

**Board of Public Education Conference Call  
Meeting  
11:00 AM  
406-444-4647  
1-833-505-4104 (long distance)  
Conference ID: 1039083**

**March 26, 2020**

***BOARD OF PUBLIC EDUCATION***

# AGENDA

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**CONFERENCE CALL MEETING AGENDA**

Thursday, March 26, 2020  
11:00 AM  
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**Thursday, March 26, 2020**  
**11:00 AM**

**CALL TO ORDER**

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

**PUBLIC COMMENT**

**ADOPT AGENDA**

❖ **ASSESSMENT COMMITTEE– Anne Keith (Items 1-2)**

Item 1                      **REQUEST FOR SPRING 2020 ASSESSMENT WAIVER - (ACTION) -15**  
*Minutes*  
Ashley McGrath

Item 2                      **SCIENCE FIELD TEST – (INFORMATION ONLY) - 15 Minutes**  
Ashely McGrath

❖ **LICENSURE COMMITTEE – Tammy Lacey (Item 3)**

Item 3                      **LEGAL UPDATE (INFORMATION) – 15 Minutes**  
Rob Stutz, Agency Legal Services

❖ **MSDB LIAISON– Mary Jo Bremner (Item 4)**

Item 4                      **REQUEST APPROVAL OF MSDB REMOTE LEARNING PLAN – 15 Minutes**  
Paul Furthmyre

**PUBLIC COMMENT**

**ADJOURN**

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*Agenda items are handled in the order listed on the approved agenda. Items may be rearranged unless listed "time certain". Action may be taken by the Board on any item listed on the agenda. Public comment is welcome on all items but time limits on public comment may be set at the Chair's discretion.*

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

## **CALL TO ORDER**

- A. Roll Call**
- B. Statement of Public Participation**
- C. Welcome Visitors**

**ACTION**

❖ **ASSESSMENT COMMITTEE – (Items 1-2)**

**Anne Keith**

**ITEM 1**

**REQUEST FOR SPRING ASSESSMENT  
WAIVER**

**Ashley McGrath**



**Subject:** Board Approval to Suspend Spring Testing Requirements

March 17, 2020

Pete Donovan, Executive Director  
Montana Board of Public Education  
Email: pdonovan@mt.gov  
Phone: (406) 444-0300

Dear Madam Chair Schottle and Members of the Board:

As you know, these are unprecedented times for our state and the nation as a result of the spread of the novel coronavirus (COVID-19). On Sunday, March 15<sup>th</sup>, Governor Bullock announced directives for all non-residential public schools in Montana to close until March 27<sup>th</sup>. This two-week closure was necessary to protect the health and safety of our students, teachers, and school staff, and to help slow the spread of COVID-19. Given the uncertainty of this situation as well as the federal guidance to combat COVID-19, there will likely be future events including school closures that we cannot reasonably predict at this time. This could include both short- and long-term impacts; however, we aim to minimize the effects by focusing our school requirements on the essentials. For these reasons, I write to recommend to the Montana Board of Public Education (Board) that we suspend the spring testing requirements until further notice.

Other states are independently taking these measures (see enclosures) and this level of response will allow the focus to remain on basic educational services including the health and safety of our students and our schools.

I write to recommend the Board suspend the testing requirements for public schools and those private schools seeking accreditation under the Board's authority of 20-2-121(12), MCA and ARM 10.55.603. Pursuant with the Administrative Rules for Montana (ARM) 10.56.101(4), I present the recommendation to seek approval to modify the requirements under ARM 10.56.102(3) for the following assessments:

- **Smarter Balanced** is the general math and reading/language arts assessment for academic achievement reporting in Grades 3–8.
- **ACT with Writing** is the general math, reading/language arts, and science assessment for academic achievement reporting in Grade 11.
- **Multi-State Alternate Assessment** is the alternate math and reading/language arts assessment for academic achievement reporting in Grades 3–8 and 11 for students with significant cognitive disabilities.
- **Montana Science Assessment** is the general science assessment for academic achievement reporting in Grades 5 and 8.
- **Alternate Montana Science Assessment** is the alternate science assessment for academic achievement reporting in Grades 5, 8, and 11 for students with significant cognitive disabilities.

