

**PACE PREPARATORY ACADEMY  
OF YAVAPAI COUNTY, ARIZONA**

**RESOLUTION RE: COVID-19**

WHEREAS, **PACE Preparatory Academy** (“the Charter”) closed schools effective March 16, 2020, pursuant to orders from the Governor of Arizona (the “Governor”) and the Arizona Director 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 a recognition that there are many unknowns about future conditions that affect the Charter’s ability to conduct its educational mission and other activities and that current Executive Orders may be superseded or modified by future Executive Orders or federal or state laws;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 PACE Preparatory Academy of YAVAPAI County, Arizona that:

The Governing Board hereby directs and/or authorizes the Charter’s Director or his/her delegates, to take the following actions to ensure that the Charter 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; and
  - b. 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 Charter'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 are implemented for the free on-site programs;
  - c. Pursuant to Order 3.d of Executive Order 2020-51, authorize the Director 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 Charter 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 Centers for Disease Control and Prevention (CDC).
6. In conformity with Order 6 of Executive Order 2020-51, the Governing Board has determined that it will continue to pay its employees during periods of school building closures based upon data and information provided by the Director and other sources that affirms that such payments:
  - a. Are necessary to preserve a properly trained, qualified and experienced workforce;
  - b. Serve the public purpose of protecting the Charter's investment in its workforce;
  - c. Are feasible because the Charter has sufficient revenues to continue such payments; and to be eligible for payment, District employees must remain committed and available to work during the employee's normal work hours during periods of school closures, whether the work is to be performed in-person or remotely or is alternative work for which the employee is qualified to perform.

7. In conformity with Order 7 of Executive Order 2020-51, the Charter will begin providing in-person developmental preschool programming and services on [August 3, 2020], so long as it can do so consistent with CDC and ADHS public health recommendations.
8. The Governing Board authorizes the Director 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 Charter resumes its operations and activities. The Director may implement regulations or protocols to support such compliance.
9. The Charter'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 Director to temporarily suspend compliance with or implementation of the same as needed to comply with applicable laws, regulations, Orders, and guidelines, and to promote the health, safety, and welfare of the school community and to efficiently and effectively operate District programs and services during the COVID-19 pandemic. Should the Director exercise the discretion authorized by this Section, the Director shall provide the Governing Board with prompt notice of the actions taken.
10. The Governing Board authorizes the Director to execute any further documentation to effectuate this Resolution, including but not limited to any required documentation required by the Arizona Department of Education or legal authorities with jurisdiction over the District.
11. To the extent that any provision in this Resolution conflicts with or is superseded by enacted federal or state legislation or local ordinances, the Charter shall comply with those laws or ordinances.

This Resolution was adopted at a properly noticed meeting of the Governing Board on July 27, 2020. The Governing Board hereby authorizes the Governing Board President to sign this Resolution on behalf of the Governing Board.

**PACE PREPARATORY ACADEMY**

By: 

Governing Board President

