

Resolution to Grant Emergency Powers to the Superintendent

Whereas on March 10, 2020, Governor Jared Polis declared a state of emergency and signed an executive order on March 11, 2020 as a safeguard against the further spread of COVID- 19; and

Whereas on March 18, 2020 Governor Jared Polis signed an executive order suspending in-person learning in public and private schools across the state from March 23 to April 17; and

Whereas under Colo. Const. art. 9, § 15, the local Board of Education has control of instruction in its public schools; and

Whereas under C.R.S. § 22-32-110 the local Board of Education has the authority to employ a Superintendent to administer the affairs and the programs of the district, pursuant to a contract; and

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

Whereas under Board Policy BG, the operation of any section or sections of Board policies not established by law or contract may be suspended temporarily by a majority vote of Board members present at a Board meeting held in compliance with law and Board policy;

NOW THEREFORE, BE IT RESOLVED that the Elizabeth School District Board of Education 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.
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 governmental 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 Education; 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 Education 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 18, 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.

President, on behalf of
the Elizabeth School District Board of Education

ATTEST:

Secretary, Board of Education