

**State Board of Education
Minutes
March 27, 2020**



State Board of Education Vision: Every public school student in North Carolina will be empowered to accept academic challenges, prepared to pursue their chosen path after graduating high school, and encouraged to become lifelong learners with the capacity to engage in a globally-collaborative society.

State Board of Education Mission: The mission of the North Carolina State Board of Education is to use its constitutional authority to guard and maintain the right of a sound, basic education for every child in North Carolina Public Schools.

Attendees/Voting Members

Eric C. Davis, Chairman Member At Large
Alan Duncan, Vice Chairman, Piedmont-Triad Education Region
Reginald Kenan, Southeast Education Region
Dr. Olivia Oxendine, Sandhills Education Region
Amy White, North Central Education Region
JB Buxton, Member At Large
Jill Camnitz, Northeast Education Region
Dr. Donna Tipton-Rogers, Western Education Region
James Ford, Southwest Education Region
J Wendell Hall, Member at Large

Attendees/ Non-Voting:

Mark Johnson, State Superintendent of Public Instruction, Chief Administrative Officer, and Secretary to the Board
Patrick Miller, Superintendent of the Year Advisor
Tabari Wallace, 2018 NC Wells Fargo Principal of The Year Advisor
Matthew Bristow-Smith, 2019 NC Wells Fargo Principal of The Year Advisor
Nate Kolk-Tomberlin, High School Junior Advisor

I. 11:00 AM - Conference Call Meeting of the North Carolina State Board of Education

A. Call to Order/Chair's Report

1. Eric C. Davis

- Chair Davis expressed how schools are the very heartbeat of our communities but COVID-19 has changed our nation and our lives in monumental ways. He shared that during this time it has been underscored in many ways the value that our schools bring to our nation and every city, town and community across our state. Schools provide the very foundation of our society. Yes, our schools provide academics, but so much more, about comfort, care, meals,

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consistency and deep abiding relationships. Our children, parents, educators and neighbors depend on our schools, which is why we strive to maintain hope for a return this school year. We have embraced the governors charge to develop a plan and collaboration with the Department of Public Instruction to revision public education.

- Today you will hear portions of our plan as we make swift policy changes within our control to ease the burden of school closures on our students, educators and communities. And while some proposed changes such as pay for employees, calendar, flexibility, state testing accountability are not included in this board meeting today, we are in continuous discussion with our education partners and the General Assembly and will act on those items and others as soon as possible.
- Uninterrupted pay for our employees is a constant concern for this board. As we know it is for employees in every district and school. Along with the Governor and General Assembly Members, we know the crucial role that our education employees bring, especially in these challenging times. During this pause in school instruction, all employees remain in work status and are eligible to be paid. We will continue to advocate for continuous pay for all employees.
- In these extraordinary times school districts and individual teachers have taken extraordinary steps to reach students for both instruction and social, emotional support. We encourage you to continue those efforts and to expand your efforts to reach more students and to enhance the effectiveness of remote teaching and learning as we learn to teach in new ways, just as this board learns to conduct business in new ways.
- Chair Davis thanked the Department of Public Instruction for the creative expertise and perseverance in providing responsive leadership and for devoting countless hours producing the guidance needed for our students and districts. We are on day nineteen of this marathon and we hope you in the department and your colleagues across the state will take some time this weekend to get a break, perhaps spend time with family and others that are special to you and we pledge to you, a break in this weekend to recharge. We salute you!
- On behalf of the Board, I want to extend our heartfelt gratitude to all the Frontline Education First Responders, Bus Drivers, Custodians, Child Nutrition Staff, Teacher Assistants, Teachers, Administrators and Superintendents, for all that each of you are doing to ensure students are taking care of during this uncertain time while they may not be in school, students know with certainty that they are cared for through your tireless efforts and acts of kindness as you continue these heroic efforts under challenging conditions to keep students engaged in learning and to protect their social and emotional well-being, know with certainty that every North Carolinian is eternally grateful to you, and to borrow from Churchill; rarely have so many owed so much to so few. Finally, we would like to extend our thanks to the numerous partners who are willing to provide feedback and to push our thinking to new levels as our plans develop. We have and will continue to work in a broad collaborative partnership with organizations across the state to include the School Board of Association of Educators, PTA Association of School Administrators, BESTNC, myFuture NC and so many others. Chair Davis added, and we look forward to continuing this collaboration as we take advantage of these challenging times to build a stronger and more resilient public education system together with the General Assembly and our governor.

B. Roll Call to Determine Quorum

- Chair Davis then recognized Dr. Deanna Townsend-Smith for the roll call to determine that a quorum was present to participate. Dr. Townsend-Smith called the roll and indicated to Chair Davis that the quorum was established. There was a quorum present for the call.
- Chair Davis noted for the record there would be a roll call for voting taken on all items requiring action. Chair Davis commenced with the reading of the required Ethics Statement to comply with Chapter 138A-15(c) of the State Government Ethics Act. He reminded Board members of their duty to avoid conflicts of interest and appearances of conflicts of interest under Chapter 138A. He asked if members of the Board knew of any conflict of interest or any appearance of conflict with respect to any matters coming before them during this meeting. There were no conflicts of interest expressed. The Chair then requested that, if during the meeting members became aware of an actual or apparent conflict of interest, they bring the matter to the attention of the Chairman. It would then be their duty to abstain from participating in discussion and from voting on the matter.

