

**BOARD OF PUBLIC EDUCATION**  
**MEETING AGENDA**

Friday, January 20<sup>th</sup>, 2012

Montana State Capitol  
Room 152  
Helena, MT

**Friday, January 20<sup>th</sup>, 2012**  
**8:00 AM**

**CALL TO ORDER**

- A. Pledge of Allegiance
- B. Roll Call
- C. Statement of Public Participation
- D. Welcome Visitors

**PUBLIC COMMENT**

**CONSENT AGENDA**

- A. Correspondence
- B. November 3-4, 2011 Minutes
- C. Financials

**ADOPT AGENDA**

**INFORMATION**

❖ **REPORTS – Patty Myers (Item 1)**

Item 1                    **CHAIRPERSON’S REPORT**  
Patty Myers

**BOARD OF PUBLIC EDUCATION APPEARANCES**  
Patty Myers

❖ **CSPAC LIASON – Sharon Carroll (Item 2)**

Item 2                    **EXECUTIVE SECRETARY/CSPAC REPORT**  
Peter Donovan

❖ **REPORTS – Patty Myers (Items 3-6)**

Item 3                    **STATE SUPERINTENDENT’S REPORT**  
State Superintendent Denise Juneau

Item 4                    **COMMISSIONER OF HIGHER EDUCATION’S REPORT**  
Commissioner Sheila Stearns

Item 5                    **GOVERNOR'S OFFICE REPORT**  
Dan Villa

Item 6                    **STUDENT REPRESENTATIVE'S REPORT**  
Holly Capp

## **DISCUSSION**

❖ **MACIE LIASION – Doug Cordier (Item 7)**

Item 7                    **MACIE UPDATE – Norma Bixby**

❖ **EXECUTIVE COMMITTEE – Patty Myers (Items 8-10)**

Item 8                    **FEDERAL UPDATE**  
Assistant Superintendent Nancy Coopersmith

Item 9                    **TRANSPORTATION ANNUAL REPORT**  
Denise Ulberg

Item 10                  **SCHOOL NUTRITION ANNUAL REPORT**  
Christine Emerson

❖ **ACCREDITATION COMMITTEE – John Edwards (Items 11-15)**

Item 11                  **DISCUSSION OF NEW PROGRAM – BROADFIELD SCIENCE – ROCKY MOUNTAIN COLLEGE**  
Dr. Linda Peterson

Item 12                  **2010-11 ACCREDITATION DEFICIENCY FOLLOW-UP REPORT**  
Teri Wing

Item 13                  **FIVE-YEAR ACCREDITATION HISTORY OF MONTANA DEPARTMENT OF CORRECTION STATE FUNDED SCHOOLS**  
Teri Wing

Item 14                  **CHAPTER 54 CONTENT STANDARDS REVIEW REPORT**  
Dr. Linda Peterson, Kristen Crawford, TJ Eyer

## **ACTION**

Item 15                  **ADOPTION OF AMENDMENT TO ARM 10.55.909, STUDENT RECORDS**  
Madalyn Quinlan

❖ **LICENSURE COMMITTEE – Sharon Carroll (Items 16-17)**

Item 16                  **RECOMMEND APPROVAL ON AMENDMENTS TO LICENSED EDUCATOR DISCIPLINE HEARING RULES 10.57.601-10.57.611**  
Elizabeth Keller





# Montana High School Association

1 South Dakota Avenue ♦ Helena, MT 59601 ♦ (406) 442-6010 ♦ Fax: (406) 442-8250 ♦ www.mhsa.org

November 15, 2011

Pete Donovan  
Board of Public Education  
PO Box 200601  
Helena, MT 59601

Dear Pete:

On behalf of the MHSA membership, I want to extend a personal invitation to you or to someone from your agency to attend the MHSA Executive Board Meeting on November 21-22, 2011. The meeting of the Executive Board will be conducted at the MHSA office at 1 South Dakota Avenue in Helena beginning at 8:30 a.m. on Monday, November 21.

The major agenda items include:

- Approval of proposed 2012-13 budget.
- Review of any proposals to be submitted to the membership at the Annual Meeting.
- Action on any rules and regulations proposals from member schools.
- Plans for the MHSA Annual Meeting.
- Action on Meritorious Service, Service Citation and Mildred Adams Award Nominations.

If you have items at any time which you would like the MHSA Executive Board to discuss, please don't hesitate to contact me.

Sincerely,

A handwritten signature in black ink that reads 'Mark'.

Mark Beckman  
Executive Director

/jpa



# Board of Public Education

PO Box 200601  
Helena, Montana 59620-0601  
(406) 444-6576  
www.bpe.mt.gov

November 21, 2011

## BOARD MEMBERS

### APPOINTED MEMBERS:

Patty Myers - Chair  
Great Falls

Sharon Carroll - Vice Chair  
Ekalaka

Erin Williams  
Missoula

Lila Taylor  
Busby

Bernie Olson  
Lakeside

John Edwards  
Billings

Doug Cordier  
Columbia Falls

Holly Capp, Student Rep.  
Great Falls

### EX OFFICIO MEMBERS:

Sheila Stearns, Ed.D.  
Commissioner of  
Higher Education

Denise Juneau,  
Superintendent of  
Public Instruction

Brian Schweitzer, Governor

### EXECUTIVE SECRETARY:

Pete Donovan

Michelle Mitchell, Chair  
Montana Indian Education Association  
PO Box 81192  
Billings MT 59108

Dear Michelle,

Enclosed please find the Notice of Adoption of the Common Core Content Standards for Math and Mathematical Practices and for English Language Arts and Literacy. The Common Core Standards were adopted by the Board of Public Education at their last meeting on November 4, 2011. These notices are being sent to you due to your comments in support of the adoption of the Common Core Standards.

Please contact our office with any comments, questions, or concerns you may have.

The Board thanks you for your comments.

Sincerely,

A handwritten signature in cursive script that reads "Pete Donovan".

Pete Donovan  
Executive Secretary  
Board of Public Education

Encl.

Cc: Robert Bayuk, MASBO



# Board of Public Education

November 30, 2011

PO Box 200601  
Helena, Montana 59620-0601  
(406) 444-6576  
www.bpe.mt.gov

## BOARD MEMBERS

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Great Falls

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Commissioner of  
Higher Education

Denise Juneau,  
Superintendent of  
Public Instruction

Brian Schweitzer, Governor

## EXECUTIVE SECRETARY:

Pete Donovan

The Honorable Denise Juneau  
Superintendent of Public Instruction  
P.O. Box 202501  
Helena MT 59620-2501

Dear Superintendent Juneau:

The Montana Board of Public Education is pleased to provide this letter of support for Montana's IES State Longitudinal Data Systems grant from the U.S. Department of Education.

The Board appreciates the ongoing efforts of the Office of Public Instruction to build a statewide longitudinal data system for K-12 education. Already, we have seen the benefit of having student level data to support the Graduation Matters Montana initiative and our state's effort to close the achievement gap for subgroups of students.

The objectives of this grant address the Shared Policy Goals agreed upon by the Education and Local Government Committee, the Board of Public Education, the Board of Regents, the Commissioner of Higher Education and the Superintendent of Public Instruction. These goals reflect a shared commitment to align high school outcomes with college readiness expectations to facilitate the transition from high school to college; increase college participation of Montana high school graduates; expanding distance learning opportunities; and utilize K-20 data to improve student access and achievement.

We appreciate your leadership in building effective working relationships between K-12 education and postsecondary. The proposed rule, which is scheduled for adoption by the Board of Public Education in January 2012, to require the statewide student identifier to be included in a student's permanent record and transcript is a small step, but it will help to lay the groundwork for the successful development of electronic student transcripts from K-12 to postsecondary. The Board of Public Education recognizes the value of linking data about student course taking patterns; teacher preparation, qualifications and experience; transitions from high school to postsecondary; and success in college and the workforce.

Thank you for applying for this grant opportunity.

Sincerely,

Handwritten signature of Patty Myers in cursive.  
Patty Myers  
Chair

Handwritten signature of Pete Donovan in cursive.  
Pete Donovan  
Executive Secretary



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Commissioner of  
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Denise Juneau,  
Superintendent of  
Public Instruction

Brian Schweitzer, Governor

### EXECUTIVE SECRETARY:

Pete Donovan

December 21, 2011

Ms. Laura Trapp  
555 S Roberts St  
Helena MT 59601

Dear Ms. Trapp,

On behalf of the Board of Public Education, we would like to congratulate you for earning the distinction of becoming a National Board Certified Teacher. Successful completion of this rigorous process provides important recognition for the skills you have developed and demonstrated as an effective classroom teacher.

Thank you for your ongoing dedication and commitment to our Montana students and to the teaching profession.

Sincerely,

Handwritten signature of Patty Myers in cursive.

Patty Myers  
Chairwoman

Handwritten signature of Pete Donovan in cursive.

Peter Donovan  
Executive Secretary



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December 21, 2011

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Denise Juneau,  
Superintendent of  
Public Instruction

Brian Schweitzer, Governor

## EXECUTIVE SECRETARY:

Pete Donovan

Ms. Jeanne Morigeau  
1120 Yuri Rd  
Helena MT 59601

Dear Ms. Morigeau,

On behalf of the Board of Public Education, we would like to congratulate you for earning the distinction of becoming a National Board Certified Teacher. Successful completion of this rigorous process provides important recognition for the skills you have developed and demonstrated as an effective classroom teacher.

Thank you for your ongoing dedication and commitment to our Montana students and to the teaching profession.

Sincerely,

A handwritten signature in cursive script that reads "Patty Myers".

Patty Myers  
Chairwoman

A handwritten signature in cursive script that reads "Peter Donovan".

Peter Donovan  
Executive Secretary



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Brian Schweitzer, Governor

### EXECUTIVE SECRETARY:

Pete Donovan

December 21, 2011

Ms. Mary Lyndes  
202 Westview Dr  
Missoula MT 59803

Dear Ms. Lyndes,

On behalf of the Board of Public Education, we would like to congratulate you for earning the distinction of becoming a National Board Certified Teacher. Successful completion of this rigorous process provides important recognition for the skills you have developed and demonstrated as an effective classroom teacher.

Thank you for your ongoing dedication and commitment to our Montana students and to the teaching profession.

Sincerely,

A handwritten signature in cursive script that reads "Patty Myers".

Patty Myers  
Chairwoman

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Peter Donovan  
Executive Secretary



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Brian Schweitzer, Governor

### EXECUTIVE SECRETARY:

Pete Donovan

December 21, 2011

Ms. Jennifer Lovering  
PO BOX 2503  
Columbia Falls MT 59912

Dear Ms. Lovering,

On behalf of the Board of Public Education, we would like to congratulate you for earning the distinction of becoming a National Board Certified Teacher. Successful completion of this rigorous process provides important recognition for the skills you have developed and demonstrated as an effective classroom teacher.

Thank you for your ongoing dedication and commitment to our Montana students and to the teaching profession.

Sincerely,

Handwritten signature of Patty Myers in cursive.

Patty Myers  
Chairwoman

Handwritten signature of Peter Donovan in cursive.

Peter Donovan  
Executive Secretary



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Brian Schweitzer, Governor

### EXECUTIVE SECRETARY:

Pete Donovan

December 21, 2011

Ms. Amy Konen  
3213 17th Ave S  
Great Falls MT 59401

Dear Ms. Konen,

On behalf of the Board of Public Education, we would like to congratulate you for earning the distinction of becoming a National Board Certified Teacher. Successful completion of this rigorous process provides important recognition for the skills you have developed and demonstrated as an effective classroom teacher.

Thank you for your ongoing dedication and commitment to our Montana students and to the teaching profession.

Sincerely,

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Patty Myers  
Chairwoman

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Peter Donovan  
Executive Secretary



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Superintendent of  
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Brian Schweitzer, Governor

### EXECUTIVE SECRETARY:

Pete Donovan

December 21, 2011

Ms. Kory Johnston  
5114 Pintlar Mountain Ct  
Missoula MT 59803

Dear Ms. Johnston,

On behalf of the Board of Public Education, we would like to congratulate you for earning the distinction of becoming a National Board Certified Teacher. Successful completion of this rigorous process provides important recognition for the skills you have developed and demonstrated as an effective classroom teacher.

Thank you for your ongoing dedication and commitment to our Montana students and to the teaching profession.

Sincerely,

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Peter Donovan  
Executive Secretary



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Superintendent of  
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Brian Schweitzer, Governor

### EXECUTIVE SECRETARY:

Pete Donovan

December 21, 2011

Mr. Thomas Cabbage  
2814 3rd Ave N  
Great Falls MT 59401

Dear Mr. Cabbage,

On behalf of the Board of Public Education, we would like to congratulate you for earning the distinction of becoming a National Board Certified Teacher. Successful completion of this rigorous process provides important recognition for the skills you have developed and demonstrated as an effective classroom teacher.

Thank you for your ongoing dedication and commitment to our Montana students and to the teaching profession.

Sincerely,

A handwritten signature in cursive script that reads "Patty Myers".

Patty Myers  
Chairwoman

A handwritten signature in cursive script that reads "Peter Donovan".

Peter Donovan  
Executive Secretary



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Superintendent of  
Public Instruction

Brian Schweitzer, Governor

### EXECUTIVE SECRETARY:

Pete Donovan

December 21, 2011

Ms. Susan Crocker  
1450 2nd Ave N  
Great Falls MT 59401

Dear Ms. Crocker,

On behalf of the Board of Public Education, we would like to congratulate you for earning the distinction of becoming a National Board Certified Teacher. Successful completion of this rigorous process provides important recognition for the skills you have developed and demonstrated as an effective classroom teacher.

Thank you for your ongoing dedication and commitment to our Montana students and to the teaching profession.

Sincerely,

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Patty Myers  
Chairwoman

Handwritten signature of Pete Donovan in cursive.

Peter Donovan  
Executive Secretary



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Denise Juneau,  
Superintendent of  
Public Instruction

Brian Schweitzer, Governor

### EXECUTIVE SECRETARY:

Pete Donovan

December 21, 2011

Ms. Krista Boutilier  
PO BOX 6234  
Helena MT 59604

Dear Ms. Boutilier,

On behalf of the Board of Public Education, we would like to congratulate you for earning the distinction of becoming a National Board Certified Teacher. Successful completion of this rigorous process provides important recognition for the skills you have developed and demonstrated as an effective classroom teacher.

Thank you for your ongoing dedication and commitment to our Montana students and to the teaching profession.

Sincerely,

A handwritten signature in cursive script that reads "Patty Myers".

Patty Myers  
Chairwoman

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Peter Donovan  
Executive Secretary

# **BOARD OF PUBLIC EDUCATION** **MEETING MINUTES**

**November 3-4, 2011**

**Montana State Capitol  
Room 152  
Helena MT**

**November 3, 2011 - Thursday**  
**8:30 AM**

## **CALL TO ORDER**

Chairperson Patty Myers called the meeting to order at 8:35 AM and led the group in the Pledge of Allegiance. Ms. Kris Stockton took roll call; a quorum was noted. Ms. Patty Myers read the Statement of Public Participation.

## **PUBLIC COMMENT**

No public comment.

## **CONSENT AGENDA**

Ms. Myers asked that the September Minutes be pulled for two corrections to be made to the minutes per Mr. Cordier and Ms. Carroll. The corrections were noted and Ms. Stockton will correct them upon return to the office.

**Ms. Sharon Carroll moved to approve the minutes as corrected. Ms. Lila Taylor seconded.**  
**No discussion. Motion passed unanimously.**

## **ADOPT AGENDA**

**Mr. Bernie Olson moved: to approve the agenda as amended. Ms. John Edwards**  
**seconded.**  
**No discussion. Motion passed unanimously.**

Those in attendance included the following Board members: Chair Ms. Patty Myers, Vice Chair Ms. Sharon Carroll, Mr. Bernie Olson, Ms. Lila Taylor, Mr. Doug Cordier, Mr. John Edwards, and Student Representative Ms. Holly Capp. Staff present included: Mr. Peter Donovan, Executive Secretary Board of Public Education/Administrative Officer, Certification Standards and Practices Advisory Council; and Ms. Kris Stockton, Administrative Assistant, Board of Public Education. Ex-officio members present included: State Superintendent, Denise Juneau and Brandi Foster, Director of American Indian and Minority Achievement represented Commissioner Sheila Stearns. Visitors in attendance included: Dr. Linda Vrooman Peterson, Accreditation Division Administrator, OPI; Mr. Dennis Parman, Deputy Superintendent, OPI; Karen Kaufmann, School of Theatre & Dance – University of Montana; Nancy Coopersmith, Deputy Superintendent, OPI; Representative Jean Price, Education & Local Government Committee, Great Falls; Michael Hall, OPI; Barbara Vail, Rocky Mountain College; Jean Howard, OPI; Cynthia Green, OPI; Rob Miller, Legislative Fiscal Division; Nancy Hall, Governor's Office; Madalyn Quinlan, OPI; Teri Wing, OPI.

## **INFORMATION**

### **Item 1**

#### **CHAIRPERSON'S REPORT - Patty Myers**

- August 31, 2011 – BPE Administrative Assistant Interviews

- Sept 8-9, 2011 – BPE Meeting
- Sept 12-14 – Chapter 55 Task Force Leadership Team
- Sept 12, 2011 – MSDB Foundation Meeting – phone
- Oct 6-7, 2011 – A Day With the Board of Public Education @ MSU-Bozeman
- Oct 11 – 13, 2011 Chapter 55 Task Force Leadership Team
- Oct 11, 2011 Meeting w/Superintendent Juneau re: Education Waivers
- Oct 13, 2011 – Meeting w/Nancy Hall regarding BPE Budget
- Oct 20, 2011 – Teacher of the Year Celebration
- Oct, 21, 2011 – MEA-MFT Conference Presentation
- Oct 27, 2011 – MSDB Board Meeting - Phone

## **BOARD OF PUBLIC EDUCATION APPEARANCES**

### **Sharon Carroll**

- Sept 8-9, 2011 BPE Meeting
- Oct 6, 2011 – MACSS
- Oct 7, 2011 A Day With the Board of Public Education @ MSU-Bozeman
- Oct 20, 2011 Teacher of the Year Celebration
- Oct, 21, 2011 MEA-MFT Conference Presentation
- Oct 27, 2011 MSDB Board Meeting - Phone

### **Bernie Olson**

- Sept 8-9, 2011 BPE Meeting
- Oct 27, 2011 – MSDB Board Meeting - Phone

### **Lila Taylor**

- Sept 8-9, 2011 BPE Meeting
- Oct 27, 2011 – MSDB Board Meeting - Phone

### **Doug Cordier**

- Sept 8-9, 2011 BPE Meeting

### **Erin Williams**

- Sept 8-9, 2011 BPE Meeting

Ms. Myers reported that she has been working with Mr. Donovan on the staff changes in the Board of Public Education office now that only Mr. Donovan and Ms. Stockton are staffing the office. She also reported she has been busy working on the Chapter 55 Task Force and passed out the Board appearances calendar for updates.

8:45 Nancy Hall arrived

Ms. Myers gave an update on the “Day with the Board of Public Education” that she, Mr. Donovan, and Ms. Carroll spent on the campus at MSU Bozeman Oct 6-7, 2011. Oct 6<sup>th</sup> included a dinner at the home of Dr. Larry Baker where the group discussed current issues and visited with one another. Friday October 7<sup>th</sup> the group met at the School of Education where they met with faculty and 15 or so education students from the Computer and Agriculture Technology programs. Ms. Myers commented how much she enjoyed the students and how much they knew about Common Core and that they asked good questions relating to Common Core and the need for appropriate use of technology. From there the group moved to speaking with one of the technology instructors and discussed with the instructor the distance learning program and a new web page for distance students. The group had lunch with the Department of Education faculty and then met with Dr. Jane Downey and Dr. Joanne Erickson and discussed the Education Leadership program. Their day was finished at approximately 2:00. Ms. Myers

talked about how meeting and talking with the students was her favorite part of the trip and commented again on how informed they were. Ms. Myers also discussed several appearances she has made at the Montana School for the Deaf and Blind concerning some grievances filed against the school and that the first full Board meeting for the MSDB was held on October 27<sup>th</sup>.

**Item 2                    Executive Secretary/CSPAC Report – Peter Donovan**

Mr. Donovan updated the Board on some recent CSPAC appearances including the September 16, 2011 appearance of 3 CSPAC members before the Interim Education and Local Government Committee (ELG) in compliance with recent legislation requiring all Advisory Councils to appear before the ELG and explain their role. Mr. Donovan noted that final recommendations from the ELG will not be made until all advisory councils have appeared. On September 30<sup>th</sup>, 2011 the Education Forum was held in Helena and was very well attended. Superintendent Juneau spoke at the Forum and Mr. Donovan noted there were many good presentations from the field of education including presentations from the Commissioner of Higher Education's office and teacher candidates from the University of Montana. Mr. Donovan reported that he served on the selection committee for the Teacher of the Year and that he attended the Teacher of the Year Celebration at the Hilton Garden Inn in Missoula in conjunction with the MEA-MFT Annual Conference. Mr. Donovan added that he, Ms. Myers, Ms. Carroll, and Ms. Capp also attended the conference. CSPAC held their joint meeting with the Council of Deans of Education Oct 27-28<sup>th</sup>, 2011 on the campus at MSU-Bozeman and that was very successful. The updates to the Montana Educator Code of Ethics were discussed and Mr. Donovan noted they will be adopted at the next CSPAC meeting in January 2012. Board member Williams has contacted Mr. Donovan regarding the education programs at Pine Hills Academy and Riverside Academy in reference to some concerns she has about their programs. Mr. Donovan noted this will be a future agenda item for the Board. Mr. Donovan updated the Board on an email he received from a former Student Rep on the Board and that she is now living in Cairo Egypt. Mr. Cordier asked about the recent meeting regarding fiscal implications of the Common Core with Mr. Rob Miller, Ms. Nancy Coopersmith, and Ms. Madalyn Quinlan. Mr. Donovan explained that the meeting was to discuss the fiscal impact of the new ARM rules with the Legislative Fiscal Division and the OPI. He indicated there will be more discussion to follow in Item 11. Ms. Carroll noted that the hearing for the new Common Core standards for Math and English were held on October 24<sup>th</sup>, 2011 and added the presentation at the MEA-MFT conference which was a combined presentation with the OPI, OCHE, and BPE had more attendees than in previous years. Mr. Donovan noted he counted 51 attendees at the presentation not including staff. Ms. Myers discussed the questions they received from teachers in the audience of "What have you folks done to make my classroom better?" Ms. Myers emphasized the need to make public what it is the Board does; there is a real need for better awareness. Ms. Carroll noted more Board appearances may help bring more awareness. Mr. Donovan added in closing that he would like to thank the OPI, especially Ms. Nancy Coopersmith and Dr. Linda Peterson, and Ms. Stockton, for everything they have done to assist the Board.

**ASSESSMENT**

9:17 Representative Jean Price arrived.

**Item 3                    REQUEST FOR APPROVAL OF AREA OF SPECIAL COMPETENCY IN DANCE – Dr. Karen Kaufmann, University of Montana School of Theatre and Dance**

Mr. Donovan briefly updated the Board on the Areas of Special Competency – instructors must have 20 semester hours in 1 area approved by the Board, for example: Early Childhood Education, Gifted and Talented, Teacher Mentor. Dr. Karen Kaufmann of the University of Montana has requested approval for a new Area of Special Competency in Dance. Mr. Donovan then turned it over to Dr. Kaufmann. Dr. Kaufmann noted that there is a difference in opening a dance studio vs. teaching dance in a regular K-12 class setting. The proposal for an Area of Special Competency in Dance will be paired with a minor in Dance with a specialty in Education Minor, as approved by the Board last March. The Montana State Standards for Arts were approved in 1994 but without any teacher competency. Dr. Kaufmann described the fact that dance is a natural movement for young children and there is a need to incorporate dance into

learning. Movement activates the right brain, which is important in learning. Dance helps to activate the “whole” learning process. Today’s classrooms are not “dance friendly” classrooms; they are “seated learning” classrooms. Dr. Kaufmann pointed out that when students are able to learn with their entire body amazing things happen. Research shows that physically active people are better learners. Dance teaches students with different learning styles and helps with concentration and memory. One has to really concentrate and think to remember the dance steps and the process. Dance is an important element in the recall process. The practice and repetition helps with abstract thinking. Dance is social, active, and important in obesity prevention. Dance provides a balance for students these days who are constantly “plugged in”. Problem learners often have trouble sitting still in a normal classroom setting because they are “body learners” and today’s classroom is designed for “technical learners”. Dance is a kinesthetic learning process – like riding a bike, once you learn how, you never forget. Dr. Kaufmann discussed a pilot program she launched in the Arlee school district using creative movement to teach math. The program saw student improvement in the areas of comprehension, leadership, and in the participation of the students. The teachers in Arlee requested to use it in their classes. Dr. Kaufmann showed a list of Missoula schools that were also using the Dance program in the classroom and showed examples of how dance is being incorporated at all levels from elementary to high school. Dr. Kaufmann noted that it takes some courage for teachers to come forward to learn dance movements and incorporate them into their classroom. Assessments are currently being developed for learning. Dr. Kaufmann emphasized there are not drawbacks, no cost, and no force on the principal to hire a specific dance teacher, but that a teacher with the Special Competency would be considered a “highly qualified” teacher. 37 states have Dance teacher certifications and she showed a map of the different states with a variety of dance and theatre certifications. Studies have shown that dance/arts improve graduation rates, prepare students for employment, create new opportunities, and raises experiences for children. Dr. Kaufmann discussed the background work that has been done already with the Board, OPI, OCHE, and that CSPAC approved the proposal for Dance as an Area of Special Competency for K-12 certification at their July meeting. Ms. Carroll called for questions and pointed out again that student’s would have to obtain 20 credits in this area to receive the Area of Special Competency (ASPC). Superintendent Juneau asked OPI staff present if there was any way to track that student’s receiving this ASPC were actually using it in their school, and it was indicated it is difficult to track. Dr. Kaufmann added that she has data from the Arlee School project of student test scores before the project, during, and after. The question was asked of Dr. Kaufmann if these student’s are Education majors that would be receiving this ASPC and she indicated that they are. Ms. Carroll asked why all the data was only in Western Montana. Dr. Kaufmann answered that it is because UM is in Missoula and that is where the current data is pulled from, however she is working on plans and with schools to extend pilot programs to schools across the state. Superintendent Juneau asked Dr. Linda Peterson if the licensure system can track the area of competency. Dr. Peterson answered that the current system cannot, but that the new system scheduled to be in place this spring would make tracking easier. A discussion ensued amongst Board members on how tracking could be done.

Break from 9:48 – 10:06

Ms. Myers paused for a moment to introduce Representative Jean Price from Great Falls representing the Interim Education and Local Government Committee. Ms. Myers explained that she and Rep. Price are longtime friends and that Rep. Price is a former educator from Great Falls and a “friend” of education on the ELG Committee.

#### **Item 4 State Superintendent Report – Ms. Denise Juneau**

Ms. Juneau began by stating that the Nations Report Card just came out and that Montana scored high on the report, once again. She explained this is the only national test available to rate schools. The 8<sup>th</sup> grade reading scores in Montana shared the top score with 8 other states. Ms. Juneau continued her update by saying that in the 2011 Legislative session, Assistant Superintendent Julia Dilly made a budget request to pay for all high school juniors in the state to have the ACT test paid for to ensure 100% participation. Although the Legislature denied the request, the funding was written into the GEAR UP

Grant proposal and accepted. This year will be a pilot program with an ARM rule likely later this spring with implementation for fall 2012. There is some tension with the MUSWA program due to the fact that the test is the ACT Plus Writing test. Discussions are taking place to see how the two programs can work together. Superintendent Juneau discussed Graduation Matters Montana – all 7 AA districts have signed on, Broadwater High School has recently signed on, GEAR UP is now on board and Livingston launched their GMM on November 2, 2011. Nominations are being taken for the Superintendent's Student Advisory Board with 25 slots available. Superintendent Juneau has been traveling the state giving out the National Board checks to recipient teachers. Mr. Olson asked the Superintendent in regards to the ACT how many other states have 100% of their juniors taking the test for a comparison. A 100% comparison can only be done with other states that have 100% participation or the numbers are not the same. Superintendent Juneau indicated that is true and OPI knows initially state scores will drop, but good data can still be found and she is confident in time the scores will improve. She noted that Washington, Colorado, and Wyoming are some regional states that have 100% ACT participation for high school juniors. The question was asked if the MUSWA would be dropped if the ACT plus Writing is used 100% for all students. Superintendent Juneau answered that MUSWA discussions are in place currently to discuss the issue and that the Board of Regents will have the final say on the outcome. Ms. Carroll added that MUSWA is slightly different because the test is given in the classroom during the school week rather than on a weekend like the ACT is, however it was noted by the Superintendent that if the Board approves the ARM rule when presented, it would be written in rule that the ACT plus Writing test would be given during class time.

**Item 5                    Commissioner of Higher Education Report – Ms. Brandi Foster, Director of American Indian and Minority Achievement Grant**

Ms. Brandi Foster from the Commissioner of Higher Education Office introduced herself as the new Director of American Indian and Minority Achievement and gave a brief background of herself. Ms. Foster expressed appreciation of the Superintendent's concern of the MUSWA and for opening discussions regarding MUSWA and ACT Plus Writing for student assessments. She indicated there are other collaborations with public education and recognizing the similarities between K-12 and 13-20 Higher Education. One of the ways Higher Education is reaching out to K-12 is through the Dual Credit program and Indian Education for All. Ms. Foster reported that GEAR UP received the \$20 million grant they applied for which will help fund the ACT plus Writing for all high school juniors. The College Now program is focusing on the 2 year schools and the Dual Credit program with the high schools and the teacher requirements needed to teach those Dual Credit courses. Ms. Foster briefly updated the Board on the success of the Transferability Initiative also helping to ensure student success. Ms. Taylor commented on how pleased she is with the success of the Transferability Initiative and the ongoing need for it to ensure student success. Mr. Edwards commented that one of his employees was recently telling him how pleased she was with the ability she had to transfer credits from MSU Billings online to UM online and how well it worked for her. A brief discussion continued on the Transferability Initiative and the need for it and its success. Ms. Foster added that it is necessary to ensure the success of 2 year schools in Montana for student success and how the Transfer Initiative plays into student success.

Ms. Myers made the announcement that came out Wednesday November 2, 2011 that Paul Tuss of Havre is replacing Regent Lynn Hamilton, also of Havre, on the Board of Regents.

**Item 6                    Governor's Office Report**

No one from the Governor's Office was available to report

**Item 7                    Student Representative Report – Ms. Holly Capp**

Ms. Capp gave the Board an update on some recent trips she has been on including attending the State Student Council in Glasgow October 23-25, 2011 where she spoke to the council about her role on the Board as the student representative. She discussed Graduation Matters Montana and gave some examples of student stories she heard. She discussed there is some interest from several students regarding her position on the Board as she will be graduating in June. Ms. Capp discussed the possibility

of a statewide news release regarding the vacancy opening to generate more interest. Ms. Capp discussed some Student Council Resolutions and the possibility of bringing those before the Board by the Student Rep. Ms. Capp also discussed the voter registration race to get students to register and to exercise their right to vote and to bring awareness to students regarding voting responsibility. Ms. Capp then discussed the new "Bully-Free Great Falls" which started in Great Falls several weeks ago. The group spoke with elementary students in Great Falls and will be holding a Bully Free Rally at Great Falls High discussing and bringing awareness about bullying. November 6-7<sup>th</sup>, 2011 Ms. Capp will be attending "Youth Days" sponsored by OPI. Ms. Capp indicated she is still speaking with the Student Rep from Massachusetts regarding the US Student Advisory Council. Bylaws have been established and committees approved; Ms. Capp will be serving on two of the committees. Ms. Capp also participated in the NASBE Conference call in September. Secretary of Education Arne Duncan spoke on the call and discussed NCLB, and President Obama's job act proposal. Ms. Capp will also be attending the Superintendent's Student Advisory Board meeting the week of November 7<sup>th</sup>, 2011 and will be presenting at the meeting as well.

## **DISCUSSION**

### **EXECUTIVE COMMITTEE**

#### **Item 8 Executive Committee Update – Ms. Patty Myers**

Ms. Myers called on Ms. Nancy Hall from the Governor's Office to discuss the budget issues for the Board of Education. Ms. Hall discussed that the payout the Board had to cover for Mr. Meloy's pay out took a large chunk of revenue out of the budget for Fiscal Year 2012, and that the budget is extremely tight due to the payout. Ms. Hall is running weekly reports and updating Mr. Donovan and Ms. Stockton each week with those reports. Ms. Hall stated that money may need to be moved around between the three accounts the office has in order to make ends meet. The two vacant positions (Executive Secretary and CSPAC Administrative Assistant) will remain open and unfilled until after the end of the fiscal year as a cost saving measure.

#### **Item 9 Federal Update – Ms. Nancy Coopersmith, OPI**

Ms. Nancy Coopersmith reported that Montana has applied for the "Race to the Top" but that it is still being vetted, so the results will not be known for some time. ESEA Reauthorization is going on with tension between Congress, the Education Department and the President and since ESEA is 3 years late in reauthorization the law is out of touch. There has been a lot of reauthorization activity recently with Title I, Title II, Charter Schools, program consolidation, and yet nothing has been finalized. A draft version of the ESEA reauthorization was released but no action has been taken and the feeling is that no action will take place before the 2012 elections. On the Federal budget horizon, the budget must be finalized by October of every year, and 2 extensions have already been put in place. The 2<sup>nd</sup> extension ends November 18<sup>th</sup>. Cuts are expected from IDEA, Title I, Title II and from ESEA. 1.5% cut overall for those programs with an effective date of 2012. Ms. Coopersmith indicated there may not be any funding for Title III for 2012 which means the state would have to repay their allocation to the Federal government. Forward funding has been discussed but there has not been any agreement yet on the July 2012 funding.

### **ACCREDITATION COMMITTEE**

#### **Item 10 Update on Intensive Assistance Procedures – Ms. Teri Wing, OPI**

Ms. Wing explained that the narrative text has been approved on the Intensive Assistance procedures. She passed out a diagram that gives a visual on what happens when a school is placed in Intensive Assistance procedures and called for any comments. Mr. Cordier noted a typo in the wording of the diagram. Ms. Myers asked if the wording could be changed from approve/disapprove to approval/disapproval. Ms. Taylor asked what happens to a school that is in Intensive Assistance, specifically Lodge Grass. Dr. Peterson replied by saying that currently Lodge Grass is not in Intensive

Assistance but is doing some restructuring due to not making their AYP goals. Dr. Peterson discussed how the changes to Chapter 55 will help schools that find themselves in a situation such as Lodge Grass and with the question of “now what?” A discussion then began on the clarification of Lodge Grass and Intensive Assistance and non performing schools. Superintendent Juneau made some clarifications and discussed that a school can meet accreditation standards and still not meet AYP. Ms. Carroll discussed some of the questions raised at the State Superintendent’s conference and Dr. Peterson clarified the Intensive Assistance procedures and how the OPI works with the schools closely in their accreditation reviews and that if there are recurring instances, the OPI meets with the school to help them meet their standards and to become successful.

