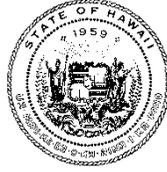


DAVID Y. IGE
GOVERNOR



CATHERINE PAYNE
CHAIRPERSON

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

June 18, 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 prepare for the reopening of public schools for the 2020-2021 school year amid the COVID-19 global pandemic; urging school communities to Give Hope, Act with Kindness, and Work toward Togetherness; and authorizing Board Members to represent the Board of Education in mid-term bargaining of collective bargaining agreements

I. EXECUTIVE SUMMARY

- The Department of Education (“Department”), education stakeholders, and the public are anticipating a reopening of schools at the start of the 2020-2021 school year.
- The proposed resolution is a way for the Board of Education (“Board”) to provide “big picture” guidance to the Department of its expectations for the reopening of public schools in the 2020-2021 school year.
- The proposed resolution encourages everyone to applying three principles: Give Hope, Act with Kindness, and Work toward Togetherness.
- The proposed resolution has four main priorities: (1) health and safety of our students and staff, (2) students most vulnerable to school closures and disruptions to learning, (3) in-person instruction, and (4) student access to devices and connectivity.
- The reopening of schools will be implemented using two main vehicles, Department Instructional Mode Protocols and Superintendent’s Guidance. The Superintendent will also provide the Board with a comprehensive plan and monthly reports with metrics to track the four priorities.
- The resolution authorizes Board Member Dwight Takeno to represent the Board in mid-term bargaining with the Hawaii Government Employees Association and Board Member Kaimana Barcarse to represent the Board in mid-term bargaining with the Hawaii State Teachers Association

II. BACKGROUND

In response to the COVID-19 pandemic, the Department closed school facilities and stopped traditional, in-school instruction. Consequently, public school students did not receive traditional in-school instruction during the fourth quarter of the 2019-2020 school year and instead primarily had access to enrichment opportunities through various forms of distance learning. At its May 21, 2020 general business meeting, the Board adopted a resolution to provide high-level guidance to the Department regarding summer school to address possible learning loss and better prepare students for the 2020-2021 school year.¹

On May 18, 2020, Governor David Ige signed his Eighth Supplementary Proclamation Related to the COVID-19 Emergency, which allows educational institutions, including public prekindergarten through Grade 12 schools, to restart onsite operations on June 1 with physical distancing and safe practices in place. The proclamation includes a roadmap that would eventually allow educational institutions to continue onsite operations with adjusted safe practices.²

At its June 4, 2020 meeting, the Board solicited and discussed the expectations, questions, and concerns that its members, education stakeholders, and the public have about reopening schools and providing a quality education for students while living with the threat of COVID-19.³ The Board used a framework to identify and organize the various questions, concerns, and issues, and invited the public to provide comments through June 5, 2020.

III. DISCUSSION

As discussed at its last meeting, the Board should consider providing “big picture” guidance to the Department of its expectations for the reopening of public schools in the 2020-2021 school year. Similar to the Board’s summer school resolution, I propose that the Board adopt another resolution to provide its guidance on school reopenings and communicate its expectations to the Department and the public. A draft of the resolution is attached as **Exhibit A**. As I did with the summer school resolution, I opted to use a resolution as the vehicle again to establish an interim policy guidance document, which is less permanent than Board policies, tailored to the specific situation 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.

¹ The Board’s May 21, 2020 resolution is available here:

[http://boe.hawaii.gov/Documents/2020%20Summer%20School%20Resolution%20\(executed\).pdf](http://boe.hawaii.gov/Documents/2020%20Summer%20School%20Resolution%20(executed).pdf).

² Governor Ige’s Eighth Supplementary Proclamation is available here: https://governor.hawaii.gov/wp-content/uploads/2020/05/2005088-ATG_Eighth-Supplementary-Proclamation-for-COVID-19-distribution-signed.pdf.

³ For more information on the background and purpose of the discussion, see Board Chairperson Catherine Payne’s memorandum dated June 4, 2020, available here:

http://boe.hawaii.gov/Meetings/Notices/Meeting%20Material%20Library/GBM_20200604_Presentation%20on%20request%20for%20feedback%20regarding%20reopening%20of%20schools.pdf.

