

BOARD OF PUBLIC EDUCATION
MEETING MINUTES

November 16-18, 2022
Bozeman, MT

Thursday, November 17, 2022
8:30 AM

CALL TO ORDER

Chair Quinlan called the meeting to order at 8:40 AM. The Chair led the Board in the Pledge of Allegiance and Ms. Stockton took Roll Call. The Chair read the Statement of Public Participation and welcomed guests.

Board members present: Ms. Madalyn Quinlan, Chair; Ms. Susie Hedalen, Vice Chair; Dr. Tim Tharp; Ms. Anne Keith; Ms. Renee Rasmussen; Ms. Tammy Lacey; Ms. Jane Hamman; Mr. Charles Fox, Student Representative. Ex Officio members: Superintendent of Public Instruction Elsie Arntzen, Office of Public Instruction (OPI). Staff present: Ms. McCall Flynn, Executive Director; Ms. Kris Stockton, Administrative Specialist; Ms. Julie Balsam, Accounting Technician. Guests: Dr. Julie Murgel, OPI; Ms. Jule Walker, Montana School Boards Association; Dr. Rob Watson, School Administrators of Montana; Mr. Dennis Parman, Montana Rural Education Association, (MREA); Ms. Jenny Murnane-Butcher, Montanans Organized for Education (MOFE); Ms. Chris Noel, OPI; Ms. Katie Madsen, OPI; Ms. Jordann Lankford, Chair of Montana Advisory Council on Indian Education (MACIE); Deputy Superintendent Sharyl Allen, OPI; Mr. Gary Lusin Bozeman Trustee; Dr. Dan Lee, University of Montana (UM); Ms. Amanda Curtis, Montana Federation of Public Employees (MFPE); Mr. Austin Waldbillig, OPI; Dr. Kari Dahle-Huff; Ms. Marcy Fortner, OPI; Ms. Kristi Steinberg, University of Montana; Mr. Mike Van Vuren, Bozeman School District; Ms. Shannon Boswell, OPI; Ms. Susan Catano, OPI.

PUBLIC COMMENT

Mr. Gary Lusin, Bozeman School Board Trustee, gave public comment regarding the process for revising the Chapter 55 Standards of Accreditation.

CONSENT AGENDA

Ms. Jane Hamman moved to approve the Consent Agenda as presented. Motion seconded by Ms. Tammy Lacey.

No discussion. Motion passed unanimously.

ADOPT AGENDA

Ms. Tammy Lacey moved to approve the agenda as presented. Motion seconded by Ms. Renee Rasmussen.

No discussion. Motion passed unanimously.

*****Items are listed in the order in which they were presented*****

❖ **REPORTS – Madalyn Quinlan (Items 1-4)**

Item 1 CHAIRPERSON'S REPORT
Madalyn Quinlan

Chair Quinlan thanked the Board for electing her as Chair and recapped meetings and events she has attended on behalf of the Board since the September meeting. The Chair ended her report by thanking the members of the Certification Standards and Practices Advisory Council (CSPAC) for their work revising the Montana Professional Educator Code of Ethics.

**Item 2 EXECUTIVE DIRECTOR'S REPORT
McCall Flynn**

Ms. Flynn thanked Superintendent Bertram and the Bozeman School District Administration for hosting the Board and for their assistance coordinating the meeting. Ms. Flynn reviewed the public hearing held October 31, 2022 on the revisions to Chapter 55, Standards of Accreditation, and noted the unusual volume of public comments received by the Board regarding the proposed revisions. Ms. Flynn discussed the continued work of Board committees in the interim between meetings and thanked members for their involvement. Ms. Flynn ended her report by briefly discussing the Governor's Budget which was released earlier in the week and highlighted a few specifics pertaining to the Board's budget.

**Item 3 STATE SUPERINTENDENT'S REPORT
State Superintendent Elsie Arntzen**

Superintendent Arntzen gave her report to the Board which included legislative priorities for OPI for the upcoming session, and ongoing discussions surrounding a possible change to the timing of school board elections. The Superintendent commended Student Representative Fox on the successful State Student Council Conference earlier in the month. The Superintendent concluded her report by reviewing the work on revisions to both Chapter 58 Educator Preparation Program Standards, and Chapter 55 Standards of Accreditation, and discussed the possibility of opening the Reading Standards by the Fall of 2023.

**Item 4 STUDENT REPRESENTATIVE'S REPORT
Charles Fox**

Mr. Charles Fox gave his update to the Board reviewing the State Student Council Conference in Great Falls which had a record turnout of 480 students and 60 advisors. Planning is ongoing for statewide District Meetings in 2023. Mr. Fox discussed presentations he gave during the conference explaining the Board of Public Education and what the Student Representative's role on the Board is. The information was well received, and Mr. Fox reported that he gathered a lot of attention from students who are interested in applying for the Student Representative role next year after Mr. Fox graduates. Ms. Tammy Lacey encouraged Board members to follow the State Student Council on Facebook for updates and information on what the Council is doing. Ms. Flynn thanked Mr. Fox for his continued work. Mr. Fox answered Board member questions.

❖ EXECUTIVE COMMITTEE – Madalyn Quinlan (Items 5 - 8)

**Item 5 UPDATE ON SHARED POLICY GOALS DISCUSSION
Madalyn Quinlan, Superintendent Arntzen**

Ms. Flynn opened this item and reviewed the discussion the Board and Superintendent Arntzen held at the September Board meeting. A subcommittee of Board members and OPI was convened in the interim to work on goals. Superintendent Arntzen gave remarks on her ideas for shared goals. Ms. Lacey, Rasmussen, and Hamman, who were a part of the subcommittee working on goals, commented on the work that has been done planning shared goals, and ideas they have moving forward. Other members commented on the proposed goals shared by the Superintendent.

**Item 6 ANNUAL HiSET REPORT
Katie Madsen**

Ms. Katie Madsen, OPI, presented the Annual HiSET report for the Board. Ms. Madsen pointed members to the report in the agenda packet and provided additional information and statistics for the Board. Ms. Madsen answered Board member questions.

**Item 7 ANNUAL PROFESSIONAL DEVELOPMENT PROVIDERS
Chris Noel**

Ms. Chris Noel, OPI, presented the Annual Professional Development Providers report for the Board. Ms. Noel reviewed the report for Board members, summarizing the number of providers who offer Professional Development Units, how many activities were offered, and that school districts and OPI offer the most activities for educators. Ms. Renee Rasmussen thanked Ms. Noel for the report, and Ms. Tammy Lacey noted how this report ties to the Board's Strategic Plan.

**Item 8 TEACHER LEARNING HUB REPORT
Chris Noel**

Ms. Chris Noel, OPI, presented the Teacher Learning HUB report to the Board and noted the report contained in the agenda packet. Ms. Noel highlighted details from the report and noted a technical update coming to the courses effective July 1, 2023. Ms. Tammy Lacey gave remarks on how she utilized the Teacher Learning HUB this past summer. Ms. Noel answered Board member questions.

❖ **ASSESSMENT COMMITTEE – Anne Keith (Item 9)**

**Item 9 ASSESSMENT UPDATE
Chris Noel**

Ms. Chris Noel, OPI, presented the Assessment Report for the Board, reviewing the CGSA Grant Update, the Montana Alternative Student Testing (MAST) Pilot Program and Implementation update, Science Test Scores, and the dates of the 2022-2023 Testing Window. Ms. Noel answered Board member questions.

❖ **LICENSURE COMMITTEE – Susie Hedalen (Items 10-12)**

**Item 10 ACCREDITATION SITE VISIT SCHEDULE
Dr. Julie Murgel**

Dr. Julie Murgel, OPI, reviewed the Accreditation Site Visit Schedule with the Board, explaining that the next review is set for the University of Montana Western. Dr. Murgel expects an initial presentation on the results of the review to be presented to the Board in May 2023. Dr. Murgel reviewed the site visit schedule for the remaining Educator Preparation Programs and answered Board member questions.

**Item 11 ACTION ON MSU-BILLINGS GOOD CAUSE EXTENSION REQUEST
Dr. Julie Murgel**

Dr. Julie Murgel, OPI, and Dr. Tom Manthey, MSU-Billings, explained the reasons for their request to extend Montana State University's site visit review from Spring 2024 to Spring 2025. Dr. Murgel answered Board member questions.

Ms. Susie Hedalen moved to approve MSU-Billings Good Cause Extension request and move the scheduled visit from Spring 2024 to Spring 2025. Motion seconded by Ms. Tammy Lacey.

No discussion. Motion passed unanimously.

**Item 12 REVIEW OF THE VIRTUAL JOINT SITE VISIT AND STATE EXIT REPORT OF THE UNIVERSITY OF MONTANA EDUCATION PREPARATION PROGRAM (EPP) IN THE PHYLLIS J WASHINGTON COLLEGE OF EDUCATION APRIL 10-12, 2022
Dr. Julie Murgel**

Dr. Julie Murgel, OPI, and Dr. Dan Lee, UM, presented the Joint Site Visit and State Exit report for the University of Montana Educator Preparation Program to the Board. Dr. Adrea Lawrence and Ms. Kristi Steinberg from the University of Montana joined the meeting via Zoom. Dr. Murgel reviewed the report for the Board noting this is a draft report and that corrections will be made prior to the final report coming to

the Board for approval at the January 2023 meeting. Dr. Murgel and Dr. Lee answered Board member questions.

❖ **LICENSURE COMMITTEE – Susie Hedalen (Item 14)**

**Item 14 ACTION ON REVISED TIMELINE FOR REVISIONS TO ARM TITLE 10,
CHAPTER 58, PROFESSIONAL EDUCATOR PREPARATION PROGRAM
STANDARDS
Susie Hedalen**

Ms. Flynn explained that the original timeline had the Board acting on and approving the revisions to Chapter 58 at the November meeting. Since the Board is taking additional time to review the comments and will not approve the revisions until the January 2023 meeting the timeline needs to be revised. The Board was presented a new timeline for their approval.

Ms. Susie Hedalen moved to approve the revised timeline for revisions to ARM Title 10, Chapter 58, Professional Educator Preparation Program Standards. Motion seconded by Ms. Tammy Lacey.

No discussion. Motion passed unanimously.

❖ **MACIE LIAISON – Susie Hedalen (Item 13)**

**Item 13 MACIE REPORT
Jordann Lankford Forster**

Ms. Jordann Lankford-Forster, MACIE, presented the MACIE report to the Board. MACIE did not hold a meeting in October due to most members attending a national convention on Indian Education, but MACIE did hold a work session on November 9th where a new Vice Chair, Jonathan Eagleman, was elected. Ms. Lankford shared a brief biography of Mr. John Stiffarm, who has been nominated to fill the Class 7 representative on MACIE.

Ms. Susie Hedalen moved to approve the nomination to MACIE for Mr. John Stiffarm as the Class 7 Representative. Motion seconded by Ms. Renee Rasmussen.

