

RESOLUTION OF THE SOUTHERN REGIONAL SCHOOL DISTRICT (SRSD) BOARD OF EDUCATION, COUNTY OF OCEAN, STATE OF NEW JERSEY, URGING THE GOVERNOR AND THE NEW JERSEY DEPARTMENT OF EDUCATION TO RESCIND CERTAIN MANDATORY PROVISIONS REGARDING THE COVID-19 PUBLIC HEALTH HAZARD

WHEREAS, the SRSD Board of Education recognizes that on March 9, 2020 Governor Phil Murphy signed Executive Order No. 103 declaring a Public Health Emergency and a State of Emergency throughout the State due to the public health hazard created by COVID-19; and

WHEREAS, on March 16, 2020, Governor Phil Murphy signed Executive Order No. 104 requiring all public, private and parochial schools to be closed for in-person learning; and

WHEREAS, on August 13, 2020, Governor Phil Murphy signed Executive order No. 175, allowing for schools to open under conditions detailed in “The Road Back: Restart and Recovery Plan for Education;” and

WHEREAS, on June 4, 2021, Governor Phil Murphy signed Assembly Bill No. 5820 into law as P.L. 2021, c.103 and issued Executive Order No. 244, which terminated the Public Health Emergency declared in Executive Order No. 103 (2020) but maintained the State of Emergency declared in that same Order; and

WHEREAS, the P.L.2021, c.103 provided that following the termination of the Public Health Emergency declared in Executive Order No. 103 (2020), the Governor may continue to issue orders related to implementation of recommendations of the Centers for Disease Control and Prevention (“CDC”) to prevent or limit transmission of COVID-19, including in specific settings; and

WHEREAS, on June 7, 2021, Governor Phil Murphy announced that schools in New Jersey will have the discretion to let students go without wearing masks and on the same date, in

response to Governor Murphy's announcement, Craig Henry, Superintendent of Schools for SRSD, announced that masks were optional for the remainder of the school year; and

WHEREAS, on August 6, 2021, Governor Phil Murphy signed Executive Order No. 251 which mandated that all students, educators, staff and visitors wear face masks in the indoor premises of all public, private, and parochial preschool, elementary, and secondary school buildings for the start of the 2021-2022 school year; and

WHEREAS, the SRSD Board of Education believes that the administration of public schools is best accomplished locally, by administrators and Board members most familiar with the strengths, weaknesses, wants and needs of the schools and the school community; and

WHEREAS, the SRSD Board of Education is in the best position to quickly implement, remove, or revise COVID-19 mitigation strategies based on facts specific to the local region and school district; and

WHEREAS, the SRSD Board of Education and its Administrators have diligently reviewed local health data and have collaborated with local health officials and its school physician in order to implement, remove, or revise the aforementioned COVID-19 mitigation strategies;

NOW, THEREFORE, BE IT RESOLVED, on this 18th day of August, 2021, by the SRSD Board of Education as follows:

1. The SRSD Board of Education urges Governor Phil Murphy and the New Jersey Department of Education to rescind all mandatory provisions within Executive Order No. 251 that require mask wearing within our District, as well as all mandatory provisions concerning mask wearing within Executive Order No. 175, that outlines "The Road Back: Restart and Recovery Plan for Education," and any additional supplemental guidance to either, including, but not limited to, the mandatory use of face masks by all students, staff and visitors to a school building; and

2. That all mandatory provisions be replaced with guidance that can be considered and implemented by boards of education given their knowledge and understanding of the impact of these provisions on the students and staff in their school district; and

3. That Board President Kevin Lyons on behalf of the SRSD Board of Education be authorized to draft a letter to Governor Phil Murphy and the New Jersey Department of Education, and/or other appropriate agencies or representatives, urging them to consider the contents of this Resolution; and

4. That a copy of this Resolution shall be forwarded by the Board Secretary to the following:

- (a) Governor Phil Murphy
- (b) State Senate President Stephen M. Sweeney;
- (c) Assembly Speaker Craig Coughlin;
- (d) Angelica Allen-McMillan, Ed. D., Commissioner of Education;
- (e) Senator Christopher J. Connors, Assemblyman Brian E. Rumpf,
Assemblywoman DiAnne Gove of the 9th Legislative District;
- (f) Ocean County Executive County Superintendent Charles Muller;
- (g) Craig Henry, Superintendent of Schools;
- (h) Steve Terhune, Business Administrator; and
- (i) New Jersey School Boards Association; and
- (j) Laura Benson, Esq., Board Attorney

CERTIFICATION

I certify that the foregoing Resolution was duly adopted by the Southern Regional School District Board of Education of the at a regular meeting held on the 18th day of August, 2021, a quorum being present and voting in the majority.

Steven Terhune, Board Secretary
Southern Regional School District Board of Education
August 18, 2021