The proposed resolution considers the feedback from Board members at our last meeting as well as the questions and concerns from the public. The Board received 102 pieces of testimony before its meeting. The Board also received a little over 100 pieces of late testimony.⁴ Since the Board did not see this testimony before its June 4, 2020 meeting and was not able to discuss it, the content of the testimony is summarized below. Most of the testimony generally fell into one of the following categories:

- Forty-two (42) testimonies are in favor of keeping the arts as a regular part of school curriculum. Arts education is outside the scope of this resolution, thus it does not address these comments.
- Thirty-five (35) testimonies support the reopening of schools with caveats and concerns about whether schools would have adequate health and safety measures and proper supports in place. Parents and school personnel are concerned about whether schools will have enough personal protective equipment, how schools will maintain social distancing given the typical teacher-student ratio, and whether schools would have ventilation. School personnel are frequently of the opinion that they need more training to be prepared for reopening.
- Fourteen (14) testimonies are against requiring students or staff wearing masks, noting that it would not be healthy for children to wear masks.
- Eleven (11) testimonies oppose reopening schools because of a belief that schools would not be prepared to handle the health and safety requirements or because they felt it was safer for children to stay home.

Many of the specific comments received were detailed concerns best addressed by the Department in its guidance and implementation, but given the wide variation in opinions and concerns, I do not expect the Department to make everyone happy, nor is that the point of guidance.

While there was a great deal of testimony, which I greatly appreciate, I would also like to take the opportunity to acknowledge the absence of testimony from those who do not have access to the devices or connectivity required to submit testimony or participate in this public process. There is also the silence of those who cannot expend resources on engaging in this process because they are worried about feeding their families or getting evicted because they cannot pay rent. The long lines at food drives, the demand for grab-and-go meals for children, people moving in with friends or family members or leaving the state are all indicators that so many of our families are struggling right now. Their silence is deafening and we cannot ignore it.

⁴ The compiled written testimony is available here: <http://boe.hawaii.gov/Meetings/Notices/Meeting%20Material%20Library/Testimony%2020200604%20GBM.pdf>.

The intent of this draft resolution is to provide “big picture” guidance of the Board’s expectations for the reopening of public schools in the coming school year. Once adopted, the Department (and charter schools, if they so choose) would use this resolution to guide its implementation work with the hope of keeping everyone in the public education system 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 the reopening of public schools.

There are four main concepts covered by this resolution: (1) the three principles, (2) priorities, (3) how this resolution will be implemented, and (4) authorizing Board representatives to bargain with the unions.

Principles. The details of what we are going to do to reopen schools is at the forefront of everyone’s mind. A very important aspect of this, however, is how are we going to do it. I would like to ask that the Board consider encouraging everyone to do it by applying three principles: Give Hope, Act with Kindness, and Work toward Togetherness. These three principles are not new or additional requirements our schools and employees will need to add to their already full plates. They happen across our state every day and they describe some of our state’s greatest strengths. We can express our concerns without violence. We can hold different beliefs without hating each other. We are not perfect, but our state has amazing and uncommon qualities. Our schools have practiced and exemplified these principles, no matter what new buzzword or eduspeak term is used to describe them. All this resolution does is to call these principles out in simple, easy to remember terms to help guide us all through the difficult times we will go through together.

Give Hope. We cannot start from a place of fear; we must give hope to students and to each other. By giving hope to students and helping them achieve their goals they in turn give us hope as the future of our world.

Act with Kindness. This is a stressful time. We have all experienced a great deal of change and some level of loss. We must show empathy for each other. Kindness creates a sense of community and serves as a bridge between hope and togetherness.

Working toward Togetherness. The task that lays in front of us is large and looming. There is no way we can do everything that needs to be done unless we do it together. Understanding and recognizing the importance of our relationships with each other and the impact of our actions on others will help us to strengthen our community to get through this together.

Priorities. The Board’s discussions and testimony that it received spoke to four main priorities: (1) health and safety of our students and staff, (2) students most vulnerable to school closures and disruptions to learning, (3) in-person instruction, and (4) student access to devices and connectivity.

Health and Safety. Of all of the priorities, health and safety requirements are necessarily the least flexible and cannot be compromised because the health and safety of our students and staff are the most important thing. Of all of the guidance that the Superintendent will put out, the one relating to health and safety will be the only ones that will be required.

I believe it is imperative for the Board to identify a single designated expert source on COVID-19. As the world has scrambled to learn as much as it can about COVID-19, the information about the disease has continued to change rapidly. Much of the information circulating is outdated, inaccurate, or even disingenuous. The wide-ranging opinions the Board received from families, staff, and the public about the severity of COVID-19 and how to combat it illustrates the challenges of sifting through the onslaught of information and misinformation. Neither the Board or Department are medical experts or public health authorities. Therefore, we must rely on a designated expert source of information on COVID-19 to inform our decisions. As part of Hawaii's state government, the expert source for the Board and Department should be the state Department of Health. There will be changes to the Department of Health's guidance as we learn more about COVID-19; some of the new guidance may contradict the old guidance. That is a reality that we have to accept, but we must adapt and change when it makes sense to do so.

