

BOARD OF PUBLIC EDUCATION
MEETING MINUTES

MAY 10-11, 2007

MONTANA SCHOOL FOR THE DEAF AND BLIND
3911 CENTRAL AVENUE
GREAT FALLS, MT 59401

May 10, 2007 - Thursday
8:30 a.m.

CALL TO ORDER

Chairperson Patty Myers called the meeting to order at 8:30 a.m. on Thursday, May 10, 2007. The Pledge of Allegiance was led by the Montana School for the Deaf and Blind Pre-school students and Lewis and Clark Elementary 2nd Grade students. Ms. Patty Myers made introductions of those who assist her in the classroom with the Lewis and Clark Elementary 2nd Grade students and the pre-school instructor for the Deaf and Blind students. Ms. Carol Will took roll call; a quorum was noted. Ms. Patty Myers requested for indulgence of flexibility with the agenda.

MOTION: Ms. Angela McLean moved to accept the agenda with flexibility. Mr. Storrs Bishop seconded. Motion passed unanimously. Dr. Kirk Miller absent for the vote.

Those in attendance at the meeting included the following Board members: Chairperson Ms. Patty Myers, Vice Chairperson Ms. Angela McLean, Mr. Storrs Bishop, Mr. John Fuller, Dr. Kirk Miller, Mr. Cal Gilbert, Ms. Sharon Carroll, and Ms. Jenny Tiskus. Staff present at the meeting included Mr. Steve Meloy, Executive Secretary of the Board of Public Education; Mr. Peter Donovan, Administrative Officer, Certification Standards and Practices Advisory Council; and Ms. Carol Will, Administrative Assistant, Board of Public Education. Ms. Nancy Coopersmith, OPI Assistant Superintendent, represented ex-officio Board Member Ms. Linda McCulloch, State Superintendent. Visitors in attendance at the meeting included: Mr. Eric Feaver, MEA-MFT; Dr. Linda Vrooman Peterson, OPI Accreditation Division Administrator; Ms. Elizabeth Keller, OPI Educator Licensure Unit Manager; Mr. Al McMilin, OPI Accreditation Specialist; Ms. Cathy Warhank, OPI Legal Counsel; Mr. Doug Rhuman, Salish Kootenai College; Ms. Amy Burland, Salish Kootenai College; Ms. Cindy O'Dell, Salish Kootenai College; Ms. Beck McLaughlin, Arts Council; Ms. Patricia Chlouber, United States Department of Education; Ms. Judith Gossnell-Lamb, BSSNC; Ms. Barbara Mansfield, Whitefish High School; Mr. Dan Zorn, Superintendent of Kalispell Public Schools; Mr. Bob Johnke, MSU-Northern; Mr. Charles Pollington, MSU-Northern; Mr. Ron Peebles, parent; Ms. Patricia Peebles, parent; Mr. Brian Patrick, Townsend Public Schools; Mr. Tom Kotynski, Great Falls Public Schools; Mr. Ryan Schrenk, Director of Distance Learning, MSU-Great Falls; Ms. Judy Hay, Assistant Dean, MSU-Great Falls; Mr. Larry Crowder, Culbertson Public Schools; Ms. Cindy Luoma, Fairfield Public Schools; Mr. Les Meyer, Fairfield Public Schools; Dr. Mary Sheehy Moe, Dean, MSU-Great Falls; and Ms. Nancy Gede, teacher.

PUBLIC COMMENT

CONSENT AGENDA

Mr. Steve Meloy addressed the revenue that has been brought to the Board of Public Education from the MetLife Grant that the BPE's Student Representative Jenny Tiskus received on behalf of the Board to enhance peer communication for student leaders.

MOTION: Mr. Storrs Bishop moved to accept the consent agenda. Ms. Angela McLean seconded. Motion passed unanimously. Dr. Kirk Miller absent for the vote.

Items are presented in the order in which they appeared.

INFORMATION ITEMS

Item 1 CHAIRPERSON'S REPORT-Patty Myers

- 3-20-2007 Testimony before Senate Finance Committee
- 4-4-2007 Conference call BPE meeting
- 4-18-2007 Spring Program MSDB
- 4-20-2007 Met with Mr. Steve Gettel concerning the future direction of MSDB
- 4-21-2007 Attended Expressions of Silence performance at MSDB
- 4-27-2007 Testimony on behalf of the National Education Association before the U.S. Senate Committee on Finance, published in the *Congressional Quarterly Researcher*.

Ms. Patty Myers conducted the vote of the Montana Board of Public Education for the 2008 National Association of State Boards of Education Board of Directors election. Information was provided for the following candidates: President-elect, Mr. Kenneth Willard-Kansas; Secretary-Treasurer, Mr. Greg Haws-Utah; and Western Area Director, Mr. Randy DeHoff-Colorado.

MOTION: Mr. Storrs Bishop moved that the Board of Public Education cast their vote for the 2008 NASBE Board of Directors candidates listed on the ballot. Ms. Sharon Carroll seconded. Motion passed unanimously. Dr. Kirk Miller absent for the vote.

