



**SPECIAL BOARD MEETING  
April 20, 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 20, 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

\*Except where noted

**Monday, April 20, 2020, 3:00 p.m. (MST)**

**BOARDWORK**

1. Public Education – Issues related to the Coronavirus (COVID-19) Pandemic  
This item was provided in the agenda materials as an information item.

**CARES Act Funding Update**

Matt Freeman, Executive Director, provided a brief update on the Coronavirus Aid, Relief, and Economic Security (CARES) Act funding, particularly the Governor's Emergency Education Relief Fund. These funds are distributed by the US Department of Education directly to the Governors of each state, and the Governors have discretion to allocate those funds for K-12 education, higher education, and other education-related entities. Mr. Freeman explained that there are three specific uses that are outlined in the application for these funds, including: to provide emergency support through grants to local education authorities (LEAs) that the state education agency has determined as being significantly affected by COVID-19, to provide emergency support through grants for postsecondary institutions who have been significantly affected by

COVID-19 by means of support for students and support for the institutions to continue providing support and campus services for students, and to provide emergency support for an education-related entity which the Governor categorizes as providing essential services to students.

Mr. Freeman shared that the Office of the State Board of Education will work with Governor Little to apply for these funds, and provided a brief overview of the questions that will be included on the application. Greg Wilson, Senior Policy Advisor to Governor Little, shared that while the distribution of the funds is left to the discretion of the Governor, Governor Little would like to seek feedback from the Board.

Board Member Liebich inquired about the timeline for the application and receipt of the grant. Mr. Freeman stated that applications are currently being accepted, but there is not yet a set timeline for the distribution of the grants. Board Member Clark inquired if the funds are able to be used to support for the 2019-2020 school year *and* the 2020-2021 school year, and Mr. Freeman shared that the only stipulation is that the funds must be used within one year of distribution.

There were no additional questions or comments from the Board.

### **Postsecondary Education Update**

Dani Dunstan, Chief of Staff to the President at Idaho State University, shared an update on the system-wide calls that have been occurring twice weekly to provide an opportunity for representatives from each of Idaho's public higher education institutions to collaborate regarding COVID-19 response. Ms. Dunstan discussed that institutions are working to communicate with their respective campus communities that it is planned to hold the fall semester in-person, and are also establishing contingency plans and augmented service levels if this is not possible. Institutions are also communicating with graduates regarding plans for alternative or delayed commencement ceremonies.

Ms. Dunstan shared that a crucial topic of these calls has been the potential distribution plans for the CARES Act funding, stating that most institutions have finalized their plans during the last two weeks. Institutions are also completing plans for revisions to their FY2021 budgets and preparations for the upcoming statewide holdbacks.

Kevin Satterlee, Idaho State University President, shared that the most pressing issue that the institutions are currently facing is questions from students and parents regarding plans for the fall 2020 semester. President Satterlee acknowledged that there are many uncertainties regarding the fall semester, but the institutions are working to develop communications that will keep their campus communities apprised of the situation. Board Member Liebich inquired if there are any other states who have already released communications to students regarding the fall semester. President Satterlee responded that many states are also currently working to develop these communications.

There were no additional questions or comments from the Board.

## 2. Superintendent's Update

This item was provided in the agenda materials as an information item.

Superintendent Ybarra shared that she has been working with Governor Little's office and the State of Idaho Division of Financial Management to plan for the budget holdback of \$18.9 million that was finalized last week. The holdback will be accomplished through reductions in certain areas including professional development, content and curriculum, and the discretionary funds distributed to each classroom which have not yet been distributed this year. Supt. Ybarra emphasized the importance of providing as much flexibility as possible for districts and charters to allow them to efficiently manage the budget holdback.

Supt. Ybarra provided a brief update regarding the continuation of child nutrition services, sharing that districts statewide are providing several meals a day for students. Two grants have been received from the US Department of Agriculture to further support these services by means of technology upgrades and training programs for district staff. Idaho is one of three states that received these grants.

Supt. Ybarra shared that the State Department of Education is continuing to work with districts to ensure that the proper resources are provided for Special Education students, and are attending weekly webinars. She also shared that the COVID-19 website for schools has received compliments for being accessible to all students, including those with disabilities.

