

**Resolution to Define “Actively Engaged in the Educational Process”
and Student Attendance for the 2020-2021 School Year**

Whereas, on March 11, 2020 the World Health Organization (“WHO”) characterized COVID-19 as a pandemic, meaning the WHO identified the worldwide spread of a new disease; and

Whereas, on March 10, 2020, Governor Jared Polis declared a state of emergency and issued Executive Order D 2020 003 on March 11, 2020 as a safeguard against the further spread of COVID-19; and

Whereas, on July 6, 2020, Governor Jared Polis amended and extended Executive Order D 2020 003 through Executive Order D 2020 125; and

Whereas under Colo. Const. art. 9, § 15, the local Board of Education has control of instruction in its public schools; and

Whereas, as required by 1 CCR 301-39, the Board of Education defines "educational process," in Board Policy ICA/ICA-R, School Year/School Calendar/Instruction Time; and

Whereas the Board of Education finds that the current pandemic creates the need for changes to instructional delivery and the situations under which students are considered in attendance; and

Whereas the Colorado Department of Education provided guidance specific for the 2020-2021 school year, stating local boards may define “the educational process” as including instruction delivered electronically and/or other types of independent, remote work time for students that is provided under the supervision of a certified or licensed teacher; and

Whereas charter schools authorized by District 49 are required to have a remote learning plan for the 2020- 21 school year.

NOW THEREFORE, BE IT RESOLVED that the El Paso County, Colorado School District 49 Board of Education authorizes the following for the 2020-2021 school year:

1. Expansion of the definition of “actively engaged in the educational process” addressed in Board Policy ICA/ICA-R, School Year/School Calendar/Instruction Time to include, instruction delivered electronically and/or the use of other types of independent, remote work time for students provided under the supervision of a certified or licensed teacher.
2. Attendance will be recorded at least once daily for days when instructional hours are provided, meaning a student is “actively engaged in the educational process.”
3. Student contact days may include remote learning days implemented as a result of public health and safety measures. Remote learning days may include use of: Schoology, Google Classroom and other technology-based learning management systems, on-line curriculum, assigned and prepared work packets, or pre-recorded classes as developed by the school. In addition to the criteria defined in ICA/ICA-R, teacher-student instruction and contact time may occur in the following ways:
 - a. Completing assignments at home;
 - b. Logging into an online learning platform or learning management system;
 - c. Participating in a virtual lesson with an educator;
 - d. Viewing recorded lessons or video instruction;
 - e. Demonstrating learning through an assessment;
 - f. Responding to teacher emails or other communication

NOW THEREFORE, BE IT FURTHER RESOLVED that the district will make a good faith effort to ensure that the combination of in-person and/or remote learning implemented during the 2020-21 school-year allows students to learn the same academic content as they would have learned under the in-person bell schedule.

NOW, BE IT FURTHER RESOLVED that the Chief Education Officer is directed to keep the Board of Education informed of actions taken under this Resolution.

NOW, BE IT FURTHER RESOLVED this Resolution is in effect for the duration of the 2020-2021 school year, unless otherwise rescinded or extended by the Board upon a majority vote.

NOW, BE IT FURTHER RESOLVED this Resolution approves each District 49 authorized charter school’s remote learning policy for the purposes of instruction and attendance so long as

the policy aligns to the guidance provided by the Colorado Department of Education described herein and is approved by the charter school board.

NOW, BE IT FURTHER RESOLVED that execution of this Resolution is conclusive evidence of the Board's approval of this action and of the authority granted herein.

Adopted and approved this 13th Day of August, 2020.

Board of Education President
On Behalf of El Paso County, Colorado School District 49
Board of Education

Date