Personal protective equipment and sanitation supplies are another area of concern. Not only the added cost, but also the availability of what is needed. This is not something we can necessarily rely on families to purchase as a part of a school supply list because it is simply not available. I do not want schools to have to compete with each other for equipment and sanitation supplies the way that states engaged in bidding wars for personal protective equipment and ventilators. While difficult, I believe that it would be better for schools to identify and communicate their needs and for the State Level to try to procure as much as it can centrally and distribute it equitably to schools, giving the most to schools in communities who can least afford it. The personal protective equipment and sanitation supplies would be limited to those that are required by Department guidance. Anything beyond this the schools or individuals would need to supply on their own. Like devices and connectivity, this is an area that the Department will need to reach out and collaborate with others; it cannot do this alone. Note that what is described here is a process for identifying need, procuring, and distributing supplies. It does not specify where the funding to pay for the personal protective equipment and sanitation supplies will come from. That is a separate, but related conversation that the Board and Department will need to have.

Most Vulnerable Students. The Board's summer school resolution prioritized students described as disproportionately impacted by school closures. This included students receiving special education services with extended school year services in their IEPs, students who are juniors and seniors during the 2019-2020 school year, need credit recovery or are at greatest risk of not graduating, students in transition grades, and students that would benefit from summer school to fulfill grade level requirements. This category of students was narrowly tailored to specific situations (ESY services and graduating seniors) and short time period of summer school. For the reopening of school, there are different

considerations and a longer time period, and consequently, a different category of students that the Board wants prioritized. Because the resolution covers the entire school year and there will likely be the need to close schools to some extent during the school year or switch between different instructional delivery methods, the Board is prioritizing students who are the most vulnerable to school closures and disruptions to learning. This category should include, at a minimum, students with special needs, English learners, homeless students, and students without access to devices or connectivity (commonly students who are socioeconomically disadvantaged or living in the most rural parts of the state). There could very well be students who do not fall into any of these specific categories, but are still among the most vulnerable to school closures and disruptions to learning. Our staff at the School Level are the best ones to make this determination and they should not be limited by pre-existing categories when making this determination.

In-Person Instruction. During the discussion on June 4, 2020, Board members made it clear that in-person instruction, where the teacher delivers face-to-face instruction in the same physical space as students, was a priority and that resources should be directed to use this as the preferred instructional delivery method. As a result, the resolution directs the Department to strive to provide as much in-person instruction as practicable in a safe manner. While this is the priority and directive, I am also cognizant that it is highly unlikely that all schools can use in-person instruction every day in the upcoming school year. Because of this the resolution also includes definitions of the terms in-person learning, distance learning, and hybrid learning so that we can start the conversation by having a common language. These terms are categories, not limitations. A wide variety of scenarios can fit into each of these categories.

Access to devices and connectivity. While in-person learning is preferred, hybrid and distance learning will likely have to be a part of our education system in the future. In order to conduct distance learning online, students need to have a device and connectivity or else they cannot even try to learn. The resolution contains a provision that urges the Department to ensure all students have access to devices and connectivity by August 4, 2020. This does not mean that the Department needs to ensure every single student needs to have his or her own device and connectivity in every household. The Department has found creative ways to get devices and connectivity to students with digital learning hubs. It also does not mean that the Department will have to do this alone; it can reach out and collaborate with others. Community organizations, like Adult Friends for Youth, have found ways to connect the student population it serves with access to devices and internet connections. The Hawaii State Public Library System (“HSPLS”) has provided and is working on ways to extending internet connectivity to the public. However it is done, the Department needs to make sure all students have access to devices and connectivity.

How Resolution will be implemented. The resolution envisions two main instruments that will be used to guide the implementation of this resolution, Department protocols and Superintendent’s Guidance. The Superintendent will also be required to provide the Board

with a comprehensive plan along with monthly reports with metrics to monitor the four priorities.

Department Instructional Mode Protocols. Schools will need clear protocols for transitioning between in-person learning, hybrid learning, and distance learning. This will include requiring each Department school to have a plan each instructional delivery mode, criteria for transitioning between the modes, and clarify who has authority to make decisions relating to this. An important part of the protocols will be to ensure there is flexibility built into the system so that school closures can be done at the appropriate level, whether at the school level, complex level, complex area level, island-wide, or statewide. There should also be clarity regarding who is authorized to make these decisions at each level.

