

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

July 15 - 16, 2004

Higher Education Complex  
Conference Room 102 A & B  
2500 Broadway  
Helena, MT 59620

Chairperson Kirk Miller called the meeting to order at 8:41 a.m. on Thursday, July 15, 2004. Board members present at the meeting included: Kirk Miller, Chairperson; Storrs Bishop, Randy Morris, Diane Fladmo, Vice Chairperson; John Fuller, Patty Myers, Cal Gilbert, and Erik Engellant. Ex-Officio members present were Superintendent Linda McCulloch and Commissioner Sheila Stearns. Staff members present were Steve Meloy, Executive Secretary, BPE; Peter Donovan, Administrative Officer, CSPAC; and Suzan Hopkins, Administrative Assistant, BPE. Those in attendance included Bud Williams, OPI; Linda Vrooman-Peterson, OPI; Spencer Sartorius, OPI; Bob Runkel, OPI; Carol Juneau, MIEA; Jan Clinard, OCHE; Erik Burke, MEA-MFT; Rene' Dubay, OCHE; Nancy Coopersmith, OPI; Norma Bixby, MACIE; Al McMilin, OPI; Nikki Sandve, OPI; Lance Melton, MTSBA; Kris Goss, Governor's Office; Jack Copps, MQEC; Loran Frazier, Governor's Office; Ellen Swaney, OCHE; Connie Erickson, LSD; Karen Richem, OPI; Lynn Hinch, OPI; Joe Lamson, OPI; Larry Baker, MSU-Bozeman; Margaret Bowles, OPI; Conrad Stroebe, and Teresa Stroebe.

**CALL TO ORDER**

Ms. Fladmo led the board members in the pledge of allegiance. Dr. Miller read the Statement of Public Participation and presented revisions to the agenda.

Dr. Miller informed the board that Lieutenant Governor Ohs will present his report at 2:00 p.m. on Thursday afternoon.

**MOTION: Ms. Fladmo moved to adopt the agenda as revised. Mr. Bishop seconded the motion and the motion unanimously carried.**

**PUBLIC COMMENT**

Mr. Meloy stated that Mr. Melton wished to make public comment at a later time during the day regarding the board's retreat held on Wednesday, July 14, 2004.

**CONSENT AGENDA**

**MOTION: Mr. Bishop moved to approve the consent agenda. The motion was seconded by Mr. Morris and unanimously carried.**

*\*\*\*Items appear in the order in which they were addressed during the meeting.\*\*\**

**ITEM 1 CHAIRPERSON'S REPORT**

Dr. Miller presented highlights from his chronological list of events that have transpired since the last board meeting. Highlights included, but were not limited to the following:

- School Renewal Commission Report (which included items placed in the parking

lot), helping to prepare a document that can be reviewed by the Commission on June 28.

- Executive Committee met in Helena to discuss Communications plan on June 4, 2004.
- NASBE Policy Symposium-October 19 & 20, Abstinence and HIV, Randy Morris to attend
- Office of Civil Rights –regional office used to be in Denver, it is now in Seattle
- BPE Executive Committee met with representatives of P-20 Committee, SAF, Commissioner's Office, and OPI to discuss the vision for an education communications plan.

## **ITEM 2 EXECUTIVE SECRETARY'S REPORT**

Mr. Meloy discussed items of importance under his report that have happened since the last meeting.

He is continuing to work with the Office of Budget Programming and Planning on EPP items for the '07 biennium.

He reported that the Legislative Fiscal Division's auditor staff would be in our office starting the first week of August.

Mr. Meloy also reported that the board has been working with the Renewal Commission and its working committees, CSPAC Assessment Study Group, the BPE/OPI assessment working group, BOE sub-committee work, OPI work with AYP of NCLB, P-20 communications plan, involvement with both candidates for Governor, OCHE Shared Leadership Project, E-Learning work of the BPE, Pilot (Praxis II) testing task force, the Special Purpose Schools Task Force, the PEPPS Review Advisory Panel, and the Counsellorship Initiative.

