

BOARD OF PUBLIC EDUCATION
MEETING MINUTES

May 12-13, 2011

Montana School for the Deaf and Blind
3911 Central Avenue
Great Falls, MT

May 12, 2011 - Thursday
8:30 AM

CALL TO ORDER

Chairperson Patty Myers called the meeting to order at 8:32 AM. The following MSDB staff assisted the MSDB students with the Pledge of Allegiance: Ms. Kim Schwabe, Principal; Ms. Diane Moog, Teacher; Ms. Leann Goss, Teacher; Ms. Brenda Lemieux, Teacher; Ms. Amanda Taylor, Teacher; and Ms. Julie Dee Alt, Teacher. Ms. Carol Will took roll call; a quorum was noted. Mr. Cal Gilbert and Mr. Tim Seery were recognized for their years of contribution to the Board of Public Education. Ms. Patty Myers introduced Mr. Mike Seery, Ms. Susie Seery, Ms. Holly Capp, Ms. Jo Anne Capp, and Dr. Fred Anderson.

CONSENT AGENDA

Consent agenda was approved as presented.

ADOPT AGENDA

Ms. Patty Myers noted that Item 10 will occur sometime after 2:00 PM on Thursday, May 12, 2011 and Items 17 and 18 will be removed from the agenda and moved to the July Board of Public Education Meeting. Mr. Bernie Olson commented that he would prefer to schedule licensure hearings on Thursdays in the future.

Mr. Bernie Olson moved: to approve the agenda as amended. Ms. Sharon Carroll seconded. Motion passed unanimously.

Those in attendance included the following Board members: Chair Ms. Patty Myers, Vice Chair Ms. Sharon Carroll, Mr. Bernie Olson, Mr. John Edwards, Ms. Erin Williams, Ms. Lila Taylor, Mr. Doug Cordier, and Student Representatives Mr. Tim Seery and 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; and Ms. Carol Will, Administrative Assistant, Board of Public Education. Ex-officio members present included: State Superintendent, Denise Juneau; Dr. Sylvia Moore, Deputy Commissioner, Academic, Research & Student Affairs, represented Commissioner Sheila Stearns; and Mr. Dan Villa, Governor's Education Policy Advisor, represented Governor Brian Schweitzer. 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; Dr. Larry Baker, Montana State University-Bozeman; Ms. Ann Gilkey, Chief Legal Counsel, OPI; Ms. Judy Snow, Assessment Specialist, OPI; Ms. Kelly Glass, Accreditation Accountability Specialist, OPI; Ms. Elizabeth Keller, Educator Licensure Unit Manager; OPI; Ms. Karin Billings, Health Enhancement, OPI; Ms. Christine Emerson, Health Enhancement, OPI; Ms. Jean Howard, Math Specialist, OPI; Mr. Jim Kelly, MSDB; Mr. Robert Walsmith; Mr. Tim McKittrick, Attorney; Mr. Norman C. Peterson, Attorney, Agency Legal Service Bureau; and Mr. Steve Gettel, Superintendent, MSDB.

INFORMATION

Item 1**CHAIRPERSON'S REPORT - Patty Myers**

- March 8, 2011 BPE Conference Call Meeting
- March 30, 2011 MSDB Superintendent Evaluation Conference Call
- April 22, 2011 BPE Conference Call Meeting
- May 1, 2011 Meeting with MSDB Superintendent – Great Falls
- May 3, 2011 MSDB Committee Conference Call
- May 10, 2011 Chapter 55 Conference Call

BOARD OF PUBLIC EDUCATION APPEARANCES**Sharon Carroll**

- March 8, 2011 BPE Conference Call Meeting
- April 22, 2011 BPE Conference Call Meeting

Bernie Olson

- March 8, 2011 BPE Conference Call Meeting
- March 30, 2011 MSDB Superintendent Evaluation Conference Call
- April 22, 2011 BPE Conference Call Meeting
- May 3, 2011 MSDB Committee Conference Call

John Edwards

- April 22, 2011 BPE Conference Call Meeting

Erin Williams

- March 8, 2011 BPE Conference Call Meeting
- April 22, 2011 BPE Conference Call Meeting

Lila Taylor

- March 8, 2011 BPE Conference Call Meeting

Doug Cordier

- March 8, 2011 BPE Conference Call Meeting
- April 22, 2011 BPE Conference Call Meeting

Item 2**EXECUTIVE SECRETARY'S REPORT - Steve Meloy**

This legislative session constituted a direct frontal attack on the Board of Public Education. HB 639 by Representative Stahl was a general bill to revise K-12 education. In the bill, he attempted to strip the Board of its constitutional role and have the legislature define the accreditation standards and specify the basic instructional program for pupils in public schools. The bill was tabled in committee. However Representative Stahl attempted to have this language amended into SB 329 on the floor of the House, which ultimately became the majority party's primary school funding bill. The debate was somewhat intense and centered on interpretation of the constitution as it pertains to K-12 governance. Wisdom from both sides of the aisle prevailed and this amendment went down on a 60-40 vote. The Shared Policy Goals provided some structure to filter the jurisdiction of each involved.

The Board of Public Education's 5% restoration of the opening 5% global cuts remained intact. The BPE was finally exempt, thanks to supportive legislators from both parties in the Senate Claims and Finance Committee. Other bills addressed in the report included: HB 603, charter school bill; HB 347, mandating civics for K through 12; SB 141 bullying bill; HB 397, public funds for school choice and home schooling; HB 450 and HB 451, electing the Board of Education; HB 456, dictating to school on an "opt in" policy on Healthy Enhancement Curriculums; HJ 7, cut the size of OPI by 50% and reduce the number of school districts; HJ 9, creating an interim study of the BPE and Local School District supervision of school's authority; SB 282, to provide tax credits for private donations to scholarships; HB 154, to eliminate the

educational requirements for the Superintendent of Public Instruction; HB 142, to provide interim review of advisory councils for sunset; SB 25, to monitor body mass index of K-12 students; HB 13, the state pay plan; SJ 28, to create an interim study of performance based funding; SB 44, to raise the compulsory age for school enrollment; SB 88, to increase stipends for teachers; and SB 208, to allow school to be held on Saturdays outside of emergency situations. The discussion of raises in teacher fees created the feeling that there was an elephant in the room. Since it did not occur however, CSPAC will be in a world of hurt in the next biennium. MEA-MFT did support a minimal increase only if it supports only CSPAC and not the operations of the Board. Mr. Steve Meloy stressed that there is a need to speak with the county superintendents in regard to their role in the chain of command along with local control. Bussing issues continue to be raised and Mr. Mark Paulson, a current bus driver, will be contacting members of the Board about his concerns. Mr. Bernie Olson took an active role in the legislative session through letters to the Senators and Representatives. He believes that the Board of Public Education should gird itself for the next session.

