

BOARD OF PUBLIC EDUCATION
MEETING MINUTES

March 8, 2012

**Montana State Capitol
Room 152
Helena, MT**

March 8, 2012
8:34 AM

CALL TO ORDER

Chairperson Patty Myers called the meeting to order at 8:34 AM and led the group in the Pledge of Allegiance. Ms. Kris Stockton took roll call; a quorum was noted. Ms. Patty Myers read the Statement of Public Participation.

PUBLIC COMMENT

Ms. Angela Helvey was present to address the Board regarding a letter of reprimand placed in her file by the Board in 2007. Mr. Donovan gave a brief history on the case and then Ms. Helvey addressed the Board requesting the letter be removed from her file. Ms. Myers thanked Ms. Helvey for her comments.

CONSENT AGENDA

The consent agenda was approved and the minutes from the January 2012 meeting were approved. Ms. Myers requested the financials to be pulled from the Consent Agenda and an update on the Board financials would be given during her Item.

Consent agenda approved as presented.

Those in attendance included: Chair Ms. Patty Myers, Vice-chair Ms. Sharon Carroll, Board members Mr. John Edwards, Mr. Doug Cordier, Ms. Erin Williams, and student rep Ms. Holly Capp. Staff present included: Mr. Peter Donovan, Executive Secretary Board of Public Education/Administrative Officer, Certification Standards and Practices Advisory Council; and Ms. Kris Stockton, Administrative Assistant, Board of Public Education. Ex-officio members present included: State Superintendent, Denise Juneau. Visitors in attendance included: Dr. Linda Vrooman Peterson, Accreditation Division Administrator, OPI; Mr. Dennis Parman, Deputy Superintendent, OPI; Denise Ulberg, OPI, Elizabeth Keller, OPI, Ann Gilkey, OPI, Nancy Hall, Terri Wing, OPI, Angela Helvey.

INFORMATION

Item 1

CHAIRPERSON'S REPORT - Patty Myers

- MSDB Board Meeting, Jan 4, 2012
- Chapter 55 Leadership Conference Call, Jan 11, 2012
- Board of Public Education Meeting, Jan 20, 2012
- MSDB Meeting, Jan 24, 2012
- Variances to Standards Sub Committee, Jan 25, 2012
- Chapter 55 Task Force Meeting, Jan 30-31, 2012
- Legislative Audit Entrance Meeting Feb 1, 2012
- Chapter 55 Leadership Meeting, Feb 6, 2012
- MSDB Foundation Function, Feb 20, 2012
- Chapter 55 Leadership Conference Call, Feb 21, 2012
- MSDB Conference Call, Feb 22, 2012

- MSDB Accreditation Reception, Feb 26, 2012
- Chapter 55 Task Force Meeting Feb 28-29, 2012
- Board Budget Meeting Feb 29, 2012

BOARD OF PUBLIC EDUCATION APPEARANCES

Sharon Carroll

- Smarter Balance Assessment Webinar Jan 5, 2012
- Board of Public Education Meeting Jan 20, 2012
- Smarter Balance Assessment Webinar Feb 9, 2012

Bernie Olson

- MSDB Conf Call Jan 4, 2012
- Board of Public Education Meeting Jan 20, 2012
- MSDB Call Feb 22, 2012

Lila Taylor

- MSDB Conf Call Jan 4, 2012
- Board of Public Education Meeting Jan 20, 2012
- MSDB Call Feb 22, 2012

Doug Cordier

- Board of Public Education Meeting Jan 20, 2012
- Columbia Falls School District Meeting Feb 13, 2012

Ms. Myers reported on the Accreditation review at the MSDB which was recently completed. She updated the Board on the Chapter 55 Task Force work she has been involved with and that the Task Force and sub committees have been very busy. Mr. Cordier brought up the topic of his local School Board being told that the Chapter 55 work had been suspended and asked if anyone else had heard the same rumors. Ms. Myers indicated it was suspected that the information had been sent out in the Montana Rural Education newsletter. Ms. Myers indicated that the Chapter 55 revisions could be brought before the Board as soon as the May 2012 meeting. Mr. Cordier asked if it is necessary for the Board to send out any information dispelling the rumors, but Ms. Myers indicated she thought it better to just ignore them. Superintendent Juneau asked if Ms. Myers had received any comments regarding the Common Core and Ms. Myers noted that with the implementation cost figures being less than expected and with Regent MacLean reporting that the Anaconda curriculum change to mirror Common Core was seamless and inexpensive, that information had been helpful. Great Falls Public School District is estimating a \$3 million cost and Ms. Myers has been working with GFPSD and Representatives to determine their estimate and how it is being derived. Superintendent Juneau commented she had heard some rumblings from Billings but otherwise, nothing other than possible need for more professional development for teachers. Ms. Carroll noted that Chapter 55 requires professional development, so school districts already have an obligation to comply with that requirement. Ms. Carroll also discussed Common Core in relation to her own math classes and gave a brief example of how the literacy component might be addressed in the math classroom. Superintendent Juneau noted that some school districts are getting the word out about Common Core. Ms. Myers reminded members to let Ms. Stockton know of any events they attend on behalf of the Board to be listed on the Board calendar.