I recognize testing is a large component of school accountability under the Every Student Succeeds Act, but during this difficult time, it is not the most important element of student success. We continue to pursue options and flexibilities with our vendors and consortia, including testing window extensions, but further delaying of testing does not address the essence of this request. Testing window extensions are not viable options given the impact this pandemic is likely to have within this spring timeline and upholding the requirements for student achievement under accountability, will most likely not provide us

Elsie Arntzen, Superintendent

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with a valid and reliable picture of what our students know and are able to do as their school experience will be shadowed by this pandemic. Thus, we need to be accountable to our students and seek the maximum authority and waivers afforded by the U.S. Department of Education (USED) to address this pandemic. We will pursue a state waiver under USED, but until these waivers are granted, I ask the Board to take unprecedented measures to put the needs of our students and schools first.

Under ARM 10.56.101(4) and ARM 10.56.102(5), I seek the Board's approval to suspend the spring testing requirements as the previously granted two-week testing window extension for the assessments described under ARM 10.56.102(3) will not address the larger issue(s) and impact(s) that this pandemic will have on our schools. In addition, I request that previous communications held with district superintendents serve as consultation with representative stakeholders to hold schools harmless under the state ARM 10.55.606 accreditation process.

Please feel free to contact me if you have any questions regarding this request. I appreciate your consideration in recognizing the importance of minimizing our school requirements during this difficult time and I thank you for putting Montana students first in your deliberations.

Sincerely,

A handwritten signature in black ink that reads "Elsie Arntzen".

Elsie Arntzen  
Superintendent of Public Instruction

Enclosures:

- [Georgia Assessments Suspended](#)
- [Texas Assessments Suspended](#)
- [Ohio Testing Requirement Forecast](#)

CC:

Governor Steve Bullock  
Senator Steve Daines  
Senator Jon Tester  
Representative Gianforte



## **Helping Students Adversely Affected by School Closures, Secretary DeVos Announces Broad Flexibilities for States to Cancel Testing During National Emergency**

WASHINGTON – U.S. Secretary of Education Betsy DeVos announced today students impacted by school closures due to the coronavirus (COVID-19) pandemic can bypass standardized testing for the 2019-2020 school year. Upon a proper request, the Department will grant a waiver to any state that is unable to assess its students due to the ongoing national emergency, providing relief from federally mandated testing requirements for this school year.

Secretary DeVos commented: “Students need to be focused on staying healthy and continuing to learn. Teachers need to be able to focus on remote learning and other adaptations. Neither students nor teachers need to be focused on high-stakes tests during this difficult time. Students are simply too unlikely to be able to perform their best in this environment. Our actions today provide turnkey flexibilities for state and local leaders to focus on the immediate needs of their students and educators without worrying about federal repercussions. I’ve spoken with many local education leaders in the past days, and I’m inspired by their efforts to help their students continue to learn and grow. We’re going to continue to provide every flexibility possible to help make that as simple as possible.”

In response to the extraordinary public health threat posed by COVID-19, President Donald J. Trump declared a national emergency. As a result, many states have closed some or all schools. Therefore, a state unable to assess its students may seek a waiver from federal testing requirements by completing a form available at [oese.ed.gov \[lnks.gd\]](https://oese.ed.gov/lnks/gd). At the Secretary’s direction, the Department has dramatically streamlined the application process to make it as simple as possible for state leaders who are grappling with many complex issues.

To protect students’ health and safety, a state that deems it necessary should proceed with cancelling its statewide assessments for the 2019-2020 school year. Since student performance, as measured by assessments, is required to be used in statewide accountability systems, any

state that receives a one-year waiver may also receive a waiver from the requirement that this testing data be used in the statewide accountability system due to the national emergency.

The Department will continue to speak with state and local leaders to identify any additional needed flexibilities, and it remains in coordination with Congress on expanding the range of flexibilities available to the Department under law.

The Department continues to update [www.ed.gov/coronavirus](http://www.ed.gov/coronavirus) [\[lnks.gd\]](#) with information for students, parents, educators and local leaders about how to prevent the spread of COVID-19.

For additional resources from the Centers for Disease Control and Prevention about COVID-19, please visit [www.cdc.gov/coronavirus/2019-ncov/index.html](http://www.cdc.gov/coronavirus/2019-ncov/index.html) [\[lnks.gd\]](#).

###

**INFORMATION**

**ITEM 2**

**SCIENCE FIELD TEST**

**Ashley McGrath**

# INFORMATION

## ❖ LICENSURE COMMITTEE – (Item 3)

Tammy Lacey

### ITEM 3

### LEGAL UPDATE

**Rob Stutz, Agency Legal Services**

## ACTION

### ❖ MSDB LIAISON – (Item 4)

Mary Jo Bremner

### ITEM 4

## REQUEST APPROVAL OF MSDB REMOTE LEARNING PLAN

Paul Furthmyre