Item 3 CSPAC REPORT - Peter Donovan

Mr. Peter Donovan reviewed the highlights of the March 3, 2011 CSPAC Meeting. One specific point addressed was the sign language and hearing impaired group met on May 11, 2011 to address ways to offer continuing education for sign language interpreters and instructors of Braille to meet the accreditation standards. The group proposed conducting a summit for the deaf and hard of hearing. Mr. Donovan reported that Ms. Sharon Applegate, Ms. Sharon Carroll, and he will be attending the NASDTEC Conference in Sacramento, CA. State Superintendent Denise Juneau questioned CSPAC's work on the Code of Ethics. Mr. Donovan reported that a draft of the possible codes was distributed to CSPAC and is currently waiting for feedback via email. The draft was created after reviewing the codes from other states, input from Ms. Ann Gilkey, and Ms. Jeannine Luckowski. Discussion ensued about whether or not the Board of Public Education should adopt the document, whether or not educators should be required to sign off that they read it since there is an increase of licensure issues. Mr. Peter Donovan suggested that the NASDTEC conference and the proposed revisions of the Code of Ethics be topics at the joint BPE/CSPAC meeting in July.

CSPAC APPOINTMENTS (ACTION)

Mr. Peter Donovan recommended the following for appointments to CSPAC: Incumbent Ms. Patty Muir, K-12 specialist; incumbent Ms. Sharon Applegate, teacher K-8; Ms. Dianne Burke, school trustee; and Dr. Cindy O'Dell, post secondary education. Mr. Dan Villa noted that Ms. Dianne Burke was the Director of the Montana School Boards Association since 2009 and currently holds the position of Vice President. Mr. Villa questioned her position on the proposed legislation SB 315 in regard to teacher tenure and recommended that the Board of Public Education ascertain her position. State Superintendent Denise Juneau also recommended that the Board of Public Education follow-up with Ms. Dianne Burke's work with the Frenchtown School Board. Mr. Bob Vogel stressed that Ms. Dianne Burke was pleased to have the opportunity to serve on CSPAC, spoke highly of her qualifications, expressed her willingness to serve, and stated her perspective would be valuable to CSPAC and ultimately the Board of Public Education. Mr. Bob Vogel continued by stating that SB 315 was not drafted by the Montana School Boards Association. Mr. Vogel reported that Ms. Dianne Burke was supportive of the bill as a member of the organization, but did not personally speak out one way or another. He hoped that CSPAC would entertain different perspectives and pointed that one member of the Council does not constitute a quorum. Mr. Bernie Olson stated that sometimes we are part of a group that we may not support everything that the particular group represents. Mr. Bob Vogel concluded his recommendation stating that Ms. Dianne Burke is honorable, kind, considerate, cares about kids, and is an outstanding individual. Ms. Sharon Carroll reported that she was prepared to act on the other three positions and would take the school trustee position under advisement until Friday, May 13, 2011.

Ms. Sharon Carroll moved: to appoint Sharon Applegate to the teacher K-8 position on the Certification Standards and Practices Advisory Council. Ms. Erin Williams seconded.
Motion passed unanimously.

Ms. Sharon Carroll moved: to appoint Patty Muir to the K-12 specialist position on the Certification Standards and Practices Advisory Council. Ms. Lila Taylor seconded. Motion passed unanimously.

Ms. Sharon Carroll moved: to appoint Dr. Cindy O'Dell to the post secondary education position on the Certification Standards and Practices Advisory Council. Mr. Bernie Olson seconded. Motion passed unanimously.

10:40 AM Mr. John Edwards departed

Item 6 GOVERNOR'S OFFICE REPORT - Dan Villa

Mr. Dan Villa provided a global wrap-up for education from the post legislative session. SB 329 became the school funding vehicle along with its tentacles. The conference committee attached a provision that said if HB 316 is not passed and approved then K-12 school funding will be cut \$4.6 million. Mr. Villa continued to speak to the change in percentages and the compound interest. As a result Governor Schweitzer vetoed HB 316 and as a result the state may be subject to single subject litigation because HB 316 ultimately did not have anything to do with K-12 funding and it was linked directly to SB 329. SB 329 gave the Board of Public Education some additional responsibilities as part of the ongoing dialogue pertaining to the oil and gas revenues versus the other natural resource revenues. For example, the revenue from the Hard Rock Mining has 75% of the taxes paid going to the state and 25% stays at the local level. Contrary to that, the oil and gas revenues have approximately 53% going to the state and 47% stays at the local level. Governor Schweitzer original school funding bill HB 136 was promptly killed in the first half of the session. Then the oil and gas debates took on a life of its own with various provisions. Mr. Villa believes that the bill that ended up being in SB 329 is less equitable than what was being funded before and he provided examples explaining his point-of-view. The mechanism that is contained in SB 329 requires that 80 budget amendments above a certain threshold of oil and gas revenue have the unbudgeted revenue coming to the Board of Public Education. It will be reported to the Board of Public Education and the Education and Local Government Committee. The Board of Public Education does not have the ability to approve or deny them, but you have the ability to see them. In essence, nothing has changed other than the smallest of oil and gas districts will lose significant amounts of gas money and the largest of the oil and gas districts will retain the vast majority. There is still an equity issue and the state is subject to litigation. Discussion ensued about teacher tenure, micromanaging boards, electing the BPE and the BOR, at-risk funding, Indian Education, term limits, vetoes, supplementals, and the fears of next legislative session.