Ms. Tammy Lacey congratulated MACIE on having a full Board now that this position is filled.

No further discussion. Motion passed unanimously.

❖ **LICENSURE COMMITTEE – Susie Hedalen (Item 15)**

**Item 15 ACTION ON AND RESPONSE TO PUBLIC COMMENTS SUBMITTED ON
REVISIONS TO ARM TITLE 10, CHAPTER 58, PROFESSIONAL EDUCATOR
PREPARATION PROGRAM STANDARDS
Susie Hedalen**

Ms. Madalyn Quinlan reviewed the remaining areas of Chapter 58 in which public comment was made and that the Board did not finalize at the September meeting. Ms. Madalyn Quinlan answered Board member questions. Ms. Renee Rasmussen suggested replacing “equitable distribution” with “data driven distribution”. A discussion ensued surrounding the two phrases.

Ms. Madalyn Quinlan moved to retain the title phrase in New Rule II, English as a Second Language. Motion seconded by Ms. Tammy Lacey.

No discussion. Motion passed unanimously.

Ms. Madalyn Quinlan moved to approve the recommendation of the Board Licensure committee related to World Languages 10.58.511. Motion seconded by Ms. Tammy Lacey.

Ms. Tammy Lacey thanked the commenter who noted the need to clarify Classical Languages.

No further discussion. Motion passed unanimously.

Ms. Madalyn Quinlan moved to use the title “Industrial Trades and Technology Education” in 10.58.515. Motion seconded by Ms. Renee Rasmussen.

No discussion. Motion passed unanimously.

Ms. Madalyn Quinlan moved to approve the recommendation of the Board Licensure Committee related to 10.58.521. Motion seconded by Ms. Tammy Lacey.

No discussion. Motion passed unanimously.

Ms. Renee Rasmussen and Ms. Tammy Lacey thanked the committee for their work.

Ms. Madalyn Quinlan moved to approve the recommendations related to 10.58.610(1)(e). Motion seconded by Ms. Tammy Lacey.

Public comment from Deputy Superintendent Sharyl Allen, OPI, regarding the proposed revisions to reinsert “gender and sexual orientation”.

Comment from Ms. Jane Hamman regarding the proposed revisions to reinsert “gender and sexual orientation”.

Comments from Ms. Tammy Lacey about keeping the language in rule.

Comments from Ms. Renee Rasmussen to keep “gender” but is struggling with the phrase “sexual orientation”, but noted that because it is the original language, not new language, she could agree to keep it.

Mr. Charles Fox noted that these conversations are going on in school more often and there is a need to be prepared and comfortable addressing them. These issues are talking points for students, and they will continue to come up.

No further discussion. Motion passed with Ms. Jane Hamman dissenting.

Ms. Madalyn Quinlan moved to disagree with the comment to reinsert language in 10.58.601(1)(f)(iii). Motion seconded by Ms. Renee Rasmussen.

No discussion. Motion passed unanimously.

Ms. Madalyn Quinlan moved to adopt the recommendation of the Board Licensure Committee for 10.58.705, with the additions requested from Ms. Jane Hamman. Motion seconded by Ms. Tammy Lacey.

Public comment from Ms. Jenny Murnane-Butcher, MOFE, to oppose the change of “student’s learning needs” in place of “equity”.

Ms. Madalyn Quinlan commented that students learning needs include both social and emotional learning needs.

Ms. Tammy Lacey thanked everyone for the work on these sections.

No further discussion. Motion passed without Dr. Tim Tharp who left to take a call.

Ms. Madalyn Quinlan moved to accept the recommendation of the Board licensure committee for 10.58.706. Motion seconded by Ms. Tammy Lacey.

No discussion. Motion passed with Ms. Renee Rasmussen dissenting.

❖ **ACCREDITATION COMMITTEE – Dr. Tim Tharp (Item 16)**

Item 16 ACTION ON AND RESPONSE TO PUBLIC COMMENTS SUBMITTED ON REVISIONS TO ARM TITLE 10, CHAPTER 55, STANDARDS OF ACCREDITATION
Dr. Tim Tharp

Dr. Tim Tharp noted that this discussion will continue for three hours with an end time of 4:45 PM. Anything not completed today will be taken up at the January 2023 meeting. Dr. Tim Tharp thanked all the people who commented at the public hearing, those who sent comments to the Board, and to individual Board members.

NEW RULE I CHARTER SCHOOL APPLICATION

Dr. Tim Tharp moved to partially agree with comment 1 and to move the Charter School language from 10.55.604 to its own section, and to disagree with comments 2 and 3, and keep the new rule as proposed. Motion seconded by Ms. Susie Hedalen.

Discussion amongst Board members on the newly proposed language.

No further discussion. Motion passed unanimously.

NEW RULE II FAMILY AND COMMUNITY ENGAGEMENT

Dr. Tim Tharp moved to agree with comment 4 to replace action plan with strategic plan. Motion seconded by Ms. Renee Rasmussen.

Public comment from Deputy Superintendent Sharyl Allen, OPI, regarding the difference between Action plan and Strategic plan.

Discussion ensued on this topic.

Public comment from Mr. Dennis Parman, Executive Director, MREA, and representing the Education Partners, on the difference of strategic plans and action plans.

Public comment from Dr. Julie Murgel, OPI, on the reasons behind the proposed revisions surrounding "integrated action plans", which is replacing the Continuous School Improvement Plans (CSIP).

Ms. Madalyn Quinlan thanked Dr. Murgel for her comments and noted her hesitancy in making the change after hearing comments from Dr. Murgel.

Public comment from Dr. Rob Watson, SAM, clarified that strategic planning is important but that the actions are drawn from the strategic plan.

Public comment from Mr. Gary Lusin agreed with Dr. Watson's comments noting that the Bozeman District Strategic Plan contains the Action Plan.

Comments from Ms. Jane Hamman to keep "integrated action plan".

Ms. Renee Rasmussen asked why the change from Continuous School Improvement Plan to Integrated Action Plan. Dr. Julie Murgel explained it was to contain both the improvement plan and the action plan and to integrate them.

Ms. Tammy Lacey suggested "strategic action plan".

Dr. Tim Tharp entertained a friendly amendment and moved to rename "integrated strategic action plan". Motion seconded by Ms. Tammy Lacey.

No further discussion. Motion passed.

Dr. Tim Tharp moved to disagree with comments 5 and 6 and accept the language as presented. Motion seconded by Ms. Anne Keith.

Public comment from Ms. Amanda Curtis, MFPE.

No further discussion. Motion passed with Ms. Susie Hedalen and Ms. Tammy Lacey dissenting.

Dr. Tim Tharp moved without objection to direct Board staff to respond to comments 7 and 8.

Dr. Tim Tharp moved to partially agree with comment 9 and recommend the following language: "(vii) families and school staff collaborate with members of the community to connect students, families, and staff to post-secondary education opportunities, including workforce training, career pathways, and degree programs, and encourage students to explore college and career planning tools and incentives provided by post-secondary institutions in Montana and participate in FAFSA completion and college application week."

Comments from Ms. Tammy Lacey questioning if FAFSA and college application week will remain unchanged, and the rule won't need updating in the future. Ms. Madalyn Quinlan assured the Board that the wording was chosen to remain as generic as possible to prevent the need to amend rule in the future.

Comments from Ms. Renee Rasmussen noting concern about listing these activities in rule, and that the Board is deciding what the mission of the school should be.

Motion restated with minor edits: Dr. Tim Tharp moved to partially agree with comment 9 and recommend the following language: “(vii) families and school staff collaborate with members of the community to connect students, families, and staff to post-secondary education opportunities, including workforce training, career pathways, and degree programs, and encourage students to explore college and career planning tools and incentives provided by post-secondary institutions. Motion seconded by Ms. Jane Hamman.

Motion passed with Ms. Renee Rasmussen abstaining.

NEW RULE III MENTORSHIP AND INDUCTION

Dr. Tim Tharp moved without objection to direct Board staff to respond to comment 10.

NEW RULE IV EVALUATION

Dr. Tim Tharp moved to agree with comments 11 and 12 and accept the language proposed by the commenters. Motion seconded by Ms. Jane Hamman.

Public comment from Deputy Superintendent Sharyl Allen, OPI, cautioning against providing names of entities in rule.

Public comment from Ms. Amanda Curtis, MFPE, suggesting replacing the naming of entities with “organizations that represent 99% of education entities in Montana.”

Public comment from Mr. Dennis Parman, MREA, noting that the language proposed in comment 11 has been around for decades.

Ms. Susie Hedalen asked if this is in current rule. Ms. McCall Flynn noted it is and is being moved from 10.55.701.

No further discussion. Motion passed unanimously.

Dr. Tim Tharp moved to partially agree with comment 13 excluding the language in (4)(a)(i)-(v) proposed by the commenter. Motion seconded by Ms. Tammy Lacey.

Public comment from Ms. Amanda Curtis, MFPE, requesting the language update MEA-MFT to MFPE.

Clarifications on how the language will read.

No further discussion. Motion passed unanimously.

NEW RULE V ENGLISH LEARNERS

Dr. Tim Tharp moved to partially agree with comment 14, with no plans to add additional language to include “technical assistance when needed”. Motion seconded by Ms. Susie Hedalen.

No discussion. Motion passed unanimously.

10.55.601 ACCREDITATION STANDARDS: PROCEDURES

Dr. Tim Tharp moved to agree with comment 15. Motion seconded by Ms. Jane Hamman.

No discussion. Motion passed unanimously.

Without objection withdraw comment 16, as it has already been addressed.

10.55.602 Definitions

Without objection postpone comment 17 until January 2023 meeting.

Dr. Tim Tharp moved to agree with comment 18. Motion seconded by Ms. Tammy Lacey.

No discussion. Motion passed unanimously.

Without objection postpone comment 19 until January 2023 meeting.

Comment 20 – discussion about “graduate profile” or “education profile”.

Ms. Madalyn Quinlan asked Deputy Superintendent Sharyl Allen, OPI, to address the term “graduate profile”.

Ms. Tammy Lacey noted there are many different definitions of “graduate profile”.

Dr. Tim Tharp moved to disagree with comment 20 and retain the proposed language of graduate profile and agree with comment 21 and direct Board staff to ensure language of “graduate profile” is used throughout the rule. Motion seconded by Ms. Anne Keith.

Public comment from Mr. Dennis Parman, MREA.

Comments from Ms. Renee Rasmussen as to how “graduate profile” will be defined and used, and concerns that this will require schools to go beyond the minimum standards. Discussion ensued amongst Board members on this topic.

Motion restated.

No further comments. Motion passed with members Ms. Susie Hedalen and Ms. Renee Rasmussen dissenting.

Dr. Tim Tharp moved to agree with comment 22 with edits contained in previous action. Motion seconded by Ms. Renee Rasmussen.

Ms. Susie Hedalen noted difficulty in approving a definition for something she hasn’t seen.

