

MINUTES OF THE MARCH 24, 2020, EMERGENCY MEETING OF THE BOARD OF TRUSTEES OF ST. PETERSBURG COLLEGE

The Board of Trustees of St. Petersburg College convened an emergency board meeting on Tuesday, March 24, 2020 electronically. The following Board members were present electronically and participating: Chair Katie Cole, Vice President Bridgette Bello, Deveron Gibbons, Tommy Kidwell and Nathan Stonecipher. Also present were Tonjua Williams, President of St. Petersburg College and Secretary to the Board of Trustees. Proof of public notice of this meeting is posted on the Board of Trustees website.

20-333. In accordance with the Administrative Procedure Act, the following Agenda was prepared:

AGENDA

ST. PETERSBURG COLLEGE BOARD OF TRUSTEES March 24, 2020

EMERGENCY MEETING: 9:00 AM

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|------|--|----------------------------------|
| I. | Call to Order | Katie Cole
Chair |
| II. | Agreement with Honorlock, Inc., for online proctoring services (<i>Action</i>) | Chair Cole |
| III. | Resolution of the Board (<i>Action</i>) | Chair Cole |
| IV. | State Mandates/Recommendations (<i>Discussion</i>) | Dr. Tonjua Williams
President |
| V. | Adjournment | |

If any person wishes to appeal a decision made with respect to any matter considered by the Board at its meeting May 24, 2020, he or she will need a record of the proceedings. It is the obligation of such person to ensure a verbatim record of the proceedings is made, §286.0105, Florida Statutes.

Items summarized on the Agenda may not contain full information regarding the matter being considered. Further information regarding these items may be obtained by calling the Board Clerk at (727) 341-3241.

20-334. Under Item I, Call to Order

The meeting was convened by Chair Cole at 9:00 am. Chair Cole explained the need to take immediate action on two items, specifically the purchase and acquisition of software and services from Honorlock Inc. and consideration of a Resolution regarding the scope of authority for the President's powers during the public health emergency. Dr. Williams thanked the trustees for their service and willingness to convene a meeting.

20-335. Under Item II. Agreement with Honorlock, Inc.

Dr. Williams explained that as the College moved to exclusively online instruction there was an immediate need to contract for online proctoring services for upcoming exams. Previously, students came to campus for mid-terms and finals, even if courses were online. The College can no longer do this because the campuses are closed. The online proctoring services would assist with identity authentication and efforts related to academic honesty.

Dr. Williams stated that several options were considered and that Honorlock provided the best price and services for a one year period for all students. The cost of the contract is \$338,131.00. Dr. Williams explained the College was able to negotiate this price and the contract will start immediately. Online instruction will extend through the summer term.

Mr. Gibbons motioned approval, and Mr. Kidwell provided a second. The motion passed unanimously.

Chair Cole discussed the potential impact on the budget and reserves. Dr. Williams shared that she was pleased to let the board know that the Foundation had agreed to pay \$300,000 towards the cost of the contract, and that she was seeking approval to utilize Perkins funding to cover the remainder of the cost, as to not necessarily put a burden on the operating budget.

Chair Cole asked Dr. Williams to thank the Foundation board.

20-336. Under Item III. Resolution of the Board

Dr. Williams explained the need for authority to make critical decisions in a timely manner and requested that the board increase the President's contract authority from \$325,000 to \$500,000, subject to the Board Chair's involvement and approval. She further stated she would make these decisions in consultation with the Chair, and will keep the board apprised.

Mr. Stonecipher asked what the timeframe would be for the additional authority. Dr. Williams stated she would like it to extend to at least the end of the summer term. Mr. Stonecipher proposed that the Resolution extend the President's authority to the end of the summer term and that the board revisit it at that time. Mr. Stonecipher moved accordingly. Mr. Gibbons seconded the motion on the condition that the Resolution had that sunset date.

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Dr. Williams agreed, and requested that the board clerk ascertain the date of the end of summer term. Mr. Gibbons stated that the board could move forward with a vote without the exact date.

Chair Cole asked Ms. Gardner to revise the Resolution as amended.

Chair Cole stated there was a motion to amend the Resolution as proposed by Mr. Stonecipher, and Mr. Gibbons. The motion was approved unanimously. There was a second motion by Vice Chair Bello to approve the Resolution as amended, which was seconded by Nathan Stonecipher. The motion passed unanimously.

Vice Chair Bello asked Dr. Williams if there was a particular expense that she was anticipating for \$500,000. Dr. Williams responded that there was no specific expense anticipated at this time, but that she wanted to be prepared to respond timely.