11:05 AM Mr. John Edward returned and Mr. Dan Villa departed

Item 4 STATE SUPERINTENDENT'S REPORT - State Superintendent Denise Juneau

State Superintendent Denise Juneau distributed a document about the main provisions of SB 329. Some provisions are:

- Increases the basic and per-ANB entitlements by 1% and by ~~2.43%~~ 1.6% in FY 2013. The total increase for schools would be \$24.5 million compared to \$29.5 million in the Governor's budget. These funding levels are contingent on the passage of HB 316.
- Allows the trustees of a school district to levy, without a vote, for the over-BASE budget an amount equal to the revenue previously authorized by the electors of the district or imposed by the district in any of the previous five years.
- Requires a school district to report to the Education and Local Government Interim Committee of the legislature and the Board of Public Education if the district adopts a budget amendment that in combination with any other budget amendments exceeds 10% of the district's adopted general fund budget. The report must include an explanation as why the budget amendment is necessary.
- Expands school district reporting requirements to OPI and requirements for posting data on

school district websites.

State Superintendent Denise Juneau commended the advocacy groups for their role in killing a lot of bad bills before they got to Governor Schweitzer's desk.

Other topics discussed: school staffing module and the collection of data; Youth Risk Behavior Survey (YRBS) being presented with the school climate report; strengthening the bullying policy; Student Advisory Board meeting for the 2nd time in April 2011; dropout rates; childhood hunger; and the mental health grant.

Another letter was distributed that was written to Secretary Arne Duncan on April 25, 2011 from State Superintendent Denise Juneau which states, "In the absence of a new bill [congressional inaction on reauthorizing ESEA], the Department continues to hold states and schools accountable under the current law although the ESEA accountability system does not conform to the Department's new priorities, particularly around growth models for student learning. This split in priorities, established under your leadership and those established in the current ESEA, has Montana reeling from additional data collection and uncertain about the path to continuous improvement. At the state education agency level, it is difficult to travel down two divergent paths given our limited capacity and resources. At the district level, particularly in a frontier state like Montana, it is difficult to meet increasing data collection such as that required under the State Fiscal Stabilization Funds that implement new federal priorities in addition to continuing to meet ESEA requirements." State Superintendent Denise Juneau continues to write, "In order to hold the line during the transition from one accountability system to another, it is important not to penalize our schools while we wait for overdue congressional action, and instead, provide a stable accountability measure for our schools. Therefore, I write to inform you that I am delaying the scheduled increase of the Annual Measurable Objectives (AMOs)." The Montana public schools will continue to assess and evaluate students according to the law, but they will not be required to make the next jump for measuring Adequate Yearly Progress (AYP). The Bozeman Daily Chronicle dated May 11, 2011 was also distributed.

Montana needs a comprehensive statewide K-12 writing system with support for writing instruction. The potential adoption of the National Common Core Standards definitely puts our state's educators in a prime position to begin developing this system. The focus needs to be on professional development that targets best classroom instruction practices and formative assessment. There are models currently in practice such as district writing assessments, the Montana University System Writing Assessment (MUSWA), a University of Montana Western grant, OPI's MontCAS Presents an annual assessment conference, and an OPI online writing pilot. The OPI is committed to examining these tools for their potential to create a K-12 model of professional development support toward student achievement in writing. OPI submitted a budget request to the 2011 Legislature to fund every high school junior to take the ACT Plus Writing. The request was not funded, but OPI will continue to seek funding.

Discussion ensued about the following: standards applying to private schools; receiving federal funds; charter schools; accountability issues; tuition credits; reporting data; and homeschooling.

Item 5 COMMISSIONER OF HIGHER EDUCATION'S REPORT - Deputy Commissioner, Academic, Research & Student Affairs-Sylvia Moore

Dr. Sylvia Moore focused her report on interfaces with K-12. During the 2011 Legislative Session, dual enrollment funding did not happen. During the last biennium, the Office of the Commissioner of Higher Education (OCHE) subsidized the Montana Digital Academy and OCHE is trying to ensure quality, standardize the cost of those courses across the campuses and budget adjustments need to occur for this to be successful. Post tenure review slid through the legislature through a senate joint resolution and it will continue to move forward. OCHE is downsizing due to budget reductions. The Director of Academic Initiatives, who is also the Director of the Montana University System Writing Assessment (MUSWA), is being reduced due to a lack of funding. The MUSWA has had a very successful 11 year run and has provided excellent professional development, but there is a shift in the literacy standards with

the National Common Core Standards and the MUSWA may not fit the new standards as well as other assessment tools. Literacy needs to go beyond reading novels and writing narratives to informational, complex reading with technical, interpretive writing. It appears that the Title II Teacher Quality Partnership Grant funds will not come directly to OCHE which will eliminate the principle funding source for the MUSWA. OCHE is in the process of promoting the University of Montana Helena College of Technology (UM-COT) to apply for the Teacher Quality Partnership Grant to run the MUSWA. It is possible that Dr. Jan Clinard will have an opportunity to continue the work with the MUSWA if UM-COT obtains that grant. Dr. Jan Clinard will be acknowledged for her work with the MUSWA at the Board of Regents (BOR) meeting in Kalispell May 19-20, 2011.

OCHE will partner with the OPI and the BPE as the Common Core Standards are being implemented. The BOR will be discussing the Common Core Standards and the implications for higher education and Access to Success at its upcoming meeting. Other topics discussed were the level of change in the federal Pell grants and how this will impact low income students; TRIO funding reductions; and renewal of the Talent Search and Gear Up grants. The question for Graduation Matters in Montana is "Are colleges student ready?" This question is different compared to "Are students college ready?" Dr. Sylvia Moore reported that she is pleased that Governor Schweitzer supported OCHE in regard to the Experimental Program Stimulate Competitive Research (EPSCOR) Grant. If the EPSCOR grant is obtained, it will have a huge emphasis on outreach in our Science, Technology, Engineering and Mathematics (STEM) fields. Only the Board of Regents can decide whether or not tuition will rise.