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B. Approval of the March 27, 2020 Agenda

Motion made by: J Wendell Hall

Motion seconded by: Jill Camnitz

Voting:

JB Buxton-Yes
 Olivia Oxendine- Yes
 Jill Camnitz- Yes
 Reginald Kenan- Yes
 J Wendell Hall- Yes
 Donna Tipton-Rogers- Yes
 Amy White- Yes
 James Ford – Yes
 Alan Duncan - Yes
 Chairman Davis- Yes

D. Chairman's Report

- Chair Davis proceeded to the committee reports and called on Mr. JB Buxton, Chair of the Student Learning and Achievement Committee.

II. ACTION AND DISCUSSION AGENDA COMMITTEE MEETINGS & REPORTS

A. 11:15 AM -- STUDENT LEARNING AND ACHIEVEMENT COMMITTEE REPORT (Mr. JB Buxton, Chair and Dr. Olivia Holmes Oxendine, Vice Chair)

1. ACTION ON FIRST READING

a. SLA 1 - COVID-19: Grading Guidance Recommendation

- Mr. JB Buxton, Chair of the Student Learning and Achievement Committee shared that there are two agenda items up for discussion, the agenda items anticipate action today, one on guidance, relating to remote learning, the evaluation of student progress and graduation of seniors and then a second, relating to a revision on the textbook evaluation and adoption timeline, given the COVID-19 related circumstances.
- Mr. Buxton shared the purpose of the Evaluation of Student Progress and Graduation of Seniors document, which has intentions embedded in it and the guidance verbiage provided to the partners in the districts, reminding that these are unprecedented times with a variety of modalities that our students are able to engage in, that is, in terms of learning. Mr. Buxton read out loud, to make sure everyone noted that the Department encourages local education agencies, charter schools to provide a variety of remote learning opportunities to engage all students to continue academic growth and respond to social and emotional needs is paramount to remember in these unprecedented conditions that students are learning in. Mr. Buxton reminded that focusing on engagement, more than evaluation, is the intent here, not to figure out how we continue to grade students as much as to ensure that learning is continued by providing guidance in how districts think in terms of elementary school students grades, band grades, that is grades kindergarten through fifth, also, the middle and high school band grades, sixth through eleventh with special focus on our graduating seniors.
- Mr. Buxton pointed out the many stakeholder input and conversations that have taken place between local superintendents, school leaders, post-secondary partners such as UNC systems, independent colleges, universities, community colleges, admission directors, the legislative partners and school boards, having touched a lot of bases in this work.

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- Ms. Sneha Shah Coltrane, Director of Advanced Learning and Gifted Education shared that the Remote Learning, Guidance for Evaluation of Student Progress and Graduation of the 2020 Class document, which is found on eBoard, covers multiple topics that will be reviewed, then she reiterated from Mr. Buxton's conversation, that the premise of this document is truly to encourage our teachers to continue in doing the incredible hard work that they're doing with students across the state, by supporting the student growth and wellbeing during this public health crisis.
- Ms. Shah Coltrane shared that the definition of remote learning, during unprecedented conditions, is the ensuring of teachers, district leaders and families all have understanding of the vast array of possibilities that remote learning can be defined as, outside of the traditional school setting, whether it be on a sophisticated online platform. a phone call or online chat where the teacher is reading a book later to have an engaged conversation with the students.
- Ms. Shah Coltrane shared that the goal is having these different and varied learning opportunities engage all students.
- Ms. Shah Coltrane shared five critical factors for effective remote learning; districts are to ensure that remote learning is accessible to all students for which the learning is intended and responsive to the diverse learning groups and students maintains consistent communication between instructional staff and students, critical factors for effective remote learning including evidence of student learning and considers the whole child as well as the home learning environment. The key is consistent communication.
- Ms. Shah Coltrane went through the grade of grades Kindergarten through Fifth and Sixth through Eleventh grade guidance which entails of grades Kindergarten through Fifth would most likely focus on remote learning that promotes student growth and not focus on assigning grades, but rather focus on supporting student progress and communicating feedback. Ms. Shah Coltrane then explained that grades Sixth through Eleventh could potentially have more student progress evaluations.
- Whether the critical factors are met or not met, we ask that continued support is given with individualized feedback, but no grading is offered until we can ensure that it is equitable, and that students grades are not be negatively impacted by this COVID-19 crisis.
- Dr. Olivia Oxendine questioned to what extent are LEAs collecting information from parents regarding any challenges that they may be having at this time with at home learning. Ms. Shah Coltrane responded that the process of gathering input from school districts and charters is in motion which will provide information regarding access to devices as well as broadband, but also to any other conditions that may be limiting a student participation. Dr. Beverly Emory shared there has also been a survey sent out that may be due back on Tuesday, March 31, 2020, from districts and others regarding what their current plans may be in regard to remote learning and how can we be of help with very specific questions regarding EC, AIG and ESL students but also with logistical questions and etc., So that the Advanced Learning and Gifted Education Department can focus their energies on ensuring that we are meeting the needs of our districts.
- Mr. James Ford expressed gratitude for the articulation of what remote learning is and sought clarity of grades Kindergarten through Fifth guidance data that states there will not be focus on issuing out grades at this point, but there is an expectation that teachers must find ways to evaluate and offer feedback around student learning. Secondly, around grades six through Eleventh, with expectation of grades being issued, assuming that students meet all the critical factors listed in the guidance, but what about those who do not meet all the critical factors, will they just not have grades? Ms. Sha Coltrane shared that the critical factors are for the learning itself of teachers knowing whether they can actually access all of their students therefore being able to have a pretty good timeline of students learning. Mr. Ford acknowledges that there are still expectations of learning, that is taking place, but not in the form of grades.
- Ms. Shah Coltrane stated that the team's work group focus is on the graduating class of 2020, stating what is being asked is to consider remote learning for graduating seniors a priority, focus kept mainly on the seniors who are not meeting the State Board of Ed graduation requirements, with a minimum of 22 credits. We also have considered that students may not be able to finish the instructional year equitably across North Carolina public schools. What we are focused on is the progress that the students have made until the closure and that they do need recognition. In those kinds of premises. We