He also updated the board on the issue of credentialing for educational interpreters, brought forth to the board by Sandra Van Tighem. He has suggested that they speak with the licensing agency at Commerce. He and Ms. Bowles have agreed to accompany them to this meeting.

## **ITEM 3 CSPAC REPORT**

Mr. Donovan presented to the board the 2004-2005 draft meeting calendar. Their next meeting is scheduled for September 16-17, 2004 in Billings, MT. On the first day of the meeting, they will assemble with the Council of Deans of Higher Education. The joint meeting with the Board of Public Education will occur on Thursday, March 10, 2005.

CSPAC member Dan Villa was successful in his primary and is unopposed in the general election and therefore, will become a legislator. This means he will have to resign his position on CSPAC after the fall meeting.

He also presented highlights from the June 6-9, 2004 NASDTEC Annual Conference, held in Pittsburgh, PA. He mentioned that there was a presentation from Dr. William Sanders, which included a comment that his research contends that "outstanding teaching trumps culture and environment".

The 2005 Western States Certification Conference will be held on January 11-13, 2005 in Santa Fe, NM.

## **ITEM 4 TEACHING ENDORSEMENT INTERNSHIP PROGRAM UPDATE**

Dr. Linda Peterson, Administrator, OPI, provided the board with an update of the Teaching Endorsement Internship Program. This program has expanded to include teachers seeking an additional endorsement while teaching in their specific subject area. Continued discussions with the Council of Deans of Education, school district superintendents, and interns are assisting the education community to solve the problems to fully implement the teaching endorsement internship program.

Internship programs are difficult for teachers to access because so few higher education

institutions participate, and because many of the potential teaching endorsement interns are place-bound.

Some statistics regarding the internship program that Dr. Peterson shared with the board are:

- ❖ 36 interns enrolled in 2003-2004 academic year
- ❖ 7 out of 8 of the units currently have interns
- ❖ 15 interns are enrolled for the 2004-2005 academic year
- ❖ 10 interns are still looking for institutions

#### **ITEM 5 STATE SUPERINTENDENT'S REPORT**

Superintendent McCulloch distributed correspondence that she requested from CCSSO (Council of Chief State School Officers) with regard to the issue of the NASBE/CCSSO board connection. In a letter from Thomas Houlihan, Executive Director, CCSSO he states that the NASBE president has never been an ex-officio member of the board of CCSSO but has always been invited to the meetings.

She discussed the NCLB AYP amendments that were presented to the U.S. Department of Education and were accepted.

#### **ITEM 6 COMMISSIONER OF HIGHER EDUCATION REPORT**

Commissioner Stearns started her report by thanking Dr. Jan Clinard for her preparation of the summary of the growth in participation of the Montana University System Writing Assessment. Some highlights of interest quoted in this report include the fact that the average score increased slightly (from 3.0 in 2001 to 3.4 in 2004) and the number of essays increased (from 3,365 in 2001 to 4,717 in 2004). Also, the 2004 results reveal that boys appear to be catching up with their female classmates. A record number of 175 teachers, professors, and education students scored the assessments.

The Mathematics Proficiency Admissions Standards reports that high school seniors must earn a minimum math score of 16 on the ACT or 390 on the SAT, or take the Rigorous Core, which requires four years of mathematics, in order to be admitted to the four-year programs of the Montana University System.

She also distributed the three budget initiatives that they are presenting to the budget office. They include Workforce Training and Education, Distance Learning, and Promote and Enhance Access to Postsecondary Education. The format in which they were presented included proposed action item, state need, and current problem, proposed solution, state investment, and return on investment.

## **PUBLIC COMMENT**

Mr. Melton wished to share MTSBA's thoughts on the proposal to conduct a Montana study of the costs of the Accreditation Standards, which was discussed on July 14, 2004. He stressed that before the Board decides whether such a study has merit, they should strongly consider gaining commitment from all involved parties as to motivations and expectations. Such commitment should reflect a common understanding of time lines, purpose, scope, and the requirements of Judge Sherlock's opinion.

He mentioned that the board needs to be at the table with regards to any discussion about the above-mentioned standards to ensure that people are properly informed.