Item 7 STUDENT REPRESENTATIVE'S REPORT - Tim Seery

Mr. Tim Seery reflected on his two years as the Student Representative on the Montana Board of Public Education and expressed that it was both interesting and rewarding. Mr. Seery thanked the Board of Public Education for the work that they do on behalf of Montana students. Mr. Seery continued his report by introducing Ms. Holly Capp who is the next BPE Student Representative. Ms. Capp is currently a junior at Great Falls High School and holds the position of junior class president. Some of her involvements include: Montana YMCA Youth Legislature program; Girls' State Delegate; Senate Page in the 2011 Legislative Session; vice president of the local chapter for Business Professionals of America; received the Statesman Torch Award; Distributive Education Clubs of America (DECA) member; representative for the School Improvement Committee at Great Falls High; and received the 2010 Hugh O'Brien Youth Leadership recipient for Great Falls High. In conclusion, Mr. Tim Seery expressed Ms. Holly Capp's major concerns with education in Montana and what goals she has in mind in regard to this position as demonstrated in her application for student representative to the State Board of Public Education.

DISCUSSION

Item 8 MACIE REPORT - Norma Bixby

A summary of the April 7, 2011, MACIE meeting was provided. Agenda topics included: Indian Education Division Report, MACIE Communication Process, Common Core Work Group Report, MIEA Report, and Dropout Report. Mr. Doug Cordier reported on his attendance to the Indian Education for All Conference and the MACIE board meeting. Ms. Norma Bixby continued with an overview of the Blackfeet and Crow star stories as an ethno astronomy project and can be found on iTunes. It is the hope that other tribes will follow suit. The Advocacy Institute will be held the end of June for Native American Days on the Crow Reservation. MACIE recommends that high school graduation requirements should remain at 20 credits and there should be one counselor for every 200 students. In regard to the National Common Core Standards, MACIE recommends that the Board of Public Education accepts the Indian Education for All additions.

Item 9 SCHOOL NUTRITION PROGRAMS ANNUAL REPORT - Chris Emerson

The presentation included information about the National School Lunch Program, School Breakfast Program, Afterschool Snack Program, Special Milk Program, USDA Donated Foods Program,

Cooperative Purchase Program, Team Nutrition Program, and Fresh Fruit and Vegetable Program for the 2009-10 school year. The presentation was designed to show the changes in program participation and funding over five school years. It also covered nutrition education activities for schools, parents and the community to improve nutritional value and acceptability of school meals, and promote the health and education of children. Ms. Chris Emerson reviewed some of the specifics of the 2010 Annual Report such as 40% of Montana schools have recess before lunch, it is required that schools have two safety inspections each year, there was a decrease of 27,486 half-pints of milk served over the past year, and there was an increase of lunches and breakfasts served. Discussion ensued about the following: High school students not participating in the available programs due to open campuses and the negative stereotype; implementation of the Summer Food Service Program; reduction in half-pints of milked because more kids are eating breakfast; backpack program; free and reduced lunch and breakfast programs are a strong link to poverty; and the involvement of the Healthy School Network

Item 11 NASBE AFFILIATION (ACTION) - Patty Myers

Ms. Patty Myers reviewed the letter that was sent to the Executive Director of NASBE on December 8, 2010 in regard to the services rendered for the price of membership. Mr. Steve Meloy stated that the Board of Public Education can reinstate the number of meetings before the reductions that occurred in FY2010-2011. Mr. Meloy's primary concern is the cost of litigation and the impact it may have on the 2013 biennium's budget. Mr. Bernie Olson figured NASBE's members receive \$14,000 in benefits and the remaining is left for administrative costs. Discussion ensued about the following: NASBE's advocacy for the state boards; NASBE Executive Director's salary; Mr. Meloy's role as president of NCSBEE; value to the BPE if actively engaged; negative experience participating on a task force; educational partners continue to belong to respective member organizations; OPI considering to forgo its membership to CCSSO; value in being at the table at the national level; MT is one of 33 states with an active membership; most larger states are not members; paid for ½ of dues for 2011; money is better spent in the state of Montana; suggestion to omit it for one year; New Member Institute is valuable; additional money can be spent to purchase laptops for Board members, increasing litigation, and increasing travel costs; and the ability to explain to the budget director that the Board of Public Education is a governing body and needs to budget for its litigation responsibilities.

Mr. Bernie Olson moved: to suspend its affiliation with NASBE and not pay the second half of its dues for 2011. Ms. Lila Taylor seconded. Motion passed with a 6 to 1 vote.

Item 10 UKRAINE EXCHANGE PROGRAM - Beth Thomas

Ms. Beth Thomas informed the Board of Public Education of her experiences obtained through the Teaching Excellence and Achievement Program while teaching in Kirovohrad in the Ukraine. Ms. Thomas share some of the following experiences: Teachers rotate to the different classrooms versus the students; student have 10-15 minute breaks between each class; school had 11 computer for 300 students; computers were rarely used; collaboratively developed workshops and shared best teaching practices; and student used Turkish spot toilets. Questions ensued about blogs being monitored, the level of teacher preparation, institutionalizing people with needs, and the lack of professional development.

Item 12 COMMON CORE STATE STANDARDS REPORT - Nancy Coopersmith and Jean Howard

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. Letters of support from professional education associations; 2. Summary of online survey results; 3. Findings from the analysis report; 4. Summary of outreach activities; and 5. Indian Education for All content embedded in the Common Core State Standards. Ms. Nancy Coopersmith reviewed the past two years of work concerning the Common Core, signing of the Memorandum of Understanding, and all the drafts that were reviewed and studied meticulously. Ms. Jean Howard reviewed the letters of support from professional

education associations. Ms. Nancy Coopersmith reviewed the survey results that represented all regions of Montana and all school sizes were represented. Mathematics was reviewed by 60% of the respondents and English language arts by 40%. Of all respondents, 89% felt the Common Core State Standards (CCSS) reflected what students need to know and be able to do, are user friendly and understandable. 86% felt the standards reflect realist and rigorous expectations. Responses indicate 50% felt that the CCSS standards are more rigorous than the Montana Content and Performance Standards, 38% felt they are very similar in content. 72% of the respondents ranked professional development learning opportunities the most essential support component for successful implementation of the standards.

