

## MINUTES

### STATE BOARD OF EDUCATION

Virtual Meeting as Allowed by Public Act 254 of 2020 and  
Ingham County Board of Commissioners Resolution #21-138

April 13, 2021  
9:30 a.m.

Present: Dr. Michael F. Rice, Chairperson  
Dr. Casandra E. Ulbrich, President  
Dr. Pamela Pugh, Vice President  
Ms. Tiffany Tilley, Secretary  
Mr. Tom McMillin, Treasurer  
Dr. Judith Pritchett, NASBE Delegate, SBE Legislative Committee  
Ms. Ellen Cogen Lipton, SBE Legislative Committee Chairperson  
Ms. Nikki Snyder, SBE Legislative Committee  
Mr. Jason Strayhorn, SBE Legislative Committee  
Ms. Brandy Johnson, representing Governor Gretchen Whitmer, ex officio

Also Present: Mr. Owen Bondono, 2020-2021 Michigan Teacher of the Year

### REGULAR MEETING

#### I. CALL TO ORDER

Dr. Rice called the meeting to order at 9:32 a.m.

Dr. Rice said due to the COVID-19 national emergency and in accordance with Public Act 254 of 2020 and Ingham County Board of Commissioners Resolution #21-138, the State Board of Education Regular and Committee of the Whole meeting is being convened with remote access technology.

#### II. APPROVAL OF AGENDA AND ORDER OF PRIORITY

**Mr. McMillin moved, seconded by Ms. Lipton, that the State Board of Education approve the agenda and order of priority.**

**Ms. Lipton said she is proposing additions to the agenda:  
(1) Resolution on Amending State Accountability Laws Tied to State Summative Assessments for the 2021-2021 Academic School Year,  
and (2) Statement on Parental Rights Regarding Testing.**

**Mr. McMillin said he accepted the friendly amendment.**

Dr. Pugh joined the meeting at 9:35 a.m.

A roll call vote was taken on the motion, as amended.

**Lipton – Aye**  
**McMillin – Aye**  
**Pritchett – Aye**  
**Pugh – Aye**  
**Snyder – Absent**  
**Strayhorn – Aye**  
**Tilley – Aye**  
**Ulbrich – Aye**

**The motion carried.**

Dr. Rice said in accordance with the board’s by-laws an opportunity for public comment will be provided before a potential vote on the Resolution on Amending State Accountability Laws Tied to State Summative Assessments for the 2021-2021 Academic School Year, and Statement on Parental Rights Regarding Testing.

Mr. McMillin left the meeting at 9:38 a.m. and rejoined later in the meeting.

III. INTRODUCTION OF STATE BOARD OF EDUCATION MEMBERS

Dr. Rice asked that the members of the State Board of Education be introduced. Mrs. Marilyn Schneider, State Board Executive, introduced the members of the State Board of Education.

IV. RECESS

The Board recessed the Regular Meeting at 9:39 a.m. and convened the Committee of the Whole.

**COMMITTEE OF THE WHOLE MEETING**

V. CALL TO ORDER

Dr. Rice called the Committee of the Whole Meeting to order at 9:40 a.m.

VI. EDUCATIONAL UPDATES RELATED TO COVID-19

Dr. Rice shared information on a variety of policy issues affecting prekindergarten through 12<sup>th</sup> grade public education during the pandemic. He provided statistics related to the pandemic. He said the number of COVID-19 cases is rising, and vaccines are being administered. Dr. Rice said he supports the governor’s encouragement of districts to move to remote instruction for the next two weeks, as COVID-19 cases rise.

Dr. Rice said Michigan’s federal assessment waiver request was denied on April 5, 2021. Mr. Andrew J Middlestead, Director, Office of Educational Assessment & Accountability, Michigan Department of Education, provided an update on assessment.

Discussion followed.

VII. RECESS

The Board recessed the Committee of the Whole at 9:48 a.m. and reconvened the Regular Meeting.

