT SCHOOL DISTRICT         §

**WHEREAS**, the Board of Trustees (the "Board") of the Tyler Independent School District (the "District") has, on its own motion of August 19, 1993, voted to adopt an order whereby all trustees of the District shall be elected from single-member trustee districts (see Texas Education Code § 11.052 (under former § 23.024)); and

**WHEREAS**, the Board hereby orders, held in the Tyler Independent School District at Tyler, Texas, an election on the first Saturday in May, 2024, the same being the 4<sup>th</sup> day of May, 2024, for the purpose of electing Trustees to fill Single Member District 5 and Single Member District 7; and,

**WHEREAS**, the Board also has the authority pursuant to Chapter 271, Texas Election Code, to enter into joint election agreements with the other political subdivisions also holding a general or special election on the same date, and

**WHEREAS**, the Board also has the authority pursuant to Chapter 31, Texas Election Code, to enter into a contract for election services with the Smith County Election Administrator; and,

**WHEREAS**, the District is authorized to designate polling places for early voting and election day voting for this Election;

**IT IS, THEREFORE, ORDERED BY THE BOARD OF TRUSTEES OF THE TYLER INDEPENDENT SCHOOL DISTRICT THAT:**

**Section 1. Call of Election, Date, Eligible Electors.** A general election (the "Election") shall be held on Saturday, May 4, 2024 which is seventy-eight (78) or more days from the date of the adoption of this order (the "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.

**Section 2. Conduct of Election, Election Services Agreement, and Appointment of Election Officers.** The Election shall be conducted by election officers, in accordance with the Texas Education Code, the Texas Election Code and the Constitution and laws of the State of Texas and the United States of America. To the extent required by law, all election materials and proceedings relating to the Election shall be printed in both English and Spanish. The ES&S Expressvote voting system shall be utilized for the Election. The Smith County Elections Administrator shall conduct the election for the District pursuant to Chapter 31 of the Texas Election Code under an election services agreement with the District.

Chapter 271 of the Texas Election Code provides that the authorities of two or more political subdivisions that have ordered elections for the same day in all or part of the same territory, may enter into an agreement(s) to hold the elections jointly in election precincts that can be served by common polling places, and the Board is expressly authorizing this action. The Election will be conducted as a joint election with other political subdivisions as provided by said agreement(s).

**Section 3. Voting Precincts, Polling Places, Election Officers.** Except as otherwise provided herein, the boundaries and territory of the Smith County election precincts, wholly or partially within the boundaries of the District, are hereby designated as the voting precincts of the District for the Election, and the precinct numbers for the District's election precincts shall be the corresponding Smith County election precinct number.

Election day locations will be established and maintained in accordance with the Texas Election Code. Information regarding the locations, date, and hours of operation for Election Day voting shall be determined by the County Elections Administrator, as identified in Exhibit A. The County participates in the Countywide Polling Place Program under Section 43.007, as amended, Texas Election Code, meaning that any District voter registered in the County can vote in the Election at any voting location identified. Exhibit A may be modified to include additional or different voting locations.

To the extent any polling place utilized by the District and designated by the Board for the conduct of the Election is located outside the boundaries of a District election precinct, the Board, pursuant to Section 271.003 of the Texas Election Code, finds that such polling place can adequately and conveniently serve the affected voters and will facilitate the orderly conduct of the Election.

In the event that the Smith County Elections Administrator shall determine that the polling places hereby established and designated shall become unavailable or unsuitable for such use, or if the District determines that it would be in its best interest to relocate the polling place, the Smith County Elections Administrator is hereby authorized to designate, in writing, substitute polling places, giving such notice as is required by the Texas Election Code.

The Board approves the appointment of persons designated by the Smith County Elections Administrator to serve as election workers. Such proposed presiding judges and alternate

presiding judges shall meet the eligibility requirements of Chapter 32, Subchapter C of the Texas Election Code. The rate of pay for judges and clerks of the election shall be determined according to the Election Services Agreement. Compensable hours shall be determined in accordance with the provisions of the Texas Election Code, as amended (the “Election Code”) and other applicable laws. The Board approves the appointment of persons designated by the Smith County Elections Administrator to serve as Deputy Early Voting Clerks, on the Early Voting Ballot Board and Central Counting Station.

**Section 4. Ballots.** The ballots shall be suitable for use with an electronic voting system, and for the purposes of early voting by personal appearance and by mail, and shall otherwise conform to the requirements of the Texas Election Code.

**Section 5. Early Voting.** The Board appoints Michelle Allcon, Smith County Elections Administrator, as the Early Voting Clerk.

*Early Voting by Mail*

Ballot applications shall be addressed to the Early Voting Clerk at the following address:

Smith County Elections Administrator  
302 East Ferguson Street  
Tyler, TX 75702

Additional contact information for the early voting clerk:

Phone: (903)590-4777

Fax: (903)590-4778

Website: <https://www.smith-county.com/government/departments/elections>

A signed, original application for ballot by mail may also be submitted via fax to the number above or emailed to [sselections@smith-county.com](mailto:sselections@smith-county.com). The original of the application must be mailed to the early voting clerk and must be received within 4 days of the submission of the application by fax or email.