Ms. Jean Howard presented the Summary of Findings from the Common Core State Standards and Montana Standards Analysis Report in both mathematics and English language arts. The timeline for outreach was presented to the Board and the initial work began on October 22, 2009. In conclusion, the May 2011 draft of the Common Core State Standards for Mathematics and English Language Arts Including Integration of Montana Indian Education for All was reviewed and a survey of high schools' responses to the number of units in mathematics that are currently required for graduation. The Board of Public Education may need to consider 3 units of mathematics for graduation requirements in order for students to meet these standards. Ms. Patty Myers requested the names of the schools that currently require 3 and 4 units of mathematics for graduation. Ms. Nancy Coopersmith stated that she would provide that information to the Board.

Item 13 RECOMMENDATION FOR ADOPTION OF THE COMMON CORE STATE STANDARDS - State Superintendent Denise Juneau

State Superintendent Denise Juneau presented a recommendation for the Board of Public Education's approval of the Common Core State Standards in English Language Arts and Mathematics as the Montana standards for these subject areas. Implications of adoption include the following: 1. Need extensive professional development for educators and parents; 2. Additional (third year) of mathematics for graduation from Montana high schools; and 3. Develop and implement a new state-wide assessment.

With the adoption of the Common Core State Standards in English Language Arts and Mathematics, these standards would become the Montana standards. (The term "Common Core State Standards" would no longer be used in reference to these standards because the standards will become the Montana English Language Arts and Mathematics Standards.) In addition, there would be no change in local control of decisions concerning curriculum and learning activities. The Montana school districts would be required to align their locally developed curriculum and learning activities with the newly adopted Montana Content Standards in English Language Arts and Mathematics. The Office of Public Instruction would need to develop model curriculum and model instructional guides to accompany the new standards. State Superintendent Denise Juneau requests the approval from the Board of Public Education to adopt the Common Core State Standards as the Montana Content Standards in English Language Arts and Mathematics based upon her recommendation. Discussion ensued about the following: Montana would be the 44th state if adopted; professional development would be needed; alignment of curriculum, text books, instructional guides, and assessments; redesign of teacher education preparation programs; amendment to accreditation standards; develop model curriculum; need for fiscal resources; the increased rigor from Montana's current standards, BPE sets the standards; curriculum is set by the districts; local control will continue; literacy instruction; caution in replacing existing graduation credit to accommodate additional math credit; OCHE would partner with the BPE if it chooses to adopt; remediation issues; Dr. Larry Baker, Dean from MSU-Bozeman supported the BPE; advance beyond other countries; challenging students will be beneficial for all; and BPE Student Representatives support 3 credits of mathematics for a graduation requirement.

Mr. Doug Cordier and Mr. Steve Meloy requested an implementation timeline for the Common Core Standards. Ms. Nancy Coopersmith stated that the exhaustive process of the timeline will be presented to the Board of Public Education at its July meeting if adopted in May. Mr. Steve Meloy reported that in accordance with MCA 20-7-101 the interim committee shall request a fiscal analysis to be prepared by

the Legislative Fiscal Division. The Legislative Fiscal Division shall provide its analysis to the interim committee and to the Office of the Budget and Program Planning to be used in the preparation of the executive budget. If the fiscal analysis of the proposal is found by the Legislative Fiscal Division to have substantial fiscal impact, the Board may not implement the standard until July 1 following the next regular legislative session and shall request that the same legislature fund implementation of the proposed standard. This means that it may not be effective until July 1, 2013.

4:32 PM Sylvia Moore departed

Item 14 FEDERAL UPDATE - Nancy Coopersmith

This informational presentation included the latest information available about the U.S. Congressional actions on the federal budget for Federal Fiscal Year 2011 and Federal Fiscal Year 2012. In addition, future federal program reviews, activities and grant opportunities were discussed. Ms. Nancy Coopersmith reported that congress took action on April 14, 2011 on the budget which was required to be passed by law on September 30, 2010 and the Office of Public Instruction has been watching the ED.Gov website diligently for the chart to show the final allocations and is not available at the time of the BPE meeting. Some of the following funds were reduced: Teacher Quality State Grants (ESEA, NCLB, Title II A and B) were cut \$475 million; Career Technical Education funds were cut by \$138 million; 21st Century Community Learning Centers were cut \$10 million; and School Improvement Grants under Title I were cut \$10 million. Two major programs, Title I and the State Grants for Special Education, were flat funded where they received no increase or decrease. Increases were given to the following: Race to the Top at \$700 million; Head Start at \$340 million; Investing in Innovation (I-3 competitive grants) at \$150 million; and Promise Neighborhoods at \$10 million. The Office of Public Instruction is preparing to open the E-grant system for districts. The OPI recently received the final allocation for Title I which is particularly early. The chart in the BPE's packet reflects the figures from the allocations that occurred April 1, 2011, and the most recent data is pending.

Item 15 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 May 16-17, 2011, at the Red Lion Hotel in Helena, MT. The OPI provides to the BPE the following items for the May meeting of the Task Force: Expected outcomes, proposed agenda, and the Chapter 55 draft recommendations for consideration by constituents and the public. The Chapter 55 Web link is entitled, Reports and Recommendations: http://www.opi.mt.gov/Programs/SchoolPrograms/index.html#gpm1_3. The next meeting date for the Chapter 55 Joint Task Force is June 23-24, 2011, at the Red Lion in Helena, MT.

Mr. Dennis Parman stated that if a school district is meeting the standards set by the Board of Public Education it is doing "good enough". In phase one the task force reviewed the accreditation standards where they are and is determining what should be done to them to make them different and better. The task force is approximately 85% done with that portion. Mr. Parman continued expressing his concern that the Board of Public Education and the Office of Public Instruction was under attack by some political entities during this legislative session and ultimately the Board's authority was ignored. He is convinced that the partners of public education need to take bold steps to protect its standing or something will be done unto them during the next legislative session.

