

BOARD OF PUBLIC EDUCATION
MEETING MINUTES

July 14-15, 2011

Montana State Capitol
Room 137
Helena, MT

July 14, 2011 - Thursday
8:30 AM

CALL TO ORDER

Chairperson Patty Myers called the meeting to order at 8:38 AM. The Pledge of Allegiance was led by Ms. Holly Capp. Ms. Carol Will and Ms. Anneliese Warhank took roll call; a quorum was noted.

PUBLIC COMMENT

CONSENT AGENDA

Consent agenda approved as presented.

ADOPT AGENDA

Ms. Patty Myers noted that the Governor's report will not occur on Thursday, July 14, 2011.

Ms. Sharon Carroll moved: to approve the agenda as amended. Mr. Bernie Olson seconded. Motion passed unanimously. Ms. Erin Williams and Ms. Lila Taylor were not present for the vote.

Those in attendance included the following Board members: Chair Ms. Patty Myers, Vice Chair Ms. Sharon Carroll, Mr. Bernie Olson, Mr. John Edwards, Mr. Doug Cordier, and Student Representative Ms. Holly Capp. Staff present included: Mr. Steve Meloy, Executive Secretary, Board of Public Education; Mr. Peter Donovan, Administrative Officer, Certification Standards and Practices Advisory Council; Ms. Anneliese Warhank, Administrative Assistant, Certification Standards and Practices Advisory Council; and Ms. Carol Will, Administrative Assistant, Board of Public Education. Ex-officio members present included: State Superintendent, Denise Juneau and Dr. John Cech, Deputy Commissioner for Two-Year and Community College Education, represented Commissioner Sheila Stearns. Certification Standards and Practices Advisory Council included the following Council members: Chair, Sharon Applegate, Vice Chair Jon Runnalls, Ms. Tammy Lacey, Dr. Cindy O'Dell, Ms. Patty Muir, Ms. Dianne Burke, and Ms. Janice Bishop. Visitors in attendance included: Ms. Nancy Coopersmith, Assistant Superintendent, OPI; Dr. Linda Vrooman Peterson, Accreditation Division Administrator, OPI; Mr. Dennis Parman, Deputy Superintendent, OPI; Ms. Norma Bixby, MACIE; Ms. Ann Gilkey, Chief Legal Counsel, OPI; Ms. Judy Snow, Assessment Specialist, OPI; Ms. Kelly Glass, Accreditation Accountability Specialist, OPI; Mr. Steve Gettel, Superintendent, MSDB; Mr. Tim Harris, Special Education Division, OPI; Ms. Leanne Kurtz, Education and Local Government Committee, Legislative Services; Mr. Bob Vogel, Director of Governmental Relations, MTSBA; Ms. Beck McLaughlin, MT Arts Council; Mr. Andrew Boehm, Data Information Coordinator, OPI; and Ms. Kris Goyins, Communication Arts Curriculum Specialist, OPI.

BPE/CSPAC JOINT MEETING AGENDA

Item 1 CSPAC ANNUAL REPORT - Sharon Applegate

Ms. Applegate reviewed the 2010 CSPAC member list and introduced the new post-secondary education

member, Dr. Cindy O'Dell and new trustee member, Ms. Dianne Burke. The two new members gave brief backgrounds of their personal and professional lives.

Ms. Applegate moved onto the CSPAC goals for the upcoming year. Goals 1 and 2 focus on teacher education programs. During the 2010 October CSPAC meeting the Council decided to focus on teacher education from the point of teacher training programs through employment. They hope to continue focus on this by working with post-secondary programs. Ms. Applegate's role on the Chapter 55 task force ties in to this goal in terms of school accreditation standards and the need to have properly licensed teachers in Montana schools. Goal 3 addresses licensure denials, suspensions, and revocations. During the July 13, 2011 CSPAC meeting, the Council spoke with Executive Secretary Steve Meloy about the importance of confidentiality of an educator's name in these cases. The Board will continue to review this issue with input from CSPAC. Goal 4 deals with the Montana Educator Code of Ethics. The CSPAC Licensure and Endorsement Committee is currently rewriting the codes and is looking for input from their education partners. Goal 5 addresses alternative and nontraditional routes to teacher licensure. Ms. Applegate noted how different states address this issue in their own unique way but is confident CSPAC, the Board, and OPI are all well aware of what needs to be done in the state to ensure that the best educator preparation programs are accepted.

Item 2 JULY 13, 2011 CSPAC MEETING SUMMARY/CSPAC GOALS - Sharon Applegate

With both seats on the Pre-Professional and Development Committee now filled with Dr. O'Dell and Ms. Burke, the Council spent a portion of the July 13, 2011 meeting separating into their respective committees and brainstorming on areas they would like to focus their committee time toward in the upcoming year. All of these ideas were documented by hand. Ms. Applegate collected all the hand-written notes to review for upcoming meetings.

Item 3 NASDTEC ANNUAL CONFERENCE REPORT - Sharon Applegate, Peter Donovan, and Sharon Carroll

The 2011 Annual NADTEC Conference took place June 5-8, 2011 in Sacramento, CA. Mr. Peter Donovan, Ms. Sharon Applegate, and Ms. Sharon Carroll attended. Mr. Donovan noted how interesting it was to see how different states addressed financial shortages. Unfortunately, many of these cuts have had negative impacts on staffing educators in schools. Ms. Carroll thanked the Board for finding resources to send all three of them. She felt being familiar with the realm of professional practices is important and conferences such as this one is a great way to learn more on the subject. Alternative routes to licensure, and issues surrounding technology were two big areas and it helped to see what others states are doing. Ms. Applegate found the speaker from the Gates Foundation, Mr. Steve Cantrell to be very interesting in that he stressed the need to measure more than just the college bound students and that all students' success must be measured before we can even begin to measure teacher performance.

