

**TEMPE UNION HIGH SCHOOL
DISTRICT NO. 213
OF MARICOPA COUNTY, ARIZONA**

RESOLUTION RE: COVID-19

WHEREAS, the Tempe Union High School District No. 213 (“the District”) closed schools effective March 16, 2020, pursuant to orders from the Governor of Arizona (the “Governor”) and the Arizona Superintendent of Public Instruction; and

WHEREAS, subsequent orders and legislation called for the closure of schools for the remainder of the 2019-2020 academic year due to the outbreak of COVID-19 in Arizona; and

WHEREAS, the Governor’s Executive Orders 2020-18, 2020-24 and 2020-33 (the “Closure Orders”) established certain restrictions on public activities in response to the COVID-19 outbreak; and

WHEREAS, the Governor’s Executive Order 2020-36 (the “Return Order”) was issued outlining requirements for businesses and other Arizona entities to assist in mitigating the spread of COVID-19 as they reopened;

WHEREAS, Executive Order 2020-41 (2020-2021 School Year *Prioritizing Kids and Schools During COVID-19*) was issued on June 24, 2020 and Executive Order 2020-44 (*Protecting Public Health for Students and Teachers*) was issued on June 29, 2020;

WHEREAS, Executive Order 2020-51 (*Arizona: Open for Learning*), was issued on July 23, 2020, outlining the Governor’s plan for the reopening of schools for the 2020-2021 school year; and

WHEREAS, the Governing Board wishes to resume educational activities and business operations for the 2020-2021 school year in a manner that is consistent with existing Executive Orders but with recognition that there are many unknowns about future conditions that affect the District’s ability to conduct its educational mission and other activities and that current Executive Orders may be superseded or modified by future Executive Orders or federal or state laws;

NOW, THEREFORE be it resolved by the Governing Board of Tempe Union High School District No. 213 of Maricopa County, Arizona that:

The Governing Board hereby directs and/or authorizes the District’s Superintendent or his delegates, to take the following actions to ensure that the District complies with Executive Order 2020-51 and the provisions of Executive Orders 2020-41 and 2020-44 still in effect:

1. In conformity with Order 1 of Executive Order 2020-51:

- a. Provide the Governing Board with a recommendation as to when in-person, teacher led classroom instruction can safely be made available based on metrics provided by State and County health officials;
 - b. Until such time that the District can open safely for in-person, teacher led classroom instruction, that the District will provide distance learning for all of its students; and
 - c. Provide the Governing Board with a mitigation plan for its consideration and approval prior to the opening of a school building for on-site support services or in person instruction, if such a plan has not already been approved.
2. In conformity with Order 2 of Executive Order 2020-51:
 - a. Ensure that teacher-led distance learning instruction begins by the first day of the District's instructional calendar submitted to the Arizona Department of Education; and
 - b. Submit the District's distance learning plan to the Arizona Department of Education no later than the start date of distance learning instruction or August 14, 2020, whichever is earlier.
3. In conformity with Order 3 of Executive Order 2020-51:
 - a. Arrange for free on-site learning opportunities and support services for students who need a place to go during the school day, beginning on August 17, 2020;
 - b. Develop procedures to help ensure that social distancing and other mitigation strategies as outlined by the Centers for Disease Control and Prevention are implemented for the free on-site programs;
 - c. Pursuant to Order 3.d of Executive Order 2020-51, authorize the Superintendent to apply for a waiver of the requirement to provide free on-site learning if the County Health Department, in conjunction with the Arizona Department of Health Services (ADHS), advises the District to close due to a COVID-19 outbreak.
4. In conformity with Order 4 of Executive Order 2020-51, comply with the posting and notification requirements described in Order 4.a – d.
5. In conformity with Order 5 of Executive Order 2020-51, develop, recommend and implement a policy relating to face coverings, and revise the same as needed to comport with new guidance or requirements from the ADHS and/or the CDC.
6. The Governing Board authorizes the Superintendent to work with relevant governmental authorities to comply with all laws, regulations, Orders and guidelines designed to prevent the spread of COVID-19 as the District resumes its operations and activities. The Superintendent may implement regulations or protocols to support such compliance.
7. The District's regular practices, protocols and procedures, as set forth in Governing Board Policies, Administrative Regulations, Board adopted Employee Agreements or otherwise, may not be reasonable, feasible or advisable to implement during the COVID-19 outbreak. Therefore, the Governing Board authorizes the Superintendent to temporarily suspend compliance with or implementation of the same as needed to comply with applicable laws, regulations, Orders and guidelines, and/or to promote the health, safety and welfare of the

school community and/or to efficiently and effectively operate District programs and services during the COVID-19 pandemic. Should the Superintendent exercise the discretion authorized by this Section, the Superintendent shall provide the Governing Board with prompt notice of the actions taken.

8. The Governing Board authorizes the Superintendent to execute any further documentation to effectuate this Resolution, including but not limited to any requisite documentation required by the Arizona Department of Education or legal authorities with jurisdiction over the District.
9. To the extent that any provision in this Resolution conflicts with or is superseded by enacted federal or state legislation or local ordinances, the District shall comply with those laws or ordinances.

This Resolution was adopted at a properly noticed meeting of the Governing Board on August 5, 2020. The Governing Board hereby authorizes the Governing Board President to sign this Resolution on behalf of the Governing Board.

TEMPE UNION HIGH SCHOOL DISTRICT No. 213

By: /s/ Berdetta Hodge

August 5, 2020

Governing Board President