Mr. Dennis Parman proposed the following performance-based model to the Board of Public Education that he intends to present at the Chapter 55 Joint Task Force meeting on May 16-17, 2011. Around the country schools are being evaluated by a single letter grade because parents want to know if their children are attending an A, B, C, D, or F school. Mr. Parman displayed charts that reflected several different schools' performance based on a colored scale that would be published for the public if his proposal is approved. The colored charts are comparable to the A, B, C, D, or F model, but it gives so much more information as to the actual performance and rating of the school. Different things will be measured from graduation rates to average daily attendance. What is being measured will not be directly

linked to Annual Yearly Progress (AYP) because it is not known at this point what will happen to the reauthorization of the Elementary and Secondary Education Act (ESEA). State Superintendent Denise Juneau reported to the BPE that she is taking a politically bold step to freeze the Annual Measurable Objectives (AMO's) in the state of Montana as stated in her letter to the U.S. Education Secretary Arne Duncan. Mr. Dennis Parman is proposing levels of accreditation by taking the scale scores and drawing lines. The goal is to identify schools that are "good enough", schools that are doing "quite well", and schools that are doing "fairly well". There needs to be the determination of strata to identify the schools that are "close to being good enough" etc... Using some of the language from other states, the performance levels may be called high level 1, high level 2, adequate, near adequate, or floor. If we can identify the schools that are struggling in whatever area is being measured and support them to move up the scale, then we are being accountable and demonstrating measurable progress. This would provide school districts with an excellent resource to help them determine where to extend their effort to make the necessary improvements. Some states go as far as providing progress points or bonus points to school districts that exceed in areas by demonstrating the largest growth. A letter grade alone is not adequate. There needs to be a determination of what is non-negotiable such as teacher licensure, bullying policies, strategic plans, etc... There would be a creation of a band that may allow for larger class size, but there still needs to be the accountability of performance. The data is already available and the Office of Public Instruction will know the effects to the school districts before this process is completed. Mr. Parman believes that it will be a small fraction of Montana schools that will be in the dangerous colors of red, orange, and yellow. Accreditation is not designed to play "gotch ya" but it is designed to determine which schools have weaknesses and develop a plan to help them improve. The only schools that will not be accredited in this system are the ones that "don't want to play."

Item 16 REPORT ON THE PROPOSED ENGLISH LANGUAGE PROFICIENCY STANDARDS ADOPTION TIMELINE - Judy Snow

Information on the tentative action plan for adoption of the English Language Proficiency (ELP) standards was presented at the December 2010 Board of Public Education meeting. The report at the May 2011 BPE 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 with notice of a proposed rule change and public hearing, and ultimately a vote on adopting at the September 2011 meeting. The Montana English Language Proficiency Standards are currently connected to the Montana Communication Arts Standards. The English Language Proficiency Standards that are being recommended for adoption are specific to English Language Proficiency with links to academic content standards and address the need for students to become fully proficient in both social and academic English. They meet the federal requirement under ESEA Title III section 3113 (b)(2) for specific English Language Proficiency Standards. In addition, the links to academic language have been aligned to the Common Core State Standards. It was noted that these standards meet the federal requirements as proposed. The following timeline was proposed:

- July 14-15, 2011 BPE Meeting Action item: Notice of proposed rule change and vote on proceedings
- September 8-9, 2011 BPE Meeting Action item: Vote on adopting

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 MSDB SUPERINTENDENT PERFORMANCE EVALUATION & CONTRACT
EXTENSION (CLOSED) — Patty Myers~~

~~Item 18 BPE EXECUTIVE SECRETARY PERFORMANCE EVALUATION & CONTRACT
EXTENSION (CLOSED) — Patty Myers~~

DISCUSSION

Item 19 MSDB COMMITTEE MEETING REPORT - Steve Gettel

Ms. Julie Dee Alt, Supervising Teacher and School Improvement Coordinator, presented the report on the results of Measures of Academic Performance for the 2010-12 School Year in accordance to the Pacific Northwest Consortium for vision Education. In addition, Ms. Dee Alt reviewed the results of the Northwest Evaluation Association Measures of Academic Progress (NWEA MAP) test. Mr. Steve Gettel reported the following: Increased enrollment; resignations, transfers, retirements, and new hires; labor relations and contract negotiations; MSDB strike plan; Conference of Educational Administrators of Schools and Programs for the Deaf; concerns about the proposed Deaf Summit being sponsored by the OPI; proposed calendar; Golden Triangle Cooperative (GTCC) agreement; graduation; budget; and the accreditation status. Mr. Steve Gettel reported that he will not tell the misassigned teacher that she can no longer work at the Montana School for the Deaf and Blind because Mr. Gettel believes that he will not be able to find anyone with the skill set that she has with the proper special education endorsement needed for this position. Mr. Steve Gettel continued to say that he understands that this may certainly affect the accreditation status of the school. The Board of Public Education will have an opportunity to see this teacher teach on May 13, 2011 when they take a tour of the school. Discussion ensued about the following: Uncomfortable position the Board of Public Education is in concerning this situation; the OPI is following the BPE's rules; intensive assistance requires the chair of the trustees to appear before the BPE and in this case it is Ms. Patty Myers; and possible options.

APPROVAL OF GTCC COOPERATIVE AGREEMENT (ACTION)

Mr. Bernie Olson moved: to approve the Golden Triangle Cooperative Agreement for the 2011-2012 school year. Ms. Sharon Carroll seconded. Motion passed unanimously.

APPROVAL OF 2011-2012 CALENDAR (ACTION)

Mr. Bernie Olson moved: to approve the Montana School for the Deaf and Blind 2011-2012 calendar. Mr. Doug Cordier seconded. Motion passed unanimously.

May 13, 2011 – Friday

8:00 AM MSDB CAMPUS TOUR (Meeting will reconvene after the tour.)

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.

9:02 AM Closed Session

Item 20 REVOCATION HEARING BPE CASE #2010-05 (CLOSED) - Clyde Peterson

12:20 PM Opened Session

Item 20 REVOCATION HEARING BPE CASE #2010-05 (CLOSED) - Clyde Peterson

Ms. Sharon Carroll moved: to uphold the recommendation of the State Superintendent of Public Instruction to revoke the educator license of case # 2010-05 pursuant to Administrative Rules of Montana 10.57.601 and Montana Code Annotated 20-4-110. Mr.

