

BOARD OF PUBLIC EDUCATION
MEETING MINUTES

Thursday, March 12, 2020
Montana State Capitol Building, Room 137
Helena, MT

Thursday March 12, 2020
8:30 AM

CALL TO ORDER

Chair Schottle called the meeting to order at 8:30 AM. The Board said the Pledge of Allegiance and Ms. Stockton took Roll Call. Chair Schottle read the Statement of Public Participation and welcomed guests.

Board members present: Dr. Darlene Schottle, Chair; Ms. Tammy Lacey, Vice Chair; Ms. Mary Jo Bremner; Mr. Jesse Barnhart; Ms. Anne Keith; Ms. Madalyn Quinlan. Ex Officio members: Ms. Angela McLean, Office of the Commissioner of Higher Education; Deputy Superintendent Jule Walker, Office of Public Instruction. Staff present: Mr. Pete Donovan, Executive Director; Ms. Kris Stockton, Administrative Assistant. Guests: Mr. Rob Stutz, Assistant Attorney General, Agency Legal Services; Dr. Linda Peterson, OPI; Ms. Patty Muir, OPI; Mr. Nathan Miller, OPI; Ms. Christine Emerson, OPI; Ms. Julie Murgel, OPI; Mr. Paul Furthmyre, Interim Superintendent, MSDB; Ms. Diane Burke, Montana Quality Education Coalition; Mr. Marco Ferro, MFPE; Dr. Kirk Miller, School Administrators of Montana; Mr. Jim Marks, Federation of Blind Education of Montana; Ms. Beth Brenneman, Disability Services of Montana; Ms. Shawn Talc, Bozeman; Mr. Cam Tulloch, Great Falls; .

PUBLIC COMMENT

The following members of the public gave comment:

Mr. Marco Ferro, MFPE spoke on behalf of members at the MSDB regarding the process for the Superintendent selection. Chair Schottle thanked Mr. Ferro for his comments.

Mr. Jim Marks, Federation of the Blind Education of Montana, gave public comment regarding the process for the Superintendent selection. The group requests to have a member on the hiring committee. Chair Schottle thanked Mr. Marks for his comments.

Ms. Beth Brenneman, Attorney, Montana Disability Services, requested a member of deaf community and a member of the blind community be on the hiring panel. Chair Schottle thanked Ms. Brenneman for her comments.

The Chair requested that anyone else commenting on the MSDB hiring process to please hold comments until Item 1.

CONSENT AGENDA

Mr. Jesse Barnhart moved to approve the consent agenda as presented.
Ms. Madalyn Quinlan seconded the motion.

No discussion. Motion passed unanimously.

ADOPT AGENDA

Ms. Mary Jo Bremner moved to adopt the agenda as presented. Ms. Tammy Lacey seconded the motion.

Ms. Lacey extended her appreciation to Ms. Stockton for the work she does organizing the agenda and allowing the Chair and Vice Chair time in advance to preview the items.

No further discussion. Motion passed unanimously.

INFORMATION ITEMS

❖ REPORTS – Dr. Darlene Schottle (Items 1-6)

Item 1 CHAIRPERSON'S REPORT – (ACTION) – 15 Minutes Dr. Darlene Schottle

Chair Schottle began by giving an overview of the MSDB Superintendent hiring process to date for the Board members who have not been involved to this point in the process, and for members of the audience. Board members asked procedural questions,

Ms. Tammy Lacey moved to approve the hiring of Paul Furthmyre as the interim MSDB Superintendent. Ms. Mary Jo Bremner seconded the motion.

Ms. Lacey thanked Mr. Furthmyre for his attendance at the meeting and for volunteering to take over the interim position.

No further discussion. Motion passed unanimously.

Chair Schottle thanked Mr. Furthmyre for his work.

Ms. Tammy Lacey moved to approve the additional salary of \$12,445.47. Motion seconded by Ms. Madalyn Quinlan.

No discussion. Motion passed unanimously.

Chair Schottle asked Mr. Rob Stutz, Attorney for the Board, to discuss the state law surrounding the applicant review process. Mr. Stutz reviewed Administrative Rules of Montana 2.21.3728(3) pertaining to the expectation of an individual's right to privacy. Mr. Stutz also discussed that even during the public hiring segment, the need for the Board to go into Executive Session could arise and that the public would not be privy to and wanted to make sure the Board and the public are aware of this possible issue. Mr. Stutz answered Board member questions regarding the process and possible public involvement in the hiring process.