Item 4 CODE OF ETHICS UPDATE - Sharon Applegate

Ms. Tammy Lacey gave an overview of the Licensure and Endorsement Committee's work on the draft revision. The Committee has reviewed other states' codes to help develop codes that cover a broad range of areas. The Committee has also worked with Dr. Jean Luckowski of the University of Montana who helped write up the current codes in the 1990s. The draft codes, which the committee aimed at keeping to just one page, outline three areas of professional behavior and include sub-areas under each. The group did not want a list of do's and don'ts, but rather a philosophical list of good ethical behavior. Discussion ensued concerning the Board's involvement in the creation and revision of the codes if they were to be published in rule. If they are published in Chapter 57, the Board could use the codes to help in any discipline cases against an educator's license. By statute, CSPAC is responsible for creating the codes and does not need the approval or denial from the Board. By placing them in rule, every time the codes are revised, the rule would need to be revised as well. This would require the Board to approve or deny the revision of rule and thus, the codes. Mr. Olson felt with all the licensure issues that the Board has heard recently, the codes would help to reflect on if not stated strictly in rule. Mr. Runnalls felt there

should be an established purpose of the codes to be either aspirational goals or rules. Ms. Ann Gilkey, legal counsel for OPI, stated the proposed rule would allow the Board to consider the codes (as oppose to require). She felt the codes would be a good thing to rely on in that they could supplement the Board's argument when addressing an educator's license. She did not feel it would be misused because the Board is large enough to avoid this sort of behavior. MEA-MFT President Mr. Eric Feaver said the codes have value in themselves. In his opinion, for the Board to adopt and then ask that districts rely on evidence only when addressing licensure cases would be bad. He reiterated by having the codes in rule, CSPAC would lose power to re-draft since the Board would have final say in approving or denying. Mr. Meloy stated if in rule, CSPAC would no longer be just an advisory council because by re-writing codes, they would essentially be re-writing rules. Deputy Superintendent Parman mentioned although it may be easy to recognize bad behavior, sometimes nothing can be done about it. He felts the codes would help to enforce rule. Ms. Bishop asked to clarify that since the rules are already in existence, why can't they be enforced if not in rule? Mr. Parman reminded her currently they are still a list of aspirations but if they are put in rule they can help to enforce behavior. Mr. Olson felt being in rule doesn't matter as much as having them on paper. Mr. Meloy added the Board shouldn't be held at fault if they use the codes in licensure cases even if they are not in rule. Ms. Lacey felt the codes shouldn't be the only document used to prosecute an educator and reminded people that just cause must be considered. Ms. Gilkey pointed out to the Board that OPI handles more cases than what the Board sees which is why she included the term "may consider" in the draft language. Ms. Applegate concluded the conversation by announcing to the Board the Licensure and Endorsement Committee will meet again in late September to further work on revision to the codes.

Item 5 AMENDMENTS TO ARM TITLE 10 CHAPTER 57, PART 6 - Sharon Applegate

ARM 10.57.604(4) deals with posting the results of an educator license hearing. Currently, the results of the hearing are posted in Board minutes referring to each case based on the case number, not the name of the holder of the license. The OPI website states whether or not an educator's license is active, but does not specify cases where licenses are inactive due to a surrender or revocation. OPI has stated it would like to begin posting the results of these hearings on their website. In a 2007 letter to the State Superintendent's office the State Attorney General's office stated since a teacher holds a position of public trust, the revocation of their license and a general description of the basis for such revocation is a proper matter for public scrutiny. Ms. Gilkey stated in the Montana Administrative Procedure Act title 2 chapter 4 number 603 (under which the Board hearing procedures are stated) it says: "An agency decision or order is not valid or effective against any person or party, and it may not be invoked by the agency for any purpose until it has been made available for public inspection as required in this section. This provision is not applicable in favor of any person or party who has actual knowledge of the decision or order or when a state statute or federal statute or regulation prohibits public disclosure of the contents of a decision or order." She does not believe that is a state or federal statute that prohibits public disclosure and if anything this statute promotes public disclosure. The most important risk that needs to be avoided is the accidental disclosure of any minors involved in the case. Mr. Meloy reminded the Board of how close they must follow MAPA when conducting hearings and that there was a time where these hearings were public. It was not until Ms. Kim Kradolpher at the AG's office asked that the hearings be made private. Mr. Feaver felt the public should know at least the results or outcome of a hearing. He was more concerned with pre-hearing procedures. Mr. Meloy felt it was now up to the State Superintendent to determine whether or not to move forward with a hearing and review of MAPA.

ARM 10.57.611 deals with material non-performance cases. The problem with the Board handling these cases are they are civil cases, which are of no concern of the Board but rather an issue between an educator and a school district. The only time where the Board may take up issue with these cases are instances where children are somehow negatively affected.

Ms. Myers mentioned that on Friday October 21, 2011 the MEA-MFT Educators' Conference will take place at Sentinel High School in Missoula, MT. One section called, Rule Making and Makers in Montana Public Education will take place in the choir room at 10 AM. It was also noted that the Montana Educator

Forum would take place September 30, 2011 in Helena, MT.

SPECIAL ITEM MONTANA EDUCATOR LICENSURE FEES

At the previous day's BPE Strategic Planning Session, the Board and Council briefly discussed the current state of Montana educator licensure fees and the dwindling budget of the CSPAC Research Fund, which is funded by these fees. State auditors have enforced a rule which states special revenue funds must be spent before the General Fund which caused the Board to dip into the Research Fund. As a result, this fund has greatly reduced in amount. During the 2011 Montana Legislative session, a bill was proposed that would increase the licensure fee from \$6 to \$10 per year. The Board states a raise of this amount would be too large and would rather like to see an increase from \$6 to just \$8 per year. This would not be a tax but would allow CSPAC to build the surplus it needs while allowing staff to use the Research Funds to cover vital costs. The Board staff would like the Board's support in this request. The Executive Planning Process (EPP) request for this increase needs to be submitted to the governor's office by next April or May. Mr. Feaver stated MEA-MFT can support a \$2 raise in fees, but he would like to amend that by getting rid of the Research Fund and funneling all money straight into the Advisory Council Fund. Ms. Applegate stressed how important it is to have funds for networking, continuing research, and discussion. Mr. Meloy reminded everyone it is for these reasons the Research Fund exists. Ms. Lacey stated it would be nice to find a listing of the licensure fee rates in other states. Mr. Feaver stated he would not allow CSPAC to disband and that the \$6 are there to fund CSPAC only.