Superintendent's Guidance. This guidance document is intended to cover a wide range of issues, from health and safety requirements to technical support in distance learning. This is the main document that schools will rely on when developing plans or adjusting plans and operations throughout the year. It will also be used by families to understand the guidance that schools are following. I fully expect that this will be a document that will need to be amended and updated throughout the year. Because of this, the Department should ensure that there is an easy way for people to understand any amendments to the document and to communicate any changes in a clear and timely manner to schools, families, and the public.

Plan for Reopening and Monthly Reports. Similar to the Board's summer school resolution, this resolution requires the Superintendent to provide the Board with a comprehensive plan for reopening schools and maintaining quality educational programs throughout the year. It also requires the plan to include metrics that can be used to monitor and evaluate the plan. These metrics should, at a minimum include those that relate to student access to devices and connectivity, personal protective equipment and sanitation supply needs, student attendance, and student academic status and progress. Each of these metric areas relate to the four priorities listed above: (1) health and safety of our students and staff, (2) students most vulnerable to school closures and disruptions to learning, (3) in-person instruction, and (4) student access to devices and connectivity. I believe that it is best to leave it to the Superintendent to identify the most appropriate data points, which are in compliance with the provision of the resolution that requires the collection of data from the School and Complex Area Levels in a manner that is not unduly burdensome to the School Level. There is tension between the need for data and not wanting to overburden schools who already have a lot to do. The Superintendent should be able to identify data points that will not require schools to do additional work or a great deal of manual data input.

Charter Schools. Each charter school is governed by its own governing board, not by the Board. The resolution is drafted to respect the autonomy of charter schools while offering them the option to follow the Department's protocols and guidance to the extent it makes sense for their educational programs. The Department's instructional mode protocols will not be issued to charter schools because it requires schools to have plans for each mode.

Charter school governing boards can elect to follow the protocols if they want or modify them to meet their situations. The Superintendent's Guidance will be issued to charter schools and the Board urges charter school governing boards to use the guidance to the extent they see fit, but charter schools are not required to do so. Whatever the charter school boards decides to do, whether it is to follow the guidance and protocols, modify them, or ignore them, the Board urges charter schools to communicate clear guidance to its students, families, and school personnel on the steps the charter schools are taking to ensure their health and safety. I would like to also encourage charter schools to share data on the areas that the Board will be tracking through its metrics so that the Board and larger public education system can understand charter school needs and issues, but in no way are charter schools required to do so.

Authorizing Board Representatives to Bargain with Unions. Because our system is undergoing massive change at a fast pace, we need to make sure that our agreements with the unions that represent most of the Department's employees (the Hawaii State Teachers Association ("HSTA") and Hawaii Government Employees Association ("HGEA")) are updated to reflect this change. We have been and will continue to ask a lot of our employees so it is essential to come to a common understanding with the unions as to the parameters. Board Member and Chairperson of the Human Resources Committee Dwight Takeno has volunteered to represent the Board in mid-term bargaining with HGEA. Board Member and Vice-Chairperson of the Human Resources Committee Kaimana Barcarse has volunteered to represent the Board in mid-term bargaining with HSTA. These Board representatives will be guided by the policies, directives, and objectives of the resolution. Board Members Takeno and Barcarse will bring any negotiated mid-term changes to the Board for a vote before the Board executes any agreement relating to the mid-term changes.

IV. RECOMMENDATION

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

Exhibit A

Board Resolution



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

RESOLUTION OF THE BOARD OF EDUCATION

1 DIRECTING THE DEPARTMENT OF EDUCATION TO PREPARE FOR THE
2 REOPENING OF SCHOOLS FOR THE 2020-2021 SCHOOL YEAR AMID THE
3 GLOBAL COVID-19 PANDEMIC; URGING SCHOOL COMMUNITIES TO GIVE HOPE,
4 ACT WITH KINDNESS, AND WORK TOWARD TOGETHERNESS; AND
5 AUTHORIZING BOARD MEMBERS TO REPRESENT THE BOARD OF EDUCATION
6 IN MID-TERM BARGAINING OF COLLECTIVE BARGAINING AGREEMENTS
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**, The COVID-19 pandemic has required our public school system to
13 pivot and adjust roles and responsibilities quickly;
14

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

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

22 **WHEREAS**, On May 21, 2020, the State of Hawaii Board of Education (the
23 “Board”) adopted a resolution directing the Department to offer summer school in a way
24 that supports students disproportionately impacted by school closures caused by the
25 COVID-19 pandemic, to ensure clear coordination between each level of the tri-level
26 system, and to communicate data and information timely and effectively with the public;