BOARD MEMBER APPEARANCES

Sharon Carroll

- 5-9-2007 Western Governors University Scholarship Meeting

Item 2 EXECUTIVE SECRETARY'S REPORT-Steve Meloy

Mr. Steve Meloy stated that all pieces of legislation having an adverse effect on the Board have died. Other issues addressed were: Budget process for the 2009 biennium; appointed program chair for the National Council of State Board of Education Executives (NCSBEE); responded to a request for recommendations for a bullying policy; attended and observed most hearings involving funding and major amendments to educational governance; comments from the field on the future of the NRT and amendments to the BPE distance learning rule; and attended all Ed Forum meetings. In addition, Mr. Steve Meloy addressed the request that the Superintendent of Public Instruction received from the Associated Press under the Montana Open Records Law for information regarding the number of teachers who lost their educator licenses due to misconduct. The request was also for the names and previous districts of employment for those who lost a license due to sexual misconduct. The Associated Press's request and the Montana Office of Public Instruction's response to open records were placed under the correspondence section of this agenda packet.

Item 3 CSPAC REPORT-Peter Donovan

Mr. Peter Donovan distributed the conference agenda for the NASDTEC Conference and the NASDTEC Interstate Mobility Study Project Overview. Learning Point Associates is working with NASDTEC to identify promising policies and practices that facilitate teacher mobility across state lines as well as barriers that prevent teachers from easily transferring their teaching licenses from one state to another.

CSPAC APPOINTMENTS (ACTION)

Dr. Douglas Reisig, Superintendent, Hellgate Elementary School, and Ms. Tonia Bloom, Trustee, Corvallis School District submitted letters of re-appointment to the Montana Certification Standards and Practices Advisory Council.

MOTION: Ms. Angela McLean moved to re-appoint Dr. Douglas Reisig and Ms. Tonia Bloom to the Montana Certification Standards and Practice Advisory Council. Mr. John Fuller seconded. Motion passed unanimously. Dr. Kirk Miller absent for the vote.

Item 4 STATE SUPERINTENDENT'S REPORT-State Superintendent Linda McCulloch

Ms. Nancy Coopersmith, Assistant Superintendent presented Superintendent Linda McCulloch's report to the Board. Topics addressed were: Achievement in Montana (AIM); electronic grants management system (E-grants); outstanding educator requests; 2007 OPI Assessment Conference; CRT science field tests; hiring and licensure tips; AIM data collections; and the 2007 youth risk behavior survey. Ms. Patty Myers asked Ms. Nancy Coopersmith to follow-up with the change in the Board of Education bylaws reflecting when the Board of Education meetings will be held.

INDIAN EDUCATION FOR ALL REPORT

OPI has completed the following for Indian Education for All: Made Indian Education for All materials more accessible by close captioning selected materials; made "Montana Indians: Their History and Location and Connecting Cultures and Classrooms K-12 Curriculum Guide" available in Braille; sent five different reference books to every K-12 school library to ensure that every public school has a common core set of Indian Education for All (IEFA) materials to start the 2007-2008 school year; sent additional DVDs to all school library media centers; partnered with the Montana Historical Society to support the development of an 8th grade Montana History textbook that will be published in January of 2008; provided a two-day institute in May on the implementation of IEFA hosted by MSU's School of Education to bring together representatives from all the university and tribal college teacher training programs; and hosted an Indian Education for All Best Practices conference in Bozeman May 6-8, 2007.

Item 5 COMMISSIONER OF HIGHER EDUCATION'S REPORT-Commissioner Sheila Stearns

No report presented.

Item 6 GOVERNOR'S OFFICE REPORT-Jan Lombardi

No report presented.

Item 7 STUDENT REPRESENTATIVE'S REPORT-Jenny Tiskus

Ms. Jenny Tiskus presented the following information in regard to the NASBE grant: Radio spots started May 2, 2007; letters to all schools; survey fully online at the Office of Public Instruction's website and linked to from the Board of Public Education's website; and new steps to engage more student responses. Included in her report was the press release distributed by the Board of Public Education, the press release distributed by NASBE, a copy of the radio broadcast, and a copy of the student opinion survey. There was follow-up discussion by the Board to provide Ms. Jenny Tiskus with additional ideas to engage more student responses to the student opinion survey.

Item 8 MACIE REPORT-Norma Bixby

Mr. Cal Gilbert presented the MACIE report. A summary of the April 2007 MACIE meeting was presented as follows: Update on legislative action, curriculum materials, tribal history projects, and MACIE goals. MACIE recommended that OPI and BPE consider an appointment of an early childhood representative to MACIE.