**REGULAR MEETING**

VIII. DISCUSSION AND ACTION ON THE RESOLUTION ON AMENDING STATE ACCOUNTABILITY LAWS TIED TO STATE SUMMATIVE ASSESSMENTS FOR THE 2020-2021 ACADEMIC SCHOOL YEAR

This item was added to the agenda.

**Ms. Lipton moved, seconded by Dr. Ulbrich, that the State Board of Education approve the Resolution on Amending State Accountability Laws Tied to State Summative Assessments for the 2020-2021 Academic School Year, as presented during the State Board of Education meeting on April 13, 2021.**

Mr. Martin Ackley, Director, Office of Public and Governmental Affairs, projected the draft resolution onto the screen.

Ms. Ellen Lipton, Chairperson of the State Board of Education Legislative Committee, read the draft resolution into the record.

A roll call vote was taken on the motion.

**Lipton – Aye  
McMillin – Absent  
Pritchett – Aye  
Pugh – Aye  
Snyder – Absent  
Strayhorn – Aye  
Tilley – Aye  
Ulbrich – Aye**

**The motion carried.**

There were no requests to offer public comment on this agenda item.

The Resolution on Amending State Accountability Laws Tied to State Summative Assessments for the 2020-2021 Academic School Year is attached as Exhibit A.

IX. DISCUSSION AND ACTION ON STATEMENT ON PARENTAL RIGHTS REGARDING TESTING

This item was added to the agenda.

**Ms. Lipton moved, seconded by Dr. Ulbrich, that the State Board of Education approve the Statement on Parental Rights Regarding Testing, as presented during the State Board of Education meeting on April 13, 2021.**

Mr. Martin Ackley, Director, Office of Public and Governmental Affairs, projected the draft statement onto the screen.

Ms. Ellen Lipton, Chairperson of the State Board of Education Legislative Committee, read the draft statement into the record.

Dr. Ulbrich and Dr. Pugh thanked Ms. Lipton for proposing the statement that addresses concerns expressed by parents and provides clarity.

A roll call vote was taken on the motion.

**Lipton – Aye**  
**McMillin – Absent**  
**Pritchett – Aye**  
**Pugh – Aye**  
**Snyder – Absent**  
**Strayhorn – Aye**  
**Tilley – Aye**  
**Ulbrich – Aye**

**The motion carried.**

There were no requests to offer public comment on this agenda item.

The Statement on Parental Rights Regarding Testing is attached as Exhibit B.

X. RECESS

The Board recessed the Regular Meeting at 10:07 a.m. and reconvened the Committee of the Whole.

**COMMITTEE OF THE WHOLE MEETING**

XI. PRESENTATION ON CHANGES IN MICHIGAN SCHOOL DISTRICTS’ INSTRUCTIONAL MODALITIES DURING COVID-19

Dr. Katharine Strunk, Faculty Director, Education Policy Innovation Collaborative (EPIC), Michigan State University, presented on Changes in Michigan School Districts’ Instructional Modalities During COVID-19.

Dr. Rice said during the pandemic, instruction has been provided in a variety of ways. He said the presentation covers data related to in-person, virtual, and hybrid instructional modalities. He said it is an informational presentation that does not require board action.

Information was shared via [PowerPoint presentation](#).

Board member comments included local instructional plans including parental input, data provided monthly, student count clarity, providing data to the

governor's office to make it available to the Student Recovery Advisory Council, messaging to the general population, link to the EPIC website to access information, effect of tying in-person learning to funding, learning type correlation to infrastructure, opening of workplaces may be a factor in providing in-person learning, inequity, allowing local communities to make decisions, and cases of younger children with COVID-19 and hospitalization are rising.

XII. PRESENTATION ON TOP 10 STRATEGIC EDUCATION PLAN – GOAL TO IMPROVE THE HEALTH, SAFETY, AND WELLNESS OF ALL LEARNERS

Ms. Sheila Alles, Chief Deputy Superintendent; Mr. Kyle Guerrant, Deputy Superintendent, Finance and Operations; and Dr. Diane Golzynski, Director, Office Health and Nutrition Services; presented on the Top 10 Strategic Education Plan – Goal to Improve the Health Safety and Wellness of all Learners.