Bernie Olson seconded. Motion passed unanimously. Ms. Erin Williams recused herself from voting during closed session.

12:26 PM Closed Session

Item 22 REPORT OF TEACHER LICENSE SURRENDER (CLOSED) - Ann Gilkey

Ms. Ann Gilkey reported to the Board of Public Education a license surrender and the BPE reference case number is #2011-03.

12:30 PM Opened Session

Item 23 ADOPTION OF THE COMMON CORE STATE STANDARDS IN ENGLISH LANGUAGE ARTS AND MATHEMATICS AS RECOMMENDED BY STATE SUPERINTENDENT DENISE JUNEAU - State Superintendent Denise Juneau

The Board of Public Education was asked to approve the State Superintendent of Public Instruction Denise Juneau's recommendation to adopt the Common Core State Standards in English Language Arts and Mathematics. The Executive Summary stated that the BPE was asked to approve the proposed timeline for adoption, however there was no timeline presented at the meeting. State Superintendent Denise Juneau admitted that she did not always think that this was the best idea for the state of Montana, but after all of the research that has been completed and analyzed, she certainly feels that it is best to move forward with the adoption process. Ms. Patty Myers appreciated the time, effort and diligence to ensure that this is an appropriate step for Montana. Discussion ensued about the possibility of adopting additional standards if the Board deems them necessary. The content standards are always being reviewed and revised on a five year cycle that comes before the Board of Public Education for final implementation.

Mr. Bernie Olson moved: for the adoption of the Common Core State Standards of English Language Arts and Mathematics as recommended by State Superintendent Denise Juneau. Ms. Sharon Carroll seconded.

Mr. Bernie Olson expressed that he did not support the Common Core State Standards in the past, but knowing that the State Superintendent is comfortable with her recommendation, he changed his mind to the affirmative. He expressed further reservation about the potential increase of math requirements for Native American students.

Motion passed unanimously.

DISCUSSION

1:15 PM Ms. Erin Williams Departed

**Item 21 DRAFT OF SUGGESTED AMENDMENTS TO ARM TITLE 10 CHAPTER 57, PART 6
Ann Gilkey**

The Board of Public Education requested a draft proposal for ARM amendments related to educator discipline. Ms. Ann Gilkey presented the proposed amendment to the ARM Educator Licensure Disciplinary Procedures. Some specific areas addressed were: adding the significant misuse of technology/social networking to the definition of "immoral conduct"; clean up language; stipulated agreements are an acceptable form of resolution in post hearing procedures of contested cases; making final decisions available for public inspection; clarifies that surrenders are permanent, unless otherwise specified; posting educator license status on the OPI's website; BPE will not hear appeals on licenses which are currently suspended, revoked, or surrendered; and clarifies the burden of proof is on the person taking the matter before the Board. Mr. Steve Meloy addressed that the statutes may need to be

revised to make sure they are consistent with the Administrative Rules of Montana especially in the term “licensed educator” versus teacher, specialist, or administrator. Ms. Ann Gilkey reported that the Office of Public Instruction is going to post the status of educator licenses on its website. Ms. Sharon Carroll expressed her concern that that decision was made by the OPI without any dialogue with the BPE. Discussion ensued about the letter from the Montana Attorney General in regard to the public’s right to know against the individual right of privacy, protecting the BPE’s policy or the individual’s right of privacy, what other states are doing, the need to involve CSPAC, review the Code of Ethics, and ensuring that the BPE and the OPI are being consistent. Ms. Sharon Carroll requested that the Certification Standards and Practices Advisory Council review these proposed changes at its July meeting and that this discussion continue at the Joint BPE/CSPAC meeting in July.

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 24 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.

Mr. John Edwards moved: to accept the 2011-2012 BASE Aid Payment schedule as recommended by State Superintendent Denise Juneau. Ms. Lila Taylor seconded. Motion passed unanimously. Ms. Erin Williams was absent for the vote.

Item 25 ADDENDUM TO 2010-2011 FINAL ACCREDITATION RECOMMENDATIONS-Kelly Glass

This presentation provided to the Board of Public Education for consideration an addendum to the 2010-2011 accreditation determinations for all schools as recommended by State Superintendent Denise Juneau. These changes are due to errors identified by the Office of Public Instruction after the accreditation determinations were acted on during the February BPE meeting. The districts were notified of those determinations. The report was included the following schools:

- Red Lodge High School – data input error
- Conrad High School – proper endorsement by teacher
- Paradise School – approved library alternative standard
- Molt School – data input error
- Winifred 7-8 and Winifred High School – failure to report from post secondary internship

Mr. John Edwards moved: to accept the recommendation of State Superintendent Denise Juneau for the 2010-2011 accreditation status amendments. Mr. Bernie Olson seconded. Motion passed unanimously. Ms. Erin Williams was absent for the vote.

Item 26 RECOMMEND DISAPPROVAL OF ALTERNATIVE TO STANDARDS REQUESTS Kelly Glass

This presentation provided to the Board of Public Education the report of disapproval of Alternative to Standards requests. The State Superintendent recommended approval of the report as presented. The report was included. Ms. Kelly Glass reported that a school district may apply to the BPE through the Superintendent of Public Instruction to implement an alternative to a standard or a section of standards, excluding standards stating statutory criteria, standards pertaining to teacher licensure or endorsement, and content and performance standards only if the district provides evidence establishing that its alternative is workable and submits the mission and objectives as well as identify the summative and formative assessments. The agreement with the Montana Small Schools Alliance addresses both the

Library (10.55.709) and Counseling standards (10.55.710) for member districts if teachers attend workshops each year to address the applicable content and performance standards, have licensed and endorsed staff available for consultation, and assessment instruments are provided. The following schools are recommended for disapproval:

- St. Ignatius K-12 Schools
- Birney School

Mr. John Edwards moved: to approve the recommendations of State Superintendent Denise Juneau for the disapprovals of the alternative to standards requests. Ms. Sharon Carroll seconded. Motion passed unanimously. Ms. Erin Williams was absent for the vote.

