RESOLUTION OF THE BOARD OF EDUCATION

ENCOURAGING VACCINATION, DIRECTING THE DEPARTMENT OF EDUCATION TO COMMUNICATE WITH FAMILIES ON SCHOOL SAFETY MEASURES, TO OFFER DISTANCE LEARNING FOR THE 2021-2022 SCHOOL YEAR, AND TO RELY ON THE DEPARTMENT OF HEALTH FOR ADVICE AND GUIDANCE ON ALL COVID-19-RELATED HEALTH MATTERS

WHEREAS, On March 4, 2020, Governor David Y. Ige issued an emergency proclamation declaring a disaster emergency relief period due to the COVID-19 pandemic;

WHEREAS, Public schools were not open for traditional, in-person learning during the fourth quarter of the 2019-2020 school year;

WHEREAS, On June 18, 2020, the State of Hawaii Board of Education (the “Board”) adopted a resolution directing the Hawaii State Department of Education (the “Department”) to prepare for the reopening of schools for the 2020-2021 school year amid the COVID-19 pandemic;

WHEREAS, The COVID-19 pandemic required our public school system to pivot, adjust, and add new capacities and capabilities to mitigate health risks to a reasonable extent while delivering effective instruction to all students;
WHEREAS, Public schools used a range of instructional delivery modes, which are methods for delivering course instruction, during the 2020-2021 school year, including:

a. In-person learning, where the teacher delivers face-to-face instruction in the same physical space as the students;

b. Distance learning, where the teacher delivers instruction virtually or online through web-based or internet-based mediums or delivers instruction through other remote mediums; and

c. Hybrid learning, where the teacher delivers instruction using both in-person and distance learning methods;

WHEREAS, The Department plans to make in-person learning the default instructional delivery mode for all public school students for the 2021-2022 school year;

WHEREAS, COVID-19 vaccines are currently available for adults and children 12 and over;

WHEREAS, The Department provided information on COVID-19 cases in schools by complex area during the 2020-2021 school year;

WHEREAS, The Department plans to offer hybrid and distance learning only on a school-by-school basis for the 2021-2022 school year as determined by the respective school principal and as resources permit;

WHEREAS, The Department made a significant investment in time, energy, and resources during the 2020-2021 school year to ensure schools would be able to
implement hybrid and distance learning, including investments in professional
development, devices, connectivity, and online learning programs and platforms;

WHEREAS, Distance learning appears to be more effective than in-person
learning for some students even if in-person learning appears to be more effective than
distance learning for the majority of students; now, therefore,

BE IT RESOLVED that the Board encourages all staff, students, and their
families to get vaccinated from COVID-19 and urges communities to support efforts to
get all students back to in-person learning quickly and safely by helping to remove
barriers to vaccination, leading by example, and through education; and

BE IT FURTHER RESOLVED that the Board directs the Department and schools
to communicate with families openly and frequently about the measures the schools are
taking to keep students healthy and safe in schools and the number of cases at each
school to build and strengthen family confidence in the schools’ ability to minimize or
avoid the spread of COVID-19 in schools; and

BE IT FURTHER RESOLVED that the Board hereby adopts the following
definitions of instructional delivery modes for the 2021-2022 school year; schools can
do and use a range of instructional delivery modes within this spectrum: Department
having an opportunity to share what is being done to bring kids back safely.

a. In-person learning, where the teacher delivers face-to-face instruction in
the same physical space as the students;

b. Distance learning, where a software program delivers instruction or the
teacher delivers instruction virtually or online through web-based or
internet-based mediums or delivers instruction through other remote
mediums; and
c. Hybrid learning, where the teacher delivers instruction using both in-person and distance learning methods;

**BE IT FURTHER RESOLVED** that the Board hereby directs the Department to work with families who want their children in a distance learning program because (a) they do not feel comfortable sending their children to a school campus and would like to keep their children at home, (b) their children performed well academically, socially, and emotionally in a distance learning setting, provided that the child’s school works with the child’s parents or guardians to determine whether a distance learning program is in the best interest of the child, (c) their children have underlying medical conditions, which places them in a high-risk category for serious illness, or (d) their children would be able to get courses from another school or complex that the child’s home school does not offer; and

**BE IT FURTHER RESOLVED** that the Board directs the Superintendent to develop and maintain an easily accessible listing of schools that offer distance learning programs along with a description of the distance learning program and whether those schools are currently accepting geographic exceptions to make it easy for families to find distance learning programs, which shall be available by July 21, 2021 on the Department’s website and shall be regularly updated; and

**BE IT FURTHER RESOLVED** that the Board directs the Superintendent to research and develop a plan to offer distance learning at the state or complex area levels for the 2021-2022 school year rather than on a school-by-school basis in order to pool resources and expertise and reduce the burden on individual schools; and

**BE IT FURTHER RESOLVED** that the Board directs the Superintendent to report to the Board on July 29, 2021 with plans to offer distance learning at the state or complex area levels for the 2021-2022 school year, including a communication plan to students, parents and guardians, teachers, and principals; and
BE IT FURTHER RESOLVED that the Board directs the Superintendent to analyze and evaluate the costs and benefits of offering statewide distance learning options report to and work with the Board’s Student Achievement Committee on potential long-term policy changes; and

BE IT FURTHER RESOLVED that the Board decrees that the Department may consider distance learning and hybrid learning equivalent to in-person learning for purposes of calculating instructional days and student hours and meeting the requirements of Section 302A-251, Hawaii Revised Statutes (“HRS”), provided that the Department issues clear directives to schools and guidance to families and the public regarding how Department schools must calculate instructional days and student hours in distance learning and hybrid learning settings; and

BE IT FURTHER RESOLVED that the Board decrees that public school students engaged in distance learning being delivered by the Department shall be considered in attendance at a public school for compulsory attendance purposes, pursuant to Section 302A-1132, HRS, provided that the Department issues clear directives to Department schools and guidance to families and the public regarding how Department schools are to determine whether a student is engaged in distance learning and in attendance; and

BE IT FURTHER RESOLVED that the Board considers the Department of Health to be the State of Hawaii’s designated public health authority and the sole source of expertise on COVID-19 for state departments and agencies; and

BE IT FURTHER RESOLVED that the Board directs the Department to continuously work with and rely on the Department of Health for any and all updated and current advice and guidance on all COVID-19-related health matters affecting the Department’s operations as the Department of Health deems necessary, including guidance on social distancing, face masks, and ventilation; and
BE IT FURTHER RESOLVED that the Board urges the Department of Health to commit
to providing timely, accurate, and up-to-date advice and guidance to the Department to
allow it to operate with maximum flexibility while ensuring the health and safety of
thousands of students, families, and employees; and

BE IT FURTHER RESOLVED that the directives, requests, and positions
contained herein shall be effective immediately and expire on June 30, 2022, unless
terminated earlier or extended to a later date by a subsequent action of the Board; and

BE IT FURTHER RESOLVED that the Board directs the Board Chairperson to
transmit this resolution to the Governor, Legislature, and Department of Health; and

BE IT FURTHER RESOLVED that the Board directs the Superintendent to
distribute this resolution to all Department assistant superintendents, complex area
superintendents, directors, and principals; and

This resolution was proposed and approved by the Board at its July 15, 2021
General Business Meeting.

Catherine Payne