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have begun development into power school have a new grading scale that hold student harmless from the impact of goals over to a new scale that moves from fail to pass due to the COVID-19. With digital teaching and learning teams, a PC 19 and WC 19 codes are available in power school for permanent use in transcripts.

- Ms. Shah Coltrane shared recommendations for the graduation policy amendment that is needed to change the occupational course of study that is 157 work hours and to waive the future ready core requirements for CPR, because right now there are under sixteen thousand students out of the one hundred thousand and one students who are seniors who have not yet finished the CPR requirements, which is a legislated requirement for the graduating class of 2020, reminding that in the healthy living standards for grade eight, CPR is covered. We recommend DDPI considers suspension of GRAD-001 policy through June 30, 2020 that way all seniors are focusing on the minimum 22 state board of education requirements and Test-003 be amended which states that a final grade will include the end of course test be at least 20% of the students grade, since those SPC scores will not be available.
- Ms. Sha Coltrane shared that further informative guidance will be provided to districts surrounding programming efforts regarding AP EC CTE, NC AA, AIG learners as well as others with clear communication. This information will be released March 22, 2020 regarding Career and College Promises.
- Dr. Oxendine wondered if it is the classroom teacher who determines if one or two students are having challenges and would the policy be applicable in the critical factors area to charter schools as well? Ms. Sha Coltrane shared that there is no permanent comparison done among the students when equity is not there, however, yes because this does prohibit the opportunity to provide progress and feedback of both traditional and charter students.
- Mr. Matthew Bristow-Smith sought clarity of whether the graduating seniors of year 2020 have a third option that would offer students who were passing their classes prior to March 13, 2020, to continue taking those same classes, not receiving grades that were lower than what they were making prior to March 13, 2020, receiving their credits as well, along with their peers, so they could finish out their semester but would no longer need to have remote learning if they're passing those course? Ms. Shah Coltrane confirmed that he is correct and adding in that families have spoken of the social and emotional needs of these seniors and for whatever reason seniors have an option to be deemed as harmless. Ms. Sha Coltrane shared that really needs to be a local decision with the student's community and family, at the same time not wanting seniors to feel any undue burdens but wanting them to graduate on time is the goal. She includes that there are lots of students who continue to work on their courses because maybe they are going to be taking the at home AP tests that college board is going to be doing or completing a CCP or other work.
- Mr. Hall sought clarity of whether the teacher will make the final decision on grading for students' progress for grades Kindergarten through fifth but . Ms. Sha Coltrane read from the Guidance for grade Kindergarten through fifth grade which reads; If the above critical factors are met for remote learning, LEAs/Charters may evaluate student learning in the format the school already uses for grades K-5. LEAs/Charters will focus on supporting student progress and communicating feedback to students and families rather than on assigning grades. She shared that the intent is to focus on progress and communicating feedback rather than on assigning grades. Mr. Buxton reminded that approving the items means approving the guidance amendments as recommended by the Department for Grad 001 and Test 003. Chair Davis reminded that the all voting on action items will be at the end of the committee work.

b. SLA 2 - COVID-19: NC Textbook Evaluation and Adoption

- The leaders of the Textbook Commission are recommending to indefinitely postpone the 2020 textbook evaluation and adoption process that is currently in progress.

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- Mr. JB Buxton shared that with restrictions put in place by state and local governments, it has become very difficult for our leadership at the Department to carry out the functions needed literally to get into the building and access some of the materials and resources we need to fill the proposed timeline that we approved at our last March 2020 meeting, and so the Department has recommended that we indefinitely postpone our textbook evaluation induction process until such time as state and local guidance allows us to get back to business, so to speak, and then we will move expeditiously, then Mr. Buxton suggested approval for this item in light of COVID-19's unique circumstances.
- Chair Davis requested a moment of grace by taking a step back to seek a motion for approval of the agenda for this March 27, 2020 meeting.
- He requested that Dr. Townsend-Smith call the roll to capture the vote.
- The motion was unanimous vote is reflected above.

