

RESOLUTION NO. 20-07-02

**A RESOLUTION OF THE BOARD OF SCHOOL DIRECTORS OF THE
WARREN COUNTY SCHOOL DISTRICT AUTHORIZING FLEXIBILITY IN
MEETING THE INSTRUCTIONAL TIME REQUIREMENTS DURING
THE COVID-19 PANDEMIC**

WHEREAS, the Pennsylvania Department of Education has determined that the COVID-19 pandemic constitutes an “emergency” within the meaning of Section 520.1 of the Public-School Code; and

WHEREAS, the Board of School Directors of the Warren County School District (“District”) has determined that the risks COVID-19 presents to our students, faculty, and community requires greater flexibility in the District’s provision of instruction to its students during the COVID-19 pandemic; and

WHEREAS, at its Special Board Meeting on June 29, 2020, the Board passed a motion directing the Administration to prepare a Warren County School District reopening plan, for consideration at the regular meeting of July 13, 2020, that provides for the following:

1. the operation of all WCSD schools in accordance with the already-adopted 2020-21 calendar;
2. the operation of all WCSD schools on the normal daily schedule that was in use prior to March 2020;
3. the transportation of students using the normal bussing schedules that were in use prior to March 2020;
4. the operation of virtual platforms to provide at-home education to any student who is unable to physically attend school at WCSD facilities; and
5. the provision of hardware to students who are unable to physically attend school at WCSD facilities in order to enable students to utilize WCSD virtual platforms; and

WHEREAS, while the preceding 5 items are the Board’s objectives, the Board desires a full time, in-person instruction options whenever possible, and this is reflected in the Health and Safety Plan and associated Resolution of Rationales for the adoption of the Plan approved by the Board on July 13, 2020, the Board also understands the importance of providing the Superintendent with the flexibility needed to instruct the students of the District during the COVID-19 pandemic under the following Sections of the School Code:

- Section 520.1 of the School Code, which allows school districts to request the use of “temporary provisions” to allow for greater flexibility in the prescribed length of school days, number of days per week or usual hours of classes in times of emergency;
- Section 1504 of the School Cod, which authorizes the Secretary of Education to approve a school district’s request to shift from 180 days of instruction to 990 hours (secondary) and 900 hours (elementary) of instruction per school year in order to accommodate the implementation of a “meritorious educational program;” and

- Section 1505 of the School Code, which authorizes the Secretary of Education, upon his issuance of a health-related emergency declaration, to approve a school district meeting the 180 day of instruction requirement established in Section 1501 of the School Code through the provision of 990 hours of instruction at the secondary level and 900 hours of instruction at the elementary level; and

WHEREAS, the purpose of this Resolution is for the Board to provide the Superintendent the flexibility needed to instruct students of the District during the COVID-19 pandemic and to comply with the instructional time requirements.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Board of School Directors of the Warren County School District as follows:

1. Pursuant to Section 520.1 of the School Code, the Board authorizes the Superintendent to develop and adopt temporary provisions, for the duration of said pandemic (but for no more than period of 4 years) which allow for a flexible provision of instruction to the District's students. Section 520.1 allows the Secretary of Education approve temporary provisions:
 - a. Keeping the schools open such days and number of days per week as the school board may deem necessary or desirable to meet the required minimum of 180 days of instruction and/or, as maybe authorized by the Secretary of Education, a minimum of 900 hours of instruction at the elementary level and 990 hours of instruction at the secondary level.
 - b. Employing any combination of in-person, virtual/online, and distance learning as the Superintendent deems necessary to address the health and safety of students, faculty, and community, and the learning needs of students.

Instruction shall comply in full with the requirement of Chapter 4 of the regulations of the State Board of Education and with the curriculum standards published in accordance therewith, including requirements pertaining to instructional activities being delivered under the direction of certified school employees regardless of whether provided in synchronous or asynchronous formats. For any virtual/online instruction, the administration must implement a system that accurately tracks out of school instructional time similar to attendance in the school building.

The potential for the utilization of these "temporary provisions" is included in the District's Health and Safety Plan. Any such "temporary provisions" shall be submitted to, and are subject to the approval of, the Secretary of Education.

2. In the event it is determined that the Secretary of Education must grant approval under Sections 1504 or 1505 of the School Code in order to authorize the District to utilize 990 instruction hours (secondary)/900 instruction hours (elementary) in lieu of 180 days of instruction:

- a. It is the Board’s contention that the instructional components outlined in the District’s Health and Safety Plan, including any “temporary provisions.” along with the District’s online options, including its Virtual Academy, constitute “meritorious educational programs” which warrant approval of a school year utilizing the use of 990/990 instructional hours in lieu of 180 days of instruction otherwise required by Section 1501 of the School Code. The Board authorizes the Superintendent to make this request pursuant to Section 1504(a) of the School Code to the Secretary of Education, in a manner or method required by the Department of Education, if the Superintendent believes this change to be necessary in order to effectuate the District’s plan to deliver instruction during the COVID-19 pandemic.

- b. In the alternative, if the Secretary of Education declares a health-related emergency pursuant to Section 1505 of the School Code, the Board authorizes the Superintendent (if the Superintendent believes this change to be necessary in order to effectuate the District’s plan to deliver instruction during the COVID-19 pandemic) to apply to the Secretary of Education for approval of a school year which provides a minimum of 990 hours of instruction for secondary students and 900 hours of instruction for elementary students in lieu of the traditional 180 instructional days, in the form and manner required by the Department of Education pursuant to Section 1505(b).

Adopted as a Resolution of the Warren County School District this 13th day of July, 2020.

ATTEST: (SEAL)

WARREN COUNTY SCHOOL DISTRICT

Secretary, Board of School Directors

BY: _____
President, Board of School Directors