27
28 **WHEREAS**, An educated citizenry is necessary to preserve, promote, and
29 improve a democratic, multicultural society, as described in Board Policy E-1, and the
30 mission of our public education system is to ensure that all students reach their
31 aspirations from early learning through college, career, and citizenship, pursuant to
32 Board Policy E-2;

33
34 **WHEREAS**, Ensuring the health and safety of students and staff is the most
35 important concern of the public education system;

36
37 **WHEREAS**, Students need predictability to feel safe, secure, and hopeful about
38 the future and need a quality education to be ready for college, careers, and citizenship;

39
40 **WHEREAS**, The foremost challenge for the public education system in the
41 COVID-19 era is implementing appropriate measures to mitigate health risks to a
42 reasonable extent while delivering effective instruction to all students, especially
43 students who are the most vulnerable to school closures and disruptions to learning;

44
45 **WHEREAS**, A public education system with reliable and regular operations that
46 allows parents to work rather than care for their children all day is a critical component
47 to economic recovery;

48
49 **WHEREAS**, The public education system can strengthen community and
50 economic recovery and resiliency by building a culture of care and collaboration within
51 its school communities, and the students, families, school employees, and community

52 members of each school community can contribute to a culture of care and
53 collaboration by applying three simple principles:

- 54
- 55 a. By Giving Hope, particularly to students, it gives them confidence to set
56 goals and use their voice to ask for help in finding opportunities and
57 meeting their goals, and the students and their hope-inspired actions in
58 turn become our hope as the future of our world;
- 59
- 60 b. By Acting with Kindness, we show empathy for each other and the great
61 deal of change and loss we have all experienced in a short amount of
62 time, thus creating a sense of community, especially for people who need
63 the most help, and serving as a bridge between hope and togetherness;
64 and
- 65
- 66 c. By Working toward Togetherness, we acknowledge that we cannot do
67 everything required of us under the current conditions unless we do them
68 together, allowing us to understand and recognize the importance of our
69 relationships with each other, how our actions affect others, and how we
70 can strengthen our community;

71

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

- 75
- 76 a. At the School Level, schools are empowered to make decisions about
77 students, including student learning, delivery of curriculum and instruction,
78 and learning assessment because administrators, teachers, and staff are
79 closest to the students;
- 80
- 81 b. The Complex Area Level is primarily responsible for supporting and
82 supervising School Level leaders in the complex area, coordinating

83 between schools in the complex area, distributing any funding provided to
84 the Complex Area Level, and serving as a conduit between the School
85 Level and State Level; and

- 86
- 87 c. The State Level is primarily responsible for coordinating between complex
88 areas, allocating funding to the Complex Area Level and School Level,
89 providing centralized services and support for the School Level and
90 Complex Area Level, and serving as a conduit between the tri-level
91 system and the Board, other state entities, the federal government, and
92 education stakeholders;

93

94 **WHEREAS**, Complex area and state support and coordination bolster the
95 benefits of school empowerment and local control;

96

97 **WHEREAS**, On May 23, 2017, the Board approved the school calendar for the
98 2020-2021 school year, in accordance with Board Policy 106-1, with August 4, 2020, as
99 the first day for students;

100

101 **WHEREAS**, Charter schools are public schools, directly governed by
102 independent governing boards rather than the Board or Department, with the “flexibility
103 and independent authority to implement alternative frameworks with regard to
104 curriculum, facilities management, instructional approach, virtual education, length of
105 the school day, week, or year, and personnel management,” pursuant to Section 302D-
106 1, Hawaii Revised Statutes (“HRS”);

107

108 **WHEREAS**, A range of instructional delivery modes, which are methods for
109 delivering course instruction, exist that schools can and do use, including:

- 110
- 111 a. In-person learning, where the teacher delivers face-to-face instruction in
112 the same physical space as the students;

114 b. Distance learning, where the teacher delivers instruction virtually or online
115 through web-based or internet-based mediums or delivers instruction
116 through other remote mediums; and

117
118 c. Hybrid learning, where the teacher delivers instruction using both in-
119 person and distance learning methods;

120

121 **WHEREAS**, Many students who are socioeconomically disadvantaged or living in
122 the most rural parts of the state are less likely to have access to an appropriate device
123 or an adequate internet connection, both of which are necessary for virtual or online
124 distance learning;

125

126 **WHEREAS**, The students who are the most vulnerable to school closures and
127 disruptions to learning include students with special needs, English learners, homeless
128 students, and students without access to devices or connectivity;

129

130 **WHEREAS**, Collecting, aggregating, and analyzing data from the tri-level system
131 and sharing these data with the Board, parents and guardians, education stakeholders,
132 and the public is essential for strategic decision-making and building community support
133 for public education;

