

**BOARD OF COUNTY COMMISSIONERS  
CHAUTAUQUA COUNTY, KANSAS**

**RESOLUTION NO. 2020-09**

**A RESOLUTION EXEMPTING K-12 SCHOOLS IN CHAUTAUQUA COUNTY  
FROM THE REQUIREMENTS OF EXECUTIVE ORDER 20-59**

**PREAMBLE**

**WHEREAS**, the Governor of Kansas has issued an executive order requiring, *inter alia*, masks or other face coverings to be worn in K-12 public and private schools ("Executive Order 20-59");

**WHEREAS**, on July 31, 2020 and on August 3, 2020, the Superintendent of USD286 requested that the Chautauqua County Board of County Commissioners ("BOCC") exercise its authority under K.S.A. Supp. § 48-925 as amended by House Bill 2016 to exempt USD286 from Executive Order 20-59;

**WHEREAS**, on July 31, 2020, the BOCC consulted with the local health officer regarding Executive Order 20-59;

**WHEREAS**, the BOCC has been advised that:

- i. Chautauqua County ("County") has had five (5) cases of COVID-19;
- ii. the County has had zero (0) deaths from COVID-19;
- iii. there is no evidence of community spread of COVID-19 in the County; and

**WHEREAS**, pursuant to K.S.A. Supp. § 48-925 as amended by House Bill 2016, the BOCC, following said consultation, finds that implementation of the full scope of Executive Order 20-59 is not necessary to protect the health and safety of the County;

**IT IS THEREFORE RESOLVED AS FOLLOWS:**

1. The Preamble set forth above is incorporated into this resolution as if here fully set forth.
2. All K-12 schools in the County are hereby made exempt from the provisions of Executive Order 20-59;

**3. Miscellaneous.**

- a. Effective Date.** This resolution shall become effective upon its affirmation by the local school boards in the individual school districts by adoption of a resolution by a majority of the members thereof.
- b. Severability.** Should any section, clause, or provision of this resolution be declared invalid by a court of competent jurisdiction, such declaration shall not affect the validity of this resolution as a whole, or any part thereof, other than the part declared to be invalid.

Commissioners present and voting were:

Rodney Shaw	<u>yes</u>
Parker Massey	<u>yes</u>
Jack Carpenter	<u>yes</u>

Dated this 10<sup>th</sup> day of August, 2020.


**BOARD OF COUNTY COMMISSIONERS  
OF CHAUTAUQUA COUNTY, KANSAS**

  
\_\_\_\_\_  
Parker Massey  
Chairman

  
\_\_\_\_\_  
Rodney Shaw

  
\_\_\_\_\_  
Jack Carpenter

ATTEST:

  
\_\_\_\_\_  
Niki Collier, Chautauqua County Clerk