Ms. Renee Rasmussen noted that this puts sideboards on school districts, and she agrees with this.

No further discussion. Motion passed with Ms. Susie Hedalen dissenting.

Without objection direct Board staff to respond to comment 23.

Dr. Tim Tharp moved to disagree with comment 24. Motion seconded by Ms. Anne Keith.

No discussion. Motion passed unanimously.

Without objection direct Board staff to respond to comment 25 based on previous Board action.

Dr. Tim Tharp moved to disagree with comment 26. Motion seconded by Ms. Tammy Lacey.

No discussion. Motion passed unanimously.

Dr. Tim Tharp moved to disagree with comment 27. Motion seconded by Ms. Tammy Lacey.

Ms. Tammy Lacey noted the definition is odd. Discussion ensued over this definition.

Without objection postpone comment 27 until January 2023.

Dr. Tim Tharp moved to agree with comment 28 and add “public entities” to 10.55.602(43)(b) in “personalized learning. Motion seconded by Ms. Tammy Lacey.

Comments from members Ms. Tammy Lacey and Ms. Renee Rasmussen.

No further discussion. Motion passed unanimously.

Without objection direct Board staff to respond to comment 29.

Without objection, postpone comments 30-31 until January 2023 meeting.

Without objection direct Board staff to respond to comment 32.

Dr. Tim Tharp moved to agree with Comment 33. Motion seconded by Ms. Susie Hedalen

No discussion. Motion passed unanimously.

Without objection, postpone comments 34-35 until January 2023 meeting.

Dr. Tim Tharp moved to agree with comment 36. Motion seconded by Ms. Jane Hamman.

No discussion. Motion passed unanimously.

Without objection, postpone comment 37 until January 2023 meeting.

10.55.603 CURRICULUM AND ASSESSMENT

Dr. Tim Tharp moved to agree with comment 38 and work with OPI to ensure there are relevant and timely professional development opportunities available on the Teacher Learning Hub. Motion seconded by Ms. Anne Keith.

Comment from Ms. Tammy Lacey thanking the individual for their comment.

No discussion. Motion passed unanimously.

Dr. Tim Tharp moved to accept comment 39. Motion seconded by Ms. Tammy Lacey.

No discussion. Motion passed unanimously.

10.55.604 VARIANCES TO STANDARDS

Dr. Tim Tharp moved to disagree with comment 40 as this new timeline allows school districts the flexibility to retroactively seek a variance, rather than predict their student count and potentially be out of compliance if their predictions are incorrect. Motion seconded by Ms. Tammy Lacey.

No discussion. Motion passed unanimously.

Discussion ensued regarding comments 41 and 42.

Dr. Tim Tharp moved to disagree with comments 41 and 42 and approve proposed language. Motion seconded by Ms. Anne Keith.

No discussion. Motion passed unanimously.

Without objection direct Board staff to respond to comments 43 and 44 based on previous action.

Dr. Tim Tharp moved to disagree with comment 45 as an application is necessary for the application process. Motion seconded by Ms. Tammy Lacey.

No discussion. Motion passed unanimously.

10.55.605 CATEGORIES OF ACCREDITATION

Board members engaged in a lengthy discussion about the newly proposed categories of accreditation.

Without objection postpone comments 46-50 to January.

10.55.606 ACCREDITATION PROCESS

Dr. Tim Tharp moved to disagree with comment 51 as this language outlines the accreditation process. Motion seconded by Ms. Tammy Lacey.

No discussion. Motion passed unanimously.

10.55.701 BOARD OF TRUSTEES

Dr. Tim Tharp moved to agree with comment 52 and recommend that the Superintendent of Public Instruction keep a public list of policies related to state and federal requirements. Motion seconded by Ms. Jane Hamman.

No discussion. Motion passed unanimously.

Dr. Tim Tharp moved to agree with comment 53. Motion seconded by Ms. Tammy Lacey.

No discussion. Motion passed unanimously.

Without objection direct Board staff to respond to comments 54-56.

10.55.702 LICENSURE AND DUTIES OF DISTRICT ADMINISTRATOR – DISTRICT SUPERINTENDENT

Dr. Tim Tharp moved to disagree with comment 57 as these are Accreditation Standards and can differ from Educator Preparation Program Standards. Motion seconded by Ms. Jane Hamman.

Comments from Ms. Tammy Lacey specific to the proposed revisions relating to internships.

Clarification on the proposed language from Ms. McCall Flynn.

Additional comments from Ms. Tammy Lacey on the proposed language.

No further discussion. Motion passed unanimously.

10.55.703 LICENSURE AND DUTIES OF SCHOOL PRINCIPAL

Without objection direct Board staff to respond based upon response to comment 57.

Public comment from Dr. Rob Watson, SAM, explaining the question the commenter had regarding principal duties that have been added in the proposed language, questioning the research done which added these duties, and are there additional duties that should be added?

Ms. Tammy Lacey concurred with Dr. Watson and noted no duties were added to the Superintendent section.

Public comment from Dr. Julie Murgel, OPI, that Superintendent duties are outlined in statute, but duties of a principal are not outlined in statute.

Ms. Madalyn Quinlan stated that it may be helpful to crosswalk this section with Chapter 58 before making a decision.

Without objection, 10.55.702-703 postpone until January 2023 meeting for further research.

10.55.704 ADMINISTRATIVE PERSONNEL: ASSIGNMENT OF DISTRICT SUPERINTENDENTS

Dr. Tim Tharp opened this section for discussion on the comments received in this section. Ms. Tammy Lacey stated that superintendents are important for school leadership. Comments from Ms. Renee Rasmussen about setting minimum standards and discussions she has had with other superintendents who had concerns about removing ratios, noting that districts can apply for a Variance to Standards if they are struggling to meet the standards. Ms. Anne Keith echoed those comments having served on the Variance to Standards Board, but guardrails are needed, and the ratios are those guardrails. Ms. Madalyn Quinlan commented that the proposed revisions offer the flexibility to fall through the floor and not provide the minimum standards. Ms. Madalyn Quinlan agreed that the Variance to Standards process is the method districts should use to meet the minimum standards. Ms. Tammy Lacey read a public comment opposing the revisions. Ms. Jane Hamman noted that she wants schools to have flexibility, but guard rails are also needed to safeguard the basic minimum standards.

Dr. Tim Tharp moved to agree with comment 59. Motion seconded by Ms. Anne Keith.

Public comment from Deputy Superintendent Sharyl Allen, OPI, reminding members there is statute around Superintendents and requirements of a Superintendent.

Public comment from Casey Bertram, Superintendent of Bozeman Public Schools, opposing removing the ratios.

Public comment from Gary Lusin, Trustee, Bozeman Public Schools, opposing removing the ratios.

Public comment from Diane Fladmo, MFPE, opposing removing the ratios.

Public comment from Bill Starkey, Montana School Counselor Association, opposing removing the ratios.

Public comment from Dr. Julie Murgel, OPI, supporting removing the ratios.

Comment from Ms. Tammy Lacey that districts won't get rid of Superintendents, Counselors, or Librarians immediately, but it will happen over time. Budget crises will occur, and positions will be cut. Sideboards are important, and the Variance to Standards process allows schools to meet the accreditation standards.

No further discussion. Motion passed unanimously.

Without objection direct Board staff to respond to comment 60 based on previous action.

10.55.705 ADMINISTRATIVE PERSONNEL: ASSIGNMENT OF SCHOOL ADMINISTRATORS/PRINCIPALS

Dr. Tim Tharp moved to agree with comment 61. Motion seconded by Ms. Tammy Lacey.

No discussion. Motion passed unanimously.

Without objection direct Board staff to respond to comment 62 based on previous action.

10.55.706 TEACHER INVOLVEMENT

Dr. Tim Tharp moved to agree with comment 63. Motion seconded by Ms. Susie Hedalen.

No discussion. Motion passed unanimously.

10.55.708 TEACHING ASSIGNMENTS

Board discussion ensued on the proposed language in this section.

Dr. Tim Tharp moved to disagree with Comment 64. Motion seconded by Ms. Jane Hamman.

Public comment from Ms. Diane Fladmo, MFPE, opposing removing the ratios.

Public comment from Ms. Jenny Murnane-Butcher, MOFE, opposing removing the ratios.

Comments from Ms. Tammy Lacey that allowing prep time for teachers sends the message that they are valued.

Ms. Madalyn Quinlan commented that there is not a problem with prep time, and she will oppose the motion.

Ms. Renee Rasmussen commented that she is torn because teachers need their planning time.

No further discussion. Motion failed on a 3-4 vote. Dr. Tim Tharp, Ms. Susie Hedalen, Ms. Jane Hamman in favor; Ms. Madalyn Quinlan, Ms. Anne Keith, Ms. Renee Rasmussen, and Ms. Tammy Lacey opposed.

Ms. Madalyn Quinlan noted that based on the Board's vote, the Board will agree with comment 64.

10.55.709 LIBRARY MEDIA SERVICES, K-12

Dr. Tim Tharp moved to agree with comment 65. Motion seconded by Ms. Tammy Lacey.

Public comment from Ms. Chani Craig, Whitefish School District and Montana Library Association, opposing removing the ratios, and thanked the Board for their work.

Public comment from Ms. Alice Asleson, librarian in Billings Public Schools in favor of maintaining the ratios.

Public comment from Ms. Monica Anderson, elementary school librarian in Billings, in favor of maintaining the ratios.

Public comment from Deputy Superintendent Sharyl Allen, OPI, in favor of removing ratios.

Ms. Anne Keith commented that they saw librarians at work and kids thriving in the schools they toured yesterday.

Ms. Jane Hamman asked for clarification on the motion and does it revert to the original language or not.

Ms. Madalyn Quinlan asked Dr. Tim Tharp to clarify the motion. Dr. Tharp clarified that the motion is to agree with the commenters and to retain the original language in 10.55.709.

Ms. Renee Rasmussen stated that she is not necessarily opposed to the proposed language but that there is not a good process to make it work.

Public comment from Ms. Karen Mayhall, librarian at Skyview High School, thanking the Board for their time working on this and asked the Board to retain the ratios.

No further discussion. Motion passed with Ms. Jane Hamman dissenting.

Without objection direct Board staff to respond to comments 66-67.

Dr. Tim Tharp moved to disagree with comment 68. Motion seconded by Ms. Renee Rasmussen.

No discussion. Motion passed unanimously.

Without objection direct Board staff to respond to comments 69-70.

10.55.710 ASSIGNMENT OF SCHOOL COUNSELING STAFF

Dr. Tim Tharp moved to agree with comment 71. Motion seconded by Ms. Susie Hedalen.

Public comment from Ms. Tanya Kirschman, Assistant Board Chair of Montana School Counselors Association and School Counselor in Billings, requesting the Board to retain the ratio.

Ms. Susie Hedalen commented that she has been on both sides of the challenge of hiring school counselors and she agrees with the comments that until there is another plan or a way to move forward, we need to retain the ratios for counselors.

