



SPECIAL BOARD MEETING

**March 23, 2020
Office of the State Board of Education
Len B. Jordan Building
650 W State Street, 3rd Floor
Boise, Idaho**

A special meeting of the Idaho State Board of Education was held via teleconference on Monday, March 23, 2020, with the call originating from the large conference room in the Office of the State Board of Education, Len B. Jordan Building, in Boise, Idaho. Board President Debbie Critchfield presided and called the meeting to order at 3:30pm (MST). A roll call of members was taken.

Present

Debbie Critchfield, President
Dr. David Hill, Vice President
Andrew Scoggin*, Secretary
Emma Atchley

Dr. Linda Clark
Shawn Keough
Kurt Liebich
Sherri Ybarra, State Superintendent

*Except where noted

Monday, March 23, 2020, 3:30 p.m. (MST)

BOARDWORK

1. Public Education – COVID-19 Response

BOARD ACTION

M/S (Liebich/Atchley): I move to approve the response framework identified in the document provided, titled COVID-19 School Operations Guidance. A roll call vote was taken and the motion carried 8-0.

Board President Critchfield stated that there are over 400,000 students (K-20) statewide, and the goal of this meeting was to provide guidance to inform local decisions and address concerns that districts cannot address by themselves. She also called attention to the extensive work that has been done among higher education institution representatives within the last two weeks, and commented that Idaho's education system has responded to the COVID-19 crisis in a remarkable way.

Board President Critchfield stated that the meeting would address school closures and the continuation of services as well as the amendments to several administrative rules listed in the agenda materials. She discussed that there is currently no community spread of COVID-19 outside of Blaine County; there is clear guidance for districts if community spread is identified, but the decision to close when there is not community spread present is a “grey area”.

At this time all schools statewide are currently closed, with some schools on their normal spring break. There are no students physically attending classes in any buildings.

Governor Little has convened a K-12 Emergency Council, led by Greg Wilson, Senior Policy Advisor, which is comprised of representatives from each state region as well as Sherri Ybarra, State Superintendent of Public Instruction, Board President Critchfield, and Board Members Liebich and Clark. Board President Critchfield shared that school districts are approaching decisions that need to align with the uniform actions that have been taken statewide, and that the K-12 Emergency Council has created a document to assist districts in their decision-making process. She discussed that the document is not meant to be prescriptive, but aims to provide guidance for districts moving forward.

Board Member Scoggin joined the meeting at 3:37pm (MST).

COVID-19 SCHOOL OPERATIONS GUIDANCE

Mr. Wilson shared that the K-12 Emergency Council has met every morning for the past four days in order to provide advice to the Governor during the crisis. He discussed that the Board has authority on operational and broad issues, and that the state should take Board authority into account during this time.

Mr. Wilson discussed the “COVID-19 School Operations Guidance” document, which is included in the attachments for this meeting, stating that it provides a framework for districts to utilize as they respond to their unique population and community needs while fulfilling continuity needs and delivery of learning for students.

The main focus of the guidance document is a recommended “soft closure” of schools through April 20, 2020, in which the Board expects schools to remain physically closed but still provide essential services for communities. These services include food service wherever possible, childcare (particularly for healthcare workers and those providing community services), the delivery of virtual or distance instruction, and the delivery of special education. The goal of the document is to provide guiding principles while allowing districts to create their own plan.

The Board will schedule meetings throughout the duration of the COVID-19 crisis in order to respond to the needs of the districts and charters statewide. Board Member Liebich discussed that the K-12 Emergency Council calls have been very collaborative and have created an opportunity for the superintendents of each region to provide

feedback for their own districts and charter school leadership. He shared that the main point of concern within the council is creating a plan for schools who are approaching the end of their spring break, and stated that local school boards and superintendents need a framework to shape these decisions.

Board Secretary Scoggin asked for clarification on the definition of a “soft closure”, and Board Member Liebich clarified that students would not be permitted physically on school campuses until April 20, 2020, but there is an expectation for schools to provide special services and opportunities for students to learn.

Board Member Clark voiced her appreciation for Governor Little for organizing the K-12 Emergency Council in a way that allows input from stakeholders, and shared that she is impressed by the manner in which superintendents statewide have “taken the reins” and established communication with one another.

Board President Critchfield shared that it is important that the date of April 20, 2020 is not regarded as an end date for the “soft closure”. This date was established with the consideration of Federal guidelines and guidelines from the Department of Health and Welfare and Public Health, and it is important to continue to monitor the situation and be ready to adjust for changes if necessary. Board Member Liebich agreed that it is important to revisit this date as the situation progresses.

Supt. Ybarra shared her praise for the districts, and discussed that the State Department of Education will host twice-weekly webinars to provide guidance. Board Member Atchley agreed that it is important to provide guidance to the districts so that they may continue instruction for students. Board Member Keough shared her appreciation for everyone’s work during the crisis.

Board President Critchfield elaborated that districts should strive to accommodate the items listed within the guidance document, and recognized that local districts and the K-12 Emergency Council will create criteria for when should reopen; the criteria will vary among districts and will be decided upon depending on how the situation progresses. She also suggested that the Board should meet weekly for the duration of the crisis to promote regular communication as the situation changes and provide guidance to the districts.

There were no additional questions or comments from the Board.

STATE DEPARTMENT OF EDUCATION

1. Provide LEA’s and Charter Schools Maximum flexibility to support students during and in response to the COVID-19 pandemic

BOARD ACTION

M/S (Ybarra/Clark): I move to waive IDAPA 08.02.03.105.03 the college entrance exam for seniors who would have taken it during the 2020

administration, and IDAPA 08.02.03.105.04 senior project for students graduating at the end of the 2019-2020 school year. A roll call vote was taken and the motion carried 8-0.

