

MARCH 14, 2020

NORTH CAROLINA STATE BOARD OF EDUCATION

**Resolution in Support of School Closures and Emergency Actions
to Prepare and Respond to the Novel Coronavirus (COVID-19)**

WHEREAS, COVID-10 is a respiratory disease that can result in serious illness or death by the SARS-CoV-2 virus, which is a new strain of coronavirus previously unidentified in humans and which can spread from person to person; and

WHEREAS, on March 10, 2020, the Honorable Roy Cooper issued Executive Order No. 116 and declared a State of Emergency to coordinate the State's response and protective actions to address the Coronavirus Disease 2019 (COVID-19) public health emergency and to provide for the health, safety, and welfare of residents and visitors located in North Carolina ("Declaration of a State of Emergency");

WHEREAS, Executive Order No. 116 invoked the Emergency Management Act, and authorizes the Governor to exercise the powers and duties set forth therein to direct and aid in the response to, recovery from, and mitigation against emergencies; and

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

WHEREAS, the President of the United States took executive action to restrict travel from Europe into the United States of America on March 11, 2020; and

WHEREAS, on March 13, 2020, the President of the United States declared the ongoing COVID-19 a pandemic of sufficient severity and magnitude to warrant an emergency declaration for all states, tribes, territories, and the District of Columbia pursuant to section 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. § 5121-5207 (the "Stafford Act"); and

WHEREAS, on March 13, 2020, the President of the United States pursuant to Sections 201 and 301 of the National Emergencies Act, 50 U.S.C. § 1601, et seq. and consistent with Section 1135 of the Social Security Act, as amended (42 U.S.C. § 1320b-5), declared a national emergency that the COVID-19 outbreak in the United States constitutes a national emergency beginning March 1, 2020; and

WHEREAS, on March 14, 2020, Governor Cooper issued Executive Order No. 117, Prohibiting Mass Gatherings to Prevent the Spread of COVID-19;

WHEREAS, Executive Order No. 117, among other things, directs that all public schools close for students from Monday, March 16, 2020 until March 30, 2020, unless extended beyond that date; and

WHEREAS, Executive Order No. 117, further directs the North Carolina Department of Health and Human Services, the Department of Public Instruction, and the State Board of Education to immediately work together to implement measures to provide for the health, nutrition, safety, educational needs and well-being of children during the school closure period;

NOW, THEREFORE, BE IT RESOLVED, that the North Carolina State Board of Education:

1) Supports efforts undertaken by Governor Cooper and NCDHHS under Executive Order No. 117 to support the closure of schools, consistent with the State Board's authority under N.C. Gen. Stat. § 115C-84.2(c) to order the recess and adjournment of public schools in emergency conditions;

2) Directs the Superintendent of Public Instruction and/or his designees to:

- a) Take any and all actions necessary to identify and mitigate the impacts of school closures on North Carolina children and their families by identifying and seeking flexibilities in federal and state law and regulations to continue delivery of instruction to students in all ways possible;
- b) Support local public school leaders as they work with local health departments, community leaders, educators, and public school families;
- c) Work with the federal, state, and local authorities to identify and implement options to continue the provision of meal services to eligible participants;
- d) Coordinate with the Department of Health and Human Services on matters related to early childhood educational services delivered in partnership with public schools; and
- e) Work with the leaders of the N.C. Community College System, the University of North Carolina system, and the N.C. Independent Colleges and Universities to ensure the continued participation of public high school students in dual enrollment courses in postsecondary institutions, including students enrolled in cooperative innovative high schools; and

3) Commits to work with the leaders in the Department of Public Instruction, the N.C. Community College and U.N.C. systems, the executive branch, and the legislative branch to identify waivers or temporary adjustments to laws and regulations governing the state's system of public schools in order to address impacts from the present circumstances; and

4) Encourage school leaders to work with local health departments, NCDHHS, and other public health leaders to coordinate continuity plans concerning facility access and facility use.

The Board directs the Secretary of the N.C. State Board of Education to enter a copy of this resolution into the official minutes of the N.C. State Board of Education.

Signed this day, March 14, 2020 by:

Eric C. Davis, Chair
NC State Board of Education

Mark Johnson, State Superintendent
NC Department of Public Instruction