Clarification from Ms. Jane Hamman to clarify that the current ratio is 1:400.

Public comment from Ms. Kailey Mayo, Montana School Counselor Association, opposed to removing the ratios.

Public comment from Ms. Katie Thomas, School Counselor in Polson and member of the Montana School Counselor Association Board opposed to removing the ratios.

No further discussion. Motion passed unanimously.

Item 18**PRESENTATION ON PROFICIENCY-BASED LEARNING****Dr. Tricia Seifert, MSU**

Dr. Tricia Seifert, MSU, gave a presentation to the Board on proficiency-based learning and efforts ongoing at MSU to prepare future educators on proficiency-based learning. Proficiency-based learning differs from the traditional “seat time” learning which progresses students based on the number of hours they have had in instruction. Proficiency-based learning advances students through their instruction based upon their level of proficiency in the content area. Dr. Olsen and Dr. Hancock presented more detailed information on proficiency-based learning for the Board and the program at MSU. Dr. Seifert and colleagues answered Board member questions.

Item 19**DATA MODERNIZATION UPDATE****Chris Sinrud**

Mr. Chris Sinrud, OPI, updated the Board on the progress of the Data Modernization project at the OPI including the Teach Montana project, and the single sign on project. Mr. Sinrud answered Board member questions before ending the report by discussing goals the OPI has for the Data Modernization project moving forward. Ms. Madalyn Quinlan requested that Mr. Sinrud provide reports on this project at future Board meetings.

❖ CSPAC LIAISON – Tammy Lacey (Items 20-21)**Item 20****ACTION ON CSPAC EARLY CHILDHOOD RECOMMENDATION TO THE BOARD OF PUBLIC EDUCATION****McCall Flynn**

Ms. Tammy Lacey reviewed for the Board the work CSPAC has done, at the Board's request, to study Early Childhood Education. Ms. McCall Flynn provided additional information to the Board on the presentation from Early Childhood experts CSPAC heard at their October meeting. Ms. Flynn noted that CSPAC took into consideration the work the Board has done surrounding Early Childhood Education with the revisions to Chapter 57 and Chapter 58, and the Chapter 63, Preschool Standards, already in rule.

Ms. Tammy Lacey moved to accept the recommendation from CSPAC that the Board work with the legislature and other budgetary entities on a funding strategy to promote access to early childhood education for children and families. Motion seconded by Ms. Anne Keith.

Dr. Tim Tharp asked what this commits the Board to do. Ms. Tammy Lacey responded that it commits the Board to continued work to support Early Childhood Education.

Ms. Jane Hamman noted that the Board's Legislative Committee will monitor any bills surrounding Early Childhood Education and determine whether to support the bills.

Ms. Madalyn Quinlan noted that the work done setting standards in Chapter 57 and 58 is also an important role.

Ms. Renee Rasmussen voiced concern about the possibility the Board may advocate for funding or financing for Early Childhood Education. Ms. Renee Rasmussen discussed she was hoping for additional information and research from CSPAC rather than funding priorities.

Ms. McCall Flynn responded that the Board would promote access to Early Childhood Education and may only be active with Legislation as an Informational Witness which provides information, but not opposition or support.

Ms. Tammy Lacey added that the Legislative Committee meets weekly and those would be conversations the committee would have as to how to support, oppose, or be an informational witness for a particular bill.

Ms. Susie Hedalen questioned how the Board is informed about bills the Board may or may not be supporting.

No further discussion. Ms. Tammy Lacey restated the motion for the Board.

Motion passed with Ms. Renee Rasmussen dissenting.

**Item 21 ACTION ON CSPAC CODE OF ETHICS RECOMMENDATIONS TO THE
BOARD OF PUBLIC EDUCATION
McCall Flynn**

Ms. Tammy Lacey reviewed the revisions process the Code of Ethics has gone through in the past year and a half. Ms. Flynn reported on the discussion and actions from CSPAC at their October meeting, based upon the requests from the Board at their September meeting. Ms. Flynn reviewed the revisions CSPAC made at the October meeting. Ms. Renee Rasmussen noted her appreciation for the work and that she likes the way the revisions were handled.

***Ms. Susie Hedalen moved to accept the CSPAC revisions to the Code of Ethics for the introductory paragraph, Principle III(b), and to move the revised Principle III(b) to Principle I(h).* Motion seconded by Ms. Jane Hamman.**

Public comment from Dr. Rob Watson, SAM, regarding the Code of Ethics and the importance of keeping the word “equity” in the Code.

Ms. Tammy Lacey concurred with Dr. Watson’s comments and stated she will vote no on the motion due to her disagreement with the removal of the word “equity”.

Ms. Anne Keith stated that she was elected to the Board as a teacher to represent teachers. She supports the Code of Ethics as it sets high expectations for teachers.

No further discussion. Motion passed with Ms. Tammy Lacey dissenting.

❖ MSDB LIAISON – Tammy Lacey (Item 22)

**Item 22 MSDB REPORT
Paul Furthmyre**

Superintendent Furthmyre reviewed the requested actions for the Board’s approval and updated the Board on recent happenings at the MSDB since the October committee meeting. Superintendent Furthmyre reported on updated enrollment numbers on campus and in the Outreach Services. Superintendent Furthmyre discussed the Governor’s Budget that was released this week highlighting specific funding in the budget for MSDB, provided an update to both the lighting system and the phone system projects which are nearing completion, and stated that broadband access will be the next project on the horizon for the school. Superintendent Furthmyre answered Board member questions.

***Ms. Tammy Lacey moved to approve the MSDB personnel changes as listed in the agenda packet.* Motion seconded by Ms. Renee Rasmussen.**

No discussion. Motion passed unanimously.

Ms. Tammy Lacey moved to approve the Out of State Travel requests for MSDB staff as listed in the agenda packet and with thanks to the MSDB Foundation for supporting travel. Motion seconded by Ms. Jane Hamman.

No discussion. Motion passed unanimously.

Ms. Tammy Lacey moved to approve the Pay Increase for Exempt Pay Plan 61 MSDB Employees as listed in the agenda packet. Motion seconded by Ms. Renee Rasmussen.

Superintendent Furthmyre clarified this is the statutory pay increase.

No further discussion. Motion passed unanimously.

Ms. Tammy Lacey moved to approve the update to the MSDB ESSER II Grant. Motion seconded by Ms. Renee Rasmussen.

No discussion. Motion passed unanimously.

Ms. Tammy Lacey moved to approve the OPI Discretionary Grant for the MSDB. Motion seconded by Ms. Renee Rasmussen.

No discussion. Motion passed unanimously.

Chair Quinlan closed the meeting for the Board to hold the evaluation for Superintendent Furthmyre.

*****CLOSED SESSION*****

Item 23 MSDB SUPERINTENDENT EVALUATION

*****OPEN SESSION*****

The Board reconvened in Open Session at 11:35 AM.

FUTURE AGENDA ITEMS January 12-13, 2023, Helena

- Exiting Board Member – Last Meeting and Recognition
- MSDB Superintendent Contract Extension
- Transportation Report*
- MACIE Update
- Assessment Update*
- Federal Update*
- Accreditation Report*
- Teacher Licensure Report*
- Qualify Transformational Learning & Advanced Opportunity Grant Applications*
- Critical Quality Educator Shortage Area Report*

PUBLIC COMMENT

Public comment from Ms. Jenny Murnane-Butcher thanking the Board for their work on Chapter 55 and encouraging the Board to consider setting ratios for Special Education Case Loads in the future.

Ms. Tammy Lacey read correspondence she received regarding the awards for Excellence in Academic Teaching: Lisa Mollencamp, Amanda Rapstad, Cara Owens, Jennifer Warner, Dan Reis are the five state finalists.

ADJOURN

Meeting adjourned at 11:40 AM

The Montana Board of Public Education is a Professional Development Unit Provider. Attending a Board of Public Education Meeting may qualify you to receive professional development units. Please complete the necessary information on the sign-in sheet if you are applying for professional development units.

Agenda items are handled in the order listed on the approved agenda. Items may be rearranged unless listed "time certain". Public comment is welcome on all items listed as "Action" and as noted at the beginning and end of each meeting.

The Board of Public Education will make reasonable accommodations for known disabilities that may interfere with an individual's ability to participate in the meeting. Individuals who require such accommodations should make requests to the Board of Public Education as soon as possible prior to the meeting start date. You may write to: Kris Stockton, PO Box 200601, Helena MT, 59620, email at: kmstockton@mt.gov or phone at 406-444-0302.

DRAFT

Public Comment
November

1. Phyllis Marshik
Helena, MT

This is a pipedream. There is never anyone or anything that makes for "equality". We as humans are made different before birth. This discussion is stupid and needs to be challenged as that.

There isn't anything as equity either. The parents, the family of any child has different values & ideas as to what it is. It is a Hersey Bar or is it a Mars bar? Are they the same value and who makes that value?

Teach: The three R's.

2. Milo Root

I would like the board to remove the term "equity" from the Professional Educator Preparation Program Standards. The radical left has been manipulating language and undermining our founding principles of freedom and substituting what they desire as the highest value, equality of outcome, in it's place. They use the term equity to represent their belief in equality of outcome. This is a dangerous principle and should not be included in our educational system. I desire just hierarchies of competence in our educational system, not teachers who strive for equality of outcome among students.

3. Andrea Root

After reviewing the Professional Educator Preparation Program Standards, I urge the board to remove the term "equity" as this language exhibits the principle of equality of outcome. This verbiage gains attention as it appears to seek the good in each student's individuality, however, it does the opposite. Equality of outcome does not involve inclusion or diversity of a student's individual skills. Instead, it *limits* the natural progress of a student's abilities which should be obtained through educational development. A student's abilities should be measured by accurate and realistic standards of educational hierarchy to lead all students to future achievements and individual talents.

Please remove this term and associated principles to protect the educational standards of our students.

4. Patricia Root

I would like the board to remove the term "equity" from the Professional Educator Preparation Program Standards. The radical left has been manipulating language and undermining our founding principles of freedom and substituting what they desire as the highest value, equality of outcome, in it's place. They

use the term equity to represent their belief in equality of outcome. This is a dangerous principle and should not be included in our educational system. I desire all children to have equality of opportunity, not teachers who strive for equality of outcome among students.

5. Tori Lauer

As a resident of Montana, I would like the board to remove the term "equity" from the Professional Educator Preparation Program Standards. The radical left has been manipulating language and undermining our founding principles of freedom and substituting what they desire as the highest value,

equality of outcome, in it's place. They use the term equity to represent their belief in equality of outcome. This is a dangerous principle and should not be included in our educational system. I desire just hierarchies of competence in our educational system, not teachers who strive for equality of outcome among students.