B. 11:35 AM -- BUSINESS OPERATIONS COMMITTEE REPORT (Mr. Alan Duncan, Chair and Mr. Todd Chasteen, Vice Chair)

1. ACTION ON FIRST READING

a. BSOP 1 - Approval of Contracts over \$500 Thousand per CNTR-002

- Vice Chair Duncan shared the five responses received from a series of questions asked during the Emergency Conference Call dated March 23, 2020 sharing that there is a Responses to SBE Questions regarding IStation Amendment 1 attachment on eBoard.
- Vice Chair Duncan discussed the first item which is the IStation contract, that obviously, has had some issues throughout the course of this year, roughly August 2019, then January 2020 and again at the end of March 2020, with ongoing disputes that come before the Board, with issues pertaining to the administrative decisions made on multiple contracts, reminding that today's discussion is to pick up from those previous discussions but shared that due to the unusual event of the COVID-19 epidemic, circumstances have changed the Board's decision. Due to the circumstance of COVID-19 epidemic, the State Board has had to have discussion with legislators on the notion of asking for a number of policy waivers this year, in particular the Amendment 1 to contract number 40-RQ22576270 for the Read to Achieve Reading(RtA) Diagnostic Assessments, with questions of the contract itself, hoping to hear back from DIT soon.
- Superintendent Johnson has shared that this time has been utilized in order to check in on students use of the IStation tool and the software's capabilities. NC Department of Public Instruction(NCDPI), in the spirit of making sure that in this crisis Department of Public Instruction is genuinely working together with the State Board to answer all questions asked. Superintendent Johnson shared that the questions are attached to the eBoard materials and responses have been emailed back, adding that any concerns left on this contract, to please let DPI know.
- Superintendent Johnson shared that after conversation with Chair Davis, Vice Chair Duncan and Mr. JB Buxton, agreement is in hopes that Board Members would be comfortable enough to vote yes today on this amendment. Mr. Buxton reminding that there is no contract presently.
- There was one Board Member that contacted Superintendent Johnson to share of two concerns, that other board members have voiced, so he wanted to use this time to publicly address those concerns, being DPI had been getting emails that actually share those concerns as well.

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- Superintendent Johnson shared that during this crisis, IStation has agreed to provide their remote learning curriculum, what we already have in place, so students will can use interactive lessons that meet them at their ability level for reading, math and then progressing through the curriculum at their pace, at no additional cost. for all kindergarten, first grade, second grade, third grade students and teachers at no charge, reading, math, Spanish lessons and the curriculum that teachers use to assign the students personalized learning plans while monitoring their progress remotely and the IStation tool comes with a Parent Portal. Superintendent Johnson shared that this information that tens of thousands of students and parents are already using the literacy activities at home that came inclusive within the diagnostic package that we paid for. He added that this diagnostic tool would allow students to use reading, math, and Spanish lessons on a curriculum path that can be monitored by teachers. Teachers across the state wondering if this amendment is not executed can the funds allotted for the Read to Achieve Program be used for something else, can funds be used for some other kind of intervention during this crisis, other than the Read to Achieve services? And the answer is no, this money is encumbered for these RtA services that were approved by the State Board of Education in May of 2019, reiterating that the funds have either be utilized for the RtA services now or wait until this dispute is resolved to use this funding that is because the money is encumbered for this purpose.
- Superintendent Johnson reminded that the work done by IStation was done at no charge from June 2018 to January 2019 and from June 2019 to January 2020 all that work was free of charge, so this year State Board approved financial obligations are already less than normal and they are now going to graciously at no charge, turn on the remote learning curriculum during this crisis. So clearly, having progress monitoring, that's already built into the system. with no additional cost, with remote learning, He thinks, that is absolutely a better use of funds. Superintendent Johnson shared that it is more feasible to go ahead and make sure these tools for parents and students who are using it at home already are kept in place instead of this money just sitting in Raleigh, while awaiting the dispute to be resolved, more importantly, because there are a lot of members of the public listening, it is not to assume that this large lump sum of money would be used immediately to pay anyone, the payments are broken out into smaller payments over the course of the contract and like every contract that the Department of Public Instruction enters into, DPI has rights of termination for convenience. Which means DPI can cancel this contract at any time, if things change going forward as in reference to the legal dispute, holding funds until settlement of the dispute happens. We absolutely can cancel if not satisfied.
- Secondly Superintendent Johnson talked about conversation that is going on with members of the General Assembly, conversation of them waving the End-of-Year Testing requirements, Education Value Added Assessment System(EVAAS) data . He reminded that this has been done by the Federal Government already and with that said, all testing in the state that is actually tied to the federal government, such as the Education Value Added Assessment System(EVAAS) evaluation bonuses, the A through F rating scale, which will not be required. Superintendent Johnson reminded that having no indication of approval, from the General Assembly, of wanting DPI to cause any violation to any of legislation that requires formative progress monitoring, sharing also that there is confidence of eliminating the third grade EOG, stating that there will be no use of any data from testing, that ties into EVAAS or teacher bonuses that ties into a thorough grading scale because of this coronavirus crisis. The goal of the RtA legislation is why we contract for this IStation service, to provide formative progress monitoring that will help guide instruction. He shared that there is no indication from anyone in the General Assembly of going forward, that there will be any waiver of the read to achieve legislation to stop progress monitoring, that really is intended to help guide instruction.
- Superintendent Johnson shared that he receives feedback from teachers and parents who love IStation as well as teachers and parents who hate IStation. His next statement referenced Cherokee County and Columbus County schools, those schools had just taken middle of year diagnostics, before school closures due to the Coronavirus Crisis, now having a snapshot in time using this tool for students reading abilities, to compare with in May, hopefully he shared, when school returns on grades Kindergarten through Third students reading progress.

