



**STATE OF HAWAII
BOARD OF EDUCATION**
P.O. BOX 2360
HONOLULU, HAWAII 96804

May 21, 2020

TO: Board of Education

FROM: Catherine Payne
Chairperson, Board of Education

AGENDA ITEM: Board Action on Board Resolution directing the Department of Education to offer summer school in a way that supports students disproportionately impacted by school closures caused by the COVID-19 pandemic, to ensure clear coordination between each level of the tri-level system, and to communicate timely and effectively with the public

I. EXECUTIVE SUMMARY

- Summer school is a valuable opportunity to support students that were disproportionately impacted by the COVID-19 closure of schools for the last quarter of the 2019-2020 school year.
- The proposed resolution is a way for the Board to provide “big picture” guidance of what the Board of Education (“Board”) expects to see regarding summer school this year.
- The resolution has three main parts:
 - Establishing the students whom the COVID-19 pandemic school closures have disproportionately impacted and prioritizing access, resources, and services for these students;
 - Ensuring clear communication and coordination between each level of the Department’s tri-level system; and
 - Ensuring timely and effective communication of data and information with the public.

II. **BACKGROUND**

In response to the COVID-19 pandemic, the Department of Education (“Department”) closed school facilities and stopped traditional, in-school instruction. Consequently, public school students have not received traditional in-school instruction since the end of the third quarter of this school year on March 13, 2020, prior to Spring Break. Since the closure of school facilities, students have primarily had access to enrichment opportunities through various forms of distance learning (such as online instruction or paper packets).

III. **DISCUSSION**

Schools could not provide traditional, in-school instruction during the fourth quarter, and summer school is an important and valuable opportunity to address possible learning loss. This opportunity is the reason I am proposing that the Board adopt a resolution outlining the Board’s expectations regarding summer school to provide guidance to the Department and to communicate to the public. A draft of the resolution is attached as **Exhibit A**. I opted to use a resolution as the vehicle for the Board’s summer school expectations to establish an interim policy guidance document tailored to the specific situation which is less permanent than Board policies while still setting forth the Board’s positions. Note that while I prefer a resolution as the vehicle, I am still urging my fellow Board members to consider and deliberate on the contents to ensure it sets sensible policy guidance and sends a meaningful message.

The intent of this draft resolution is to provide “big picture” guidance of what the Board expects to see regarding summer school this year. Once adopted, the Department would use this resolution to guide its implementation work, and the resolution would help to keep everyone in the organization on the same page. The resolution is also a means to communicate to parents, guardians, the public, and education stakeholders about the Board’s expectations for summer school this year.

Note that the principles and directives of the resolution are grounded in the Board and Department’s strategic priorities the Board adopted on June 20, 2019 for the current school year,¹ in particular the strategic priorities relating to “Equity and

¹ Memorandum on the strategic priorities is available at: http://boe.hawaii.gov/Meetings/Notices/Meeting%20Material%20Library/Special_2019-06-20_Action%20on%20Board%20and%20Department%20Strategic%20Priorities%20rev.pdf.

The strategic priority on Equity and Access states:

Access” and “Communication and Engagement.” The Department has already been engaged in much work and planning relating to summer school, and I believe that the Department’s work aligns with these strategic priorities. In this sense, the Board has already generally guided the Department’s work. This resolution simply builds on the Board’s guidance through its strategic priorities and provides more specific direction.

The resolution has three main parts: (1) establishing the students whom the COVID-19 pandemic school closures have disproportionately impacted and prioritizing access, resources, and services for these students; (2) ensuring clear communication and coordination between each level of the Department’s tri-level system; and (3) ensuring timely and effective communication of data and information with the public. Each part is described in more detail below.

Disproportionately Impacted Students. The Department recognizes that some students will need opportunities beyond enrichment to graduate or to be ready for the next school year. Missing an entire quarter of traditional, in-school, graded instruction likely has disproportionately affected certain groups of students more than others, particularly:

1. Students receiving special education services with Extended School Year (“ESY”) services in their Individualized Education Plan (“IEP”) who may not be served adequately by distance learning options and may need more intensive supports, including in-school supports;
2. Students who are juniors and seniors during the 2019-2020 school year, need credit recovery, and are at the greatest risk of not having enough credits to graduate;
3. Students in transition grades who would substantially benefit from summer school to ensure they are ready to enter middle or high school; and
4. Students who would substantially benefit from summer school to fulfill grade-level requirements and move on to the next grade.

(See draft resolution, Lines 35-53.)

“Ensuring that the appropriate policies, structures, and resources are in place to guarantee the advancement of access and support structures that enable and inspire all students to succeed in school and life. This priority references special education and English Learners in particular, but does not preclude issues like civil rights and Title IX.”