Dr. Rice said the monthly presentation on the Top 10 Strategic Education Plan will highlight the goal to improve the health, safety, and wellness of all learners and include data associated with the goal. He said it is an informational presentation that does not require board action.

Information was shared via a [PowerPoint presentation](#).

Board member comments included students on track attendance decreasing, the context for the decrease, and suggestions for changing the trend; influential analysis of data; absences related to asthma; data related to absences collected at the local level and not reported to state; reasons districts may choose to not offer breakfast; mental health grant programs; and Youth Risk Behavior Survey data.

XIII. RECESS

The Board recessed the Committee of the Whole Meeting at 11:35 a.m. and reconvened the Regular Meeting.

**REGULAR MEETING**

XIV. APPROVAL OF PROPOSED CHANGES TO PERKINS V CORE PERFORMANCE INDICATOR STATE DETERMINED PERFORMANCE LEVELS – 3S1 POST-PROGRAM PLACEMENT

Dr. Scott Koenigsknecht, Deputy Superintendent, P-20 System and Student Transitions; and Dr. Brian Pyles, Director, Office of Career and Technical Education; presented Approval of Proposed Changes to Perkins V Core Performance Indicator State Determined Performance Levels – 3S1 Post-Program Placement.

Dr. Rice said on December 8, 2020, the board received a presentation on the proposed changes to the Perkins V Core Performance Indicator State Determined Performance Levels – Core Performance Indicator 3S1: Post-Program Placement. He said subsequently, there was a period of public comment, and the comments have been provided to the board. Dr. Rice said the board is being asked to approve the changes.

Information was shared via a [PowerPoint presentation](#).

Discussion followed.

**Ms. Lipton moved, seconded by Mr. Strayhorn, that the State Board of Education approve the Proposed Changes to Perkins V Core Performance Indicator State Determined Performance Levels – Core Performance Indicators 3S1: Post-Program Placement, as described in the state superintendent’s memorandum dated March 30, 2021.**

A roll call vote was taken on the motion.

**Lipton – Aye  
McMillin – Absent  
Pritchett – Aye  
Pugh – Aye  
Snyder – Absent  
Strayhorn – Aye  
Tilley – Aye  
Ulbrich – Aye**

**The motion carried.**

XV. APPROVAL OF STATE BOARD OF EDUCATION MINUTES

Approval of Minutes of Regular and Committee of the Whole Meeting of March 9, 2021

**Dr. Pritchett moved, seconded by Ms. Lipton, that the State Board of Education approve the Minutes of the Regular and Committee of the Whole Meeting of March 9, 2021.**

A roll call vote was taken on the motion.

**Lipton – Aye  
McMillin – Absent  
Pritchett – Aye  
Pugh – Aye  
Snyder – Absent  
Strayhorn – Aye  
Tilley – Aye  
Ulbrich – Aye**

**The motion carried.**

Approval of Minutes of Closed Session of March 9, 2021

**Dr. Pritchett moved, seconded by Dr. Ulbrich, that the State Board of Education approve the Minutes of the Closed Session of March 9, 2021.**

A roll call vote was taken on the motion.

**Lipton – Aye  
McMillin – Absent  
Pritchett – Aye  
Pugh – Aye  
Snyder – Absent  
Strayhorn – Aye  
Tilley – Aye  
Ulbrich – Aye**

**The motion carried.**

XVI. RECESS

The Board recessed the Regular Meeting at 11:49 a.m. and reconvened at 1:01 p.m.

Mr. McMillin rejoined the meeting at 1:01 p.m.

XVII. PUBLIC PARTICIPATION IN STATE BOARD OF EDUCATION MEETING

Ms. Barrie Frankel, Huntington Woods, Michigan, provided comments on equity and diversity in curriculum.