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Speaking of how administering the same diagnostic assessments, using the same tool for all the students across the entire state to fully understand from time of point A to point B, Superintendent Johnson shares, will measure the consequences that the Coronavirus Crisis has had in our students readability. Voting no on this amendment will potentially allow the Read to Achieve contract to expire. Voting no would take away the home access to the Remote Learning Tools for tens of thousands of families that are using it right now, it would eliminate the formative diagnostic which is the progress monitoring which violates the legislation and voting no would prevent us of having that diagnostic snapshot upon returning to school that in turn would prevent educators from determining the effects of this crisis on our youngest readers abilities shared Superintendent Johnson.

- Mr. Buxton sought clarity into the renewing of the extended agreement with iStation, defined currently as a home resource assessment tool for students without grading measurement, that has a 1.2 million dollar extended contract cost, for a 4 month period, when it is indefinite of whether schools will utilize diagnostics upon return in May 2020, awaiting the decision from the General Assembly, being a smart investment, verses, Mr. Buxton shared, other free, comprehensive at home instructional resources, that were suggested by Chief State Schools Council, which could be assessed from home right now as well.
- Mr. Buxton referenced a document received by Board Members, from DPI, that verbalized the home instructional resource benefits of utilizing iStation but pointed out that this is with a 1.2-million-dollar expenditure verses students using the free, comprehensive at home instructional resources, during remote learning due to COVID-19. Mr. Buxton shared that the saving of funds right now may be utilized on future allegations pertaining to Read to Achieve.
- Superintendent Johnson stated for the record that there is a signed contract, the contract was signed in January and was approved by DIT and this is amendment. The signing of the contract was actually done in complete consultation with and under the direction of DIT, “so everything we do has a contract” he shared. The issue is within the original three-year contract that had been approved by the State Board of Education, which selected iStation as the reading diagnostic tool. That is the one that is held up a second, and reminded that there is no payment due for the at home services. Superintendent said, “I mean, let me be very clear, we are not paying for the services of course at 1.2 million dollars for the at home services”. Mr. Buxton asked if this information can be clarified definitely? Chair Davis has recommended this information be received directly from iStation noting that if the extension amendment is not approved by the Board, iStation home resources then would be shut down completely so he shared that iStation would be utilized and that questions pertaining to whether the progress monitoring, which was already built into the three year contract is or is not being paid for and that progress monitoring can be done remotely to meet the Read to Achieve legislation. Chair Davis expressed that these questions may still be presented to iStation. Vice Chair Duncan shared the terms are discussed on page three of ten in the Amendment 1 to contract number 40-RQ22576270, which is part of the material on eBoard. Every 30 days, starting April 30, 2020, including May’s payment too, payment of two hundred ninety-four thousand, five hundred thirty-five dollars is due.
- Dr. Tara Galloway wanted to clarify 2 questions she heard in the discussion on students’ needs based on the data feedback of iStation curriculum in the assessment piece; it is necessary to have access to the curriculum. Secondly, she mentioned that iStation has a closed network system in realm of cyber security and that keeps data and student information very secure for student logins through the NC Cloud and shared that any free tool available, really cannot guarantee that level of security at this point. She reminded that this is one huge benefit of moving forward as well.
- Dr. Olivia Oxendine confirmed that the uniformed standard mode of reading instruction would completely end. Dr. Galloway responded yes, as of March 31, 2020, the agreement would end and all materials such as; provided help, provided training hours, students log-ins and progress monitoring data would be lost. Dr. Oxendine has expressed her concern of interrupting the consistency of grades K-3 standard based reading