**Item 11 Report on the Implementation Plan for the Montana Common Core K-12 Content Standards in English Language Arts and Literacy in History/Social Studies, Science, and Technical Studies and Mathematics and Mathematical Practices – Ms. Nancy Coopersmith, OPI and Mr. Michael Hall, OPI**

Mr. Hall briefly discussed the history in moving to the Common Core standards and that the decision was made for Montana to move from the Montana standards to the national Common Core standards. During these discussions the importance of including Montana Indian Education for All was discussed and the decision was made to include MIEA into the Common Core standards. A collaborative effort began between OPI, educators, and MIEA to develop language. Ms. Nancy Coopersmith discussed the Common Core Fact Sheet and that a leadership team at OPI is involved in the effort to bring teacher awareness of Common Core. Ms. Coopersmith discussed the three steps on the Fact Sheet: 1) Steps to Standards 2) Measuring Assessments and 3) Transition from MontCAS to SBAC Assessment. Mr. Hall then went on to briefly discuss the Math and English Standard, the changes, and the timeline for implementation. On November 7, 2011 a new web page will be launched by OPI specific to the Common Core Standards with different resources and reference materials in relation to the Common Core Standards. Mr. Hall briefly discussed the importance of the literacy standards through all subjects and content areas. Mr. Hall then went on to discuss outreach in relation to the Common Core Standards – Ms. Coopersmith visited the Montana PTA Conference in Great Falls September 17<sup>th</sup> to discuss Common Core, OPI will be at the Educators conference in Helena November 10-11<sup>th</sup> and on December 2-3<sup>rd</sup> will be holding a “train the trainers” meeting. Ms. Coopersmith then discussed the fiscal impact of the Common Core Standards and turned the discussion over to Mr. Donovan. Mr. Donovan explained the process of fiscal analysis when the Board is adopting a new law, and passed out and reviewed the matrix of responsibility between the Board, Education & Local Government Committee, OPI, and the Legislative Fiscal Division. Due to the delayed implementation of the Common Core Standards for Math and English there is still plenty of time to perform the necessary fiscal analysis. Ms. Coopersmith discussed the cost assumptions for English and Math separately. The new English Language Arts and Literacy standards are based on the assumptions that state funding remains the same. The Common Core standards are a change from grade interval standards to grade level standards. Ms. Carroll asked for clarification of regional funding availability and Ms. Coopersmith stated that both state and federal funding have availability for professional development through the new GEAR UP grant. The “Smarter Balance” consortium also offers some funding for professional development. Dr. Peterson added that Math Partnership alliances have provided funding for substitute teacher fees and funding from grants as well as state and federal monies. The math assumptions are the same as the current standards until #7 where the graduation requirements change from 2 years of required math to 3 years of required math to graduate. Some high schools will need to add staff to cover the 3<sup>rd</sup> year of math. Mr. Edwards asked the number of schools with only 2 years of math as their requirement and Ms. Coopersmith responded that the data is still being gathered. Ms. Carroll added that some small schools, particularly Class C schools, will need to address that issue of the 3<sup>rd</sup> year of math requirement. Superintendent Juneau added that both OPI and the Board will need to discuss requiring the 3<sup>rd</sup> year of math. Current standards do not require 3 years, but the Board could decide to make it a requirement. Mr. Cordier asked about the Montana Digital Academy providing the 3<sup>rd</sup> year of math and if that could be written into the new rule if the requirement were to be made. Ms. Carroll cautioned against letting the current standards erode. Mr. Edwards clarified that the discussion would have to be had to require the 3<sup>rd</sup> year, or leave the flexibility

there for schools to decide to require. Mr. Parman added that although the 3<sup>rd</sup> year of math could not be written into rule that it be done through the Digital Academy, but rule could be written requiring each student to have taken at least 1 online course in order to meet graduation requirements. Many schools are still not using the Digital Academy.

#### **Break at noon**

#### **Meeting reconvened at 1:05**

#### **Item 12 Update on Standards Review Schedule and Recurring Review Cycle – Dr. Linda Peterson, OPI**

Dr. Peterson reviewed the reasons for the Schedule and Recurring Review Cycle to be on a 5 year schedule including that it allows for more flexibility. Ms. Taylor expressed concern with the timeline especially in regards to the cycle of review in science that is currently 7 years old that schools now have to review every 5 years. She expressed concern that “recurring” doesn’t always get addressed. Dr. Peterson added that the Next Generation Science Standards for Common Core are currently underway and will be before the Board for review in early spring 2012. OPI is also working on Health Enhancement and Technological Studies for review as well. Ms. Taylor asked how long it had been since standards have been addressed and Dr. Peterson answered that the last review for science was in 2001. Mr. Edwards asked how the Board can ensure these standards are being reviewed on schedule with Board members constantly changing. Mr. Cordier asked if all subjects will have a Common Core. Dr. Peterson answered that the national movement addressed math, English, science, and social studies. A discussion then ensued regarding Common Core, the timeline for review and the national review cycle for Common Core.

#### **LICENSURE COMMITTEE**

#### **Item 13 Request for New Program Broadfield Science, Rocky Mountain College – Dr. Linda Peterson, OPI**

Dr. Peterson introduced Dr. Barbara Vail from Rocky Mountain College. Dr. Vail explained that per Chapter 58, the process to request new programs for private colleges must go through the Board of Public Education rather than the Board of Regents like the MUS schools are required to do. Dr. Vail made the request to the Board to offer a new program in the science department for Broadfield Science. New science faculty at Rocky Mountain College will be able to develop a rigorous program in Broadfield Science. Dr. Vail explained that the OPI has received the syllabus and resource information. OPI will review the program and bring a report to the Board for the January 2012 meeting with a recommendation for the Board to act upon. Mr. Cordier asked if any studies had been done with numbers. Dr. Vail responded that with NCLB and the highly qualified areas, the college dropped their Broadfield Science program because it was thought that it would not be needed. Now that Broadfield Science is considered to be a highly qualified field per NCLB, there is a need to bring the program back. Ms. Carroll noted that science is now a shortage area for some schools, so there is a need for Broadfield Science educators.

#### **ACCREDITATION COMMITTEE**

#### **Item 14 Chapter 55 Joint Task Force Update – Mr. Dennis Parman, OPI**

Mr. Parman passed out a Power Point presentation from the MCEL conference the previous week. Mr. Parman has been traveling around the state to regional conferences discussing Chapter 55 and gave some highlights from the October meeting. 1) Teacher/school leadership evaluation framework is being worked on currently by a committee. The goal is to make this a “what” process and not a “how” process. It will be based on InTasc standards and put into rule. The language is out and will go before the Task Force for review in December. 2) The Task Force moved through the 600’s and the 800’s and had consensus on half of the 600’s and a majority of the 800’s. Mr. Parman discussed that this has been a very arduous process to go through sentence by sentence, but so far a consensus has been reached on everything that has been reviewed to date. The Alternative to Standards Request Model is now

complete. The model was created with flexibility, per the request of Superintendent Juneau. ARM 10.55.604 is being re-written for Variance to Standards and the title of the rule will be rewritten as well. The Task Force will look at the forum to go with the new rule and a peer group is being formed for review, make a request for the Alternative to Standards, a recommendation will be made to the Superintendent, who will in turn make a recommendation to the Board. The goal of this process is to allow a school to develop an alternative request in order to meet the standards. Mr. Parman then discussed some examples of alternative requests made by schools. Mr. Parman discussed that with the model a school could be accredited but still not meeting performance standards. In this example an Alternative to Standards Request would be useful. By using the Alternative to Standards Request a school can ensure that other programs within the school remain intact. Mr. Parman noted that Montana continues to rank high with national accreditation and performance evaluations.

**Item 21 MSDB Committee Meeting Report – Mr. Bernie Olson**

Mr. Olsen gave an update to the Board on the October 27<sup>th</sup>, 2011 MSDB committee meeting attended via conference phone by Mr. Olsen, Ms. Carroll, and Ms. Taylor, and in person by Ms. Myers. The committee met with Steve Gettel and Bill Sykes, who also participated via conference call. Enrollment at the MSDB is down but it is expected that enrollment will increase now that the Great Falls Public School System will be sending its eligible students to attend classes at the MSDB rather than a GFPSS school. Approximately 30 students are currently undergoing IEP assessments to determine if they qualify to attend MSDB. The current vacancy in the schools Outreach position was discussed, as was the issue with Mr. Sykes contracting his services to the school remotely from Tennessee. A new law passed recently by the Legislature may determine that Mr. Sykes cannot continue to provide his services to MSDB. Mr. Olsen updated the Board that a recent age discrimination issue has arisen and is currently being investigated. The reading and math goals above 50% mark are being met. In the area of outreach the MSDB staff is working with parents to help them use technology to help better serve students.

**November 4, 2011**

**8:00 A.M.**

Chairperson Patty Myers called the meeting to order at 8:04.

**ACTION**

**PUBLIC COMMENT**

***The public will be afforded the opportunity to comment before the Board on every action item on the agenda prior to final Board action.***

Jael Prazzo from Libby Public Schools was in the audience with her mother Joan Toole, a former School Board Chair from Red Lodge to witness the adoption of the Common Core Standards and thanked the OPI and the Board for their work on the Common Core Content Standards.

**Item 15 Recommend Approval of Report Relating to the Public Hearing for the Montana Common Core K-12 Content Standards in English Language, Arts and Literacy in History/Social Studies, Science, and Technical Studies and Mathematics and Mathematical Practices – Dr. Linda Peterson, OPI**

Mr. Donovan began by passing out the summary documents from the Hearing for the Common Core Math and English standards that was held on October 24, 2011. Mr. Donovan discussed the comments from Mr. Bayuk representing Montana Indian Education for All and the written testimony from Mr. Bruce Swanson regarding the math standards. Mr. Donovan noted that the comments submitted by Mr. Swanson were similar to comments he submitted in 2009 when new math standards were passed. Dr. Peterson briefly discussed the adoption process. Mr. Edwards call for a motion for English standards.

**Ms. Patty Myers motioned to approve the Report Relating to the Public Hearing for the Montana Common Core K-12 Content Standards in English Language, Arts and**

**Literacy in History/Social Studies, Science, and Technical Studies. Mr. Bernie Olson seconded the motion.**

Ms. Myers called for comments. No comments.

***No discussion. Motion passed unanimously.***

**Mr. John Edwards motioned to approve the Report Relating to the Public Hearing for the Montana Common Core K-12 Standards for Math and Mathematical Practices. Ms. Sharon Carroll seconded.**

Ms. Myers called for comments. No comments.

***No discussion. Motion passed unanimously.***

**Item 16      Notice of Public Adoption on Montana Common Core K-12 Content Standards in English Language Arts and Literacy in History/Social Studies, Science and Technical Subjects – Ms. Cynthia Green, OPI**

Ms. Myers asked that Ms. Green introduce herself since she is new to the staff at OPI. Ms. Green did so and then went on to recommend to the Board the adoption of Montana Common Core K-12 Content Standards in English Language Arts and Literacy in History/Social Studies, Science and Technical Subjects. Ms. Myers called for a motion to approve.

**Mr. John Edwards motioned to adopt the Montana Common Core K-12 Content Standards in English Language Arts and Literacy in History/Social Studies, Science and Technical Subjects. Mr. Doug Cordier seconded the motion.**

Ms. Myers called for any discussion and Mr. Olson noted a difference in the numbers of the rules for the Common Core listed on the paper version than what was recited by Ms. Green. Dr. Peterson noted that she would verify which set of numbers were correct and work with OPI to ensure integrity. Superintendent Juneau advised it might be better to get a confirmation first before the Board adopts the new rules. Motion was deferred pending confirmation of the numbers.

**Item 17      Notice of Adoption of Montana Common Core K-12 Content Standards in Mathematics and Mathematical Practices – Jean Howard, OPI**

Ms. Howard noted her excitement and honor in recommending to the Board the adoption of the math standards. Ms. Howard then went on to recommend to the Board the adoption of the Montana Common Core K-12 Content Standards in Mathematics and Mathematical Practices. Superintendent Juneau noted there was a difference in the numbers as was the case in the English Standards and asked to defer motion of adoption until the numbers could be confirmed. Ms. Myers noted that this is historic because when Common Core first came out the Board at the time had noted that Montana would likely not be adopting the Common Core Standards.

Break at 8:24

Meeting called back to order at 8:37

**Item 18      Recommend Approval of Alternative to Standards Request – Teri Wing, OPI**

Ms. Wing discussed the new requests from schools and school districts for Alternative to Standards that the Board needs to approve. First request is from the Columbia Falls School District. They will have 2 FTE licensed school librarians and 1 FTE paraprofessional. The district has the rules and roles of the librarians and Para in place. They have program assessment and student assessment tools in place and a clear evaluation plan. Ms. Wing asks for approval of this request. The second request is from the West Valley School District in the Flathead – 2 applications. The first application is an alternative to standards request to 10.55.710 school counseling standard. The district has 1 FTE counselor and will use the services of the local A.W.A.R.E office for therapeutic and mental health services in addition to the

Flathead Valley Quick Response team services. One counselor will be on site at all times. The districts second application is to 10.55.709 Library and Media Services. The district has 1 full time librarian and 1 full time Para educator who will be on site in the library all day to provide student services. The librarian will then be able to provide classroom support and special services. The third Alternative to Standards Request is from the Sheridan K-8 School District. This is a new application is for 10.55.709 Library and Media Services. The district will be using the Montana Small Schools Alliance for their model. They have measurable objectives, mission statements and letters of agreement provided in their request. The fourth request is from Bernie Creek Elementary school – 2 requests, both are renewal applications. The 1<sup>st</sup> is to 10.55.709 Library and Media services and they are also using the Montana Small School Alliance Model. The students will have a monthly visit to the library on the reservation. The schools second request is to 10.55.710 School Counseling, this is also a renewal application. This application is also done using the Montana Small School Alliance Model and the school will use the services of a local, private counselor to provide services to the students.

**Mr. John Edwards motioned to approve the Alternative to Standards Request. Ms. Lila Taylor seconded.**

Mr. Cordier discussed he has worked with the Columbia Falls principal who has been very pleased with the work OPI has done to help them with their request. Ms. Taylor referenced the Bernie Creek School and the Busby school and the collaborative efforts made between the schools.

***No discussion. Motion passed unanimously.***

**Item 16                    Notice of Public Adoption on Montana Common Core K-12 Content Standards in English Language Arts and Literacy in History/Social Studies, Science and Technical Subjects – Ms. Cynthia Green, OPI**

The agenda returned to Item 16 after the numbering issue was corrected. Dr. Peterson noted that somehow the numbers on the Notice of Hearing had been changed but the numbers on the Notice of Adoption were correct. A motion was still on the floor for the adoption of the Common Core K-12 Content Standards in English Language Arts Literacy in History/Social Studies, Science and Technology. Ms. Myers called for any discussion. No discussion. At 8:49 on Friday November 4, 2011 the vote to adopt the Common Core Content Standards for English was passed unanimously.

**Item 17                    Notice of Adoption of Montana Common Core K-12 Content Standards in Mathematics and Mathematical Practices – Jean Howard, OPI**

The agenda returned to Item 17 after numbering issue was corrected.

**Mr. John Edwards motioned to adopt the Montana Common Core K-12 Content Standards in Mathematics and Mathematical Practices. Ms. Sharon Carroll seconded the motion.**

No discussion on the matter. At 8:52 on Friday November 4, 2011 the vote to adopt the Common Core Content Standards for Mathematics and Mathematical Practices was adopted unanimously. Superintendent Juneau asked the Board for a joint picture with the OPI and a picture was taken.

**Item 19                    Recommend Approval of Notice of Public Hearing and Timeline Relating to Student Records (ARM 10.55.909) – Madalyn Quinlan, OPI**

Ms. Quinlan from OPI presented to the Board the recommendation of a statewide student id for K-12 students which is a change to ARM 10.55.909. The request is to approve the language and a public hearing of the rule. The student would be assigned a student id for both public and private schools at the point of their arrival at the school. The id would follow them through high school graduation and into the higher education (University System). The hearing will be held December 16, 2011 at 9:00 at OPI with a final recommendation to be brought before the Board at the January 2012 meeting. Upon approval by the Board, implementation would be effective in January or February 2012. Ms. Quinlan passed out to the Board members the fiscal implications as prepared by the OPI. The addition of a student id would only require 1 more element to the student record and districts already have an identifier on the student record, so there should be no fiscal impact to school districts. Ms. Quinlan asked that the Board approve the request for recommendation of the student record.

**Mr. John Edwards motioned to approve Notice of Public Hearing and Timeline Relating to Student Records (ARM 10.55.909). Mr. Bernie Olson seconded the motion.**

Discussion on the matter: Mr. Cordier asked in regards to storing of the students permanent record – will it be stored on paper or electronically. Ms. Quinlan noted that topic is currently with the Chapter 55 Task Force.

***No discussion. Motion passed unanimously.***

**Item 20 Critical Quality Educator Shortage Areas – Madalyn Quinlan, OPI**

Ms. Quinlan discussed the Critical Quality Educator Shortage Areas and the Loan Repayment Assistance program. The loan repayment program is administered by the Montana Guaranteed Student Loan Program. It is a 4 year award not to exceed \$3,000/year. The teacher must be employed at a public school in Montana, the Montana School for the Deaf and Blind, or a youth correctional facility. Ms. Quinlan explained that a report of the shortage areas and impacted schools needs to be approved by the Board to begin the yearly application process. Ms. Quinlan discussed the criteria a school needs to meet to be on the Shortage Area list: 1) rural isolation, 2) economic disadvantage, 3) student performance. Ms. Quinlan discussed the chart on page 3 of the handout which displays the rubric used for assigning points to each school. The more criteria a school meets, the more points they are awarded. Points are given on a range of 0-8. There are 576 schools on the list broken down to: 285 elementary schools, 155 middle schools, and 136 high schools. MSDB, Youth Correctional facilities, and Special Ed cooperatives have automatic assignments. Ms. Quinlan added that the report also contains the results of a school survey regarding schools difficulty in hiring teachers. Page 5 of the report indicates the areas with the highest hiring difficulties. She noted that special education is the highest area on the list. Mr. Edwards asked where the funding for the Loan Repayment comes from and Ms. Quinlan noted that it is a General Fund appropriation from the legislature. Ms. Taylor asked if there is any information to track if teachers stay at the school after their loans have been repaid, or if they leave. Ms. Quinlan noted that there is, and that she will get the information for Ms. Taylor. Ms. Carroll asked that in relation to Art, has it dropped off the list because it has been filled, or because the program has been dropped at the school? Ms. Carroll had the same question regarding the career and technical programs. Ms. Quinlan commented that those programs are not on the list because there are not any vacancies for those areas, which could back up Ms. Carrolls comment regarding the program being dropped. Ms. Carroll applauded the OPI on their work and research for the program. Ms. Myers asked how many students were in the Speech and Language program at the UM that could fill vacancies but no one had any numbers. Ms. Carroll noted that she had been in Missoula last spring for graduation and said there were a few graduates in that area.

**Mr. John Edwards moved to approve the report on the Critical Quality Educator Shortage Areas. Ms. Taylor seconded the motion.**

***No discussion. Motion passed unanimously.***

**DISCUSSION**

**MSDB Liaison**

**Item 21 MSDB Committee Meeting Report – Mr. Bernie Olson**

Moved to Thursday afternoon – see item above.

**PRELIMINARY AGENDA ITEMS – JANUARY 2012 MEETING**

Rocky Mountain College Broadfield Science Program  
State Funded Youth Schools  
Chapter 55  
Career Technical Ed Update  
Student Records ARM 10.55.909

Exiting Board Members – Last Meeting  
Transportation Report  
MACIE Update  
Annual School Food Services Report  
Assessment Update  
Federal Update  
Accreditation Report  
5 YCEP Process Update  
Educator Preparation Program Report  
Annual Renewal Unit Providers List – consent agenda

**Mr. Doug Cordier motioned to adjourn the meeting. Mr. Bernie Olson seconded the motion.**

***No discussion. Motion passed unanimously.***

### **9:25 AM Meeting Adjourned**

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*The Montana Board of Public Education is a Renewal Unit Provider. Attending a Board of Public Education Meeting may qualify you to receive renewal units. One hour of contact time = 1 renewal unit up to 4 renewal units per day. Please complete the necessary information on the sign-in sheet if you are applying for renewal units.*

# October 2011

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Notes:						1
2	3	4	5	6 MACSS - Miles City - Sharon , BPE/MSU	7 A Day With the Board of Public Ed-Bozeman Sharon, Pete, Patty	8
9	10	11 NCLB Meeting, Chapter 55 Task Force Leadership Team - Pete, Patty	12 Chapter 55 - Holiday Inn - Pete and Patty	13 Tom Bilodeau Memorial-Pete, Patty Financials meeting: Nancy Hall, Pete,	14 Council of Deans of PostSec Ed, School Init. Core Group - Pete	15
16	17	18	19	20 Teacher of the Year Celeb-Pete & Patty, Holly, Sharon	21 MEA-MFT Conf , Presentation-Pete & Patty, Sharon, Holly	22
23	24 State Student Council - Holly BPE Hearing Eng & Math Content Lang Standards-Pete	25	26	27 CPAC/Council of Deans Meeting - Pete MSDB Board Meeting- Bernie, Lila, Sharon, Patty	28	29
30	31	Notes: October 11, 2011 meeting with State Superintendent regarding Edu Waivers - Pete, Patty				

# November 2011

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Notes:		1	2	3	4	5
6	7	8	9	10	11	12
13	14 <div style="border: 1px solid black; padding: 2px; width: fit-content; margin: 5px auto;">                         BPE Update to                          Columbia Falls Schl                          Board - <b>Doug</b> </div>	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	Notes:		

# December 2011

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Notes:				1	2	3
4	5	6	7	8 MACIE Meeting Great Falls - <b>Doug</b>	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

PART-A ACTUAL EXPENSE ACCOUNT SUMMARY		CURRENT MONTH	CURRENT YEAR	CM PRIOR YR	ELAPSED TIME YTD:	PRIOR YEAR
ACCOUNT	FUND				50%	
					CURR+PRIOR	
11101 Regular	01100		27,397.42		27,397.42	
11133 Termination Pay - Sick Leave	01100		33,250.64		33,250.64	
11134 Termination Pay - Vacation	01100		29,697.77		29,697.77	
11158 Compensatory Time Taken	01100		1,861.53		1,861.53	
TOTAL 61100 Salaries			92,207.36		92,207.36	
51301 Per Diem	01100		150.00		150.00	
51401 FICA	01100		4,151.82		4,151.82	
51402 Retirement - Other	01100		561.62		561.62	
51403 Group Insurance	01100		3,884.90		3,884.90	
51404 Workers Compensation Insur	01100		924.09		924.09	
51410 State Unemployment Tax	01100		322.72		322.72	
51411 Teachers Retirement	01100		64,845.12		64,845.12	
TOTAL 61400 Employee Benefits			74,690.27		74,690.27	
TOTAL 61000 Personal Services			167,047.63		167,047.63	
52104 Insurance & Bonds	01100		298.50		298.50	
52113 Warrant Writing Services	01100	5.50	24.00		24.00	
52114 HRIS Service Fees	01100	107.00	107.00		107.00	
52114A Workers' Comp Program Fees	01100		14.50		14.50	
52148 SABHRS Administrative Costs	01100		233.26		233.26	
52199 General	01100	30.00	6,030.00		6,030.00	
TOTAL 62100 Other Services		142.50	6,707.26		6,707.26	
62212 Photo & Reproduction	01100	10.13	115.24		115.24	
62236 Ofc Supplies/Central Stores	01100		115.47		115.47	
62241 Office Sup/Minor Equip-NonStat	01100		137.00		137.00	
62280 Program Expense	01100	52.57	354.92		354.92	
TOTAL 62200 Supplies & Materials		62.70	722.63		722.63	
62304 Postage & Mailing	01100	11.71	735.03		735.03	
62319 Cellular Phones	01100	49.84	419.22		419.22	
623B0 ITSD Voice Services	01100	41.47	225.79		225.79	
623B4 ITSD Long Distance Services	01100	1.42	15.81		15.81	
TOTAL 62300 Communications		104.44	1,395.85		1,395.85	
62407 In-State Meals	01100		11.00		11.00	
62408 In-State Lodging	01100		94.09		94.09	
62427 Commuter Allowance	01100		3.75		3.75	
62489 Non-Employee In State Mileage	01100		4,970.01		4,970.01	
62490 Non-Employee In State Meals	01100		891.00		891.00	
62497 Non-Employee In-State Lodging	01100		3,457.37		3,457.37	
TOTAL 62400 Travel			9,427.22		9,427.22	
62528 Rent-Non Dept of Admin	01100	560.71	3,925.02		3,925.02	
62768 Property Management Expenses	01100		67.76		67.76	
62878 Parking Fees	01100	59.00	539.00		539.00	
62888 Statewide Indirect Costs	01100		535.00		535.00	
TOTAL 62800 Other Expenses		59.00	1,074.00		1,074.00	

ORGANIZATION DETAIL REPORT  
 1 - BOARD OF PUBLIC EDUCATION  
 MGR NAME: MELOY, STEVE

REPORT ID: MTGL0106-O  
 US. UNIT: 51010 Board of Public Education  
 OR THE FY PERIOD: DECEMBER 2012

ACCOUNT	FUND	CURRENT MONTH	CURRENT YEAR	CM PRIOR YR	PRIOR YEAR	ELAPSED TIME YTD:	CURR+PRIOR
TOTAL 62000	Operating Expenses	929.35	23,319.74			50%	23,319.74
9301	Principal - Leases	74.24	510.13				510.13
9302	Interest - Leases		9.55				9.55
TOTAL 69300	Capital Leases	74.24	519.68				519.68
TOTAL FUND 01100	General Fund	1,003.59	190,887.05				190,887.05
TOTAL PART-A	ACTUAL EXPENSE ACCOUNT SUMMARY	1,003.59	190,887.05				190,887.05

ACCOUNT	FUND	PROG	SUB-CLS	BUDGET	ENCUMBERED	EXPENDED	BALANCE	%
PART-B BUDGET EXPENSE ACCOUNT SUMMARY								
01100	Personal Services	2012	235H1	172,528.00		167,047.63	5,480.37	97
02200	Operating Expenses	2012	235H1	43,245.00		23,319.74	19,925.26	54
59000	Debt Service	2012	235H1	891.00		519.68	371.32	58
TOTAL SUB-CLS 235H1	ADMINISTRATION			216,664.00		190,887.05	25,776.95	88
TOTAL FUND 01100	General Fund			216,664.00		190,887.05	25,776.95	88
TOTAL PROGRAM 2012				216,664.00		190,887.05	25,776.95	88
TOTAL PART-B	BUDGET EXPENSE ACCOUNT SUMMARY			216,664.00		190,887.05	25,776.95	88

ACCOUNT	JRNL-ID	DATE	JRNL-LN	DESCRIPTION	AMOUNT	VCHR-ID	VENDOR NAME
PART-C CURR MONTH DETAIL EXPENSE TRANSACTIONS							
62113	0002282862	12/07/2011	000001	Warrant Writing Services	5.50		
62114	0002288388	12/19/2011	000001	HRIS Service Fees	107.00		
62199	0002281472	12/05/2011	000001	General	30.00		
62212	ACC2290658	12/22/2011	000010	Expense Distribution	10.13	00002559	USBANCORP EQUIPMENT FINANCE INC
62280	ACC2292287	12/28/2011	000006	Expense Distribution	17.40	00002561	LEHRKINDS INC
62280	ACC2292287	12/28/2011	000008	Expense Distribution	35.17	00002560	BRESNAN COMMUNICATIONS LLC
TOTAL 62280	Program Expense				52.57		
62304	0002290844	12/23/2011	000001	Postage & Mailing	11.71		
62319	ACC2281856	12/05/2011	000002	Expense Distribution	36.18	00002554	MONTANA SCHOOL BOARD ASSOCIATION
62319	ACC2282565	12/06/2011	000004	Expense Distribution	29.84	00002555	PETER DONOVAN
62319	ACC2288939	12/19/2011	000004	Expense Distribution	20.00	00002556	PETER DONOVAN
62319	ARD2281822	12/05/2011	000001	1035	36.18-		
TOTAL 62319	Cellular Phones				49.84		
623B0	0002282857	12/07/2011	000003	ITSD Voice Services	41.47		
623B4	0002282857	12/07/2011	000001	ITSD Long Distance Services	1.42		
62528	ACC2290658	12/22/2011	000012	Expense Distribution	560.71	00002558	SEB PARTNERSHIP
62878	ACC2290658	12/22/2011	000014	Expense Distribution	59.00	00002557	HELENA CITY OF TREASURER

PART-C CURR MONTH DETAIL EXPENSE TRANSACTIONS  
 CCNT JRNL-ID DATE JRNL-LN DESCRIPTION AMOUNT VCHR-ID VENDOR NAME

9301 ACC2290658 12/22/2011 000016 Expense Distribution 74.24 00002559 USBANCORP EQUIPMENT FINANCE INC

TOTAL PART-C CURR MONTH DETAIL EXPENSE TRANSACTIONS 1,003.59

PART-A ACTUAL EXPENSE ACCOUNT SUMMARY		CURRENT YEAR	CM PRIOR YR	PRIOR YEAR	ELAPSED TIME YTD:	50%
ACCOUNT	FUND	CURRENT MONTH	CURRENT YEAR	CM PRIOR YR	PRIOR YEAR	CURR+PRIOR
1101 Regular	02122	3,932.22	41,331.64			41,331.64
1103 Sick Leave	02122		33.48			33.48
1104 Vacation	02122	133.90	133.90			133.90
1105 Holiday	02122		133.90			133.90
1133 Termination Pay - Sick Leave	02122		707.83			707.83
1134 Termination Pay - Vacation	02122		1,097.18			1,097.18
1158 Compensatory Time Taken	02122	25.11	25.11			25.11
TOTAL 61100 Salaries		4,091.23	43,463.04			43,463.04
11401 FICA	02122	293.46	3,142.35			3,142.35
11402 Retirement - Other	02122	96.01	1,093.43			1,093.43
11403 Group Insurance	02122	733.00	7,696.50			7,696.50
11404 Workers Compensation Insur	02122	47.42	653.99			653.99
11410 State Unemployment Tax	02122	14.32	152.08			152.08
11411 Teachers Retirement	02122	271.09	2,779.02			2,779.02
TOTAL 61400 Employee Benefits		1,455.30	15,517.37			15,517.37
TOTAL 61000 Personal Services		5,546.53	58,980.41			58,980.41
TOTAL FUND 02122 Advisory Council		5,546.53	58,980.41			58,980.41
TOTAL PART-A ACTUAL EXPENSE ACCOUNT SUMMARY		5,546.53	58,980.41			58,980.41

PART-B BUDGET EXPENSE ACCOUNT SUMMARY		BUDGET	ENCUMBERED	EXPENDED	%
ACCOUNT	FUND	PROG SUB-CLS			BALANCE
61000 Personal Services	02122	2012 235H1	112,918.00	58,980.41	52
TOTAL SUB-CLS 235H1 ADMINISTRATION			112,918.00	58,980.41	52
TOTAL FUND 02122 Advisory Council			112,918.00	58,980.41	52
TOTAL PROGRAM 2012			112,918.00	58,980.41	52
TOTAL PART-B BUDGET EXPENSE ACCOUNT SUMMARY			112,918.00	58,980.41	52

PART-C CURR MONTH DETAIL EXPENSE TRANSACTIONS		AMOUNT	VCHR-ID	VENDOR NAME
ACCT	JRNL-ID	DATE	JRNL-LN	DESCRIPTION
51101	PAY2285534	12/13/2011	000002	PPE 12/2/11 KX1 ON-CYCLE
				3,932.22
51104	PAY2287652	12/15/2011	000002	PPE 12/02/11 KX2 OFF1 12/03/11
				133.90
51158	PAY2285534	12/13/2011	000003	PPE 12/2/11 KX1 ON-CYCLE
				25.11
61401	PAY2285534	12/13/2011	000004	PPE 12/2/11 KX1 ON-CYCLE
				283.22
61401	PAY2287652	12/15/2011	000003	PPE 12/02/11 KX2 OFF1 12/03/11
				10.24
TOTAL 61401 FICA				293.46
61402	PAY2285534	12/13/2011	000005	PPE 12/2/11 KX1 ON-CYCLE
				86.41
61402	PAY2287652	12/15/2011	000004	PPE 12/02/11 KX2 OFF1 12/03/11
				9.60
TOTAL 61402 Retirement - Other				96.01
61403	PAY2285534	12/13/2011	000006	PPE 12/2/11 KX1 ON-CYCLE
				733.00

J.S. UNIT: 51010 Board of Public Education  
 DR THE FY PERIOD: DECEMBER 2012  
 ELAPSED TIME YTD: 50%

PART-C CURR MONTH DETAIL EXPENSE TRANSACTIONS  
 CCNT JRNL-ID DATE JRNL-LN DESCRIPTION AMOUNT VCHR-ID VENDOR NAME

1404 PAY2285534 12/13/2011 000007 PPE 12/2/11 KX1 ON-CYCLE 45.35  
 1404 PAY2287652 12/15/2011 000005 PPE 12/02/11 KX2 OFF1 12/03/11 2.07  
 TOTAL 61404 Workers Compensation Insur 47.42

1410 PAY2285534 12/13/2011 000008 PPE 12/2/11 KX1 ON-CYCLE 13.85  
 1410 PAY2287652 12/15/2011 000006 PPE 12/02/11 KX2 OFF1 12/03/11 0.47  
 TOTAL 61410 State Unemployment Tax 14.32

1411 PAY2285534 12/13/2011 000009 PPE 12/2/11 KX1 ON-CYCLE 271.09  
 TOTAL PART-C CURR MONTH DETAIL EXPENSE TRANSACTIONS 5,546.53

STATE OF MONTANA  
 ORGANIZATION DETAIL REPORT  
 ORG: 50 - Research Program 01  
 MGR NAME: MELOY,STEPHEN

REPORT ID: MTGL0106-0  
 JS. UNIT: 51010 Board of Public Education  
 FOR THE FY PERIOD: DECEMBER 2012

ACCOUNT	FUND	CURRENT MONTH	CURRENT YEAR	CM PRIOR YR	PRIOR YEAR	ELAPSED TIME YTD: 50%
<b>ART-A ACTUAL EXPENSE ACCOUNT SUMMARY</b>						
22119	02219	520.74	520.74			CURR+PRIOR
22119	02219	123.40	123.40			520.74
22119	02219	226.16	226.16			123.40
22119	02219	870.30	870.30			226.16
TOTAL						870.30
22219	02219	1,000.00	1,000.00			1,000.00
22219	02219	62.85	62.85			62.85
22219	02219	62.41	62.41			62.41
22219	02219	146.60	146.60			146.60
22219	02219	13.42	13.42			13.42
22219	02219	3.06	3.06			3.06
TOTAL						288.34
TOTAL						2,158.64
22219	02219	298.50	298.50			298.50
22219	02219	14.44	14.44			14.44
22219	02219	106.00	106.00			106.00
22219	02219	14.50	14.50			14.50
22219	02219	233.24	233.24			233.24
22219	02219	184.47	184.47			184.47
22219	02219	30.00	30.00			30.00
TOTAL						881.15
22219	02219	115.24	115.24			115.24
22219	02219	115.47	115.47			115.47
22219	02219	482.51	482.51			482.51
22219	02219	354.91	354.91			354.91
TOTAL						1,068.13
22219	02219	735.04	735.04			735.04
22219	02219	49.83	49.83			49.83
22219	02219	225.79	225.79			225.79
22219	02219	16.41	16.41			16.41
TOTAL						1,027.07
22219	02219	38.90	38.90			38.90
22219	02219	24.00	24.00			24.00
22219	02219	284.80	284.80			284.80
22219	02219	3,006.92	3,006.92			3,006.92
22219	02219	364.00	364.00			364.00
22219	02219	1,671.08	1,671.08			1,671.08
TOTAL						5,389.70
22219	02219	130.00	130.00			130.00
22219	02219	3,924.99	3,924.99			3,924.99
TOTAL						4,054.99
22219	02219	67.75	67.75			67.75
22219	02219	400.00	400.00			400.00
22219	02219	35.00	35.00			35.00