Item 27 RECOMMEND APPROVAL OF ALTERNATIVE TO STANDARDS REQUESTS – Kelly Glass

This presentation provided to the Board of Public Education the report of approval of Alternative to Standards requests. The State Superintendent recommended approval of the report as presented. The report was included. The following schools were recommended for approval: Grant School; Reichle School; Deep Creek School; Fortine School; Yaak School; Biddle School; Avon School; Paradise School; Divide School; Nye School; Morin School; Polaris School; Hawks Home School; Creston School; McCormick School; Alder School; South Stacey School; Hamilton High School; Plains School; Fishtail School; and Galata School.

Mr. John Edwards moved: to approve the recommendations of State Superintendent Denise Juneau for the approvals of the alternative to standards requests. Ms. Lila Taylor seconded. Motion passed unanimously. Ms. Erin Williams was absent for the vote.

Item 28 CORRECTIVE PLANS UPDATE - Kelly Glass

It is the intent to provide to the Board of Public Education an updated report on the improvement plans required of schools that received either Advice or Deficiency accreditation status for the 2009-10 school year. This update report verified the current status of those plans following a review of the 2010 Annual Data Collection electronic preliminary accreditation reports for each of those schools. The report also included comments and recommendations for certain school corrective plans that the state superintendent has determined to be incomplete, or not adequate to address the deviations that led to the Advice or Deficiency status determinations. Ms. Kelly Glass reported that State Superintendent recommends the following schools for approval: Grass Range High School; Belgrade School District for library and class size; Havre High School; Hobson High School for an improperly assigned teacher; Harrison High School; Dodson High School; EF Duval for improperly assigned teachers; Plains High School for the Spanish teacher; Absarokee Schools for improperly assigned teachers; and Glasgow Public Schools.

Mr. John Edwards moved: to approve the recommendation of State Superintendent Denise Juneau for the approval of corrective plans for schools receiving advice or deficiency status for 2009-2010. Mr. Doug Cordier seconded. Motion passed unanimously. Ms. Erin Williams was absent for the vote.

Ms. Kelly Glass continued the report stating that the Montana School for the Deaf and Blind and the Columbia Falls High School are recommended for disapproval and to be placed in intensive assistance. There is no indication from either school that they intend to correct the deficiency. The Montana School for the Deaf and Blind violates ARM 10.55.708 in which a teacher is misassigned, but the school does not provide information on how the misassigned teacher deviation will be corrected and contends the teacher will retire in five years. Columbia Falls High School violates ARM 10.55.709 in which 1.5 FTE library services are required for an enrollment of 782. The Columbia Falls School District cut the library position due to a budget shortfall and does not plan to replace the library FTE.

Mr. Steve Gettel recommended that MSDB go through the intensive assistance cycle as proposed. It is a problem to obtain the teachers that they need and this will continue to be an issue. It is the conflict of being a special purpose school and a state school. Discussion ensued about applying the same standards of accreditation to a special purpose school and whether or not that was appropriate for MSDB.

State Superintendent Denise Juneau stressed that these difficult decisions always connect to people, jobs, and programs. She reminded the Board as to why the intensive assistance cycle was established and the effects of the Brockton School District when the school board chair and the superintendent came before the Board of Public Education when they refused to do what was necessary to meet the standards established by the Board of Public Education. This puts the Board of Public Education in a very difficult situation when it is the school board for the MSDB. State Superintendent Denise Juneau recommended that the MSDB move into the intensive assistance cycle to remain consistent with the licensing rules established by this Board. Mr. John Edwards continued to express the need to maintain the BPE's integrity, enforce its own rules, and determine if the MSDB can be accredited differently since it is a unique, special purpose school.

Mr. John Edwards moved: to approve the recommendation of State Superintendent Denise Juneau for the disapproval of corrective plans for schools receiving advice or deficiency status for 2009-2010. Mr. Doug Cordier seconded. Motion passed unanimously. Ms. Erin Williams was absent for the vote.

Ms. Kelly Glass reviewed the 6-step process for intensive assistance.

Mr. John Edwards moved: to approve the recommendation of State Superintendent Denise Juneau to place Columbia Falls High School and the Montana School for the Deaf and Blind in the intensive assistance process. Ms. Sharon Carroll seconded. Motion passed 5 to 1. Ms. Erin Williams was absent for the vote.

Ms. Kelly Glass concluded by stating that the Office of Public Instruction is waiting for further information from the following school districts: Bigfork School District; Helena School District; and Pass Creek Schools. All three school districts received a visit in regard to their alternative standards regarding their library services.

It was expressed by the Board of Public Education that putting MSDB in the intensive assistance process is not going to resolve the problem because it is a special school, but if it continues to seek state accreditation then the rules need to be consistently followed.

ITEM 3 CSPAC APPOINTMENTS (ACTION) Continued

Ms. Sharon Carroll requested that the Board of Public Education delay action on the appointment of Dianne Burke as the school trustee for the Certification Standards and Practices Advisory Council. A conference call meeting will be set up to make the final appointment before CSPAC's July 2011 meeting to ensure that it is a full council. Mr. Steve Meloy distributed an email from Mr. Lance Melton, Executive Director, MTSBA supporting Ms. Dianne Burke's appointment to CSPAC. Mr. Steve Meloy stressed that the CSPAC serves at the pleasure of the BPE, without the approval of the governor and to delay this action sends a wrong message to the Board of Public Education's partners.

PRELIMINARY AGENDA ITEMS – July 13-15, 2011, Helena, MT

Strategic Meeting – Review Bylaws and Operational Rules

CSPAC/BPE Joint Meeting

Annual CSPAC Report

MACIE Update

Annual GED Report

Special Education Report

Assessment Update

Federal Update
Continuous School Improvement Plan Report
Accreditation Report
Establish Executive Salaries
Evaluations and Contracts
English Proficiency
Internship Program

Mr. John Edwards moved: to adjourn the Board of Public Education Meeting. Motion was approved by acclamation.

3:02 PM Meeting Adjourned

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