10:15 Break – Expressions of Silence video presented during break

Item 9 INITIAL ACCREDITATION OF ELEMENTARY EDUCATION PROGRAM PROPOSED BY SALISH KOOTENAI COLLEGE PROFESSIONAL EDUCATION UNIT-Dr. Linda Vrooman Peterson, OPI; Cindy O'Dell, Chairwoman, Department of Education, Salish Kootenai College; and Audrey Peterson, Team Chair of the On-site Review Team

Dr. Audrey Peterson was not able to attend this meeting. Dr. Linda Vrooman Peterson, Ms. Cindy O'Dell, Ms. Amy Burland, and Mr. Doug Rhuman presented the request for initial accreditation for Salish Kootenai College. On April 10-12, 2007 the Office of Public Instruction conducted an on-site review of the elementary education program at Salish Kootenai College. Dr. Audrey Peterson served as team

chair. Salish Kootenai College requests initial accreditation for its Elementary Education endorsement program. Dr. Linda Vrooman Peterson provided an overview of the on-site visit. Ms. Cindy O'Dell discussed a variety of methods being used to ensure the success of their graduates in communication and writing skills. The college wants student educators to succeed and will support them to become highly qualified teachers. The final report will be presented to the Board at the July 2007 meeting for action.

ACTION ITEMS

Item 16 BASE AID PAYMENT SCHEDULE-Nancy Coopersmith

As required by 20-9-344, MCA, the Board of Public Education must approve the distribution of K-12 BASE aid for public education. The schedule is the same as past years, approximately the 25th of each month, with adjustment for weekends and holidays. It has been reviewed by the Board of Investments. Proposed payment schedule for fiscal year 2008 was provided. The Office of Public Instruction requested the approval of dates.

MOTION: Mr. Storrs Bishop moved to approve the dates of distribution for the K-12 BASE aid payment schedule for the 2008 fiscal year. Mr. Cal Gilbert seconded. Motion passed unanimously. Dr. Kirk Miller absent for the vote.

Item 17 COMMITTEE ASSIGNMENTS-Patty Myers

Ms. Patty Myers requested Ms. Sharon Carroll to be the Chair of the Assessment Committee. After discussion by the Board, it was further recommended that the new Student Representative, Ms. Katie Wood, fulfill the same committee assignments as Ms. Jenny Tiskus. Ms. Jenny Tiskus has been a member of the Accreditation Committee and the Legislative Committee.

MOTION: Mr. John Fuller moved that Ms. Sharon Carroll be the Chair of the Assessment Committee and that Ms. Katie Wood fulfill the same committee assignments as the current student representative. Ms. Angela McLean seconded. Motion passed unanimously. Dr. Kirk Miller absent for the vote.

11:40 a.m. Dr. Kirk Miller arrived

Item 18 DETERMINE LOCATION OF SEPTEMBER 13-14, 2007 BOARD OF PUBLIC EDUCATION AND BOARD OF EDUCATION MEETING-Patty Myers

Ms. Patty Myers stated that the Board of Education's bylaws needs to be changed to reflect the motion that was passed in regard to the Board of Education meetings. The motion that reflects this change in the BOE's bylaws occurred on September 11, 2003 when "Regent Semmens moved that the by-laws be amended to set meeting dates to be concurrent with the January meeting of the Board of Regents and with the September meeting of the Board of Public Education. The motion was seconded by Patty Myers and unanimously carried." Ms. Patty Myers requested that Ms. Carol Will present the possible meeting locations for the Board of Education and the Board of Public Education meeting in September 2007. Ms. Denise Juneau provided Ms. Carol Will with the following options: Lodge Grass Public School, Pryor Public School, and Lame Deer Public School. Ms. Carol Will recommended that the meeting be held at Pryor Public School and commute from Billings, MT. Ms. Cindy O'Dell from Salish Kootenai College invited the Board of Public Education to hold these meetings on the college's campus. Discussion ensued with the desire of the Board to hold this meeting in eastern Montana and take into consideration the commuting distance for hotel accommodations to the meeting site.

MOTION: Mr. John Fuller moved to hold the September Board of Public Education and the Board of Education meetings in the Lame Deer Public School. Mr. Cal Gilbert seconded. Motion passed unanimously.

11:45 Adjourned for lunch

11:45-12:00 p.m. - TECHNOLOGY DEMONSTRATION FROM THE CLASSROOM OF THE VISUALLY IMPAIRED DEPARTMENT

Ms. Carol Clayton-Bye and Mr. Jim Takenaka, teachers for the visually impaired, presented a video of a MSDB student making his first phone call using a Morse code system. In addition, they presented other pieces of equipment used by the visually impaired.

12:00 – 1:15 p.m. LUNCH IN THE MSDB CAFETERIA

1:15 – 1:30 p.m. VIDEO PRODUCTION PRESENTATION IN THE COMPUTER LAB OF THE DEAF DEPARTMENT

Mr. Martin Guhl, Video Production Class Teacher, presented a video of interviews, commercials, a musical, and the use of the green screen for reports produced by MSDB's hearing impaired students from the Video Production Class.

