



SOUTH SAN ANTONIO INDEPENDENT SCHOOL DISTRICT

COMMUNICATIONS DEPARTMENT

5622 RAY ELLISON BLVD. • SAN ANTONIO, TEXAS 78242-2214 • (210) 977-7000 EXT. 3502

**For immediate release
November 14, 2018**

South San Antonio ISD School Board Meeting Rescheduled

Due to the delay from the Bexar County Elections Office in releasing the official certified results from the November 6, 2018 elections, the South San Antonio Independent School District Board meeting scheduled for Wednesday, November 14, 2018, at 6 p.m. has been rescheduled for Monday, November 26, 2018 at 6 p.m.

The delay from the Bexar County Elections Office was attributed to the higher than anticipated volume of voter turnout. Subsequently and based on the recommendation of the District's current legal counsel, election results cannot be canvassed nor any new board members be installed until official certified counts have been released by the Bexar County Elections Office and received by South San Antonio Independent School District.

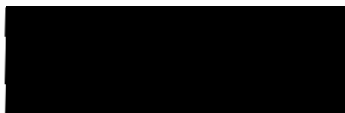
The November meeting agenda and installation of new board members will resume at the special called meeting on November 26, at 6 pm in the South San Antonio ISD Board Room, located at 5622 Ray Ellison Boulevard.

If you would like more information, please contact Laurie Salazar at (210) 977-7000, ext. 3502, (210) 392-4380 or Lausalazar@southsanisd.net.

(Official recommendation from legal counsel has been attached to this notice)

O'HANLON, DEMERATH & CASTILLO

ATTORNEYS AND COUNSELORS AT LAW



November 14, 2018

VIA EMAIL DELIVERY TO:

Dr. Alexandro Flores
Superintendent of Schools
South San Antonio Independent School District

Re: Canvassing of Election Results

OPINION LETTER

Dear Dr. Flores,

The Firm has been asked for its legal opinion regarding the timing required by law to canvass the results of the school board election that was held on November 6, 2018. Sections 67.003 and 65.05(a-1) of the Texas Election Code state that “each local canvassing authority shall convene to conduct the local canvass at the time set by the canvassing authority's presiding officer not later than 14th day” after an election day that is held on a November election in an even numbered year. However, section 67.003 also states that canvassing may not be held “earlier than the later of (1) the third day after election day; **(2) the date on which the early voting ballot board has verified and counted all provisional ballots, if a provisional ballot has been cast in the election; or (3) the date on which all timely received ballots cast from addresses outside of the United States are counted, if a ballot to be voted by mail in the election was provided to a person outside of the United States.**” (*Emphasis added*). As a result, the District may not canvass the results of the election until it receives the official notice from Bexar County that items 2 and 3 above have been completed.

As of today's date, the County has still not provided the District with the official election results for South San Antonio ISD. We have been informed by the Bexar County Election Department that, at the current time, all provisional and or early votes have not been counted. Under the Texas Election Code, the County's last day to send official results to the District is on

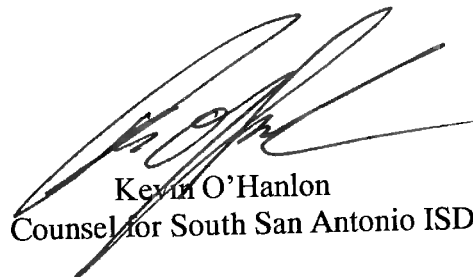
Monday November 19, 2018. Under the Texas Election Code, the District's last day to canvass the results of the election is on Tuesday November 20, 2018.

Given the existence of these statutory deadlines the Firm's opinion is for the District to post a meeting to canvass the results of the election for Tuesday November 20, 2018. We assume that the County Election Department will meet its November 19 deadline. It is our understanding that District is closed during this time and individuals may have made plans to be out of town. It is important to note that a quorum of the Board for purposes of conducting a canvass under Texas Election Code Section 67.004(a) is only two members of the Board of Trustees.

If for whatever reason the County does not meet its statutory deadline of November 19, 2018 to finalize the election results, or the District cannot gather enough people to constitute a quorum, the results of the election will not be invalidated if the District holds the meeting on Monday, November 26, 2018 to canvass the results of the election.

It is our hope that this Opinion Letter has clarified any questions you may have had regarding the procedures to canvass the results of the election. If you have further questions, or need additional clarification, please do not hesitate to contact our offices. My cell phone number

[REDACTED]



Kevin O'Hanlon
Counsel for South San Antonio ISD