



**SPECIAL BOARD MEETING
April 6, 2020
Office of the State Board of Education**

A special meeting of the Idaho State Board of Education was held via Zoom teleconference on Monday, April 6, 2020. At this time, the Office of the State Board of Education is closed to the public in accordance with Governor Little's Stay at Home Order issued March 25, 2020 in response to the public health emergency caused by the COVID-19 pandemic. Board President Debbie Critchfield presided and called the meeting to order at 3:00pm (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

Monday, April 6, 2020, 3:00 p.m. (MST)

BOARDWORK

1. Public Education – Issues related to the COVID-19 Epidemic

Postsecondary Education Update

Board President Critchfield began the meeting by introducing Dani Dunstan, Chief of Staff to the President at Idaho State University. Ms. Dunstan has been a leading a daily conference call with representatives from each of Idaho's eight higher education institutions, and she provided an update regarding how the institutions are handling the COVID-19 pandemic. Ms. Dunstan shared that the focus of the daily calls, which are now taking place three times per week rather than on a daily basis, has shifted from managing the immediate response to the crisis to maintenance of current operations and the continuance of services. At this time, all eight institutions have moved courses completely online, and the majority of the institutions are considering or finalizing moving their summer sessions to an online format. The group is hopeful that in-person instruction will resume during the fall semester, but contingency planning is occurring in case this is not possible. All institutions are continuing to be active in student recruiting by moving recruiting and informational events to a virtual format.

Ms. Dunstan shared that financial impact has not yet been discussed in depth during these calls, but stated that the financial impact on institutions due to the direct expenses, revenue loss, and enrollment decline may be the most difficult challenge the institutions will face as a result of the COVID-19 pandemic. Institutions are complementing or implementing methods such as furloughs, hiring freezes, spending caps, deferred maintenance projects, and program reviews in order to prepare for the potential financial impact.

Dr. Marlene Tromp, Boise State University President, echoed Ms. Dunstan's comments and stated that the financial impact will be significant. She also shared that it is difficult to predict what will happen during the fall semester as it is unknown how enrollment will be affected or what restrictions will be in place regarding events and gatherings on campus.

Scott Green, University of Idaho President, shared that the UI has already implemented significant budget cuts for the coming fiscal year to effectively balance their budget. President Green shared that enrollment data in the coming weeks will determine how the UI will need to respond in order to maintain a balanced budget, and there has been an increase in applications and acceptances, there has not been an increase in enrollment at this time.

Dr. Cynthia Pemberton, Lewis-Clark State College President, stated that the situation may affect LCSC differently since they are a smaller institution, but the potential financial impact is still concerning following the budget cuts that have already been implemented earlier this year. President Pemberton also stated that it will be very important to make people aware of the potential financial impacts, since it will directly affect what institutions are able to do moving forward.

Kevin Satterlee, Idaho State University President, echoed President Green's comments regarding an increase of applications and acceptances and a stagnant amount of enrollments. He agreed that it is difficult to predict the financial impacts moving forward without having accurate predictions of enrollment data. President Satterlee also discussed his concerns about program prioritization.

Board Member Liebich inquired when institutions are able to accurately gauge enrollment numbers for the fall semester under normal circumstances. President Green shared that during the previous academic year, the UI was not able to fully evaluate the enrollment yield until just before the start of the fall semester in August. He also discussed that as a destination campus in a remote area of the state, the UI could face a decrease in enrollment for the 2020-2021 school year. President Pemberton agreed that, during a normal academic year, LCSC enrolls students up until the beginning of the fall semester; she shared that early May is typically the timeframe when they are able to gauge what the enrollment yield will be for the fall semester, but this year may not reflect accurate data. President Tromp echoed these comments, and added that it is

also difficult to predict enrollment yield at this time when on-campus recruitment events are not able to take place. Ms. Dunstan shared that ISU is relying on a relationship-based approach, utilizing calling campaigns and online resources in order to continue to reach potential students.

There were no further comments or questions from the Board.

At this time, Board President Critchfield voiced her appreciation for all the work that has been done among the higher education institutions and members of the OSBE staff, and then asked Mr. Freeman to introduce the next item.

BOARD ACTION

M/S (Atchley/Clark): I move to approve the first reading of proposed amendments to Board Policy II.B., Appointment Authority and Procedures, as submitted in Attachment 1. A roll call vote was taken and the motion carried 8-0.