REPORT ID: MTGL0106-O  
 US. UNIT: 51010 Board of Public Education  
 OR THE FY PERIOD: DECEMBER 2012

PART-A ACTUAL EXPENSE ACCOUNT SUMMARY		CURRENT MONTH	CURRENT YEAR	CM PRIOR YR	PRIOR YEAR	ELAPSED TIME YTD: 50%
ACCOUNT	FUND					CURR+PRIOR
2878	02219	59.00	539.00			539.00
2888	02219	59.00	535.00			535.00
TOTAL		928.37	1,509.00			1,509.00
TOTAL		928.37	13,997.79			13,997.79
9301	02219	74.23	510.06			510.06
9302	02219	74.23	9.55			9.55
TOTAL		1,002.60	519.61			519.61
TOTAL		1,002.60	16,676.04			16,676.04
TOTAL		1,002.60	16,676.04			16,676.04

PART-B BUDGET EXPENSE ACCOUNT SUMMARY		PROG SUB-CLS	BUDGET	ENCUMBERED	EXPENDED	BALANCE	%
ACCOUNT	FUND						
11000	02219	2012 235H1	9,924.00		2,158.64	7,765.36	22
11000	02219	2012 235Z1	76.00		76.00	76.00	22
TOTAL 61000			10,000.00		2,158.64	7,841.36	22
22000	02219	2012 235H1	64,111.00		13,997.79	50,113.21	22
29000	02219	2012 235H1	891.00		519.61	371.39	58
TOTAL SUB-CLS 235H1 ADMINISTRATION			74,926.00		16,676.04	58,249.96	22
TOTAL SUB-CLS 235Z1 WORKERS COMP. REDUCTION			76.00		76.00	76.00	22
TOTAL FUND 02219 Research Fund			75,002.00		16,676.04	58,325.96	22
TOTAL PROGRAM 2012			75,002.00		16,676.04	58,325.96	22
TOTAL PART-B BUDGET EXPENSE ACCOUNT SUMMARY			75,002.00		16,676.04	58,325.96	22

PART-C CURR MONTH DETAIL EXPENSE TRANSACTIONS	AMOUNT	VCHR-ID	VENDOR NAME
52113 0002282862 12/07/2011 000002 Warrant Writing Services	5.51		
52114 0002288388 12/19/2011 000002 HRIS Service Fees	106.00		
52199 0002281472 12/05/2011 000002 General	30.00		
52212 ACC2290658 12/22/2011 000009 Expense Distribution	10.13	00002559	USBANCORP EQUIPMENT FINANCE INC
62280 ACC2292287 12/28/2011 000005 Expense Distribution	17.40	00002561	LEHRKINDS INC
62280 ACC2292287 12/28/2011 000007 Expense Distribution	35.17	00002560	BRESNAN COMMUNICATIONS LLC
TOTAL 62280 Program Expense	52.57		
62304 0002290844 12/23/2011 000002 Postage & Mailing	11.72		
62319 ACC2282565 12/06/2011 000003 Expense Distribution	29.84	00002555	PETER DONOVAN
62319 ACC2288939 12/19/2011 000003 Expense Distribution	19.99	00002556	PETER DONOVAN
TOTAL 62319 Cellular Phones	49.83		
623B0 0002282857 12/07/2011 000004 ITSD Voice Services	41.47		

REPORT ID: MTGL0106-O  
 SJS. UNIT: 51010 Board of Public Education  
 DR THE FY PERIOD: DECEMBER 2012  
 PART-C CURR MONTH DETAIL EXPENSE TRANSACTIONS  
 CCNT JRNL-ID DATE JRNL-LN DESCRIPTION AMOUNT VCHR-ID VENDOR NAME ELAPSED TIME YTD: 50%  
 23B4 0002282857 12/07/2011 000002 ITSD Long Distance Services 1.42  
 2528 ACC2290658 12/22/2011 000011 Expense Distribution 560.72 00002558 SEB PARTNERSHIP  
 2878 ACC2290658 12/22/2011 000013 Expense Distribution 59.00 00002557 HELENA CITY OF TREASURER  
 9301 ACC2290658 12/22/2011 000015 Expense Distribution 74.23 00002559 USBANCORP EQUIPMENT FINANCE INC  
 TOTAL PART-C CURR MONTH DETAIL EXPENSE TRANSACTIONS 1,002.60

**INFORMATION**

❖ **REPORTS - Patty Myers (Items 1-6)**

**ITEM 1**

**CHAIRPERSON'S REPORT**

Patty Myers

**BOARD OF PUBLIC EDUCATION**  
**APPEARANCES**

## Executive Secretary/CSPAC Report

January 20, 2012

1. Anthony Cacase, Legislative Audit Division, will be conducting an audit of the Board of Public Education/CSPAC office to begin on March 5, 2012. Mr. Cacase will meet with Patty Myers, Kris Stockton and me on February 1, 2012, for an entrance conference.
2. The Education and Local Government Interim Committee (ELG) met on November 17-18. The meeting included a joint presentation by Aimee Guidera, Data Quality Campaign and Madalyn Quinlan, OPI, on the value of using longitudinal data to improve student achievement and on OPI's progress on development of a state education data system.

The ELG discussed the implementation of the Montana Common Core K-12 Content Standards and requested a fiscal analysis of the new standards to comply with the requirements of 20-7-101, MCA. The next ELG Committee Meeting is scheduled for January 23-24.

3. CSPAC reviewed and recommends the BPE consider adoption of proposed amendments to 10.57.601 – 10.57.611, ARM, Licensed Educator Discipline Hearing Rules (BPE Agenda Item #16), as well as the proposed Area of Specialize Permissive Competency for Dance (BPE Agenda Item #17)

CSPAC will be meeting in Helena on January 27. CSPAC will consider adoption of a new version of the Montana Professional Educator Code of Ethics.

**ITEM 3**

**STATE SUPERINTENDENT'S REPORT**

**State Superintendent Denise Juneau**

**ITEM 4**

**COMMISSIONER OF HIGHER  
EDUCATION'S REPORT**

**Commissioner Sheila Stearns**

**ITEM 5**

**GOVERNOR'S OFFICE REPORT**

**Dan Villa**

**ITEM 6**

**STUDENT REPRESENTATIVE REPORT**

**Holly Capp**

## **EXECUTIVE SUMMARY**

**DATE: JANUARY 2012**

**PRESENTATION:** Montana Advisory Council on Indian Education (MACIE) Report

**PRESENTER:** Norma Bixby  
MACIE Chair  
Office of Public Instruction

**OVERVIEW:** Summary of December 8, 2011, MACIE meeting. Meeting topics include update on the Montana Common Core Standards and integration of Indian Education for All, statewide implementation efforts, and support for Indian student achievement.

**REQUESTED DECISION(S):** None

**OUTLYING ISSUE(S):**

**RECOMMENDATION(S):** None



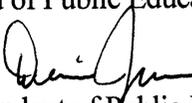
Montana  
**Office of Public Instruction**  
Denise Juneau, State Superintendent

opi.mt.gov

**Office of Public Instruction**  
P.O. Box 202501  
Helena, MT, 59620-2501  
(406) 444-3095  
(888) 231-9393  
(406) 444-0169 (TTY)  
opi.mt.gov

## MEMORANDUM

To: Patty Meyers, Chairperson  
Montana Board of Public Education

From: Denise Juneau   
State Superintendent of Public Instruction

Date: December 28, 2011

Re: Nominee for the Montana Advisory Council on Indian Education (MACIE)

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The Bylaws of the Montana Advisory Council on Indian Education (MACIE) state the following in Article 1, Membership:

"The membership shall be selected in consultation with Indian tribes, Indian organizations, major education organizations in which Indians participate and schools where Indian students and adults attend.

The Board of Public Education and the Superintendent of Public Instruction will jointly make appointments to MACIE."

The following representative has been nominated to MACIE by their respective organization. I concur with the recommendation to accept him as a MACIE member and ask the Board of Public Education to consider and approve following nominee as a member of MACIE:

**Yancey Beston** nominated by the Montana School Boards Association (MTSBA).

Thank you.



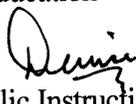
Montana  
**Office of Public Instruction**  
Denise Juneau, State Superintendent

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Office of Public Instruction  
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## MEMORANDUM

To: Patty Meyers, Chairperson  
Montana Board of Public Education

From: Denise Juneau   
State Superintendent of Public Instruction

Date: December 12, 2011

Re: Nominee for the Montana Advisory Council on Indian Education (MACIE)

---

The Bylaws of the Montana Advisory Council on Indian Education (MACIE) state the following in Article 1, Membership:

"The membership shall be selected in consultation with Indian tribes, Indian organizations, major education organizations in which Indians participate and schools where Indian students and adults attend.

The Board of Public Education and the Superintendent of Public Instruction will jointly make appointments to MACIE."

The following representative has been nominated to MACIE by their respective organization. I concur with the recommendation to accept him as a MACIE member and ask the Board of Public Education to consider and approve following nominee as a member of MACIE:

**Mr. Neil Taylor** nominated by the Fort Peck Assiniboine & Sioux Tribes.

Thank you.



**Montana  
Office of Public Instruction**  
Denise Juneau, State Superintendent

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December 13, 2011

Denise Juneau  
Superintendent of Public Instruction  
PO Box 202501  
Helena, MT 59620-2501

RE: Nomination to the Montana Advisory Council on Indian Education

Dear Superintendent Juneau:

Yancey Beston has been nominated by the Montana School Boards Association (MTSBA) to represent them on the Montana Advisory Council on Indian Education (MACIE).

Mr. Beston is currently on the Frazer school board for the second time. He attended Eastern Montana College. He is currently a building inspector in northeastern Montana for the Montana Department of Labor.

Please accept this nomination to MACIE on behalf of MTSBA.

Sincerely,

A handwritten signature in cursive script, appearing to read "Lynn Hinch".

Lynn Hinch  
Acting Director of Indian Education

LH:jmf  
C: Norma Bixby

## **EXECUTIVE SUMMARY**

**DATE: JANUARY 20, 2012**

**PRESENTATION:** Federal Update

**PRESENTER:** Nancy Coopersmith  
Assistant Superintendent  
Office of Public Instruction

**OVERVIEW:** The information presented will include the latest news from the U.S. Congress on the appropriation process for education programs. The budget agreement provides a cut to current year funds in ESEA Titles I and II, Carl Perkins and IDEA. It is hoped that by the time of the board meeting materials will be available concerning the amounts to be cut from the federal programs. In addition, information will be provided concerning the ESEA Flexibility Waivers, as well as the Adequate Yearly Progress process to be completed in July 2012.

**REQUESTED DECISION(S):** None

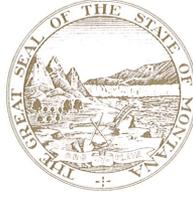
**OUTLYING ISSUE(S):** None

**RECOMMENDATION(S):** None

# OFFICE OF PUBLIC INSTRUCTION

## STATE OF MONTANA

**Denise Juneau**  
**Superintendent**



**www.opi.mt.gov**  
**(406) 444-5643**

December 7, 2011

Secretary Arne Duncan  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202

Dear Secretary Duncan,

I am writing to inform you that the State of Montana will not ask the U.S. Department of Education for a waiver from certain requirements of No Child Left Behind under the ESEA Flexibility Plan.

I met with our state's educational organizations that represent our K-12 students, teachers and support personnel, school boards, school administrators, and schools of all sizes about the proposed waiver package. Each organization expressed that any policy changes or reform efforts we undertake must make sense for our students and our schools. There was consensus among Montana's educational organizations that the waiver plan, as a replacement program for current NCLB requirements, would cost the state millions of dollars to implement. None spoke in favor of going forward on Montana's application given the many additional unfunded requirements attached to the application. In fact, they join me in signing this letter declining the option to apply for the waiver.

Given the impacts on Montana's schools, the financial resources, and the capacity of my small agency to complete the "all or nothing" waiver package (an estimated 336 hours per response as outlined on the Flexibility Package cover sheet), I have determined that it does not make educational or financial sense for Montana to apply for a waiver.

Additionally, it is possible that these waiver provisions could be overruled by Congressional action, if their current actions move forward. I was heartened by the recent movement by Congress to reauthorize ESEA – at least it has been marked up and discussed in a committee.

Montana will continue to move forward with our current education reform work: promoting community-based efforts to improve graduation rates; adopting higher standards in English and Math and revising our state test to match those standards; creating a new state accountability system with public education partners; developing an evaluation framework for teachers and school leaders aligned with national professional practice standards; and administrating Montana value-added intensive turnaround efforts in our lowest-performing schools.

Secretary Arne Duncan  
Page 2  
December 7, 2011

Thank you for your continued advocacy at the federal level to create opportunities for ESEA to become a better law and for determinedly expressing that NCLB is broken at every opportunity. However, I wish you would have exercised your statutory waiver authority to simply freeze states' current AMOs until Congress reauthorizes the law without creating the requirement that we rework our entire accountability system. That type of waiver would have been beneficial to every state, district, and school and provided relief from the most onerous portion of the current federal law. Montana would have been near the front of the line had this been the case. Given that this is not the case, please accept our gracious decline of your waiver offer.

Sincerely,



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Denise Juneau  
Montana State Superintendent of Public  
Instruction



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Patty Meyers  
Chairperson, Montana Board of Public  
Education



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Sandra L. Boham  
Chairperson, Montana Indian Education  
Association



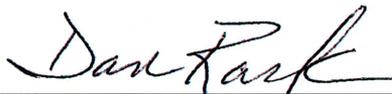
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Darrell Rud  
Executive Director, School  
Administrators of Montana



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Eric Feaver  
President, MEA-MFT



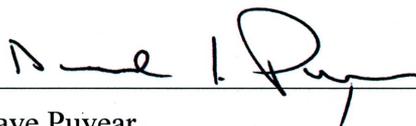
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Dan Rask  
Executive Director, Montana Small  
Schools Alliance



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Lance Melton  
Executive Director, Montana School  
Boards Association



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Dave Puyear  
Executive Director, Montana Rural  
Education Association

## DRAFT 2012 Timelines for Adequate Yearly Progress and Assessment Data

2011 Dates	Tentative 2012 Dates	Task	Rank
September - November 2010	September - November 2011	Effectiveness Report Window	1
November 12, 2010	November 30, 2011	Year End (2009-2010) Snapshot (dropout/graduate counts finalized)	3
November 30, 2010	November 30, 2011	OPI sends MP Test Coordinator/shipping and fall enrollment file to MP	4
December 2010	December 2011	Graduation Rate for 2010-2011 programmed and calculated	5
January 15, 2011	January 15, 2012	Submit amendment to MT Accountability Workbook to USED	6
January 28 - 29, 2011	January 28 - 29, 2012	Verify data for testing labels due on Feb. 2, 2012	7
January - March 2011	January - March 2012	Programming and testing of Small Schools Accountability Process (SSAP)	8
January - March 2011	January - March 2012	Programming and testing for Calculated Process	9
February 2011	February 2012	Effectiveness Report Scoring	10
February 3, 2011	February 2, 2012	Data to MP for barcode labels	11
February 9 - March 24, 2011	February 8 - March 23, 2012	CRT-Alternate Test Window	12
March 1 - 4th, 2010	March 1 - 4th, 2012	Review all Effectiveness Scores (1 District/1 School, etc)	13
March 1 - March 24, 2011	February 29 - March 23, 2012	CRT Test Window	14
March 1 - March 25, 2011	March 1 - March 23, 2012	AIM Program Participation Collection	15
March 15 - March 25, 2011	March 13 - March 23, 2012	Test Window Attendance Collection	16
March 15, 2011	March 13, 2012	COUNT DATE	17
March 30, 2011	March 30, 2012	Last day for districts to return answer documents to Measured Progress	18
April 9, 2011	April 9, 2011	M&A receives Effectiveness Report review scores from Accreditation Division & QA Completed	19
April 26, 2011	April 26, 2012	OPI receives scanned data file from MP	20
May 3, 2011	May 3, 2012	OPI returns scanned data file to MP with final discrepancies in Student ID completed	21
April 20 - May 10, 2011	April 20 - May 10, 2012	OPI performs QA work to resolve discrepancies	22
May 10, 2011	May 10, 2012	OPI sends MP FINAL SCANNED DEMOGRAPHIC FILE	23
May 3, 2011	May 3, 2012	Final Snapshot of AIM	24
Mid May	Mid May	Official email--remind of AYP timeline for notifications and responsibilities of schools/districts for parent notification	25
May 20, 2011	May 18, 2012	OPI receives final CRT data from Measured Progress Math/Reading/Science	26
		OPI receives final approval of accountability workbook from U.S. Department of Education	27
June 1 - 11, 2011	May 18 - May 31, 2012	Small Schools Accountability and Calculated Process on-going data verification/validation	28
May 27, 2011	May 25, 2012	Measured Progress posts reading and math results on Montana Analysis and Reporting System (MARS)	29
June 3, 2011	May 31, 2012	1% Rule to Special Ed	30
June 9, 2011	June 4, 2012	Small Schools Accountability Process data compiled for setting of threshold	31
June 10, 2011	June 5, 2012	Set threshold for Small Schools Accountability Process (Leadership Team Meeting)	32
June 13 - 15, 2011	June 6 - 8, 2012	Final QA completed for Calculated Process data, programming	33
June 15 - 16, 2011	June 8 - 9, 2012	QA and Compile Small Schools Accountability AYP Report	34
June 16, 2011	June 11, 2012	Calculated Process reports	35
June 16, 2011	June 12, 2012	Leadership Team to review summary report of made/did not make	36
June 16, 2011	June 13, 2012	M&A to update proposed AYP determinations summary reports for OPI leadership	37
June 17, 2011	June 13 - 15, 2012	Proposed AYP determinations are printed and mailed to schools/districts	38
		Districts have 10 working days of printed Proposed Report to file an appeal	39
July 6, 2011	June 29, 2012	Deadline for schools/districts to letter requesting review of AYP determination to OPI	40
June 20 - July 20, 2011	June 18 - July 17, 2012	30 day LEA review and appeals process	41
July 6 - 20, 2011	July - 17, 2012	Work on Appeals	42
July 21 or 22, 2011	July 18 or 19, 2012	AYP Leadership meeting to determine appeals	43
July 25, 2011	July 20, 2012	M&A to update final AYP determinations summary reports for OPI leadership	44
July 25-28, 2011	July 23-25, 2012	Work on Appeals Letters	45
July 29, 2011	July 25, 2012	Final AYP determinations printed and mailed to schools/districts	46
September 13, 2011	August 3, 2012	Public release of AYP results and data	47
September 16, 2011	August 3, 2012	NCLB Web Report Card data updated and made public	48
September 16, 2011	August 3, 2012	a. Adequate Yearly Progress	49

**DRAFT 2012 Timelines for Adequate Yearly Progress and Assessment Data**

<i>2011 Dates</i>	<i>Tentative 2012 Dates</i>	<i>Task</i>	<i>Rank</i>
September 16, 2011	August 3, 2012	b. Improvement Status	50
September 16, 2011	August 3, 2012	c. Attendance, Graduation & Enrollment	51
September 16, 2011	August 3, 2012	d. Academic Indicator by Grade & Subject	52
September 16, 2011	August 3, 2012	e. 2 Year Trend Analysis	53
September 16, 2011	August 3, 2012	f. IRIS Reports	54
September 16, 2011	August 2012	Analysis of 2011-12 AYP determinations and data	55
September 16, 2011	September 2012	Initial Analysis presented to AYP work group	56
September-December, 2011	September-December, 2012	EDEN reporting for assessment and AYP data	57

## **EXECUTIVE SUMMARY**

**DATE: JANUARY 2012**

- PRESENTATION:** Transportation Annual Report
- PRESENTER:** Denise Ulberg  
School Finance Division Administrator  
Office of Public Instruction
- OVERVIEW:** Please see the attached overview of Pupil Transportation. The presentation will include transportation data and a report on the status of the national and state standards rewrite.
- REQUESTED DECISION(S):** None
- OUTLYING ISSUE(S):** The presentation is designed to update the Board of Public Education with limited statistics.
- RECOMMENDATION(S):** The presentation is informational.

## Pupil Transportation Overview

The **trustees of a district** may provide school bus transportation to any pupil of a public school. However, they are not required by law to provide pupil transportation unless directed to do so by the county transportation committee and that decision is upheld by the superintendent of public instruction. If the trustees decide to furnish transportation for any eligible transportee, they must ensure transportation for *all* eligible transportees. An eligible transportee must:

- be a resident of the state of Montana and attend a public school in Montana;
- be between the ages of 5 and 21 or be a preschool child between the ages of 3 and 6 with a disability;
- reside at least 3 miles from the nearest operating public elementary school or high school; or has transportation identified as a related service in an individualized education program (IEP); and
- be considered to reside with his or her parent or guardian who maintains a legal residence within the boundaries of the district furnishing the transportation regardless of where the eligible transportee lives when attending school.

The type of transportation provided by a district may be:

- by a school bus, through either a district-run program or the district may contract with a private contractor, or
- by individual transportation contract that provides one of the following: 1) reimbursement to the student's parent(s) or guardian for transporting the student themselves, or 2) paying board and room reimbursements, or 3) providing supervised correspondence study, or 4) providing supervised home study.

The district will receive reimbursement from the state and county only for eligible transportees that are transported in school buses that meet standards and pass semi-annual inspections by the highway patrol and are driven by qualified drivers and/or for valid individual transportation contracts with parents.

When the district provides transportation for an ineligible transportee, the district may charge a fee based on a proportionate share of the costs of operating the school bus. Ineligible transportees may include pupils residing within 3 miles of a school, pupils bused between schools to alleviate classroom crowding, or pupils with special needs as designated by an IEP. Many districts provide transportation without charge to pupils that reside within the 3-mile limit for safety reasons.

The **board of public education (BPE)**, with the advice of the Montana department of justice and the superintendent of public instruction, adopts and enforces policies, not inconsistent with motor vehicle laws to provide uniform standards and regulations for the design, construction, and operation of school buses in the state of Montana. This includes school bus standards, transportation service area criteria and bus driver qualifications.

The **superintendent of public instruction (OPI)** prescribes rules and forms:

- to implement and administer the transportation policies adopted by the BPE,
- for approval of school bus routes by the county transportation committee,
- for approval of individual transportation contracts by the county superintendent of schools,
- to disburse the state transportation reimbursement, and
- for the consideration of controversies appealed to OPI and rule on such controversies.

The **county transportation committee (CTC)** establishes the transportation service areas within the county for each district that operates a school bus transportation program and approves, disapproves or adjusts the school bus routes submitted by the school board of trustees. The CTC also conducts hearings to establish the facts of transportation controversies that have been appealed from a decision of the trustees.

The **county superintendent of schools** is the presiding officer of the CTC, calculates the local levy for the district transportation fund and for the countywide levy in support of the county reimbursement for on-schedule costs, reviews and approves bus driver certificates, transportation contracts, bus route information and transportation reimbursement claims to OPI and distributes the county reimbursement to schools from the county transportation fund.

Board of Public Education Presentation

January 2012

Page 1 of 2

## District Transportation Fund

The trustees of a district furnishing transportation to pupils must provide a transportation fund budget to finance the program. Expenditures from the transportation fund are limited to the services provided for home-to-school transportation. Expenditures for activity trips or school-to-school transportation should not be included. The trustees of the district formally adopt the transportation budget (along with the other budgeted funds of the district) at the annual budget hearing held each year in August.

The transportation fund is funded by receipt of state and county reimbursement for "on-schedule" costs, and by local district revenues which fund the "over-schedule" costs. The following table shows the total transportation budgets for the current fiscal year (FY2011-12) and the amounts that are expected to be funded by state, county and local revenues.

<b>Home-to-School Transportation – Fiscal Year 2012</b>			
	Elementary District	High School District	<b>\$ 86,822,589</b>
Over-Schedule	District	District	<b>\$ 59,551,980*</b>
On-Schedule	County	County	<b>\$ 13,587,790</b>
	State	State	<b>\$ 13,682,819</b>

\*includes fund balance reappropriated, local property taxes raised by a non-voted levy and non-levy revenues.

On-schedule costs are calculated based on the reimbursement for bus routes and individual contracts. The reimbursement for bus routes is the product of the rate set in law (determined by the rated capacity of the bus) times the number of bus miles times the number of days the bus operated, up to 180 days. The reimbursement for the individual contracts is calculated by a rate (determined by the number of miles times .35 cents) times the number of days the student was transported, up to 180 days. After each semester, school districts submit a claim form for the bus routes and a claim form for the individual contracts to the county superintendent. The county superintendent reviews the claims and electronically approves in OPI's pupil transportation system. OPI verifies the claims and disburses the approved amount of the state reimbursement in March and June. The state reimbursement is one-half of the reimbursement amount for each semester or one-half of the amount the district budgeted for the bus routes and contracts, whichever is less. The county must match the state reimbursement amount with funds derived from the county school transportation fund. County revenues in the county transportation fund include property taxes raised through a countywide levy plus non-levy revenues.

Over-schedule costs are the difference between the transportation expenditure budget and the on-schedule costs that will be reimbursed by the state and county. Over-schedule costs are funded at the local level through fund balance left over from the previous fiscal year (after an operating reserve is set aside), local property taxes and non-levy revenues.

### For more information:

Montana Code Annotated, Title 20, chapter 10, part 1 School Buses and Transportation

[http://data.opi.mt.gov/bills/mca\\_toc/20\\_10\\_1.htm](http://data.opi.mt.gov/bills/mca_toc/20_10_1.htm)

Administrative Rules of Montana, Title 10, chapters 7 and 64

<http://www.mtrules.org/gateway/ChapterHome.asp?Chapter=10%2E7>

<http://www.mtrules.org/gateway/ChapterHome.asp?Chapter=10%2E64>

Standards for School Buses in Montana 2002 <http://www.opi.mt.gov/pdf/pupiltransport/busstds.pdf>

Pupil Transportation Handbook <http://www.opi.mt.gov/PDF/PupilTransport/PTHandbook.pdf>

OPI Pupil Transportation web page:

[http://www.opi.mt.gov/Programs/SchoolPrograms/Pupil\\_Transportation/index.html](http://www.opi.mt.gov/Programs/SchoolPrograms/Pupil_Transportation/index.html)

Donell Rosenthal, OPI Pupil Transportation Director, (406) 444-3024 or [drosenthal@mt.gov](mailto:drosenthal@mt.gov)

Denise Ulberg, OPI School Finance Division Administrator, (406) 444-1960 or [dulberg@mt.gov](mailto:dulberg@mt.gov)

Board of Public Education Presentation

January 2012

Page 2 of 2

## **EXECUTIVE SUMMARY**

**DATE: JANUARY 2012**

- PRESENTATION:** School Nutrition Programs Annual Report
- PRESENTER:** Christine Emerson  
Director, School Nutrition Programs  
Office of Public Instruction
- OVERVIEW:** The presentation will include information about the National School Lunch Program, School Breakfast Program, Afterschool Snack Program, Special Milk Program, USDA Foods Program, Cooperative Purchase Program, Team Nutrition Program, and Fresh Fruit and Vegetable Program for the 2010-11 school year.
- REQUESTED DECISION(S):** None
- OUTLYING ISSUE(S):** The presentation will be designed to show changes in program participation and funding over five school years. It will also cover nutrition education activities for schools, parents and the community to improve nutritional value and acceptability of school meals, and promote the health and education of children.
- RECOMMENDATION(S):** The presentation is informational. Nothing will be recommended to the Board of Public Education other than its continued support of the School Nutrition Programs to help children get the nutrition they need to learn, play and grow.

# Montana

School Nutrition Programs  
Office of Public Instruction  
Division of Health Enhancement and Safety

2011 Annual Report  
(July 1, 2010-June 30, 2011)



[opi.mt.gov](http://opi.mt.gov)

Montana  
**Office of Public Instruction**  
Denise Juneau, State Superintendent

January 2012



# Introduction

## School Nutrition Programs

### Table of Contents

Introduction .....	1
OPI School Nutrition Programs .....	3
<i>National School Lunch Program</i> .....	6
<i>School Breakfast Program</i> .....	8
<i>Afterschool Snack Program</i> .....	11
<i>Special Milk Program</i> .....	13
<i>Fresh Fruit and Vegetable Program</i> .....	15
<i>Types of Schools Participating</i> .....	16
<i>Summer Food Service Program</i> .....	17
<i>USDA Food Distribution Program</i> .....	22
<i>Department of Defense Fresh Fruit and Vegetable Program</i> .....	23
<i>Montana Team Nutrition Program</i> .....	24
<i>OPI Cooperative Purchase Program</i> .....	27
Financial Management .....	28



# Introduction

## School Nutrition Programs

School Nutrition Programs aims to promote healthy eating and physical activity through improvements in school meal programs and environments. To foster these changes, School Nutrition Programs has developed a strategic plan for the year. This strategic plan consists of three primary goals:

### 1. **Improve Program Management and Integrity**

This goal will be accomplished through the use of technology, maintenance and sharing of program information, program management, development of strong relationships with our partners, and improvements in food safety.

### 2. **Increase Program Access and Participation – End Childhood Hunger**

This goal will be accomplished through increased direct certification efforts and reporting by Montana schools, increased participation in the School Breakfast Program through outreach and alternate service options, and increased Summer Food Service Program participation through outreach and activities for children.

### 3. **Promote Healthy Eating and Physical Activity Behaviors**

To promote health and reduce childhood obesity, this goal will be accomplished through training and technical assistance to help schools improve the nutritional quality of school meals, use of the Fresh Fruit and Vegetable Program, and connecting children to local produce through Farm-to-School Programs.

OPI School Nutrition Programs makes improvements to operating procedures as legislation outlines program revision. Provisions of the Healthy, Hunger-Free Kids Act of 2010 have been implemented in the 2010-11 and 2011-12 school years. These include:

- Direct Certification** or the matching of children in SNAP households to district enrollment lists at least three times per year. OPI received a Direct Certification Planning grant (\$65,073) in January 2011 to plan for the development of a state-level direct certification matching system between OPI and the Montana Department of Public Health and Human Services.
- Categorical Eligibility of Foster Children** allows any foster child whose care and placement is the responsibility of the state or who is placed by a court with a caretaker household to receive a free school meal based on eligibility.
- Privacy Protection** requires only the last four digits of the signing adult's Social Security Number on the Application for Free and Reduced-Price School Meals.



# Introduction

## School Nutrition Programs

- **Outreach to Households on the Availability of Summer Food Service Program Meals** helps eligible students find free meals during the summer by requiring school districts to inform families of SFSP locations.
- **Equity in School Lunch Pricing** ensures that schools are providing the same level of support to students who pay full price for meals as they are for lunches served to students who receive free lunches.
- **Outreach to Households on Availability of School Breakfast Program Meals** requires schools to conduct outreach before the start of the school year to notify households on the availability of breakfast.
- **Nutrition Environment** outlines transparency to the public by requiring districts report on food safety inspections, local wellness policies, meal program participation, and nutritional quality of school meals.
- **Fluid Milk** is defined as a variety of fluid milk consistent with the Dietary Guidelines that is fat-free or low-fat, unflavored or flavored.
- **Water** must be available at no cost during meal service to children for consumption in the location where meals are served.
- **Indirect Cost** guidance for LEAs with rules on indirect costs and the nonprofit school food service account was issued in July 2011.
- **Enhancing the School Food Safety Program** applies HACCP principles to any part of a facility in which food is stored, prepared, or served. These facility locations include on school buses, hallways, school courtyards, kiosks, classrooms, or other locations outside the cafeteria.



# Office of Public Instruction

## School Nutrition Programs

The School Nutrition Programs unit is administered through the Office of Public Instruction, Health Enhancement and Safety Division. The School Nutrition Programs services for schools include administration of the eight U.S. Department of Agriculture (USDA) programs:

- ✓ National School Lunch Program (NSLP)
- ✓ School Breakfast Program (SBP)
- ✓ Afterschool Snack Program
- ✓ Special Milk Program
- ✓ Summer Food Service Program (SFSP)
- ✓ USDA Food Distribution Program (including the Department of Defense Fresh Fruit and Vegetable Program)
- ✓ Fresh Fruit and Vegetable Program
- ✓ Montana Team Nutrition Program

The unit also administers a Cooperative Purchase Program.

School Nutrition Programs reimburses schools for meals served to children; distributes USDA Foods for school meal and summer programs; provides training for school food service personnel, administrators and teachers; ensures that schools are in compliance with federal regulations; and provides nutrition education for students to promote healthful habits.

Sponsors choose which programs to participate in based on local needs. Sponsors include public schools, private/non-public schools, non-profit residential child care institutions, government agencies, public or private non-profit organizations and camps.

### **Vision:**

Our vision is school communities that provide children full access to healthful meals and snacks that nourish minds and bodies and school nutrition environments that encourage healthful lifestyles and are supported by community partnerships.

### **Mission:**

To ensure that schools provide nutritious meals and promote healthy lifestyles through collaborative education and training, and administration of the USDA's School Nutrition Programs.

#### **Montana Office of Public Instruction School Nutrition Programs**

PO Box 202501  
Helena, MT  
406-444-2501 (telephone)  
406-444-2955 (fax)  
[www.opi.mt.gov](http://www.opi.mt.gov)

#### **Montana Team Nutrition Program**

Montana State University  
PO Box 173360  
Bozeman, MT 59717-3360  
406-994-5641 (telephone)  
406-994-7300 (fax)



# Office of Public Instruction

## School Nutrition Programs

### Program Management & Integrity

#### Program Activities

##### **Coordinated Review Effort (CRE)**

The Coordinated Review Effort is a comprehensive on-site evaluation of the School Food Authority once every five years. SNP staff conducted 48 coordinated reviews, 5 additional administrative reviews and one PS1 follow-up review during the 2010-11 school year.

##### **School Meals Initiative (SMI)**

School lunches must meet the recommendations of the Dietary Guidelines for Americans, which specify no more than 30 percent of calories come from fat, and less than 10 percent of calories come from saturated fat. School lunches must provide one-third of the Recommended Dietary Allowance (RDA) of protein, calcium, iron, vitamin A, vitamin C and calories. School breakfasts must provide one-fourth of the RDA for the same nutrients. Afterschool snacks must provide two food components (meat/alternate, fruit, vegetable, grain, milk). In 2010-11, 48 SMI Reviews were conducted.

##### **Summer Food Service Program (SFSP)**

School Nutrition staff conducted 38 sponsor and site reviews in 2011. Sponsors who were found to be in violation of program requirements submitted corrective action plans.