XVIII. RECESS

The Board recessed the Regular Meeting at 1:05 p.m. to reconvene the Committee of the Whole.

**COMMITTEE OF THE WHOLE MEETING**

XIX. PRESENTATION ON GROWTH OF CHARTER SCHOOLS AND CHARTER VIRTUAL SCHOOLS: TWO POLICY REPORTS FROM WESTERN MICHIGAN UNIVERSITY AND THE NATIONAL EDUCATION POLICY CENTER

Dr. Gary Miron, Professor of Evaluation, Measurement and Research at Western Michigan University, presented on Growth of Charter Schools and Charter Virtual Schools: Two Policy Reports from Western Michigan University and the National Education Policy Center.

Dr. Rice introduced Dr. Miron who shared information on the growth of charter schools and charter virtual schools contained in two policy reports.

Dr. Rice said it is an informational presentation that does not require board action.

Information was shared via [PowerPoint presentation](#).

Ms. Snyder joined the meeting at 1:20 p.m.

Board member comments included transparency in response to freedom of information act requests and school finances, inequity of funding for public school academies, graduation rates, serving students with special needs, tracking special education funding, parents choosing public school academies, transparency of contract details, accessibility of information for parents to make choices, closure of neighborhood schools, getting funding to classrooms, and transparency of information and accountability to taxpayers.

Dr. Ulbrich said the State Board of Education Legislative Committee will have further discussion on the topic.

XX. ADJOURNMENT

The Board adjourned the Committee of the Whole at 2:27 p.m. to reconvene the Regular Meeting.

**REGULAR MEETING**

XXI. REPORT OF THE PRESIDENT

Dr. Ulbrich said she and Dr. Rice have released editorials on administering state assessments; the lack of validity and reliability of results during a pandemic; and accountability regarding labeling districts, retention of students, and educator evaluations that should be suspended this year. She said it is not opposition to assessments, but when there are consequences attached to the assessments during a pandemic, that needs to be taken into consideration.

XXII. REPORT OF THE STATE SUPERINTENDENT

Report

H. Human Resources Report

Grants

G. Report on Grant Awards

1. 2020-2021 Section 21(h): Partnership Districts Grant – Amendment; \$6,137,400 (Partnership Districts - Gloria Chapman)
2. 2018-2019 Charter School Program Grant – Initial; Continuation; \$12,225,874 (Educational Supports – Paula Daniels)

3. 2019-2020 Title IV, Part A, Student Support and Academic Enrichment Grant – Amendment; \$32,511,833 (Educational Supports – Paula Daniels)
4. 2020-2021 Title I, Part A, Improving Basic Programs – Amendment; \$445,932,077 (Educational Supports – Paula Daniels)
5. 2020-2021 Title I, Part C Migrant Education Programs – Amendment; \$2,580,988 (Educational Supports – Paula Daniels)
6. 2020-2021 Title II, Part A, Supporting Effective Instruction – Amendment; \$65,818,593 (Educational Supports – Paula Daniels)
7. 2020-2021 Title IV, Part A, Student Support and Academic Enrichment Grant – Amendment; \$32,413,571 (Educational Supports – Paula Daniels)
8. 2020-2021 Section 31j – Michigan 10 Cents A Meal Support of Local Produce in School Meals – Amendment; \$2,262,705 (Health and Nutrition Services – Diane Golzynski)
9. 2020-2021 Section 31n(10) – ISD Mental Health Administrative Funds – Initial; \$500,000 (Health and Nutrition Services – Diane Golzynski)
10. 2020-2021 99h: Robotics Competition Grant – Amendment; \$4,685,133 (Systems, Evaluation, and Technology - David Judd)
11. 2020-2021 21st Century Community Learning Centers (CCLC) Career Pathways PDG B5 – Initial; \$15,000 (Preschool & Out-Of-School Time Learning - Richard Lower)
12. 2020-2021 Statewide Collaboration and Capacity Building of Michigan’s Out-of-School Time System in support of the 21st Century Community Learning Centers (21st CCLC) Program – Amendment; \$156,000 (Preschool & Out-Of-School Time Learning - Richard Lower)
13. 2020-2021 IDEA, Part B Grant Funded Initiatives – Amendment; \$24,165,000 (Special Education – Teri Rink)

Dr. Rice said he agrees with Dr. Ulbrich that state summative assessments should not be administered during a pandemic. He said no high-stakes consequences should be associated with the results. He said state legislation needs to move quickly.

