

***Stanley-Boyd Area School District***SCHOOL BOARD RESOLUTION FOR THE WAIVER OF CERTAIN SCHOOL BOARD OR SCHOOL DISTRICT REQUIREMENTS  
PURSUANT TO WIS. STAT. §§ 118.38(1) AND (1m)

WHEREAS, Wis. Stat. §118.38(1) and Wis. Admin. § PI 8.01(4) authorize school boards to request the Department of Public Instruction to waive any school board or school district requirement in Wis. Stat. chs. 115 to 121 or in the administrative rules promulgated by the Department under the authority of those chapters; and

WHEREAS, Wis. Stat. §118.38(1)(b) requires that before requesting a waiver, a school board shall hold a public hearing in the school district on the request for a waiver of any requirement in Wis. Stat. chs. 115 to 121; and

WHEREAS, Wis. Stat. §§ 120.12(1) and 12.44(2) authorize the Board of Education to have the possession, care, control, and management of the property and affairs of the school district; and

WHEREAS, on March 11, 2020, the World Health Organization characterized COVID-19 as a pandemic; and

WHEREAS, on March 12, 2020, pursuant to Wis. Stat. § 323.10, Wisconsin Governor Tony Evers issued Executive Order 72, declaring a public health emergency in all counties of the state as a result of the coronavirus pandemic (COVID-19); and

WHEREAS, on March 13, 2020, Governor Evers issued Emergency Order #1 mandating statewide closure of all public and private schools because of the spreading COVID-19, effective March 18, 2020, at 5:00 pm, through April 6, 2020; and

WHEREAS, on March 17, 2020, Governor Evers issued a further order, Emergency Order #5, extending the closure of all public and private K-12 schools indefinitely, through the duration of the public health emergency, amid the coronavirus pandemic; and

WHEREAS, on March 24, 2020, Governor Evers issued Emergency Order #12, requiring all individuals present within the State of Wisconsin to stay at home or at their place of residence, with limited exceptions, beginning March 25, 2020, and continuing through 8:00 am on April 24, 2020; and further continued the closure of all public and private K-12 schools for pupil instruction and extracurricular activities, except for facilitating distance learning or virtual learnings; and

WHEREAS, in August and September of 2020, Chippewa County COVID-19 infection rates were very low and those numbers spiked and remained high in October, November, and December of 2020.

WHEREAS, in the 2021 school year, the Stanley-Boyd Area School District was able to stay open and operate as normal with minimal issues during the warmer months.

**NOW, THEREFORE BE IT RESOLVED, that:**

1. On December 20, 2021, the Board of Education held a public hearing, in satisfaction of Wis. Stat. §118.38(1)(b), concerning requests for waivers of the requirements identified herein; and

2. In compliance with Wis. Stat. §§ 118.38(1) and (1m), and for the reasons set forth herein, the Board of Education hereby directs the District Administrator or his/her designee to apply, on behalf of the Board, to the Office of the Superintendent for Public Instruction (OSPI) for the waiver of the following:

- a. Waiver of the requirements of Administrative Code. PI 27.03(1) and the administrative rules promulgated by the department regarding school start date due to the COVID-19 public health emergency.

COVID-19 mitigation strategies are easier to implement during warmer weather. The early start allows us to be more flexible with student instructional locations as well as circulating fresh air into the classrooms. The socio-economic disparity in our district puts our students at greater risk of falling behind and facing greater obstacles if they are not in school. The Board of Education and community agree it is in our students’ best safety and academic interest to start school earlier.

BE IT FURTHER RESOLVED that execution of this Resolution is conclusive evidence of the Board of Education’s approval of this action and of the authority granted herein at a duly noticed meeting of the Board held on December 20, 2021.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

STANLEY-BOYD AREA SCHOOL DISTRICT  
BOARD OF EDUCATION

\_\_\_\_\_  
Bob Geist, Board President

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Jeff Boie, Board Clerk