

Resolution to Grant Emergency Powers to the Superintendent

Whereas on March 12, 2020, Governor Mark Gordon declared a state of emergency in Wyoming and President Donald Trump made a federal emergency declaration in response to the nationwide coronavirus (COVID-19) pandemic; and

Whereas on March 15, 2020, Governor Mark Gordon and State Superintendent Jillian Balow recommended the closure of all Wyoming public schools for instructional purposes through April 3, 2020, as a safeguard against the further spread of COVID-19; and

Whereas on March 19, 2020, Governor Mark Gordon and the Wyoming State Health Officer issued a statewide public health order closing all public spaces in Wyoming, including K-12 schools, through April 3, 2020, as a further safeguard against the spread of COVID-19; and

Whereas under W.S. § 21-3-105, the local Board of Trustees of a school district is identified as the governing body of the school district; and

Whereas under W.S. § 21-3-110, the primary duties of the Board of Trustees are enumerated and under W.S. § 21-3-111, the general powers of the Board of Trustees are listed; and

Whereas under W.S. § 21-3-111(a)(vi)(A) the local Board of Trustees has the authority to prescribe the duties of the Superintendent; and

Whereas the Board of Trustees finds that the current state of emergency requires that the Superintendent be granted greater flexibility to respond quickly and appropriately to the evolving crisis;

NOW THEREFORE, BE IT RESOLVED that the [name of LEA] Board of Trustees grants to the Superintendent the following temporary powers to address the COVID-19 emergency:

1. Authority to temporarily waive such Board policies or provisions of Board policies as the Superintendent shall deem necessary to comply with guidance from appropriate health or governmental authorities or necessary for other effective response.
2. Authority to take any lawful actions necessary to ensure the continuation of public education, to provide for the health and safety of students and employees, or to respond to direction from appropriate health and government authorities. Such actions may include, but are not limited to: adjustments to the curriculum and the provision of alternative educational program options; adjustments to employee work schedules and assignments; modifications to the school calendar; adjustments to the delivery of school-provided meals; limitations on access to property owned

or controlled by the Board of Trustees; applying to any governmental body for financial or other aid as may be available; and applying to any governmental body for waiver of regulations or requirements, compliance with which is affected by the COVID-19 emergency.

- 3. Authority to enter into contracts without board approval for any dollar amount necessary for the purchase of materials, equipment, supplies, or services for sanitation, cleaning, technology, or other needs directly related to the COVID-19 emergency situation, provided such action is consistent with all applicable State and Federal laws.

NOW, BE IT FURTHER RESOLVED that the Superintendent is directed to keep the Board of Trustees informed of any actions taken under this emergency authority as soon as is practicable in light of the circumstances.

NOW, BE IT FURTHER RESOLVED that the temporary powers authorized by this Resolution are in effect for the duration identified in Governor’s Order of March 20, 2020, and any subsequent extension of that order, unless otherwise rescinded or extended by the Board upon a two-thirds majority vote.

NOW, BE IT FURTHER RESOLVED that execution of this Resolution is conclusive evidence of the Board’s approval of this action and of the authority granted herein.

Adopted and approved this ____ day of _____, 2020.

Chair, on behalf of
the _____ Board of Trustees

Date