

**THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF DOUGLAS, COLORADO**

**RESOLUTION REQUESTING THE BOARD OF EDUCATION FOR DOUGLAS
COUNTY SCHOOL DISTRICT RE-1 TO EXERCISE DISCRETION AND DECLINE TO
ADOPT TRI-COUNTY HEALTH DEPARTMENT'S PUBLIC HEALTH ORDER
REQUIRING FACE COVERING FOR SCHOOLS AND CHILD CARE SETTINGS.**

WHEREAS, on August 19, 2021, after a lengthy public hearing, the Board of County Commissioners of the County of Douglas adopted Resolution No. R-021-090 A Resolution Opting out of Tri-County Health Department's Mandatory Mask Order for Students Ages 2-11; and

WHEREAS, Tri-County Health Department's Public Health Order requiring face covering for schools and child care settings (TCHD Public Health Order) provides that even if a county opts out of the TCHD Public Health Order, individual school districts, schools or child care facilities are not precluded from following or adopting the provisions of the TCHD Public Health Order as their own policy or rule; and

WHEREAS, the Board of Education for Douglas County School District RE-1 ("DCSD") has stated that pursuant to DCSD Policy, it must abide and adhere to all public health orders; and

WHEREAS, in accordance with the Board's legal interpretation of TCHD's Public Health Order, the Board of Education for DCSD is not bound by the TCHD Public Health Order in light of the Board of County Commissioners' election to opt-out of the TCHD Public Health Order; now, therefore,

BE IT RESOLVED, that the Board hereby requests that the Board of Education for Douglas County School District RE-1 exercise its discretion and formally resolve not to adopt Tri-County Health Department's Public Health Order dated August 18, 2021, requiring face covering for schools and child care settings, as its own policy or rule at the Board of Education's next public meeting.

PASSED AND ADOPTED this 24th day of August, 2021, in Castle Rock, Douglas County, Colorado.

**THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF DOUGLAS, COLORADO**

BY: 
ABE LAYDON


GEORGE TEAL

ATTEST: 
KRISTIN RANLETT, Clerk to the Board