10:46 AM CSPAC/BPE JOINT MEETING ADJOURNED

11:13 AM BOARD OF PUBLIC EDUCATION MEETING RESUMES

11:13 AM Mr. John Cech arrived

INFORMATION

Item 1

CHAIRPERSON'S REPORT - Patty Myers

- May 2, 2011 MSDB Graduation – Great Falls, MT
- May 18, 2011 BPE Conference Call
- June 2, 2011 Executive Meeting Conference Call
- June 8, 2011 BPE Conference Call
- June 23-24, 2011 Chapter 55 Meeting – Helena, MT
- July 8, 2011 MSDB Committee Conference Call

BOARD OF PUBLIC EDUCATION APPEARANCES

Sharon Carroll

- May 18, 2011 BPE Conference Call
- June 2, 2011 Executive Meeting Conference Call
- June 5-8, 2011 NASDTEC Conference – Sacramento, CA

Bernie Olson

- June 8, 2011 BPE Conference Call
- July 8, 2011 MSDB Committee Conference Call

John Edwards

- May 18, 2011 BPE Conference Call
- June 8, 2011 BPE Conference Call

Doug Cordier

- May 18, 2011 BPE Conference Call
- June 8, 2011 BPE Conference Call

Lila Taylor

- June 8, 2011 BPE Conference Call

Holly Capp

- May 18, 2011 BPE Conference Call

Ms. Patty Myers read a thank you letter from Mr. Tim Seery to the Board of Public Education and briefly discussed correspondence from NASBE expressing their regret that the BPE left the association, however they would still be willing to pay for one of our Board members to attend the Common Core Implementation Webinar August 11-12, 2011 in Law Vegas, Nevada. Ms. Myers continued to express the concern of Mr. Bob Powell from Billings, MT who believes that the safety standards in the middle school are not sufficient. Ms. Nancy Coopersmith will work with Ms. Myers to address the issue surrounding the safety standards. In conclusion, the BPE discussed the bus standard concerns that Mr. Mark Paulson raised with Mr. Steve Meloy and the Office of Public Instruction. Ms. Maxine Mougeot from the Office of Public Instruction was replaced by Ms. Donell Rosenthal as the Transportation Specialist. Mr. John Edwards will follow-up with Mr. Paulson.

Item 2 EXECUTIVE SECRETARY’S REPORT - Steve Meloy

The newly organized Interim Education and Local Government Committee elected Representative Elsie Arntzen as its Chairperson. One of her initiatives is to designate at least two committee members to serve as liaison to the Board of Public Education, as well as two others to the Board of Regents. Some interim projects that will impact the BPE are: (1) review shared policy goals and accountability documents which have been developed by corresponding staff for the BPE, OPI, Regents and the Committee; (2) review performance-based K-12 funding models as well as work on performance indicators in the standards; (3) review of CSPAC as to future viability and funding. Mr. Meloy expressed that the BPE may benefit from the committee liaisons coming to our table.

11:30 AM State Superintendent Denise Juneau arrived

Item 4 COMMISSIONER OF HIGHER EDUCATION’S REPORT - Deputy Commissioner for Two-Year and Community College Education - John Cech

Clouds are forming to represent the perfect storm. With an aging workforce, projected declines in the numbers of high school graduates and working age adults, and the workforce demands of the 21st century, Montana urgently needs an accessible and affordable system of two-year colleges, two-year programs at MSU Bozeman, UM Western, MSU Northern, and in Hamilton, all strategically dispersed throughout the state. The percentage of undergraduate students enrolled in Montana’s public two-year colleges is significantly less than the national average of 46 percent. We are particularly concerned about the under-enrollment of demographics that especially would benefit from increased two-year education opportunities: adults, dual-credit students, low-income individuals, American Indians, and the academically underprepared. The solution is to expand the capacity of Montana’s two-year education opportunities. The five overarching strategies are: (1) extend the comprehensive two-year mission to each of Montana’s five COTs by 2013, including rebranding and renaming them; (2) improve access, student success, and efficiency through state-level collaboration and partnerships; (3) create efficiencies through coordinated curricula and integrated technology; (4) create funding incentives at the student and institutional levels to promote degree completion and assure quality; (5) through effective communication, constituent groups are aware, informed, and engaged with two-year education. Mr. John Cech continued the report with further information regarding the overall growth in Montana’s two-year education and the accomplishments during the past year. In conclusion, Mr. John Cech reported the College!Now strategies that were refined on March 24, 2011. Discussion ensued about the following: original mission of the COTs; transfer students; technical degree opportunities; attrition of junior and senior students at

the universities; two-year schools feeding the universities; number of students obtaining collegiate degrees in Montana; and engaging the seven sovereign tribal colleges.

Item 5 GOVERNOR'S OFFICE REPORT - Dan Villa

No representative from the Governor's Office was present during the Board of Public Education meeting. The item was cancelled.

Item 3 STATE SUPERINTENDENT'S REPORT - State Superintendent Denise Juneau

State Superintendent Denise Juneau reported that the Office of Public Instruction signed a contract with Growth and Enhancement of Montana's Schools (GEMS) to develop a Montana statewide longitudinal data system. SB 329, passed during the 2011 Montana Legislative Session, created new requirements for school districts to display data on publicly available web sites. The OPI will use the new data warehouse to generate the district educational profiles containing school district contact information and links to district web sites, state criterion-referenced testing results, program and course offerings, student enrollment and demographics by grade level, and graduation rates. The GEMS Project will provide schools, policymakers, parents and the public with unprecedented access to data and reports regarding Montana's public education system while protecting the educational privacy rights for students and families. State Superintendent Denise Juneau continued to report on the decline in the dropout rates, school improvement grants, the progress of Graduation Matters, and the release of the Youth Risk Behavior Survey.

