

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

**Whereas** on March 14, 2020, Governor Roy Cooper declared a state of emergency and the closure of all North Carolina public schools for instructional purposes through March 30, 2020, as a safeguard against the further spread of COVID-19; and

**Whereas** under G.S. § 115C-36, the local Board of Education has general control and supervision of all matters pertaining to the public schools; and

**Whereas** under G.S. § 115C-47(15) the local Board of Education has the authority to prescribe the duties of the Superintendent, subject to G.S. § 115C-276(a); 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 2450 [or other applicable local board policy], 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 [name of LEA] 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.
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.
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 14, 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 Education

\_\_\_\_\_  
Date