

**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 IC/ICA, 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.

**NOW THEREFORE, BE IT RESOLVED** that the Elizabeth School District 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 IC/ICA, 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 at home provided under the supervision of a certified or licensed teacher. Supervision by a certified or licensed teacher shall not require that the teacher be in the student’s physical presence at all times, but that the teacher is exercising direction, control or monitoring over the student’s activities.

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.” Attendance will be determined using any one of the indicators identified below as constituting being actively engaged in the educational process and will be documented in the District’s student information system.
  
3. Student contact days may include remote learning days implemented as a result of public health and safety measures, including a temporary fully online option selected by some families. Remote learning days may include use of: district synchronous learning technology, services provided in partnership with Colorado Digital Learning Solutions (CDLS), assigned and prepared work packets, pre-recorded classes, or other method(s) utilized by the district. Teacher-pupil instruction and contact time may occur in the following ways:
  - a. Presence during in-person instruction;
  - b. Independent or group student work time while at school including study hall;
  - c. Electronic or paper assignments completed at home;
  - d. Signing into a course or opening an assignment in an online learning platform (ie: Google Classroom);
  - e. Signing an online or paper form attesting to work completed at home;
  - f. Independent or group remote work time that is directed, controlled or monitored remotely by educators;
  - g. Student demonstration of learning;
  - h. Enrollment and participation in 100% Online Program (CDLS)
  - i. Responding to teacher emails or communication;
  - j. Participation in video conferenced classes and meetings;
  - k. Presence during live broadcast of instructor led, synchronous lessons while at home, school, or other location; or
  - l. Other methods utilized by the District under the direction of the Superintendent.

**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 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 Superintendent 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 two-thirds majority vote.

**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 \_\_\_\_ day of \_\_\_\_\_, 2020.

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President, on behalf of the  
Elizabeth School District Board of Education

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Date