On April 25, 2011, State Superintendent Denise Juneau sent a letter to Secretary Arne Duncan informing him that she is delaying the scheduled increase of the Annual Measurable Objectives (AMOs) for Montana. There was no response from Secretary Duncan for approximately 7 weeks. The day the appeal letters were prepared to send out to the school districts, the U.S. Department of Education called OPI and stated that Montana was out of compliance with No Child Left Behind. Secretary Duncan followed up with a letter to State Superintendent Denise Juneau with the possible consequence of withholding federal funds. These funds may be the Title I Part A State Administration Funds which brings approximately \$400,000 into the state. If these funds are withheld, past practice generally indicates that the U.S. Department of Education will take 25% or approximately \$100,000 as the penalty. The U.S. Department of Education also placed a condition on the Title I grant coming into the state and a plan needs to be in place by August 15, 2011. State Superintendent Denise Juneau plans to move forward as planned, determine what "may" and "withholding" means, as well as what money and how much. Ultimately, State Superintendent Denise Juneau stated that she will not allow money to be withheld from our public schools. Idaho and South Dakota are following suit with Montana.

Item 6 STUDENT REPRESENTATIVE'S REPORT - Holly Capp

Ms. Holly Capp reported that in the 2010-2011 school year Montana student expanded their boundaries for educational purposes. Four students traveled to Washington, DC for Girls and Boys Nation, two went to Chicago for Hugh O'Brien's World Leadership Congress, and one spent a semester in DC as a senate page. Health Occupations Clubs of America and Future Farmers of America are becoming more and more popular every year. Ms. Holly Capp continued with more information about DECA and the Montana Business Professionals of America. DECA's mission is to "prepare emerging leaders and entrepreneurs for careers in marketing, finance, hospitality, and management in high schools and colleges around the globe." Nationally, DECA has 185,000 high school members and 15,000 higher education memberships. The mission of the Business Professionals of America is to "contribute to the preparation of a world-class workforce through the advancement of leadership, citizenship, academic, and technological skills." There are eight different regions in the state with a total of 1,598 members. In conclusion, Ms. Holly Capp stated that Bozeman and Havre high schools have opted out of DECA as members due to financial and personnel reasoning. Studies show that 55% of high school students and 25% of elementary aged students participate in clubs related to careers. As a result 68% of these students know what they want to do after high school and this helps them take acceptable classes to prepare them for the future. Ms. Patty Myers referenced the NASBE grant that was earned by the BPE's former student representative,

Jenny Tiskus. The BPE's office will provide Ms. Holly Capp with the information surrounding the NASBE grant.

DISCUSSION

Item 7 ANNUAL GED REPORT - Margaret Bowles

The 2010 Montana GED Statistical and Demographic Reports were used to give an overview of the GED testing program in Montana and will identify current trends occurring in the state. The yearly status report of GED also included an update on the proposed Youth Council GED Initiative. Ms. Margaret Bowles distributed the future ForGED pamphlets and postcards along with some statistical information. The next phase is to complete the social media campaign to focus on the success stories. 3,732 total people were tested; 2,600 people completed the battery for the first time; 3,031 people completed the entire GED test battery and passed; the passing percentage is 78% compared to 76% last year; 1,670 people stated the reason for testing was to further their education; 1,743 people state the reason for testing was to qualify for employment; more males than females complete the GED; and in 2012 there will be a transition to a computerized test that will be aligned with the Common Core standards. Ms. Bowles stressed that the GED must be earned rather than obtained. Discussion continued about post-secondary education for those who complete the GED.

Item 8 MONTANA STATEWIDE DROPOUT AND GRADUATE REPORT - Andy Boehm

The Montana School Accreditation Standards (Administrative Rules of Montana 10.55.603) require schools to do follow-up studies of graduates and students no longer in attendance. The overview of this report provided information on students who graduated or dropped out of Montana public, state-funded and nonpublic, accredited schools, during the 2009-2010 school year. This year's report showed a decrease in the dropout rate. There is also improvement in the completion, but a decline in the graduation rates. The Office of Public Instruction implemented improvements to its processes for tracking student achievement, including graduation and dropout rates, since 2007-2008. These improvements include the implementation of a student information system, AIM-Achievement in Montana, which collects enrollment, demographic and program participation information at the individual student level. The third year of this report shows that the number of dropouts decreased dramatically for all students and the statewide dropout rate declined to 3.0 percent for grades 7-12 compared to 3.6 percent for the previous year. The high school dropout rate decreased by 0.6 percentage points to 4.3 percent in 2009-2010 compared to 5.1 percent in 2008-2009. More males than females dropped out; and the 12th grade continues to show the highest dropout rates. The overall dropout rate for American Indian students decreased by 1.7 percentage points from the 2008-2009 school year, while the dropout rate for White students decreased by 0.5 percentage points in the same period. Discussion ensued about AYP graduation rates, students bouncing between schools, and ensuring that dropouts are not counted twice.

Item 9 SPECIAL EDUCATION REPORT - Tim Harris

This report covered a discussion of the number of students with disabilities served through public education in Montana, the types of disabilities served, and the number of students per category. The report also compared the funding sources, trends of participation of the funding sources over a number of years, and concluded with a description of the 20 performance indicators the Office of Special Education Programs in the U.S. Department of Education require the states to address each year. The data in the indicators cover graduation rates, dropout rates, disproportionate representation, preschool achievement levels, parent participation, transition services for high school students, dispute resolution information, and timely submission of data to the federal government. This data is compiled by the five Comprehensive System of Personnel Development regions. Mr. Tim Harris reported that the categories of Learning Disability (LD) and Speech-Language (SL) Impairment represent two-thirds of all students receiving special education services (LD=40%; SL=25%). The number of students identified as having Autism increased substantially over the last 10 years. While Autism is considered a low-incidence disability category, the cost to address the needs of a child with Autism is high. Factors affecting the increase in numbers of students previously identified as having Autism are: people with autistic children

are moving into Montana; an increase in knowledge of how to more effectively identify children who meet the criteria for Autism; and a consistent definition of autism over the past several years. Montana's Child Count (term used for the collection of student special education data) grew steadily from 1996 through 2001. From 2001 to 2005, the count leveled off. Since then the count has decreased steadily. There are probably several factors involved, but certainly the implementation of Response to Intervention (RTI) in the schools is a contributing factor in the decrease. Discussion ensued about working with CSPAC about the support training programs needed to meet the language interpreter standards; co-teaching versus student teaching experiences; student intervention teams; and concerns of the shift in federal contributions to the local tax payer.

