

**SCHOOL CITY OF HOBART
BOARD OF SCHOOL TRUSTEES
RESOLUTION NO. 2020-24**

A Resolution Suspending Board Policies Which Conflict With State or
Federal Waivers or Extensions During COVID-19 Pandemic

WHEREAS, the Governor of the State of Indiana declared a state public health emergency on March 6, 2020 because of the COVID-19 virus, which was declared a pandemic by the World Health Organization on March 11, 2020; and

WHEREAS, the President of the United States declared a National Emergency on March 13, 2020 and the United States Congress has passed multiple pieces of legislation, including the Families First Coronavirus Response Act, Emergency Paid Sick Leave Act, and the CARES Act; and

WHEREAS, Executive Order 20-26 issued by Governor Hocomb on May 1, 2020 and Executive Order 20-28 on May 21, 2020, and these Executive Orders and others issued by Governor Holcomb provide for various waivers and extensions of school related statutes and regulations; and

WHEREAS, additional waivers and extensions of existing state regulations and changes to state and federal laws and regulations may be announced during the pandemic; and

WHEREAS, the Indiana Department of Education has issued guidance to public schools concerning the return to school for the 2020-2021 school year, which includes a recommendation that a resolution be adopted to suspend policies and procedures in conflict with governmental waivers and extensions; and

WHEREAS, many policies of the Board of School Trustees of the School City of Hobart reflect requirements of state and federal law and regulations that have already been waived or may be waived because of the pandemic; and

WHEREAS, an emergency exists, and the analysis of the impact of state and federal waivers or extensions, to determine the necessity for amendment of board policy, will take some time; and the Board of School Trustees wishes to clarify its intent for the Superintendent to take action which may be necessary to effectuate such waivers and extensions, or adapt school corporation operations to rapidly changing law and regulations, pending such analysis and amendment of Board policy; and

WHEREAS, enforcement of the requirements of existing policies could result in outcomes inconsistent with current laws and regulations as they exist after waivers or extensions are applied, and while there is a general policy that requires corporation operations to be lawful, it is necessary to clarify the intent of the Board of School Trustees that the Superintendent be authorized to act in the best interest of the corporation when adapting to waivers or extensions, without a prerequisite of Board action to modify existing policy; and

WHEREAS, this action is supplemental to the action taken by the Board of School Trustees in its Resolution adopted April 20, 2020;

NOW THEREFORE, Be It Resolved by the Board of School Trustees of the School City of Hobart, that an emergency exists which necessitates suspension of Board Policy which may conflict with state or federal waivers or extensions, to the extent of such conflict; and

BE IT FURTHER RESOLVED, by the Board of School Trustees of the School City of Hobart, that any policies or provisions within policies which reflect requirements of law or regulations which have been

extended or waived by Governor Holcomb, the Indiana Department of Education, or any other state or federal entities which enacted those requirements, are hereby suspended; and

BE IT FURTHER RESOLVED, that the Board of School Trustees of the School City of Hobart will comply with any temporary laws and regulations without implementing policies to implement those laws and regulations; and

BE IT FURTHER RESOLVED, that the suspension of policies or provisions within policies of the School City of Hobart shall remain in effect during the duration of any waiver or extension of the requirements of law or regulations reflected in said policies; and

BE IT FURTHER RESOLVED, that the Superintendent is hereby authorized to take any necessary action, without the prerequisite of Board policy review and amendment, to comply with and take advantage of any waivers or extensions by the state or federal government available to the School City of Hobart, provided that the Superintendent shall inform the Board of School Trustees of any regulations that are suspended by the Superintendent and the duration of such suspension; and

BE IT FURTHER RESOLVED, that the execution of this Resolution is conclusive evidence of the approval of this action by the Board of School Trustees of the School City of Hobart.

Adopted this __18th__ day of June, 2020.

Board of School Trustees
School City of Hobart

By: _____
Terry D. Butler, President

Attest:

Vice President or Secretary

Date: _____

Board Member

Date: _____

Board Member

Date: _____

Board Member

Date: _____

Board Member

Date: _____

Board Member

Date: _____