#### Program Reporting

##### **Verification of Free and Reduced Price Lunch Applications**

Local Education Agencies (LEAs) that participate in the School Nutrition Programs provide free and reduced-price meal benefits to eligible students through approval of school meal applications. As part of this responsibility, schools must verify a sample of the applications and report the results to the State Agency.

Only 21 (9.5%) LEAs had less than 80% response rate from households (meaning that more than 20% of the applicants selected for verification at their school did NOT respond by sending documents that show what they reported on their application was accurate). This verification data serves as the primary source of information on the accuracy of the eligibility determination process.

##### **Sanitation Inspections**

Schools are required to have 2 sanitation inspections per year and report the actual number of inspections to the State Agency. Montana schools reported the following:

- Number of schools that had 0 inspections: 88 (10.7%)
- Number of schools that had 1 inspection: 269 (32.6%)
- Number of schools that had 2 inspections: 467 (56.7%)
- Number of schools that did not report inspections: 0



# Office of Public Instruction

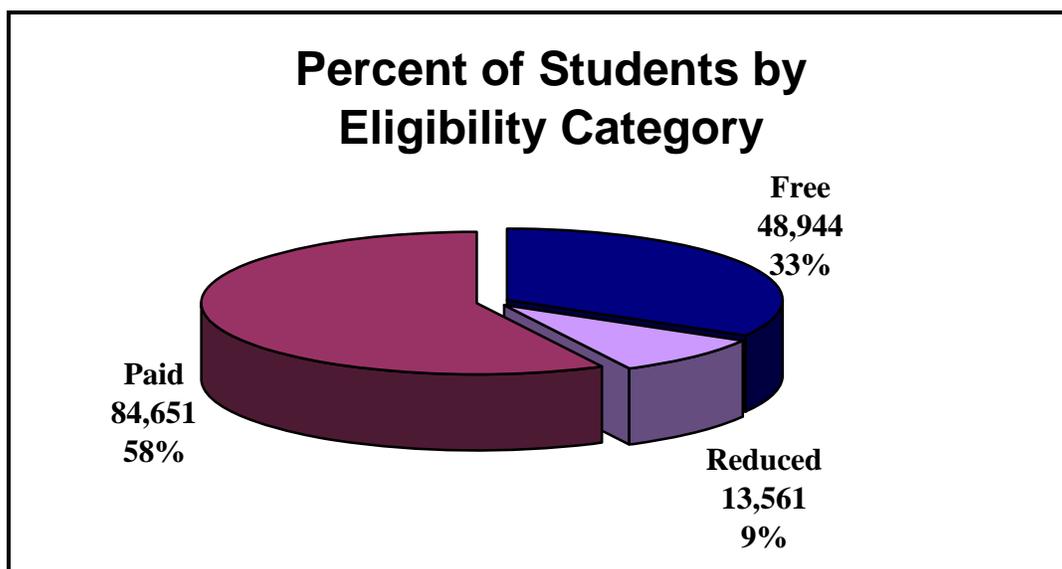
## School Nutrition Programs

### Program Access

Children who come from low-income families are at most risk for hunger and food insecurity. Improved access to affordable meals helps decrease the likelihood of children living in hunger.

At the beginning of each school year, schools send a request to enrolled households to complete a free and reduced meal application. Completion of the required income documentation allows School Nutrition Programs to offer meal benefits to students based on income eligibility.

During the 2010-11 school year, 147,156 students were enrolled in schools that participated in School Nutrition Programs. Of these enrolled students, 48,944 (33%) were eligible for free meals, 13,561 (9%) were eligible for reduced-price meals, and 84,651 (58%) were eligible for paid meals.



A total of 62,505 (42%) of Montana students were eligible for free and reduced-price school meals in 2011.

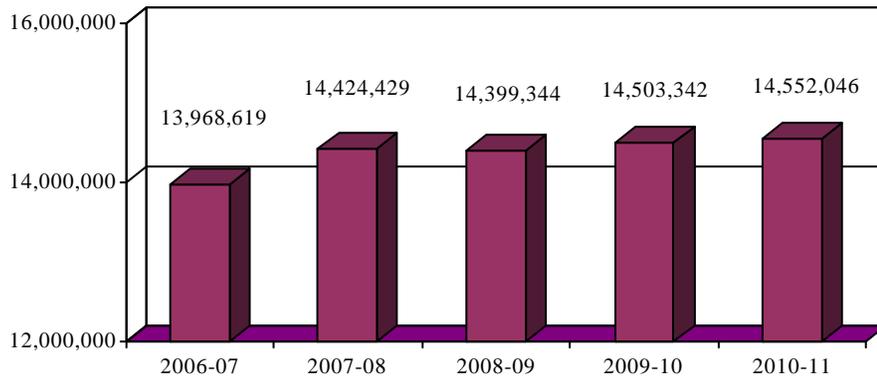


# National School Lunch Program

The National School Lunch Program (NSLP) began in 1946 under the National School Lunch Act and is intended to help meet the nutrition needs of children from low-income households.

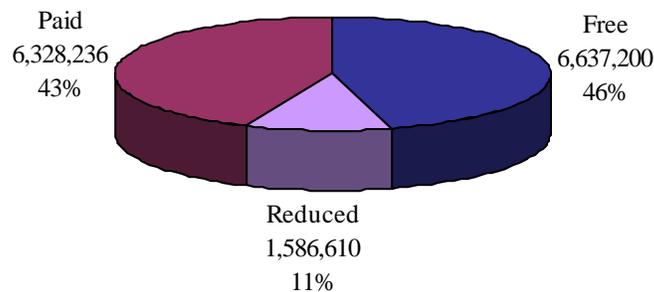
More than 14.5 million lunches were served during the 2011 school year.

## Total Lunches Served



On a daily basis 57% (83,342) of the total eligible students (147,156) participated in the National School Lunch Program. Students consuming school lunches are predominately eligible for free and reduced- price meals.

## Student Lunches by Category

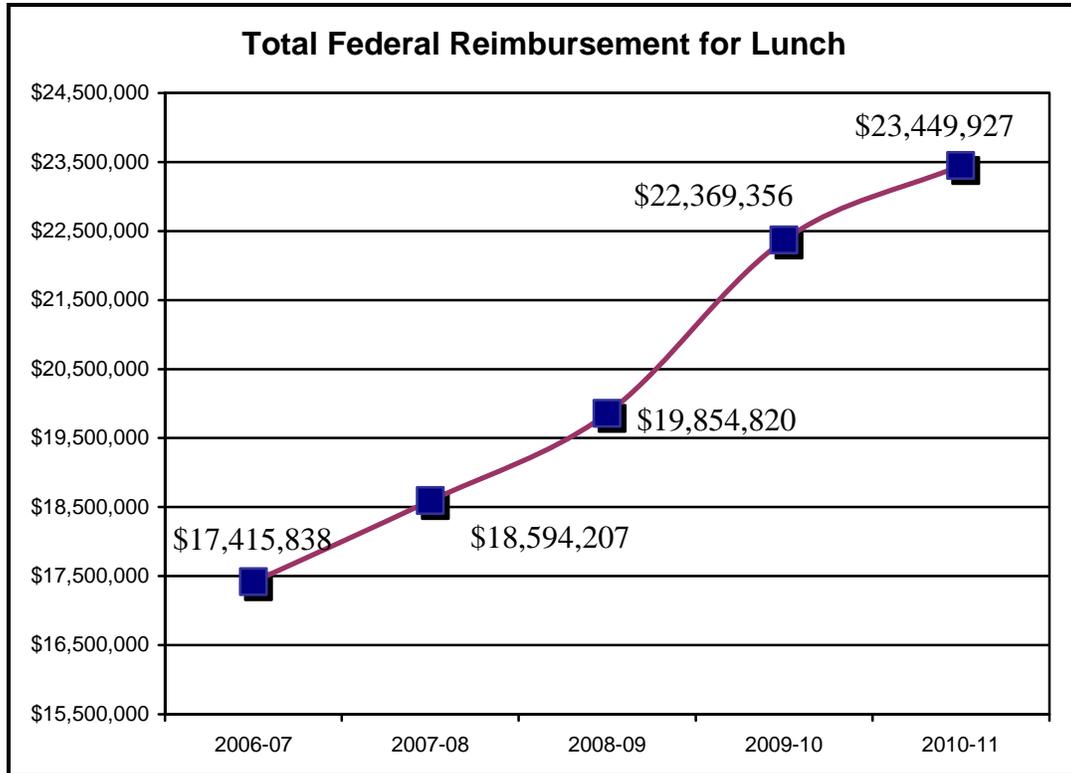




# National School Lunch Program

## Federal Reimbursement

The United State Department of Agriculture reimburses schools for meals served to students as part of Child Nutrition Programs. Montana schools were reimbursed 23 million dollars for lunch meals in 2011.



Meal reimbursement rates effective July 1, 2010-June 30, 2011 are included below. Schools that consistently served 60% or more of their lunches to free and reduced-price eligible students in the second preceding year received an additional two cents per meal.

National School Lunch Program	Less than 60%	60% or more
Paid	0.26	0.28
Reduced Price	2.32	2.34
Free	2.72	2.74

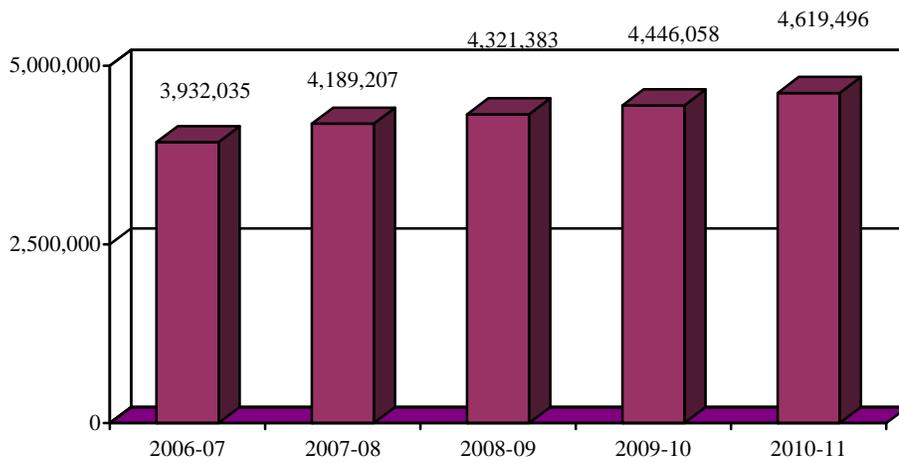


# School Breakfast Program

The School Breakfast Program (SBP) began as a pilot project in 1966 and was made permanent in 1975. Breakfasts served under this program are designed to meet one-fourth of the RDA for the key nutrients. *Combined, a school breakfast and lunch provide over half the nutrition that a child needs in a day.*

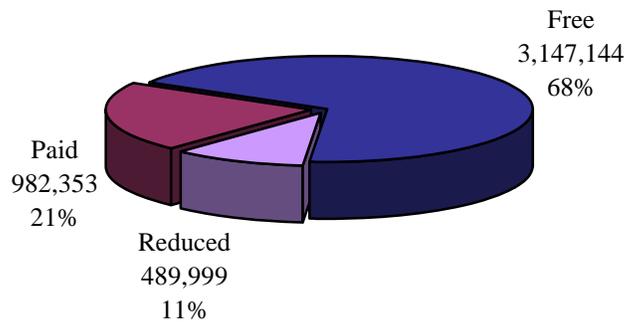
More than 4.6 million breakfasts were served during the 2011 school year.

## Total Breakfasts Served



On a daily basis 18% (25,987) of the total eligible students (147,156) participated in the School Breakfast Program. Students consuming breakfast meals are predominately eligible for free and reduced- price meals.

## Student Breakfasts by Category





# School Breakfast Program

Researchers concur that eating breakfast helps student perform better in school. According to the 2011 *Montana Youth Risk Behavior Survey Report* only 40% of high school students reported eating breakfast in the past 7 days prior to the survey.

In the 2010-11 school year, 25,987 students participated in the School Breakfast Program on a daily basis, which means only 18% of the children eligible to participate in the program are eating breakfast at school. Breakfast is offered at 723 out of 817 (88%) of Montana schools. For children to have access to school breakfast, their school must participate in the program. Schools with a breakfast program can improve breakfast participation by expanding student access to meals.

Expanding School Breakfast Program participation is identified as a way to alleviate child hunger. OPI worked in collaboration with the Montana Food Bank Network Food Security Council to host a Montana Summit to End Childhood Hunger to develop a plan to meet this long-term goal.

Team Nutrition has also been active in providing training and technical assistance to more than 100 school employees on successful methods to expand breakfast participation levels. Schools often see increased breakfast participation when alternative service methods such as breakfast in the classroom and grab-and-go stations are used.

Only 40 % of  
high school students  
report eating  
breakfast daily  
during the past  
7 days

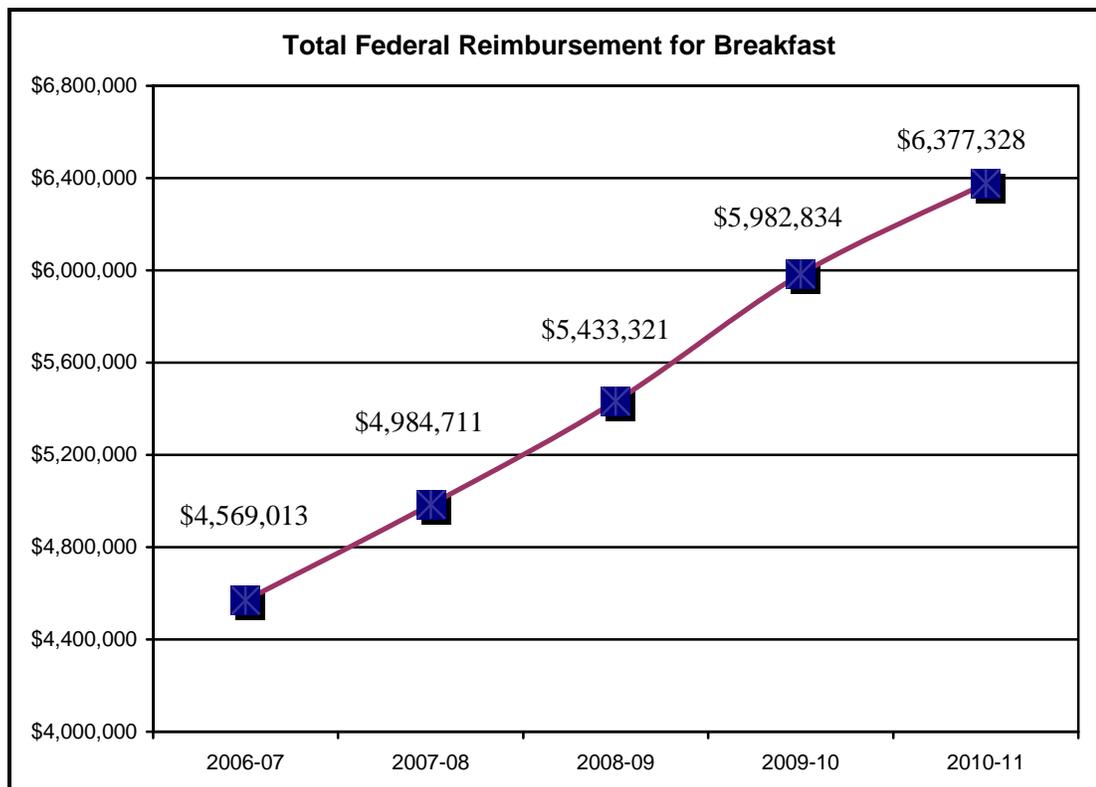
*2011 Montana Youth Risk  
Behavior Survey Report*



# School Breakfast Program

## Federal Reimbursement

Montana schools were reimbursed 6.3 million dollars for breakfast meals in 2011.



USDA reimbursement for breakfast includes rates for severe need and non-severe need areas.

School Breakfast Program	Non-severe Need	Severe Need
Paid	0.26	0.26
Reduced Price	1.18	1.46
Free	1.48	1.76

Severe need means 40% or more of the lunches served during the second preceding school year were served at a free or reduced price. Severe need schools receive more funding for each free or reduced-price breakfast served.

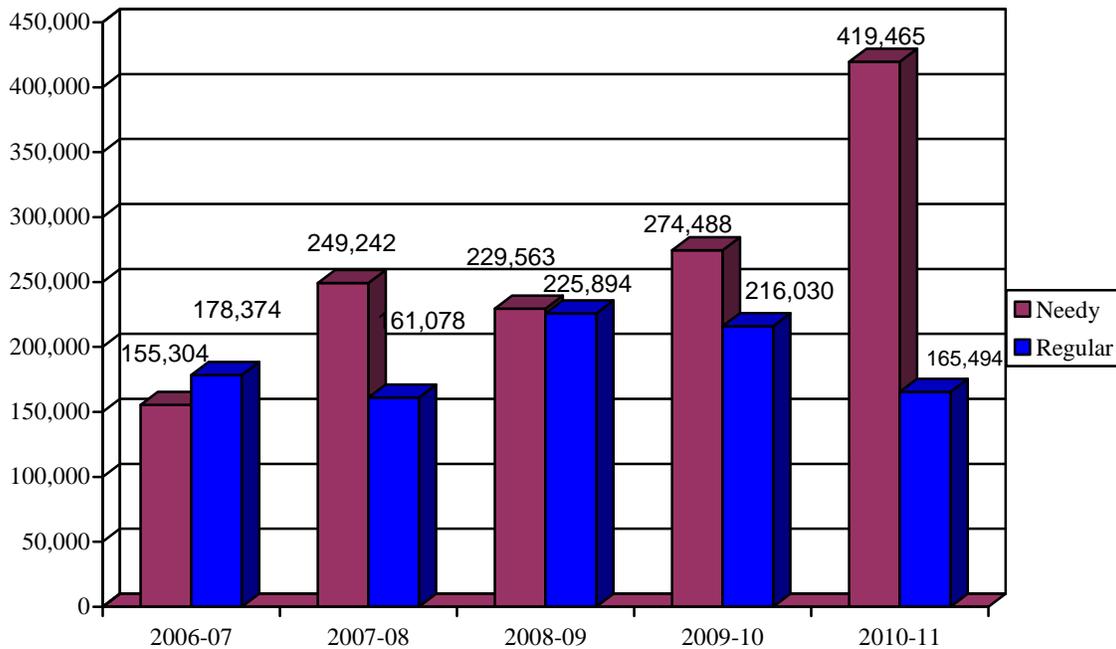


# Afterschool Snack Program

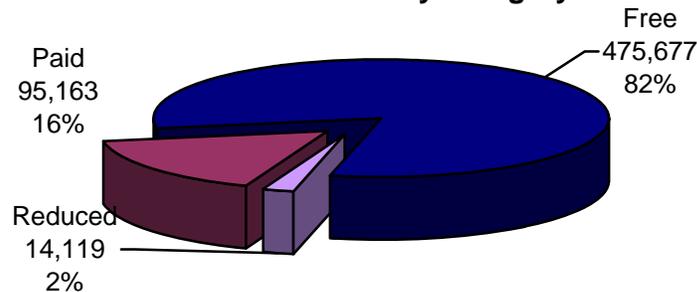
Started in 1998, the Afterschool Snack Program offers children education and enrichment activities that are safe, fun and filled with learning opportunities. Schools in which 50% of the students qualify for free and reduced price lunches are considered area eligible (needy) and students qualify for free snacks.

Over the past year there was an increase of 94,441 snacks served.

### Total After School Snacks Served



### Student Snacks by Category

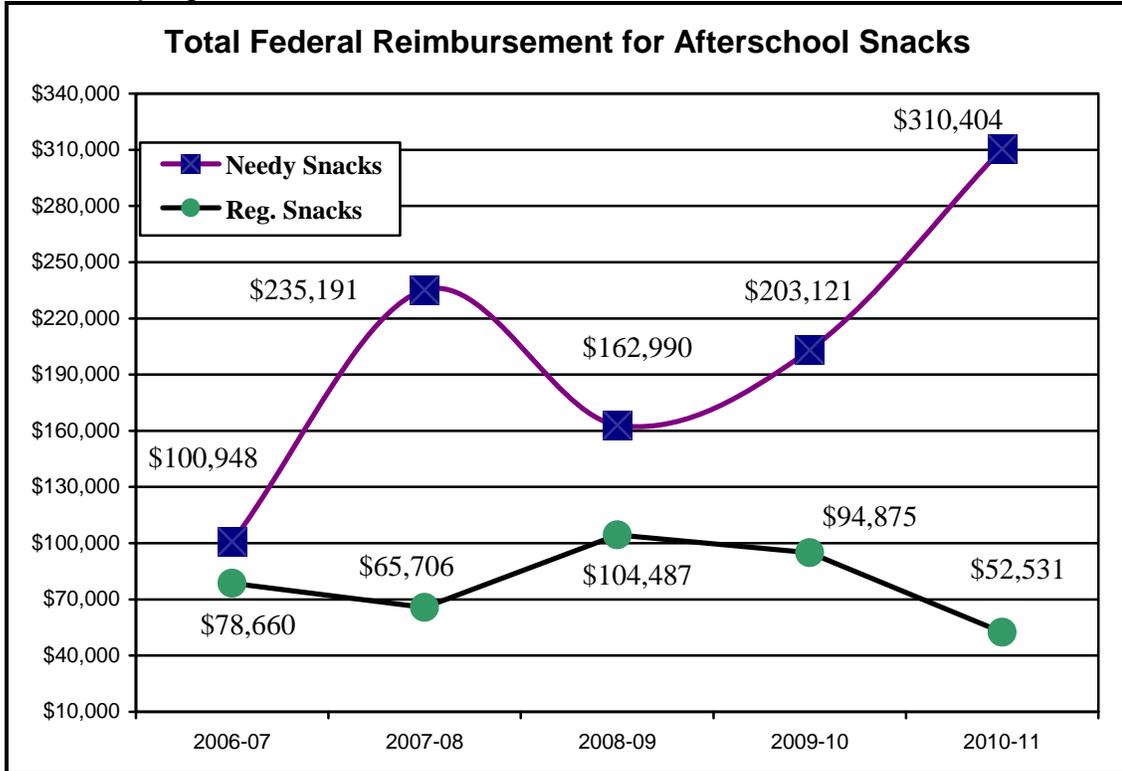




# Afterschool Snack Program

## Federal Reimbursement

Montana programs were reimbursed \$362,936 for afterschool snacks in 2011.



<b>Afterschool Snack Program</b>	
Paid	0.06
Reduced Price	0.37
Free	0.74

USDA reimbursement rates are based on student eligibility.

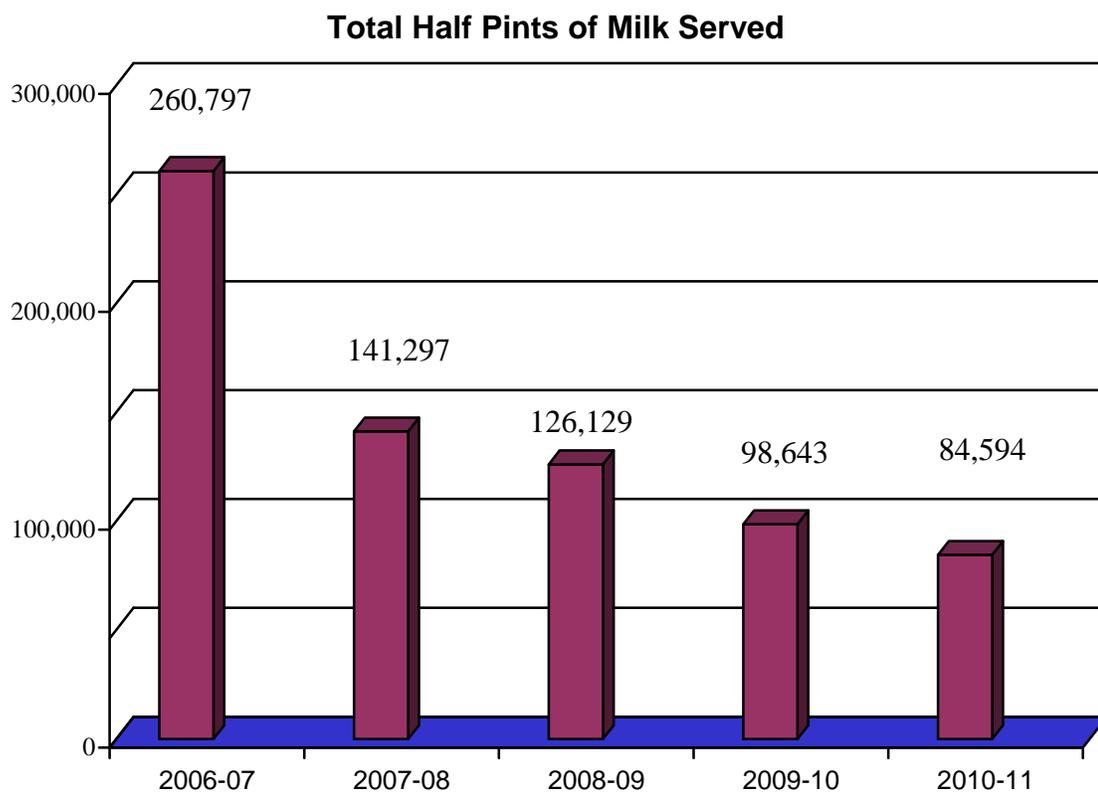


# Special Milk Program

Schools that do not offer other school meal programs or kindergarten students who do not have access to lunch and breakfast at school may participate in the Special Milk Program.

As split-session kindergarten classes decrease and the number of schools that participate in breakfast and lunch programs increase, the number of schools operating the Special Milk Program has declined. The number of half pints of milk served each year continues to follow a downward trend. Over the past year there was a decrease of 14,049 half-pints served.

Schools that participated in the Special Milk Program during 2011 included 6 with kindergarten milk programs, 10 with milk only programs, and 6 with summer camps.

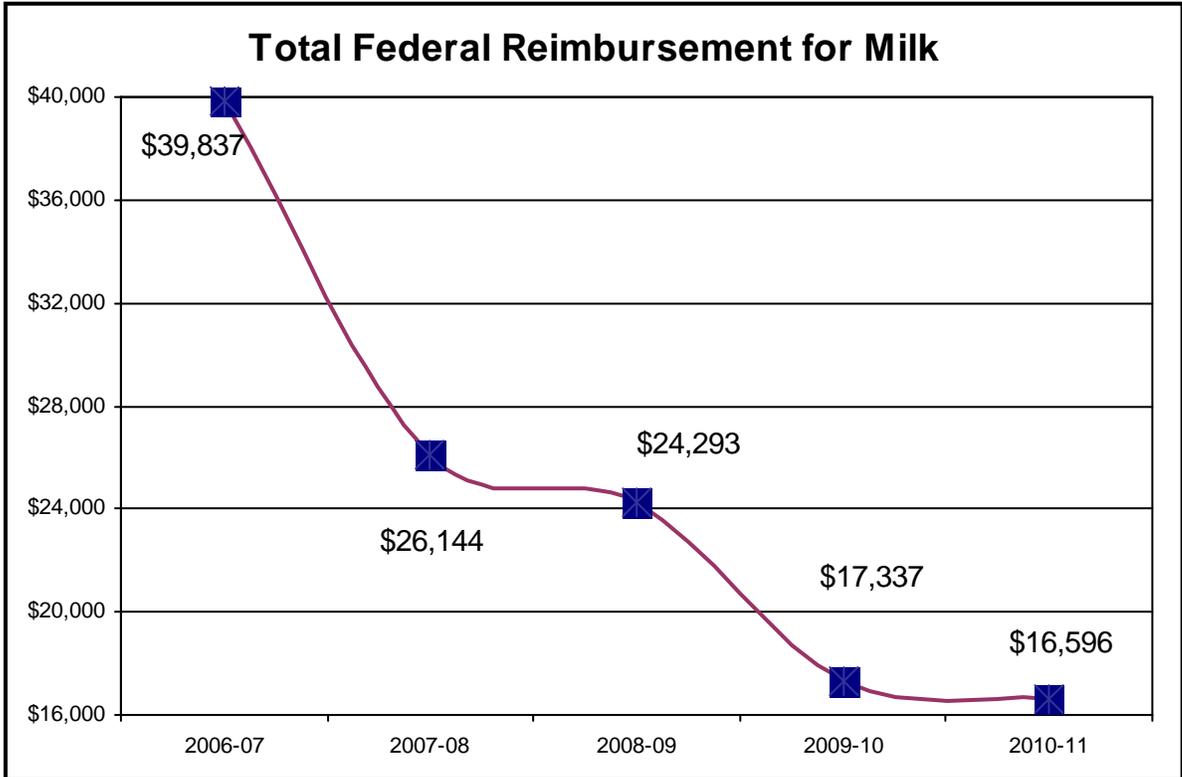


Montana programs were reimbursed \$16,596 for milk served in 2011.



# Special Milk Program

## Federal Reimbursement

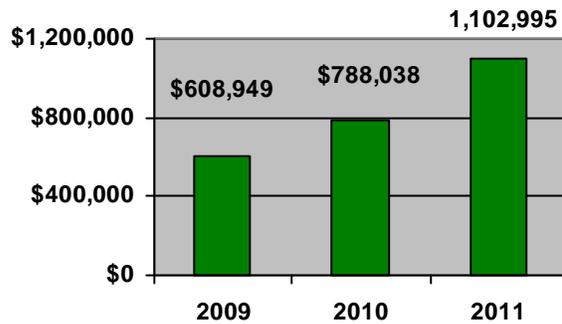


Special Milk Program	All Milk	Paid Milk	Free Milk
Pricing Programs without free option	0.1775	N/A	N/A
Pricing Programs with free option	N/A	0.1775	Average cost per ½ pint of milk
Non-pricing programs	0.1775	N/A	N/A

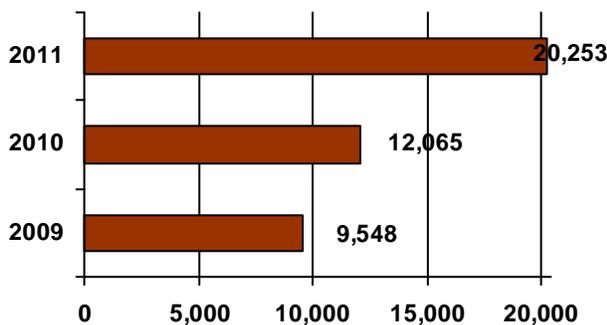
# Fresh Fruit and Vegetable Program

The Fresh Fruit and Vegetable Program (FFVP) was developed as catalyst to combat childhood obesity by exposing children to fresh fruits and vegetables and helping them learn more healthful eating habits. The FFVP was successfully implemented in 114 schools in 2011 (46 more than the previous school year).

**FFVP Funding**



**FFVP Student Enrollment**



**Schools are selected based on the following criteria:**

Elementary School

National School Lunch Program Participant

FFVP Application

50% of students must be eligible for free and reduced price lunch

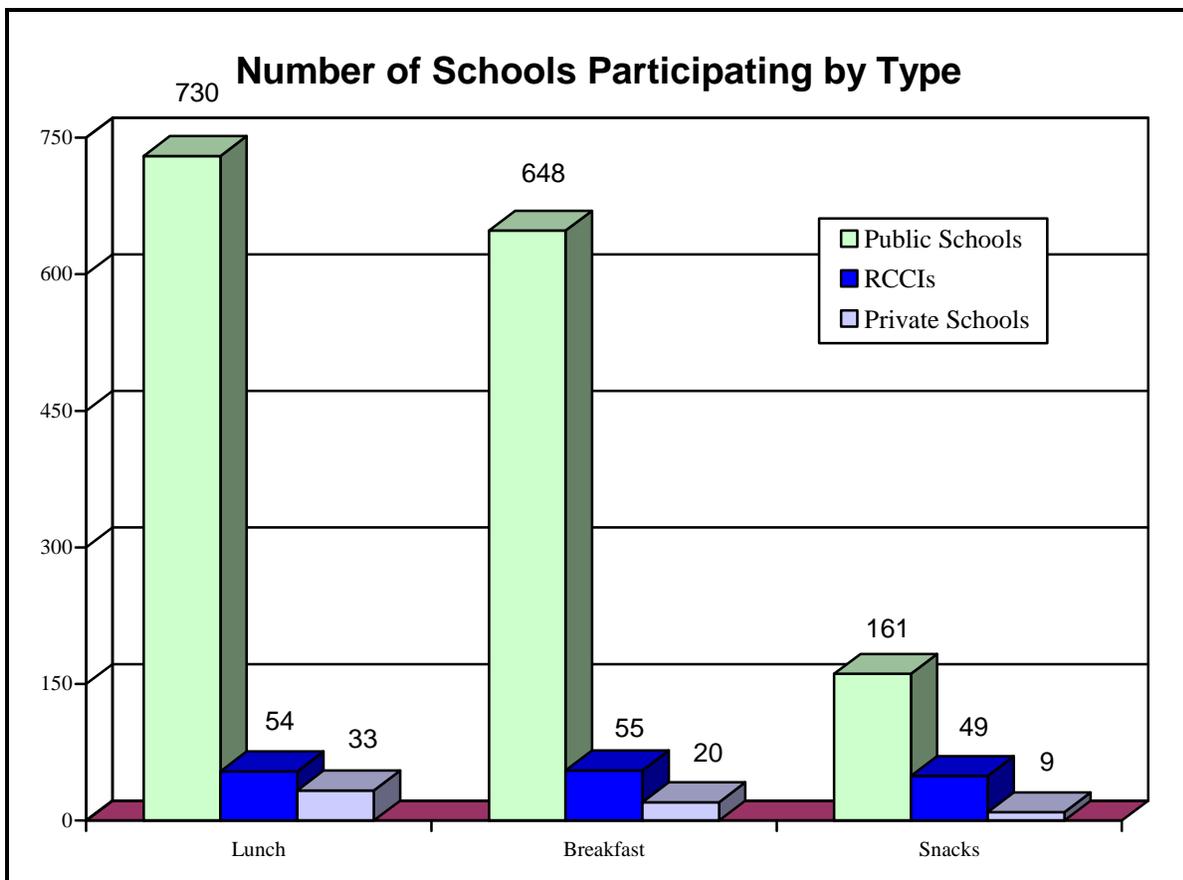
Highest priority given to schools with the highest percentage of free and reduced students

Total enrollment of all schools selected must result in \$50-75 per student allocation each year



# Types of Schools

In 2011, 259 sponsors participated in the lunch program, 215 sponsors participated in the breakfast program, and 108 sponsors participated in the afterschool snack program. These sponsors include public schools, public or nonprofit private Residential Child Care Institutions (RCCIs), and nonprofit private schools. All of these organizations are collectively called School Food Authorities (SFAs) within the School Nutrition Programs. An RCCI can include correctional facilities or group homes for children with special needs. This chart details the types of schools (within the SFAs) that participate.