**Item 10 REPORT ON THE FINAL DRAFT OF THE MONTANA K-12 CONTENT STANDARDS
ENGLISH LANGUAGE ARTS AND LITERACY IN HISTORY/SOCIAL STUDIES,
SCIENCE, AND TECHNOLOGY AND ADOPTION TIMELINE - Kris Goyins**

The Office of Public Instruction presented to the Montana Board of Public Education an update on the progress toward adoption of the Common Core State Standards for English Language Arts and Mathematics. This presentation included the following documents: (1) the proposed Montana K-12 Content Standards in English Language Arts and Literacy in History/Social Studies, Science and technical subjects and Mathematics with embedded Indian Education for All content; and (2) the proposed timeline for adoption of Montana K-12 Content Standards in English Language Arts and Literacy in History/Social Studies, Science and Technical Subjects and Mathematics. Ms. Kris Goyins noted the following changes in the English Language Arts and Literacy in History/Social Studies, Science, and Technical Subjects for content area teachers: (1) p. 62 included American Indian in standards 6, 8, and 9 of the Reading Standards for Literacy in History/Social Studies; and (2) p. 62 included American Indian in standard 9 of the Reading Standards for Literacy in Science and Technical Subjects.

**Item 11 REPORT ON THE FINAL DRAFT OF THE MONTANA K-12 CONTENT STANDARDS
IN MATHEMATICS AND ADOPTION TIMELINE - Kris Goyins**

The Office of Public Instruction presented to the Montana Board of Public Education an update on the progress toward adoption of the Common Core State Standards in Mathematics. This presentation included the following documents: (1) the proposed Montana K-12 Content Standards in Mathematics with embedded Indian Education for All content; and (2) the proposed timeline for adoption of Montana K-12 Content Standards in Mathematics. Ms. Kris Goyins noted the following changes: (1) p. 27 included American Indian in standards 4a, 6, and 7b; and (2) p. 27 under Measurement and Data included American Indian in standards 1 and 5. Ms. Sharon Carroll noted that the motion made during the May 2011 BPE meeting called for the "adoption of the Common Core State Standards of English Language Arts and Mathematics as recommended by State Superintendent Denise Juneau." The intent of the motion was to let the OPI know that it was ok to begin the timeline process. It is important to note that in the motion that may occur on Friday, and it should contain the correct title. Ms. Sharon Carroll questioned whether the History/Social Studies, Science and Technical Subjects have always been included in all presentations before the Board of Public Education. Ms. Kris Goyins stated that they have always been there, but deferred the question to Ms. Nancy Coopersmith. Ms. Coopersmith responded by stating that the intent of these standards are that literacy is the responsibility of all teachers of the core subjects. These standards have not changed the History/Social Studies, Science and Technical Subject, but another dimension has been added. Every teacher is a teacher of reading and that philosophy is carried throughout these standards. When these standards are reviewed to be renewed in the cycle, then they may certainly have an impact at that time. Ms. Sharon Carroll expressed her concern about being a high school teacher trying to teach reading. Ms. Nancy Coopersmith noted that these concerns are all part of the professional development that is integral to the success of these standards. In conclusion, Mr. Steve Meloy stated that the Legislative Fiscal Division's analysis process may need to be more refined because if they call a school district to see what their opinion is in regard to fiscal cost, it is more than likely that each district would respond affirmatively. There needs to be a better cross-pollination of information to be accurate and more systematic.

Item 12 CHAPTER 55 JOINT TASK FORCE UPDATE - Patty Myers and Dennis Parman

The Chapter 55 Joint Task Force of the Board of Public Education and the Office of Public Instruction met June 23-24, 2011, at the Red Lion Hotel in Helena. The OPI provided to the BPE and update from the June work session of the Task Force; agenda, expected outcomes and accomplishments, and the task force goals and timeline. The Chapter 55 Web link is, Reports and Recommendations:

http://www.opi.mt.gov/Programs/Accred/#gpm1_3. The next work session date for the Chapter 55 Joint Task Force is July 26-27, 2011, at the Great Northern Hotel, Helena. Mr. Dennis Parman reported that school district's data is being applied to the Performance-Based Accreditation (PBA) model to determine the results if implemented, and to make necessary revisions.

3:45 PM State Superintendent Denise Juneau departed

Mr. Parman reported that there is excitement and intrigue in regard to this model with no sense of anyone being threatened. The more people know about the PBA mode, the more comfortable they become. It is all about what can school districts do to improve. Non-negotiables need to be determined such as bullying policies etc. If a school district is doing well on performance, they may seek alternative standards in other areas. A non accredited school still means that they will not be funded. Time does not play the same role as in the current system. More work on the model will occur on July 22, 2011 with the subcommittee and then be moved forward to the entire task force July 26-27, 2011.