134

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

139

140 **BE IT RESOLVED** that the Board hereby urges all public school students,
141 families, employees, and community members to Give Hope, Act with Kindness, and
142 Work toward Togetherness in preparation for and upon the reopening of public schools
143 for school year 2020-2021; and

144

145 **BE IT FURTHER RESOLVED** that the Board directs the Department and its
146 schools to strive to provide as much in-person instruction as practicable in a safe
147 manner throughout the 2020-2021 school year, especially for the students who are the
148 most vulnerable to school closures and disruptions to learning; and

149
150 **BE IT FURTHER RESOLVED** that the Board directs the Department to identify
151 and prioritize the needs of the students who are the most vulnerable to school closures
152 and disruptions to learning; and

153
154 **BE IT FURTHER RESOLVED** that the Board directs the Superintendent to issue
155 clear protocols to Department schools by July 1, 2020—and to deliver the protocols to
156 families and make them publicly available by July 8, 2020—regarding transitioning
157 between instructional delivery modes to address scenarios potentially requiring full or
158 partial rolling school closures, including:

- 159
- 160 a. Requirements for all Department schools to have plans for in-person
161 learning, hybrid learning, and distance learning, provided that a school
162 must meet health and safety requirements set forth in guidance from the
163 Superintendent, and as directed by Department of Health guidance,
164 before executing plans for in-person learning or hybrid learning;
 - 165
 - 166 b. Criteria for transitioning between these instructional delivery modes; and
 - 167
 - 168 c. Instructions clearly explaining who is responsible for making
169 determinations on school closures and instructional delivery mode
170 transitions and how the decision-making process will work, which must
171 include the flexibility for decision-making to occur at different levels
172 (school, complex area, island, statewide) depending on the situation; and

173
174 **BE IT FURTHER RESOLVED** that the Board directs the Department to provide
175 instructional models and clear guidance to families that allow parents or guardians who

176 do not feel comfortable sending their children to a school campus to keep their children
177 at home; and

178

179 **BE IT FURTHER RESOLVED** that the Board urges the Department to ensure all
180 students are able to access the devices and connectivity necessary to learn from home,
181 particularly students who are socioeconomically disadvantaged or living in the most
182 rural parts of the state, by August 4, 2020; and

183

184 **BE IT FURTHER RESOLVED** that the Board decrees that the Department may
185 consider distance learning and hybrid learning equivalent to in-person learning for
186 purposes of calculating instructional days and student hours and meeting the
187 requirements of Section 302A-251, HRS, provided that the Department issues clear
188 directives to schools and guidance to families and the public regarding how Department
189 schools must calculate instructional days and student hours in distance learning and
190 hybrid learning settings; and

191

192 **BE IT FURTHER RESOLVED** that the Board decrees that public school students
193 engaged in distance learning being delivered by the Department or a charter school
194 shall be considered in attendance at a public school for compulsory attendance
195 purposes, pursuant to Section 302A-1132, HRS, provided that the Department issues
196 clear directives to Department schools and guidance to families and the public
197 regarding how Department schools are to determine whether a student is engaged in
198 distance learning and in attendance, and the State Public Charter School Commission
199 issues clear directives to charter schools regarding how charter schools are to
200 determine whether a student is engaged in distance learning and in attendance; and

201

202 **BE IT FURTHER RESOLVED** that the Board directs the Superintendent to
203 consider whether any changes to the school calendar for the 2020-2021 school year are
204 necessary to ensure students receive enough instructional time and, if changes are
205 necessary, to request the Board take action on any proposed changes, pursuant to
206 Board Policy 106-1, by July 1, 2020; and

207 **BE IT FURTHER RESOLVED** that the Board considers the Department of Health
208 to be the State of Hawaii’s designated public health authority and the sole source of
209 expertise on COVID-19 for state departments and agencies; and

210
211 **BE IT FURTHER RESOLVED** that the Board directs the Department to
212 continuously work with and rely on the Department of Health for any and all updated
213 and current advice and guidance on all COVID-19-related health matters affecting the
214 Department’s operations as the Department of Health deems necessary; and

215
216 **BE IT FURTHER RESOLVED** that the Board urges the Department of Health to
217 commit to providing timely, accurate, and up-to-date advice and guidance to the
218 Department to allow it to operate with maximum flexibility while ensuring the health and
219 safety of thousands of students, families, and employees, including guidance on self-
220 isolation protocols, contact tracing strategies, social distancing and spatial
221 requirements, dealing with sick students and staff, student-teacher contact ratio, and
222 sharing of devices, equipment, and supplies; and