20-337. Under Item IV. State Mandate/Recommendations

Chair Cole noted several executive orders and agency directives impacting board governance and college business were included in the board materials. She stated that as a follow up to the previous meetings, Ms. Gardner reviewed the provisions of the Governor's Executive Order, Attorney General Opinion, and the Department of Education directives regarding electronic meetings. Chair Cole noted the Chancellor directed that state colleges not conduct general business meetings, but convene for emergency meetings as necessary.

Dr. Williams informed the board that the College is working on all contingencies as the situation evolves. She stated that she will provide information and seek board involvement on upcoming items needing board attention, such as contract renewals, budget, enrollment, summer schedule and graduation.

VI. ADJOURNMENT

Having no further business to come before the Board, Chair Cole adjourned the meeting at 9:17 a.m.

Tonjua Williams
Secretary, Board of Trustees
St. Petersburg College
FLORIDA


Katherine E. Cole
Chairman, Board of Trustees
St. Petersburg College
FLORIDA

**Attachments
Board Memos and
Supplemental
Materials**

**Board of Trustees Meeting
March 24, 2020**

March 24, 2020

MEMORANDUM

TO: Board of Trustees, St. Petersburg College
FROM: Tonjua Williams, Ph.D., President 
SUBJECT: Agreement with Honorlock, Inc., for online proctoring services

Approval is sought to enter into a contract with Honorlock, Inc. to provide licenses and proctoring services for online students through integration of services with D2L. The Agreement will commence upon signature and will continue for a period of one year.

St. Petersburg College is in need of additional proctoring resources and services to authenticate, monitor, and record examinations for classes that are online, including those more recently shifted to the online platform. Based on past patterns and the programs that have stated a need for online proctored testing, it is estimated that 33% of the student body will need to be proctored in some manner.

The Agreement would provide college-wide online test proctoring services (for classes and placement testing), which includes verifying student identity, a recording of the test proctoring session, and AI flags of any potential academic integrity incidents, as well as the option of a live proctor who would “pop-in” when suspected academic integrity issues occur.

The College currently has a pilot with Honorlock, Inc., and has been able to negotiate pricing pursuant to a state contract. This Agreement is for a FTE (Full-Time Equivalent) of 18,921 students and live proctor pop-in services for 13,000 students for a total cost of \$338,131.00 over a one year period.

Susan Demers, Acting Vice President, Academic Affairs; Christopher Harvey, Executive Director, Academic Technologies; and Suzanne Gardner, General Counsel, recommend approval.



St. Petersburg College Board of Trustees

RESOLUTION

In light of the Florida Governor’s declaration of a Public Health Emergency, (Executive Order 20-52), and need for the College to provide for instructional continuity, operational efficiency and responsiveness, the Board of Trustees hereby resolves to take the following action.

Whereas, the Board of Trustees of St. Petersburg College, a state college in the Florida College System, has been granted with certain authority and powers pursuant to Fla. Stat. §[1001.64](#) and vested with the responsibility to govern with such necessary authority as needed for the proper operation of the institution [§1001.64 (2)], and

Whereas, pursuant to Fla. Stat. §[1001.65](#)(24), the Board may vest with the College President the authority that is vested with the FCS institution, and resolves to delegate authority accordingly to effectively maintain College operations and respond to the Public Health Emergency and the issuance of any related directives and Orders,

Now, therefore let it be resolved that:

The Board of Trustees hereby authorizes the College President, in addition to her power and authority under Fla. Stat. §[1001.65](#), to exercise the delegated authority of the powers and duties of the Board as outlined in Fla. Stat. §[1001.64](#), and **take whatever prudent action is necessary for instructional and operational continuity, and to ensure the health, safety, and welfare of the institution, its students, faculty, and staff during the declared state of public emergency, as follows;**

- Delegated authority to make all decisions necessary for the orderly and efficient operation of the college, including finance and budgets, physical plant, facilities, building and grounds, as authorized under §1001.64(34) and §1001.64(44) including, but not limited to, the partial and full closing of campuses and sites. The President shall exercise such authority upon consultation with, and approval of, the Board Chair.
- Contract authority to enter into agreements and contracts to maintain College operations pursuant to the authority outlined in §1001.64(25) and (26); including adjustments in

procurement and purchasing policies as may be necessary for efficiency and effectiveness, and the acquisition of needed services, goods and materials, and equipment, including the increase of purchasing authority from Category 5 of §287.017 up to \$500,000 upon consultation with, and approval of, the Board Chair.

- Delegated authority under §1001.64(18) to approve and implement personnel and leave policies to safeguard and mobilize the College workforce as deemed necessary. The President shall exercise such authority upon consultation with, and approval of, the Board Chair.

