

RESOLUTION NUMBER: 2020-16

PUBLIC HEALTH ORDER OF THE BOARD OF COUNTY COMMISSIONERS OF KIOWA COUNTY, KANSAS, PROVIDING FOR LESS STRINGENT REQUIREMENTS REGARDING COVID-19 MITIGATION PROCEDURES FOR SCHOOLS THAN THE PROVISIONS OF GOVERNOR'S EXECUTIVE ORDER 20-59.

WHEREAS, on the 3rd day of August 2020, the Board of County Commissioners of Kiowa County, Kansas, considers Executive Order No. 20-59 issued by Kansas Governor Laura Kelly.

WHEREAS, as a result of the COVID-19 pandemic, Kansas Governor Laura Kelly issued Executive Order No. 20-59 which includes mitigation procedures that all schools in Kansas are required to comply with including orders mandating the wearing of face masks by all students and staff.

WHEREAS, K.S.A. 48-925(h), as amended by House Bill 2016, provides that, "The board of county commissioners of any county may issue an order relating to public health that includes provisions that are less stringent than the provisions of an executive order effective statewide issued by the governor. Any board of county commissioners issuing such an order must make the following findings and include such findings in the order:

(1) The board has consulted with the local health officer or other local health officials regarding the governor's executive order;

(2) following such consultation, implementation of the full scope of the provisions in the governor's executive order are not necessary to protect the public health and safety of the county; and

(3) all other relevant findings to support the board's decision."

WHEREAS, the Board of County Commissioners have consulted with the Kiowa County Local Health Officer regarding Executive Order No. 20-59.

WHEREAS, the Kiowa County Local Health Officer and Kiowa County Health Nurse recommend the following for the safety of all students, staff and patrons of schools in Kiowa County, Kansas:

1. All students, staff, patrons and visitors should wear masks when:
 - a. Entering and exiting the buildings
 - b. In public spaces like hallways, libraries, restrooms, and cafeterias (when not eating)
 - c. In group settings or group activities (excluding PE, sports, reading groups, etc.)
 - d. Working closely with a teacher/para/student/co-worker
 - e. Social distancing is not practical or feasible
2. All students, staff, patrons and visitors may be permitted to take off their mask when:
 - a. At a table or desk eating

- b. At their desk, or working alone and 6 ft away from others
- c. Engaging in physical activities like recess, PE and sports

WHEREAS, having consulted with the Kiowa County Local Health Officer, blanket implementation of the full scope of the provisions in Executive Order No. 20-59 are not necessary to protect the public health and safety of Kiowa County, Kansas.

WHEREAS, it is necessary and appropriate to issue an order relating to public health that includes provisions that are less stringent than those included in Executive Order No. 20-59.

NOW, THEREFORE, BE IT ORDERED by the Board of County Commissioners of Kiowa County, Kansas, pursuant to K.S.A. 48-925(h), that:

1. No school district in Kiowa County, Kansas, shall be required to abide the requirements set forth Governor Laura Kelly's Executive Order No. 20-59, which shall have no force and effect in Kiowa County.
2. The determination of rules and regulations regarding COVID-19 mitigation procedures, including whether and when to require masks, shall be made by the individual school districts as such school district determines is in necessary and appropriate for the best interests of the individual school district.
3. All school districts in Kiowa County, Kansas, are recommended to comply with the recommendations of the Kiowa County Local Health Officer and Kiowa County Health Nurse as stated above.

IT IS BY THE BOARD OF COUNTY COMMISSIONERS OF KIOWA COUNTY, KANSAS, SO ORDERED ON THIS 3rd DAY OF AUGUST 2020.



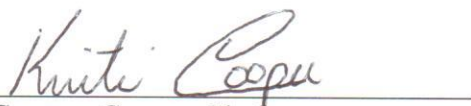
Ron Freeman, Chairman



John Bertram, Vice-Chairman



Bert Lowery

Attest 

Kristi Cooper, County Clerk