Dr. Rice asked Ms. Brandy Johnson to provide an update on the work of the Governor’s Student Recovery Advisory Council.

### XXIII. REPORT OF THE MICHIGAN TEACHER OF THE YEAR

Mr. Owen Bondono, the 2020-2021 Michigan Teacher of the Year, presented his report. Mr. Bondono, an English language arts teacher at the Oak Park Freshman Institute in Oak Park.

Mr. Bondono introduced Ms. Janine Scott, Region 10 Teacher of the Year, from Detroit Public Schools Community District. Ms. Scott is a math teacher and teacher coach at Davis Aerospace Technical High School. Mr. Bondono said Ms. Scott was his professor.

Mr. Bondono and Ms. Scott shared a PowerPoint presentation highlighting safe spaces for social emotional learning, closing the gap between students who do and do not have the will to strive for academic excellence, and building confidence and critical thinking skills.

### XXIV. STATE AND FEDERAL LEGISLATIVE UPDATE

Mr. Martin Ackley, Director, Public and Governmental Affairs; Ms. Ellen Lipton, Chairperson, State Board of Education Legislative Committee; and Dr. Judith Pritchett, Delegate, National Association of State Boards of Education; provided the State and Federal Legislative Update.

Mr. Ackley said the State Board of Education's Legislative Committee met on April 7, 2021. He said much of the discussion was regarding the resolution the board passed during the morning portion of the meeting, which has been sent to the legislature. The Resolution on Amending State Accountability Laws Tied to State Summative Assessments for the 2020-2021 Academic School Year is attached as Exhibit A.

Mr. Ackley provided an update on legislation and funding.

Ms. Lipton, Chairperson, State Board of Education Legislative Committee, thanked the board for its positive reception of the resolution and Statement on Parental Rights Regarding Testing (see Exhibit B). She said she hopes the legislature acts swiftly on legislation related to the resolution.

Dr. Pritchett, Delegate to the National Association of State Boards of Education (NASBE), said she and Dr. Ulbrich, as members of the NASBE Public Education Positions Committee, continue to work on four policy statements that should be ready by July.

Dr. Pritchett said she and Ms. Lipton attended the virtual NASBE legislative conference on March 22-23, 2021. She said the conference was well done and included sessions on social emotional health and learning, learning loss, and United States Education Secretary Dr. Miguel Cardona's session on dreaming differently after the pandemic.

**Dr. Pritchett moved, seconded by Ms. Snyder, that the State Board of Education approve the nomination of Sheila Alles for the NASBE Friend of Education Award and Michelle Fecteau for the NASBE Distinguished Service Award.**

A roll call vote was taken on the motion.

**Lipton – Aye**  
**McMillin – Aye**  
**Pritchett – Aye**  
**Pugh – Aye**  
**Snyder – Aye**  
**Strayhorn – Aye**  
**Tilley – Aye**  
**Ulbrich – Aye**

**The motion carried unanimously.**

XXV. COMMENTS BY STATE BOARD OF EDUCATION MEMBERS

Dr. Pugh thanked her colleagues for the hard-fought battle on assessment. She thanked her fellow board members who were able to participate in a press event regarding the opening and closing of schools tied to funding.

Ms. Tilley said she was part of the press conference mentioned by Dr. Pugh. Ms. Tilley asked for a presentation on Benton Harbor Area Schools and other partnership districts and the three rounds of pandemic funding provided by the federal government. Dr. Rice said there will be a presentation on partnership districts at the May board meeting. He said Mr. Guerrant presented on funding in March, and future presentations may be considered.

