

RESOLUTION 20-

Presidential Authority to Respond to a Public Health Emergency

WHEREAS, on January 30, 2020, the International Health Regulations Emergency Committee of the World Health Organization (WHO) declared the outbreak of COVID-19, a public health emergency of international concern; and,

WHEREAS, on January 31, 2020, the United States Health and Human Services Secretary, Alex M. Azar II, declared a public health emergency for the United States to aid the nation's healthcare community in responding to COVID-19; and,

WHEREAS, on March 9, 2020, testing by the Ohio Department of Health confirmed that three (3) patients had tested positive for COVID-19 in the state of Ohio, creating a potentially dangerous condition that may affect the health, safety and welfare of Ohio citizens; and,

WHEREAS, on March 9, 2020, Governor Mike DeWine issued Executive Order 2020-01D, (attached as Exhibit A), Declaring a State of Emergency to protect the well-being of Ohio citizens from the dangerous effects of COVID-19 and to coordinate the state response to COVID-19; and,

WHEREAS, on March 11, 2020, the WHO declared COVID-19 a global pandemic; and,

WHEREAS, Ohio Revised Code §3352.03 (attached as Exhibit B) empowers the University's Board of Trustees... "to do all things necessary for the creation, proper maintenance, and successful and continuous operation of the University..."; and,

WHEREAS, subject to the authority of the Board of Trustees as set forth in the Bylaws of the Wright State University Board of Trustees as Sections 3., 5. and 6., (attached as Exhibit C) outlines the broad authority of the University President, including the responsibility for the administration of the affairs of the University and the authority for administrative decisions in all matters of operations of the University; and,

WHEREAS, additional University rules contemplate the need for adjustment to University policies, procedures and practices during emergency situations;

WHEREAS, during the current State of Emergency and rapidly evolving public health crisis, there is a need for the University to act expeditiously at the direction of government and University officials, as well as public health and healthcare experts, to respond to crucial developments as they occur; now, therefore;

BE IT RESOLVED, that the Board of Trustees authorizes the President, in consultation with appropriate public health and healthcare experts, governmental officials, and University officials, to oversee and direct all steps necessary to protect the health, safety, and welfare of the campus community and to maintain the essential functions and operations critical to carrying out the mission and business continuity of the University. However, if during this crisis the President encounters an extraordinary circumstance as determined by the President, which requires official action, the President will first contact the Board Chair. This resolution is effective retroactive to March 9, 2020.