Mr. Freeman discussed that Board Policy II.B delegates the authority for personnel management to the institution presidents, but does not consider extraordinary circumstances, such as the COVID-19 pandemic. The Board has sought feedback regarding which Board action might be helpful for the institutions, and flexibility in this area is one of the items that was suggested.

Todd Kilburn, Chief Financial Officer, and Jenifer Marcus, Deputy Attorney General collaborated on the proposed policy amendment. Mr. Kilburn shared that the policy revision included language for unique circumstances that would allow more flexibility in regard to timelines and structures surrounding financial decisions; the addition of section II.E would allow the Board to temporarily suspend sections C and D to allow institutions to respond to extraordinary situations more quickly.

Board Member Atchley commented that the verbiage of the proposed policy amendment could be written more clearly, and Board President Critchfield stated that because this amendment is on its first reading, the Board would be able to make changes during a future meeting without altering the intent of the motion. Board Member Liebich inquired about the purpose of section D, and whether it places unnecessary restrictions on the institutional leaders. Mr. Freeman discussed that, historically, the Board has given significant delegation of authority to the institutional leaders but has wanted to have input on certain decisions in service of shared governance. President Satterlee and President Tromp echoed Mr. Freeman's comments, and discussed that shared governance is a part of institutional procedures as well as how the institutions operate in relation to the Board.

The Board will revisit this item during a future meeting in order to revise the wording of the policy amendment.

There were no additional comments or questions from the Board.

Prior to shifting the discussion from higher education to K-12 education, Board Vice President Hill inquired if it would be possible or beneficial for the Board to reach out to students who have not yet applied in order to aid in increasing enrollment for all eight of Idaho's public institutions of higher education. Matt Freeman, Executive Director, shared that the Office of the State Board of Education is actively collaborating with institution leadership and working on initiatives to connect with students and focus on increasing enrollment. Mr. Freeman discussed a postcard campaign called "It's Not Too Late" that will be distributed later this month, which will let students know that there is still time to apply to one of Idaho's institutions for the fall semester, as well as flexibility being implemented in OSBE's Direct Admissions initiative in terms of GPA and college entrance exams.

K-12 Education Update

BOARD ACTION

M/S (Hill/Atchley): I move to extend the soft closure to the end of each school districts and charter schools 2019-2020 academic school year or until such time as local and state social distancing orders have been lifted and re-entry criteria established by the Board have been met. A roll call vote was taken and the motion carried 8-0.

Board President Critchfield reminded the group that last week President Trump extended social distancing guidelines through April 30, 2020, and that the Board had previously implemented a "soft closure" of schools statewide through April 20, 2020. She discussed that the Board could make a decision that would exemplify balance between local needs and statewide uniformity, and went on to say that, in the interest of public health, the Board could extend the "soft closure" through the end of the 2019-2020 school year, continuing virtual instruction, with the concession that local control could determine to reopen their schools if a certain set of criteria have been met.

Board Member Clark shared that the extension of the "soft closure" has been discussed during the K-12 Emergency Council meetings, and that she feels that part of the criteria for schools reopening should include a provision for families who feel that sending their children back to school is not yet safe. Board Member Liebich echoed Board Member Clark's comments, and reiterated that this situation will have a different timeline depending on location. Superintendent Ybarra discussed that districts need maximum flexibility for local decision making, stating that it will be important to make future decisions with health experts' data in mind. She agreed that it would be beneficial for districts to prepare to finish the 2019-2020 school year remotely, but have options if the situation were to improve in different regions of the state.

Board President Critchfield stated that the Board could vote to extend the closure and then seek input from State experts with the intention of determining criteria for reopening schools during next week's Special Board Meeting, to be held on April 13, 2020. Board Vice President Hill agreed, and added that the Board would need to consider the implications of the criteria with depth prior to establishing the guidelines.

Board Secretary Scoggin shared that he did not feel completely comfortable voting to extend the "soft closure" prior to establishing the criteria for possible reopening, and Board Member Keough agreed that she was hesitant to put finality in place for the remainder of the 2019-2020 school year. Supt. Ybarra shared that as long as the Board works with public health officials, she is comfortable voting to extend the "soft closure" through the end of the school year and establishing the criteria for reopening during the next week's Special Board Meeting. Board Member Atchley shared that she believes the Board should give consideration to areas of the state where there is little or no evidence of COVID-19, and that allowing for local control within the districts is an important element of this decision.