DISCUSSION ITEMS

Item 10 REAUTHORIZATION OF NCLB-Patricia Chlouber, Secretary Regional Representative, US Department of Education Region 8

Ms. Pat Chlouber distributed the following documents:

- *President Bush's Continued Commitment to Education: 2008 Budget Good News for Montana's Children*

Highlights of the President's FY 2008 Budget Proposal

- ❖ More Resources for Schools
 - No Child Left Behind Act (\$24.5 billion) – up 41% since 2001
 - Title I Program (\$13.9 billion) - \$1.2 billion increase – up 59% since 2001
 - Title I School Improvement Grants Program (\$500 million)
 - American Competitiveness Initiative (\$365 million)
- ❖ More Resources for Parents
 - Promise Scholarship (\$250 million) and Opportunity Scholarship (\$50 million)
- ❖ More Resources for Teachers to Close the Achievement Gap
 - Reading First and Early Reading First Programs (\$1.1 billion) and Striving Readers (\$100 million)
- ❖ More Resources for Higher Education
 - Pell Grant Program (\$15.4 billion) – up 76% since 2001
- *A Test of Leadership: Charting the Future of U.S. Higher Education* by Secretary Margaret Spellings, U.S. Department of Education
- Letter from Judith Gosnell-Lamb, Big Sky Special Needs Cooperative
- *Building on Results: A Blueprint for Strengthening The No Child Left Behind Act* by Secretary Margaret Spellings, U.S. Department of Education

Discussion ensued about the need to promote rigor in high school coursework. Ms. Pat Chlouber referred to the *Building on Results: A Blueprint for Strengthening The No Child Left Behind Act* document that states:

“Rigorous coursework in high schools is critical to ensuring that students are learning the skills they need to compete in the global economy. Low-income students who complete a rigorous high school course of study are eligible for an Academic Competitiveness Grant (ACG) to help with college costs. The ACG program provides additional grant aid to low-income first- and second- year college students who complete a rigorous program of study in high school. Through **Building on Results**, we can increase academic rigor and simultaneously increase the number of students who may receive those grants by making Advanced Placement and International Baccalaureate classes available to more students and by training teachers to lead them. To promote student participation in courses required for success in college, states will

report completion rates of these college readiness courses by relevant subgroups.”

Item 11 NASBE GOVERNMENT AFFAIRS COMMITTEE REPORT-Dr. Kirk Miller

Dr. Kirk Miller distributed the following documents in addition to what was included in the agenda packet: Agenda for the NASBE Legislative Conference; 2007 NASBE Legislative Priorities; and Education Secretary Margaret Spellings Speaks to State Board Members about Department’s 2007 Priorities. Some of the 2007 NASBE legislative priorities include:

No Child Left Behind Act

- New law must include the flexibility to allow nationwide implementation to be tailored to the unique circumstances of individual states and to take into account the challenges of rural areas.
- Better transparency and more disclosure are needed in all dealings, negotiations, and approvals between state and federal education officials.
- Assessments
 - Assessment policies must use multiple indicators of student achievement and school performance to evaluate progress.
 - Report results in formats and language that parents and the public can easily understand, and inform state level policies and programs.
- Accountability
 - Permit states to use English proficiency attainment to hold schools and districts accountable for LEP students (in cases where it would be valid, reliable, and consistent with the student’s educational program).
 - Allow states to count students with a disability who successfully complete their IEP (but do not earn a diploma based on state academic standards) as proficient in AYP calculations.
- Sanctions
 - Not enforce state compliance with federal rules and regulations through threat of or actual withholding of federal funding for unrelated programs.
 - Allow States to set their own professional qualifications for the instructional personnel of supplemental service providers.

Dr. Kirk Miller stated that the accountability of special education, according to No Child Left Behind, does not fit very well in Montana. The 1% or 2% exclusionary rules do not do very well in many communities across the state of Montana. Dr. Kirk Miller asked the U.S. Department of Education Secretary Margaret Spellings about allowing the IEP to drive the assessment accountability of Special Education identified students. Education Secretary Margaret Spellings responded by stating that the Special Education lobby does not want that to happen. Those who are Special Education lobbyists do not want to be swept under the carpet because they need to be part of the entire educational system. Dr. Kirk Miller followed up with the fact that the Department of Education has derived many flexible strategies for English Language Learners (ELL). Dr. Kirk Miller asked if the Department of Education would consider looking at flexible modeling of Special Education where the state could test and see whether the state could use the student’s Individual Education Plan (IEP) and hold Individuals with Disabilities Education Act (IDEA) accountable. He continued to state that Montana would consider being a pilot to implement some flexible modeling.

National Standards

- Given their authority over the development and adoption of state standards, state boards of education must be active participants in the national standards debate.
- There are important details – such as who would set the standards, how the standards would be set, which standards would be developed – that have yet to be worked out before policymakers can begin a serious discussion or give consideration to a national standards initiative.
- The alignment or adoption of state standards with national standards must be made

voluntarily by individual states.

NASBE Legislative Brief *Republican "A-Plus" Bill Would Allow States Out of Most NCLB Provisions* states that the "A-PLUS Act will restore accountability to parents and schools as states advance individually tailored academic policies. . . . Under A-Plus, a state can only opt out of NCLB requirements if two of three state entities give their assent: the governor, state legislature, and/or the 'highest elected education officials of the state, if any.'"