223
224 **BE IT FURTHER RESOLVED** that the Board directs the Department’s State
225 Level to coordinate with the Complex Area and School Levels to:

- 226
- 227 a. Understand their personal protective equipment and sanitation supplies
228 needs based on the Department’s health and safety requirements;
 - 229
 - 230 b. Procure for any required personal protective equipment and sanitation
231 supplies needed by the School Level;
 - 232
 - 233 c. Work collaboratively with government entities, businesses, community
234 organizations, and individuals interested in supporting efforts to get these
235 equipment and supplies; and
- 236

237 d. Equitably distribute to the School Level any required personal protective
238 equipment and sanitation supplies; and

239
240 **BE IT FURTHER RESOLVED** that the Board directs the Superintendent to issue
241 comprehensive and cohesive guidance to all public schools, including charter schools,
242 by July 1, 2020—and to deliver the guidance to Department school families and make
243 them publicly available by July 8, 2020—regarding:

244
245 a. Applying the principles of Giving Hope, Acting with Kindness, and Working
246 toward Togetherness to build a culture of care and collaboration within
247 each school community, which may include existing guidelines or
248 recommendations for the implementation of Board Policy E-3, entitled “Nā
249 Hopena A‘o”;

250
251 b. Specific school-level requirements for ensuring clean and sanitary facilities
252 and the health and safety of students and school personnel, as directed by
253 Department of Health guidance;

254
255 c. Specific school-level strategies for school sanctioned events, such as field
256 trips, athletics, and competitions, including strategies and protocols in the
257 event of school closures;

258
259 d. Identifying any required personal protective equipment and sanitation
260 supply needs and coordinating with the Department’s State Level to obtain
261 them;

262
263 e. Providing additional support for students who are the most vulnerable to
264 school closures and disruptions to learning, especially accommodations,
265 modifications, and services for students with special needs, to ensure
266 schools can serve every student in the event of additional closures;

267

- 268 f. Specific school-level strategies for, in the event of school closures and a
269 return to distance learning, supporting teachers with managing class
270 assignments, content, and assessments delivered remotely, including
271 strategies and protocols for providing backup support for teachers who are
272 themselves caring for children or elderly parents or who are sick
273 themselves and cannot be as attentive to their jobs;
274
- 275 g. Specific school-level strategies for providing technical support for
276 students, families, teachers, and administrators in distance learning
277 contexts;
278
- 279 h. Developing plans for instructional models that allow parents and guardians
280 to continue their children’s education while keeping them at home;
281
- 282 i. Testing distance learning systems and procedures before they are
283 needed;
284
- 285 j. Developing comprehensive communication plans to quickly and easily
286 reach students, families, teachers, and administrators;
287
- 288 k. Providing meals to students in accordance with Department of Health
289 recommendations or guidelines; and
290
- 291 l. Specific school-level strategies to support the wide range of student
292 needs—including needs assessments, social and emotional learning
293 practices, traditional counseling support, and telemedicine counseling
294 services—understanding that many students have faced numerous
295 causes of trauma during school closures; and
296

297 **BE IT FURTHER RESOLVED** that the Board directs each Department school to
298 use the Superintendent’s comprehensive guidance to provide its students, families, and

299 school personnel with clear guidance on the steps it is taking to ensure their health and
300 safety; and

301

302 **BE IT FURTHER RESOLVED** that the Board encourages each charter school to
303 use the Superintendent’s comprehensive guidance as it sees fit and to provide its
304 students, families, and school personnel with clear guidance on the steps the charter
305 school is taking to ensure their health and safety; and

306

307 **BE IT FURTHER RESOLVED** that the Board directs the Superintendent to issue
308 guidance to complex areas, by July 1, 2020, on specific complex- area-level strategies
309 for coordinating schedules between schools at the complex or complex area level to
310 address the needs of families who have multiple children in multiple schools;

311

312 **BE IT FURTHER RESOLVED** that the Board authorizes Board Member Kaimana
313 Barcarse to represent the Board in mid-term bargaining with the Hawaii State Teachers
314 Association and to identify and negotiate any changes, exemptions, or modifications to
315 the current Unit 5 collective bargaining agreement as deemed necessary to meet the
316 policies, directives, and objectives of this resolution; and

317

318 **BE IT FURTHER RESOLVED** that the Board authorizes Board Member Dwight
319 Takeno to represent the Board in mid-term bargaining with the Hawaii Government
320 Employees Association and to identify and negotiate any changes, exemptions, or
321 modifications to the current Unit 6 collective bargaining agreement as deemed
322 necessary to meet the policies, directives, and objectives of this resolution; and