For the use of those voters who are entitled by law to vote early by mail, the joint early voting clerk shall provide each voter with a ballot with instructions to mark the ballot indicating his or her vote “FOR” a candidate on the same ballots utilized for early voting by personal appearance at the Election.

The period to apply for a ballot by mail is January 1, 2024, through April 23, 2024. The application must be received by April 23, 2024 (mere postmarking by the deadline is insufficient).

*Early Voting by Personal Appearance*

The main early voting location is designated in Exhibit B to this Order (which is incorporated herein by reference for all purposes). This early voting location shall remain open to permit early voting on the dates and at the times as stated in Exhibit B. Early voting shall commence as provided on Exhibit B and continue through the date set forth on Exhibit B, all as provided by the provisions of the Texas Election Code, as amended.

Additionally, permanent and/or temporary branch early voting locations will be established and maintained in accordance with the Texas Election Code. Information regarding the locations, dates, and hours of operation for early voting at these locations shall be determined by the County Elections Administrator. Exhibit B may be modified to include additional or different early voting locations.

**Section 6. Delivery of Voted Ballots; Counting; Tabulation; Canvassing of Returns; Declaring Results.** In accordance with the requirements of the Texas Election Code, the Election Officers shall make and deliver a written return of the Election. The Board shall canvass the returns and declare the results of the Election.

**Section 7. Appointment of Custodian of Records.** To the extent not otherwise provided for in the Election Services Agreement, or in any Joint Election Agreement, the Board appoints Gina Orr, an employee of the District, as the Custodian of Records (the “Custodian”) to perform the duties related to the conduct and maintenance of records of the Election as required under the Texas Election Code during the period beginning the third (3rd) day after the approval of this Order, and ending not earlier than the fortieth (40th) day after the day of the Election. In particular, the Custodian shall accept and maintain records regarding campaign expenditures that may be filed with the District.

The Custodian shall maintain an office open for election duties for at least three hours each day, during regular office hours, on regular business days during the period designated in this section. The Custodian shall post notice of the location and hours of office as required by the Texas Election Code. The Custodian shall maintain in their office the documents, records and other items relating to the election and shall be the person designated to receive documents on behalf of the District that are required by the Texas Election Code.

**Section 8. Approval of Appointment of Agent.** The Secretary to the Board has appointed Gina Orr, an employee of the District, as the Secretary’s agent (the “Agent”) to perform the duties of secretary related to the conduct and maintenance of records of the Election as required under the Texas Election Code during the period beginning three (3) days after the effective date of this Order and ending not earlier than the fortieth (40th) day after the day of the election. The Agent shall maintain, in their office, the documents, records and other items relating to the election and shall be the Agent designated to receive documents on behalf of the District that are required by the Texas Election Code. The Agent shall post notice of the location and hours of their office as required by the Texas Election Code.

**Section 9. Notice of Election Publication and Posting Requirements.** Notice of the Election shall be published as required by the Texas Election Code.

**Section 10. Authority of the Superintendent.** The Superintendent shall have the authority to take, or cause to be taken, all actions reasonable and necessary 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 his designees are hereby authorized to complete and update, as necessary, the exhibits attached hereto with voting locations and other information as same is made available by the County Elections Administrator.

**Section 11. Preamble Incorporation.** The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Order for all purposes and are adopted as a part of the judgment and findings of the Board.

**Section 12. Inconsistent Provisions.** 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 ordered herein.

**Section 13. Governing Law.** This Order shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

**Section 14. Severability.** If any provision of this Order or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Order and the supplication of such provision to other persons and circumstances shall nevertheless be valid, and the Board hereby declares that this Order would have been enacted without such invalid provision.

**Section 15. Notice of Meeting.** It is officially found, determined, and declared that the meeting at which this Order is adopted was open to the public 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, as amended, Texas Government Code.

**Section 16. Authorization to Execute.** The President of the Board is authorized to execute and the Secretary to the Board is authorized to attest this Order on behalf of the Board; and the 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 17. Effective Date.** This Order is effective immediately upon its passage and approval.

PASSED AND APPROVED THIS 22<sup>nd</sup> DAY of JANUARY, 2024

/s/ R. Wade Washmon  
R. Wade Washmon  
President, Board of Trustees

ATTEST:

/s/ Gina Orr  
Gina Orr  
Secretary to the Board of Trustees

(SEAL)

## EXHIBIT A

### ELECTION DAY POLLING INFORMATION

Election Day: May 4, 2024

Election Day Voting Locations open from 7:00 a.m. to 7:00 p.m.

<b>Vote Center Locations*</b>	<b>Address</b>	<b>City and Zip Code</b>
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Election Day locations will be updated on the website when available and published in the Notice of Election.

\*Smith County participates in the Countywide Polling Place program under Section 43.007, as amended, Texas Election Code. Registered voters will be able to cast their Election Day ballots at any of the Vote Centers designated on the County's website.

## EXHIBIT B

### EARLY VOTING

Monday, April 22, 2024 - Friday, April 26, 2024

8:00 am – 5:00 pm

Monday, April 29, 2024 - Tuesday, April 30, 2024

8:00 am – 5:00 pm

#### **Main Early Voting Location:**

The HUB  
304 East Ferguson Street  
Tyler, Texas 75702

Additional Early Voting locations will be updated on the website when available and published in the Notice of Election.