6. Chris Root

As a resident of the great state of Montana I would like the board to remove the term "equity" from the Professional Educator Preparation Program Standards. The radical left been manipulating language and undermining our founding principles of freedom and substituting what they desire as the highest value, equality of outcome, in it's place. They use the term equity to represent their belief in equality of outcome. This is a dangerous principle and should not be included in our educational system. I desire just hierarchies of competence in our educational system, not teachers who strive for equality of outcome among students.

7. Nicole Evans

First of all, let me say thank you for your work on behalf of students in our state. Our public schools set the standard for our society as a whole, and your work to help make them the best they can be does not go unnoticed. That being said, the chapter 55 rule changes decision before you is a tragic danger to the quality of our schools. I know you have heard from many people regarding rules 10.55.705, 10.55.708, 10.55.709, 10.55.710, and 10.55.712. I would like to state that I agree with those who argue against these changes. I, however, write today specifically regarding rule 10.55.902 regarding middle grade electives.

I was born and raised right here in Montana, attended Montana's public schools Kindergarten through 12th grade, earned two bachelor's degrees through the Montana University System, and am currently working on a graduate degree once again through a world class program offered right here in Montana. I am also an active community member and full-time employee in the Montana work force. Please believe me - I am not exaggerating - when I tell you I would probably not be here today had I not had the opportunity to take music classes when I was in middle school. You see my family went through 3 years of severe health crisis and had it not been for my experiences in my music class I may not have stayed in school. Because of this, and the power of music education I now witness every day as an educator, I passionately believe ALL Montana students deserve access to music and arts class at every level of their schooling. While the change to rule 10.55.902 does not explicitly eliminate arts electives, it certainly paves the way for that to happen by allowing schools to choose only three from the list of options instead of requiring music and art be offered in some form. In a world where we need more compassion, critical thinking, and problem-solving skills, allowing middle school arts to be cut at any Montana school in the name of local control would be a serious detriment to the future of our state.

Thank you for your time and consideration and again, please vote no on the change to rule 10.55.902.

8. Laura Crist Great Falls, MT

Thank you for your hard work and efforts to support the education of Montana.

I am writing as a concerned parent about the recommended changes to Chapter 55. I recognize that schools are unique in Montana and that FTE requirements for librarians and school counselors can be difficult to meet. However, I am concerned that removing staffing requirements for librarians and school

counselors will leave our Montana schools at risk. Without these staffing requirements our schools may have to cut these essential positions when funding becomes tight. In Great Falls, we have had to previously cut 10 million dollars in ten years due to failed levies. 2020 was one of our first levies passed in years after tremendous efforts. Over 100 teaching positions were cut over that 10 year period and I saw first hand what understaffed libraries and school counselors functioned like. Students missed valuable time learning how to research. School counselors were not able to offer CTE or college planning options and were required to spend hours helping schedule students instead of utilizing their trained skills as a counselor for our students most in need. We need to be bolstering our education system not weakening it. Please **DO NOT accept the superintendent's recommendation to remove the staffing ratios for library media specialists** in the name of "local control". **10:55:709 and 10:55:710.**

Often the school library is the first place where children regularly check out books of their own choosing. Maintaining this opportunity for autonomy of learning is important. Student mental health is a tremendous concern for me, especially after covid-19. School counselors do so much in improving the safety and culture of a school environment. Requiring and further supporting these positions is critical to school success. **The revised language in 10.55.601 that ensures "a learner-centered system" that establishes "a plan for continuous education improvement does not include an FTE requirement. I believe this needs to be included.**

As I have looked at the revisions from the state superintendent, I find the new level of accreditation confusing. Do we only expect schools to meet the minimum standards of education and we reward the schools that are functioning as they should? How will this accreditation be given or recommended? What about students from title 1 schools who may have multiple barriers to learning? Will schools that are not accredited have their funding impacted? I think there is too much clarification needed with this and that it is just proverbial garbage adding to the confusion surrounding education. **I would encourage you to NOT accept these accreditation changes as they are.**

Finally, I would encourage you to **accept the changes for 10:55:712 (5) regarding class size** and ask that you add "and competent" to the line "The school district must provide additional "AND COMPETANT" human resources when exceeding maximum class sizes. Our children deserve the best in their classrooms and aids should be trained.

Thank you again for your service to our state, children and communities.

9. Beth Kirsch

As you review the following suggested changes to Chapter 55, please do not change the following guidelines. I am against all of these changes:

10.55.701-Board of Trustees

Eliminates requirement that school boards adopt policies regarding due process, bullying, academic freedom, materials selection and challenge, IEFA, suicide prevention, emergency plans, written contracts, evaluations, and more...

10.55.708-Teaching Assignments

Removes maximum of 28 hours of assigned student responsibilities per week

10.55.709-Library Services

Removes librarian-to-students ratio

10.55.710-Counselors
Removes counselor-to-students ratio

10.55.712-Elementary Class Size
Removes requirements for instructional aide when class size exceeds standards, it allows for volunteers instead

10.55.902-Middle Grades
Changes requirements for middle school electives, reducing course requirements to three (Could jeopardize music/arts classes etc)

Thank you for retaining these important accreditation standards in your review this November. They are best for students, teachers, counselors, librarians, administrators, and schools.

10. Melody Sand

Harlem, MT

I am writing in support of counselors, librarians, and educators in our Montana public schools. Please do NOT adopt any of the proposed changes to the following rules:

Rule	Topic	Pg.*	Description
10.55.704	Superintendents	24(1986)	Removes superintendents-to-staff ratio
10.55.705	Principals	26(1988)	Removes principals-to-staff ratio
10.55.708	Teaching Assignments	28(1990)	Removes maximum of 28 hours of assigned student responsibility per week
10.55.709	Library Services	28(1990)	Removes librarians-to-student ratio
10.55.710	Counselors	29(1991)	Removes counselor-to-student ratio
10.55.712	Elementary Class Size	29(1991)	Removes requirement for instructional aide when class size exceeds standards, allows for volunteer instead
10.55.902	Middle Grades	35(1997)	Changes requirements for middle school electives, reducing course requirement to three from five

Counselors, librarians, principals, and superintendents all do work that has to be done by someone. If their positions are eliminated and the cap on student hours is removed, I feel an undue burden will be placed on teachers who already are tasked with more than can be handled in an 8 hour day. If you change the minimum standards, some schools may maintain current ratios for the best interest of their students, but not all will, as only a minimum standard can accomplish that. Pushing more work onto teachers and paraprofessionals will only exacerbate the statewide teacher and staff shortage, particularly in areas similar to the school district I serve, which is rural, remote, and qualifies for 100% free lunch. In our community, suicide is an epidemic. As a school counselor, I collaborate with mental health providers to get the best services available to students in need. As their counselor, I am often the first resource students and families seek out. Sometimes, I am the only resource, as mental health resources are scarce or only available hundreds of miles away.

Additionally, career counseling is an essential component of our jobs. The more options we can offer, the better prepared our students can be upon graduating. Offering electives is key to career counseling, as more and more young adults choose trades and not all are destined for 4-year degrees. We collaborate

with librarians and with elective teachers often to help guide students to what is best suited to their interests and abilities. Librarians are essential to this process, as they help serve as media specialists and teach students how to maneuver information systems, not just check out books.

The American School Counselors Association recommends a student-to-school counselor ratio of 250:1. If you were to change the ratio, this is the ratio better suited to the needs of our students.

Our dedication to provide a free and quality education to all Montana students needs your support. Any changes to the rules should work for that goal, not against it. Please consider the needs and best interest of all Montana students when making your decision.

11. Elisabeth Swanson

Bozeman, MT

Please DO NOT CONFIRM OPI's recommendation on counselors, librarians, superintendents, and principals and instead either support the Quality Schools Task Force recommendation or leave current ratios in place.

12. Frank and Linda de Kort

Thank you for your acknowledgement of our letter. We have a post script which we hope will also be considered.

Montana Free Press reported recently on the mental health crisis among our Montana students. [Data from 2011 to 2020 released this spring by the state's Department of Public Health and Human Services shows that kids](#) between the ages of 11 and 17 committed suicide at a rate of 11.9 per 100,000 people during those years, double the national average. It was interesting in their report that the superintendent, who we understood proposed revisions to Chapter 55 stated: "Just like we need more experts in math and reading, we need experts in mental health across our state," Arntzen told MTFP. "I want to say very plainly and clearly that we cannot put more onto a teacher's plate."

Exactly, we need to augment our counseling services, not decrease them.

13. Kris Kelly

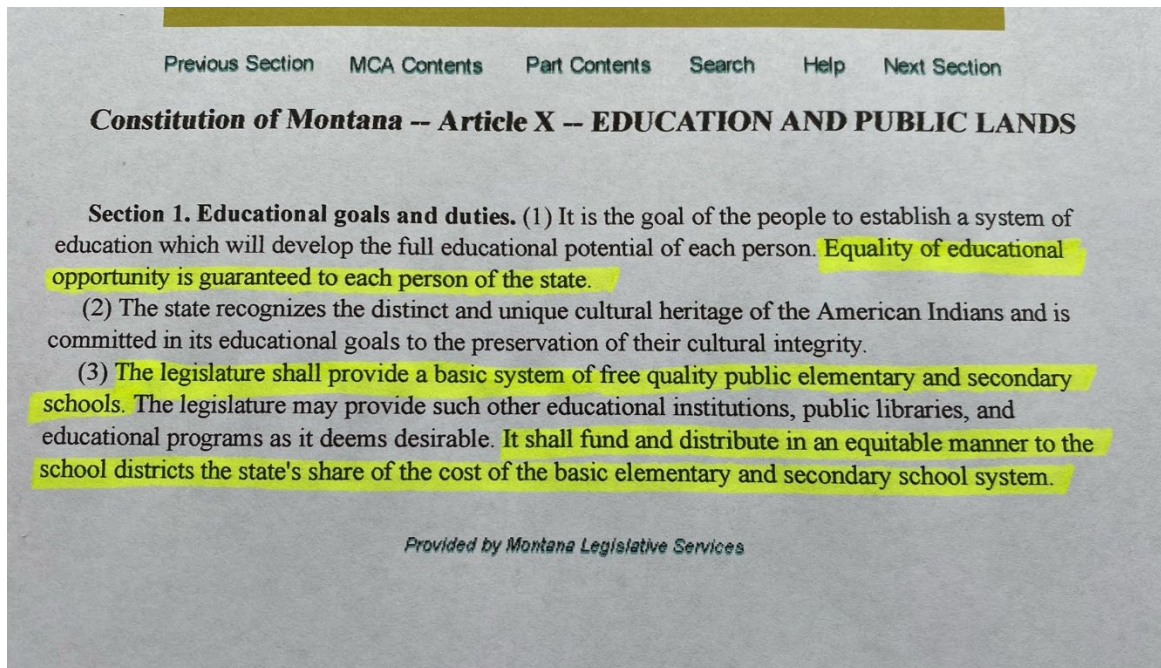
Polson, MT

I am a Special Education Life Skills and Transition teacher at Polson School District 23 in Polson. Please retain the minimum requirement of 1 certified librarian per 250-500 students ratio rule in 10.55.709 and 1:400 school counselor-to-student ratio rule in 10.55.710 because they are integral to the smooth runnings of our schools. We have many students that in a low income household or are native. The counselors fill a huge role in encouraging the students and finding resources to them them and their families. They are filling in since we have lost our mental health services at our school. Our Librarian served on many committees. One being the Indian Education For All. On top of her job and technology/media, she helps find resources and speakers so all students feel important and part of our school community. We need them and the loss would impact our school in a devastating manner. Thank you for your service.