Item 12 NCLB UPDATE-Nancy Coopersmith

The presentation included perspectives from national organizations on the Reauthorization of the Elementary and Secondary Education Act. Information included a joint statement from the National Governors Association, the Council of Chief State School Officers, and the National Association of State Boards of Education, as well as a statement on reauthorization by the National Association of State Directors of Special Education. In addition, the presentation included a timeline for completing and disseminating the Adequate Yearly Progress determinations for the 2006-2007 school year. Ms. Nancy Coopersmith reviewed the following documents:

- *Reauthorization of the Elementary and Secondary Education Act (ESEA) National Association of State Directors of Special Education (NASDSE) Reauthorization Priorities*
- *National Governors Association (NGA), the Council of Chief State School Officers (CCSO,) and the National Association of State Boards of Education (NASBE) No Child Left Behind Recommendations to Congress*
- A letter to Honorable Edward "Ted" M. Kennedy, Honorable George Miller; Honorable Michael B. Enzi; and the Honorable Howard P. "Buck" McKeon. The letter included the following attachments: *Joint Statement on Reauthorization of the No Child Left Behind Act (NCLB); ECW-2 Education Reform; and Recommendations to Reauthorize the Elementary and Secondary Education Act*
- E-Grants NCLB Consolidated Program Application Videoconference Training Schedule

Item 13 NASBE RECOMMENDATIONS - CITIZENS FOR THE 21ST CENTURY-John Fuller

Mr. John Fuller stated that the state of Montana is following most of the recommendations of NASBE on the *Citizens for the 21st Century* quite well despite funding limitations. Mr. Steve Meloy revisited Chief Justice Gray's stress for the need of civics education, *We the People* curriculum and Ms. Jenny Tiskus's question directed to Senator Bob Graham at the NASBE Conference. Mr. Steve Meloy suggested that the Board addresses civic education in its five-year strategic plan that will be revisited in July 2007. Ms. Angela McLean requested that the Board send this document to Chief Justice Gray.

Item 14 FUTURE OF NORM REFERENCED TESTING-Steve Meloy

- Mr. Steve Meloy provided a history of the NRT discussion according to the Board of Public Education's previously written minutes. Some key points that were addressed at the May 2006 BPE meeting were: Assessing social studies and language arts; classroom assessments aligning to the state's standards; assessment should be tied closely to classroom instruction; set a window for testing as far in advance as possible due to the advanced yearly schedule; and the need to look at the Mission Statements for the Montana Assessment System. Some key points that were addressed at the January 2007 BPE meeting were: OPI's assessment budget request for the 2009 biennium that includes \$310,000 for fiscal year 2008 and \$325,000 for fiscal year 2009 for a norm-referenced test in grades 4, 8, and 11; the contract with Riverside Publishing Company that expires June 30, 2007; State Superintendent Linda McCulloch's recommendation to discontinue administering the norm-referenced test (NRT) for a period of time and re-evaluate yearly; data is not being used to make instructional decisions; OPI cannot provide any additional staff for support; there is no continuity of the Iowa test; and criterion-referenced tests are required with No Child Left Behind (NCLB).
- Mr. Steve Meloy stated that 10-56-101 spells out the Board of Public Education's adoption of rules for state-level assessment, but does not mention any assessment in particular. However, 10-55-603 (4) says "in addition to the school-by-school reporting of norm-referenced testing results in accordance with ARM 10-56-101, districts shall annually report to the Office of Public Instruction the school level

results of measures for the standards that are not adequately assess by the norm-referenced test.” Mr. Steve Meloy continued to state that if the Board were to substitute the CRT for the NRT it would simply require amending 10-55-603 (4). He also pointed out that 10-55-603 (3) (a) calls for school districts to use effective and appropriate multiple measures and methods to assess student progress in achieving content and performance standards in all program areas. The Board could consider amending 10-55-603(4) and then bringing OPI, the Board, and its partners together in a task force to determine appropriate assessments in the classroom which effectively inform instruction. Mr. Steve Meloy believes there isn’t any language in the law behind the appropriation for the NRT that binds the Board to utilizing the appropriation for the NRT in the next biennium.

- Correspondence in regard to the NRT was included from Superintendent Jack Copps, Billings Public Schools; Mr. Bill Laurent, Independent School, Billings, MT; Principal Kevin Croff, Meadowlark Elementary, Billings, MT; Mr. William Appleton, Director of Curriculum/Assessment/Federal Programs, Polson School District #23, Polson, MT; and John English, Principal, Bench Elementary, Billings, MT. All correspondence included was in opposition to the continuance of the NRT.
- It was clarified in the discussion that the Board recommends the discontinuance of the state requirement for the use of Norm-Referenced Tests (NRT) and the Iowa Test of Basic Skills (ITBS). This would allow districts to use these assessments, but not be required to report the results to the Office of Public Instruction. Dr. Kirk Miller suggested that the Board add an action item (Item 22b) to the agenda to vote on the action that the Board chooses to take in regard to the NRT. Dr. Kirk Miller recommends that the Board discontinue the requirement of the state to report the ITBS results and that the Board develop with the Office of Public Instruction an assessment task force that would make recommendations as to what type of assessments would be put in place that would inform classroom instruction and make recommendations to the revisions necessary to 10-55-603. Board discussion followed.