The State Department of Education is also working with the Idaho School Boards Association and legislators to address the impact of the COVID-19 pandemic on transportation. The SDE, in conjunction with legal counsel, have advised districts and charters that they are able to add the "Act of God" clause to their contracts, which will address extended closures moving forward.

Supt. Ybarra discussed the partnership with Idaho Public Television known as "Classroom Idaho", which broadcasts educational programming for children in grades 3-6. 24 teachers from around the state were recruited by the State Department of Education to provide instruction on this platform. The goal of this program is to provide further educational opportunities for students who may not have access to computers, tablets, or internet connectivity. Supt. Ybarra voiced her appreciation for this partnership, and shared that Ron Pisaneschi, General Manager of Idaho Public Television, will provide a more detailed overview of the "Classroom Idaho" programming later in the meeting.

Supt. Ybarra provided an update regarding teachers of the year group that has been assembled to discuss the achievement gap and work to create solutions. They are also

working to design a Learning Management System that will aid in providing distance instruction as well as transitioning students back into classrooms in the future. Supt. Ybarra also mentioned that the deadline for nominations for the 2021 Teacher of the Year award has been extended to May 11, 2020.

Supt. Ybarra voiced her appreciation for the Idaho Digital Learning Alliance staff, who have aided in connecting students and parents to virtual educational resources and communications. Cheryl Charlton, Superintendent of the Idaho Digital Learning Alliance, will provide an update on IDLA's involvement with the COVID-19 response later in the meeting.

There were no questions or comments from the Board.

### 3. K-12 Education Discussion

This item was provided in the agenda materials as an information item.

## **Uniformity and Thoroughness of Instruction**

Board President Critchfield shared that this item will be a topic of discussion during the next several Board Meetings in order to develop recommendations for Governor Little for the funds being distributed as part of the Governor's Emergency Education Relief fund. She also discussed that even though the Board has passed several waivers to provide flexibility for districts statewide, the Board should still be active in the decisions that are made for the remainder of the 2019-2020 academic year.

Board Member Atchley shared her interest in the "Classroom Idaho" partnership with Idaho Public Television, and inquired if there should be similar opportunities for students who are outside of grades 3-6 beyond what districts are providing. Board Member Clark inquired if there should be standards for evidence of student learning during the interim period of distance instruction.

Board Vice President Hill discussed that the Board is aware that there is not uniformity and thoroughness of instruction occurring, and that he is unsure of whether this is stemming from the district, teacher, or student level. Board Member Liebich shared that he feels the Board should not be overly prescriptive, but should encourage districts to establish methods for closing the achievement gap that will likely increase as a result of the "soft closure". Supt. Ybarra discussed that it will be difficult to gauge the extent of the achievement gap until the student assessments are delivered in the fall.

Board Secretary Scoggin discussed that it will be important to gather feedback from other education officials and experts in order to assess the achievement gap and establish methods to close that gap. Board Member Keough echoed her fellow Board Member's comments, particularly concerning the inevitable achievement gap and how to assess and remedy it. She discussed that perhaps the Board should seek feedback from the districts to ascertain what kind of guidance would be helpful for the moving forward. Board Member Clark suggested that the Board gather information and

feedback from the representatives from the districts and superintending groups that serve on Governor Little’s K-12 Emergency Council.

Board Secretary Scoggin mentioned that the Board should also consider effects of distance education on postsecondary students. Scott Green, University of Idaho President, shared that many students appear to be adjusting to the changes well, but others are not thriving as much participating in online instruction without the routine and social element. Kevin Satterlee, Idaho State University President, discussed that there may be an achievement gap in higher education following the transition to distance instruction. He added that faculty are acting creatively to move instruction online in areas that were previously not thought to be possible. Dr. Marlene Tromp, Boise State University President, discussed the issue of varying student access to technology and shared that BSU is working to develop solutions that will allow students to have a smooth transition to distance and virtual learning. Dr. Cynthia Pemberton, Lewis-Clark State College President, shared that she has heard feedback from students that they are viewing this transition as an “episode” rather than a new long-term reality.

There were no additional questions or comments from the Board.