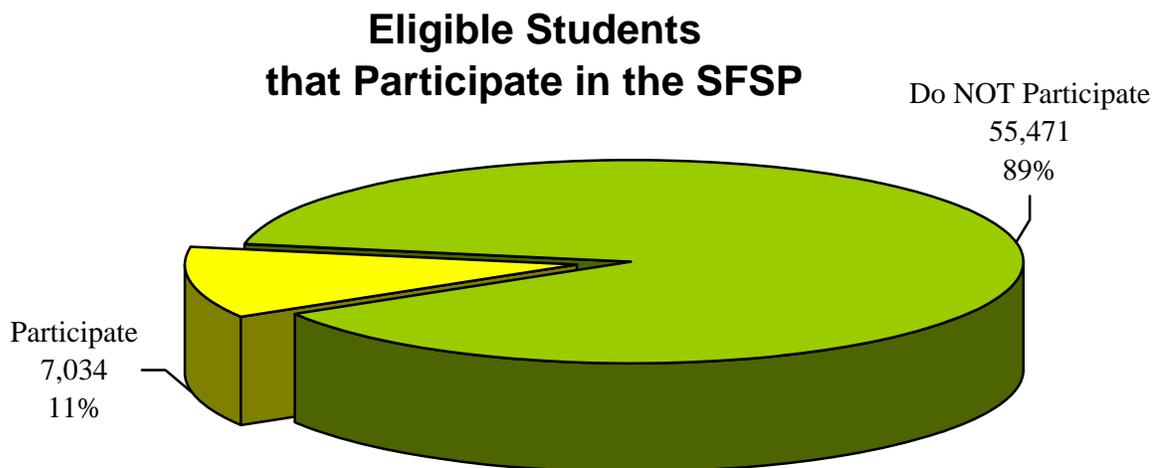


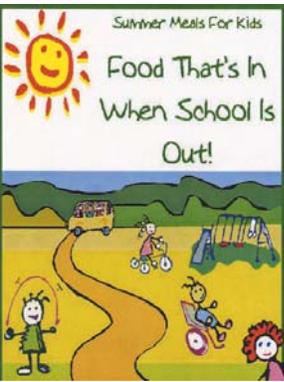
# Summer Food Service Program

The Summer Food Service Program (SFSP) provides nutritious meals at no charge to children while school is not in session. This program was established to ensure that children in low-income areas could continue to receive nutritious meals in between school sessions.

Montana SFSP sites serve children in small rural communities, six of the larger cities and each of the seven American Indian reservations. Sites operate in low-income areas where at least half of the children come from families that qualify for free or reduced-price meals.

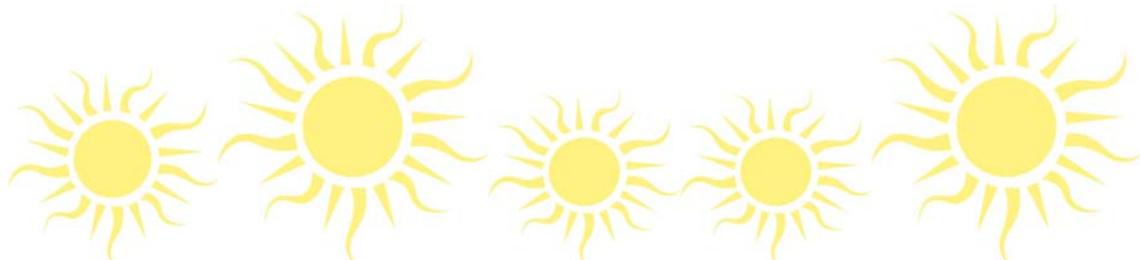
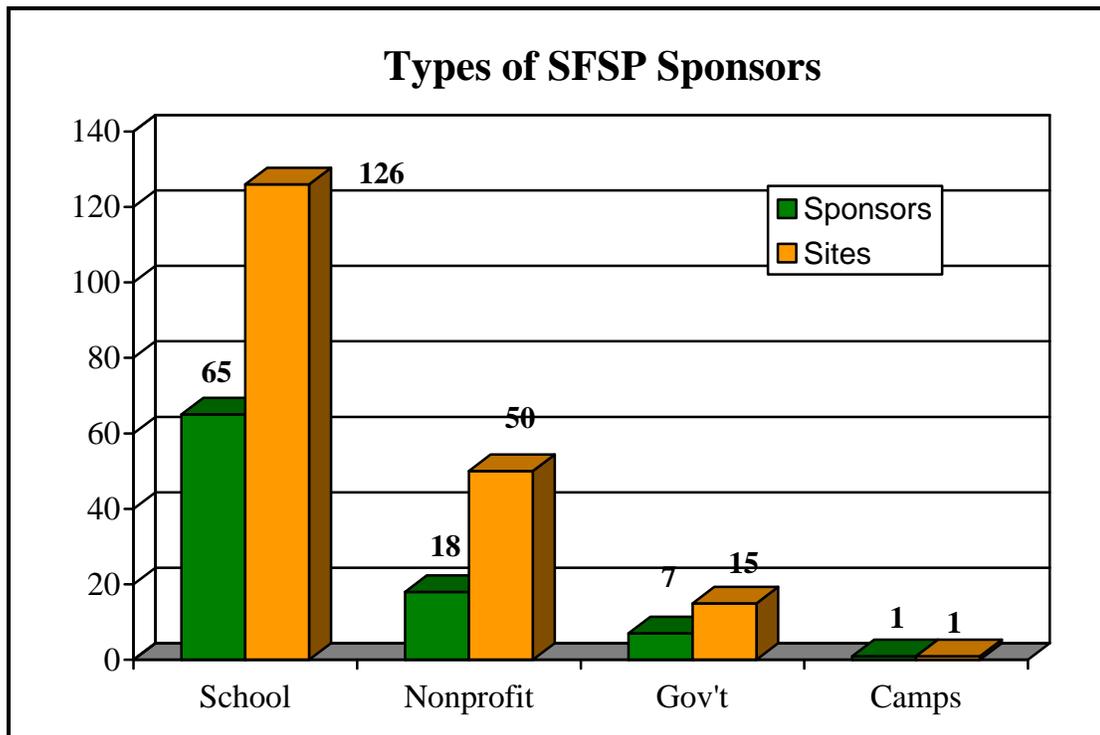
Of the 62,505 children eligible for free and reduced-price meals during the 2011 school year, 7,034 (11 percent) participated daily in the SFSP. In 2011, 313,483 lunches were served which is an increase of 11,111 meals from the previous year.





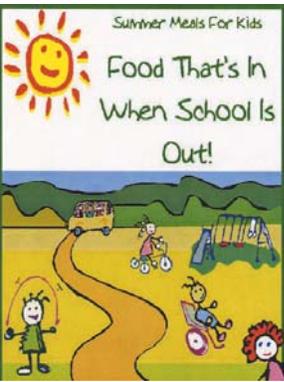
# Summer Food Service Program

Sponsors for the SFSP include school districts, local government agencies, public or private non-profit organizations and camps. Sponsors are organizations that operate the SFSP and sites are the locations where sponsors serve meals. A total of 91 sponsors provided meals at 192 sites in Montana during the summer of 2011.



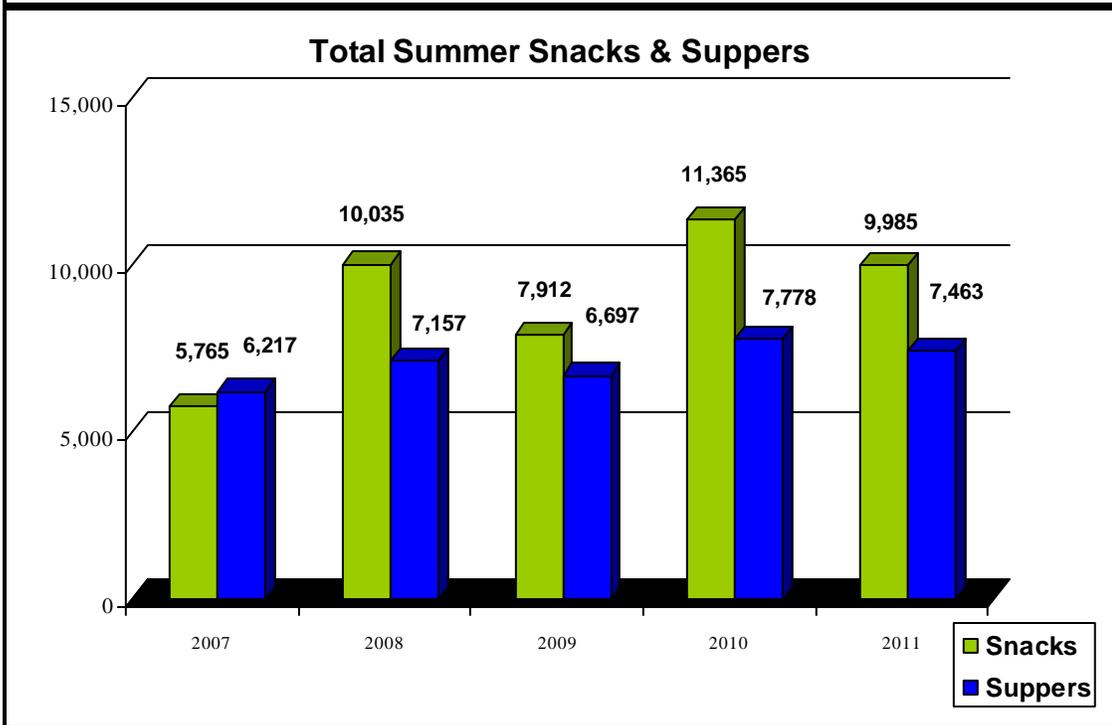
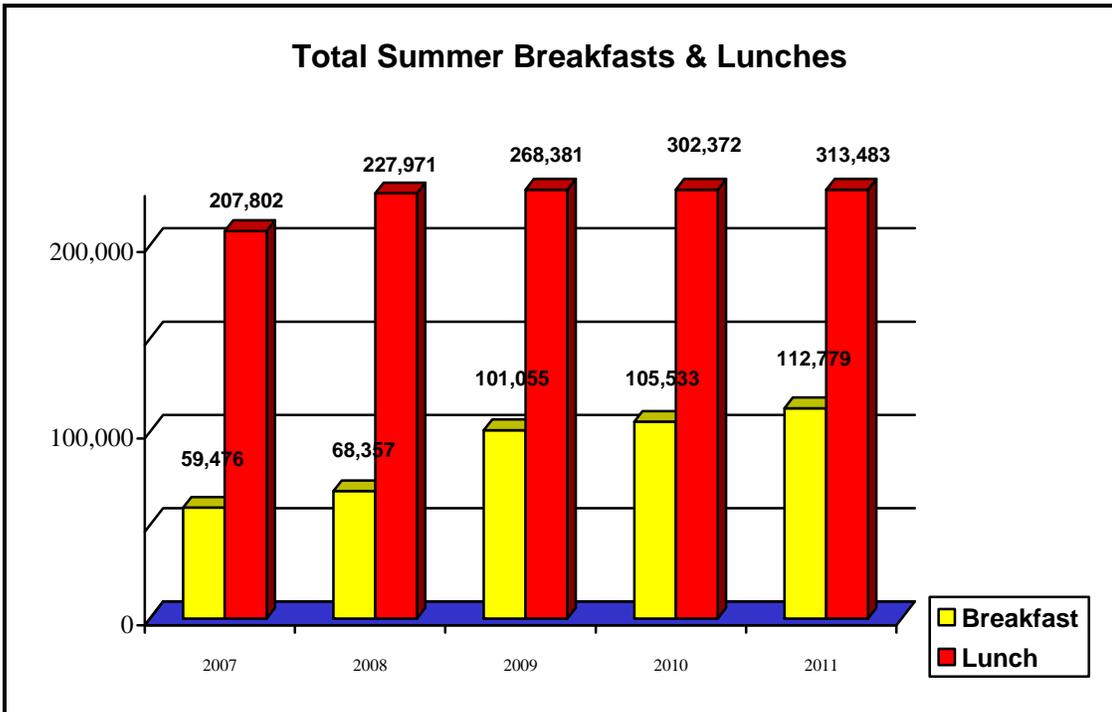
Over the past year:

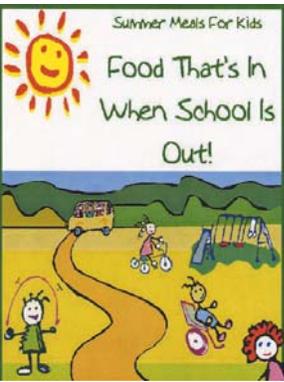
- There was an increase of 7 sponsors and 17 sites.
- There were an additional 11,111 lunches and 7,246 breakfasts served.



# Summer Food Service Program

## Meals Served

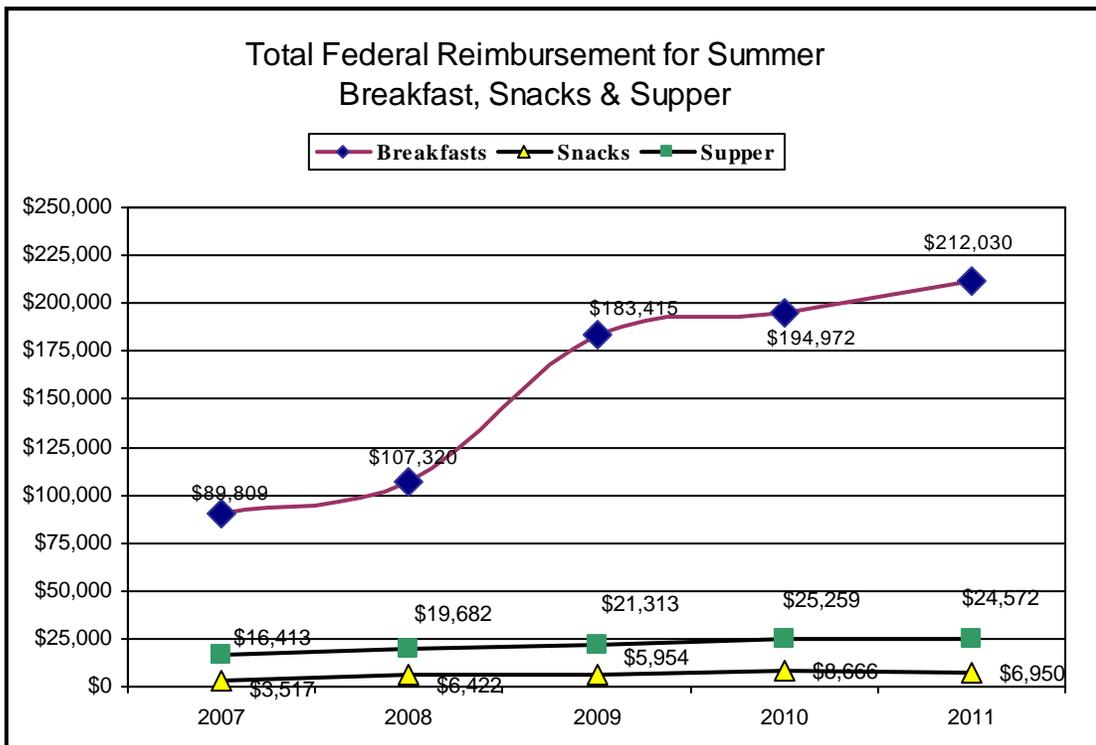
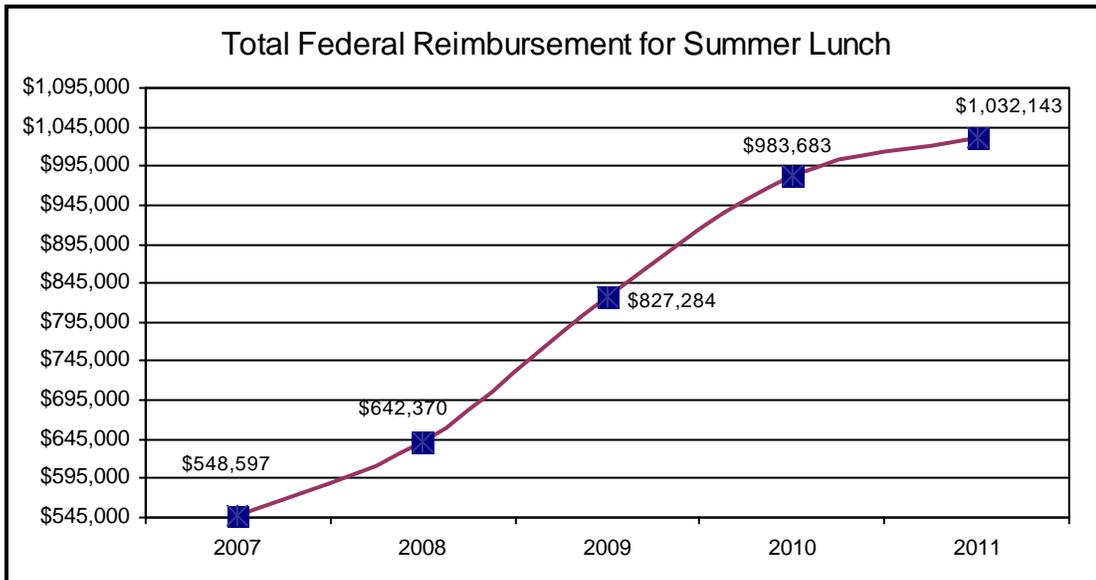


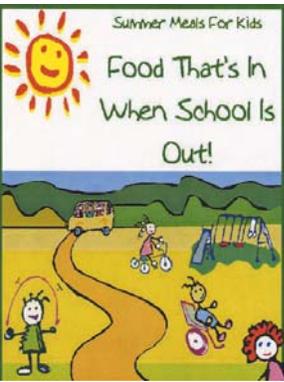


# Summer Food Service Program

## Federal Reimbursement

The total meal reimbursement (for lunch, breakfast, snacks, and supper) paid to summer sponsors in 2011 was \$1,251,703.





# Summer Food Service Program

Reimbursement rates for Summer Food Service Programs are based on meal type and geographic location. Rural and self-preparation sites receive a higher rate of reimbursement than urban or vended sites because there is often an increased cost of providing services in rural locations.

Summer Food Service Program	Rural or Self-Preparation Sites	Urban or Vended Sites
Breakfast	1.8800	1.8450
Lunch & Supper	3.2925	3.2375
Supplements (Snacks)	0.7750	0.7575

## Fun in the Sun

### Montana Summer Food Summit 2011

School Nutrition Programs hosted the first Summer Food Summit conference in 2011. The Summit was initiated because of Sponsor requests and suggestions as well as the State Agency's desire to maximize resources. Topics included summer outreach and best practices, menu planning, cost control, nutrition education and a required SFSP Sponsor training.

Thirty four people representing 20 of our 91 Sponsors (22%) attended as well as representatives from the U.S. Department of Agriculture and the Montana Food Bank Network.





# USDA Food Distribution Program

The USDA Food Distribution Program delivers USDA Foods to School Food Authorities. USDA Foods account for 15 to 20 percent of school nutrition program food. During the 2010-11 school year, schools received an entitlement of 20.25 cents for each lunch served (during the previous school year) to spend on commodity foods. This entitlement totaled \$3,814,235.

OPI is currently exploring ways to process more USDA Foods to meet the needs of Montana SFAs.

### **USDA Foods are a healthy food choice.**

*USDA continually explores ways to offer healthy food choices so that schools can serve meals consistent with the Dietary Guidelines for Americans.*

#### **Whole Grains**

*Items include brown rice, rolled oats, whole wheat flour, and whole grain spaghetti.*

#### **Less Sugar**

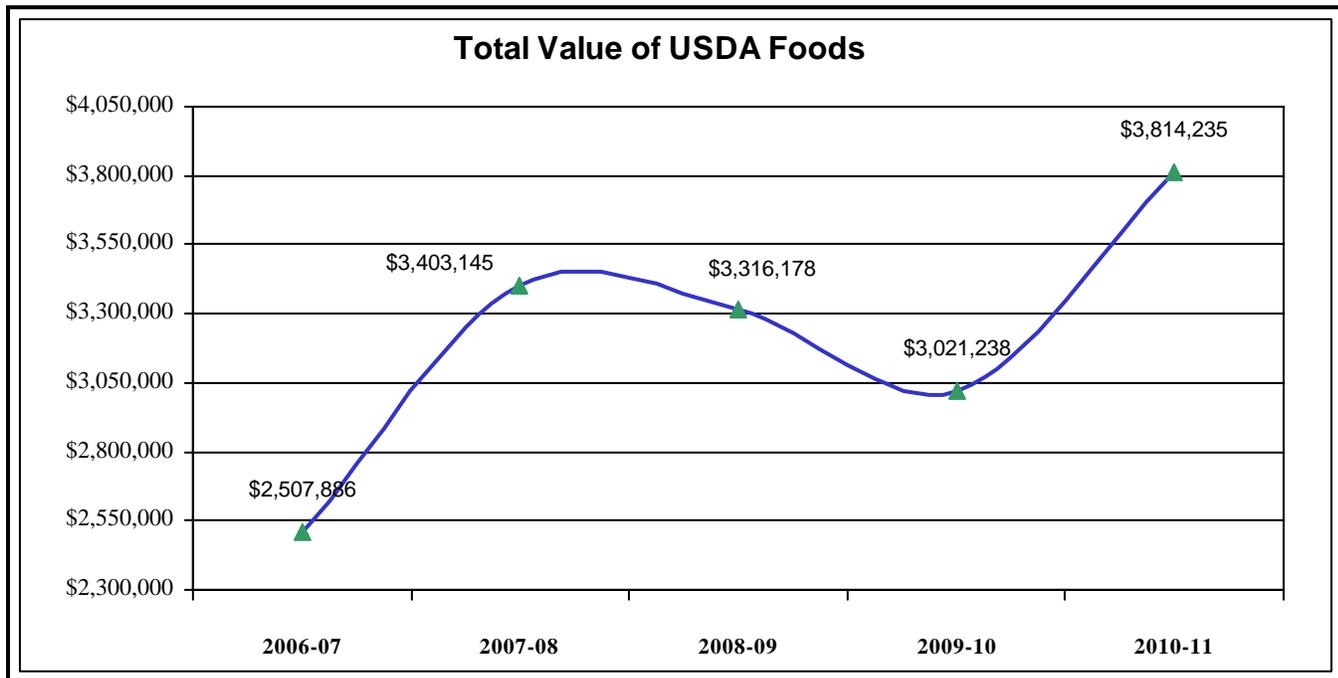
*Canned fruits are packed in light syrup, water or natural juices.*

#### **Less Fat**

*85% lean ground beef, 97% lean ham, 95% lean turkey ham, diced chicken, part skim mozzarella, and no trans fat in frozen potato products.*

#### **Less Sodium**

*Canned vegetables are being reduced to 140 mg of sodium per serving.*

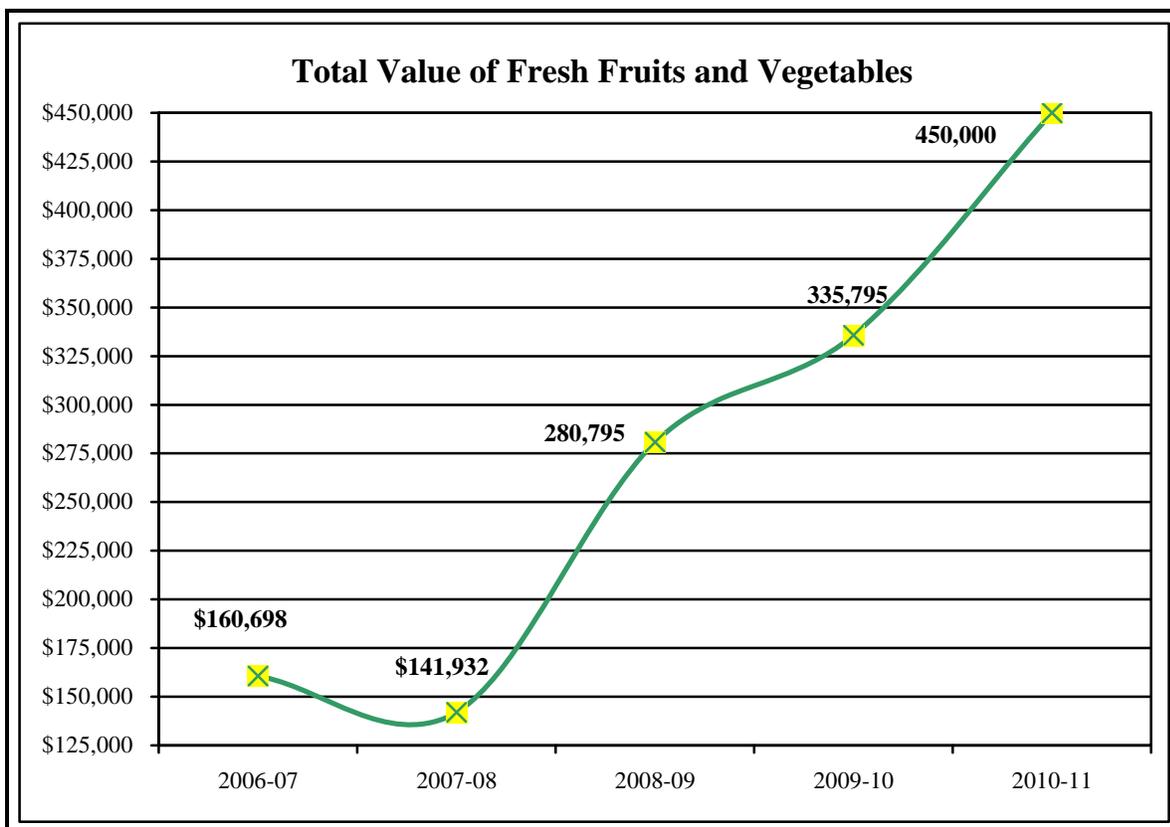




# Fresh Fruit and Vegetable Program

## Department of Defense

A portion of the total entitlement for Montana's Food Distribution Program is set aside for the Department of Defense Fresh Fruit and Vegetable Program. This program administered through the U.S. Department of Defense allows schools that participate in the National School Lunch Program to use the USDA commodity entitlement to purchase high quality fresh fruits and vegetables. During the 2010-11 school year, School Nutrition Programs was allocated \$450,000 for this program, an increase of \$114,205 from the previous year.



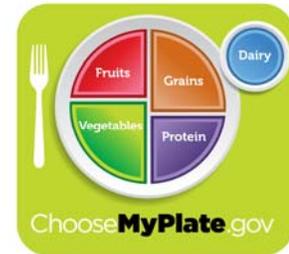


# Montana Team Nutrition Program

Team Nutrition is a USDA competitive grant focused on improving children’s lifelong eating and physical activity habits by integrating the principles of the Dietary Guidelines for Americans and USDA’s My Plate into comprehensive, behavior based education. Montana State University in Bozeman, MT is home to the **Montana Team Nutrition Program**, which serves as the nutrition education component of School Nutrition Programs.



In 2010-11, School Nutrition Programs was awarded two Team Nutrition grants which provided increased training and technical assistance to school and child care facilities. Classroom, cafeteria and community initiatives focused on the consistency of educational messages within three core areas:



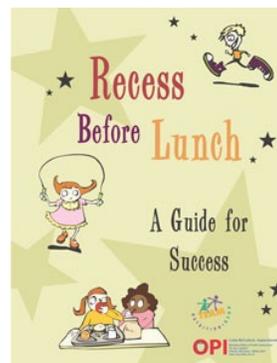
- Strengthening School Wellness Policies
- Improving Quality of School Meals
- Reducing Childhood Obesity

### Strengthening School Wellness Policies:

- Funded \$50,000 of *School Wellness in Action Mini-grants* to 11 school districts to support a part-time wellness coordinator or to help schools implement healthy habits concerning food and physical activity. Mini-grants reached 20,115 students (and potentially 40,470 Montanans).
- Continued to teach the principles of *Recess Before Lunch* through technical assistance and training to schools. Conducted 10 school staff trainings, distributed 1,000 Recess in Action Guides, and published research in the *Journal of Child and Nutrition Management*.

Montana principals observe improved student behavior with use of *Recess Before Lunch*

Scheduling Recess Before Lunch:  
Exploring the Benefits and the Challenges in Montana Schools.  
*Journal of Child and Nutrition Management*. 2010



**32 % of Montana elementary & middle schools implement a recess before lunch schedule.**



# Montana Team Nutrition Program

## Improving Quality of School Meals:

### Focus on Quality

- Promoted healthy school award programs including the Healthier US School Challenge (HUSSC) and the Healthier Montana Menu Challenge through workshops and conference calls. Assisted 4 schools with achieving and celebrating one of these awards. MT HUSSC program received recognition at the National Parent Teacher Association (PTA) Conference in June 2011 with a presentation during the session “Let’s Move Healthier Foods to Schools.”
- Supported 13 regional “Cook Smart” workshops reaching approximately 256 child care and school nutrition personnel from 225 sites and 10,000 children. Workshops trained personnel how to cook with whole grains, fruits and vegetables, legumes/dried beans and peas, lean meats and low fat dairy foods.



- Developed *Healthy Mealtime Philosophy* materials and provided training to 275 childcare and school nutrition personnel across Montana. These materials have been recognized as promoting healthy eating practices for children and include two videos, *Comfortable Cafeterias* and *Please Pass the Peaches*.

### Focus on Nutrition Education for Children

- Promoted the use of the Montana Team Nutrition resource, *Eat Smart Be Smart: Teaching Nutrition through Math, Science, Language Arts and Health Enhancement* curriculum guide.
- Promoted the *Teaching Adolescent Nutrition* (two hour graduate level) on-line course from Montana State University (MSU) for educators. Supported the development of two classes, *Nutrition Across the Curriculum* (one hour graduate level) on-line course from MSU for educators.
- Conducted a pilot project with five afterschool programs for elementary children to determine steps for working with teen youth groups to provide *Let’s Get Kids Cooking* classes and use of *USDA Foods* in preparing kid pleasing recipes. This project reached 639 students (and potentially 945 Montanans).



# Montana Team Nutrition Program

## Focus on Farm to School

- Provided training or technical assistance to more than 350 school staff or community members on using a farm to school strategy for procuring local foods, garden based learning or local food school fundraising.
- Partnered with the Montana Department of Agriculture and the Governor's Office to develop the nutrition lesson, *Mmm Mmm Montana* for the First Lady Nancy' Garden Kit curriculum for fourth grade students.
- Facilitated a round table discussion for a rural school and community to bring together partners interested in implementing a Farm to School Program to better connect children with their food source.

## Reducing Childhood Obesity:

### Supporting a Team Approach for Children's Health at State and Local Levels

- Provided leadership and resources to statewide and local nutrition organizations that foster children's healthy eating habits and reduce hunger, including Montana Action for Healthy Kids, Eat Right Montana Coalition and Montana Food Security Council.
- Collaborated with partners such as Grow Montana, AERO, MSU Extension, Montana Department of Agriculture and the Governor's Office to strengthen grassroots support for Farm to School as a successful strategy for improving children's health.

# OPI Cooperative Purchase Program

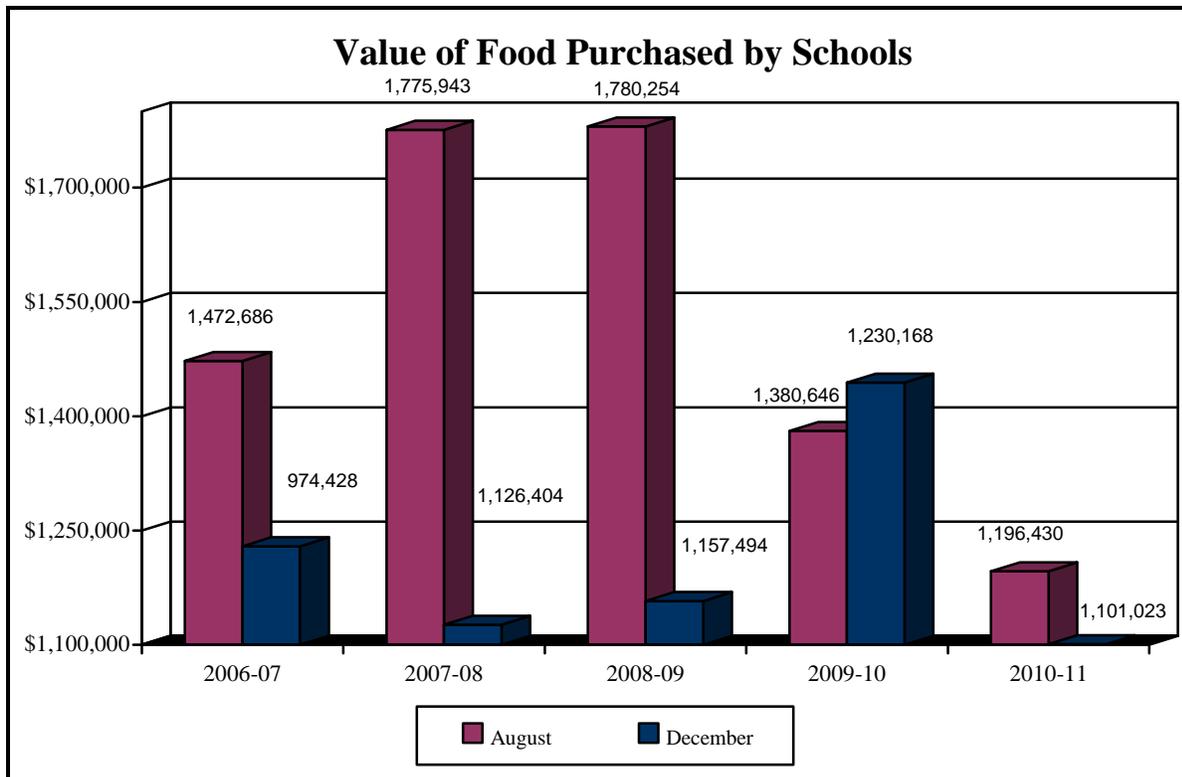
The OPI Cooperative Purchase Program was implemented in 1980 to assist schools in purchasing high-quality nutritious foods at reasonable prices. There are two bids a year (winter and spring) and four deliveries per bid for a total of eight food deliveries per year.



Items available through the bid are continuously revised by the Advisory for the Bid and Commodity (ABC) Committee, which consists of State Agency staff and 30 school food service personnel from schools across the state.

By combining purchase orders, all participating schools receive the high-quality, low-cost bid items at the same price regardless of size or location. Nutrition information for all products on the bid is provided to participating schools to assist with nutrient analysis of menus.

The program coordinator serves as a liaison between schools and food manufacturers, producers, processors, distributors, and representatives. During the 2010-11 school year, Montana schools purchased 99,717 cases of food worth \$2,297,453.