323

324 **BE IT FURTHER RESOLVED** that the Board directs the Department to
325 coordinate with the State’s Office of Collective Bargaining to engage in mid-term
326 bargaining with the Hawaii State Teachers Association and Hawaii Government
327 Employees Association to make any changes, exemptions, or modifications to the
328 current Unit 5 and Unit 6 collective bargaining agreements as deemed necessary to
329 meet the policies, directives, and objectives of this resolution; and

330 **BE IT FURTHER RESOLVED** that the Board directs Board Members Kaimana
331 Barcarse and Dwight Takeno to bring any negotiated mid-term changes to the current
332 Unit 5 and Unit 6 collective bargaining agreements to the Board for a vote before the
333 Board executes the agreement; and

334
335 **BE IT FURTHER RESOLVED** that the Board directs the Department to provide
336 pertinent professional development at no cost for its teachers and staff:

- 337
- 338 a. To ensure they can support students with special needs by providing
339 accommodations, modifications, and services and support for English
340 learners in the event of additional school closures; and
 - 341
 - 342 b. Tailored to the tools, services, and content schools use, particularly those
343 related to online teaching if it proves necessary, either as part of a hybrid
344 delivery model or during rolling closures next fall; and

345
346 **BE IT FURTHER RESOLVED** that the Board directs the Department's School
347 Level to continue to guide and instruct curriculum, instruction, and assessment of
348 students; and

349
350 **BE IT FURTHER RESOLVED** that the Board directs the Department's State and
351 Complex Area Levels to clearly communicate to the School Level how resources and
352 services will work and be coordinated between each level of the tri-level system and to
353 listen to and address issues and concerns raised by the School Level; and

354
355 **BE IT FURTHER RESOLVED** that the Board directs the Department to make
356 every effort to contact and communicate with students who are the most vulnerable to
357 school closures and disruptions to learning and with their parents and guardians to
358 ensure that they understand the how the Department plans to mitigate any disruptions
359 to learning these students might experience from potential school closures; and

360

361 **BE IT FURTHER RESOLVED** that the Board directs the Department to
362 communicate timely and work collaboratively with government entities, businesses,
363 community organizations, and individuals interested in supporting school reopening
364 efforts or economic recovery efforts understanding the role public education plays in
365 such efforts, including providing childcare to the state’s workforce and access to devices
366 and connectivity; and

367
368 **BE IT FURTHER RESOLVED** that the Board directs the Department’s State
369 Level to collect, aggregate, and analyze data from the School and Complex Area
370 Levels, in a manner that is not unduly burdensome to the School Level, and to provide
371 these data and data analyses to:

- 372
- 373 a. The Board to inform its decision-making and enable it to fulfill its oversight
374 responsibilities; and
 - 375
 - 376 b. Education stakeholders and the public, as appropriate, to clearly
377 communicate system status, needs, and concerns; and

378
379 **BE IT FURTHER RESOLVED** that the Board directs the Superintendent to
380 provide the Board with a comprehensive plan, by July 1, 2020, for reopening schools
381 and maintaining quality educational programs throughout the school year, including
382 reasonable and helpful metrics by which the plan can be monitored and evaluated,
383 which should include, at a minimum, metrics that relate to student access to devices
384 and connectivity, personal protective equipment and sanitation supply needs, student
385 attendance, and student academic status and progress; and

386
387 **BE IT FURTHER RESOLVED** that the Board directs the Superintendent to
388 provide monthly, detailed reports to the Board on the implementation process and
389 metric outcomes of school reopenings and maintenance of quality educational programs
390 as described in this resolution; and

391

392 **BE IT FURTHER RESOLVED** that the policies, directives, requests, and
393 positions contained herein shall be effective immediately and expire on June 30, 2021,
394 unless terminated earlier or extended to a later date by a subsequent action of the
395 Board; and

396
397 **BE IT FURTHER RESOLVED** that the Board directs the Board Chairperson to
398 transmit this resolution to the Governor, Legislature, Department of Health, State Public
399 Charter School Commission, Economic and Community Recovery Navigator, Hawaii
400 State Teachers Association, and Hawaii Government Employees Association; and

401
402 **BE IT FURTHER RESOLVED** that the Board directs the Superintendent to
403 distribute this resolution to all Department Assistant Superintendents, Complex Area
404 Superintendents, Directors, and Principals; and

405
406 **BE IT FURTHER RESOLVED** that the Board requests the State Public Charter
407 School Commission to distribute this resolution to all charter schools and their
408 governing boards.

409
This resolution was proposed and approved by the Board at its June 18, 2020
General Business Meeting.

Catherine Payne