14. Stephanie Turner

I strongly support school libraries and librarians. Please keep this important resource in our schools.

15. Karen Moses
Billings, MT



Please re-read the above Article X Sec 1 of the MT Constitution...

It states “The LEGISLATURE SHALL provide”... not the local communities, not the local school districts or their boards of trustees...

If you allow the legislature via our current superintendent of public instruction to abdicate its constitutional responsibility under the guise of local control... If you eliminate the ratio requirements for counselors librarians administrators etc. from the definition of free quality public schools... Who will pay?...

Please do not allow the political winds of the day to succeed in stripping what you know all valid educational research shows to be essential requirements for a basic quality education.

The legislature by simply changing the definition of quality education will skirt supreme court rulings that require them to fund it... children who live in wealthy districts will have adequate services and those children who need the “Equality of educational opportunity guaranteed” will fall even deeper behind....and who will pay?...we all will

Lead by example...

Hold us all to a higher standard...

Keep all that you know is necessary for a free quality public education in our standards.

16. Kate Eisele, EdD
West Yellowstone, MT

I am writing today in regards to two separate issues that came before CSPAC at our joint meeting with the Council of Deans on October 6. The first is in regards to the Professional Educators of Montana Code of Ethics, and the second involves the proposed changes to Chapter 55, which deal with the accreditation of Montana's Public Schools. In both cases, I believe that it is our duty as professional educators and members of either the BPE or CSPAC to genuinely act in the best interests of Montana's students. This ideal rings true in the context of sentiments expressed by a student panel at the 50 State Afterschool Network meeting in Washington DC "nothing about us, without us, is for us..." that Executive Director Flynn shared with us in September.

Having been part of the political maelstrom in education of the past year and a half, I believe that both of our organizations (the seven voting members of the BPE and CSPAC) have been leveraged in the past year by leaders trying to score political points and have not been conducted with any real consideration of what is truly best for the students of Montana. This includes pressure from politicians that led the seven voting members of the BPE into an unnecessary lawsuit for actions it took regarding a recommendation by an advisory council made up of education professions, personal attacks launched at our executive director, the attempts to eliminate concepts of equity and ethics from the best practices of our educator preparation programs (Chapter 58) and teacher licensing standards (Chapter 57), and veiled threats from Superintendent Arntzen directed at the members of CSPAC during her public comment in July of 2021 to "not break the law" when it came to including the federally mandated concept of educational equity in the public schools in our professional Code of Ethics.

I am reminding everyone of these actions because I think they paint a bigger picture about the goals of some politicians at the state level. I believe that one major goal of these political leaders is to undermine trust in our state public education system by 1) causing conflict between players in the education field who have generally all been on the same page, 2) lowering standards for teacher licensing making it easier to fill positions with under qualified individuals, and 3) making it easier to operate schools with fewer staff and more students by changing standards of accreditation. I believe that many of these actions are in direct violation of the mission of the BPE which "was established to supervise, serve, maintain, and strengthen Montana's system of free quality public elementary and secondary schools."

In regards to the Professional Educators of Montana Code of Ethics, my colleagues on CSPAC and I have done our best to find a middle ground and listen to the BPE's directive to make it clear that the purview of CSPAC is strictly to make recommendations. At the BPE's request, we added an introductory paragraph that makes it clear the intent of the document is to serve as a guide for all professional educators, and it is up to each local school district to adopt and implement those guidelines as they see fit. We also took note of the fact that the use of "equity" in conjunction with the words "diversity" and "inclusion" served as a political flashpoint, which does not really serve students, and eliminated "educational equity" from Principle III B.

I hope that the seven voting members of the BPE will find those changes more than sufficient in addressing their concerns and adopt the revised Professional Educators of Montana Code of Ethics, so that it can stay part of the state's best educational practices. I want to address these revisions CSPAC is recommending because after they were proposed, the Deputy Superintendent of OPI stood in objection to the document because it included the word "aspirational". I was completely perplexed. After all of the ruckus from the OPI and the Governor's office over "educational equity", and now the focus was on something else entirely. Deputy Superintendent Allen tried to argue that because the document was aspirational in nature it was completely meaningless because there is no way to hold anyone accountable who violate Professional Educators of Montana Code of Ethics. She even asserted that because the document was aspirational in nature that this is the reason the conduct of teachers in this state has been declining. Deputy Allen offered no evidence for such hasty generalizations. As such, this logical

fallacy holds no weight whatsoever. Rather, it is the responsibility of the BPE to hear evidence in the revocation or suspension of teacher licenses. It is the responsibility of local school districts to develop an evaluation system for all licensed professionals as outlined in ARM 10.55.701. The local district and district administrators can choose to use the Code of Ethics as part of their evaluation process or not. And finally, it is the responsibility of the Superintendent of OPI to develop and publish model evaluation tools that comply with that rule.

It is my opinion that this hasty generalization regarding the relationship between the concepts of ethics and aspiration only serves one purpose, to reduce confidence in CSPAC, the BPE, and ultimately our public system of education. I would urge you not to fall for this trap. Conversely, the Joint Council of Deans spent more than half an hour of their time discussing how they utilize the Professional Educators of Montana Code of Ethics throughout their educator preparation programs to teach candidates how the profession works, how to be ethically sound educators, and to lay a foundation for best practices. Members of the Joint Council of Deans also discussed how national accreditation by organizations like CAEP requires demonstrating the teaching of ethical standards and practices, the importance of the concepts of equity, inclusion, and diversity, particularly in Montana's tribal schools and communities and with respect to the national IDEA law, which applies to all public schools.

Regarding Superintendent Arntzen's proposed changes to Chapter 55, there are several which give me professional cause for concern and do not seem to be made in the best interest of Montana's students, but rather are crafted to serve political goals.

First, the complete elimination of student/staff ratios totally erases minimum assurance standards (10.55.710, 709, 705, 704) that there will actually be enough counselors, librarians, principals, and superintendents to adequately staff schools and deliver the educational services that each Montana student has a Constitutional guarantee to. Our Montana Constitution states that "It is the goal of the people to establish a system of education which will develop the full educational potential of each person. Equality of educational opportunity is guaranteed to each person of the state." By changing the language to give school districts the flexibility to determine staffing patterns, it creates a slippery slope by which our professional educator shortage may be exacerbated even more. Without minimum ratios, fewer educators are asked to do more for more students, end up burnt out, and leave the profession. And who suffers as a direct result of changes like this? Our students do.

With respect to the student: counselor ratio, the Montana suicide rate is half the national average. Depression and anxiety are at an all time high in kids ages 6-17 nationally. Addressing the mental health of our students is paramount to helping them develop their full potential. Learning is nearly impossible if you are consumed by unaddressed mental health issues. Further, even in students who are doing well socially and emotionally, counselors play an important role in guiding students as they try to figure out their post-secondary pathway, career, college, technical college, etc. School counselors are key to helping students navigate their choices. In the case of eliminating student: librarian ratios, students may lose access to books, media, and research skills, particularly in rural communities, where the school library doubles as the public library. Even more concerning, student achievement in reading and writing could drop with elimination of student: librarian ratios.

Similarly, maintaining minimum standards for student: principal and student: superintendent ratios is important due to their connections to student achievement. Recent research has shown that effective principals can have nearly as large an effect on student achievement as effective teachers. Through their leadership, principals and superintendents are responsible for ensuring that all their students have access to learning opportunities, are on a path of continuous growth, and feel safe and included in their school

environment. Further, principals and superintendents play an important role in hiring and retaining effective teachers and serve as a liaison between the community and the schools they lead.

In short, I urge the BPE to act in the best interest of Montana's students and maintain the current student: librarian, student: principal, and student: superintendent ratios in Chapter 55. In the case of counselors, I would urge the BPE to consider matching the national recommendation of 250:1 (students: counselors), rather than just staying with the current 400:1 ratio. This will better meet student needs and help retain effective counselors in our public schools.

On the issue of middle school electives, 10.55.902, I understand that the recommendations are intended to give districts more flexibility in what they are able to offer based on which qualified educators they are able to hire. However, I would urge the BPE to either stay with the current language and/or break out the arts into distinct options such as 1) visual arts, 2) theater arts, and 3) music, rather than lumping all of the arts into one choice. I think the way the options are framed now with choosing three of the following five options which include 1) arts, 2) career and technical education, 3) computer science 4) world language, and/or 5) exploratory courses could lead to students having no exposure to art, music, or theater in their middle school career. This is a really bad outcome for our students. Involvement in performing arts like music and theater is connected to development of a sense of self, communication skills, as well as fostering creative passions. Furthermore, 2012 research from the National Endowment for the Arts shows that students participating in arts programs are "more likely to take advanced math courses, graduate from high school and go on to college than those who don't". Finally, as CSPAC member Dr. Atkins shared in our discussion on this topic, K-8 teachers from Montana EPPs are prepared to teach art, theater, music, and dance to K-8 students, thus people with the skills to offer these courses likely already exist in many of our elementary and middle schools.

Finally, I question the need to move language around charter schools out into its own standard. At present, there are only two charter schools in the entire state. The right of local boards of trustees to form and govern a charter school exists under current Chapter 55 language. When CSPAC recommended that charter school language stay where it is currently, as a variance, Deputy Allen said that there was draft legislation for the upcoming 2022-2023 legislative session regarding charter schools. What I see in this proposed change is a move by the OPI to make it easier for charter schools to be formed in the next 3-5 years, after the first round of a three year accreditation cycle. If enough schools are deemed "accredited on probation status", it could open the flood gates to try to replace those schools with new charter schools, draining financial and personnel resources away from the long standing community school. I would urge the BPE to keep the charter school language where it is, as a variance any school district may apply for.

Given all of these proposed changes to Chapter 55, it seems to me that the ultimate goal of some political leaders is to break our system of public education over the next couple of years to pave the way to use public dollars for smaller, privately managed schools, which will have more ability to act independently of the BPE and their local school districts and less accountability to taxpayers. I think by undermining our public school system, these actions also negatively impact the communities these schools serve. Think about the implications of that. Here in Montana three-quarters of our schools are rural, and schools are often the nucleus of these communities. What happens to small communities when their schools are eroded by the very system that was supposed to support them? I'm unable to see how these actions are in the best interest of all of Montana's students nor the communities in which they live. I urge each of you to hold true to the board's mission to **"....maintain, and strengthen Montana's system of free quality public elementary and secondary schools"** as you carefully consider the proposed changes to Montana's public school accreditation standards in Chapter 55.