In summation, MTSBA applauds the BPE for maintaining open lines of communication on these issues. However, they urge caution in considering requests to utilize methodologies for

determining adequacy that have already been determined to be irrational by Judge Sherlock in his ruling. An analysis of estimated average costs of compliance with the input standards could be very beneficial to furthering open communication on the larger goal of adequate funding for quality education. Going beyond this scope and determining costs of compliance with performance and content standards without use of appropriate experts and methodologies, however, would be a mistake.

#### **ITEM 8 STUDENT REPRESENTATIVE REPORT**

Mr. Engellant presented his annual report to the board, summarizing his appearances, interviews with the Great Falls Tribune, and his student survey findings. He also presented his future goals and objectives, one of which is to spread awareness to the students of the state as to what the current educational issues are.

He also relayed to the board two questions that he had added to his internet student survey. The first one asks, "Do you feel the No Child Left Behind policy will improve the education of students in your school?" This question resulted in a 14% positive response, a 60% negative response, and a 26% unsure response. The second question, "What is your attitude when taking standardized tests", resulted in a 74% positive response, a 17% negative response and a 9% unsure response.

#### **ITEM 9 SPECIAL EDUCATION ANNUAL REPORT**

Mr. Runkel, Director of Special Education, OPI, provided an overview of IDEA-eligible children receiving special education and related services, costs associated with the services and a synopsis of outcomes reported to the Office of Special Education Programs by the Office of Public Instruction in its FY '03 Annual Performance Report.

#### **ITEM 10 SPECIAL PURPOSE SCHOOLS UPDATE**

Dr. Peterson reported on information that the Office of Public Instruction continues to collect regarding special purpose schools. They are also collecting information on what other states are doing. The next step, going through the summer, is to examine relevant past decisions and identify patterns that are seen. Some of the past decisions that they are examining from other states are legal decisions, accreditation decisions, and school funding decisions in terms of how they relate. There will be a follow up report at the September meeting to further update the board.

#### **ITEM 11 INITIAL ACCREDITATION STATUS FOR SUMMIT PREPARATORY SCHOOL**

Mr. McMilin, Accreditation Specialist, Nikki Sandve, OPI, along with Rick Johnson, Executive Director, CEO and Gerry Nolan, Education Director, Summit Preparatory School presented information on the Summit Preparatory Academy, a college prep therapeutic boarding school located outside of Kalispell, MT. The purpose of this presentation, other than being informational, is to request of the board that this school is considered for initial regular accreditation status. The school has completed a year-long review process of all aspects of their school operations. The next step will be to present to the board (as an action item) at the September meeting for formal consideration of initial accreditation status.

#### **ITEM 7 GOVERNOR'S OFFICE REPORT**

Lieutenant Governor Ohs reported to the board that this will be Kris Goss' last meeting and Loran Frazier will replace Kris as the Education Policy Advisor at the Governor's Office. Mr. Frazier has 43 years in education as a teacher, guidance counselor, coach, vocational guidance supervisor and administrator. He also has served as the Executive Director for the School Administrators of Montana for 12 years.

Mr. Ohs then discussed progress with the School Renewal Commission. He thanked the board for loaning staff members, Steve Meloy and Suzan Hopkins and also OPI for their participation. The items that have been placed in the parking lot will be addressed at the next Renewal Commission meeting on Monday, June 19, 2004.

He then discussed funding and the funding formula, as it relates to quality education. The Governor's Office has been working with the Interim Committee on tax and revenue as they move ahead with their work.

Mr. Goss shared with the board items that he has been involved with such as the OPI Yellow Bus Tour in Anaconda. They met with Dan Villa, who gave them a personal tour of the town. Mr. Villa is a council member of CSPAC, a school board member, and now a legislator.

He presented an agenda for the Governor's Partnership for School Readiness Recommendations to be held on June 18, 2004, along with a discussion about the SAELP I Report. Joanne Erickson explained, during the SAELP meeting, what SAELP I had achieved, and what SAELP II will be accomplishing for the people of Montana.