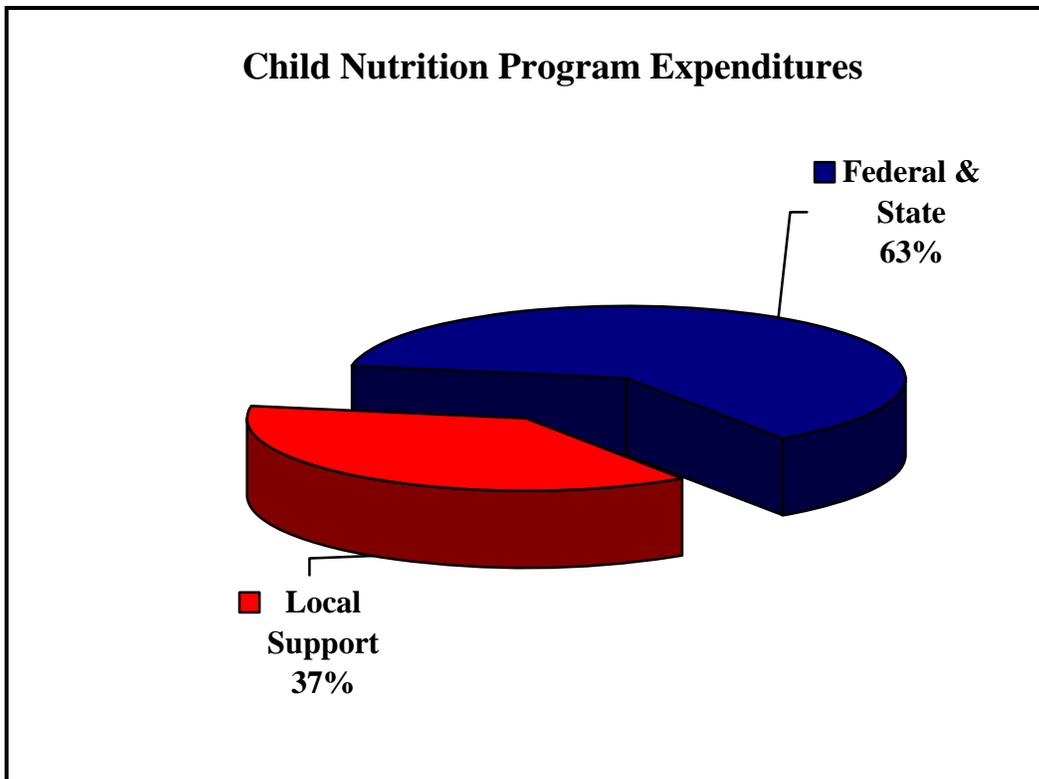




# Financial Management

## Financial Management

The USDA provides general assistance for every reimbursable meal served to children in school according to reimbursement rates that are updated yearly. School Food Authorities reported \$50,468,357 in program income in 2010-11 which included \$36,855,947 in federal reimbursement and \$647,542 in state matching funds. The state matching funds were used to cover the cost of shipping and handling, storage and processing of USDA Foods.



Overall school expenditures were \$59,755,542. After subtracting federal reimbursement and state match, local support to the meal programs was \$22,252,053 or 37 percent of the total expenditures. Local support includes students who pay for breakfast and lunch.



# Financial Management

<b>FUNDING FOR THE SCHOOL NUTRITION PROGRAMS IN MONTANA</b>	
<i>July 1, 2010 – June 30, 2011</i>	
<b>Income</b>	
National School Lunch Program Meals	\$23,449,927
Afterschool Snacks	\$362,936
USDA Foods and DoD Fresh Fruit and Vegetable Program	\$4,264,235
<b>National School Lunch Program (lunches, snacks and commodities)</b>	<b>\$28,077,098</b>
<b>School Breakfast Program</b>	<b>\$6,377,327</b>
<b>Special Milk Program</b>	<b>\$16,596</b>
<b>Fresh Fruit and Vegetable Program</b>	<b>\$1,102,867</b>
Summer Food Service Program Reimbursement	\$1,276,478
SFSP USDA Foods - Commodities	\$4,939
<b>Summer Food Service Program</b>	<b>\$1,281,417</b>
<b>Total Federal Funding</b>	<b>\$36,855,948</b>
<b>Total State Matching Funds</b>	<b>\$647,542</b>
<b>Total Federal and State Funding</b>	<b>\$37,503,490</b>
<b>Expenditures</b>	
School Expenditures (Food, Labor, Other)	\$59,755,542
Federal and State Reimbursement	\$37,503,490
Student, Adult Payments, General Fund, Other Sources	\$22,252,052

## **EXECUTIVE SUMMARY**

**DATE: JANUARY 2012**

**PRESENTATION:** Request for New Program - Rocky Mountain College  
Broadfield Science

**PRESENTER:** Linda Vrooman Peterson, Administrator  
Educator Preparation Program  
Office of Public Instruction

Dr. Barbara Vail  
Director of Education and Associate Academic Vice President  
Rocky Mountain College

**OVERVIEW:** The Office of Public Instruction provides to the Board of Public Education for discussion the materials relating to the proposal from Rocky Mountain College (RMC) to add to its secondary education curriculum the Broadfield Science Major with concentrations in Chemistry and Biology. Barbara J. Vail, Ph.D., Director of Education and Associate Academic Vice President at RMC, will present the institutional report addressing the program requirements of the specific standards of Chapter 58 – Professional Educator Preparation Program Standards: ARM 10.58.802 Standards for Approval; ARM 10.58.522 Broadfield Science; and ARM 10.58.501 General Requirements.

In February 2012, an on-site team will conduct a review validating the RMC institutional report and evidentiary materials relating to the new Broadfield Science Major with concentrations in Chemistry and Biology.

State Superintendent Denise Juneau will recommend action to the BPE at the March meeting.

**REQUESTED DECISION(S):** None

**OUTLYING ISSUE(S):** None

**RECOMMENDATION(S):** Discussion

**Rocky Mountain College  
Curriculum Revision Form**

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**PROPOSAL DATE: 11/10/10      PASSED by the FACULTY on 2/3/11**  
**CONTACT PERSON: Barbara J. Vail and Shelley Ellis**

**CURRICULAR REQUIREMENTS BEFORE CHANGE:** There is currently no Broadfield science major for students who want to teach science at the secondary level. RMC offers biology education and math education only.

**PROPOSED CHANGES TO CURRICULAR REQUIREMENTS:** Members of the Teacher Education Committee have worked with the science faculty in order to create a Broadfield science major which will meet the student objectives of the Montana Professional Educator Preparation Program Standards (PEPPS), which are required by the Office of Public Instruction (OPI). Students will be able to study the core scientific fields while choosing between a biology concentration and a chemistry concentration. **All students will also be required to complete the secondary education courses requirements.**

**Courses for a Broadfield Science Major with a Chemistry  
Concentration**

**A total of 20 credit hours in chemistry courses, including**

CHM 101	General Chemistry I	4
CHM102	General Chemistry II	4
CHM 251	Organic Chemistry I	4
		<b>12 credits</b>

**The remaining 8 credit hours can be selected from the following courses:**

CHM 252	Organic Chemistry II	4
CHM 336	Instrumental Analysis	4
CHM 338	Chemical Analysis	4
CHM 340	Environmental Chemistry	4
CHM 401	Chemical Thermodynamics	4
		<b>8 credits</b>

**Math and Science Requirements**

MAT 175	Calculus I	5
MAT 176	Calculus II	5
MAT 210	Statistics	3
		<b>13 credits</b>

**Rocky Mountain College  
Curriculum Revision Form (Continued)**

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**PROPOSAL DATE: 11/10/10      PASSED by the FACULTY on 2/3/11**  
**CONTACT PERSON: Barbara J. Vail and Shelley Ellis**

BIO 111	General Biology I	4
BIO 112	General Biology II	4
BIO 203	Genetics	4
BIO 306	Evolution	3
		<b>15 credits</b>

PHS 201	Physics I	4
PHS 202	Physics II	4
PHS 225	Modern Physics	3
		<b>11 credits</b>

GEO 101	Fundamentals of Geology	3
GEO 104	Fundamentals Lab	1
ESC 105	Environmental Science	4
		<b>8 credits</b>

IDS 422	Methods and Materials: Teaching Science in the Secondary School	2 credits
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**Total of 69 Credits**

**Courses for a Broadfield Science Major with a Biology Concentration**

**A total of 23 credit hours in biology courses, including**

BIO 111	General Biology I	4
BIO 112	General Biology II	4
BIO 203	Genetics	4
BIO 306	Evolution	3
		<b>15 credits</b>

**Choose any 2 of these 3 courses**

BIO 250	Microbiology	4
BIO 321	A&P I	4
BIO 415	Ecology	5
		<b>8 or 9 credits</b>

## **Math and Science Requirements**

MAT 175	Calculus I	5
MAT 210	Statistics	3
		<b>8 credits</b>
CHM 101	General Chemistry I	4
CHM102	General Chemistry II	4
CHM 251	Organic Chemistry I	4
		<b>12 credits</b>
PHS 101	Fund. Physics I	4
PHS 102	Fund. Physics II	4
PHS 225	Modern Physics	3
		<b>11 credits</b>
GEO 101	Fund. of Geology	3
GEO 104	Fundamentals Lab	1
ESC 105	Environmental Science	4
		<b>8 credits</b>
IDS 422	Methods and Materials: Teaching Science in the Secondary School	
		<b>2 credits</b>

**Total of 64 or 65 CREDITS**

### **RELEVANCE TO PUBLISHED PROGRAM STUDENT LEARNING OUTCOMES**

Students graduating with this major will meet all of the RMC education program outcomes and the Broadfield science outcomes required by the OPI PEPPS standards.

### **IMPACT ON MAJOR/MINOR, INCLUDING CHANGES IN REQUIRED CREDIT HOURS:**

Secondary students who are interested in teaching science will have the opportunity to become prepared to teach secondary classes in biology, chemistry, earth science, and physics. All courses designated as part of this new major are currently being taught except the IDS 422 course, which will be the responsibility of the education faculty.

### **RATIONALE FOR CHANGES:**

There is a shortage of well qualified junior high and high school science teachers in this country. In fact, annual federal Title II reports must now include testimony as to how each education program is addressing this shortage. RMC currently has no

Broadfield science major for students who want to teach more than one science at the secondary level. Many years ago we did offer a general science (Broadfield) major, but eliminated it because there was some doubt that graduates would be considered “Highly Qualified” under the federal No Child Left Behind Act (classified by the federal government as fit to teach a particular subject). Since then, it has been decided at the federal level that a teacher graduating with a Broadfield major will be considered “Highly Qualified”. This change in federal policy is the major impetus for recreating the Broadfield science major. In addition, students who graduate with this major will be more employable in Montana and other rural states. For budgetary reasons most schools in these states are only able to employ teachers who are prepared to teach more than one science.

**Rocky Mountain College Proposed Broadfield Science Major**  
**IDS 422: Methods and Materials Syllabus:**  
**Teaching Natural Science in the Secondary School**  
December 2011

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**Instructor:**  
**Office Hours:**  
**Meeting times:**

**Phone:**  
**Office:**  
**Semester:**

► **Course description**

This course requires focused study with a science teacher, or other acceptable professional, in an accredited secondary school. Hours will be arranged in consultation with the content area professor, the secondary education professor, the student, and the professional mentor. The course provides competence in the delivery and evaluation of planned science activities in suitable for grades 5-12. Appropriate use of technology and the implications of current research in science education are also discussed. Further areas of concentration include active hands-on experiences and the review of texts for content appropriate for grades 5-12.

► **Rationale**

IDS 422 is a senior methods course which takes place between a student's two practicum experiences (the sophomore practicum and the junior field experience) and the student teaching semester and whose requirements fall in accordance with the education department's conceptual framework. That is, IDS 422 is designed to enable our preservice teachers to "implement theory into practice ... further developing their understanding of how children learn and develop and gaining expertise in providing learning opportunities that support students' intellectual, social, and personal development." And "...our teacher candidates [shall] demonstrate their readiness to assume responsibility for classroom teaching by using appropriate teaching practices including effective communication, effective classroom management skills, developmentally appropriate instructional practices, curriculum planning and implementation, and assessment." The 420/422 methods course offers secondary and K-12 education students the opportunity to implement that theory into practice by exploring a variety of questions within the context of a middle and/or secondary school and classroom context. Secondary and K-12 education students apply, extend, and reflect on the concepts, questions, theories, and models studied in their college courses; two teaching sessions are videotaped, studied, and reflected upon; a minimum of six formal lessons are taught; a significant amount of reflection of teaching is expected; and contact with and support from both the Rocky supervisor and the professional mentor are woven into the requirements of the coursework.

► **Textbooks**

*Instructors may use different textbooks depending on the semester they are teaching and the school's curriculum. This instructor chose the following texts:*

Textbooks required for this course are one each of a secondary Biology, Physics, Chemistry, and Earth Science textbook currently in use. *Science Matters: Achieving Scientific Literacy* by R. M. Hazen and J. Trefil, Doubleday, 1990 is a recommended text. Supplemental texts: *National Science Education Standards*, National Academy Press; *The Content Areas: Secondary School Literacy Instruction* by Roe/Stoodt/Burns.

Rocky Mountain College Proposed Broadfield Science Major  
IDS 422: Methods and Materials Syllabus:  
Teaching Natural Science in the Secondary School  
December 2011

► **Course objectives**

*Instructors may describe their objectives using different language depending on their background, level of comfort, and expertise. This instructor chose the following wording for his objectives:*

At the completion of IDS 422 students will be able to

1. Evaluate textbooks for presentation, content, accuracy, coverage, and readability.
2. Produce concrete argument for or against adoption of specific textbooks.
3. Create a workable, real-life unit plan and complete taxonomy-based lesson plan from which they will teach.
4. Produce a nine week scope and sequence for content specific curriculum that will include assessment methods and proposed hands-on activities.
5. Assess lab activities in a high school setting, including but not necessarily limited to: environment, time, equipment, assessment, and supervision.
6. List and explain standards in science at appropriate grade level.
7. Describe the use and importance of inquiry-based experience in the science lab and classroom.

► **Methods of evaluation/criteria for grade assignment**

*These criteria will change according to instructor preferences and school curriculum requirements.*

Evaluation will be based upon:

- |   |            |
|---|------------|
| 1. Written text book analysis   | 100 points |
| 2. Detailed nine week scope and sequence  | 100 points |
| 3. Two (2) lab analysis/assessment papers<br>(following lab attendance)<br>50 points each | 100 points |
| 4. Materials for IDS 422  |            |
| Detailed lesson plan  | 25 points  |
| Detailed unit plan  | 25 points  |
| Final Presentation  | 50 points  |

Final grades will be determined by earned points as a percentage of total points possible and will be assigned on the following basis:

90-100%	A
80-89%	B
70-79%	C
60-69%	D
0-59%	F

► **Instructional methods and experiences**

- A. Traditional Experiences — Class meetings will include discussion covering topics for a portion of each class. Critical evaluation of student’s work by faculty in a discussion setting will be emphasized. Written material based upon research and analysis of materials is required.
- B. Clinical Experiences —Students will work in a laboratory setting several times and will demonstrate at least one lab/activity plan. Students will interact directly with secondary school students in laboratory settings and assess those interactions.
- C. Field Experiences —Students are encouraged to visit local secondary school classrooms and may substitute those visits for other assignments/activities in agreement with the professor.

► **Bibliography:** National Science Teaching Standards <http://books.nap.edu/html/nses/3.html>

► **Class Policies**

Academic Honesty – Academic honesty is required. Plagiarism or cheating will not be tolerated. Any student who plagiarizes another’s work will automatically fail this course. In addition, further disciplinary action may be taken by the College and may result in an official record in the student's file, probation, or expulsion from the College.

Antidiscrimination – Discriminatory/derogatory language or actions regarding race, gender, ethnic/cultural background, sexual orientation, or physical/mental abilities will not be tolerated.

► **Detailed Course Schedule**

*This schedule will change according to instructor preferences and school timelimes/calendars.*

- Week 1 Introduction to content areas, inquiry-based learning, scientific literacy.
- Week 2 Relationships between lessons/units/courses/programs, depth vs. breadth of coverage.
- Week 3 Resources (Textbooks, time, classroom space, lab equipment, internet resources, and evaluation.  
**ASSIGNMENT:** Textbook Evaluation.
- Week 4 Assessment (purpose, design, method, non-traditional assessment), authentic assessment and assessment of non-traditional or at-risk students.
- Week 5 Critical review of textbook evaluation, discussion and revision.
- Week 6 Biology content area.

**ASSIGNMENT:** Scope and sequence.

Week 7 Biology content area continued.

Week 8 Chemistry content area.

Week 9 Chemistry content area continued.

**ASSIGNMENT:** Lab visit and assessment.

Week 10 Physics content area.

Week 11 Physics content area continued.

**ASSIGNMENT:** Lab visit and assessment.

Week 12 Natural Science as a content area.

Week 13 Natural science content area continued.

Week 14 Integration of sciences with each other and with mathematics, interdisciplinary studies and opportunities.

Week 15 Final presentation

**ASSIGNMENT:** Required lesson plan and unit plan with indication of correspondence to state standards and benchmarks.

## **EXECUTIVE SUMMARY**

**DATE: JANUARY 2012**

**PRESENTATION:** Request for New Program - Rocky Mountain College  
Broadfield Science

**PRESENTER:** Linda Vrooman Peterson, Administrator  
Educator Preparation Program  
Office of Public Instruction

Dr. Barbara Vail  
Director of Education and Associate Academic Vice President  
Rocky Mountain College

**OVERVIEW:** The Office of Public Instruction provides to the Board of Public Education for discussion the materials relating to the proposal from Rocky Mountain College (RMC) to add to its secondary education curriculum the Broadfield Science Major with concentrations in Chemistry and Biology. Barbara J. Vail, Ph.D., Director of Education and Associate Academic Vice President at RMC, will present the institutional report addressing the program requirements of the specific standards of Chapter 58 – Professional Educator Preparation Program Standards: ARM 10.58.802 Standards for Approval; ARM 10.58.522 Broadfield Science; and ARM 10.58.501 General Requirements.

In February 2012, an on-site team will conduct a review validating the RMC institutional report and evidentiary materials relating to the new Broadfield Science Major with concentrations in Chemistry and Biology.

State Superintendent Denise Juneau will recommend action to the BPE at the March meeting.

**REQUESTED DECISION(S):** None

**OUTLYING ISSUE(S):** None

**RECOMMENDATION(S):** Discussion

**Rocky Mountain College  
Curriculum Revision Form**

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**PROPOSAL DATE: 11/10/10      PASSED by the FACULTY on 2/3/11**  
**CONTACT PERSON: Barbara J. Vail and Shelley Ellis**

**CURRICULAR REQUIREMENTS BEFORE CHANGE:** There is currently no Broadfield science major for students who want to teach science at the secondary level. RMC offers biology education and math education only.

**PROPOSED CHANGES TO CURRICULAR REQUIREMENTS:** Members of the Teacher Education Committee have worked with the science faculty in order to create a Broadfield science major which will meet the student objectives of the Montana Professional Educator Preparation Program Standards (PEPPS), which are required by the Office of Public Instruction (OPI). Students will be able to study the core scientific fields while choosing between a biology concentration and a chemistry concentration. **All students will also be required to complete the secondary education courses requirements.**

**Courses for a Broadfield Science Major with a Chemistry  
Concentration**

**A total of 20 credit hours in chemistry courses, including**

CHM 101	General Chemistry I	4
CHM102	General Chemistry II	4
CHM 251	Organic Chemistry I	4
		<b>12 credits</b>

**The remaining 8 credit hours can be selected from the following courses:**

CHM 252	Organic Chemistry II	4
CHM 336	Instrumental Analysis	4
CHM 338	Chemical Analysis	4
CHM 340	Environmental Chemistry	4
CHM 401	Chemical Thermodynamics	4
		<b>8 credits</b>

**Math and Science Requirements**

MAT 175	Calculus I	5
MAT 176	Calculus II	5
MAT 210	Statistics	3
		<b>13 credits</b>

**Rocky Mountain College  
Curriculum Revision Form (Continued)**

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**PROPOSAL DATE: 11/10/10      PASSED by the FACULTY on 2/3/11**  
**CONTACT PERSON: Barbara J. Vail and Shelley Ellis**

BIO 111	General Biology I	4
BIO 112	General Biology II	4
BIO 203	Genetics	4
BIO 306	Evolution	3
		<b>15 credits</b>

PHS 201	Physics I	4
PHS 202	Physics II	4
PHS 225	Modern Physics	3
		<b>11 credits</b>

GEO 101	Fundamentals of Geology	3
GEO 104	Fundamentals Lab	1
ESC 105	Environmental Science	4
		<b>8 credits</b>

IDS 422	Methods and Materials: Teaching Science in the Secondary School	2 credits
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**Total of 69 Credits**

**Courses for a Broadfield Science Major with a Biology Concentration**

**A total of 23 credit hours in biology courses, including**

BIO 111	General Biology I	4
BIO 112	General Biology II	4
BIO 203	Genetics	4
BIO 306	Evolution	3
		<b>15 credits</b>

**Choose any 2 of these 3 courses**

BIO 250	Microbiology	4
BIO 321	A&P I	4
BIO 415	Ecology	5
		<b>8 or 9 credits</b>

## **Math and Science Requirements**

MAT 175	Calculus I	5
MAT 210	Statistics	3
		<b>8 credits</b>
CHM 101	General Chemistry I	4
CHM102	General Chemistry II	4
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GEO 101	Fund. of Geology	3
GEO 104	Fundamentals Lab	1
ESC 105	Environmental Science	4
		<b>8 credits</b>
IDS 422	Methods and Materials: Teaching Science in the Secondary School	
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**Total of 64 or 65 CREDITS**

### **RELEVANCE TO PUBLISHED PROGRAM STUDENT LEARNING OUTCOMES**

Students graduating with this major will meet all of the RMC education program outcomes and the Broadfield science outcomes required by the OPI PEPPS standards.

### **IMPACT ON MAJOR/MINOR, INCLUDING CHANGES IN REQUIRED CREDIT HOURS:**

Secondary students who are interested in teaching science will have the opportunity to become prepared to teach secondary classes in biology, chemistry, earth science, and physics. All courses designated as part of this new major are currently being taught except the IDS 422 course, which will be the responsibility of the education faculty.

### **RATIONALE FOR CHANGES:**

There is a shortage of well qualified junior high and high school science teachers in this country. In fact, annual federal Title II reports must now include testimony as to how each education program is addressing this shortage. RMC currently has no

Broadfield science major for students who want to teach more than one science at the secondary level. Many years ago we did offer a general science (Broadfield) major, but eliminated it because there was some doubt that graduates would be considered “Highly Qualified” under the federal No Child Left Behind Act (classified by the federal government as fit to teach a particular subject). Since then, it has been decided at the federal level that a teacher graduating with a Broadfield major will be considered “Highly Qualified”. This change in federal policy is the major impetus for recreating the Broadfield science major. In addition, students who graduate with this major will be more employable in Montana and other rural states. For budgetary reasons most schools in these states are only able to employ teachers who are prepared to teach more than one science.

**Rocky Mountain College Proposed Broadfield Science Major**  
**IDS 422: Methods and Materials Syllabus:**  
**Teaching Natural Science in the Secondary School**  
December 2011

---

**Instructor:**  
**Office Hours:**  
**Meeting times:**

**Phone:**  
**Office:**  
**Semester:**

► **Course description**

This course requires focused study with a science teacher, or other acceptable professional, in an accredited secondary school. Hours will be arranged in consultation with the content area professor, the secondary education professor, the student, and the professional mentor. The course provides competence in the delivery and evaluation of planned science activities in suitable for grades 5-12. Appropriate use of technology and the implications of current research in science education are also discussed. Further areas of concentration include active hands-on experiences and the review of texts for content appropriate for grades 5-12.

► **Rationale**

IDS 422 is a senior methods course which takes place between a student's two practicum experiences (the sophomore practicum and the junior field experience) and the student teaching semester and whose requirements fall in accordance with the education department's conceptual framework. That is, IDS 422 is designed to enable our preservice teachers to "implement theory into practice ... further developing their understanding of how children learn and develop and gaining expertise in providing learning opportunities that support students' intellectual, social, and personal development." And "...our teacher candidates [shall] demonstrate their readiness to assume responsibility for classroom teaching by using appropriate teaching practices including effective communication, effective classroom management skills, developmentally appropriate instructional practices, curriculum planning and implementation, and assessment." The 420/422 methods course offers secondary and K-12 education students the opportunity to implement that theory into practice by exploring a variety of questions within the context of a middle and/or secondary school and classroom context. Secondary and K-12 education students apply, extend, and reflect on the concepts, questions, theories, and models studied in their college courses; two teaching sessions are videotaped, studied, and reflected upon; a minimum of six formal lessons are taught; a significant amount of reflection of teaching is expected; and contact with and support from both the Rocky supervisor and the professional mentor are woven into the requirements of the coursework.

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Rocky Mountain College Proposed Broadfield Science Major  
IDS 422: Methods and Materials Syllabus:  
Teaching Natural Science in the Secondary School  
December 2011

► **Course objectives**

*Instructors may describe their objectives using different language depending on their background, level of comfort, and expertise. This instructor chose the following wording for his objectives:*

At the completion of IDS 422 students will be able to

1. Evaluate textbooks for presentation, content, accuracy, coverage, and readability.
2. Produce concrete argument for or against adoption of specific textbooks.
3. Create a workable, real-life unit plan and complete taxonomy-based lesson plan from which they will teach.
4. Produce a nine week scope and sequence for content specific curriculum that will include assessment methods and proposed hands-on activities.
5. Assess lab activities in a high school setting, including but not necessarily limited to: environment, time, equipment, assessment, and supervision.
6. List and explain standards in science at appropriate grade level.
7. Describe the use and importance of inquiry-based experience in the science lab and classroom.

► **Methods of evaluation/criteria for grade assignment**

*These criteria will change according to instructor preferences and school curriculum requirements.*

Evaluation will be based upon:

- |   |            |
|---|------------|
| 1. Written text book analysis   | 100 points |
| 2. Detailed nine week scope and sequence  | 100 points |
| 3. Two (2) lab analysis/assessment papers<br>(following lab attendance)<br>50 points each | 100 points |
| 4. Materials for IDS 422  |            |
| Detailed lesson plan  | 25 points  |
| Detailed unit plan  | 25 points  |
| Final Presentation  | 50 points  |

Final grades will be determined by earned points as a percentage of total points possible and will be assigned on the following basis:

90-100%	A
80-89%	B
70-79%	C
60-69%	D
0-59%	F

► **Instructional methods and experiences**

- A. Traditional Experiences — Class meetings will include discussion covering topics for a portion of each class. Critical evaluation of student’s work by faculty in a discussion setting will be emphasized. Written material based upon research and analysis of materials is required.
- B. Clinical Experiences —Students will work in a laboratory setting several times and will demonstrate at least one lab/activity plan. Students will interact directly with secondary school students in laboratory settings and assess those interactions.
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► **Bibliography:** National Science Teaching Standards <http://books.nap.edu/html/nses/3.html>

► **Class Policies**

Academic Honesty – Academic honesty is required. Plagiarism or cheating will not be tolerated. Any student who plagiarizes another’s work will automatically fail this course. In addition, further disciplinary action may be taken by the College and may result in an official record in the student's file, probation, or expulsion from the College.

Antidiscrimination – Discriminatory/derogatory language or actions regarding race, gender, ethnic/cultural background, sexual orientation, or physical/mental abilities will not be tolerated.

► **Detailed Course Schedule**

*This schedule will change according to instructor preferences and school timelimes/calendars.*

- Week 1 Introduction to content areas, inquiry-based learning, scientific literacy.
- Week 2 Relationships between lessons/units/courses/programs, depth vs. breadth of coverage.
- Week 3 Resources (Textbooks, time, classroom space, lab equipment, internet resources, and evaluation.  
**ASSIGNMENT:** Textbook Evaluation.
- Week 4 Assessment (purpose, design, method, non-traditional assessment), authentic assessment and assessment of non-traditional or at-risk students.
- Week 5 Critical review of textbook evaluation, discussion and revision.
- Week 6 Biology content area.

**ASSIGNMENT:** Scope and sequence.

Week 7 Biology content area continued.

Week 8 Chemistry content area.

Week 9 Chemistry content area continued.

**ASSIGNMENT:** Lab visit and assessment.

Week 10 Physics content area.

Week 11 Physics content area continued.

**ASSIGNMENT:** Lab visit and assessment.

Week 12 Natural Science as a content area.

Week 13 Natural science content area continued.

Week 14 Integration of sciences with each other and with mathematics, interdisciplinary studies and opportunities.

Week 15 Final presentation

**ASSIGNMENT:** Required lesson plan and unit plan with indication of correspondence to state standards and benchmarks.

## **EXECUTIVE SUMMARY**

**DATE: JANUARY 2012**

- PRESENTATION:** 2010-11 Accreditation Deficiency Follow-up Report
- PRESENTER:** Teri Wing  
Accreditation Specialist  
Office of Public Instruction
- OVERVIEW:** The Office of Public Instruction presents to the Board of Public Education (BPE) the 2010-11 accreditation deficiency follow-up report. This report focuses on those schools with continuing/serious accreditation deficiencies over a five-year period. The Accreditation staff will work closely with these schools in developing a corrective plan including specific timelines.
- REQUESTED DECISION(S):** None
- OUTLYING ISSUE(S):** The Accreditation staff places in highest priority the schools with the most serious and longstanding accreditation deviations. These schools are in jeopardy of being recommended to the state superintendent and the BPE for Intensive Assistance. The goal of the Accreditation staff is to assist the schools in remedying their continued deviations and to help bring the schools into compliance with the BPE Administrative Rules of Montana.
- RECOMMENDATION(S):** Information/Discussion



Montana  
**Office of Public Instruction**  
Denise Juneau, State Superintendent

**Office of Public Instruction**  
P.O. Box 202501  
Helena, MT, 59620-2501  
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(888) 231-9393  
(406) 444-0169 (TTY)  
**opi.mt.gov**

## **Accreditation Deficiency Follow-Up Report January 2012**

Through this report the Accreditation Division staff identifies schools with the highest priority for assistance during the 2011-12 school year in bringing about compliance with Montana Accreditation Standards.

The Accreditation Deficiency Follow-Up Report includes the following spreadsheets:

- Schools currently in the Intensive Assistance process with continued deviations, and in some cases, additional deviations for the 2011-12 school year.
- Public and nonpublic schools on a "watch list" due to continued deviations.

The Accreditation Division staff also acknowledges the work of schools in the Intensive Assistance process which have no deviations and will be recommended for Regular accreditation for the 2011-12 school year. Those schools are listed on the final spreadsheet.

## Intensive Assistance Schools with Continuing Deviations- January 2012

County	School	2010-11 Status	Rule	Rule Explanation	Occurrence	2011-12 Accreditation Report
Big Horn	Northern Cheyenne Trib El	DEF	10.55.601	Accreditation Standards: Procedures	1	DEVIATION CORRECTED
Big Horn	Northern Cheyenne Trib El	DEF	10.55.707	Teacher and Specialist Licensure	1	DEVIATION CORRECTED
Big Horn	Northern Cheyenne Trib El	DEF	10.55.707	Teacher and Specialist Licensure	1	DEVIATION CORRECTED
Big Horn	Northern Cheyenne Trib El	DEF	10.55.708	Teaching Assignments	1	DEVIATION CORRECTED
Big Horn	Northern Cheyenne Trib HS	DEF	10.55.601	Accreditation Standards: Procedures	1	DEVIATION CORRECTED
Big Horn	Northern Cheyenne Trib HS	DEF	10.55.707	Teacher and Specialist Licensure	1	DEVIATION CORRECTED
Big Horn	Northern Cheyenne Trib HS	DEF	10.55.708	Teaching Assignments	1	DEVIATION NOT CORRECTED
Big Horn	Northern Cheyenne Tribal 7-8	DEF	10.55.601	Accreditation Standards: Procedures	1	DEVIATION CORRECTED
Big Horn	Northern Cheyenne Tribal 7-8	DEF	10.55.707	Teacher and Specialist Licensure	1	DEVIATION CORRECTED
Cascade	MT Sch For Deaf & Blnd El	DEF	10.55.708	Teaching Assignments	4	DEVIATION NOT CORRECTED.- Improper endorsement
Cascade	MT Sch For Deaf & Blnd El			Additional 2011 deviation	2	10.55.710- NO COUNSELING
Cascade	MT Sch For Deaf & Blnd HS	Advice	10.55.708	Teaching Assignments	4	DEVIATION NOT CORRECTED.
Cascade	MT Sch For Deaf & Blnd HS			Additional 2011 deviation		10.55.710- NO COUNSELING
Fergus	Garfield School	DEF	10.55.709	Library Media Services, K12 - FTE	8	DEVIATION NOT CORRECTED.
Fergus	Lewis & Clark School	DEF	10.55.709	Library Media Services, K12 - FTE	8	DEVIATION NOT CORRECTED. Need .5 FTE- employ .33
Fergus	Lewistown 7-8	DEF	10.55.709	Library Media Services, K12 - FTE	8	DEVIATION NOT CORRECTED. Need .5 FTE- employ .33
Fergus	Lewistown 7-9			Additional 2011 deviation		10.55.705 Administrative FTE
Flathead	Canyon Elementary	DEF	10.55.709	Library Media Services, K12 - FTE	4	DEVIATION NOT CORRECTED
Flathead	L A Muldown School	DEF	10.55.705	Administrative Personnel: Assignment of School Administrators/Principals	9	DEVIATION NOT CORRECTED
Flathead	L A Muldown School			Library Media Services, K12 - FTE	6	DEVIATION NOT CORRECTED
Flathead	Whitefish Middle 5-8	DEF	10.55.709	Library Media Services, K12 - FTE	6	DEVIATION NOT CORRECTED. Not actively working with C. Bartow.
Flathead	West Valley School	DEF	10.55.705	Administrative Personnel: Assignment of School Administrators/Principals	4	DEVIATION NOT CORRECTED

County	School	2010-11 Status	Rule	Rule Explanation	Occurrence	2011-12 Accreditation Report
Lewis & Clark	Broadwater School	DEF	10.55.712	Class Size: Elementary	3	DEVIATION NOT CORRECTED
Lewis & Clark	Central School	DEF	10.55.712	Class Size: Elementary	3	DEVIATION NOT CORRECTED
Lewis & Clark	Four Georgians School	DEF	10.55.712	Class Size: Elementary	7	DEVIATION NOT CORRECTED
Lewis & Clark	Helena High School	DEF	10.55.713	Teacher Load and Class Size: High School, Junior High, Middle School, and Grades 7 and 8 Budgeted at High School Rates	4	DEVIATION NOT CORRECTED- 9 class overloads
Lewis & Clark	Helena High School			Additional 2011 deviation		2 ASSIGNMENT DEVIATIONS- MATH TEACHER TEACHING PE; ENGLISH TEACHER TEACHING PE/H
Lewis & Clark	Jefferson School	DEF	10.55.712	Class Size: Elementary	3	CLASS OVERLOADS CORRECTED; DEVIATION FOR 10.55.709 LIBRARY FTE
Lewis & Clark	Jim Darcy School	DEF	10.55.712	Class Size: Elementary	5	DEVIATIONS NOT CORRECTED- 6 class overloads
Lewis & Clark	Kessler Elementary School	DEF	10.55.712	Class Size: Elementary	4	DEVIATION NOT CORRECTED- 6 class overloads
Lewis & Clark	Rossiter School	DEF	10.55.712	Class Size: Elementary	6	DEVIATION NOT CORRECTED- 9 class overloads
Yellowstone	Arrowhead School	Advice	10.55.712	Class Size: Elementary	4	DEVIATION NOT CORRECTED
Yellowstone	Arrowhead School			Additional 2011 deviation		10.55.709 LIBRARY FTE DEVIATION; 10.55.710 COUNSELOR FTE DEVIATION
Yellowstone	Bitterroot School	DEF	10.55.709	Library Media Services, K12 - FTE	3	DEVIATION CORRECTED for Library FTE
Yellowstone	Bitterroot School					4 CLASS LOAD DEVIATIONS.
Yellowstone	Boulder School	Advice	10.55.710	Assignment of School Counseling Staff -FTE	4	DEVIATION NOT CORRECTED
Yellowstone	Highland School	DEF	10.55.709	Library Media Services, K12 - FTE	3	DEVIATION NOT CORRECTED
Yellowstone	Highland School	DEF	10.55.710	Assignment of School Counseling Staff -FTE	7	DEVIATION NOT CORRECTED
Yellowstone	Highland School			Additional 2011 deviation		4 DEVIATIONS FOR CLASS LOAD
Yellowstone	Lewis & Clark 7-8	DEF	10.55.709	Library Media Services, K12 - FTE	5	DEVIATION NOT CORRECTED
Yellowstone	Lewis & Clark 7-8			Additional 2011 deviation		LICENSURE DEVIATION- EXPIRED LICENSE
Yellowstone	McKinley School	Advice	10.55.712	Class Size: Elementary	4	DEVIATION NOT CORRECTED- 6 classes overload