17. Page Ord Pebbe

I'm writing in regards to Montana OPI's Chapter 55 proposal to eliminate the school counselor to student ratio (which would mean that schools would no longer be required to have a school counselor). In the past few years with the pandemic it had been our kids who have arguably suffered the most. Many lost loved ones, care givers, support systems that were supposed to guide them through rough times and help navigate the early years. Many have also found themselves to be caught in the middle of many contentious battles between parents and schools. Making for confusing environments at both home and school. Elementary to high school years are hard and full of challenges in the best of times. To take away the option for kids to have a neutral ear and safe place for expression in the form of councilors, is more than a disservice to kids, it's cruel. There is no benefit to t Montana children to remove the councilors from school. The benefit may be in the budget, but in the end isn't the budgets main priority to serve the kids? Please keep councilors and their availability to kids in schools.

18. Rachel Meiers

Laurel, MT

I stand with parents, education stakeholders, school librarians, and counselors across Montana asking you to retain the current ratios of students to librarians and counselors. As you review suggested changes to Chapter 55, please do not fix what isn't broken. Counselors and librarians do important work for our students. It is work that must be done to ensure student well-being and academic achievement. Eliminating minimum ratios for these positions push more work onto teachers and paraprofessionals. Pushing more work onto teachers and paraprofessionals will only exacerbate the statewide teacher and staff shortage.

Thank you for retaining these important ratios in your review this November.

19. Cindy McCaffree

It is very important to keep the school counseling ratio! Eliminating the ratio of counselors to students would not be beneficial to all involved. Students need school counselors now more than ever! With all the isolation that COVID has caused and the economic status that we are enduring, mental health is a huge crisis among our students, WE NEED OUR COUNSELORS AND MORE OF THEM!

20. Kevin Black

I would like to express my concerns regarding the proposed changes to counselors, libraries, principals, and superintendent ratios. Minimum standards are critical components of school accreditation standards. I do support the work of the Quality Schools Task Force recommendations or leaving current ratios in place for counselors, libraries, principals, and superintendent.

Thank you for your consideration.

21. Maddie Hagenruber

I stand with parents, education stakeholders, school librarians, and counselors across Montana asking you to retain the current ratios of students to librarians and counselors. As you review suggested changes to Chapter 55, please do not fix what isn't broken. Counselors and librarians do important work for our

students. It is work that must be done to ensure student well-being and academic achievement. Eliminating minimum ratios for these positions push more work onto teachers and paraprofessionals. Pushing more work onto teachers and paraprofessionals will only exacerbate the statewide teacher and staff shortage.

Thank you for retaining these important ratios in your review this November.

22. Jessica Bond

I stand with parents, education stakeholders, school librarians, and counselors across Montana asking you to retain the current ratios of students to librarians and counselors. As you review suggested changes to Chapter 55, please do not fix what isn't broken. Counselors and librarians do important work for our students. It is work that must be done to ensure student well-being and academic achievement. Eliminating minimum ratios for these positions push more work onto teachers and paraprofessionals. Pushing more work onto teachers and paraprofessionals will only exacerbate the statewide teacher and staff shortage.

Thank you for retaining these important ratios in your review this November.



November 4, 2022

Montana Board of Public Education
46 N Last Chance Gulch, Suite 2B
PO Box 200601
Helena, MT 59620

Via email at bpe@mt.gov

Dear Members of the Board of Public Education:

Thank you for the opportunity to comment on the “Final Report of Proposed Amendments, Repeals, Transfers and New Rules to the Administrative Rules of Montana, Chapter 55, Standards of Accreditation” dated July 22, 2022. Following are comments from the MT Association of Gifted and Talented Education (MT AGATE).

10.55.601(4)(m)

We appreciate that the proposed integrated action plan calls out the need for the plan to specifically address gifted and talented education. When so many other items such as ‘strategies for family and community engagement’ are noted as separate items to be included in the integrated plan, what is the reason that gifted education is lumped into one section with special education and ELL? Surely, each of these important aspects of our educational system would warrant its own section in an integrated plan. Please consider revising this rule to require that gifted and talented education, special education and ELL are each covered under separate sections of the integrated plan.

10.55.602(2)

The addition of the words, “progression, growth and proficiency” is an improvement to the definition of ‘Assessment’. For gifted students who may start the school year ahead of their peers in certain subjects or across the board, it is important that they are provided the opportunity to progress and show growth.

10.55.602

Perhaps just some typos

(43) “Personalized learning” means to:

(a) develop individualized pathways for career and postsecondary educational opportunities that honors individual interests, passions, strengths, needs, and culture;

(b) support students (?) through relationships among teachers, family, peers, the business community, postsecondary education officials, and other community stakeholders;

I am curious as to why the business community is singled out for recognition as a stakeholder. It’s great when businesses support our schools as they often do, especially with contributions to extra-curricular activities. It just seems very odd to have them specifically include in the definition of personalized learning.

(44) “Postsecondary and workforce readiness” means the knowledge, skills, and dispositions that a student has attained prior to completing a high school program.

The definition provided for “Postsecondary and workforce readiness” doesn’t seem to address the ‘readiness’ part of this term. What if the “knowledge, skills and dispositions that a student has attained” do not leave them ‘ready’ for postsecondary education or the workforce? It seems that a definition of readiness would address the level of knowledge and skills that are needed to achieve readiness.

(46) "Professional Development" means adult learning that increases educator effectiveness and learning outcomes for all students.

The inclusion of the phrase "learning outcomes for all students" seems inappropriate in this definition. Isn't Professional Development sometimes targeted to specific groups of students? If PD is designed for gifted or special education and not designed to increase outcomes for all students, is it still considered Professional Development?

(47) "Proficiency-based learning" means systems of instruction, assessment, and academic reporting that are based on students demonstrating that they have learned the knowledge and skills as outlined in the state content standards.

We are happy to see this term defined with the hope that it will be employed more broadly. On a grammatical note, "learned the knowledge" doesn't seem like the best term that could be used here.

(51) "Pupil instruction" means the conduct of organized instruction of learning opportunities for pupils enrolled in public schools while under the supervision of a teacher.

Can pupil instruction only be delivered by a teacher? Aren't there times when another professional delivers content that would be considered "instruction".

Did the definition of "specialist" get moved to another chapter? If not, this definition should remain.

(59) "Stakeholders" means community members who are involved and invested in districts, schools, programs, and outcomes for students. Stakeholders include students, families, educators, leaders, business and community leaders, and the many partners who support them.

Who is "them"?

(61) "Student growth" means changes in student learning as measured from one point in time to another as determined by state or local measures, or both. The federal accountability system uses a growth model to demonstrate student learning across time as measured by statewide assessments.

It is unclear in this definition how this definition of 'Student growth' is related to the federal accountability system model. Clarification is needed.

(62) "Student performance standards" means minimum standards of a quality education, which the measures measurement of student performance proficiency on annual state level summative assessments and graduation rates used to determine the accreditation status of a school.

The wording of this definition is confusing. The term appears to be a noun but the definition refers to an action. Also, the meaning of the term 'performance proficiency' is unclear.

10.55.603(5)

(b) School districts shall use appropriate multiple measures and methods, including state-level achievement information obtained by administration of assessments pursuant to the requirements of ARM [10.56.101](#), to assess student **progress-growth and proficiency of in achieving** content standards and content-specific **grade-level-grade-band learning progressions in all program areas.**

The highlighted phrase doesn't quite seem to make sense. A similar construction is used in subpart (c) of this section and should probably be revised.

10.55.604 Removing charter schools from the variance section of the rule

We are concerned about the very spotty record that charter schools have had in other states. Some are successful and some have failed miserably leaving students and their families in very difficult situations. What evidence does OPI have that students and families will be protected with this change in the rule? What evidence is there that charter schools could operate successfully in our sparsely populated state without harming existing public schools? We would prefer there to be more evidence before the rule about charter schools is modified this drastically.

10.55.605 Categories of Accreditation

The reduction of the categories from 5 to 3 makes a lot of sense. The various levels of not meeting accreditation standards described in the existing rule likely did not add much value to the overall process. However, we are very concerned about identifying a category of 'accredited with distinction'. Schools in low socio-economic locations are not likely to ever meet this standard. Using such terminology runs the risk of some schools never measuring up to other schools. This could result in a stigma associated with schools that are not able to meet the 'distinction' standard.

In a similar vein, it seems odd that the proposed definition of 'Accredited' includes schools that have not actually met the standards. It would make more sense to have three categories;

1. Accredited – meets all standards
2. Accredited with minor deviations – using the definition proposed in subpart (2)
3. Accredited on probation – using the definition in subpart (3).

10.55.606 Accreditation Process

In keeping with the comments above, the language in subpart (6) regarding measures of student performance as part of the determination for 'Accredited with distinction' should be removed.

10.55.608 Charter School Application

To reiterate the comments made above, we don't agree with moving the charter school application from the variance process to its own section. Until or unless there is strong evidence to support the idea that charter schools can be successful and fully serve families without causing harm to existing public schools, we believe they should continue to be an exception to the rule.

10.55.704 and 705

We are concerned about local school boards being given so much decision-making authority around setting staffing levels for superintendents and principals. These decisions should be guided by best-practices, not volunteer elected officials who may or may not have much understanding of the important role these positions play in our schools and districts. Where is the evidence that the current ratios in ARM are not working?

10.55.709 and 710

We are also concerned about removing the ratios for librarians and counselors. While these staff members are important to all students, they are often particularly important for gifted students. With classroom teachers already stretched thin providing for the needs of students across the academic spectrum, staff members like librarians and counselors often provide additional resources that are needed for gifted students. Librarians assist gifted students by accessing more advanced materials from other libraries or provide resources for independent study that a teacher may not have in their classroom. It is not uncommon for schools to rely on counselors to provide differentiation, push-in or pull-out lessons, or other services for gifted students. We are concerned that a reduction in the number of staff in these positions could be detrimental to gifted students and their families.

10.55.712(5)

We are concerned about lowering the expectations around personnel in the classroom when maximum class sizes are exceeded. Replacing instruction aides with potentially untrained 'human resources' has the potential to do more harm than good. Teachers and students don't need just another human in the room under these conditions, they need trained personnel. It could be counterproductive to have untrained personnel in the classroom who are not well versed in classroom management, special education needs such as 504s and IEPs, and other unique student issues.

10.55.722 Family and Community Engagement

The aspirational goal of this proposed new rule is laudable. We fully support more resources for engaging families in the learning process. We often hear that families with gifted students feel isolated and unsure how to access services. However, some of the statements in the proposed rule are shockingly inaccurate. For example,

(1)(c)(ii) all families have the capacity to support their children's learning.

This is not a valid statement. In fact, it serves to erase the substantial challenges that too many families in our communities face as they struggle to access the most basic necessities of food clothing and shelter.