Board Member Keough asked for clarification that the Board would establish criteria for reopening during next week's Special Board Meeting, and whether there would be issues if some districts were to reopen while others do not. Board President Critchfield confirmed that the Board will seek guidance from state officials and vote on criteria next week, and also stated that there should not be issues with schools choosing to reopen if they are following the criteria that the Board will establish.

There were no additional questions or comments from the Board.

Next, the Board took action on several items that would request assistance from Governor Little to waive requirements regarding minimum instruction hours, the civics exam requirements, and the Idaho reading assessment administration and reporting; the Board also took action to waive the requirement that defines a semester credit of 60 hours of instruction for the remainder of the 2019-2020 school year.

BOARD ACTION

M/S (Ybarra/Atchley): I move to request the Governor use his executive powers to waive the required minimum instructional hours established in Section 33-512, Idaho Code, the civics exam requirements established in Section 33-1602, Idaho Code, and Idaho reading assessment administration and reporting required in Section 33-1615, Idaho Code. A roll call vote was taken and the motion carried 8-0.

Superintendent Ybarra gave an update on the effect that the recently passed Coronavirus Aid, Relief, and Economic Security (CARES) Act will have on district funding; a flexibility waiver was recently sent out which will permit the carryover of Title I funds and flexibility of use for professional development funds, allowing the State Department of Education to use those funds more flexibly. Additionally the US

Department of Education will be sending applications to states no later than April 26, 2020 to allow for states to apply to receive additional Federal funds as part of the CARES Act.

Supt. Ybarra also discussed the continuation of child nutrition programs during the “soft closure”, sharing that she drafted a letter to US Secretary of Agriculture Sonny Perdue requesting additional regulatory changes to be able to provide more meals during the COVID-19 crisis. Districts are now able to provide meals during the weekends, which was not previously permitted, and the SDE is receiving clarification from the USDA regarding home delivery of meals.

Supt. Ybarra provided a brief overview of the first motion, discussing that the motion covers the civics exam requirement, minimum instructional hours, and the Idaho Reading Indicator score reporting, all of which are under statute and require a waiver from Governor Little to receive flexibility. By waiving these requirements for the entire state, the SDE is making a provision that districts will not have to individually apply for waivers that will likely be widely needed.

Board Member Liebich agreed that districts will need flexibility with requirements considering the circumstance, but shared his concern that by waiving the requirements, instruction will not be rigorous enough in comparison to the normal testing practices. Supt. Ybarra shared that there are other ways to maintain the quality and continuity of instruction without losing the “rigor” that is present with testing during a normal academic year.

There were no additional questions or comments from the Board.

BOARD ACTION

M/S (Ybarra/Clark): I move waive the requirement in IDAPA 08.02.03.105.01.a. defining a semester credit as 60 hours of instruction for the remainder of the 2019-2020 school year. A roll call vote was taken and the motion carried 8-0.

Superintendent Ybarra introduced Marilyn Whitney, Deputy Superintendent and Director of Communications and Policy, to discuss this item. Ms. Whitney explained that the waiver of this requirement will eliminate the need for all schools to meet the IDAPA 08.02.03.105.01a requirement which highlights the number of credit hours that students must attain during a semester. The waiver allows for flexibility in the amount of credit hours after schools having to shift to an online or distance education format, and allows for credit to be given based on mastery criteria or other performance measures. She also shared that by waiving the requirement statewide, districts will not have to apply for separate, individual waivers. Supt. Ybarra clarified that this requirement does not apply to elementary school students, and only applies to middle and high school students.

There were no additional questions or comments from the Board.

At this time, Board President Critchfield briefly discussed several items that have been brought forward during the last week; these items were for discussion purposes only, and the Board may take action regarding these items at a future meeting if necessary. These items included: grading practices within districts, standardized testing and various options for the administration of the SAT, dual credit, transportation, and CARES Act funding. Board President Critchfield shared that several of these items will be discussed in-depth during next week's Special Board Meeting.

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

BOARD ACTION

M/S (Hill/Keough): I move to adjourn the meeting at 4:53pm (MST). The motion carried 8-0.

The State Board of Education will be conducting a virtual Special Board meeting on Mondays at 3:00pm (MST) during the COVID-19 pandemic to receive updates on the status of public education in Idaho and to take action as necessary.