Further, given declaration of a Public Health Emergency, (EO 20-52), and need for the Board of Trustees to govern and perform its statutory duties accordingly, the following is resolved:

The Board of Trustees hereby cancels all general meetings of the Board through June 30, 2020, and shall convene emergency meetings to conduct business of the College as deemed necessary. In accordance with the Directive of the Florida Department of Education, dated March 17, 2020, and FLDOE Press Release, (<http://www.fldoe.org/newsroom/latest-news/florida-department-of-education-announces-additional-guidance-for-the-2019-20-school-year.stml>) also dated March 17, 2020, emergency meetings of the Board shall be conducted in accordance with the Governor's Executive Order 20-69 ([2020-69 Executive Order re - Florida Governor](#)) and the Florida Attorney General Opinion (AGO 2020-03; [Public meeting quorums using technology](#)).

The emergency meetings may be convened and scheduled to be conducted electronically by the College President, or in the case of the inability of the College President to perform such duty, by the Board Chair.

This Resolution shall become effective upon signature and remain valid through July 24, 2020, unless otherwise terminated or extended before such date.

Approved by the Board of Trustees, this 24th day of March, 2020

Katie Cole
Chair, Board of Trustees

STATE OF FLORIDA

OFFICE OF THE GOVERNOR

EXECUTIVE ORDER NUMBER 20-69

(Emergency Management – COVID-19 – Local Government Public Meetings)

WHEREAS, on March 1, 2020, I issued Executive Order 20-51 directing the Florida Department of Health to issue a Public Health Emergency as a result of COVID-19; and

WHEREAS, on March 1, 2020, the State Surgeon General and State Health Officer declared a Public Health Emergency exists in the State of Florida as a result of COVID-19; and

WHEREAS, on March 9, 2020, I issued Executive Order 20-52 declaring a state of emergency for the entire State of Florida as a result of COVID-19; and

WHEREAS, on March 16, 2020, President Donald J. Trump and the Centers for Disease Control and Prevention (“CDC”) issued the “15 Days to Slow the Spread” guidance advising individuals to adopt far-reaching social distancing measures, such as working from home and avoiding gatherings of more than 10 people; and

WHEREAS, on March 17, 2020, I wrote a letter to Attorney General Ashley Moody seeking an advisory opinion regarding concerns raised by local government bodies about their ability to hold meetings through teleconferencing and other technological means in order to protect the public and follow the CDC guidance regarding social distancing; and

WHEREAS, on March 19, 2020, Attorney General Ashley Moody delivered an opinion to me indicating that certain provisions of Florida law require a physical quorum be present for local government bodies to conduct official business, and that local government bodies may only conduct meetings by teleconferencing or other technological means if either a statute permits a quorum to be present by means other than in person, or that the in person requirement for constituting a quorum is lawfully suspended during the state of emergency; and

WHEREAS, it is necessary and appropriate to take action to ensure that COVID-19 remains controlled, and that residents and visitors in Florida remain safe and secure;

NOW, THEREFORE, I, RON DESANTIS, as Governor of Florida, by virtue of the authority vested in me by Article IV, Section (1)(a) of the Florida Constitution, Chapter 252, Florida Statutes, and all other applicable laws, promulgate the following Executive Order to take immediate effect:

Section 1. I hereby suspend any Florida Statute that requires a quorum to be present in person or requires a local government body to meet at a specific public place.

Section 2. Local government bodies may utilize communications media technology, such as telephonic and video conferencing, as provided in section 120.54(5)(b)2., Florida Statutes.

Section 3. This Executive Order does not waive any other requirement under the Florida Constitution and "Florida's Government in the Sunshine Laws," including Chapter 286, Florida Statutes.

Section 4. This Executive Order shall expire at the expiration of Executive Order 20-52, including any extension.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, this 20th day of March, 2020

Ron Desantis
RON DESANTIS, GOVERNOR

ATTEST:

Laurel M. Lee
SECRETARY OF STATE

2020 MAR 20 AM 9:38
FILED
TALLAHASSEE, FLORIDA



Florida Department of Education Announces Additional Guidance for the 2019-20 School Year

~ All public and private K-12 schools are closed through April 15, 2020 ~

TALLAHASSEE, Fla., March 17, 2020 – Today, the Department of Education and Commissioner Richard Corcoran are using executive authority to support the Florida Division of Emergency Management to ensure Florida citizens are kept safe.