This proposed rule creates a large new responsibility without, apparently, any additional resources or funding. Has OPI determined the number of additional staff that will be needed to carry out this effort? Communication and engagement on the level described in this proposed rule is time consuming and, especially for larger school districts, requires professionals with certain skill sets. Simply adding these responsibilities to existing staff workload is unrealistic.

10.55.804 Gifted and Talented

We appreciate the added clarification in this section.

10.55.902 Basic Education Program Middle Grades

Middle/junior high school is a challenging time for many students. We know that gifted students thrive when they have access to course work that aligns with their interests and aptitude. This proposed rule appears to allow districts to reduce elective/exploratory offerings which has the potential to be detrimental to all students and may especially impact gifted students by reducing their options for challenging and engaging coursework.

10.55.904 Basic Education Program Offerings High School

The inclusion of civics/government and financial literacy is another great goal. It is not clear what will be given up in order to include these additional requirements. For example, what part of the existing social studies, math or CTE curriculum will no longer be taught in order to accommodate ½ a unit of economics or financial literacy?

10.55.905 Graduation Requirements

(1) As a minimum, a school district's requirements for graduation shall include a total of 20 units of study that **enable all students to meet** the content standards and content-specific **grade-level grade-band** learning progressions. **Students may demonstrate achievement through a flexible system of pupil-centered learning.**

The highlighted phrase above appears to have been inadvertently left out.

Since gifted students may not follow the same path as other students, we appreciate the proposed new language in this rule that appears to allow some flexibility in meeting graduation requirements.

Thank you for your time and your commitment to education in Montana. The work you all do is incredibly important.

Sincerely,



Julie A. Merritt
President of the Board
MT Association of Gifted and Talented Education
mtgifted@gmail.com

September 19, 2022

Dr. Jo Swain
4325 Lone Eagle Drive
Billings, Montana, 59106

Montana Board of Public Education
Board of Public Education
46 N Last Chance Gulch, Suite 2B
PO Box 200601
Helena, MT 59620

Ms. Madelyn Quinlan, Chair of Montana Board of Public Education:

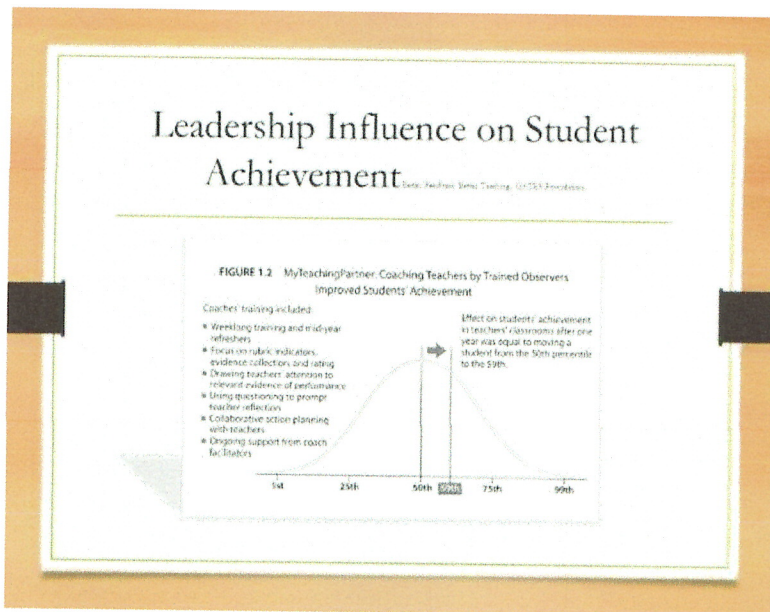
This letter is in response to Chapter 55 recommendations specifically pertaining to 10.55.701.

- (3) The local board of trustees shall have valid, written contracts with all regularly employed licensed administrative, supervisory, and teaching personnel.
- (4) The local board of trustees shall have written policies and procedures for regular and periodic evaluation of all regularly employed personnel. The individual evaluated shall have access to a copy of the evaluation instrument, the opportunity to respond in writing to the completed evaluation, and access to his or her files. Personnel files shall be confidential.
- (a) The evaluation system used by a school district for licensed staff shall, at a minimum:
- (i) be conducted on at least an annual basis with regard to non tenure staff and according to a regular schedule adopted by the district for all tenure staff;
 - (ii) be aligned with applicable district goals, standards of the Board of Public Education, and the district's mentorship and induction program required under ARM 10.55.701(5)(b);
 - (iii) identify what skill sets are to be evaluated;
 - (iv) include both formative and summative elements; and
 - (v) include an assessment of the educator's effectiveness in supporting every student in meeting rigorous learning goals through the performance of the educator's duties.
- (b) The Superintendent of Public Instruction shall develop and publish model evaluation instruments that comply with this rule in collaboration with the MEA-MFT, Montana Rural Education Association, Montana School Boards Association, School Administrators of Montana, and Montana Small School Alliance. A school district adopting and using one of the model instruments shall be construed to have complied with this rule, though use of one of the models shall not be required provided that the district's evaluation instrument and process substantially conforms to the requirements set forth in this section.

Several of my professional educational opportunities have been connected to either SOPPAS (Schools of Promise Performance Appraisal System) or Montana EPAS (Educator Performance Appraisal System). While I somewhat understand the OPI's philosophical shift to local control decisions, the need for a state level position is absolutely necessary. Currently, Montana school districts are afforded to already make a local control decision by either selecting the district's current evaluation process toward alignment of MT. EPAS, adoption in its entirety, or simply adapting the school district's process to meet the Educator Performance Appraisal System model. The creation of this model was completed through collaborative efforts by all parties cited at

the end of 4 (b), MEA-MFT, MREA, MSBA, SAM and MSSA. The need for an accreditation standard of this nature, was not intended to overrule local processes and procedures rather to provide guidance for school districts across

the state to provide invaluable guidance toward a paradigm shift to a professional growth model rather than a “value-added model,” which many other states have chosen as the key model of implementation.



If the Montana BPE affirms OPI's recommendation to eliminate in its entirety the foundational premise of

implementing a professional growth model in the state of Montana, it will leave Montana boards of trustees and district leaders without a unified understanding of best practice in this area. Additionally, it will leave a void in state support for educators across the state attempting to enhance and improve current teacher evaluation systems within a given school district. The national conversation on this topic began with Race to the Top legislation designed to greatly improve the standard of teacher evaluation systems in all states. Thanks to then Deputy Superintendent Dennis Parmen and his team, Montana was fortunate to receive School Improvement Funds supporting our local initiatives within the state. Significant strides were made in this regard. Following my most recent assignment from Rocky Mountain College as a co-creator of the Master of Educational Leadership program, I have made it

my final mission to support school leaders across Montana to enhance their overall knowledge, competence, and confidence in providing a professional growth model to all members of their faculty. Research indicates leaders who support ongoing job-embedded professional growth over time, will improve student learning (Better Feedback for Better Teaching, GATES Foundation). I have had the distinct privilege of working with over 150 school leaders across the state to enhance current instructional leadership skills.

Recent communication with Dr. Kirk Miller, SAM, indicated an increased level of interest in teacher observation and evaluation processes, due in part to MT. EPAS. This is based on a SAM professional needs survey ranking this topic within the top 5.

Additionally, I have been working with Allyson Briese, OPI Learning Hub, to increase self-paced, free, online learning opportunities to educators across the state to better understand the foundational premise behind a professional growth model. My concern with the elimination of MT. EPAS will eliminate any requirement to implement a professional growth model, which is a proven model for increasing student achievement.

Current OPI recommendations indicated on ARM Chapter 55 Update, page 23,10.55.701 (5)(b) are slated to be eliminated. I believe this is the exact opposite of the language noted below:

ARM 55, Subchapter 7, Leadership

Aligning professional development to the comprehensive district strategies that improve learning outcomes is vital to each student developing their full educational potential.

This recommended language was stated in the ARM Chapter 55, Update, included as part of the August 24, 2022 Q & A afforded to Education Advocates.

The alignment of job-embedded professional development is directly correlated to the importance of implementing a professional growth model for all staff. Without this connection, schools may continue to rely on counter strategies not aligned to any teacher observation and evaluation model.

I had the opportunity to join the August 24, 2022 Q and A session offered by Dr. Murgel and her team. In trying to better understand the “independent negotiated rulemaking committee,” I attempted to engage in follow-up

conversations with the OPI. Since Dr. Murgel was leading the Q & A session, I sent my questions and concerns to her. I have copied the text of this email for your review. As of this letter, I have not heard from any representative from the OPI.

Dr. Murgel,

As a follow-up to our Q and A this morning, I support the OPI's narrative about local control. In my time working with veteran and aspiring leaders, this philosophy has been equally supported through the collective bargaining process, which drives language for staff evaluation. Having served as an elementary principal, central office executive director supervising elementary principals, and finally superintendent, my perceptions surrounding this topic are summarized below:

1) The OPI's work in elevating all educator evaluation processes/systems through MT. EPAS has occurred. There are more district and school-level conversations supporting the need to implement quality teacher evaluation processes.

2) Research (*Measures of Effective Teaching Study, Gates Foundation*) supports the philosophical need to revise, update, and enhance outdated teacher evaluation processes currently in place today. MET Study is one of the hundreds supporting this concern.

3) By eliminating any language in 10.55.701.4 it suggests the OPI is conceding any and all support in assisting schools in developing and implementing high-quality, coherent evaluation systems. The reference today about outdated principal evaluation tools and resources demonstrates a testament to this thinking.

4) Some value-added evaluation systems rely on state support in acquiring and utilizing data to measure teacher performance. Montana has reflected quite well the need for a professional growth model paradigm shift. I am thinking the question of value-added or a professional growth model is left up to each individual district through the CBA process, with no support at the OPI level.

5) Through other state offices, i.e. Delaware (DPASII was the precursor to SOPPAS and EPAS), Massachusetts, and Rhode Island to name a few, have provided incredible resources and support focused on updated evaluation practices and procedures for all educators, evaluators, and staff.

6) I have recently completed the development of three Learning Hub courses, in review, supporting updated practices and procedures focused on teacher evaluation, not just MT. EPAS. Will the evaluation topic be supported by the OPI? If so, through Learning Hub and what other avenues?

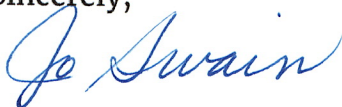
I am eager to offer an updated understanding of this topic as well as follow it through BPE stages. I would hope Montana schools would be offered support in resources, training, and materials on this all-important topic.

Thanks for your time. I look forward to your response.

Jo

As a retired educator in the state of Montana, I am extremely interested in this topic in support of all instructional leaders who dedicate each and every day to the overall improvement of student learning. I look forward to continued dialogue regarding this topic.

Sincerely,



Dr. Jo Swain

Retired Administrator
Billings Public Schools