County	School	2010-11 Status	Rule	Rule Explanation	Occurrence	2011-12 Accreditation Report
Yellowstone	Meadowlark School	DEF	10.55.710	Assignment of School Counseling Staff -FTE	7	<b>DEVIATION NOT CORRECTED</b>
Yellowstone	Meadowlark School			Additional 2011 deviation		<b>TEACHER ASSIGNMENT DEVIATION</b>
Yellowstone	Meadowlark School			Additional 2011 deviation		<b>CLASS LOAD DEVIATION- 8 CLASSES</b>
Yellowstone	Newman School	Advice	10.55.709	Library Media Services, K12 - FTE	4	<b>DEVIATION NOT CORRECTED</b>
Yellowstone	Newman School			Additional 2011 deviation		<b>CLASS LOAD DEVIATION- 2 CLASSES</b>
Yellowstone	Poly Drive School	DEF	10.55.710	Assignment of School Counseling Staff -FTE	7	<b>DEVIATION NOT CORRECTED</b>
Yellowstone	Poly Drive School			Additional 2011 deviation		<b>CLASS LOAD DEVIATION- 2 CLASSES</b>
Yellowstone	Sandstone School	Advice	10.55.710	Assignment of School Counseling Staff -FTE	3	<b>DEVIATION NOT CORRECTED</b>
Yellowstone	Sandstone School					<b>CLASS LOAD DEVIATION- 7 CLASSES</b>
Yellowstone	Washington School	DEF	10.55.712	Class Size: Elementary	5	<b>DEVIATION NOT CORRECTED</b>
Yellowstone	Washington School					<b>DEVIATION FOR LIBRARY FTE</b>
Yellowstone	Will James 7-8	DEF	10.55.709	Library Media Services, K12 - FTE	5	<b>DEVIATION NOT CORRECTED</b>

**Public Schools 2011-12 Watch List**

	SC	County Name	2007	2008	2009	2010	2011	Accreditation Final Report 2011-12	Intensive Assistance Yes/No
Scobey School	0267	Daniels	709	709	709 707 712	707	707	Deviations corrected	No
		<b>Accreditation Status</b>	<b>REG w D</b>	<b>ADVICE</b>	<b>DEF</b>	<b>DEF</b>	<b>DEF</b>	Recommend REG	
Fairview 7-8	1755	Richland	709	709		707	707	Deviations corrected	No
		<b>Accreditation Status</b>	<b>REG w D</b>	<b>DEF</b>	<b>REG</b>	<b>DEF</b>	<b>DEF</b>	Recommend REG	
Fairview High School	0987	Richland	709	709 708		707	707	Deviations corrected	No
		<b>Accreditation Status</b>	<b>REG w D</b>	<b>DEF</b>	<b>REG</b>	<b>DEF</b>	<b>DEF</b>	Recommend REG	
Meadowlark School	1439	Yellowstone	709	710	710	708	710	707- One licensure deviation. 710- Counselor FTE deviation. 712- Nine class load deviations.	No
			710		709 712	710			
<b>Accreditation Status</b>		<b>ADVICE</b>	<b>DEF</b>	<b>DEF</b>	<b>DEF</b>	<b>DEF</b>	<b>DEF</b>	Recommend DEF	
Poly Drive School	1266	Yellowstone	710	710	709	709	709	Library FTE deviation corrected. 710- Deviation continues for counselor FTE. 712- Two class load deviations.	No
			712		710 712	710	710 712		
<b>Accreditation Status</b>		<b>ADVICE</b>	<b>DEF</b>	<b>DEF</b>	<b>DEF</b>	<b>DEF</b>	<b>DEF</b>	Recommend DEF	

- 10.55.601 Accreditation Standards and Procedures- Annual 5YCEP Report
- 10.55.704 Administrative personnel- Assignment of District Superintendent
- 10.55.705 Administrative Personnel- Assignment of School Principal
- 10.55.707 Teacher and Specialist Licensure
- 10.55.708 Teaching Assignments in levels and subjects of endorsements
- 10.55.709 Library Media Services
- 10.55.710 Assignment of School Counseling Staff
- 10.55.712 Class Size



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**Montana  
Office of Public Instruction**  
Denise Juneau, State Superintendent

January 1, 2012

### Non-Public Schools 2011-12 Watch List

	SC	County Name	2007	2008	2009	2010	2011	Accreditation Final Report 2011-12	Intensive Assistance Yes/No
Butte Central High School	9319	Silver Bow	708	707 708			707	707- Two teachers without licenses	No
		Accreditation Status	REG w D	DEF	REG	REG	DEF	Recommend DEF	
Billings Central High School	9028	Yellowstone	707	707	708	707	707 708 601- RPT	601- RPT- failed to submit CSIP	No
		Accreditation Status	DEF	DEF	REG w D	DEF	DEF	Recommend DEF	
Lustre Christian High School	9320	Valley	707 708	707 708	708	708	707	708- 3 Teacher Assignment deviations	No
		Accreditation Status	DEF	DEF	DEF	DEF	REG w D	Recommend REG w Deviation	
Loyola Sacred Heart HS	9040	Missoula	707	707 712	708			707- Teacher licensure	No
		Accreditation Status	DEF	DEF	REG w D	REG	REG	Recommend DEF	
Mount Ellis Academy	9318	Gallatin	707 708 PIR DAYS	708	708		707	No deviations	No
		Accreditation Status	DEF	DEF	DEF	REG	DEF	Recommend REG	
Two Eagle River HS	9405	Lake	707 708	902 (music)			RPT	No deviations	No
		Accreditation Status	DEF	ADVICE	REG	REG	DEF	Recommend REG	



**Montana  
Office of Public Instruction**  
Denise Juneau, State Superintendent

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January 1, 2012

- 10.55.601 Accreditation Standards and Procedures- Annual 5YCEP Report
- 10.55.704 Administrative personnel- Assignment of District Superintendent
- 10.55.705 Administrative Personnel- Assignment of School Principal
- 10.55.707 Teacher and Specialist Licensure
- 10.55.708 Teaching Assignments in levels and subjects of endorsements
- 10.55.709 Library Media Services
- 10.55.710 Assignment of School Counseling Staff
- 10.55.712 Class Size
- 10.55.902 Basic Education Program

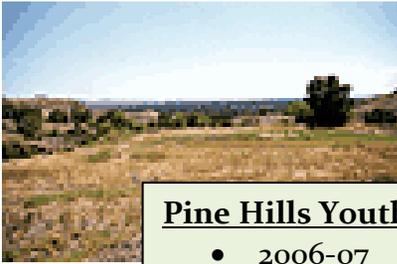
## **EXECUTIVE SUMMARY**

**DATE: JANUARY 2012**

- PRESENTATION:** Five-Year Accreditation History of Montana Department of Corrections State Funded Schools
- PRESENTER:** Teri Wing  
Accreditation Specialist  
Office of Public Instruction
- OVERVIEW:** The Office of Public Instruction presents to the Board of Public Education the five-year accreditation history of Montana Department of Corrections State Funded Schools. This report includes an overview of the educational program at Riverside Youth Correctional Facility and Pine Hills Youth Correctional Facility.
- REQUESTED DECISION(S):** None
- OUTLYING ISSUE(S):** None
- RECOMMENDATION(S):** Information/Discussion

**Montana Youth Correctional Facilities  
Five-Year Accreditation History  
2006-07 to 2010-11**

**Miles City, Montana**



**Pine Hills Youth Correctional Facility**

- 2006-07
  - HS- Regular
  - El- Regular
- ✚ 2007-08
  - HS- Regular
  - El- Regular with Deviation for 3 mis-assigned teachers
- ✚ 2008-09
  - HS- Regular
  - El- No elementary students
- ✚ 2009-10
  - HS- Regular
  - El- Regular
- ✚ 2010-11
  - HS-Regular
  - El- Regular

**Boulder, Montana**



**Riverside Youth Correctional Facility**

- 2006-07
  - HS- Regular
  - El- Regular
- ✚ 2007-08
  - HS- Regular
  - El- Regular
- ✚ 2008-09
  - HS- Regular with Deviation for non-licensed teacher who received his license in January
  - El- Regular
- ✚ 2009-10
  - HS- Regular
  - El- Regular
- ✚ 2010-11
  - HS-Regular
  - El- Regular



**Montana  
Office of Public Instruction**  
Denise Juneau, State Superintendent

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## **EXECUTIVE SUMMARY**

**DATE: JANUARY 2012**

- PRESENTATION:** Chapter 54 Content Standards Review Report
- PRESENTER:** Linda Vrooman Peterson, Accreditation Division Administrator  
T.J. Eyer, Career and Technical Education Division Administrator  
Kristen Crawford, Science Curriculum Specialist  
Office of Public Instruction
- OVERVIEW:** At the November meeting, the Board of Public Education (BPE) requested a report on the standards review for Chapter 54 Content Standards. This report includes an overview of the standards review process and an update on those standards currently in revision.
- REQUESTED DECISION(S):** None
- OUTLYING ISSUE(S):** The Office of Public Instruction (OPI) provides annually to the BPE the revised standards review schedule. The OPI staff and the BPE adjust the schedule as necessary. A few of the issues the OPI and BPE consider when adjusting the standards review schedule includes: changes of federal and state requirements and regulations; national educational trends, e.g., common core state standards; budget cuts; and unpredictable change in capacity at the state and district levels. Based on these ever-changing variables, the OPI staff and the BPE may adjust the standards review schedule.
- RECOMMENDATION(S):** Information

January Presentation to the Board of Public Education  
January 20, 2012

Agenda Item: Chapter 54 Content Standards Review Report

**Presenter**                      Kristen Crawford  
    Science Curriculum Specialist

**Content Standards**    Science

**Brief History of Standards Revision**

1987 – 1989    Project Excellence and Model Learner Goals established for Science

1999    K-12 Science Content Standards adopted by Board of Public Education

During the revision process, the Montana Office of Public Instruction staff followed the BPE Statement of Purpose for Standards Review. In so doing, the Science Standards are based in part on the standards developed by other states, the standards of the National Science Foundation (NSF), and the practices of Montana science teachers.

2004 – 2006 K-12 Science Standards were revised. The OPI Accreditation staff facilitated this process.

2006    K-12 Science Standards adopted by the BPE

2009    Essential Learning Expectations (ELE) were established as grade-by-grade learning targets. These ELE are posted to the OPI Web page.

**Current Status of the Science Standards**

Science Standards are currently due for revision.

**Next Steps and Anticipated Revision Timeline**

Achieve, Inc. and the Carnegie Foundation are facilitating the process for the development of the *Next Generation Science Standards*. Montana is a lead state in this work. The presentation will include:

- Changes in the landscape- Next Generation Science Standards;
- Montana's role in the work of the *Next Generation Science Standards*; and
- Anticipated timeline for the work of the *Next Generation Science Standards*.

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January BPE Agenda Item: Standards Review Report  
Office of Public Instruction  
Denise Juneau, Superintendent  
January 3, 2012

January Presentation to the Board of Public Education  
January 20, 2012

Agenda Item: Chapter 54 Content Standards Review Report

**Presenter** T.J. Eyer  
Career and Technical Education Division Administrator

**Content Standards** Career and Technical Education, Workplace Competencies

**Brief History of Standards Revision**

2007 – 08 Carl D. Perkins State Plan creation and initiation of implementation  
2008 – 09 RFP for Content Revision work by LEA failed for non-application  
2009 – 10 Program Requirement Rewrite; Completed rewrites for Agricultural Education, Family Consumer Science, Industrial Technology, Health Science Business awaiting National Framework and Content Standard development  
2010 – 11 The OPI Career and Technical Education Division began the implementation of the Carl D. Perkins Act of 2006 requirement of each Montana high school being able to offer at least one Program of Study (Big Sky Pathway). This was accomplished through a series of meetings that brought together CTE teachers, counselors, and administrators from each high school with their regional postsecondary faculty, registrars, and administrators. This is the first step toward vertical alignment of curriculum with postsecondary programs.

Rigorous Programs of Study - Math in CTE Grant Award

Program Requirement for Approval and Funding Rewritten by all content areas except Business Education

**Current Status of the CTE and WPC Standards**

Standards are currently overdue for revision  
Big Sky Pathway Next Steps resulting in a Curricular Gap Analysis between Secondary Schools and Postsecondary Programs  
National Common Core Standards Adoption to be crosswalked to all National Career Cluster Knowledge and Skill Statements that was the basis for the Gap Analysis

**Next Steps and Anticipated Revision Timeline**

2012 – 2013 Business Framework and Rewrite of National Standards for CTE Programs  
2013 – 2014 Content Standards and Workplace Competency Review Process

January Presentation to the Board of Public Education  
January 20, 2012

Agenda Item: Chapter 54 Content Standards Review Report

**Presenter** Linda Vrooman Peterson  
Accreditation Division Administrator

**Content Standards** Social Studies

**Brief History of Standards Revision**

1987 – 1989 Project Excellence and Model Learner Goals established for Social Studies  
2000 K-12 Social Studies Content Standards adopted by the Board of Public Education  
During the revision process, the Montana Office of Public Instruction staff followed the BPE Statement of Purpose for Standards Review. In so doing, the Montana Social Studies Standards are based in part on the standards developed by other states, the standards of the National Council for the Social Studies (NCSS), and the practices of Montana social studies teachers.

**Current Status of the Social Studies Standards**

Social Studies Content Standards are overdue for revision

**Next Steps and Anticipated Revision Timeline**

The Council for Chief State School Officers (CCSSO) staff is facilitating the process to develop national standards for the Social Studies. The CCSSO's State Consortium for the Social Studies, along with 15 professional organizations, including NCSS, are working together to develop national standards similar to the Next Generation Science Standards. The presentation will include:

- Montana's role in the development of the national standards in the Social Studies; and
- Anticipated timeline for this work.

## **EXECUTIVE SUMMARY**

**DATE: JANUARY 2012**

- PRESENTATION:** Statewide Student ID on Student Records
- PRESENTER:** Madalyn Quinlan  
Chief of Staff  
Office of Public Instruction
- OVERVIEW:** The Superintendent of Public Instruction has recommended that the Board of Public Education amend ARM 10.55.909, Student Records, to require that a student's permanent record include the statewide student identifier assigned by the Office of Public Instruction. The addition of the statewide student identifier will assist with the transfer of student information as students move among schools and school districts in Montana. The campuses of the Montana University System are set up to receive and store the statewide student identifier from K-12 student transcripts. A hearing on the proposed rule was held on December 16, 2011, where one person appeared as a proponent. No other testimony or comments were received during the comment period. The Office of Public Instruction estimates that adoption of this amended rule will have no fiscal impact on school districts.
- REQUESTED DECISION(S):** Adopt the Proposed Amendment to ARM 10.55.909 relating to student records.
- OUTLYING ISSUE(S):** None.
- RECOMMENDATION(S):** To amend ARM 10.55.909, Student Records.

BEFORE THE BOARD OF PUBLIC EDUCATION  
OF THE STATE OF MONTANA

In the matter of the amendment of ) NOTICE OF ADOPTION  
ARM 10.55.909 relating to student )  
records )

TO: All Concerned Persons

1. On November 25, 2011, the Board of Public Education published MAR Notice No. 10-55-258 pertaining to the public hearing on the proposed amendment of the above-stated rule at page 2461 of the 2011 Montana Administrative Register, Issue Number 22.

2. The board has amended the above-stated rule as proposed:

3. The board has thoroughly considered the comments and testimony received. A summary of the comments received and the board's responses are as follows:

COMMENT #1: Madalyn Quinlan, Chief of Staff for Superintendent of Public Instruction Denise Juneau, supported the amendment and stated that adding the statewide student identifier to the permanent record file will aid the transfer of student information throughout the K-20 system and that there was no anticipated costs to the school districts to add this information to the permanent record file.

RESPONSE: The board thanks Ms. Quinlan for her comments and concurs.

\_\_\_\_\_  
Peter Donovan  
Rule Reviewer

\_\_\_\_\_  
Patty Myers, Chair  
Board of Public Education

Certified to the Secretary of State January 30, 2012.

BEFORE THE BOARD OF PUBLIC EDUCATION  
OF THE STATE OF MONTANA

(1) I, Patty Myers, Chair of the Board of Public Education of the State of Montana, by virtue of and pursuant to the authority vested in me by 20-2-114 and 20-2-121, MCA, adopt and repeal the annexed rules, to wit:

AMEND:

ARM 10.55.909 STUDENT RECORDS

as a permanent rule of the agency.

(2) This order, after first being recorded in the order register of the department, shall be forwarded to the Secretary of State for filing.

Approved and Adopted January \_\_\_\_\_, 2012  
Certified to the Secretary of State, January 30, 2012

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Patty Myers, Chair  
Board of Public Education

## **EXECUTIVE SUMMARY**

**DATE: JANUARY 2012**

- PRESENTATION:** Educator Licensure/Discipline
- PRESENTER:** AnnGilkey, Chief Legal Counsel  
Elizabeth Keller, Licensing Unit Manager  
Office of Public Instruction
- OVERVIEW:** The Board of Public Education (BPE) was formally introduced to these proposed rule amendments in February and May 2011 at regularly scheduled Board meetings. The draft rule amendments were again discussed at a joint meeting with CSPAC in July 2011, at which time public comments were received. The BPE requested that CSPAC review the proposal and make a recommendation to the BPE, which CSPAC did at its October 2011 meeting. The current proposed rule amendment is based on input from CSPAC, interested parties and BPE members.
- REQUESTED DECISION(S):** Approval of Notice of Public Hearing on Proposed Rule Amendments
- OUTLYING ISSUE(S):**
- RECOMMENDATION(S):** Approval of 9-page Notice of Public Hearing on Proposed Amendment (without "draft" watermark)

**TIMELINE**  
**Chapter 57 – teacher discipline rules**  
**December 5, 2011**

- First introductions of rule change to BPE ..... 2/17/11 and 5/13/11
- Rule change before joint meeting of BPE and CSPAC .....7/15/11
- Recommendation made by CSPAC to BPE .....10/28/11
- BPE to vote on publication of Notice of Hearing  
of proposed rule changes ..... 1/19-20/2012
- Notice of Hearing to SOS for publication in MAR .....1/30/12
- MAR publication out .....2/9/12
- Hearing date ..... After 3/1/12
- Final Public Input deadline ..... On or after 3/9/12
- BPE to vote on proposed Notice of Adoption ..... May 11, 2012
- Notice of Adoption to SOS for publication in MAR ..... May 14, 2012
- MAR publication out..... May 24, 2012
- Effective Date of Rules ..... May 25, 2012

BEFORE THE BOARD OF PUBLIC EDUCATION  
OF THE STATE OF MONTANA

In the matter of the amendment of ) NOTICE OF PUBLIC HEARING ON  
ARM 10.57.217, 10.57.601 through ) PROPOSED AMENDMENT  
10.57.609 and 10.57.611 relating to )  
educator/specialist discipline )

TO: All Concerned Persons

1. On March 13, 2012 at 1:30 p.m. the Board of Public Education will hold a public hearing in the Superintendent's conference room at 1227 11<sup>th</sup> Avenue, Helena Montana, to consider the proposed amendment of the above-stated rules.

2. The Board of Public Education will make reasonable accommodations for persons with disabilities who wish to participate in this rulemaking process or need an alternative accessible format of this notice. If you require an accommodation, contact the board no later than 5:00 p.m. on February 28, 2012, to advise us of the nature of the accommodation that you need. Please contact Peter Donovan, Executive Secretary, 46 North Last Chance Gulch, P.O. Box 200601, Helena, Montana, 59620-0601; telephone (406) 444-0302; fax (406) 444-0847; or e-mail pdonovan@mt.gov.

3. The rules as proposed to be amended provide as follows, new matter underlined, deleted matter interlined:

10.57.217 APPEAL PROCESS FOR RENEWAL ACTIVITY (1) Decisions of the superintendent on matters of renewal unit activity or provider status may be appealed to the Board of Public Education pursuant to ARM 10.57.603.

AUTH: 20-4-102, MCA  
IMP: 20-4-108, MCA

Reason: Although denial of renewal unit activity may be appealed, there is no process for the appeal. The rule amendment is necessary to provide a specific procedure for the Board of Public Education to address such an appeal.

10.57.601 REQUEST FOR DISCIPLINE AGAINST THE LICENSE OF AN EDUCATOR/SPECIALIST TEACHER, SPECIALIST, OR ADMINISTRATOR: PRELIMINARY ACTION (1) Pursuant to 20-4-110(2), MCA, requests to issue a letter of reprimand or to suspend or revoke ~~a teacher, specialist or administrator~~ an educator/specialist license shall be brought before the Board of Public Education by only:

(a) an official action of the board of trustees of a local district for any ~~teacher, specialist or administrator~~ licensed educator/specialist currently employed by that district or under contract or otherwise employed by that district at any time during the

12 months prior to the receipt by the Board of Public Education of the request to issue a letter of reprimand or to suspend or revoke; or

(b) the Superintendent of Public Instruction.

(2) The Superintendent of Public Instruction may initiate a request to the Board of Public Education for discipline against an educator/specialist's license within 12 months from the date of receiving direct notification from a local school district board of trustees or from any other credible source.

(3) Requests shall specify whether a letter of reprimand, revocation, or suspension is sought and shall include:

(a) the specific charge(s) against the ~~teacher, specialist or administrator~~ educator/specialist;

(b) the subsection of 20-4-110, MCA, under which the charge(s) is brought;

(c) an outline of the facts and evidence related to the charge(s); and

(d) a copy of the minutes documenting the trustees' decision to request a letter of reprimand or revocation or suspension of a license, if the request is made by the board of trustees.

AUTH: 20-4-102, MCA

IMP: 20-4-110, MCA

Reason: The rule amendment is necessary to make terminology consistent throughout the rules and to address the timeline for asking for disciplinary action for educator/specialist misconduct. The superintendent typically becomes aware of teacher misconduct later than a local district becomes aware. This clarification is necessary to ensure the superintendent has reasonable time to investigate and assess the situation, and not be expected to act until the superintendent has actual, credible notice of the misconduct.

10.57.601A DEFINITION OF "IMMORAL CONDUCT" (1) "Immoral conduct" related to the teaching profession, under 20-4-110(1)(f), MCA, includes, but is not limited to:

(a) sexual contact, as defined in 45-2-101, MCA, or sexual intercourse as defined in 45-2-101, MCA, between a ~~teacher, specialist, or administrator~~ an educator/specialist and a person the ~~teacher, specialist, or administrator~~ educator/specialist knows or reasonably should know is a student at a public or private elementary or secondary school;

(b) conduct, whether resulting in the filing of criminal charges or not, which would constitute an offense under any of the following statutes of this state;

(i) 45-5-502, MCA, (sexual assault);

(ii) 45-5-503, MCA, (sexual intercourse without consent);

(iii) 45-5-504, MCA, (indecent exposure);

(iv) 45-5-505, MCA, (deviate sexual conduct), if the conduct either was non-consensual or involved a person the ~~teacher, specialist or administrator~~ educator/specialist knows or reasonably should know is a student at a public or private elementary or secondary school;

(v) 45-5-507, MCA, (incest);

(vi) 45-5-601, 45-5-602, or 45-5-603, MCA, (offenses involving prostitution);

(vii) 45-5-622(2), MCA, (endangering the welfare of children);  
(viii) 45-5-623, MCA, (unlawful transactions with children);  
(ix) 45-5-625, MCA, (sexual abuse of children);  
(x) 45-8-201, MCA, (obscenity);  
(xi) 45-5-627, MCA, (ritual abuse of minor);  
(xii) any statute in Title 45, chapter 9, part 1, MCA, (dangerous drugs),  
provided that a first offense under 45-9-102(2), MCA, shall not fall within this  
definition;

(xiii) 45-5-220, MCA, (stalking);  
(xiv) 45-5-223, MCA, (surreptitious visual observation or recordation);  
(xv) 45-10-103, MCA, (criminal possession of drug paraphernalia);  
(xvi) 45-10-105, MCA, (delivery of drug paraphernalia to a minor);  
(xvii) 45-8-334, MCA, (possession of a destructive device);  
(xviii) 45-8-361, MCA, (possession or allowing possession of weapon in  
school building);

(xix) 45-8-403, MCA, (use of threat to coerce gang membership);  
(xx) 45-8-406, MCA, (supplying of firearms to criminal street gang);  
(xxi) 45-5-622(3), MCA (endangering welfare of children);

(c) repeated convictions for violations of any one or more of the criminal laws  
of this state, which violations are not otherwise grounds for suspension or  
revocation, if the repeated convictions, taken together, demonstrate that the teacher,  
specialist or administrator is unwilling to conform their conduct to the requirements of  
law;

(d) occurrences related to ARM 24.9.1003(3), (sexual harassment), defined  
as "unwelcome sexual advances, requests for sexual favors, and other verbal and  
physical conduct of a sexual nature" when:

(i) submission to the conduct is explicitly or implicitly made a term or  
condition of education;

(ii) submission to or rejection of the conduct is used as the basis for an  
educational decision affecting the individual; and/or

(iii) the conduct has the purpose or effect of unreasonably interfering with  
school performance or creating an intimidating, hostile or offensive learning  
environment.

(e) submitting false credentials, omitting relevant information, or making any  
statement of material fact the applicant knows to be false to apply for a license,  
endorsement, employment, or promotion. False credentials include but are not  
limited to:

(i) college degrees or credit from non-accredited or -approved colleges or  
universities;

(ii) false professional development credit;

(iii) false academic awards; and

(iv) inaccurate employment history;

(f) significant misuse of technology or electronic communication with a  
person a licensed educator/specialist knows or reasonably should know is a student  
at a public or private elementary or secondary school, including but not limited to  
misuse of computers, cellular telephones, or other electronic devices; or

(g) intentionally falsifying or deliberately misrepresenting information regarding standardized assessment of students, including but not limited to providing or changing test answers or using inappropriate testing accommodations or modifications.

AUTH: 20-4-102, MCA

IMP: 20-4-110, MCA

Reason: The amendment is necessary to provide clarification and notice to licensed educators/specialists regarding misconduct which could result in licensing action by the Board of Public Education.

10.57.601B INVESTIGATION REVIEW (1) Upon receipt of a request made pursuant to 20-4-110(2), MCA and ARM 10.57.601, and for the purpose of complying with 20-4-110(5), the Board of Public Education shall ~~implement an investigation~~ review the allegations to determine whether or not a substantial reason exists to hold a hearing for the issuance of a letter of reprimand or the suspension or revocation of the ~~teacher, specialist or administrator~~ educator/specialist license. This ~~investigation~~ review shall include notifying the affected ~~teacher, specialist or administrator~~ licensed educator/specialist of the charges against ~~him/her~~ the educator by certified mail and allowing ~~him/her~~ the educator/specialist 10 days to respond to those charges. After receiving a response, the board may request further information to ensure the preliminary ~~investigation~~ review properly reflects the facts and position of each party.

AUTH: 20-4-102, MCA

IMP: 20-4-110, MCA

Reason: The amendment is necessary to accurately define and describe the action taken by the Board of Public Education when a request for licensing action is received, and prior to proceeding with a hearing. The board reviews requests for disciplinary action against an educator/specialist license to ensure there is enough evidence to support allegations of misconduct over which they have jurisdiction. They do not conduct an independent investigation.

10.57.602 NOTICE AND OPPORTUNITY FOR HEARING UPON DETERMINATION THAT SUBSTANTIAL REASON EXISTS TO HOLD A HEARING

(1) On the basis of the preliminary ~~investigation~~ review conducted pursuant to ARM 10.57.601B, the Board of Public Education shall determine whether or not a substantial reason exists to hold a hearing to issue a letter of reprimand or to suspend or revoke the ~~teacher, specialist or administrator~~ educator/specialist license.

(a) If the board determines that no substantial reason exists to hold such a hearing, the matter is ended.

(b) If the board determines that there is substantial reason to hold such a hearing, the board shall provide notice of the pending action to the ~~teacher,~~

~~specialist or administrator~~ licensed educator/specialist, by certified mail not less than 30 days prior to the date of the hearing. Such notice shall include:

- (i) a statement of the time, place and nature of the hearing;
- (ii) a statement of the legal authority and jurisdiction under which the hearing is to be held;
- (iii) a reference to the particular sections of the statutes and rules involved;
- (iv) a statement of the matters asserted;
- (v) a designation of who will hear the allegation; and
- (vi) a provision advising parties of their right to be represented by counsel at the hearing.

(c) The notice shall advise the ~~teacher, specialist or administrator~~ licensed educator/specialist that ~~he/she~~ the educator/specialist has the right to contest the proposed action of the board, and that ~~he/she~~ the educator/specialist may do so by appearing at the hearing either personally or through counsel, or by requesting the board to consider the matter on the basis of the available evidence without an appearance by the ~~teacher, specialist or administrator~~ educator/specialist.

(d) The board shall enclose with the notice an election form on which the ~~teacher, specialist or administrator~~ educator/specialist shall be asked to indicate whether ~~he/she~~ the educator/specialist intends to appear at the hearing and contest the board's proposed action, contest the board's proposed action without appearing at the hearing, or accept the proposed letter of reprimand, suspension or revocation without contesting it. The notice shall require the ~~teacher, specialist or administrator~~ licensed educator/specialist to return the election form within 20 days of the date on which the notice was mailed, and shall inform the ~~teacher, specialist or administrator~~ educator/specialist that failure to return the form in a timely manner shall result in a letter of reprimand or the suspension or revocation of the license by default.

(e) If the ~~teacher, specialist or administrator~~ educator/specialist does not return the completed election form within 20 days or elects to accept the proposed letter of reprimand, suspension or revocation without contesting it, the board, at its next meeting, shall suspend or revoke the ~~teacher, specialist or administrator~~ educator/specialist license or shall direct the chair to issue a letter of reprimand.

(f) If the ~~teacher, specialist or administrator~~ licensed educator/specialist elects to contest the proposed letter of reprimand, suspension or revocation and complies with (1)(d), the board shall conduct a hearing.

(2) If resolution is reached prior to the hearing, the parties may report such resolution to the board and ask for dismissal of the matter. Dismissal of the matter by the board based on mutual agreement of the parties must be granted in writing, but need not contain findings of fact or conclusions of law.

AUTH: 20-4-102, MCA

IMP: 20-4-110, MCA

Reason: The amendment is necessary for consistent terminology through the rules and to clarify procedure during an appeal before the Board of Public Education.

10.57.603 HEARING IN CONTESTED CASES (1) The board shall select one of the following methods for providing a hearing:

MAR Notice No. 10-57-260

(a) a hearing before the Board of Public Education at a special or regular meeting of the board;

(b) a hearing before a committee of the board that shall report to the board proposed findings of fact, proposed conclusions of law, and a proposed order; or

(c) a hearing before a hearing examiner appointed by the Board of Public Education who shall report to the board proposed findings of fact, proposed conclusions of law, and a proposed order.

(2) At the time and place set in the notice to the ~~teacher, specialist or administrator~~ educator/specialist, the chairperson of the Board of Public Education, the designated committee, or an appointed hearing examiner shall conduct the hearing in accordance with Rules 9 through 21 of the Attorney General's model rules for hearing contested cases, as found in the Administrative Rules of Montana.

(3) In the case of an appeal made pursuant to ARM 10.57.217 regarding a denial of renewal units or provider status, written notice of the appeal must be made to the board within 30 days of the denial by the Superintendent of Public Instruction. For this type of appeal, the board may follow informal proceedings pursuant to 2-4-604, MCA, and the final board decision may be issued by letter from the chair of the board to the appellant.

AUTH: 20-4-102, MCA

IMP: 20-4-110, MCA

Reason: The amendment is necessary to ensure consistency of terminology throughout the rules, and to provide procedure for an appeal of issues related to denial of renewal units.

10.57.604 POST HEARING PROCEDURE (1) After Either immediately following the hearing, or within 60 days of the conclusion of the hearing regarding an educator/specialist license, the board shall, as provided herein:

(a) make a final decision to:

(i) dismiss the matter;

(ii) issue a letter of reprimand;

(iii) enter into a stipulated agreement; or

(iv) suspend or revoke the license for a specific period of time, up to permanent revocation of the educator/specialist license, and

(b) ~~adopt~~ consistent with its decision, issue findings of fact, conclusions of law, and an order ~~issuing a letter of reprimand or suspending or revoking for suspension or revocation of the teacher, specialist or administrator~~ educator/specialist license; or

(~~b~~) (c) dismiss the request for letter of reprimand, revocation, or suspension.

(2) Consistent with the board's decision, the board chair or designee shall sign the stipulated agreement, the letter of reprimand, or in the case of a suspension or revocation, the final findings of fact, conclusions of law, and order.

(3) The board shall ~~enter record~~ its decision ~~on~~ in its minutes and shall serve the letter of reprimand, or a copy of the findings of fact, conclusions of law, and order by certified mail on the ~~teacher, specialist or administrator~~ educator/specialist and on any other involved party within 30 days of its decision.

(4) Pursuant to 2-4-623, MCA, decisions of the Board of Public Education shall be available for public inspection. Confidential information such as names of any minors, the educator/specialist's address, telephone number, or medical records may be redacted from the posted final decision.

AUTH: 20-2-121, 20-4-102, MCA

IMP: 20-4-102, 20-4-110, MCA

Reason: The amendments are necessary to ensure consistent terminology, provide clarification to appellants and board members on Board of Public Education hearing procedures, the parameters of authority of the board regarding their decision, and to ensure compliance with statute.

10.57.605 SURRENDER OF A TEACHER, SPECIALIST OR ADMINISTRATOR AN EDUCATOR/SPECIALIST LICENSE (1) ~~A teacher, specialist or administrator~~ licensed educator/specialist may surrender ~~his/her~~ that educator/specialist's license to the Superintendent of Public Instruction. The Superintendent of Public Instruction, upon review, may accept or reject the license surrender.

(2) Surrender of a license to the Superintendent of Public Instruction does not relieve the reporting requirements set forth in 20-4-110, MCA.

(3) The Superintendent of Public Instruction may investigate further following the surrender of ~~a teacher, specialist or administrator's~~ an educator/specialist's license and shall maintain a record of the circumstances surrounding the surrender of any license. The contents of that record shall be available for review by the licensing authority from any other jurisdiction in which the ~~teacher, specialist or administrator~~ educator/specialist seeks licensure.

(4) Surrender of a license is permanent and irrevocable, unless specified otherwise in the document of surrender. Surrender of a license may prejudice the ability of ~~teacher, specialist or administrator~~ an educator/specialist to successfully seek relicensure in Montana in the same or any other class of license or educational endorsement.

(5) The Superintendent of Public Instruction shall provide notice to the Board of Public Education of each surrender of a license and of the circumstances surrounding the surrender.