Item 2 EXECUTIVE SECRETARY/CSPAC REPORT – Pete Donovan

Mr. Donovan reported that CSPAC adopted the new Montana Educator's Code of Ethics at the January 27, 2012 CSPAC meeting. The new Code of Ethics has been well received by the teacher prep programs and some are already using it in their programs. The April 2012 CSPAC meeting will address the CSPAC appointments that are coming open. Member Jon Runnalls K-8 term is coming open and he has informed Mr. Donovan that since he is retiring at the end of this school year he will not seek reappointment. Ms.

Janice Bishop's position will be open and she is applying for reappointment. The Trustee position is open as well, having been vacated by Ms. Dianne Burke. Mr. Donovan discussed that the Board is undergoing their semi-annual Legislative Audit. The auditor is currently doing field work and will revisit the office in April for completion of the field work. Mr. Donovan also discussed his recent attendance at the Board of Regents meeting in Dillon and the retirement reception for outgoing Commissioner Dr. Sheila Stearns. Mr. Donovan also commented on the two new Regents appointed to the Board. Superintendent Juneau agreed that the retirement reception for Commissioner Stearns was very nice and that there were some very nice tributes to her. Mr. Donovan announced that he will be trying to attend more Board of Regents meetings in the future. Ms. Williams gave her support for that. Ms. Myers also noted Ms. Carroll's reappointment to the Board of Public Education.

REPORTS

Item 3 State Superintendent Report – Ms. Denise Juneau

Superintendent Juneau updated the Board on her recent travels and announced that the week of March 5-9th is National School Breakfast Week. She discussed the Graduation Matters Montana grant from the Washington Foundation and that applications are currently being accepted and must be in by March 19th. The Bully Free Schools group is currently working on policies which schools can adopt. There will be lots of information for parents and students. GEMS Update: The system went into production on March 2, and was shown at the Board of Regents meeting. The Quality Educator Loan Repayment Assistance Program is currently accepting applications and the deadline for those applications is in April. Many schools will be conducting CRT tests in March. The Farm to School program will have a Student Advisory Board meeting in April.

Item 4 Commissioner of Higher Education Report

No one from the Commissioner's Office was available to report

Item 5 Governor's Office Report

No one from the Governor's Office was available to report

Item 6 Student Representative Report – Ms. Holly Capp

Ms. Capp discussed the dual enrollment accounting class she is currently taking. She also informed the Board that the School Improvement Committee has been discussing the dropout rate and asked for clarification on the exact definition of "dropout". She briefly touched on the KONY 2012 movie and the social frenzy surrounding it for young adults. On March 18th interviews will be conducted for the new student representative. 3 candidates will be interviewed – 1 from Helena and 2 from Great Falls. Ms. Capp will be going to Billings for State BPA meeting and National DECA is coming up in the near future.

DISCUSSION

Item 7 MACIE UPDATE – Norma Bixby

No report.

EXECUTIVE COMMITTEE

Item 8 FEDERAL UPDATE – Nancy Coopersmith, OPI

Dr. Linda Peterson from OPI gave the Federal Update in place of Ms. Coopersmith. Dr. Peterson briefly walked through the budget numbers. She stated that nearly half of the budget for OPI comes from Federal funding. In addition, Dr. Peterson discussed programs, budget proposals, and proposed budget cuts at the Federal level, all of which is mostly speculation until the President's budget comes out. She clarified the difference in the Federal fiscal year which begins Oct 1st of each year, and the state fiscal year, which begins on July 1st of each year. Dr. Peterson emphasized that the suggested cut of programs by 100% that is currently being suggested in the President's budget is believed to be more of a warning

and that due to 2012 being an election year, much of that could change. The proposed cut would equal \$9 million for Montana at the elementary and secondary level.

10:20 meeting adjourned briefly to allow Ms. Myers, Ms. Carroll, and Mr. Donovan to attend the LFC meeting to present the Board budget request.

