

**RESOLUTION OF EMERGENCY DECLARATION
OF THE MIDWAY INDEPENDENT SCHOOL DISTRICT
BOARD OF TRUSTEES**

WHEREAS, Midway Independent School District (“MISD”) has a substantial public interest to protect the health and safety of its students, staff and community;

WHEREAS, on July 15, 2026, Midway High School experienced severe, sudden, and unforeseen water damage due to a burst water pipe;

WHEREAS, this incident has caused substantial destruction and damage to Midway High School classrooms, resulting in a major operational and structural failure of the facility; and

WHEREAS, the ongoing presence of moisture and structural damage poses an immediate threat to the health and safety of students, faculty, and staff, and will severely impact the conduct of classes and essential school activities;

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

WHEREAS, via Policy CH (Local), the Board of Trustees has delegated authority to the Superintendent to contract for the replacement, construction, or repair of school equipment or facilities in accordance with law, if emergency replacement, construction, or repair is necessary for the health and safety of District students and staff, in the event of a catastrophe, emergency, or natural disaster affecting the District;

WHEREAS, MISD school equipment, facilities, or parts of school facilities have been destroyed or severely damaged or, as a result of an unforeseen catastrophe or emergency, have undergone major operational or structural failure as a result of the burst water pipe that occurred on July 15, 2026; and

WHEREAS, pursuant to his authority granted in Policy CH (Local), Superintendent Chris Allen contracted for the emergency replacement, construction, and/or repair of school equipment and/or facilities in accordance with law, that were necessary for the health and safety of District students and staff;

WHEREAS, the emergency purchase of goods and services were necessary to restore and repair such damage to MISD facilities and equipment and to protect the health and safety of MISD students and staff.

THEREFORE, BE IT RESOLVED, that the Board of Trustees of Midway Independent School District formally declares that (1) the burst water pipe that occurred on July 15, 2026 constituted an unforeseen emergency; (2) the delays posed by competitive procurement of contracts

necessary to restore and repair Midway ISD facilities and equipment would prevent or substantially impair the conduct of classes or other essential school activities; (3) the Board ratifies the contracts executed by the Superintendent pursuant to the authority granted to him by Policy CH (Local), for goods and services that were necessary to mitigate, prevent, restore, and repair damage caused to MISD facilities and equipment or to protect the health and safety of MISD students and staff; and (4) the Superintendent has informed the Board of Trustees of all emergency purchases made at this, the next regular Board meeting following such purchases.

Passed at a duly called and posting meeting of the Midway ISD Board of Trustees on the 21st day of July, 2026. This Resolution may be executed electronically and in counterparts.

By: _____
Susan Vick
President, Board of Trustees
Midway Independent School District

Attest:

Colin Witt
Secretary, Board of Trustees
Midway Independent School District