"The containment of COVID-19 is essential, and this is not a decision we made lightly. Districts have taken action and have instituted distance learning as a necessary precaution to protect students, educators, families, and Florida's overall public health," said **Commissioner of Education Richard Corcoran**. "We are working with our local school districts to provide guidance and help children who need access food during this time. Our number one priority is keeping our families safe and healthy and stopping the spread of this virus. These actions will help mitigate the spread of COVID-19 in Florida. I will continue to work with the Governor, Superintendents, Florida College System and the State University System to do whatever we can to protect our children, our families, and our communities."

Commissioner Corcoran is taking the following actions, effective immediately:

School Districts

- All public and private K-12 and career and technical center campuses are closed through April 15, 2020.
 - Schools are encouraged to operate virtually or through other non-classroom-based means to the greatest extent possible to implement distance learning.
 - School districts should be prepared to extend their educational calendars through June 30, 2020, to the extent feasible and necessary.
 - For Collier, Duval, Sumter and Union county school districts, which are all completing their extended spring break on March 20, 2020, school campuses will remain closed through April 15, 2020, although they will begin instruction virtually on March 23.
- To support students with identified IEP-related services who may have a disruption in services, school districts are given flexibility for the remainder of the school year to provide alternative services or delay services until later in the summer months, in coordination with a student's parents and IEP team.

Assessments, Accountability and Promotion

- All remaining assessments for school readiness, voluntary prekindergarten and K-12 assessments are cancelled for the 2019-2020 school year.
- Requirements for graduation and promotion, and final course grades will be evaluated as though those assessments which were cancelled did not exist.

- K-12 school grades will not be calculated for 2019-2020 and schools in turnaround may continue their current status for 2020-2021 to avoid disruption to school leadership and operations.
- Eligibility for Florida Bright Futures scholarships shall be based on available data and results. Tests that were not available to be taken shall not be counted.

Instructional Hours

- The Commissioner may reduce required instructional hours as necessary to accommodate for closures.

Funding

- The Florida Department of Education and K-12 school districts are instructed to redirect unspent 2019-2020 funds from Reading Scholarship Accounts, the Reading Instruction Allocation, the Digital Classroom Allocation and the Teachers Classroom Supply Assistance Program to help low-income students purchase digital devices and establish Internet services.
- In order to facilitate the remote connection between teachers and students, K-12 school districts are further permitted to redirect unspent Title 2 funds to help low-income students purchase digital devices and establish Internet services.
- K-12 school districts are permitted to redirect unspent 2019-2020 funds from the Safe Schools and Mental Health allocations to virtual and telephonic mental health counseling services for students who need emotional support due to COVID-19.
- All school readiness, voluntary prekindergarten, K-12, career and technical centers and state college programs will receive their full allocation of funding, and therefore staff and contractors can be paid fully, through June 30, 2020, as though there was no disruption in education.

Teachers

- For the next 120 days, exam fees for teacher certification-related examinations will be waived, and test takers who were unable to take an exam due to test site locations closing will be granted an extension to meet these requirements.

District School Board and State College Board of Trustees Meetings

- All district school board and state college board of trustees meetings through June 30, 2020, are postponed and may only be scheduled for emergency purposes only by the respective school district superintendent or college president.
 - These meetings must be convened virtually or telephonically.
 - If there is a vacancy or inability to serve on the part of the superintendent or college president, then the respective board chair may convene an emergency meeting.
 - School districts and state colleges must ensure that meetings held by virtual means are accessible by interested members of the public.

Mass Gatherings and Community Events

- Commissioner Corcoran urges adherence to the CDC's guidance for higher-risk populations by cancelling any mass gatherings, community events and extracurricular activities, including sports of more than 10 people in a single occupied space at any educational program, school readiness, voluntary prekindergarten, public and private K-12, career and technical centers, and public and private colleges and universities.

School Readiness and Voluntary Prekindergarten Programs

- Commissioner Corcoran strongly recommend school readiness and voluntary prekindergarten programs adhere to the CDC's guidance for higher-risk populations by limiting students and employees to no more than 10 people convening in a single occupied space, therefore breaking students into groups as necessary, maintaining social distancing best practices and proper hygiene.

Vocational Rehabilitation and Blind Services Offices

- All services provided by the divisions of Vocational Rehabilitation and Blind Services to clients shall be provided solely through virtual and telephonic methods to the extent possible.
 - The Department will work with appropriate federal authorities to seek waivers for any federal requirements that may be impacted.

Postsecondary Institutions

- All public state college and university, and private college and university campuses and buildings are closed for the remainder of the spring semester.
 - Colleges and universities are encouraged to operate virtually or through other non-classroom-based means to the greatest extent possible.
 - Colleges and universities should be prepared to extend their educational calendars through June 30, 2020, to the extent feasible and necessary.

For more information about the Florida Department of Education, visit www.fldoe.org.