instruction, that students have reliable achievement data within and thought of the challenges teachers will face at this time to supply students with an alternative reading tool. Vice Chair Duncan shared that of the four hundred fifty thousand students approximately thirty thousand, 7% of student, currently use the iStation tool, but does agree that educators would be faced with the situation of getting instruction to students. Ms. Jill Camnitz sought clarification into the iStation contract being discussed, of whether iStation is a diagnostic tool or an instructional delivery tool. Dr. Galloway shared that since home instruction has happened, iStation has been utilized as an instructional tool and the log-in count went from one hundred thirty students to over six thousand student logins and the usage of webinars have increased as well. The parent portal information for at home use was previously sent out, nobody really paid attention to that, but now that it is essential, everyone is reaching out so iStation has served as a help tool to the parents with their Tier one support. Dr. Galloway told of the 235 parent calls to iStation's Tier-One Support team and iStation's willingness to support students, parents and teachers has been great adding that iStation has offered free curriculum activities along with their tier one support. Superintendent Johnson clarified that the current iStation contract agreement with The State general use is only the reading diagnostics tool, for progress monitoring, used once a month, beginning of the year and end of school year, however, with the current at home learning environment, at an additional cost to the current contract amount, iStation would provide minimized diagnostics monitoring, End of Year measurement functions alongside student daily accessible, math, and Spanish personalized learning curriculums at no charge, with capabilities of advancing themselves to their next level and teachers receiving notification of each students progress. Ms. Camnitz followed up by saying that the use of the instructional program that is not being offered as an instructional package at the time of renewing, but with an additional cost amount, currently offered for free, as a reason to move forward on the renewing of this contract without first hand knowledge of whether or not student, parent, teachers or LEAs are in agreement about this product. Ms. Amy White acknowledged the difference between the learning application and the diagnostic tool but wonders if iStation could be downloaded onto iPhones of students who may have connectivity issues or no internet during At Home Learning. Secondly, if the diagnostic tool is aligned to the North Carolina standard course of study are the instructional resources also aligned to the standard course of study, providing interest is due to equity of access and shared that the individual access id's may not have been previously established for every student in the class? Dr. Galloway not sure of the curriculum working on the iPhone since it's new for students, maybe an android phone she shared, although it's not recommended due to the comprehension size. Dr. Galloway then shared that reminders had recently been sent out to teachers and parents of the students access to the tool, there were so many login questions and responses of never receiving this information before now, so teachers are aware of how to help families with parent and student portal information. Superintendent Johnson shared his awareness of the challenges faced by districts in pursuit of connectivity issues. Mr. Buxton reiterated the importance of the reading tool but his discomfort in providing a tool which cost ranges from a million to a couple hundred thousand dollars a month by asking to be waived. Dr. Oxendine provided her support to the K-3 literacy item which gives parents the necessary support needed as they work at kitchen tables and other places in their homes to educate kids and reading. Superintendent Johnson reiterated that RtA funds either be spent monthly on this or spent on something else, stating, 'if we budgeted funds are not spent the money will just stay in Raleigh'.

- Vice Chair Duncan asked for discussion of a motion from Chair Davis and stated for purpose of clarity that it would be best to table this item to have clarity from the legislature as to whether there will be a waiver of the RtA requirements and if granted iStation would not be necessary. The Board could revisit this item as needed or if needed. Chair Davis disclosed the importance of a motion, to the table, voting on BSOP 1 and asked Dr. Townsend-Smith to do a roll call and capture the votes.

Motion made by: Jill Camnitz

Motion seconded by: JB Buxton

Voting:

JB Buxton-Yes

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Olivia Oxendine- No
 Jill Camnitz- Yes
 Reginald Kenan- Yes
 J Wendell Hall- Yes
 Donna Tipton-Rogers- Yes
 Amy White- No
 James Ford – Yes
 Alan Duncan - Yes
 Chairman Davis- Yes

b. BSOP 2 - COVID-19: \$50 Million Allotment Distribution (ALOT-003)

- It is recommended that the SBE discuss and approve one of the 3 presented options for the COVID-19 \$50 Million Dollar Allotment Distribution.
- Vice Chair Duncan shared that funds had been designated by Governor Cooper and asked to be distributed to the LEAs. The money is made up of 38.5 million from the fiscal year 2019-2020, summer reading camp funds, 2.97 million from unexpected fiscal year 2018-2019 summer reading camp carry forward, with 5.48 million coming from the statewide carry forward reserve, which is a little over 3 million and 5.48 million is coming from State Emergency Relief and disaster reserve. Each LEA, charter school, innovative school, regional school and lab school which does not provide virtual education as its primarily instructional delivery method would be eligible.
- The purpose of these funds is to provide supplemental funding to public schools for additional expenditures related to school nutrition, childcare, remote learning and sanitation incurred due to school building closure for COVID-19. All available funds are distributed to LEAs and other public schools based on one of the proposed options.
- Vice Chair Duncan shared that there had been conversation on whether the department could hold an amount for purposes of efficiently accomplishing some other tasks. Directives received stated clearly that funds should be all distributed throughout the LEAs due to very substantial expenses that are now being incurred by LEAs throughout the state. Vice Chair reminded that there is a breakout sheet attachment as to what the distributions would be for each County, utilizing three different structured models on eBoard.
- Vice Chair recognized that most often, the department utilizes a 50% Average Daily Membership and 50% low wealth type of approach to come up with a precise number. Fifty-percent of the COVID-19 \$50 Million Dollar Allotment Distribution funds are determined by ADM, and which is 50% by poverty levels determined by Title One and other related matters.
- Upon the number of poverty children per the Title I Low Income poverty data, the remaining funds are distributed based on allotted Average Daily Membership(ADM) or Fifty-percent of the funds are distributed based on ADM multiplied by a low wealth percentage and fifty percent of the funds are distributed based on allotted ADM or the number of poverty children per the Title I Low Income poverty data. and fifty percent of the funds are distributed based on ADM multiplied by a low wealth percentage.
- Vice Chair Duncan shared that the committees recommends both the 50% ADM and 50% low wealth taking into account the fact that districts are different and do need to have a component suitable in size of the district, but we also should take into account some components low wealth and get the monies out to the districts as soon as possible because they are dealing with a large numbers of unexpected expenses and costs at this time.
- SPECIAL PROVISIONS:

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- First, No ABC transfers will be allowed out of this allotment. Transfers are allowed into the allotment. Secondly, funds shall only be expended for school nutrition, school and community-based childcare, cleaning and sanitizing schools and buses, protective equipment, and remote learning. Thirdly, the first month ADM is used for eligible public schools, that are not within a LEA. Fourth, the only expenditures incurred from March 1 to June 30, 2020 are eligible. Funds shall revert at June 30, 2020. No funds prior to March 1 are reimbursable. Fifth provision states that charters are calculated using the attributes of the county in which they are located, with the exception on poverty, charters are funded at 25% of their ADM for poverty.
 - Vice Chair Duncan reminded that there will be some differences as between each and every county and charter school, considering that charter school distributions that are also included
 - Ms. Jill Camnitz asked for clarity of whether Vice Chair Duncan statement described no difference in the 3 presented options for the COVID-19 \$50 Million Dollar Allotment Distribution show a difference in calculations. Vice Chair clarified that he had verbalized “there is a difference”, “which is why this is necessarily an imperfect process”. Ms. Camnitz explained that the three methods, all of which are considered have listed poverty in some way, shape, or form, still reports showing as a pretty substantial difference between the two districts, county by county depending on which one we choose.
 - Vice Chair Duncan confirms that there is not a generalized difference, more of a county by county difference, and gave example using Charlotte Mecklenburg with an 50% ADM and 50% poverty ratio, Mecklenburg would have a significantly higher amount than the other two formulas, this captures the biggest differences that could be looked at in terms of percentage differences. Mr. Matthew Bristow-Smith wondered if the actual expenses that LEAs are incurring due to COVID-19 are factored into this, this model for who gets what funds with pickup sites at schools to distribute lunches, causing their transportation costs to be different? Vice Chair Duncan shared that the calculations directly for transportation cost of pickup sites at schools distributing lunches has not been factored in yet, adding that unknowingly of exactly what the funding will look like out of the federal coronavirus stimulus package, so called stimulus package, not knowing of the amount to be awarded, whether there are additional funds available, but that the funds allocated are intended to be directly in assistance to LEAs public and charter schools.
- c. BSOP 3 - COVID-19: Exceptional Children (EC) Division April 1 Child Count (ALOT-003)
- The State Board of Education is asked to approve the recommendation that for April 1, 2020 child count, a statistical formula will be used to project the normal increase from December 1 to April 1 child count, using the last five years of data.
 - The current policy requires districts to submit a report and certify the number of students eligible for special education services.
 - Due to COVID-19, this will be an extra burden on local EC departments and teachers, and could impact their State Aid funding from the State. This could include reduced funding due to IEP meetings not being held, or completion of initial referrals for special education, due to the Executive Order #120.
 - Ms. Sherry Thomas, Director of Exceptional Children Division shared that the Exceptional Children Division is scheduled to do an April 1, 2020 child count that generates the special education dollars for the State of NC, which does not involve the federal requirements that have already been submitted in the December 1, 2019 count. Ms. Thomas reminded that buildings have been closed for two weeks, meetings have not been able to

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happen that were needed in meeting this deadline of eligible children count. This, if done according to the regular scheduled timeframe, will show the child count as not correct possibly, so she is asking the districts to verify and then certify their data, acknowledging already that their count will be off in respect to the COVID-19 building shut-down and then send those reports to Exceptional Children Division by April 15, 2020.

Additionally, she is asking in conjunction with the state data, that DPI would allow the department to review the last five years, starting from December 1. The child count usually rises in April due to school being in session so what the department is asking is to use a statistical formula, that the group has been working on to generate what the projected increase would have been had we been under normal circumstances and allow that to be the child count for April 2020 and for submittal for State Aid budget proposal.