The strategic priority on Communication and Engagement states:

“Ensuring that the appropriate policies, structures, and resources are in place so the Department and Board thoughtfully and intentionally engage with students, staff, families, and community stakeholders in two-way communications that will help to inform decision-making and priority setting (particularly with respect to the development of a new strategic plan) and improve transparency and access to information.”

I want to acknowledge that longstanding issues that existed before the pandemic affect many other groups of students; however, the intent of this resolution is to prioritize students that the COVID-19 pandemic likely impacts more than most other students. Every student is a priority, but when there is limited time and resources, we must make a policy call as a Board as to where the Department should focus its attention.

The identification of disproportionately impacted students is important because the Board can then direct the Department to prioritize meaningful access to summer school for these students and prioritize the allocation of resources and services to these students (see Lines 102-111). It can also direct the Department to endeavor to provide free or low-cost summer school to them (see Lines 113-115), and find ways to provide summer school to these students if distance learning is not effective (see Lines 117-145). I used the term “meaningful access” because I want to convey the idea that schools should be reaching out to these disproportionately impacted students and their parents and guardians, doing whatever they can to assist. Examples include helping students enroll in summer school, providing guidance as to which courses would be most beneficial to the students and getting students into essential courses even if they are already filled or closed.

Summer school can provide a learning opportunity for these students to demonstrate academic proficiency, meet grade-level requirements, and ensure they are ready to move to the next stage of their academic careers. However, because of ongoing health and safety concerns related to the pandemic, the Department cannot deliver summer school instruction as it has in the past. While clearly challenging, it is critically important that the Department provide summer school to students disproportionately impacted by the stoppage of traditional in-school instruction. To do deliver a summer school program like this, the Department may need to figure out how to provide effective distance learning to students without devices or internet connections or how to provide limited on-campus instruction in a safe manner.

Tri-Level Coordination. Whatever method is used to deliver the summer school program, the Department’s schools, complex areas, and state offices will need to coordinate, work closely together, and communicate clearly with each other to ensure schools have sufficient resources to provide the appropriate services to the aforementioned disproportionately impacted students. Note that the intent is for the words “resources” and “services” to be read broadly. These terms can include, but are not limited to, funding, devices, internet connection, personal protective equipment, cleaning supplies, student transportation where required by IEPs, and staffing.

The Department has a tri-level system consisting of (1) the School Level, (2) the Complex Area Level, and (3) the State Level, each with its own responsibilities (see draft resolution, Lines 65-84). The COVID-19 pandemic has required our public school system to pivot and adjust roles and responsibilities quickly. Because things are changing so rapidly, it is even more challenging to coordinate and communicate among and between the three levels. Because of this, I wanted to highlight the importance of coordination and communication by making it clear that there needs to be clear two-way communication between each level of the tri-level system (see Lines 150-153). Including this statement in the resolution in no way implies that this is not currently happening. It is to ensure that everyone in the system is on the same page and are committed to the same goal.

Communication. To ensure the summer school program reaches the students who need it most and to inform decision-making going forward, the Department needs to communicate data and information timely and effectively with the Board, students, parents, guardians, education stakeholders and the public. Data aggregated at the state and complex area levels are essential to get a broad overview of the strengths and challenges of our system and informs the decisions of not just the Board, but also of education stakeholders, like the Legislature, the congressional delegation, and businesses.

This brings me to my next point. The challenges we are facing are huge. The need in the community is great. The Department cannot do this alone. It will need the support of other government agencies, businesses, community organizations, and individuals, hence the resolution directing the Department to communicate timely and work collaboratively in this effort (see Lines 170-172).

The draft resolution ends with provisions that direct the Superintendent to provide the Board with a comprehensive plan for summer school by June 1, 2020 and to provide timely and detailed reports on the implementation of summer school (see Lines 174-181).

This resolution focuses on summer school because it is on the immediate horizon. I believe that we will learn from work done during the summer and that this will help shape what our school system will look like for the next school year.

IV. RECOMMENDATION

Based on the forgoing, I recommend that the Board adopt the resolution attached to this memorandum, thereby approving the directives contained therein.

