

**MINUTES  
STATE BOARD OF EDUCATION**

**333 Market Street | 1<sup>st</sup> Floor  
Harrisburg, PA 17126**

**November 18, 2020**

The 359<sup>th</sup> meeting of the State Board of Education (Board) was convened virtually on Wednesday, November 18, 2020. Due to public health measures being implemented across the Commonwealth to address COVID-19, members of the Board and members of the public participated in the meeting virtually via webinar and teleconference. Public notice of the meeting was made in accordance with the Sunshine Meeting Act of 1986. The meeting was called to order at 1:23 p.m. by Chair Karen Farmer White.

**Attending:**

James Agras	Nicole Carnicella	Eva Rankin
Carol Aichele	Sandra Dungee Glenn	Hon. James Roebuck
James Barker	Pamela Gunter-Smith	Hon. Curt Sonney
Nathan Barrett	Jeffrey Keeling	Taiba Sultana
Jamie Bracey-Green	Hon. Maureen Lally-Green	Karen Farmer White
	Jonathan Peri	Lee Williams

**APPROVAL OF MINUTES**

The minutes of the September 9, 2020, meeting of the Board were approved on a **Gunter-Smith/Keeling** motion.

**COMMITTEE REPORT**  
**SCHOOL AND UNIVERSITY SAFETY COMMITTEE**

Dr. Jonathan Peri, Chair of the Committee on School and University Safety, reported that the Committee met earlier in the day to conduct a statutorily-required biennial review of the model Memorandum of Understanding (MOU) published in the Safe Schools regulations at 22 Pa. Code Chapter 10. Dr. Peri reviewed the requirements set forth in Act 104 that guided the Board's promulgation of Chapter 10 and the model MOU. He noted that the original effort to develop the model MOU was conducted in close consultation with an advisory committee representative of school districts, law enforcement, district attorneys, juvenile court judges, juvenile probation officers, and advocates for students with disabilities.

Dr. Peri said the committee received a report from Scott Kuren, the Department's new Director of the Office of Safe Schools, and summarized Mr. Kuren's report for the Board. Mr. Kuren's report focused on how school entities are using the current model MOU. He reported that 99.9% of schools have MOUs on file with the Department, with the exception of one charter school that the Department is working to bring into compliance due to a recent move. Mr. Kuren stated that the model MOU is widely used in the field and that his office did not find any MOUs on file that diverged from the model. Mr. Kuren said his office will consider setting a filing

deadline for all MOUs in the same year and is considering creating a fillable MOU form to streamline the Department's monitoring process.

Mr. Peri said the Committee reflected upon Mr. Kuren's report and, upon time for discussion, agreed unanimously to recommend that the Board not make any revisions to the model MOU at this time.

### **REPORT OF THE SECRETARY OF EDUCATION**

Acting Secretary Noe Ortega began his report by acknowledging and thanking the leaders, stakeholders, and educational entities engaged in difficult work during the COVID-19 pandemic.

Mr. Ortega introduced Dr. Tanya I. Garcia, the new Acting Deputy Secretary for the Office of Postsecondary and Higher Education. Dr. Garcia served most recently with the Center on Education and the Workforce at Georgetown University. Dr. Garcia then introduced herself to the Board.

Dr. Jeffrey Keeling asked Mr. Ortega for an update on state assessments given the increased mitigation efforts surrounding COVID-19. Mr. Ortega said there have been no new changes relative to state assessments and the Department will monitor what decisions may come out of the new federal administration.

Dr. James Barker and Hon. Maureen Lally-Green congratulated Acting Secretary Ortega on his new leadership role with the Department and welcomed Dr. Garcia to the Commonwealth.

### **PRESENTATION** **ANNUAL REPORTS ON GIFTED AND SPECIAL EDUCATION**

Carole Clancy, Director of Special Education, presented the Department's annual report to the Board on special education due process hearings. Gifted Education advisor Shirley Moyer presented the Department's annual report on gifted education complaints and compliance monitoring. Ms. Moyer also provided a status report on the Department's efforts to implement recommendations for improving gifted education that were adopted by the Board in March 2020.

### **PRESENTATION** **ANNUAL REPORT ON ACT 101 PROGRAMS**

Elizabeth McCloud, Vice President of Grants and Special Programs for the Pennsylvania Higher Education Assistance Agency, presented the agency's Annual Report on the Act 101 Program. The report included an overview of the 33 Act 101 institutions and demographics of students who participated in the program, along with a review of measures of program effectiveness (including student retention, graduation, course completion rates, and grade point averages).

### **REPORT OF THE** **PROFESSIONAL STANDARDS AND PRACTICES COMMISSION** **AND THE OFFICE OF CHIEF COUNSEL**

Shane Crosby, Executive Director of the Professional Standards and Practices Commission (PSPC), said the Commission will discuss 33 discipline cases and one petition for reinstatement at its meeting next week. At that time, the Commission also will discuss proposed revisions to the Code of Practice and Conduct for educators, which is being revised for the first time since 1992 based on public comments. Mr. Crosby said the PSPC's goal is to modernize the Code of Practice and Conduct to make it more relevant for educators and to adopt standards related to technology, particularly electronic communication with students.

Sarah DiRito, Assistant Chief Counsel, reported that the Office of Chief Counsel (OCC) has 2,013 open educator misconduct complaints involving approximately 1,746 discreet educators. For the more than 851,805 educators over whom the OCC and PSPC have jurisdiction, Ms. DiRito said less than one quarter of a percent (.2%) are the subject of an open educator misconduct complaint. Of the 2,013 complaints pending resolution with the OCC, Ms. DiRito said 357 (approximately 18% of the total number of open complaints) are designated as "high priority" because they involve allegations of sexual misconduct, sexual abuse/exploitation, serious physical abuse of students, or criminal charges warranting the immediate suspension of the teaching certificate/employment eligibility because of a danger element. Complaints are identified as high priority based upon the allegations when the complaint is accepted for review. Ms. DiRito said the 357 figure includes those cases where the teaching certificate is immediately suspended. Thus far in 2020, Ms. DiRito said the OCC has received 303 complaints and has resolved 603 complaints.

#### **PUBLIC COMMENT**

There was no public comment.

#### **ACTION ITEMS**

There were no action items.

#### **ADJOURNMENT/ANNOUNCEMENT**

There were no announcements.



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Stephanie Jones  
Administrative Assistant