III. NEW BUSINESS

A. COVID-19 - State of Emergency Sick Leave (BENF-001)

- Mr. Eric Snider, SBE, General Counsel shared a proposed leave policy titled contagious disease policy, Section 9.4.2 Contagious Disease Policy to Address 2020 COVID-19 Pandemic, addressing a policy for public school employees and its goal is to help flatten the curve as COVID-19 spreads and its proposal to protect the health and wellbeing of our public school employees.
- General Counsel Snider shared that the draft proposal details represent a move to a more closely aligned public school staffing practice, which during this pandemic, with responses taken by State Office of Human Resources from state employees as well as workers in the UNC System, our local education agencies, innovative school district as well as a regional schools, also indicating that charter schools may adopt this policy as well. He shared that he has been hearing a number of questions from districts and from public school employees and they have urged that the board would take efforts, similar to this. General Counsel Snider expressed that one of the primary goals of this draft policy is to help flatten the curve, remaining responsive as medical data is presented to help drive employment policies for public school employees and grades K-12 education, which is a very complexed system, and that there are no doubt, numerous unique circumstances that are probably not contemplated by this short three page document.
- Note; Virtual schools, Brick and Mortar have a different sort of operation, that this is for a period covering April 1- April 30, 2020.
- General Counsel Snider outlined section B, of the 9.4.2 Contagious Disease Policy to Address 2020 COVID-19 Pandemic of the Paid State of Emergency Leave Act, that is consistent with usual work schedules, up to 168 hours of paid State of Emergency Leave which may be granted by employers during the period of April 1- April 30, 2020, after which time any unused leave expires. The employee may use the leave for the following: 1. Mandatory or non-mandatory employees including temporary and permanent employees, who cannot work because they have childcare or eldercare needs due to COVID-19-related facilities closings, who may receive paid State of Emergency Leave up to the maximum hours allowed. Mandatory employees who cannot work because they are high risk and who have not been assigned alternate telework duties may receive paid State of Emergency Leave up to the maximum hours allowed. 2. Non-mandatory employees, including temporary and permanent employees, as well as employees who report to work for reduced hours, who are unable to telework, who have not been authorized by their supervisor to continue to report to work will receive paid State of Emergency Leave up to the maximum hours allowed if they cannot telework because their position duties cannot be performed remotely and reasonable alternate remote work is not feasible or productive, as determined by the employer. Mandatory employees who have a reduced on-site schedule, at the discretion of the employer, may take paid State of Emergency Leave for the balance of hours where they have not been assigned on-site or remote duties. 3. For part-time employees with irregular schedules, paid State of Emergency Leave should be based upon the employee's average hours per week over the course of the previous month. In no case will paid State of Emergency Leave exceed 40 hours per week. Part-time employees shall receive a pro-rated share of the 168 State of Emergency Leave hours. 4. Any mandatory or non-mandatory employees,

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including temporary and permanent employees, who are sick due to symptoms consistent with COVID-19 or who are caring for a dependent with such symptoms, or a health care provider has advised the employee to self-quarantine due to concerns related to COVID-19 will receive State of Emergency Leave up to the maximum hours allowed. All other medically related absences will utilize regular forms of leave such as sick, vacation, and bonus leave, or shared leave if previously approved. 5. Non-mandatory employees who were on other pre-approved leave, choose not to work, or are unavailable for reasons other than provided for in this State of Emergency Leave provision must use available and applicable leave types, such as vacation/annual leave, paid parental leave, bonus leave, or compensatory time. 6. There are no special compensation provisions for mandatory employees to receive additional pay as of the date this State of Emergency Leave Policy is adopted. 7. Substitute employees are not entitled to leave under this provision. C. Additional State of Emergency Leave Up to ninety-six (96) hours of State of Emergency Leave are available for all employees who requested leave during the school closure period of March 16 - March 31, 2020, for those reasons set forth in Section B. This leave shall be pro-rated for part-time personnel and may be retroactively applied to employees who took leave during this closure period, paid or unpaid leave.

- Note: The Families First Coronavirus Response Act became law on March 18, 2020, and goes into effect on April 2, 2020. This legislation seeks to help workers, businesses, the healthcare sector, and government employers respond to the consequences of the coronavirus outbreak. The law provides Emergency Family and Medical Leave and Emergency Paid Sick Leave. School employers should consult with their counsel regarding FFCRA's requirements and implementing the Act.

IV. 12:00 PM -- VOTING (MEETING MINUTES, ACTION ON FIRST READING, ACTION, AND CONSENT)

- SLA 1 - COVID-19: Grading Guidance Recommendation, SLA 2 - COVID-19: NC Textbook Evaluation and Adoption, BSOP 2 - COVID-19: \$50 Million Allotment Distribution, BSOP 3 - COVID-19: Exceptional Children (EC) Division April 1 Child Count, and New Business Item - Section 9.4.2 Contagious Disease Policy to Address 2020 COVID-19 Pandemic.
- There were no additional questions.
- Chair Davis requested that Dr. Townsend-Smith call the roll to capture the vote.

Motion made by: J Wendell Hall
Motion seconded by: James Ford

Voting:

JB Buxton-Yes
Olivia Oxendine- Yes
Jill Camnitz- Yes
Reginald Kenan- Yes
Donna Tipton-Rogers- Yes
James Ford – Yes
J Wendell Hall - Yes
Alan Duncan - Yes
Chairman Davis- Yes

V. 12:00 PM – ADJOURN

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- Chair Davis gave thanks to the staff for all the work put forth, particularly for the short notice that went into completing the work of this board this meeting, and to audio team for assisting with ensuring that we could conduct this meeting virtually while maintaining our streaming capabilities for the benefit of the public.
- Chair Davis requested a motion to adjourn. He requested that Dr. Townsend-Smith call the roll to capture the vote.

Motion made by: JB Buxton

Motion seconded by: Donna Tipton-Rogers

Voting:

JB Buxton-Yes

Olivia Oxendine- Yes

Jill Camnitz- Yes

Reginald Kenan- Yes

J. Wendell Hall- Yes

Donna Tipton-Rogers- Yes

James Ford - Yes

Alan Duncan - Yes

Chairman Davis- Yes

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