Exhibit A

Resolution of the Board of Education

DIRECTING THE DEPARTMENT OF EDUCATION TO OFFER SUMMER SCHOOL IN A WAY THAT SUPPORTS STUDENTS DISPROPORTIONATELY IMPACTED BY SCHOOL CLOSURES CAUSED BY THE COVID-19 PANDEMIC, TO ENSURE CLEAR COORDINATION BETWEEN EACH LEVEL OF THE TRI-LEVEL SYSTEM, AND TO COMMUNICATE TIMELY AND EFFECTIVELY WITH THE PUBLIC



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2 A WAY THAT SUPPORTS STUDENTS DISPROPORTIONATELY IMPACTED BY
3 SCHOOL CLOSURES CAUSED BY THE COVID-19 PANDEMIC, TO ENSURE CLEAR
4 COORDINATION BETWEEN EACH LEVEL OF THE TRI-LEVEL SYSTEM, AND TO
5 COMMUNICATE DATA AND INFORMATION TIMELY AND EFFECTIVELY WITH THE
6 PUBLIC

7
8 **WHEREAS**, On March 4, 2020, Governor David Y. Ige issued an emergency
9 proclamation declaring a disaster emergency relief period due to the COVID-19
10 pandemic;

11
12 **WHEREAS**, Public school students have not received traditional, in-school
13 instruction since the end of the third quarter on March 13, 2020, and the start of Spring
14 Break;

15
16 **WHEREAS**, On March 24, 2020, the Hawaii State Department of Education
17 (“Department”) announced the closure of school facilities and the stoppage of
18 traditional, in-school instruction through April 30, 2020;

20 **WHEREAS**, On April 17, 2020, the Department extended the closure of school
21 facilities and announced the continuation of enrichment using distance learning through
22 the end of the 2019-2020 school year;

23
24 **WHEREAS**, Through the *HIDOE Guidance for Long-Term School Closures,*
25 *Graduation, Promotion and Grading*, released internally by the Department on April 7,
26 2020 and subsequently updated, the Department has directed schools to issue final
27 grades for courses and award related credit to students who achieved the requisite
28 proficiency through the third quarter;

29
30 **WHEREAS**, In a typical school year, summer school offers opportunities for
31 students to earn credits to graduate, earn credits for promotion to the next grade,
32 maintain learning from the regular school year, and advance learning to better prepare
33 students for the upcoming school year;

34
35 **WHEREAS**, The stoppage of traditional, in-school instruction has disrupted
36 students statewide, but it has disproportionately impacted certain groups of students
37 more than others:

- 38
39 a. Students receiving special education services with Extended School Year
40 (“ESY”) services in their Individualized Education Plan (“IEP”) may not be
41 served adequately by distance learning options and may need more
42 intensive supports, including in-person supports;
- 43
44 b. Students who are juniors and seniors during the 2019-2020 school year,
45 need credit recovery, and are at the greatest risk of not having enough
46 credits to graduate;
- 47
48 c. Students in transition grades (5th/6th and 8th grades) who would
49 substantially benefit from summer school to ensure they are ready to enter
50 middle or high school; and

52 d. Students who would substantially benefit from summer school to fulfill
53 grade level requirements and move on to the next grade;

54
55 **WHEREAS**, Summer school takes on a heightened importance this year
56 because of the stoppage of traditional, in-school instruction, so identifying and
57 prioritizing students who have been disproportionately impacted and allocating
58 adequate supports, services, and resources is essential;

59
60 **WHEREAS**, Many students who are disproportionately impacted and who can
61 benefit from distance learning are less likely to have access to an appropriate device or
62 an adequate internet connection, both of which are necessary for online distance
63 learning;

64
65 **WHEREAS**, The Department has a tri-level system consisting of (1) the School
66 Level, (2) the Complex Area Level, and (3) the State Level with the following
67 responsibilities:

68
69 a. At the School Level, schools are empowered to make decisions about
70 students, including student learning, delivery of curriculum and instruction,
71 and learning assessment because administrators, teachers, and staff are
72 closest to the students;

73
74 b. The Complex Area Level is primarily responsible for coordinating between
75 schools in the complex area, distributing any funding provided to the
76 Complex Area Level, and serving as a conduit between the School Level
77 and State Level; and

78
79 c. The State Level is primarily responsible for coordinating between complex
80 areas, allocating funding to the Complex Area Level and School Level,
81 providing centralized services and support for the School Level and
82 Complex Area Level, and serving as a conduit between the tri-level

83 system and the Board, other state entities, the federal government, and
84 education stakeholders;

85
86 **WHEREAS**, The COVID-19 pandemic has required our public school system to
87 pivot and adjust roles and responsibilities quickly;

88
89 **WHEREAS**, The benefits of school empowerment and local control are bolstered
90 by complex area and state support and coordination;

91
92 **WHEREAS**, Collecting, aggregating, and analyzing data from the tri-level system
93 and sharing these data with the Board, parents, guardians, education stakeholders, and
94 the public is essential for strategic decision-making and getting community support for
95 public education;