Mr. McMillin all groups can now receive the COVID-19 vaccine. He said the Centers for Disease Control said that COVID-19 is less harmful than the flu for healthy young children. He said science is not being followed, and it is subjecting children to long-term harm.

Dr. Pritchett thanked the students, teachers, staff, administrators, and families of Michigan for their resiliency during the pandemic.

Ms. Snyder said the science is not there for masks unless they are N95 masks specifically fitted and tested for individuals. She said the recommendations that create policy are not evidence based.

Ms. Tilley said the Centers for Disease Control has urged Michigan to close during the surge in cases. She said vaccinations are in process, but masks and precautions are important.

Dr. Pugh cited statistics and said it is important to have statistics and consider data that can be applied to all populations.

Discussion followed.

XXVI. FUTURE MEETING DATES

- A. Tuesday May 11, 2021 Regular Meeting at 9:30 a.m.
- B. Tuesday May 18, 2021 Work Session at 9:30 a.m.
- C. Tuesday June 8, 2021 Regular Meeting at 9:30 a.m.

XXVII. TENTATIVE AGENDA FOR NEXT MEETING

Dr. Rice asked Board members if there were additional agenda topics they would like to be considered for future meeting agendas. He said they may contact Mrs. Schneider or himself to offer topics.

XXVIII. ADJOURNMENT

The meeting adjourned at 3:41 p.m.

The video archive of the meeting is available on Michigan's State Board of Education website ([www.michigan.gov/sbe](http://www.michigan.gov/sbe)).

Respectfully submitted,

Tiffany Tilley  
Secretary

**State of Michigan  
State Board of Education**

**Resolution on Amending State Accountability Laws Tied to State  
Summative Assessments for the 2020-2021 Academic School Year**

WHEREAS, pre-K-12 students and staff in Michigan and across the country have endured the disruption of teaching and learning in the past year due to the COVID-19 pandemic;

WHEREAS, most students have spent all or a significant portion of this school year learning at a distance;

WHEREAS, despite urging from the State Board of Education and State Superintendent to the U.S. Department of Education (USED) to waive state summative assessments during the pandemic, USED denied the assessment waiver this year;

WHEREAS, while the U.S. Department of Education is requiring Michigan schools to administer the state summative assessments, it waived all federal school accountability requirements tied to the results of those state assessments and also strongly encouraged states and local school districts to set aside high-stakes accountability measures tied to the state assessments;

WHEREAS, there are three state-level accountability laws tied to the state summative assessments: educator evaluations, Read By Grade Three student retention, and the A-F system;

WHEREAS, the results of this year's state summative assessments will be sparse, uneven, and therefore unrepresentative;

WHEREAS, as such, these results should not be used for educator evaluation, third-grade retention, and the A-F system;

WHEREAS, the timing of these state accountability laws is drawing quickly upon school administrators, teachers, students, families, and school districts;

NOW THEREFORE, BE IT RESOLVED, that the State Board of Education calls upon the Michigan Legislature to set aside, for the 2020-2021 school year, the state assessment component of the educator evaluation law, the retention requirement in the Read By Grade Three law, and the administration of the A-F law.

Adopted April 13, 2021

**State of Michigan  
State Board of Education**

**Statement on Parental Rights Regarding Testing**

We support the fundamental right of all parents and legal guardians to determine and direct the care, teaching, and education of their children.

Although the federal waiver for the spring 2021 state summative assessment administration was not granted, the accountability waivers were granted. Notably, the United States Department of Education will not penalize Michigan or other states for failure to secure 95% or higher student participation in the administration of these assessments.

Given that coronavirus infection rates are increasing in Michigan, and many students are still attending school remotely, the State Board of Education supports the guidance to parents and legal guardians that these students need not be brought into school solely for the purpose of state assessment, and will *not be required* to come into school for the sole purpose of taking the assessments.

Adopted April 13, 2021