## **Pandemic Response – Educational Resources**

### ***Idaho Public Television***

Ron Pisaneschi, General Manager of Idaho Public Television, provided an overview of the “Classroom Idaho” partnership, which started broadcasting educational programming geared toward children in grades 3-6 on Monday, April 20, 2020. He shared that the broadcasts air in 1-hour blocks starting at 8:00am each morning Monday-Friday, with the first block being geared toward third grade students and the following blocks increasing in grade level each hour. “Classroom Idaho” is comprised of Idaho teachers sharing lessons and educational resources in the areas of English language arts, math, and science.

Mr. Pisaneschi also outlined several resources available on the Idaho Public Television website, include educational opportunities and resources for parents of young children that are at the pre-kindergarten-3<sup>rd</sup> grade level. The online resources are organized by age group and provide activities in the areas of early English language arts, math, and social-emotional learning, as well as interactive games.

Board Member Liebich inquired about how “Classroom Idaho” programming is being marketed. Mr. Pisaneschi shared that television and radio advertising has been purchased to market the programming and resources that are available.

There were no questions or comments from the Board.

### ***Idaho Digital Learning Academy***

Cheryl Charlton, Superintendent of the Idaho Digital Learning Alliance, voiced her appreciation for the support from the Board, Governor Little's office, Idaho Public Television, and the postsecondary institutions. Ms. Charlton shared that IDLA was created to serve Idaho students by providing online learning resources and opportunities for virtual instruction. Ms. Charlton introduced Will Goodman, Director of District Programs for IDLA, who gave a brief overview of what IDLA has been doing in response to the COVID-19 pandemic.

Mr. Goodman shared that IDLA is working alongside districts to provide digital learning opportunities, and that the entirety of IDLA's content is written to align with Idaho's standards. IDLA is hosting a series of webinars to assist teachers, administrators, and para-professionals, and staff members with the transition from physical classrooms to virtual instruction, and have also provided online trainings to assist local school boards with the transition to a virtual format. Mr. Goodman discussed that IDLA has also made the entirety of their course materials and content available to districts statewide. An archive of the webinars as well as instructions for accessing course materials can be found at [idahodigitalllearning.org/eday2020](http://idahodigitalllearning.org/eday2020).

Mr. Goodman also shared that IDLA currently serves students in grades 7-12, but are considering offering virtual education opportunities for younger students. Additionally, IDLA is working with various statewide partners to provide better access to internet connectivity for students.

Board Member Liebich inquired if IDLA is tracking the usage data for the resources they are providing, and Mr. Goodman responded that they are able to track webinar attendance as well as the districts that are utilizing course materials. Mr. Goodman stated that over 70 districts have requested access to IDLA's curriculum materials, and that each webinar has yielded approximately 1,000 viewers.

There were no additional questions or comments from the Board.

Board Secretary Scoggin left the meeting at 4:16pm.

4. Board Policy – IV.E. Division of Career Technical Education – Occupational Specialist Endorsements – First Reading

## **BOARD ACTION**

**M/S (Hill/Keough): I move to approve the first reading of Board Policy IV.E. Division of Career Technical Education as provided in Attachment 1.** A roll call vote was taken and the motion carried 7-0. Mr. Scoggin was absent from voting.

Clay Long, Idaho Division of Career and Technical Education, discussed that this item is a request to amend CTE's Occupational Specialist endorsement list. Board Policy IV.E. was amended last year to add amend the Occupational Specialist endorsement list, but it was identified that there would be impact for those who did not have an endorsement



that aligned with a specific pathway. This amendment grandfathers in those who have these endorsements to ensure they are able to continue teaching, and provides that new endorsements will not be issued in these areas.

There were no questions or comments from the Board.

5. Board Policy II.B. Appointment Authority and Procedures – Second Reading

**BOARD ACTION**

**M/S (Atchley/Clark): I move to approve the second reading of proposed amendments to Board Policy II.B., Appointment and Authority Procedures, as submitted in Attachment 1.** A roll call vote was taken and the motion carried 7-0. Mr. Scoggin was absent from voting.

Todd Kilburn, Chief Financial Officer, reminded the Board that this policy was presented during the Special Board Meeting at April 7, 2020. The amendments to the policy will allow the Board to waive time limits that would may prevent the Chief Executive Officers of agencies and institutions to act quickly under extreme circumstances.