11:17 meeting re-convened

Item 9 BUS SAFETY/TRANSPORTATION REPORT – Denise Ulberg, Donnell Rosenthal, OPI

Ms. Ulberg presented the Bus Safety/Transportation Report at the request of Board member Edwards as an extension of the same item from the January meeting. The presentation covered seatbelt safety on yellow school buses and over the road coaches vs. yellow school buses. Regarding the issue of seatbelt safety, Ms. Ulberg discussed that new national safety requirements for Type A (under 10,000 lbs) buses require seatbelts as of 10/1/2011, but Type B (over 10,000 lbs) buses do not require seatbelts – that issue is optional. Montana does not have any state laws requiring seatbelts on buses; however the Helena School District recently adopted a new law requiring seatbelts on all their yellow school buses. Mr. Edwards asked what authority, if any, the Board has to make a ruling on seatbelts on buses. Ms. Ulberg answered that it would have to be placed in law. She did not think that the standards can require that. The Board has jurisdiction over yellow school buses in home to school transport, but not when they are used for school activities. Mr. Edwards then asked if there have been any studies done regarding seatbelts on yellow school buses or has anyone in MT done a study, or is there anything the Board can do? Ms. Ulberg replied there has not been a study done. She added that Mr. Bob Vogel had asked that he be included in any discussions pertaining to this issue. The Department of Transportation should also be included. She added that one issue she was aware of was the topic of “cost”, more specifically “cost vs. effectiveness/benefit”. Mr. Edwards added that the idea of a Task Force was something he would be interested in. Ms. Ulberg then discussed that the Board’s jurisdiction does not extend to activity trips and whether or not a school district uses a yellow school bus or over the road coach for activities. The Department of Transportation has jurisdiction on over the road carriers owned by contractors but only for inspections. Some school districts own their own charter buses and the Department of Transportation does not have jurisdiction over the inspection on those buses. The bus must be inspected by a weigh station or the Department of Transportation will do the inspection upon the request of the school district. Mr. Edwards asked who makes the decision as to whether a yellow school bus or over the road bus will be used for activities and Ms. Ulberg answered that decision is made locally, by the School Board or Trustees. Superintendent Juneau asked who owns the ARM rules for buses and Ms. Ulberg answered that the Board owns the ARM rules regarding yellow school buses, but that the Department of Transportation owns the ARM rules for over the road coaches. Superintendent Juneau then asked what the difference was between district owned buses and contracted buses. Ms. Ulberg replied that the Board owns the rules only for yellow school buses in home to school transport whether the district owns the buses or they are contracted out, but they do not regulate bus use for activities. Yellow school bus safety for home to school transport is state law. Ms. Carroll asked if the Board could change the ARM rules to include activity trips and Ms. Ulberg answered that state law would have to be changed to dictate the Board having that jurisdiction. Ms. Myers asked if vans could be used or if they had the same requirements and Mr. Parman answered that vans could not be used. Ms. Williams commented that safety is really the biggest issue of concern. Mr. Parman added that forming a Task Force to look at the issue is a good idea, but that it will be a huge issue as there are issues regarding cost, replacement, retro-fitting. Mr. Edwards asked what percentages of yellow school buses are contracted by districts and Ms. Ulberg answered that a 2012 report had a total of 2,872 buses and approximately 1,600 were contracted. Mr. Edwards inquired how much school districts pay for their contracts and what negotiations are made for per mile/per hour compared to what other school districts contract for? No definitive answer was given. Superintendent Juneau then added that Ms. Ulberg has accepted a job at another office and will be leaving the OPI. It was determined that more clarification is needed before a Task Force can be determined and that it should be a joint venture between the Board and OPI.