AND

BOARD ACTION

M/S (Ybarra/Liebich): I move to direct staff to include in the 2021 rule-making an exemption for juniors in the 2019-2020 school year from the college entrance exam graduation requirement. A roll call vote was taken and the motion carried 8-0.

AND

BOARD ACTION

M/S (Ybarra/Hill): I move waive the requirement in IDAPA 08.02.03.111 for the administration of the Idaho Standard Achievement Test (ISAT) and alternate assessments for students with significant cognitive disabilities, in English Language Arts, Math and Science, in grades 3-8 and high school for the 2019-2020 school year. A roll call vote was taken and the motion carried 8-0.

AND

BOARD ACTION

M/S (Ybarra/Scoggin): I move approve the waiver, pursuant to section 8401(b) of the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the Every Student Succeeds Act (ESSA), as provided in attachment 2 and authorize the State Superintendent of Public Instruction to submit the waiver request on behalf of the State Board of Education. A roll call vote was taken and the motion carried 8-0.

Board President Critchfield stated that the current situation does not mean “business as usual”, and that it is important to acknowledge that schools are doing the best they can and that the Board is present to assist in any way possible.

Board Member Liebich inquired about the financial impact for waiving standard testing requirements. Supt. Ybarra stated that she has not yet discussed this issue with her team, but will update the Board once this item is addressed.

There were no additional questions or comments from the Board.

2. Temporary Rule Amending IDAPA 08.02.02.004 Rules Governing Uniformity, Transportation and Standards for Idaho School Buses and Operations

BOARD ACTION

M/S (Ybarra/Keough): I move to approve the revised Standards for Idaho School Buses and Operations as submitted in Attachment 2. A roll call vote was taken and the motion carried 8-0.

AND

M/S (Ybarra/Hill): I move to approve the Temporary Rule amending IDAPA 08.02.02.004 Rules Governing Uniformity, Documents Incorporated by Reference, as submitted in Attachment 1, contingent upon the approval of the Governor and with the effective date as the date of the Governor's approval. A roll call vote was taken and the motion carried 8-0.

The first motion allows for miles to be reimbursed to districts when buses are used for delivering meals and other operational services. Supt. Ybarra stated that 80% of a district's transportation budget is for staffing, and allowing for this reimbursement will be helpful for them.

Board Member Scoggin inquired whether these amendments will be time-limited, or if the Board will have to rescind the amendments later. Tracie Bent, Chief Planning and Policy Officer shared that the amendments are temporary, but the Board will need to re-promulgate this administrative rule to incorporate language for situations like this moving forward. The temporary rule will be revisited in the future, but this amendment will ease district concerns regarding transportation.

There were no additional questions or comments from the Board.

At this time, Supt. Ybarra introduced Colleen Fillmore, Director of Child Nutrition Programs within the Idaho State Department of Education, who discussed that several hundred sites statewide have been approved to serve meals, sometimes hundreds of meals in one day. Ms. Fillmore shared that her team is working to receive maximum flexibility with Federal guidelines, and have received three waivers that pertain to the Family First Act to allow schools to efficiently serve their students and communities. She shared that some sites are serving national school lunch, some are serving grab-and-go meals, and some are working with the Department of Transportation and the Department of Childhood Nutrition to transport and deliver meals. Board Member Scoggin shared his appreciation for the rapid movement that has occurred to address the child nutrition component.

Board President Critchfield brought up special education programming, sharing that there have been communications from the US Department of Education within the last week regarding flexibility and how to satisfy student needs in terms of distance learning. There have also been communications from SDE to guide districts as to how they can support special education and distance learning. Supt. Ybarra introduced Charlie Silva, Director of Special Education within SDE, who has been hosting webinar trainings for the districts to share recent guidance from the USDE regarding special education.

Ms. Silva shared that one of the biggest challenges is identifying communication methods for special education students, since some students would do well with online delivery methods while others will need different methods of instruction, and the SDE is working to communicate with families regarding the needs of their children.

Board Member Liebich shared that some districts in other parts of the country are avoiding distance learning for special education programs because it cannot be uniform. Ms. Silva stated that this is correct, and that there was initial guidance that stated that districts should be considering closing, putting a “pause” on free and public education. She shared that this initial guidance was misunderstood, and that the focus is now on allowing districts to focus on the future and putting plans in place if the situation were to worsen. Ms. Silva shared that she is confident that SDE and the Board can address special education needs for Idaho students.

Board President Critchfield then brought up the continuation of operations and how teacher evaluations will continue as they pertain to the career ladder. Ms. Bent stated that administrative rule requires two evaluations, but there are special conditions for circumstances where it may not have been possible for the second evaluation to be completed; by now, administrators should have completed one evaluation.

Board President Critchfield also discussed the topic of employment, which the Board will address in the future, and shared that concerns about classified staff have been shared during the K-12 Emergency Council meetings and during the superintendent webinars. She encouraged school districts to use the talents of classified staff members to the best of their abilities during the crisis.

Ms. Bent will contact the Board Members to establish a standing meeting schedule for the coming weeks. Mr. Wilson stated that regular meetings will allow for frequent updates for the Board and the SDE, as well as an opportunity to continually provide guidance to the districts as the situation continues to change.

There were no additional questions or comments from the Board.

There being no further business, a motion to adjourn was entertained.

BOARD ACTION

M/S (Liebich/Hill): I move to adjourn the meeting at 4:45pm (MST).