Item 13 SUPERINTENDENT AND PRINCIPAL INTERNSHIP REPORT - Dr. Linda Vrooman Peterson

The Office of Public Instruction provided to the Board of Public Education a report on the superintendent and principal internship program. The presentation included the following: (1) review of the Administrative Rules of Montana relating to superintendent and principal internships (ARM 10.55.702 (1)(b) & (2) and ARM 10.55.703); (2) general description of the internship program; and (3) other topics relating to the internship program. Dr. Linda Vrooman Peterson reviewed the history of the contentious public hearings that occurred prior to the final notice of amendment that was adopted in 1998 as the first round of the content standards and performance descriptors in reading and mathematics. Dr. Linda Vrooman Peterson distributed a document that shows the school year, endorsement description, district and internship campus for the Superintendent and Principal Internship Program. The intent of the rule is to help a school district who is in dire straits from hiring a qualified principal or superintendent find someone within their district to step into that position as an intern and work in that position with a 3 part agreement between the intern, the school district along with the school board, and an university with an educational leadership program. The University of Montana, Montana State University and Rocky Mountain College are the three universities with an educational leadership program in Montana. The intern themselves apply for enrollment. It was noted that most districts that use this internship are geographically isolated, small schools. The Board reviewed charts that displayed the number of superintendent and principal internship participants by region for school years 2009, 2010 and 2011 and the map of Montana's Regional Service Areas (RSA) and Comprehensive System of Professional Development Regions (CSPD I-V). Most of these internship programs occur in districts in eastern Montana. This is ultimately a local board of trustees' issue. Reviewed ARM 10.55.702 and particularly noted (a), (ii), and (iv). These internships are reported to the licensure division at the Office of Public Instruction by the university system and the programs are approved by the accreditation division. ARM 10.55.703 was reviewed and (a), (b), and (iv) were particularly noted. The remaining rules that were reviewed included: ARM 10.57.413, 10.57.414, 10.57.415, 10.57.416, 10.57.417, and 10.57.102. According to ARM 10.57.414 (2)(ii) a minimum of one year of administrative experience as defined in ARM 10.57.102(20) or a minimum of one year of a supervised Board of Public Education approved administrative internship as superintendent. Dr. Linda Vrooman Peterson stated that someone can be a practicing teacher and simultaneously be working on the principal or superintendent endorsement. Discussion ensued about the following: Meets the need of the smallest school districts; recruitment issue; supervising concerns; capacity issues; financial issues; county superintendents as mentors; Schools of Promise; abuse; alternative pathways; capturing the intent; and revisions of the input

standards of Chapter 55.

Item 14 FEDERAL UPDATE - Nancy Coopersmith

The update concerning federal issues included a discussion of the Adequate Yearly Progress, as required by the Elementary and Secondary Education Act (ESEA), process with Montana schools and districts. Reauthorization of the ESEA was explored, as well as the progress toward reauthorization of the Elementary and Secondary Education Act. The congressional federal budget process information included allocations for Montana for Federal Fiscal Year 2011, as well as the President's request for Federal Fiscal Year 2012. Ms. Nancy Coopersmith reported that State Superintendent Denise Juneau reported the most dramatic news in regard to the Federal Update with the U.S. Department of Education stating that Montana is out of compliance with No Child Left Behind. The Office of Public Instruction mailed the proposed determinations to districts and will be processing approximately 20 appeals. The law states that it may entertain an appeal if there is a statistical or other substantive reason to question the determination. Mistakes do occur, so a portion of the appeals may be granted. The reauthorization should have occurred 4 years ago. There are attempts at drafts of bills to change the law. Many state that the reauthorization will not occur until after the next presidential election. The Federal budget was briefly reviewed. The Office of Public Instruction is funded approximately 70% by federal funds. There is a decline in federal and state funds. As a result, there are major changes in workloads and reassignments. Ms. Nancy Coopersmith reminded the Board that the Federal Fiscal year of 2011 began October 1, 2010, and it was not settled until May 2011. Federal Fiscal Year of 2012 has not begun and the government must be funded by October 1st or it may need to shut down. Discussion ensued about whether or not more states will follow Montana's example about delaying the scheduled increase of the Annual Measurable Objectives (AMOs). It was noted that Montana is not in compliance of the law and the Office of Public Instruction needs to be accountable.

July 15, 2011 – Friday

8:30 AM

No representation from the following ex-officio members and/or representatives: State Superintendent Denise Juneau; Governor's Education Advisor, Dan Villa; or Deputy Commissioner, John Cech.

PUBLIC COMMENT

Ms. Norma Bixby, MIEA, invited the BPE to attend a meeting on the reauthorization of ESEA (Elementary and Secondary Education Act) scheduled for August 8, 2011 in Great Falls, MT. Montana needs to have a voice in changes or new language in ESEA that will better serve the educational needs of Indian students. The Senate Committee on Indian Affairs recently released S. 1262 – the Native Class Act and held a hearing July 11, 2011. This bill outlines the recommended changes for ESEA as developed by the National Congress of American Indians (NCAI) and the National Indian Education Association (NIEA).

Item 15 ASSESSMENT UPDATE - Judy Snow

1. Montana is a member of a 30-state assessment consortium which is funded by a Race to the Top award specifically for state consortia. This report provided information on the Smarter Balanced Assessment Consortium (SBAC).
2. During the 2009-2010 school year, Montana writing teachers piloted four online writing programs to determine their usefulness in formative assessment and professional development. At the end of the pilot, the participating teachers agreed on the attributes they considered important for an online writing program and determined that My Access by Vantage Learning most closely met those attributes. During the 2010-2011 school year, Montana writing teachers engaged in Phase 2 of the pilot with My Access. Phase 2 of the pilot was evaluated by an external source. This report presented the results of the evaluation.

Ms. Judy Snow reported that the consortium will develop a set of assessments for grades 3-8 and high school in English language arts and mathematics aligned to the Common Core State Standards. The

assessments will begin operation in the 2014-15 school year. Some of the advantages to a multi-state consortium are: wide range of expertise and experience; collective wisdom; work sharing and collaboration; less expense; greater flexibility; and better service. To remain in the consortium, each state needs to adopt the Common Core Standards by the end of 2011. The purpose is for all students to leave high school – college and career ready. The Common Core State Standards specify expectations for college and career readiness. The Common Core Standards are national, not federal. There are ten separately working work groups to achieve an accessible balanced assessment system with tools and processes for classrooms and schools. OPI is represented in two of the workgroups. Mr. Jim Gietzen, Division Administrator, Information Technology Services Division in the Technology Approach workgroup and Ms. Judy Snow is the co-chair of the Formative Processes and Tools/Professional Development. The state of Washington is the fiscal agent for the Consortium. Information about the SBAC can be found on Washington's website at www.k12.wa.us/SMARTER.