ASSESSMENT COMMITTEE

Item 10 ASSESSMENT UPDATE – Judy Snow, OPI

Ms. Snow handed out an informational sheet. She talked about the ACT Plus Writing assessment which is now available to all high school juniors as a pilot program for the 2011-12 school year. To date, 51 schools have signed on to the pilot program. Three people are designated at each school who will be involved in training and preparation for the tests. Resources for the test are available on the OPI and the ACT website. Webinar training is also available. The tests will be given April 24th and will be during the school day, with May 8th scheduled as the makeup date. The 2011-12 year is the pilot year with implementation set for the 2012-13 school year pending a rule change request to the Board from OPI. OPI is beginning that process currently. The program is funded through the new grant received by GEAR UP. Ms. Carroll stated that it is likely the previous language regarding tests that is currently in rule will need to be cleaned up and changed with regard to testing. Ms. Snow added that ACT allows for special accommodations for test taking and Mr. Cordier asked for an example of the state accommodations available for students through the ACT. Ms. Snow said it is difficult to do since ACT has so many different accommodations, but that some examples would be; providing a scribe, having the test read to a student, allowing extra time for students with an IEP or a 504 plan. Mr. Cordier then asked if there is anticipated fallout from all juniors taking the test that state scores might drop initially but then go up. Ms. Snow said that she did have some information and would send it out to the Board. Ms. Snow discussed that this is the 3rd year of using the pilot program for on line writing programs. Best practices are currently being written for this program. She then gave an update on the Assessment Conference in Helena in January. 280 people registered and 220 attended. New to the conference this year were pre-sessions highlighting Common Core, ACT + Writing, and the English language proficiency test. The CEO of the Smarter Balance Consortium was the keynote speaker which was very successful as was the presentation on the new GEMS system. A short update on the Smarter Balance Consortium was given. They have a new website with monthly updates and Dr. Bobbie Evans from University of Montana is the Higher Education Rep. Ms. Carroll asked if any discussions were going on regarding moving CRT tests to another time of the year. Mr. Parman answered that tests will eventually move to being computer generated and given later in the school year.

ACCREDITATION COMMITTEE

Item 11 2011-12 ANNUAL ACCREDITATION REPORT – Terri Wing, OPI

Ms. Wing presented the Annual Accreditation Report to the Board. Ms. Wing gave examples of how a recommendation is given to a school. A non-licensed teacher is an automatic deficiency, but there are other statuses that can occur several times before a deficiency status is given. Annual Data Collection is done for each school and cross checks are performed to check for licensure, mis-assigned teachers, and non-licensed teachers. Ms. Wing displayed a graph that showed a 5 year history of accreditation in Montana which showed that overall, deficiency rates are improving. When analyzed the graph showed the following: Elementary schools improved by 6%, middle schools by 21% and high schools by 12%. High schools have more mis-assigned teachers than elementary or middle schools. Ms. Wing announced that nearly 110,000 students are enrolled at regularly accredited schools in Montana. Ms. Wing noted that two of the state funded schools have regular accreditation status, 2 are accredited with deviation, and 1 with a deficiency. A discussion ensued regarding some clarification of Department of Corrections schools and the MSDB deficiencies. Ms. Wing then continued her presentation by highlighting Butte and Missoula. These two districts have improved their status. Ms. Wing then discussed that Library and Counseling continue to be areas where schools are experiencing deficiency statuses. Non-licensed teachers' statistics have continued to improve down to only 19 in 2011-12 but Ms. Wing indicated schools could still improve in that area. Ms. Wing discussed that non-licensed teachers are typically previously licensed in another state, retirees, or teachers who have let their license lapse but are now teaching again. In addition Ms. Wing stated that classroom overload is also a trend that is increasing.

Item 12 PROGRESS REPORT OF THE CHAPTER 55 TASK FORCE – Dennis Parman, OPI

Mr. Parman reported to the Board on the progress to date of the Chapter 55 Task Force. He highlighted meeting “successes” from the most recent meeting February 28-29th in Helena, topics yet to be completed, and topics still to be addressed by the Task Force. A discussion ensued regarding the school counselor section of the Chapter 55, counselor to student ratio, and that guidelines are currently being met, but maybe not at all schools. Ms. Carroll asked a question relating to school hours and that the proposed new standards are for fewer hours, from her interpretation, and asked for clarification. Mr. Parman explained that the process is being driven by the 4-day school week and that formerly standards were for 8100 minutes/year or 6 class periods/day, now standards are for 7200 minutes/year or 5 class periods/day. Ms. Carroll stated that she thinks some schools may offer the “minimum of the minimums”. How will that be monitored? Mr. Parman answered that OPI collects that data and it is enough to monitor what schools are doing. He also stated that schools moving to 4 day school weeks may not actually save as much money as they think. Ms. Carroll expressed concern regarding small schools offering 3 years of math. Mr. Parman noted that decision is up to the schools. Mr. Cordier asked for clarification of high school graduation requirements and can 8th grade students take Algebra I for high school credit and who controls it? Mr. Parman answered that “yes”, they can take it for credit and that it is a local control issue. Mr. Parman stated that the timeline for the Board to take action on the new Chapter 55 Standards would be at the September 2012 meeting with standards becoming effective July 2013.