He also wished to announce and welcome the newest appointment, Kayla French from Montana State University to the Board of Regents for 3 years.

### **ITEM 12 PEPPS (Professional Educator Preparation Program Standards) REVIEW PROCESS UPDATE**

Dr. Peterson presented an update on this program, reporting that the writing teams and facilitators have been identified. The writing teams will work throughout the summer and fall to complete the first drafts of each of the sub-chapters of Chapter 58. These facilitators will meet periodically to discuss parameters of the project and the progress of the work.

### **ITEM 13 ANNUAL GED REPORT**

Mr. Dave Strong, GED Administrator, OPI reported on the 2003 Montana GED Statistical Report. He also reported on the status of current fees charged for the administration of the GED. The current cost of administering the GED averages \$48, which is expected to increase next year. A total of 2,581 completed the entire GED test battery and passed. The three major reasons why people take the test are to qualify for further education, to qualify for employment, and to qualify for military enlistment.

### **ITEM 14 MACIE UPDATE**

Ms. Norma Bixby, Chair of MACIE, gave an update of events that have transpired with the Montana Advisory Council on Indian Education, starting with the last quarterly meeting, held in Missoula on April 1, 2004.

She also discussed budget expectations to be presented to the legislature. There will also be some legislative recommendations brought forth during the legislative session.

She gave a summary of the June 9, 2004 conference call. Discussion included the MACIE retreat which is scheduled to be held on July 16-17, 2004. This was cancelled and re-scheduled to September 10-11, 2004, site currently unknown. One of the focuses of the retreat will be to do some goal setting. Another item they will be working on will be improved communication and collaboration with regards to the Board of Public Education and the Office of Public Instruction.

The Indian Education Summit will be held on October 15 and 16, 2004. Members who serve on this summit include Cal Gilbert, Norma Bixby, Carol Juneau, and Robert Murray.

The next quarterly MACIE meeting is scheduled for September 10, 2004. The next MIEA Conference will be held on April 2-4, 2004.

## **PUBLIC COMMENT**

### **ITEM 15 NCLB UPDATE**

Ms. Coopersmith, Assistant Superintendent, along with Al McMillin, Accreditation Specialist, OPI, presented information to the board that has been submitted to the U.S. Department of Education as preliminary amendments to the Montana Accountability Workbook. The presentation also included a progress report on the electronic process for the 2004-2005 ESEA Consolidated Application which districts submit to the Montana Office of Public Instruction.

An exception to the 1% statewide cap on the number of proficient and advanced scores

from alternate assessments based on alternate achievement standards that may be included in adequate yearly progress (AYP) decisions was granted.

#### **ITEM 16 STRATEGIC PLANNING REPORT**

Dr. Miller stated that this item would be reported in its entirety at the September board meeting, after minutes can be transcribed and compiled.

#### **ITEM 17 ALTERNATIVE REVENUE SOURCES TO FUND K-12**

Mr. Conrad Stroebe and his wife, Teresa Stroebe, presented information on revenue ideas to adequately fund public education. They discussed six tax revenues that Montanans should consider. These included half-penny payroll tax, tourist and entertainment tax, real estate transfer tax, 2% general sales tax, 40% endowment credit, and allowing the property tax base to grow.

#### **ITEM 18 ASSESSMENT UPDATE**

Mr. Joe Lamson and Ms. Lynn Hinch, OPI presented the assessment update in the absence of Ms. Snow. Included in this presentation were the preliminary 2004 statewide aggregated data for the Iowa Tests. There were not many changes from the 2003 results.

#### **ITEM 19 FINAL ADOPTION OF ARM 10.51.102 STUDENT REPRESENTATIVE TERM**

Mr. Meloy presented language to amend 10.51.102, student representative term. This language will allow the student representative to serve a two-year term. The other changes, which were brought forth by the Secretary of State's office, included striking the word congressional from the sentence, "**In order to assure geographical and political representation on the board of public education, the law provides that not more than four of the seven board members may be from one congressional district or affiliated with the same political party.**" In place of the word congressional, commissioner will be substituted. Also, the sentence, "**Board members elect a chairman and vice-chairman annually in April,**" will be amended as illustrated by the strikethrough.

