

**MIDDLETOWN TOWNSHIP BOARD OF EDUCATION
COUNTY OF MONMOUTH**

**RESOLUTION SUPPORTING SENATE BILL No. 1200 AND RESTORING LOCAL
CONTROL OVER DECISIONS IMPACTING THE EDUCATIONAL, SOCIAL, AND
EMOTIONAL WELFARE OF THE CHILDREN OF MIDDLETOWN TOWNSHIP
PUBLIC SCHOOLS**

WHEREAS, on March 9, 2020, Governor Murphy declared a public health emergency relating to the COVID-19 pandemic; and

WHEREAS, for the past twenty-three (23) months, the State has issued legal requirements and recommended guidance which the Board finds have been deleterious to our students' educational, social, and emotional development; and

WHEREAS, during the early days of the pandemic, the Governor's emergency powers served the purpose of dealing with the emergent and uncertain nature and threats of the COVID-19 virus, which was new to the residents of the State and Borough; and

WHEREAS, the Governor extended the emergency every 30 days until June 4, 2021, when the Governor entered an Executive Order ending the public health emergency; and

WHEREAS, at that time, the Legislature granted Governor Murphy the authority to continue certain emergency powers only until January 11, 2022, unless otherwise specifically extended by the Legislature; and

WHEREAS, on or about January 10, 2022, the Legislature rejected Governor Murphy's request to extend those certain executive orders and emergency powers; and

WHEREAS, the Legislature's refusal to extend the Governor's powers constituted a formal rejection of the Governor's position that the public health emergency should be extended and the Legislature's belief that the Governor has exceeded his authority in this matter; and

WHEREAS, despite the Legislature's outright rejection of his request, Governor Murphy ignored that co-equal branch of government and issued Executive Order 280, which declared a new Public Health Emergency and reinstated the existing State of Emergency across all 21 counties in New Jersey; and

WHEREAS, by ignoring the Legislature, the Governor unilaterally extended his emergency powers, allowing himself the sole authority to continue statewide mandates without the proper checks and balances as envisioned by the framers of our Constitution; and

WHEREAS, the Board finds that the Governor's Executive Orders and other public health guidance was not reflective of or based upon the District's own experience and data; and

WHEREAS, the residents of Middletown Township, the County of Monmouth, and the State of New Jersey deserve a system of government with appropriate checks and balances as guaranteed by both the United States and New Jersey Constitutions; and

WHEREAS, the Middletown Township Board of Education find that the Governor's unilateral extension of the public health emergency is not warranted and was specifically rejected by the Legislature's refusal to extend his emergency powers in January 2022; and

WHEREAS, local elected officials, such as this Board of Education, are in the best position to make local decisions, based on local data and circumstances; and

WHEREAS, in response to the Governor's unilateral actions and disregard of the Legislature, Monmouth County Senators Declan O'Scanlon and Vin Gopal have sponsored Senate Bill No. 1200, which generally permits the Legislature to terminate certain declarations of emergency by the Governor by two-thirds vote, and limits any such emergency to sixty (60) days, unless otherwise authorized or extended by the Legislature; and

WHEREAS, the Middletown Township Board of Education finds that Senate Bill No. 1200 constitutes sound governmental policy and returns authority to the Legislature, as a co-equal branch of government.

NOW THEREFORE, BE IT RESOLVED, that the Middletown Township Board of Education supports passage of Senate Bill No. 1200; and

BE IT FURTHER RESOLVED, a copy of this resolution to be sent to the Governor's office and to primary bill sponsors Senator Declan O'Scanlon, Jr. and Senator Vin Gopal and co-sponsors Senators Testa, Durr, Schepisi, Bucco, Holzapfel, Stanfield, Oroho, and Pennacchio, and to Assemblywomen Eulner and Piperno, and to Assembly Speaker Craig Coughlin and Senate President Nicholas Scutari.