Item 15 LEGISLATIVE UPDATE-Steve Meloy and John Fuller

Mr. Steve Meloy stated that all of the bills which would adversely impact the Board directly failed to pass the legislature. The major funding bills of interest died as a result of the failure of the legislature to act on them prior to the end of the session. Some bills included:

- HB 417, which was the bill that the Senate amended to include many of the pieces of SB 152, which was the Governor’s plan. Inflationary increases for K-12 and fulltime kindergarten were included.
- HB 678 was the Republican plan to provide permanent tax relief by increasing direct state aid to schools.
- HB 809 which included the budget for OPI.
- HB 820 funded many state agencies including the BPE and MSDB.

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.

ACTION ITEMS

MEETING WAS CLOSED FOR ITEMS 19 - 20

Item 19 MSDB SUPERINTENDENT PERFORMANCE EVALUATION & CONTRACT EXTENSION DISCUSSION-Patty Myers

MOTION: Ms. Angela McLean moved to extend the contract of Montana School for the Deaf and Blind’s Superintendent Steve Gettel, until June 30, 2010. Mr. John Fuller seconded. Motion passed unanimously.

Item 20 EXECUTIVE SECRETARY PERFORMANCE EVALUATION & CONTRACT EXTENSION DISCUSSION-Patty Myers

MOTION: Ms. Angela McLean moved to extend the contract of the Board of Public Education's Executive Secretary Steve Meloy, until June 30, 2010. Mr. John Fuller seconded. Motion passed unanimously.

Item 21 ESTABLISH EXECUTIVE STAFF SALARIES-Patty Myers

Ms. Patty Myers delayed action on establishing executive staff salaries until the contract negotiations as a result of the special legislative session have been settled with the MSDB's staff.

Adjourned at 4:00 p.m.

May 11, 2007 – Friday
8:30 a.m.

Item 22a RECOMMENDATION FOR FINAL ACTION – 10.55.907 DISTANCE, ONLINE, TECHNOLOGY DELIVERED LEARNING; 10.55.602 DEFINITIONS; 10.55.701 BOARD OF TRUSTEES; AND 10.55.705 ADMINISTRATIVE PERSONNEL: AND ASSIGNMENT OF SCHOOL ADMINISTRATORS/PRINCIPALS-Dr. Linda Vrooman Peterson

Ms. Patty Myers welcomed those who came to the Board of Public Education to comment on this particular item and explained to all present how the Board was going to proceed. Dr. Linda Vrooman Peterson provided an overview of the rule on the Distance Learning Task Force, their recommendations to the Board of Public Education and the Superintendent of Public Instruction, and the next phase of the task force. Dr. Kirk Miller reviewed the process, the purpose, and the guiding principle of the Distance Learning Task Force as they completed phase I.

MOTION: Mr. Storrs Bishop moved to adopt the recommendations of the task force regarding 10.55.907 Distance, Online, Technology Delivered Learning; 10.55.602 Definitions; 10.55.701 Board of Trustees; and 10.55.705 Administrative Personnel: Assignment of School Administrators and Principals. Ms. Sharon Carroll seconded.

Dr. Kirk Miller moved to amend the motion:

MOTION: Dr. Kirk Miller moved to delay implementation of 10.55.907 section (3) and (3) (a). Mr. John Fuller seconded.

Dr. Kirk Miller explained that sections 10.55.907 (3) and (3) (a) are the meat of the discussion that surrounds licensed and endorsed teachers in Montana. He supports licensure and endorsement, but is concerned that some school districts may not have the capacity that may involve appropriation to implement the rule in the manner that it was amended by the task force. A study would need to be conducted to determine the capacity of school districts to meet this rule. Dr. Kirk Miller stated that this amendment to the motion would allow school districts some time to effectively implement this rule. Mr. Eric Feaver questioned Dr. Kirk Miller about the parameters of the delay and how a capacity study would be constructed? Discussion ensued about the parameters of the delay and the study of capacity that would be conducted by phase II of the Distance Learning Task Force. Mr. John Fuller offered a friendly amendment that was accepted by Dr. Kirk Miller, the maker of the original motion.

MOTION (as friendly amended): Dr. Kirk Miller moved to delay implementation of Distance, Online, and Technology Delivered Learning 10.55.907 sections (3) and (3) (a) to no later than the school year 2009-2010. Mr. Storrs Bishop seconded. Motion passed unanimously.

There was significant support for the delayed implementation amendment. After the delayed implementation motion was passed the following visitors testified in opposition to the rule: Dr. Mary Sheehy Moe, Dean of MSU-Great Falls College of Technology; Mr. Dan Zorn, Assistant Superintendent

of Kalispell Public Schools; Mr. Brian Patrick, Superintendent of Townsend Public Schools; Ms. Patricia Peebles, concerned parent; Mr. Les Meyers, Fairfield High School; Mr. Ryan Schrenk, Director of Technology for Facilitated Learning, MSU-Great Falls; Ms. Barbara Mansfield, Counselor, Whitefish High School; and Mr. Larry Crowder, Superintendent of Culbertson Public Schools. Some of the issues that were raised in opposition were: the effects that the rule change would have on dual credit, cost of college courses to families, licensure and endorsement of college professors, licensure and endorsement on one side or the other of the facilitated, and limiting opportunities for students. Mr. Eric Feaver, MEA-MFT President, spoke in support of the rule as proposed. Mr. Eric Feaver asked, "What is it about the teaching profession that says that somehow or another if it's expensive or inconvenient or out of the way, teachers don't have to be licensed and endorsed?" Once the visitors had the opportunity to comment, individual members of the Board of Public Education expressed their point of view regarding the rule. Ms. Patty Myers reiterated the motion before the Board:

