

Durand-Arkansaw 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. § 118.38(1m) requires that “the school board shall specify in its request for a waiver its reason for requesting the waiver,” which includes the April 16, 2020, Emergency Order #28 from Governor Evers and Department of Health Services Secretary Designee Andrea Palm 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 May 26, 2020. With the exception for activities facilitating distance learning or virtual learning, the Order mandated the closure of all public and private K-12 schools for pupil instruction and extracurricular activities as set forth in previous Emergency Orders for the remainder of the 2019-2020 school year.

NOW, THEREFORE BE IT RESOLVED, that:

1. On April 29, 2020, 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:

Waiver of the requirements of Wis. Stat. § 121.02(1)(f) and the administrative rules promulgated by the department regarding required instructional hours for students for the 2019-2020 school year only due to the COVID-19 public health emergency.

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 April 29, 2020.

Dated this _____ day of _____, 2020.

Durand-Arkansaw School District
BOARD OF EDUCATION

William Yingst, Board President

Rebecca Richardson, Board Clerk