AUTH: 20-4-114, MCA

IMP: 20-2-121, MCA

Reason: The amendments are necessary to ensure consistent terminology and clarify the legal significance of a surrender of a license.

10.57.606 REPORTING OF THE SURRENDER, DENIAL, REVOCATION OR SUSPENSION OF A LICENSE (1) The Superintendent of Public Instruction shall maintain membership in the National Association of State Directors of Teacher Education and Certification (NASDTEC) and shall report information to the

NASDTEC clearinghouse concerning licensure as provided herein and as required by NASDTEC membership.

(2) Upon receipt of a license surrendered pursuant to ARM 10.57.605, the Superintendent of Public Instruction shall report to the NASDTEC clearinghouse that the superintendent accepted the surrender of a license held by the ~~teacher, specialist or administrator~~ educator/specialist.

(3) As provided herein, the Superintendent of Public Instruction shall report to the NASDTEC clearinghouse the denial of licensure for cause. A denial "for cause" is defined as circumstances which:

(a) resulted in a determination by the superintendent that the applicant lacked the requisite moral and professional character; or

(b) would, in the case of a licensed Montana educator, be grounds for suspension or revocation.

(4) The superintendent shall not report to NASDTEC under (3) until either:

(a) the period for appeal of denial as provided in ARM 10.57.607 has expired;

or

(b) the Board of Public Education affirms the denial.

(5) The Superintendent of Public Instruction shall report to the NASDTEC clearinghouse the suspension or revocation of a license held by a ~~teacher, specialist or administrator~~ an educator/specialist licensed in Montana.

(6) The Superintendent of Public Instruction shall maintain, pursuant to the superintendent's record retention policies, a record of the circumstances surrounding the surrender, denial, revocation, suspension, or reprimand involving a ~~teacher, specialist or administrator's~~ an educator/specialist's license. The contents of that record shall be available for review by the certifying authority from any other jurisdiction in which the ~~teacher, specialist or administrator~~ educator/specialist seeks licensure.

AUTH: 20-4-102, MCA

IMP: 20-4-110, MCA

Reason: The amendments are necessary to ensure consistent terminology.

10.57.607 APPEAL FROM DENIAL OF A TEACHER, SPECIALIST OR ADMINISTRATOR AN EDUCATOR/SPECIALIST LICENSE (1) Appeal from the decision of the Superintendent of Public Instruction to deny issuance or renewal of a ~~teacher, specialist or administrator~~ an educator/specialist license shall be brought before the Board of Public Education by written request from the applicant to the board received within 30 days of the notice to deny.

(2) The written request must be in a form which:

(a) summarizes the appellant's responses to the superintendent's denial of licensure;

(b) states that the appellant meets the minimum qualifications for issuance of a license established by law; and

(c) if applicable, shows that the appeal satisfies the requirements of ARM 10.57.608.

AUTH: 20-2-121, 20-4-102, MCA  
IMP: 20-4-102, 20-4-110, MCA

Reason: The amendments are necessary to ensure consistency in terminology.

10.57.608 CONSIDERATIONS GOVERNING ACCEPTANCE OF APPEAL IN CASES ARISING UNDER 20-4-104, MCA (1) The Board of Public Education shall not consider an appeal from a denial by the Superintendent of Public Instruction based on 20-4-104, MCA, if the appellant has made an appeal to the board from the denial of a ~~teacher, specialist or administrator~~ an educator/specialist license within three years prior to the application which is at issue, and that appeal was denied by the board following a hearing, unless at the time of notice of appeal pursuant to ARM 10.57.607 the appellant can show demonstrates substantial changes in circumstances relating to the appellant's eligibility for a license.

(2) The board shall not consider an appeal by an educator/specialist regarding a suspended, revoked, or surrendered license during the period of suspension, revocation, or surrender.

AUTH: 20-4-102, MCA  
IMP: 20-4-110, MCA

Reason: The amendments are necessary to ensure consistent terminology and to clarify the Board of Public Education's authority to hear an appeal related to a suspended, revoked, or surrendered license.

10.57.609 HEARING ON APPEAL (1) The Board of Public Education shall conduct the hearing as provided in ARM 10.57.603 and in compliance with Title 2, chapter 4, part 6, MCA.

(2) On appeal the burden is on the appellant to establish by a preponderance of the evidence that the appellant satisfies the statutory criteria for issuance of a ~~teacher, specialist or administrator~~ an educator/specialist license. In the case of a request for letter of reprimand, suspension, or revocation of an educator/specialist license, the burden is on the requestor to establish by a preponderance of the evidence that the request for board action should be granted.

~~(3) In cases in which the superintendent of public instruction has denied issuance or renewal of a teacher, specialist or administrator license under 20-4-104, MCA, the board of public education may require the appellant to undergo a mental or physical examination by a physician or health professional designated by the board. In cases in which the superintendent of public instruction has denied issuance of a new license, the examination shall be at the appellant's expense. In cases in which the superintendent of public instruction has denied issuance of a renewal license, the examination shall be at the superintendent of public instruction's expense. The report of examination shall be admissible evidence in the appeal proceedings before the board, subject to the appellant's right to cross-examine the maker of the report.~~

AUTH: 20-4-102, MCA

MAR Notice No. 10-57-260

IMP: 20-4-110, MCA

Reason: The amendment is necessary to ensure consistency in terminology, to clarify the parties' burden of proof, and to remove unnecessary/problematic language related to payment responsibility for evaluations, which is case specific and should not be assigned by rule.

10.57.611 SUBSTANTIAL AND MATERIAL NONPERFORMANCE

(1) A licensed staff member commits a violation of 20-4-110, MCA, if, after signing a binding contract of employment with a Montana school district, the licensed staff member substantially and materially breaches such contract without good cause.

(2) "Good cause" shall be determined by the board on a case-by-case basis. The following are examples of good cause:

(a) substantial hardship to the licensed staff member's family due to a change in employment of the spouse of the licensed staff member that necessitates a move;

(b) illness of a family member of the licensed staff member that necessitates a move for purposes of providing for, caring for, or tending to the ill family member; or

(c) intolerable working conditions, judged on the same basis as constructive discharge under Montana law.

(3) Licensed staff members violating 20-4-110(1)(g), MCA shall may be penalized according to the following guidelines:

(a) a first violation committed not more than 30 calendar days prior to the beginning of the school year may result in a sanction not to exceed placement of a letter of reprimand in the licensed staff member's public record certification file;

(b) a first violation committed on or after school starts shall result in a sanction ranging from placement of a letter of reprimand in the licensed staff member's public record licensure file to temporary suspension of the licensed staff member's license for not more than 30 days; and

(c) a second or subsequent violation shall result in a sanction ranging from a temporary suspension of the licensed staff member's license to revocation of the license.

(4) In ~~considering~~ determining the severity of the sanction, if any, ~~to impose for a violation,~~ the board will consider the following:

(a) any direct, harmful impact on students caused by the breach of contract;

(b) the length of prior notice, if any, provided to the employing board by the licensed staff member; and

~~(b) the arrangements made and resources provided by the licensed staff member to ensure continuing instruction to pupils;~~

~~(c) the difficulties faced by the employing district in recruiting a suitable replacement;~~

~~(d) (c) the impact of the licensed staff member's breach of contract on the district's compliance with accreditation standards; and~~

~~(e) other hardships suffered by the employing district as a result of the licensed staff member's breach of contract.~~

(5) This rule provides guidelines only and shall not be construed to either require or to prohibit the board from exercising its discretion in overseeing discipline of license holders.

AUTH: 20-2-114, 20-2-121, MCA  
IMP: 20-2-121, 20-4-110, MCA

Reason: Amendment is necessary to clarify when a sanction is appropriate, making potential harm to students primary to the board's decision to sanction.

5. Concerned persons may submit their data, views, or arguments either orally or in writing at the hearing. Written data, views, or arguments may also be submitted to: Peter Donovan, Executive Secretary, 46 North Last Chance Gulch, P.O. Box 200601, Helena, Montana, 59620-0601; telephone (406) 444-0302; fax (406) 444-0847; or e-mail pdonovan@mt.gov and must be received no later than 5:00 p.m., March 13, 2012.

6. Peter Donovan, Executive Secretary for the Board of Public Education has been designated to preside over and conduct this hearing.

7. The Board of Public Education maintains a list of interested persons who wish to receive notices of rulemaking actions proposed by this board. Persons who wish to have their name added to the list shall make a written request that includes the name, e-mail, and mailing address of the person to receive notices and specifies for which program the person wishes to receive notices. Notices will be sent by e-mail unless a mailing preference is noted in the request. Such written request may be mailed or delivered to the contact person in 5 above or may be made by completing a request form at any rules hearing held by the board.

8. An electronic copy of this proposal notice is available through the Secretary of State's web site at <http://sos.mt.gov/ARM/Register>. The Secretary of State strives to make the electronic copy of the notice conform to the official version of the notice, as printed in the Montana Administrative Register, but advises all concerned persons that in the event of a discrepancy between the official printed text of the notice and the electronic version of the notice, only the official printed text will be considered. In addition, although the Secretary of State works to keep its web site accessible at all times, concerned persons should be aware that the web site may be unavailable during some periods, due to system maintenance or technical problems.

9. The bill sponsor contact requirements of 2-4-302, MCA, do not apply.

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Peter Donovan  
Rule Reviewer

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Patty Myers, Chair  
Board of Public Education

Certified to the Secretary of State January 30, 2012.

BEFORE THE BOARD OF PUBLIC EDUCATION  
OF THE STATE OF MONTANA

In the matter of the amendment of ) NOTICE OF PUBLIC HEARING ON  
ARM 10.57.217, 10.57.601 through ) PROPOSED AMENDMENT  
10.57.609 and 10.57.611 relating to )  
educator/specialist discipline )

TO: All Concerned Persons

1. On March 13, 2012 at 1:30 p.m. the Board of Public Education will hold a public hearing in the Superintendent's conference room at 1227 11<sup>th</sup> Avenue, Helena Montana, to consider the proposed amendment of the above-stated rules.

2. The Board of Public Education will make reasonable accommodations for persons with disabilities who wish to participate in this rulemaking process or need an alternative accessible format of this notice. If you require an accommodation, contact the board no later than 5:00 p.m. on February 28, 2012, to advise us of the nature of the accommodation that you need. Please contact Peter Donovan, Executive Secretary, 46 North Last Chance Gulch, P.O. Box 200601, Helena, Montana, 59620-0601; telephone (406) 444-0302; fax (406) 444-0847; or e-mail pdonovan@mt.gov.

3. The rules as proposed to be amended provide as follows, new matter underlined, deleted matter interlined:

10.57.217 APPEAL PROCESS FOR RENEWAL ACTIVITY (1) Decisions of the superintendent on matters of renewal unit activity or provider status may be appealed to the Board of Public Education pursuant to ARM 10.57.603.

AUTH: 20-4-102, MCA  
IMP: 20-4-108, MCA

Reason: Although denial of renewal unit activity may be appealed, there is no process for the appeal. The rule amendment is necessary to provide a specific procedure for the Board of Public Education to address such an appeal.

10.57.601 REQUEST FOR DISCIPLINE AGAINST THE LICENSE OF AN EDUCATOR/SPECIALIST TEACHER, SPECIALIST, OR ADMINISTRATOR: PRELIMINARY ACTION (1) Pursuant to 20-4-110(2), MCA, requests to issue a letter of reprimand or to suspend or revoke ~~a teacher, specialist or administrator~~ an educator/specialist license shall be brought before the Board of Public Education by only:

(a) an official action of the board of trustees of a local district for any ~~teacher, specialist or administrator~~ licensed educator/specialist currently employed by that district or under contract or otherwise employed by that district at any time during the

12 months prior to the receipt by the Board of Public Education of the request to issue a letter of reprimand or to suspend or revoke; or

(b) the Superintendent of Public Instruction.

(2) The Superintendent of Public Instruction may initiate a request to the Board of Public Education for discipline against an educator/specialist's license within 12 months from the date of receiving direct notification from a local school district board of trustees or from any other credible source.

(3) Requests shall specify whether a letter of reprimand, revocation, or suspension is sought and shall include:

(a) the specific charge(s) against the ~~teacher, specialist or administrator~~ educator/specialist;

(b) through (d) remain the same.

AUTH: 20-4-102, MCA

IMP: 20-4-110, MCA

Reason: The rule amendment is necessary to make terminology consistent throughout the rules and to address the timeline for asking for disciplinary action for educator/specialist misconduct. The superintendent typically becomes aware of teacher misconduct later than a local district becomes aware. This clarification is necessary to ensure the superintendent has reasonable time to investigate and assess the situation, and not be expected to act until the superintendent has actual, credible notice of the misconduct.

10.57.601A DEFINITION OF "IMMORAL CONDUCT" (1) "Immoral conduct" related to the teaching profession, under 20-4-110(1)(f), MCA, includes, but is not limited to:

(a) sexual contact, as defined in 45-2-101, MCA, or sexual intercourse as defined in 45-2-101, MCA, ~~between a teacher, specialist, or administrator~~ an educator/specialist and a person the ~~teacher, specialist, or administrator~~ educator/specialist knows or reasonably should know is a student at a public or private elementary or secondary school;

(b) through (b)(iii) remain the same.

(iv) 45-5-505, MCA, (deviate sexual conduct), if the conduct either was non-consensual or involved a person the ~~teacher, specialist or administrator~~ educator/specialist knows or reasonably should know is a student at a public or private elementary or secondary school;

(v) through (e)(iii) remain the same.

(iv) inaccurate employment history;

(f) significant misuse of technology or electronic communication with a person a licensed educator/specialist knows or reasonably should know is a student at a public or private elementary or secondary school, including but not limited to misuse of computers, cellular telephones, or other electronic devices; or

(g) intentionally falsifying or deliberately misrepresenting information regarding standardized assessment of students, including but not limited to providing or changing test answers or using inappropriate testing accommodations or modifications.

MAR Notice No. 10-57-260

AUTH: 20-4-102, MCA  
IMP: 20-4-110, MCA

Reason: The amendment is necessary to provide clarification and notice to licensed educators/specialists regarding misconduct which could result in licensing action by the Board of Public Education.

10.57.601B INVESTIGATION REVIEW (1) Upon receipt of a request made pursuant to 20-4-110(2), MCA and ARM 10.57.601, and for the purpose of complying with 20-4-110(5), the Board of Public Education shall ~~implement an investigation~~ review the allegations to determine whether or not a substantial reason exists to hold a hearing for the issuance of a letter of reprimand or the suspension or revocation of the ~~teacher, specialist or administrator~~ educator/specialist license. This ~~investigation~~ review shall include notifying the affected ~~teacher, specialist or administrator~~ licensed educator/specialist of the charges against ~~him/her~~ the educator by certified mail and allowing ~~him/her~~ the educator/specialist 10 days to respond to those charges. After receiving a response, the board may request further information to ensure the preliminary ~~investigation~~ review properly reflects the facts and position of each party.

AUTH: 20-4-102, MCA  
IMP: 20-4-110, MCA

Reason: The amendment is necessary to accurately define and describe the action taken by the Board of Public Education when a request for licensing action is received, and prior to proceeding with a hearing. The board reviews requests for disciplinary action against an educator/specialist license to ensure there is enough evidence to support allegations of misconduct over which they have jurisdiction. They do not conduct an independent investigation.

10.57.602 NOTICE AND OPPORTUNITY FOR HEARING UPON DETERMINATION THAT SUBSTANTIAL REASON EXISTS TO HOLD A HEARING

(1) On the basis of the preliminary ~~investigation~~ review conducted pursuant to ARM 10.57.601B, the Board of Public Education shall determine whether or not a substantial reason exists to hold a hearing to issue a letter of reprimand or to suspend or revoke the ~~teacher, specialist or administrator~~ educator/specialist license.

(a) remains the same.

(b) If the board determines that there is substantial reason to hold such a hearing, the board shall provide notice of the pending action to the ~~teacher, specialist or administrator~~ licensed educator/specialist, by certified mail not less than 30 days prior to the date of the hearing. Such notice shall include:

(i) through (iv) remain the same;

(v) a designation of who will hear the allegation; and

(vi) remains the same.

(c) The notice shall advise the ~~teacher, specialist or administrator~~ licensed educator/specialist that ~~he/she~~ the educator/specialist has the right to contest the proposed action of the board, and that ~~he/she~~ the educator/specialist may do so by appearing at the hearing either personally or through counsel, or by requesting the board to consider the matter on the basis of the available evidence without an appearance by the ~~teacher, specialist or administrator~~ educator/specialist.

(d) The board shall enclose with the notice an election form on which the ~~teacher, specialist or administrator~~ educator/specialist shall be asked to indicate whether ~~he/she~~ the educator/specialist intends to appear at the hearing and contest the board's proposed action, contest the board's proposed action without appearing at the hearing, or accept the proposed letter of reprimand, suspension or revocation without contesting it. The notice shall require the ~~teacher, specialist or administrator~~ licensed educator/specialist to return the election form within 20 days of the date on which the notice was mailed, and shall inform the ~~teacher, specialist or administrator~~ educator/specialist that failure to return the form in a timely manner shall result in a letter of reprimand or the suspension or revocation of the license by default.

(e) If the ~~teacher, specialist or administrator~~ educator/specialist does not return the completed election form within 20 days or elects to accept the proposed letter of reprimand, suspension or revocation without contesting it, the board, at its next meeting, shall suspend or revoke the ~~teacher, specialist or administrator~~ educator/specialist license or shall direct the chair to issue a letter of reprimand.

(f) If the ~~teacher, specialist or administrator~~ licensed educator/specialist elects to contest the proposed letter of reprimand, suspension or revocation and complies with (1)(d), the board shall conduct a hearing.

(2) If resolution is reached prior to the hearing, the parties may report such resolution to the board and ask for dismissal of the matter. Dismissal of the matter by the board based on mutual agreement of the parties must be granted in writing, but need not contain findings of fact or conclusions of law.

AUTH: 20-4-102, MCA

IMP: 20-4-110, MCA

Reason: The amendment is necessary for consistent terminology through the rules and to clarify procedure during an appeal before the Board of Public Education.

10.57.603 HEARING IN CONTESTED CASES (1) through (1)(c) remain the same.

(2) At the time and place set in the notice to the ~~teacher, specialist or administrator~~ educator/specialist, the chairperson of the Board of Public Education, the designated committee, or an appointed hearing examiner shall conduct the hearing in accordance with Rules 9 through 21 of the Attorney General's model rules for hearing contested cases, as found in the Administrative Rules of Montana.

(3) In the case of an appeal made pursuant to ARM 10.57.217 regarding a denial of renewal units or provider status, written notice of the appeal must be made to the board within 30 days of the denial by the Superintendent of Public Instruction. For this type of appeal, the board may follow informal proceedings pursuant to 2-4-

604, MCA, and the final board decision may be issued by letter from the chair of the board to the appellant.

AUTH: 20-4-102, MCA

IMP: 20-4-110, MCA

Reason: The amendment is necessary to ensure consistency of terminology throughout the rules, and to provide procedure for an appeal of issues related to denial of renewal units.

10.57.604 POST HEARING PROCEDURE (1) ~~After~~ Either immediately following the hearing, or within 60 days of the conclusion of the hearing regarding an educator/specialist license, the board shall, as provided herein:

(a) make a final decision to:

(i) dismiss the matter;

(ii) issue a letter of reprimand;

(iii) enter into a stipulated agreement; or

(iv) suspend or revoke the license for a specific period of time, up to permanent revocation of the educator/specialist license, and

~~(b) adopt consistent with its decision, issue findings of fact, conclusions of law, and an order issuing a letter of reprimand or suspending or revoking for suspension or revocation of the teacher, specialist or administrator~~ educator/specialist license; or

~~(b)~~ (c) dismiss the request for letter of reprimand, revocation, or suspension.

(2) Consistent with the board's decision, the board chair or designee shall sign the stipulated agreement, the letter of reprimand, or in the case of a suspension or revocation, the final findings of fact, conclusions of law, and order.

(3) The board shall enter record its decision on in its minutes and shall serve the letter of reprimand, or a copy of the findings of fact, conclusions of law, and order by certified mail on the teacher, specialist or administrator educator/specialist and on any other involved party within 30 days of its decision.

(4) Pursuant to 2-4-623, MCA, decisions of the Board of Public Education shall be available for public inspection. Confidential information such as names of any minors, the educator/specialist's address, telephone number, or medical records may be redacted from the posted final decision.

AUTH: 20-2-121, 20-4-102, MCA

IMP: 20-4-102, 20-4-110, MCA

Reason: The amendments are necessary to ensure consistent terminology, provide clarification to appellants and board members on Board of Public Education hearing procedures, the parameters of authority of the board regarding their decision, and to ensure compliance with statute.

10.57.605 SURRENDER OF A TEACHER, SPECIALIST OR ADMINISTRATOR AN EDUCATOR/SPECIALIST LICENSE (1) ~~A teacher, specialist or administrator~~ licensed educator/specialist may surrender his/her that

MAR Notice No. 10-57-260

educator/specialist's license to the Superintendent of Public Instruction. The Superintendent of Public Instruction, upon review, may accept or reject the license surrender.

(2) remains the same.

(3) The Superintendent of Public Instruction may investigate further following the surrender of ~~a teacher, specialist or administrator's~~ an educator/specialist's license and shall maintain a record of the circumstances surrounding the surrender of any license. The contents of that record shall be available for review by the licensing authority from any other jurisdiction in which the ~~teacher, specialist or administrator~~ educator/specialist seeks licensure.

(4) Surrender of a license is permanent and irrevocable, unless specified otherwise in the document of surrender. Surrender of a license may prejudice the ability of ~~teacher, specialist or administrator~~ an educator/specialist to successfully seek relicensure in Montana in the same or any other class of license or educational endorsement.

(5) remains the same.

AUTH: 20-4-114, MCA

IMP: 20-2-121, MCA

Reason: The amendments are necessary to ensure consistent terminology and clarify the legal significance of a surrender of a license.

10.57.606 REPORTING OF THE SURRENDER, DENIAL, REVOCATION OR SUSPENSION OF A LICENSE (1) remains the same.

(2) Upon receipt of a license surrendered pursuant to ARM 10.57.605, the Superintendent of Public Instruction shall report to the NASDTEC clearinghouse that the superintendent accepted the surrender of a license held by the ~~teacher, specialist or administrator~~ educator/specialist.

(3) through (4)(b) remain the same.

(5) The Superintendent of Public Instruction shall report to the NASDTEC clearinghouse the suspension or revocation of a license held by ~~a teacher, specialist or administrator~~ an educator/specialist licensed in Montana.

(6) The Superintendent of Public Instruction shall maintain, pursuant to the superintendent's record retention policies, a record of the circumstances surrounding the surrender, denial, revocation, suspension, or reprimand involving ~~a teacher, specialist or administrator's~~ an educator/specialist's license. The contents of that record shall be available for review by the certifying authority from any other jurisdiction in which the ~~teacher, specialist or administrator~~ educator/specialist seeks licensure.

AUTH: 20-4-102, MCA

IMP: 20-4-110, MCA

Reason: The amendments are necessary to ensure consistent terminology.

10.57.607 APPEAL FROM DENIAL OF A TEACHER, SPECIALIST OR ADMINISTRATOR AN EDUCATOR/SPECIALIST LICENSE (1) Appeal from the decision of the Superintendent of Public Instruction to deny issuance or renewal of a ~~teacher, specialist or administrator~~ an educator/specialist license shall be brought before the Board of Public Education by written request from the applicant to the board received within 30 days of the notice to deny.

(2) through (2)(c) remain the same.

AUTH: 20-2-121, 20-4-102, MCA

IMP: 20-4-102, 20-4-110, MCA

Reason: The amendments are necessary to ensure consistency in terminology.

10.57.608 CONSIDERATIONS GOVERNING ACCEPTANCE OF APPEAL IN CASES ARISING UNDER 20-4-104, MCA (1) The Board of Public Education shall not consider an appeal from a denial by the Superintendent of Public Instruction based on 20-4-104, MCA, if the appellant has made an appeal to the board from the denial of a ~~teacher, specialist or administrator~~ an educator/specialist license within three years prior to the application which is at issue, and that appeal was denied by the board following a hearing, unless at the time of notice of appeal pursuant to ARM 10.57.607 the appellant can show demonstrates substantial changes in circumstances relating to the appellant's eligibility for a license.

(2) The board shall not consider an appeal by an educator/specialist regarding a suspended, revoked, or surrendered license during the period of suspension, revocation, or surrender.

AUTH: 20-4-102, MCA

IMP: 20-4-110, MCA

Reason: The amendments are necessary to ensure consistent terminology and to clarify the Board of Public Education's authority to hear an appeal related to a suspended, revoked, or surrendered license.

10.57.609 HEARING ON APPEAL (1) remains the same.

(2) On appeal the burden is on the appellant to establish by a preponderance of the evidence that the appellant satisfies the statutory criteria for issuance of a ~~teacher, specialist or administrator~~ an educator/specialist license. In the case of a request for letter of reprimand, suspension, or revocation of an educator/specialist license, the burden is on the requestor to establish by a preponderance of the evidence that the request for board action should be granted.

~~(3) In cases in which the superintendent of public instruction has denied issuance or renewal of a teacher, specialist or administrator license under 20-4-104, MCA, the board of public education may require the appellant to undergo a mental or physical examination by a physician or health professional designated by the board. In cases in which the superintendent of public instruction has denied issuance of a new license, the examination shall be at the appellant's expense. In cases in which the superintendent of public instruction has denied issuance of a~~

~~renewal license, the examination shall be at the superintendent of public instruction's expense. The report of examination shall be admissible evidence in the appeal proceedings before the board, subject to the appellant's right to cross-examine the maker of the report.~~

AUTH: 20-4-102, MCA

IMP: 20-4-110, MCA

Reason: The amendment is necessary to ensure consistency in terminology, to clarify the parties' burden of proof, and to remove unnecessary/problematic language related to payment responsibility for evaluations, which is case specific and should not be assigned by rule.

10.57.611 SUBSTANTIAL AND MATERIAL NONPERFORMANCE

(1) through (2)(c) remain the same.

(3) Licensed staff members violating 20-4-110(1)(g), MCA ~~shall~~ may be penalized according to the following guidelines:

(a) through (c) remain the same.

(4) In ~~considering~~ determining the severity of the sanction, if any, ~~to impose for a violation,~~ the board will consider the following:

(a) any direct, harmful impact on students caused by the breach of contract;

(b) the length of prior notice, if any, provided to the employing board by the licensed staff member; and

~~(b) the arrangements made and resources provided by the licensed staff member to ensure continuing instruction to pupils;~~

~~(c) the difficulties faced by the employing district in recruiting a suitable replacement;~~

~~(d) (c) the impact of the licensed staff member's breach of contract on the district's compliance with accreditation standards; and~~

~~(e) other hardships suffered by the employing district as a result of the licensed staff member's breach of contract.~~

(5) remains the same.

AUTH: 20-2-114, 20-2-121, MCA

IMP: 20-2-121, 20-4-110, MCA

Reason: Amendment is necessary to clarify when a sanction is appropriate, making potential harm to students primary to the board's decision to sanction.

4. Concerned persons may submit their data, views, or arguments either orally or in writing at the hearing. Written data, views, or arguments may also be submitted to: Peter Donovan, Executive Secretary, 46 North Last Chance Gulch, P.O. Box 200601, Helena, Montana, 59620-0601; telephone (406) 444-0302; fax (406) 444-0847; or e-mail pdonovan@mt.gov and must be received no later than 5:00 p.m., March 13, 2012.

5. Peter Donovan, Executive Secretary for the Board of Public Education has been designated to preside over and conduct this hearing.

6. The Board of Public Education maintains a list of interested persons who wish to receive notices of rulemaking actions proposed by this board. Persons who wish to have their name added to the list shall make a written request that includes the name, e-mail, and mailing address of the person to receive notices and specifies for which program the person wishes to receive notices. Notices will be sent by e-mail unless a mailing preference is noted in the request. Such written request may be mailed or delivered to the contact person in 5 above or may be made by completing a request form at any rules hearing held by the board.

7. An electronic copy of this proposal notice is available through the Secretary of State's web site at <http://sos.mt.gov/ARM/Register>. The Secretary of State strives to make the electronic copy of the notice conform to the official version of the notice, as printed in the Montana Administrative Register, but advises all concerned persons that in the event of a discrepancy between the official printed text of the notice and the electronic version of the notice, only the official printed text will be considered. In addition, although the Secretary of State works to keep its web site accessible at all times, concerned persons should be aware that the web site may be unavailable during some periods, due to system maintenance or technical problems.

8. The bill sponsor contact requirements of 2-4-302, MCA, do not apply.

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Peter Donovan  
Rule Reviewer

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Patty Myers, Chair  
Board of Public Education

Certified to the Secretary of State January 30, 2012.

## **EXECUTIVE SUMMARY**

**DATE: JANUARY 2012**

- PRESENTATION:** Recommend Approval of Notice of Public Hearing and Proposed Timeline of Dance Education – Area of Permissive Specialized Competency
- PRESENTER:** Linda Vrooman Peterson  
Accreditation Division Administrator  
Office of Public Instruction
- OVERVIEW:** The Office of Public Instruction presents to the Board of Public Education (BPE) the Notice of Public Hearing on Proposed Amendments pertaining to Admin. R. Mont. 10.58.527(8) and 10.57.412(3) and Proposed Timeline for the Area of Permissive Specialized Competency in Dance Education. The state superintendent recommends approval of the Notice of Public Hearing and proposed Timeline.
- REQUESTED DECISION(S):** Recommend Approval of Notice of Public Hearing and Proposed Timeline of APSC Dance Education Admin. R. Mont. 10.58.527(8) and 10.57.412(3).
- OUTLYING ISSUE(S):** None
- RECOMMENDATION(S):** Action

BEFORE THE BOARD OF PUBLIC EDUCATION  
OF THE STATE OF MONTANA

In the matter of the amendment of ) NOTICE OF PUBLIC HEARING ON  
ARM 10.57.412 and 10.58.527 ) PROPOSED AMENDMENT  
relating to areas of specialized )  
competency )

TO: All Concerned Persons

1. On March \_\_\_\_, 2012 at \_\_\_\_ a.m. the Board of Public Education will hold a public hearing in the \_\_\_\_\_ conference room at \_\_\_\_\_, Helena Montana, to consider the proposed amendment of the above-stated rules.

2. The Board of Public Education will make reasonable accommodations for persons with disabilities who wish to participate in this rulemaking process or need an alternative accessible format of this notice. If you require an accommodation, contact the board no later than 5:00 p.m. on February \_\_\_\_, 2012, to advise us of the nature of the accommodation that you need. Please contact Peter Donovan, Executive Secretary, 46 North Last Chance Gulch, P.O. Box 200601, Helena, Montana, 59620-0601; telephone (406) 444-0302; fax (406) 444-0847; or e-mail pdonovan@mt.gov.

3. The rules as proposed to be amended provide as follows, new matter underlined, deleted matter interlined:

10.57.412 CLASS 1 AND 2 ENDORSEMENTS (1) and (2) remain the same.

(3) A license holder may qualify for a statement of specialized competency by the completion of a minimum of 20 semester college credit hours or equivalency in a specific academic area as approved by the Board of Public Education. Approved areas of permissive specialized competency are: early childhood education, gifted and talented education, technology in education, ~~and~~ mentor teacher, and dance.

(4) through (7) remain the same.

AUTH: 20-4-102, MCA  
IMP: 20-4-106, 20-4-108, MCA

10.58.527 AREAS OF PERMISSIVE SPECIAL COMPETENCY (1) through (7) remain the same.

(8) The dance permissive specialized competency program requires that successful candidates demonstrate:

(a) knowledge of basic dance vocabulary and major characteristics of dance styles and techniques, including:

(i) technical proficiency in one dance style and exposure to others; and

(ii) clear movement demonstrations and auditory prompts, in relation to music and counts;

(b) knowledge of a variety of choreographic principles and processes, including:

(i) fluency with music and emerging technologies as tools of expression;

(ii) direction/supervision of a dance production with artistic integrity; and

(iii) analysis and evaluation of dance works;

(c) knowledge of dance as a reflection of both historical periods and cultural diversity, including Montana American Indian cultures; and

(d) knowledge and implementation of research-based teaching strategies and skills for dance, including:

(i) developing curriculum, planning instructional units for K-12 students, and assessing student progress in dance;

(ii) implementing classroom procedures that promote health, safety, and injury prevention;

(iii) integrating dance into other content areas; and

(iv) teaching dance as a discrete art form.

AUTH: 20-2-114, MCA

IMP: 20-1-501, 20-2-121, MCA

4. REASON: Dance teachers are currently being hired in K-12 Montana schools. Although Montana has Arts Standards that include dance, there is no teacher competency in place. The proposed rules would permit individuals with a minimum of 20 semester college credits in dance to request a statement of specialized competency to be added to their educator licenses.

5. Concerned persons may submit their data, views, or arguments either orally or in writing at the hearing. Written data, views, or arguments may also be submitted to: Peter Donovan, Executive Secretary, 46 North Last Chance Gulch, P.O. Box 200601, Helena, Montana, 59620-0601; telephone (406) 444-0302; fax (406) 444-0847; or e-mail pdonovan@mt.gov and must be received no later than 5:00 p.m., March \_\_\_\_\_, 2012.

6. Peter Donovan, Executive Secretary for the Board of Public Education has been designated to preside over and conduct this hearing.

7. The Board of Public Education maintains a list of interested persons who wish to receive notices of rulemaking actions proposed by this board. Persons who wish to have their name added to the list shall make a written request that includes the name, e-mail, and mailing address of the person to receive notices and specifies for which program the person wishes to receive notices. Notices will be sent by e-mail unless a mailing preference is noted in the request. Such written request may be mailed or delivered to the contact person in 5 above or may be made by completing a request form at any rules hearing held by the board.

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9. The bill sponsor contact requirements of 2-4-302, MCA, do not apply.

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Peter Donovan  
Rule Reviewer

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Patty Myers, Chair  
Board of Public Education

Certified to the Secretary of State\_\_\_\_\_.

**TIMELINE**  
**Dance – Area of Permissive Specialized Competency Rule**  
**January 3, 2012**

- First introduction of rule change to BPE ..... 11/3/11
- Proposed notice to BPE ..... January 19-20/2012 meeting
- Proposed notice to SOS for notice in MAR ..... 1/30/12
- MAR publication out ..... 2/9/12
- Hearing date..... After 3/1/12
- Final Public Input deadline ..... On or after 3/9/12
- Adoption Notice to BPE ..... May 11, 2012
- Adoption notice to SOS for notice in MAR ..... May 14, 2012
- MAR publication out ..... May 24, 2012
- Effective Date of Rules ..... May 25, 2012

**DISCUSSION**

**ITEM 18**

**MSDB COMMITTEE MEETING REPORT**

**Bernie Olson**

# **PRELIMINARY AGENDA ITEMS**

**March 8-9, 2012**

**Helena, MT**

- CSPAC Appointments
- BASE Aid Payment Schedule
- Assessment Update
- Alternative to Standards Request & Renewals
- MACIE Update
- Federal Update
- Accreditation Update
- Annual School Fund Services Report
- Executive Secretary Performance Evaluation & Contract Extension Discussion
- MSDB Superintendent Performance Evaluation & Contract Extension Discussion

\*C = Consent Agenda