**MOTION: Ms. Fladmo moved to adopt the amendments to 10.51.102. Ms. Myers seconded the motion and the motion unanimously carried.**

#### **ITEM 20 ASSESSMENT TASK FORCE**

Ms. Fladmo stated that this item is currently not ready for action.

#### **ITEM 21 POTENTIAL AMENDMENT TO 10.55.909 TO MEET NCLB REQUIREMENTS**

Dr. Peterson, Accreditation Division Administrator, OPI, provided to the board the Notice of Public Hearing and proposed timeline for amending the student records rule, ARM 10.55.909. As discussed at the May 2004 meeting of the board, this amendment to ARM provides clarification and consistency to meeting the requirements of the No Child Left Behind Act related to Family Educational Rights and Privacy Act (FERPA).

**MOTION: Mr. Bishop moved to publish the Notice of Public Hearing on proposed amendment to 10.55.909-student records rule, and to adopt the timeline presented. The motion was seconded by Ms. Myers and unanimously carried.**

#### **ITEM 22 ACCREDITATION ACTION**

Mr. McMilin, Accreditation Specialist, OPI, and Karen Richem, Administrative Assistant, OPI presented to the board the Alternative Standard Initial and Five-Year Renewal Requests recommended either for approval or disapproval by the state Superintendent Linda McCulloch. Mr. McMilin also distributed to all of the board members a digital photo portfolio of the site visits to the schools.

This presentation also provided an addendum to the 2003-2004 accreditation

determinations for all schools as recommended by Superintendent Linda McCulloch. These changes resulted from confusion in the wording of the timeline language found in Appendix F, page F-1 of the Accreditation Manual.

**MOTION: Mr. Bishop moved to approve the state superintendent's recommendations for approval for one initial alternative request and fourteen renewal requests as well as the 2003-2004 accreditation action addendum. Also approval of the Summer's Middle School Program. Approval of the annual accreditation calendar. Mr. Morris seconded the motion and the motion unanimously carried.**

#### **ITEM 23 PROPOSED RULE AMENDMENTS TO CHAPTER 57**

Ms. Bowles, Educator Licensure Program Manager, OPI presented to the board

**MOTION: Ms. Myers moved to authorize publication of the rule notice to Chapter 57, including the hearing date of 9/2/04. The motion was seconded by Mr. Fuller and the motion unanimously carried.\***

\*Ms. Fladmo was absent during this vote.

#### **LEGAL AFFAIRS**

#### **ITEM 24 REPORT OF LICENSE SURRENDERS/REVOCATIONS (MAY REQUIRE EXECUTIVE SESSION)**

Ms. Bowles, Educator Licensure Program Manager, OPI presented the report of license surrenders/revocations.

**MOTION: Ms. Myers moved to accept the superintendent's recommendation on case 2004-2 and case 2004-3. The motion was seconded by Mr. Bishop and unanimously carried.**

#### **ITEM 25 MSDB COMMITTEE MEETING/REPORT**

Mr. Gettel and Mr. Sykes, MSDB,

1. MSDB Annual Report
2. Personnel Actions-
3. Human Resources-
4. Policies/Procedures-

**MOTION: Mr. Morris moved to approve the policies as submitted. Mr. Fuller seconded the motion and the motion unanimously carried.**

5. 5 Year Comprehensive Education Plan-
6. 2005 Legislative Session-
7. Professional Development-
8. MSDB Foundation-
9. Conferences, Meetings and Contacts-
10. Budget and Finance-need a letter from the board to accept grants and not collect indirect costs.
11. Plant and Facilities-
12. School Calendar of Events-
13. Student News and School Events-
14. Public Comment for Non Agenda Items-

## **PRELIMINARY AGENDA ITEMS – September 9 - 10, 2004**

- Special Purpose Schools**
- Strategic Plan Report**
- calendar out 2 years for meeting calendar?**

**Meeting was adjourned at 1:03p.m.**