Chair Schottle called for public comment and requested no more than 3-5 minutes per person.

Ms. Shawn Talc, member of the deaf community in Bozeman, gave public comment expressing her concern with hiring the best person, someone who understands teaching deaf children, and who has the background and leadership skills to handle both the deaf and blind community.

Ms. Beth Brenneman, Staff Attorney for Disability Services, clarified that the deaf and blind community is asking for involvement in the initial screening process.

Item 9 **STUDENT ACHIEVEMENT REPORT/FEDERAL UPDATE – (INFORMATION ONLY) – 15 Minutes**
Julie Murgel

Ms. Julie Murgel gave the Student Achievement Report and Federal Update to the Board. Ms. Murgel discussed the 4 Federal indicators that must be met for academic achievement, which helps determine which schools need the most assistance. Ms. Murgel noted that 24 of the 47 Comprehensive schools have made improvements and are on track to exit the Comprehensive Assistance plan. 800+ schools were recently reviewed and better than 80% of those schools are meeting all the requirements. Some of those schools were previously in the Comprehensive category and have now moved out of that category. Ms. Murgel also discussed College and Career Readiness data that is being collected, such as ACT, SBAC, CTE courses, and attendance.

Item 10 **ANNUAL SCHOOL FOOD SERVICES REPORT – (INFORMATION ONLY)**
Christine Emerson – 15 Minutes

Ms. Christine Emerson presented the 2019 Annual Report for School Nutrition programs. Ms. Emerson reviewed the program and highlighted areas of the report including: School Breakfast Program, Fresh Fruits and Vegetables Program, After School Snack programs, USDA Foods Program, and many other foods programs offered by schools across the state. Ms. Emerson provided additional information for the Board on the waiver the OPI has applied for which will allow additional funding for schools to provide meals in the event schools close due to a Covid-19 outbreak. Ms. Emerson answered Board member questions.

Item 11 **OVERVIEW OF OPI ACTIVITIES FOR MCA 20-7-469, DYSLEXIA— DEFINITION—SCREENING--INTERVENTION – (INFORMATION ONLY) -15 Minutes**
Colet Bartow

Ms. Bartow updated the Board on the progress toward meeting the OPI responsibility for the Dyslexia Screening and Intervention Act, providing definitions, screening, and intervention. The Dyslexia Task Force was formed and met throughout the summer of 2019. The Task Force defined Dyslexia screening, best practices in instruction, and intervention. The OPI has an Introduction to Dyslexia Course available on the Teacher Learning Hub so teachers can learn more about Dyslexia, screening, and intervention of students suspected of having Dyslexia. Ms. Bartow answered Board member questions.

❖ **ACCREDITATION COMMITTEE – Jesse Barnhart (Items 12-17)**

Item 12 **OVERVIEW AND REVIEW OF MONTANA COMPREHENSIVE LITERACY PROJECT (MCLP) GRANT ACTIVITIES AND THE MONTANA COMPREHENSIVE LITERACY STATE DEVELOPMENT PROGRAM (MCLSDP) – (INFORMATION ONLY) – 15 Minutes**
Colet Bartow

Ms. Bartow reviewed the Comprehensive Literacy Project Grant for the Board, highlighting where the program is currently, the schedule for implementation, with possible grant notification in May 2020, and an implementation target date of Fall 2020. Ms. Bartow answered Board member questions. Ms. Bartow reviewed the surveys the OPI collected regarding possible economic impact to districts.

Item 13 **CONTENT STANDARDS REVISION TIMELINE AND OVERVIEW OF ACTIVITIES – (INFORMATION ONLY) – 15 Minutes**
Colet Bartow

Ms. Bartow reviewed the Content Standards Revisions currently underway. Ms. Bartow thanked Mr. Donovan for his involvement in the revisions attending the Negotiated Rulemaking Committee meetings, as well as the staff at OPI for their work. Ms. Bartow reviewed the meeting dates of the different committees, and the statute for Negotiated Rulemaking the OPI must adhere to. Ms. Bartow answered Board member questions.

