

RESOLUTION
APPROVING AND AFFIRMING SUPERINTENDENT’S AUTHORITY RELATED TO
MITIGATION MEASURES AGAINST COVID-19 AND PANDEMIC OPERATIONS
FOR THE REMAINDER OF THE 2021-2022 SCHOOL YEAR

WHEREAS, pursuant to Sections 10-20 and 10-20.5 of the *School Code* (105 ILCS 5/10-20, 10-20.5) and other applicable law, the Board of Education (“**Board**”) of Roselle School District 12 (“**District**”) has all powers requisite or proper for the maintenance, operation, and development of schools and development of rules related thereto; and

WHEREAS, the Board fully reopened schools for in-person student attendance during the 2021-2022 school year, in accordance with its Return to Learn Plan 2021-2022, after it heard public comment and received individual communications from parents, staff and community members related to school reopening and mitigation measures; and

WHEREAS, the Board continues to navigate how best to meet the educational needs of its students in the midst of the ongoing COVID-19 pandemic while maintaining a safe environment for students, staff, and the wider school community; and

WHEREAS, the Board wishes to continue to provide safe, in-person instruction to the fullest extent during the 2021-2022 school year; and

WHEREAS, guidance and recommendations related to the operation of schools, both generally and specifically regarding the COVID-19 pandemic, have been issued and will continue to be issued by the courts, Illinois Department of Public Health (“**IDPH**”), the Illinois State Board of Education (“**ISBE**”), the Centers for Disease Control and Prevention (“**CDC**”), local health departments, and other local, state, and federal agencies and entities, including guidance emphasizing the importance of in-person learning and outlining mitigation strategies; and

WHEREAS, the Board has adopted Policy 2:240 Board Policy Development, which authorizes the Board to adopt, revise, and temporarily suspend Board Policies; and

WHEREAS, the temporary closure of a school to in-person learning and the development and implementation of plans for remote and blended learning, any approved e-learning plan program, and for the implementation of a learning plan requires the exercise of discretion and a balancing of interests and exercise of judgment in addressing multiple goals, including continuing to offer in-person instruction so that needed services can be provided to students directly and endeavoring to protect the health of staff and students in light of COVID-19, all in the context of available resources; and

WHEREAS, the Board acknowledges and understands that the 2021-2022 school year will continue to involve innumerable challenges and, in accordance with Board Policy 3:40, delegates to the Superintendent the duties and authority to make the necessary decisions consistent with Board Policies and directives and State and federal law.

NOW, THEREFORE, be it Resolved by the Board as follows:

Section 1: Authority of the Superintendent. The Board affirms and approves a delegation of authority and discretion to the Superintendent to:

- A. Interpret and implement, as the Superintendent determines appropriate under local conditions, the directives and guidance which has and will continue to be issued and updated by various federal, state, and local authorities regarding the means and method for operating the schools and delivering instruction;
- B. Weigh such factors as the levels of community transmission, local vaccine coverage and the use of screening testing to detect COVID-19 and variant cases, and in consultation with state and local health authorities and other knowledgeable consultants, implement such layers of mitigation for prevention against the spread of COVID-19 and variants as the Superintendent determines appropriate under local conditions from time to time. This includes, but is not limited to, masking requirements, vaccination/testing requirements, school/work exclusion requirements, additional cleaning requirements, etc.;
- C. Enforce the foregoing mitigation strategies to protect the health and safety of students and employees;
- D. Determine whether individual classroom, grade levels, school buildings, all school buildings, transportation routes and any other locations or activities, are required to be closed or suspended for an adaptive pause or otherwise due to the pandemic, and implementing any approved e-learning program, remote learning, or blended learning days as needed due to such closures;
- E. Prepare and implement procedures and protocols as needed to effectuate and enforce the above responsibilities; and
- F. Delegate responsibility, discretion, and authority as needed to accomplish same.

Section 2: Consultation with the Board. The Superintendent will update the Board about the implementation of this Resolution.

Section 3: Enforcement. The Board and Superintendent are hereby authorized to enforce compliance with the foregoing by students, staff and visitors pursuant to the general and specific provisions and processes of all applicable Board Policies, Administrative Procedures and protocols, and federal, state, and local laws and guidance, up to and including exclusion of students, staff, or visitors who do not comply with applicable requirements.

Section 4: Modification to Policies and Procedures. The Board hereby suspends any Board Policies and Administrative Procedures in conflict with the foregoing delegation of authority.

Section 5: Execution of this Resolution. This Resolution may be signed in counterparts or on successive dates following its adoption. Any signature line in this Resolution not signed manually by the Board President or Board Secretary may be signed electronically or deemed to be signed through email or other electronic communications with the same force and effect as an original executed signed document.

Section 6: Duration of Effect. The provisions of this Resolution will apply through June 30, 2022, unless terminated earlier, extended or modified by action of the Board.

Section 7: Applicability of Regulations and Executive Orders. This Resolution is adopted pursuant to the separate and independent authority of the Board of Education under the School Code and other law. Implementation of this Resolution will support alignment with current, applicable state and federal directives and guidance to the extent practicable and appropriate; however, in the absence of valid, applicable directives and guidance, actions in implementation of this Resolution shall be deemed to be taken pursuant to the independent authority of the Board. To the extent any current or future law, regulation, or executive order applicable to the subject matter herein expires, is stayed, suspended, repealed, or is invalidated by a court, the Board intends that implementation of this Resolution shall continue in full force and effect.

Section 8: Severability. To the extent any provision of this Resolution is in conflict with a subsequent court order or executive order, that provision shall be deemed as severable from other sections or provisions of this Resolution. The invalidity of any provision of this Resolution shall not impair the validity of any other provision.

ADOPTED this 1st day of March, 2022, by the following roll call vote:

Ayes:

Nays:

Absent:

Attested by: _____, Board President

Attested by: _____, Board Secretary

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