

COEUR D'ALENE SCHOOL DISTRICT NO. 271 - RESOLUTION 20-21-006

IN RESPONSE TO COVID-19 EMERGENCY

This Resolution is made this 7th day of December, 2020, by the Coeur d'Alene School District #271, whose address is 1400 N. Northwood Center Court, Coeur d'Alene, ID 83814 (the "District"):

RECITALS:

WHEREAS, the Board of Trustees (the "Board") incorporates all previous recitals adopted pursuant to Resolution 20-21-001 with the following modifications;

WHEREAS, the *Idaho Back to School Framework* provides guidance for school districts to consider when developing reopening plans during the period of the COVID-19 pandemic. The Framework recognizes that such plans must be made by the local boards of trustees, as modified to meet the needs of each particular district;

WHEREAS, the Board recognizes that the Panhandle Health District ("Health District") makes determinations of Risk Levels for community transmission for Kootenai County at large and these Risk Levels are not necessarily representative of levels of transmission within District facilities;

WHEREAS, the Board recognizes that the Health District's categories are recommendations only and that all operational decisions impacting District facilities are left to the sole discretion of the Board;

WHEREAS, the Board, in an exercise of its discretion and in its judgment of the best interest of the District, desires to repeal Resolution 20-21-002 (and amendments thereto) in order to grant the administration the flexibility to respond to the spread of COVID-19, including identifying levels of risk at the District level, which decisions are subject to ratification by the Board and the guidelines set forth herein;

WHEREAS, on August 24, 2020, the Board adopted its reopening plan for the District (the "Plan"). The Plan establishes various categories of District operations, intended to be implemented according to specific metrics reflecting community spread of COVID-19, along with setting forth specific plans for mitigating spread of COVID-19 within school buildings;

WHEREAS, federal, state and local recommendations related to COVID-19, and in particular K-12 schools' response to the same, have continued to evolve throughout the course of the pandemic;

WHEREAS, on September 28, 2020, the U.S. Department of Education Office for Civil Rights (OCR), relying on CDC guidance, recommended that states and school districts "make

every effort to return to the classroom and provide equal access to educational opportunities to all children;”

WHEREAS, the American Academy of Pediatrics (AAP) has also encouraged school districts to maximize in-person learning in order to minimize negative impacts on children due to school closures, including social isolation, abuse, substance use, depression, suicidal ideation, lack of food security and lack of physical activity;

WHEREAS, in order to effectively adapt operations in response to quickly-changing conditions, and to mitigate the spread of COVID-19 within school buildings while attempting to maintain stability and prevent the risk of other negative impacts to students, the Board has determined in its discretion that it is in the best interest of District students and staff to modify the Plan to allow for flexible decision-making by administration and a targeted case-by-case approach to adjusted operations;

WHEREAS, the Board recognizes a parent’s right to reasonable academic accommodations, as defined by Idaho Code § 33-6001, may include a parent’s interest in keeping their child home from school due to personal safety concerns, regardless of whether the child’s school building is open for in-person learning; and

WHEREAS, the Board desires to allow the Superintendent to waive enforcement of its attendance policies (3040/3040P) in order to allow for such accommodations where it is deemed reasonable under the circumstances, at the sole discretion of the Superintendent;

NOW, THEREFORE, it is resolved as follows:

1. The Board hereby adopts the previous recitals as if set forth herein.
2. In accordance with the parameters set forth herein, the Board grants the Superintendent (or designee) maximum flexibility to make operational decisions regarding the District during this period of pandemic that are, in the discretion of the Superintendent, in the best interest of the District.
3. The Board hereby repeals Resolution 20-21-002 (and amendments thereto).
4. The Board, in an exercise of its discretionary functions and in its best judgment, hereby adopts the amended reopening framework to be applied for the remainder of the 2020-2021 school year (the “Amended Plan”). The Amended Plan is attached hereto as Exhibit A.
5. Regardless of anything to the contrary in the Amended Plan and subject to ratification by the Board, the Board hereby grants the Superintendent (or designee) the following additional authority:
 - a. The authority to identify levels of risk at the District-level, which determined shall consider, among other factors:
 - i. Timing of quarantines;
 - ii. Substitute teacher coverage rate;

- iii. Operational limitations (one group of staff is affected more than others);
- iv. Indication of in-school transmission;
- v. Total number of students out of school for quarantine and illness;;
- vi. High prevalence of positive cases;
- vii. High prevalence of quarantined cases; and
- viii. Poor adherence to nonpharmaceutical interventions.

Category determinations shall be displayed on the District website and otherwise shared with the patrons of the District in the manner most likely to give notice to families. The Superintendent is directed to make all reasonable efforts to delay operational changes resulting from category changes for at least one week to allow families time to plan and prepare.

- b. The authority to make decisions which may deviate from the Amended Plan from time to time, as necessary to respond to the fluid nature of the pandemic and to address student, staff or other District needs, in his sole discretion.
 - c. The authority to make adjustments to levels of operations, including making category changes and/or closure decisions within a specific grade level, stage (elementary, middle or high school), building or classroom, as circumstances may dictate from time to time.
- 6. The Board hereby grants the Superintendent (or his designee) the authority to waive enforcement of Board Policy 3040/3040P in order to accommodate a parental request for extended absences due to COVID-19 safety concerns. Such approvals may be subject to reasonable terms and conditions, such as staffing availability, ongoing academic success of the student and commitment by the family.
 - 7. The Amended Plan shall remain in effect until lifted or amended by the Board, unless previously superseded by any applicable agency ordinance, state law or federal law.
 - 8. The Board directs and authorizes the Superintendent to take all actions as may be necessary to comply with the Amended Plan and the discretionary functions of Board's directives as contained herein.
 - 9. Anything in the Amended Plan that is in conflict with this resolution will be null and void and of no further force and effect.
 - 10. The Board retains final authority over all COVID-19-related decisions, and may in its discretion veto and/or override any interim decision made by administration.

This Resolution shall remain in effect for so long as the applicable agency orders, state, local and/or federal laws, rules or directives are in effect.

IN WITNESS WHEREOF, the Board hereby adopts the foregoing Resolution on the date first written above.

BOARD OF TRUSTEES OF THE
COEUR D'ALENE SCHOOL DISTRICT
#271

By: 
Chair

ATTEST:


Clerk