



RESOLUTION RE: SUSPENSION OF SCHOOL BOARD POLICIES

WHEREAS, on March 11, 2020, the World Health Organization declared the novel coronavirus (COVID-19) outbreak a pandemic; and

WHEREAS, on March 12, 2020, Governor Ralph S. Northam issued Executive order Fifty-One declaring a state of emergency. That Executive Order stated that the anticipated effects of COVID-19 constitute a disaster and directed local governments, which include school boards, to render appropriate assistance to prepare for the event, to alleviate any conditions resulting from the situation, and to implement recovery and mitigation operations and activities so as to return impacted areas to pre-event conditions as much as possible; and

WHEREAS, Executive Order Fifty-One authorized executive branch agencies, including the Virginia Department of Education, to waive any state regulation as appropriate; and

WHEREAS, on March 13, 2020, the President of the United States declared a national emergency in response to the spread of COVID-19; and

WHEREAS, on March 13, 2020, Governor Ralph S. Northam ordered all K-12 schools to close for a minimum of two weeks;

WHEREAS, on March 13, 2020, Virginia's Superintendent of Public Instruction encouraged local school divisions to consider options and ideas to engage students in reading, thinking and learning while schools are closed; and

WHEREAS, on March 18, 2020, HR 6201 was passed by the United States Congress and signed into law by the President. HR 6201, now PL 116-127, contains the Emergency Paid Sick Leave Act and the Emergency Family and Medical Leave Expansion Act both of which will be in effect until December 31, 2020; and

WHEREAS, on March 23, 2020, Governor Northam issued Executive Order Fifty-Three, which closed all public schools throughout the Commonwealth for the remainder of the 2019-2020 school year; and

WHEREAS, on March 30, 2020, the United States Department of Education gave permission to Virginia to cancel federally mandated Standards of Learning tests during the 2019-2020 school year; and

WHEREAS, on March 27, 2020, Virginia’s Superintendent of Public Instruction stated, in Superintendents Memo 082-20a, Attachment A (which was later converted into a website and is being updated frequently), that he will provide as much flexibility as is prudent and allowable by the Code of Virginia for students currently enrolled and graduating with the 2019-2020 cohort; and

WHEREAS, PL 116-127 also contains the COVID-19 Child Nutrition Response Act which gives the Secretary of Agriculture the authority to grant waivers related to the Richard B. Russell National School Lunch Act (42 U.S.C. § 1760(l)), which authority expires on September 30, 2020; and

WHEREAS, Virginia’s Superintendent of Public Instruction has announced that numerous regulatory requirements will be waived, as authorized by Executive Order Fifty One; and

WHEREAS, on April 2, 2020, the Virginia Board of Education indicated its approval for waiving certain regulatory requirements regarding awarding standard units of credit and locally awarded verified credits; and

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

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

WHEREAS, the School Board’s usual practice is to make changes to policies only after the proposed policy change is considered at two School Board meetings; and

WHEREAS, the School Board needs to be able to adapt school division operations to rapid changes in law and regulation; and

WHEREAS, enforcing the requirements of existing policies could result in outcomes inconsistent with current laws and regulations as they exist after waivers.

NOW THEREFORE BE IT RESOLVED that the Alexandria City School Board suspends such policies or provisions within policies which reflect legal and/or regulatory requirements that have been waived by the governmental authority which enacted those requirements; and

NOW THEREFORE BE IT FURTHER RESOLVED that the suspension of School Board policies is in effect for the duration of time that the waiver of laws and/or regulations reflected in the policies are waived; and

NOW THEREFORE BE IT FURTHER RESOLVED that the Superintendent is directed to inform the School Board of any regulations that are proposed for suspension and the duration of such suspensions; and

NOW THEREFORE BE IT FURTHER RESOLVED that the Alexandria City School Board will comply with temporary laws and regulations without enacting policies to implement those laws and regulations; and

NOW THEREFORE BE IT FURTHER RESOLVED that the execution of this Resolution is conclusive evidence of the School Board’s approval of this action.

Adopted and approved at the Alexandria City School Board meeting this ___ day of April, 2020.

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