96
97 **WHEREAS**, Several government entities, businesses, and community
98 organizations have formally or informally inquired about how they might be able to
99 assist the Department in supporting students affected by the health and economic
100 crises caused by the COVID-19 pandemic; now, therefore,

101
102 **BE IT RESOLVED** that the Board hereby directs the Department to offer a robust
103 summer school program during the summer of 2020 for all interested students,
104 prioritizing meaningful access to summer school and the allocation of resources and
105 services to disproportionately impacted students, specifically, students receiving special
106 education services with ESY services in their IEP, juniors and seniors that need credit
107 recovery, students in transition grades that would substantially benefit from summer
108 school to ensure readiness for entry into middle or high school, and students who would
109 substantially benefits from summer school to fulfill grade level requirements and move
110 on to the next grade, notwithstanding Board Policy 500-18 or any other Board policy to
111 the contrary; and

113 **BE IT FURTHER RESOLVED** that the Board directs the Department to endeavor
114 to provide free or low-cost summer school to all disproportionately impacted students;
115 and

116
117 **BE IT FURTHER RESOLVED** that the Board directs the Department to prioritize
118 delivering summer school through distance learning where possible to limit in-person
119 interactions and protect the health and safety of students and staff; and

120
121 **BE IT FURTHER RESOLVED** that the Board directs the Department to endeavor
122 to find effective ways to provide summer school to disproportionately impacted students,
123 including, but not limited to:

- 124
- 125 a. Providing an appropriate device and/or an adequate internet connection
126 to allow the student to participate in distance learning;
 - 127
128 b. Providing a space on-campus and adequate staffing to provide students
129 access to devices and/or internet connection to allow students to
130 participate in distance learning, provided that schools offering on-
131 campus summer school have sufficient resources, personnel, and
132 training to ensure a clean and safe learning environments, including, but
133 not limited to, appropriate cleaning and disinfecting supplies, personnel
134 protective equipment for all on-campus staff, training and protocols for
135 cleaning facilities that align with state and federal guidance, and plans
136 for mitigating the spread of COVID-19; and
 - 137
138 c. Considering offering limited on-campus summer school for students who
139 are not served adequately by distance learning options, provided that
140 schools offering on-campus summer school have sufficient resources,
141 personnel, and training to ensure a clean and safe learning
142 environments, including, but not limited to, appropriate cleaning and
143 disinfecting supplies, personnel protective equipment for all on-campus

144 staff, training and protocols for cleaning facilities that align with state and
145 federal guidance, and plans for mitigating the spread of COVID-19; and
146

147 **BE IT FURTHER RESOLVED** that the Board directs the School Level to
148 continue to guide and instruct curriculum, instruction, and assessment of students; and
149

150 **BE IT FURTHER RESOLVED** that the Board directs the State and Complex
151 Area Levels to clearly communicate to the School Level how summer school resources
152 and services will work and be coordinated between each level of the tri-level system
153 and to listen to and address issues and concerns raised by the School Level; and
154

155 **BE IT FURTHER RESOLVED** that the Board directs the State Level to collect,
156 aggregate, and analyze data from the School and Complex Area Levels and to then
157 take this data and provide it to:
158

- 159 a. The Board to inform its decision-making and enable it to fulfill its
160 oversight responsibilities; and
- 161
- 162 b. Education stakeholders and the public, as appropriate, to clearly
163 communicate system status, needs, and concerns; and
164

165 **BE IT FURTHER RESOLVED** that the Board directs the Department to make
166 every effort to contact and communicate with disproportionately impacted students and
167 the parents and guardians of disproportionately impacted students to ensure that they
168 understand the impacts and how these students can benefit from summer school; and
169

170 **BE IT FURTHER RESOLVED** that the Board directs the Department to
171 communicate timely and work collaboratively with government entities, businesses,
172 community organizations, and individuals interested in supporting summer school; and
173

174 **BE IT FURTHER RESOLVED** that the Board directs the Superintendent to
175 provide the Board with a comprehensive plan for summer school, including the plan for

176 distance learning, blended learning, and on-campus instruction, as applicable, by June
177 1, 2020; and

178

179 **BE IT FURTHER RESOLVED** that the Board directs the Superintendent to
180 provide timely and detailed reports to the Board on the implementation of summer
181 school as described in this resolution; and

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183 **BE IT FURTHER RESOLVED** that the Board directs the Superintendent to
184 distribute this resolution to all Department Assistant Superintendents, Complex Area
185 Superintendents, Directors, and Principals.

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187 This resolution was proposed and approved by the Board at its May 21, 2020
188 General Business Meeting.

Catherine Payne