MOTION RESTATED: To adopt the recommendations of the task force regarding 10.55.907, Distance, Online, and Technology Delivered Learning; 10.55.602 Definitions; 10.55.701 Board of Trustees; and 10.55.705 Administrative Personnel and the Assignment of School Administrators/Principals with a delayed implementation date of no later than July 1, 2009 on 10.55.907 (3) and (3) (a). Motion passed unanimously.

Item 23 ACCREDITATION UPDATE – ADDENDUM TO THE 2006-2007 ACCREDITATION STATUS RECOMMENDATIONS – ALTERNATIVE TO STANDARDS REQUESTS- Al McMillin, Educator Quality Specialist

The Superintendent of Public Instruction made the following recommendations to the Board of Public Education:

- 1) Addendum to the 2006-2007 Accreditation Status Recommendations – Page 6 of the 2006-2007 Montana Accreditation Status Recommendations - Addendum #1 – May 2007 provided a summary of the corrected figures. It was discussed by the Board that the figures were impressive because the districts had support, time, and increased funding to help them comply with the standards. Discussion ensued how the Office of Public Instruction and the Board of Public Education could build evidence for continued support through the legislative process.
- 2) Alternative Standard Requests – Five-Year Renewal Recommendations for Jackson Elementary in Beaverhead County for standard 10.55.709 - Library Media Services and standard 10.55.710 - School Counseling Services.

MOTION: Mr. Storrs Bishop moved to recommend approval of the addendum to the 2006-2007 Accreditation Status. Ms. Angela McLean seconded. Motion passed unanimously.

MOTION: Mr. Storrs Bishop moved to approve the alternative standard requests – five-year recommendations. Mr. Cal Gilbert seconded. Motion passed unanimously.

Item 22b FUTURE OF NORM REFERENCED TESTING – Dr. Kirk Miller

This item directly refers to the discussion of Item 14 on the Board of Public Education's May 10, 2007 agenda. This item was added to the agenda. Dr. Kirk Miller stated that State Superintendent Linda McCulloch recommended to the Board of Public Education in January 2007 to discontinue the requirement of reporting the Norm-Referenced Test. The use of the NRT has been valuable; however, the tools that have become available to assess the needs of Montana's students and to direct instruction are changing. The Board of Public Education believes that it is time to modernize the way that assessment is approached in Montana. An Assessment Task Force will be established by the Board of Public Education and the Office of Public Instruction.

MOTION: Dr. Kirk Miller moved to discontinue the required use of the ITBS/ITED for state reporting purposes and establish with the Office of Public Instruction a task force to: 1) recommend assessments that will inform instruction to be available to all Montana schools; and 2) recommend revisions to Administrative Rule of Montana 10-55-603 to

reflect these assessment recommendations. Ms. Sharon Carroll seconded. Motion passed unanimously.

Item 25 RECOMMENDATION FOR FINAL ACTION – MAJOR IN MATHEMATICS 5-12 TEACHING ENDORSEMENT PROPOSED BY MONTANA STATE UNIVERSITY-NORTHERN PROFESSIONAL EDUCATION UNIT-Dr. Linda Vrooman Peterson and James Longin, Academic Dean, Montana State University-Northern

University-Northern

The Office of Public Instruction recommended to the Board of Public Education approval of the request by Montana State University – Northern to add a Mathematics Major to the Professional Education Unit's educator endorsement program areas. Mr. Bob Johnke and Mr. Charles Pollington from Montana State University – Northern spoke of the importance to provide the Mathematics Major to the university's Professional Education Unit.

MOTION: Dr. Kirk Miller moved to approve the Major in Mathematics 5-12 teaching endorsement as proposed by Montana State University – Northern Professional Education Unit. Ms. Angela McLean seconded. Motion passed unanimously.

12:15 p.m. Adjourned for lunch

1:00 p.m. Reconvened

Item 24 RECOMMENDATION FOR FINAL ACTION – MINOR IN PHYSICS 5-12 TEACHING ENDORSEMENT PROPOSED BY CARROLL COLLEGE PROFESSIONAL EDUCATION UNIT – Dr. Linda Vrooman Peterson and Lynette Zuroff, Carroll College, Chairwoman, Department of Education

The Office of Public Instruction recommended to the Board of Public Education approval of the request by Carroll College to add a Physics Minor in secondary education to the Professional Education Unit's educator endorsement program areas.

MOTION: Dr. Kirk Miller moved to approve the Physics Minor in secondary education to the Professional Education Unit as proposed at Carroll College. Mr. Storrs Bishop seconded. Motion passed unanimously. Ms. Angela McLean absent for the vote.

