

**MONTGOMERY AREA SCHOOL DISTRICT
RESOLUTION NO. 2020-1**

MONTGOMERY AREA SCHOOL DISTRICT RESPONSE TO COVID-19

WHEREAS, the World Health Organization has declared that the current outbreak of COVID-19 is a global pandemic;

WHEREAS, the Pennsylvania Department of Education (the "PDE") has determined that the COVID-19 pandemic constitutes an "emergency" within the meaning of Section 520.1 of the Public School Code;

WHEREAS, the PDE has published guidance entitled *Instructional Days/Hour During the 2020-2021 School Year, Implications Related to COVID-19* ("the PDE Guidance");

WHEREAS, the PDE Guidance provides, in part, that it "considers the World Health Organization-declared Coronavirus disease (COVID-19) global pandemic an emergency as contemplated by section 520.1," 24 P.S. §5-520.1;

WHEREAS, the Montgomery Area School District (the "MASD") falls under the purview of the PDE; and

WHEREAS, the MASD Board of Directors ("MASD BOD") has determined that the risks COVID-19 presents to our students, employees and community requires an extraordinary response.

NOW, THEREFORE, BE IT RESOLVED, that:

1. The MASD BOD hereby finds and declares that the COVID-19 pandemic is an emergency within the meaning of Section 520.1 of the Public School Code.

2. For the duration of said pandemic but in no event for any period exceeding four (4) years, the Superintendent of the MASD (the "Superintendent") shall have the duty and the authority to develop and amend as necessary and as required by law a Health and Safety plan ("the Plan") in a form and manner prescribed by the PDE that ensures a minimum of 180 days of instruction, allowing for a minimum of 900 hours of instruction at the elementary level and 990 hours of instruction at the secondary level, employing any combination of in-person, virtual, and distance learning as the Superintendent deems appropriate to address the health and safety of students, employees, the community and the learning needs of students.

3. Such instruction shall comply with: (a) the requirement of Chapter 4 of the regulations of the State Board of Education, 22 Pa. Code, Chapter 4; (b) the curriculum standards published in accordance therewith; and (c) other applicable law.

4. The Superintendent or the Superintendent's designee shall prepare and/or file such documents or other instruments necessary to implement this Resolution and obtain approval from any regulatory agency as may be necessary, including the PDE and the United States Department of Education.

5. The Superintendent or the Superintendent's designee shall ensure that the MASD has the systems, infrastructure policies, administrative regulations and protocols in place to implement the Plan, including systems to track attendance and instructional time.

6. The Superintendent shall keep the MASD BOD advised of the status of the Plan and the systems, infrastructure, policies, administrative regulations and protocols put in place to implement the Plan.

7. Any Policy of the MASD BOD that contains any terms, conditions or provisions that are inconsistent with the terms of this Resolution, the Plan or the procedures implemented by the Superintendent to implement this Resolution or the Plan shall be rescinded to the extent necessary. For purposes of clarity, this Resolution, the Plan and procedures and protocols implemented to comply with this Resolution and the Plan shall supersede any inconsistent MASD BOD policy.

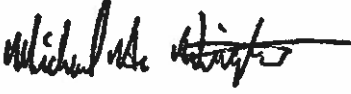
RESOLVED, ENACTED AND ADOPTED at a duly advertised public meeting of the Montgomery Area School District Board of Directors held on the 4th day of August, 2020.

ATTEST:

MONTGOMERY AREA SCHOOL DISTRICT



Grant S. Evangelisti, Board Secretary

By: 

Michael A. Wright, Board President