8:51 AM State Superintendent Denise Juneau arrived

Discussion ensued about the following: capacity concerns in technology; including LFD staff to BPE meetings; special needs students; funding, sustaining the costs; assessment demands on students and teachers; and professional development.

Phase 2 of the presentation was centered on the Montana OPI Online Writing Program for Formative Assessment Pilot Study. The purpose is to evaluate the feasibility of implementing My Access in diverse school settings, and use findings to inform future decisions of what features and function of online writing assessment products are most beneficial to Montana educators. Ms. Judy Snow reviewed the following: evaluation goals; participating sites; timeline; My Access overview; findings; usage; performance; and benchmark assessment results.

Phase 3 is to emphasize the best practices in formative assessment in writing classrooms and matching funds for licenses for Phase 2 educators. Discussion ensued about assessments driving instruction to meet the needs of students.

Item 16 REPORT ON THE NOTICE OF PUBLIC HEARING RELATING TO THE PROPOSED ENGLISH LANGUAGE LEARNERS STANDARDS AND ADOPTION TIMELINE Judy Snow

Montana English Language Proficiency (ELP) Standards and Timeline for Adoption: Information on the tentative action plan for adoption of ELP standards was presented at the December 2010 Board of Public Education meeting. The report at the May 2011 Board of Public Education meeting provided current information on proposed ELP standards and included a timeline and review of the standards with the goals being an action item in July to adopt notice of a proposed rule change and public hearing and ultimately a vote on adopting at the September 2011 meeting.

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.

Item 17 RECOMMEND NOTICE OF PUBLIC HEARING RELATING TO THE PROPOSED ENGLISH LANGUAGE LEARNERS STANDARDS AND ADOPTION TIMELINE Judy Snow

Montana English Language Proficiency (ELP) Standards and Timeline for Adoption: MAR Notice No. 10-54-254: Adopt notice of a proposed rule change and public hearing.

Ms. Sharon Carroll moved: to adopt the timeline and the notice of public hearing on the proposed adoption of New Rules I through XI pertaining to English language proficiency (ELP) standards and performance descriptors. Mr. John Edwards seconded. Motion passed unanimously. Ms. Erin Williams and Ms. Lila Taylor were not present for the vote.

**Item 18 RECOMMEND DISAPPROVAL OF ALTERNATIVE TO STANDARDS REQUESTS
Kelly Glass**

This presentation provided the Board of Public Education the report of disapproval of Alternative to Standards requests. The State Superintendent of Public Instruction recommends approval of the report as presented. The report was included. Ms. Kelly Glass reported that Bigfork School and 7-8 in Flathead County and Sidney Middle School in Richland County are recommended for disapproval.

Mr. John Edwards moved: to approve the recommendation for disapproval of the alternative standard request as presented. Mr. Bernie Olson seconded.

Ms. Sharon Carroll expressed her dismay with Sidney Middle School in Richland County for claiming that they could not meet the FTE requirement expressed in ARM 10.55.709 due to a lack of financial resources.

Motion passed unanimously. Ms. Erin Williams and Ms. Lila Taylor were not present for the vote.

**Item 19 RECOMMEND APPROVAL OF ALTERNATIVE TO STANDARDS REQUESTS
Kelly Glass**

This presentation provided the Board of Public Education the report of approval of Alternative to Standards requests. The State Superintendent of Public Instruction recommends approval of the report as presented. The report was included. Ms. Kelly Glass reported that East Glacier School in Glacier County and St. Ignatius K-12 Schools in Lake County are recommended for approval.

Mr. John Edwards moved: to approve the recommendation for approvals of the alternative standard request as presented. Mr. Bernie Olson seconded. Motion passed unanimously. Ms. Erin Williams and Ms. Lila Taylor were not present for the vote.

**Item 20 INTENSIVE ASSISTANCE REPORT AND RECOMMENDATION FOR ACTION
Kelly Glass**

This presentation provided to the Board of Public Education a progress report and recommendations regarding schools that have been in an intensive assistance cycle either in 2008-2009 or 2009-2010 due to continuing or serious deviations. The schools have all developed improvement plans approved by the BPE to address the deviations. The State Superintendent of Public Instruction provides annual recommendations to the BPE for accreditation status determinations for all Montana accredited schools. Over the past two years the state superintendent and the OPI's accreditation staff worked with the BPE to develop and implement a process that addresses these serious and continuing deviations fairly, consistently and with intention toward continuous education improvement. See the attached, "Accreditation Response Options for Continuing or Serious Deviations." The following schools were reviewed: Billings Public Schools; Butte Public Schools; Fairview Public Schools; Helena Public Schools; Independent School District; Northern Cheyenne Tribal School; Scobey Public Schools; and Whitefish Public School. Columbia Falls and the Montana School for the Deaf and Blind are in the process of presenting a plan to the OPI. The Office of Public Instruction will continue to monitor the progress of the schools.

Mr. John Edwards moved: to approve the recommendation for schools in an intensive assistance cycle due to continuing or serious deviations. Mr. Bernie Olson seconded.

The Board of Public Education will be in touch with the Office of Public Instruction in regard to a plan concerning the plan to resolve the deviations at the Montana School for the Deaf and Blind.

Motion passed unanimously. Ms. Erin Williams and Ms. Lila Taylor were not present for the vote.

Item 21 RECOMMENDATION OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION TO PREPARE THE NOTICE OF PUBLIC HEARING RELATING TO MONTANA K-12 CONTENT STANDARDS FOR ENGLISH LANGUAGE ARTS AND LITERACY FOR HISTORY/SOCIAL STUDIES AND SCIENCE - Kris Goyins

The Board of Public Education was asked to approve the State Superintendent of Public Instruction's recommendation to prepare the Notice of Public Hearing and adoption timeline relating to Montana K-12 Content Standards in English Language Arts and Literacy in History/Social Studies, Science and Technical Subjects.