Board Member Atchley inquired how Board Policies regarding financial exigency may relate to this policy revision. Mr. Kilburn stated that this policy allows for CEOs of agencies and institutions to act quickly before financial exigency is invoked. Jenifer Marcus, Deputy Attorney General, added that there are differences between Board Policy II.B. and Board Policy II.N., which addresses financial exigency. Ms. Marcus stated that Board Policy II. N. contains additional levels of resolution that can be addressed; the revisions of Board Policy II.B. allows the Board to remove the procedural impediments that would prevent the CEO of an agency or institution from acting quickly under extreme circumstances.

There were no additional questions or comments from the Board.

6. State Department of Education – Technology Services Transfer

**BOARD ACTION**

**M/S (Ybarra/Keough): I move for the State Board of Education to approve the Memorandum of Understanding between the Board and the Superintendent of Public Instruction as presented in Attachment 3.** A roll call vote was taken and the motion failed 2-5 with Supt. Ybarra and Ms. Keough voting Aye. Mr. Scoggin was absent from voting.

Board President Critchfield introduced the item by reminding the Board that a bill was passed during the 2020 Legislative Session that would effectively transfer management of the Idaho System for Education Excellence (ISEE) data management system from the State Department of Education to the Office of the State Board of Education.

Superintendent Ybarra discussed that technology services act as the “brain” of the State Departments of Education’s operations, and stated that she does not feel it makes sense to separate this group from the SDE. She added that this shift would also effectively make her a subordinate of the Executive Director of the State Board of Education if she were not able to supervise these employees, which does not align with her constitutionally appointed duties. Supt. Ybarra discussed that this transfer will not lead to better efficiency and could have a negative impact on the SDE, and shared that this action was taken without her knowledge or consideration.

The Memorandum of Understanding proposed by Superintendent Ybarra, provided in the agenda materials in Attachment 3, would transfer the budget management of the technology services group to the Board’s jurisdiction while maintaining the supervision and job functions of these employees within the State Department of Education.

Board Member Liebich inquired what the intent of the legislature was when this bill was passed, and Supt. Ybarra stated that she was not given an explanation of the intent. Board Member Liebich stated that there could be value in consolidating the longitudinal data systems; Board President Critchfield agreed. Supt. Ybarra added that the State Department was not given examples of areas of current operations that are inefficient.

Matt Freeman, Executive Director, discussed that his understanding of the intent was to transfer the functions and supervisory responsibilities from the State Department of Education to the Office of the State Board of Education. Board Member Liebich stated that he disagreed with the Memorandum of Understanding because it is inconsistent with what the legislature passed, and shared that he wants the Board to do everything possible to ensure that there is no disruption in services.

Board Vice President Hill inquired if there are any alternative ways of implementing this legislative directive, with the intent of reevaluating and requesting changes during the 2021 Legislative Session. Mr. Freeman stated that normally, appropriation bills are passed for one fiscal year, but this particular bill was not designated as a one-time event but rather as an ongoing transfer of services and funding. Mr. Freeman added that following conversations with the Division of Financial Management, the Division of Human Resources, and PERSI, the employees being transferred will be able to transition to the Office of the State Board of Education without having to reapply for their position or experience any changes in compensation or benefits. He also shared that there would be no changes to the services that this group provides to the State Department of Education after the transfer is completed on July 1, 2020.

Board Member Keough asked if it would be possible to establish a subcommittee to determine which resources and assets should be transferred from SDE to the Board while still complying with the bill that was passed. Mr. Freeman responded that it will be crucial for the Board staff and the SDE staff to work together to determine the logistics of the transfer.



Supt. Ybarra discussed that the Board has authority to delegate certain things to the State Department of Education, and asked why this situation would be any different. Board Member Clark stated that her belief that the Board has never been in a position to selectively choose with which appropriation bills they will support. She added that there is precedent for the shift of FTE from the State Department of Education to the Board, and that there is nothing that would affect the job functions of the employees who will be transferred.

Jenifer Marcus, Deputy Attorney General, added that the Board is charged with oversight of public education in Idaho, and that the State Department of Education as well as the Office of the State Board of Education are executive agencies under the Board's jurisdiction. She discussed it may not be in the Board's best interest to disregard the legislation that was passed.

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 (Hill/Atchley): I move to adjourn the meeting at 5:13pm (MST).**

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