Item 27 PROPOSED RESOLUTION TO SUPPORT NASBE'S GUIDING PRINCIPLES FOR NCLB REAUTHORIZATION-Dr. Kirk Miller

Dr. Kirk Miller presented to the Board of Public Education a draft of a resolution to support the National Association of State Boards of Education's (NASBE) Guiding Principles for No Child Left Behind (NCLB) Reauthorization, given the centrality of issues related to standards, assessment accountability and teacher quality. This resolution recognizes the need for flexibility in state assessment requirements, better alignment of state and federal accountability systems, increasing federal investment in state capacity, accommodations in teacher qualifications, and transparency in all dealings between state and federal officials. Overall, the resolution acknowledged that shifting from a law of absolutes to one that recognizes that a one-size-fits-all approach is difficult, if not impossible.

MOTION: Dr. Kirk Miller moved to support the Board of Public Education's resolution to support the National Association of State Boards of Education's (NASBE) Guiding Principles for No Child Left Behind (NCLB) Reauthorization. Mr. Cal Gilbert seconded. Motion passed unanimously. Ms. Angela McLean absent for the vote.

INFORMATION ITEM

Item 28 MSDB COMMITTEE MEETING REPORT-Steve Gettel

- Student Enrollment/Evaluation

- Human Resources
 - Personnel Actions
 - Update on core competencies project
 - Update on status of collective bargaining with MEA-MFT/UFCW
- 2007 Legislative Session
 - Update on final action HB 820, HB 830, and HB 354
- School Improvement
 - Update on school improvement activities
 - Update on implementation of UNHS guidelines for early intervention
- Professional Development Activities
 - Update on in-service training and plans for 07-08
- MSDB Foundation Activities
- Conferences, Meetings, and Contacts
- Finance and Facilities
 - Update on budget and current maintenance projects
- School Calendar of Events
- Student News
- Public Comment for Non Agenda Items

Mr. Steve Gettel requested direction from the Board of Public Education on how to provide services for out-reach students.

ACTION ITEM

Item 26 TEACHER LICENSURE ISSUES-Cathy Warhank NANCY GEDE APPEAL

Mr. Steve Meloy presided over the contested case hearing in the matter of Nancy Gede vs. the Office of Public Instruction, Case No. 2007-01 BPE. This was a case involving the denial of a Montana teacher license and pursuant to the ARM rule 10.57.609. Since the Board of Public Education heard the contested case, the decision about the order of presentation was made by the Board.

MOTION: Dr. Kirk Miller moved to conduct the hearing as outlined by the hearings officer, Mr. Steve Meloy. Ms. Sharon Carroll seconded. Motion passed unanimously. Ms. Angela McLean absent for the vote.

Ms. Nancy Gede appealed the decision of the Office of Public Instruction to deny her a Special Education Endorsement for the state of Montana. She provided the Board of Public Education with transcripts, California and Colorado licenses, resume, letters of recommendation, and certificates of continuing education. Ms. Nancy Gede did not present the evidence that she has met two of the minimum requirements for licensure: 1) 10.57.412 Class 1 and 2 Endorsements: evidence of successful completion of 30 semester credits in an approved major and 20 semester credits in an approved minor, and 2) 10.57.301 (7) (b) (i) and (ii): evidence of completion of an out-of-state, state approved special education program which includes student teaching or university supervised experience.

Ms. Elizabeth Keller, Educator Licensure Manager, OPI and Ms. Cathy Warhank, Chief Legal Counsel, OPI presented documentation of Ms. Nancy Gede's academic preparation and teaching licenses. This document also included what Ms. Nancy Gede as met in regard to: 1) license eligibility of 10.57.201, General Provisions to Issue Licenses; 10.57.102, Definitions; and 10.57.411 (2), To obtain a Class 1 Professional Teacher's License; and 2) endorsement eligibility of 10.57.412 Class 1 and 2 Endorsements. Additional review was also provided, because when an applicant does not qualify for full licensure, OPI also evaluates for Class 5 Alternative License eligibility. Thorough discussion ensued between BPE, OPI, and Ms. Nancy Gede. The final recommendation to Ms. Nancy Gede was to have the university system conduct a transcript review and submit the results to the Office of Public Instruction for further review.

MOTION: Dr. Kirk Miller moved to delay action from the Board of Public Education until July 2007 to provide Ms. Nancy Gede the opportunity to obtain a transcript review from a higher education institution. Mr. Cal Gilbert seconded. Motion passed unanimously. Ms. Angela McLean absent for the vote.

PRELIMINARY AGENDA ITEMS STRATEGIC PLANNING MEETING – July 11, 2007

2-Year Annual Agenda Calendar
BPE Bylaws
Committee Goals and Objectives

PRELIMINARY AGENDA ITEMS BPE MEETING– July 12-13, 2007

Student Representative's Last Meeting
Assessment Update
NCLB Update
MACIE Update
Annual GED Report
Special Education Report
High School Graduation Requirements
Salish Kootenai College's final report – Action Item
Nancy Gede Appeal – Action Item
Assessment Task Force
Distance Learning Task Force

Meeting was adjourned by concurrence of the Board at 3:09 p.m.

APPROVED