

**TOWN OF BERRY**  
**RESOLUTION 2020-2**

WHEREAS, the American Academy of Pediatrics “strongly advocates that all policy considerations for the coming school year should start with a goal of having students physically present in school” based on safe, measured and reasonable plans for return (<https://services.aap.org/en/pages/2019-novel-coronavirus-covid-19-infections/clinicalguidance/covid-19-planning-considerations-return-to-in-person-education-in-schools/>);

WHEREAS, the American Academy of Pediatrics advises:

The importance of in-person learning is well-documented, and there is already evidence of the negative impacts on children because of school closures in the spring of 2020.

Lengthy time away from school and associated interruption of supportive services often results in social isolation, making it difficult for schools to identify and address important learning deficits as well as child and adolescent physical or sexual abuse, substance use, depression, and suicidal ideation. This, in turn, places children and adolescents at considerable risk of morbidity and, in some cases, mortality.

Beyond the educational impact and social impact of school closures, there has been substantial impact on food security and physical activity for children and families. The disproportionate impact this has had on Black, Latinx, and Native American/Alaskan Native children and adolescents must also be recognized

(<https://services.aap.org/en/pages/2019-novel-coronavirus-covid-19-infections/clinical-guidance/covid-19-planning-considerations-return-to-in-person-education-in-schools/>).

WHEREAS, the American Academy of Pediatrics strongly advocates for additional federal assistance to schools throughout the United States, with no restrictions regarding their plans for in-person versus virtual learning (<https://services.aap.org/en/pages/2019-novel-coronavirus-covid-19-infections/clinical-guidance/covid-19-planning-considerations-return-to-in-person-education-in-schools/>);

WHEREAS, for children and adolescents in virtual learning models, educational disparities may widen further, and the technological “homework gap” disproportionately affects Black, Hispanic, and low-income families (<https://www.pewresearch.org/fact-tank/2020/03/16/as-schools-closed-due-to-the-coronavirus-some-u-s-students-face-a-digital-homework-gap/>);

WHEREAS, 17 other counties in the State of Wisconsin have a higher rate of positive cases per 100,000 people (as of 8/24/2020) (Ozaukee, Rock, Jefferson, Oconto, Washington, Lafayette, Waupaca, Dodge, Waukesha, Trempealeau, Marinette, Walworth, Kenosha, Brown, Iron, Racine, Milwaukee) (<https://www.dhs.wisconsin.gov/covid19/county.htm>);

WHEREAS, Other counties and other boards of health have not taken the extreme step of closing all in-person schooling, public and private—even those schools with detailed, safe plans for in-person schooling;

WHEREAS, For example, the Milwaukee Health Department is continuing to review COVID-19 safety plans for schools that are located in the City of Milwaukee and desire to have options aside from virtual, and has approved public and private schools to open with in-person classes in a safe manner;

WHEREAS, Public Health Madison & Dane County is an entity that has little representation from elected officials that can be held accountable for the actions of the entity;

WHEREAS, Public Health Madison & Dane County has no authority beyond that allowed in Wis. Stat. §252.03, which allows it to inspect schools, while Wis. Stat §252.02 reserves the right to close schools to the head of the state Department of Health Services; and

WHEREAS, Public Health Madison & Dane County has issued repeated “Emergency Orders” of dubious legal basis and its Emergency Order No. 9 is currently under legal challenge.

THEREFORE, BE IT RESOLVED, that the Town of Berry Board hereby stands with parents who choose to send their kids to in-person school that have safe and reasonable health measures in place; AND

BE IT FURTHER RESOLVED, that although Town of Berry Board appreciates the efforts of Public Health Madison & Dane County to maintain safety in our community, the Town of Berry Board has determined that Emergency Order No. 9, issued after close of business on Friday, August 21, 2020, is too extreme in its mandate that all schools close in-person learning; AND

BE IT FURTHER RESOLVED, the Town of Berry Board expects that the voices of its citizens and the citizens from the entire County are heard at the Public Health Madison & Dane County.

BE IT FURTHER RESOLVED, the Town of Berry Board hereby requests that Public Health Madison & Dane County Rescind Order No. 9 with respect to any impact on public and private schools; AND

BE IT FURTHER RESOLVED, the Town of Berry Board hereby requests that Public Health Madison & Dane County work in a reasonable and good faith manner with public and private schools to allow for a reasonable and safe return to school, in-person, for those schools and families who select that option.

Adopted this 21<sup>st</sup> day of September, 2020

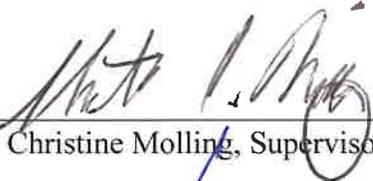
Attest: Brenda Kahl  
Brenda Kahl, Clerk/Treasurer

  
Anthony Varda, Chair

Posted: September 22, 2020

  
David Evert, Supervisor

\_\_\_\_\_  
Michael Statz, Supervisor

  
Christine Molling, Supervisor

  
Duane Haag, Supervisor