Mr. John Edwards moved: to approve the State Superintendent's recommendation to prepare the notice of public hearing and the adoption timeline relating to Montana K-12 Content Standards in English Language Arts and Literacy in History/Social Studies, Science, and Technical Subjects. Ms. Sharon Carroll seconded. Motion passed unanimously. Ms. Erin Williams, Ms. Lila Taylor, and Mr. Doug Cordier were not present for the vote.

Item 22 RECOMMENDATION OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION TO PREPARE THE NOTICE OF PUBLIC HEARING RELATING TO MONTANA K-12 CONTENT STANDARDS IN MATHEMATICS - Kris Goyins

The Board of Public Education was asked to approve the State Superintendent of Public Instruction's recommendation to prepare the Notice of Public Hearing and adoption timeline relating to Montana K-12 Content Standards in Mathematics.

Mr. John Edwards moved: to approve the State Superintendent's recommendation to prepare the notice of public hearing and the adoption timeline relating to Montana K-12 Content Standards in Mathematics. Ms. Sharon Carroll seconded. Motion passed unanimously. Ms. Erin Williams and Ms. Lila Taylor were not present for the vote.

Item 23 MONTANA DIGITAL ACADEMY BOARD RECOMMENDATION - Robert Currie

Mr. Robert Currie stated in Montana Code 20-7-1201 the trustee, the administrator and the teacher's position on the Montana Digital Academy Board are to be appointed by the Board of Public Education. Dr. Bruce Messinger left his position as Superintendent of Schools in Helena accepting a similar position out-of-state. His departure left a vacancy on the Governing Board of the Montana Digital Academy. The MTDA Board considered several qualified candidates for recommendation to the Board of Public Education. The file was narrowed to three Montana administrators: Mr. Joel Graves, Principal of Lincoln County High School; Mr. Rob Watson, Principal of Bozeman High School; and Mr. Tim Bronk, Superintendent of Laurel Public Schools. The MTDA Board recommended Mr. Joel Graves to fill the vacant MTDA Board position. Discussion ensued on the following: Number of instructors; responsiveness of the instructors; Mr. Dennis Parman as chair; Ms. Barb Fettig as vice-chair; and Mr. Joel Graves' experiences.

Ms. Sharon Carroll moved: to appoint Mr. Joel Graves to the Montana Digital Academy Governing Board for the administrator position. Mr. Doug Cordier seconded. Motion passed unanimously. Ms. Erin Williams and Ms. Lila Taylor were not present for the vote.

10: 55 AM State Superintendent Denise Juneau departed

Discussion continued regarding the following: AP results; enrollment updates; over 5,000 enrolled; completion rates; and credit recovery completion rates.

PRELIMINARY AGENDA ITEMS – September 8-9, 2011, Helena, MT

Set Annual Agenda Calendar
Election of Board Officers
Committee Appointments
BPE Goal Review
MACIE Update
Superintendent Goals
Assessment Update
Federal Update
Youth Risk Behavior Survey Update (Odd Years)
Accreditation Report

DISCUSSION

Item 27 MSDB COMMITTEE MEETING REPORT - Steve Gettel

Discussion centered immediately about the services that children receive in public schools needs to be adequate and efficient. Mr. Steve Gettel believes that is the responsibility of the Board of Public Education and the Office of Public Instruction. He continued to state that he believes some services are really not adequate and we all need to engage in the discussion about what changes need to occur to ensure that all of our children's needs are being met adequately. Mr. Gettel also reported that it was suggested by Dr. Linda Vrooman Peterson to hire teachers who meet the standards for the core and to hire specialists that oversees how that material is being presented to meet the needs of the students. Mr. Steve Gettel questioned whether inclusion is working for the students at MSDB. Discussion continued regarding IEP standards and the majority of MSDB students are not literate at the high school level. The report continued with the following items: MSDB Annual Report; enrollment; MSDB Foundation; conference, meetings, and contacts; school calendar; student news; and summer programs. In regard to the budget, the MSDB will be facing the same challenges as the Board of Public Education in regard to retirements. The MSDB intends to go to the legislature for a supplemental because there is no contingency fund available for retirements. In regard to MSDB accreditation, Mr. Steve Meloy stressed that according to MCA 20-8-101 the Montana School for the Deaf and Blind must be conducted as a separate and independent unit and special school of the state of Montana under the general supervision, direction, and control of the Board of Public Education. Ms. Patty Myers, Mr. Steve Gettel, and the Office of Public Instruction will meet before the September BPE meeting to address the accreditation needs of MSDB.

12:01 PM Closed Session

Item 24 MSDB SUPERINTENDENT PERFORMANCE EVALUATION & CONTRACT EXTENSION (CLOSED) - Patty Myers

Item 26 ESTABLISH EXECUTIVE STAFF SALARIES (CLOSED) - Patty Myers

1:20 PM Opened Session

Ms. Sharon Carroll moved: to renew Steve Gettel's contract for July 1, 2011 to June 30, 2013 at the salary of \$85,022. Mr. Bernie Olson seconded. Motion passed unanimously. Ms. Erin Williams and Ms. Lila Taylor were not present for the vote.

Ms. Patty Myers will review the employment contracts with Ms. Peggy Davis from the Department of Administration. There was a consensus by the Board of Public Education to use the proposed MSDB Performance and Development Summary as presented by Ms. Carol Will. Ms. Patty Myers requested a copy of Steve Gettel's job description and prefers that electronic signatures are not used on personnel contracts. Ms. Sharon Carroll requested that contracts and job descriptions for the Executive Secretary and the Superintendent of the Montana School for the Deaf and Blind are included in the BPE's agenda packet.

1:30 PM Closed Session

**Item 25 BPE EXECUTIVE SECRETARY PERFORMANCE EVALUATION & CONTRACT
EXTENSION (CLOSED) - Patty Myers**

1:50 PM Opened Session

No action occurred since Mr. Steve Meloy is retiring from the Board of Public Education and public service with the state of Montana.

1:55 PM Meeting was adjourned by acclamation.

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.