**Resolution to Grant Emergency Powers to the Superintendent**

**Whereas** on March 15, 2020, Governor Kevin Stitt declared a state of emergency due to the impending threat of COVID-19 to the people of the State of Oklahoma; and

**Whereas,** on March 16, 2020, the state Board of Education voted to enact mandatory, statewide closure of all public schools for purposes of providing instructional services or activities until April 6, 2020

**Whereas** under 70 O.S. §§ 5-106 & 5-117, the Board of Education of each school district in Oklahoma has general control and supervision of all matters pertaining to the public schools; and

**Whereas** under 70 O.S.5-106 the Board of Education has the authority to prescribe the duties of the Superintendent, subject to such limitations set forth in the law; 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** the Board of Education under board policy (OSSBA Policy BJ), may delegate its executive powers to the Superintendent and provide the Superintendent freedom to manage the school district within the Board policies; and

**Whereas,** the Board of Education may by majority vote of the Board members present at a Board meeting held in compliance with law and Board policies grant to the Superintendent the authority to suspend temporarily the operation of any section or sections of Board policies not established by law or contract.

**NOW THEREFORE, BE IT RESOLVED** that the [name of 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 or necessary for other effective response, provided such action is consistent with all applicable State and Federal laws.
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 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, provided such action is consistent with all applicable State and Federal laws.
3. Authority to enter into contracts without prior 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 2020-07 of March 15, 2020, and any subsequent extension of that order, unless otherwise rescinded or extended by the Board upon a 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.

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President, on behalf of

the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Board of Education