Item 13 RECOMMEND FORMAT CHANGE FOR ARM 10.53 AND 10.54 CONTENT STANDARDS – Linda Peterson, OPI

Ms. Peterson gave a recommendation to the Board that with the adoption of the Common Core Standards that the content standards be moved to a grade by grade format rather than a periodic format. With the Next Generation Science Standards being worked on and Social Studies Standards coming up next, grade by grade standards will be necessary for all areas. Ms. Myers agreed that this process would be more helpful for teachers. Ms. Williams asked Ms. Peterson if she thought there would be any arguments against it and Ms. Peterson answered that there have really been no arguments other than just the general change of standards itself.

Item 14 REPORT ON CORRECTIVE PLANS SUBMITTED BY SCHOOLS RECEIVING ADVICE OR DEFICIENCY ACCREDITATION STATUS FOR THE 2010-11 SCHOOL YEAR – Terri Wing, OPI

Ms. Wing presented the report on Corrective Plans from schools in Advice or Deficiency status for the 2010-11 school year. Ms. Wing noted this is a new report that has not been presented before but will be something ongoing in the future as well. Schools receiving an Advice or Deficiency status are required to submit corrective plans to the OPI by June 1st. Ms. Wing briefly explained the report to the Board and how to read it. The report shows schools with a corrective plan for the 2010-11 year and if they still are in that status for the 2011-12 year. Ms. Wing noted that 65 districts are listed in the report. There are 59 out of 419 public schools and 6 out of 14 non public schools that have been cited for the same deviation in the past 2 reports. She is trying to refine the process and get to the “worst case scenarios” first and work with those schools. Ms. Wing indicated that she will be visiting each of the schools listed in the report by the May 2012 Board meeting and will update the Board at that time.

LICENSURE COMMITTEE

Item 15 NOTIFICATION OF LICENSE SURRENDER – Ann Gilkey, OPI

Ms. Gilkey presented a license surrender for James Michael Evans who is surrendering his license based on advice from counsel.

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.

No public comment.

Item 16 RECOMMEND APPROVAL OF THE 2011-12 FINAL ACCREDITATION STATUS – ALL SCHOOLS – Terri Wing, OPI

Ms. Wing addressed the Board asking for approval of the 2011-12 Final Accreditation Report presented earlier in Item 11. Ms. Myers asked what would happen if an error was found in the report and Ms. Wing answered that a request would be made before the Board for a revision to the report.

Mr. John Edwards moved to approve the 2011-12 Final Accreditation Status – All Schools; Ms. Erin Williams seconded the motion.

No discussion. Motion passed unanimously.

Item 17 RECCOMENDATION OF ALTERNATIVE TO STANDARDS REQUESTS – Teri Wing

Ms. Wing presented Alternative to Standards Requests from the following schools: Polson High School – Library/Media Services, Swan Valley – Library/Media Services, Quentin Brown Primary School – Counseling, and Pine Creek Elementary – Counseling. Ms. Wing asked the Board for approval of all Alternative to Standards Requests.

Mr. John Edwards moved to approve the Recommendation of Alternative to Standards Requests; Mr. Doug Cordier seconded the motion.

No discussion. Motion approved unanimously.

DISCUSSION

MSDB Liaison

Item 18 MSDB Committee Meeting Report – Mr. Bernie Olson

Ms. Myers gave the MSDB report in the absence of Ms. Taylor and Mr. Olson. Ms. Myers noted that at the last MSDB meeting the committee discussed school enrollment, the open position for the Outreach Director, newly received accreditation of the school, and the disparity between pay of MSDB teachers and Great Falls Public School teachers.

- **RECOMMEND ADOPTION OF THE MSDB 2012-13 ACADEMIC CALENDAR**

Ms. Carroll moved to adopt the MSDB 2012-13 Academic Calendar, Mr. Edwards seconded the motion.

No discussion. Motion passed unanimously.

- **RECOMMEND ADOPTION OF MSDB POLICY 5124 – SIGN LANGUAGE SKILL LEVEL STANDARDS**

Ms. Carroll moved to adopt the MSDB Policy 5124-Sign Language Skill Level Standards, Mr. Cordier seconded the motion.

No discussion. Motion passed unanimously.

- **RECOMMEND ADOPTION OF MSDB POLICY 4410 – COMMUNITY RELATIONS**

Ms. Carroll moved to adopt the MSDB Policy 4410-Community Relations, Mr. Edwards seconded the motion.

No discussion. Motion passed unanimously.

PRELIMINARY AGENDA ITEMS – MAY 10-11, 2012 MEETING

CSPAC Appointments
Student Representative Last Meeting
BASE Aid Payment Schedule – C
Assessment Update
Alternative to Standards Request & Renewals
MACIE Update
Federal Update

*C = Consent Agenda

Meeting Adjourned at 3:48 pm

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