





**MEMORANDUM**

To: Dr. Tim Harkrider, Superintendent of Schools 

From: Heather Wilson, Chief Financial Officer 

Date: December 12, 2024

Subject: Declaring Pebble Creek Elementary School meets TEC Sections 44.031(h) and 44.03129 (c); and approval of resolution Delegating Purchasing Approval ensuring efficient and timely repairs of campus

Agenda Item: J – 2.

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**BACKGROUND**

On December 4, 2024, a fire suppression line ruptured at Pebble Creek Elementary School causing significant flooding to a portion of the campus. In order to resume classes, the District had to work swiftly to hire a commercial restoration company to clean up water and the damage resulting from the burst water line. In addition, a Fire Suppressant Company needed to be hired to repair the line.

The Texas Education Code (TEC) addresses flexibility in connection with contract procurement for school districts in certain circumstances, as set out in TEC Sections 44.031(h) and 44.0312(c), which read as follows:

TEC Sec. 44.031(h) If school equipment or a part of a school facility or personal property is destroyed or severely damaged or, as a result of an unforeseen catastrophe or emergency, undergoes major operational or structural failure, and the board of trustees determines that the delay posed by the methods provided for in this section would prevent or substantially impair the conduct of classes or other essential school activities, then contracts for the replacement or repair of the equipment or the part of the school facility may be made by methods other than those required by this section.

TEC Sec. 44.0312(c) Notwithstanding any other provision of this code, in the event of a catastrophe, emergency, or natural disaster affecting a school district, the board of trustees of the district may delegate to the superintendent or designated person the authority to contract for the replacement, construction, or repair of school equipment or facilities under this subchapter if emergency replacement, construction, or repair is necessary for the health and safety of district students and staff.



College Station Independent School District's Board Policy CH(Local) delegates authority to the Superintendent to make budgeted purchases of goods and services costing less than \$50,000 and furthermore in the event of a catastrophe, emergency or natural disaster affecting the District the Board delegates the Superintendent, or designee the authority 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. The Superintendent shall report to the Board at the next regular meeting any contract made under this authority.

To ensure the health and safety of Pebble Creek Elementary School students and staff the district was required to make purchases and allocate resources outside of the standard and required procurement process. Due to the continued repair of the campus, the District recommends approval of a resolution delegating authority to the Superintendent or designee the authority to make budgeted purchases of goods and services necessary for the continued operations during the duration of the emergency.

**RECOMMENDATION**

It is recommended that the Board of Trustees of College Station Independent School District declare that Pebble Creek Elementary meets the requirement set out in TEC Sections 44.031(h) and 44.0312 (c) and authorize through resolution the Superintendent, or designee, the authority to make budgeted purchases of goods and services as necessary to continue operations during the duration of the emergency.