

RESOLUTION TO AMEND BOARD POLICY 8450.01

The Board of Education of the Buckeye Local School District (“Board of Education”), Ashtabula County, Ohio, met in public session on October 19, 2021, with the following members present:

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_____ moved and _____ seconded the adoption of the following Resolution:

WHEREAS, Board of Education Policy 0131 generally requires that bylaws and policies “may be adopted, amended, and repealed at any meeting of the Board, provided the proposed adoption, amendment, or repeal shall have been proposed at a previous Board meeting;” and

WHEREAS, Board Policy 0131 further states that “bylaws and policies may be adopted or amended at a single meeting of the Board in an emergency. An emergency shall be defined for purposes of this rule as any situation or set of circumstances which the Board has reason to believe will close the schools or jeopardize the safety and welfare of the students or employees of the District;” and

WHEREAS, the Board seeks to amend Board Policy 8450.01 at a single meeting in order to protect the safety or welfare of the students or employees of the District and/or in order to prevent closure of schools and to keep students learning in-person to the greatest extent possible; and

WHEREAS, protective facial coverings are strongly recommended and encouraged but not currently mandated by the District for staff, students, volunteers, visitors, and/or vendors; however, it is critical that the District, through its Board and/or Superintendent, be able to timely implement such a policy and/or requirements if circumstances dictate in order to prevent the spread of COVID-19 among staff, students, volunteers, visitors, and/or vendors, as the safety and interest of the public require; and

WHEREAS, therefore, the Board seeks to amend Board Policy 8450.01 without delay, attached hereto to this Resolution, in order the authorize the Superintendent, and not just the Board, to make these timely decisions regarding protective facial coverings for some or all District students, and to continue to have authority to do so for staff, volunteers, visitors, and/or vendors, should that be needed at any time during this 2021-2022 school year; and

WHEREAS, Ohio Revised Code Section 3313.67 authorizes boards of education to make and enforce such rules to prevent the spread of communicable diseases among the students attending or eligible to attend the schools of the district, as in its opinion the safety and interest of the public require.

NOW, THEREFORE, BE IT RESOLVED that the Buckeye Local School District Board of Education hereby adopts amended Board Policy 8450.01, *Protective Facial Coverings During*

Pandemic/Epidemic Events, as attached hereto, and the Board does so at this single meeting in accordance with Board Policy 0131.

BE IT FURTHER RESOLVED, the Board hereby directs and authorizes the Superintendent to implement this resolution, and further authorizes the Superintendent, in his own judgement and discretion, to amend or change such requirements regarding facial masks/coverings should circumstances arise where immediate and/or timely action is needed to protect the health and wellbeing of staff, students, visitors, volunteers, and/or vendors, as well as our families and community. The Superintendent is further authorized in his own judgment to determine whether to require facial masks/coverings on a District-wide, building-wide, grade-level, classroom or other basis, to allow a timely and/or universal or targeted response within the District when circumstances so require.

BE IT FURTHER RESOLVED, the Board hereby directs and authorizes the Superintendent to communicate any changes relative to facial masks/coverings to the Board, and to communicate the change to those staff, students, families, volunteers, visitors, and/or vendors who are impacted as soon as possible after the decision to change has been made in accordance with amended Board Policy.

BE IT FURTHER RESOLVED, that it is hereby found and determined by the Board that this resolution is necessary due to the emergency conditions caused by COVID-19 in order to protect the safety or welfare of the students or employees of the District and/or in order to prevent closure of schools and to keep students learning in-person to the greatest extent possible.

BE IT FURTHER RESOLVED, that this Resolution shall remain in effect through the final day of the 2021-2022 school year or until otherwise modified by the Board.

BE IT FURTHER RESOLVED, that it is hereby found and determined that all formal actions of this Board concerning and relating to the adoption of this resolution were adopted in an open meeting of this Board in compliance with all legal requirements, Section 121.22 of the Ohio Revised Code.

Upon roll call on the adoption of the Resolution, the vote was as follows:

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