Item 14 INTENT TO ACCREDIT ST. FRANCIS CATHOLIC SCHOOL – (INFORMATION ONLY) – 15 Minutes

Patty Muir

Ms. Muir provided the timeline for the accreditation process of St. Francis Catholic School in Billings. The school leadership team and OPI Accreditation division have been in constant contact as the school gathers the information needed. OPI intends on a Site Visit soon, and the final step would be the approval of the process, possibly as soon as May.

Item 15 RECOMMEND APPROVAL OF THE 2019-2020 ACCREDITATION STATUS OF ALL SCHOOLS – (ACTION) – 15 Minutes

Patty Muir, Nathan Miller

Ms. Muir presented the embargoed 2019-2020 Accreditation Status of all Schools. Mr. Nathan Miller highlighted a few changes to the report from previous years. Ms. Muir requested the Board approve the report.

Mr. Jesse Barnhart moved to approve the 2019-2020 Accreditation Status of All Schools. Ms. Anne Keith seconded the motion.

No discussion. Motion passed unanimously.

Item 16 RECOMMEND APPROVAL OF THE 2019-2020 REPORT OF SCHOOLS TO EXIT INTENSIVE ASSISTANCE; SCHOOLS TO ENTER INTENSIVE ASSISTANCE; SCHOOLS TO MOVE TO STEP 2 OF INTENSIVE ASSISTANCE; SCHOOLS TO REMAIN IN STEP 2 WITH ONGOING ASSISTANCE OF INTENSIVE ASSISTANCE – (ACTION) - 15 Minutes

Patty Muir

Ms. Muir reviewed the report and how schools are placed into the different categories. Ms. Muir discussed the timeline of how schools move in and out of Intensive Assistance and answered Board member questions, before requesting approval of the Superintendent's recommendations.

Mr. Jesse Barnhart moved to approve Superintendent Arntzen's recommendation to Exit 14 schools from Intensive Assistance. Motion seconded by Ms. Tammy Lacey.

No discussion. Motion passed unanimously.

Mr. Jesse Barnhart moved to approve Superintendent Arntzen's recommendation for 17 schools to Enter Intensive Assistance. Motion seconded by Ms. Madalyn Quinlan.

No discussion. Motion passed unanimously.

Mr. Jesse Barnhart moved to approve Superintendent Arntzen's recommendation for 9 schools to move to Step 2 of Intensive Assistance. Motion seconded by Ms. Madalyn Quinlan.

No discussion. Motion passed unanimously.

Mr. Jesse Barnhart moved to approve Superintendent Arntzen's recommendation for 7 schools currently in Step 2 of Intensive Assistance to remain in Step 2 with ongoing assistance, and for the 7 listed to remain in intensive assistance. Motion seconded by (check motion form)

No discussion. Motion passed unanimously.

**Item 17 DISCUSSION OF ARM 10.55.905, BPE GRADUATION REQUIREMENTS –
(INFORMATION ONLY) – 20 Minutes
Pete Donovan**

Mr. Donovan discussed with the Board the letter that was sent out to schools in March 2019 by the OPI stating that schools could substitute Computer Science courses for Math or Science courses in lieu of graduation requirements. The Board has not approved this change and OPI has since sent out information to schools that Computer Science courses cannot be substituted for math or science graduation requirements. Dr. Linda Peterson, OPI, discussed work the OPI is doing to address Computer Science needs in schools. Dr. Peterson answered questions from the Board.

❖ MACIE LIAISON – Mary Jo Bremner (Item 18)

**Item 18 MACIE REPORT – (INFORMATION ONLY) – 15 Minutes
Jennifer Smith, Julie Murgel**

Ms. Jennifer Smith presented the MACIE Report to the Board. A new MACIE appointment will be presented in May, and MACIE is actively recruiting for the remaining open positions they have on the Council. The 25th Anniversary information of the Class 7 will be presented to the Board in May at the Great Falls meeting. Ms. Smith reviewed the MACIE meeting held the previous day for the Board, specifically more training in Indian Education for All in Teacher Preparation, bringing in statewide and national education professionals to the reservation schools so they can get a picture of what the students are up against, and to highlight some of the good things that are happening in the schools. Ms. Julie Murgel reviewed data on graduation rates and completion rates for American Indian students.

❖ ASSESSMENT COMMITTEE – Anne Keith (Item 19)

**Item 19 ASSESSMENT REPORT – (INFORMATION ONLY) – 15 Minutes
Ashley McGrath**

Ms. Ashley McGrath presented the Assessment Report to the Board highlighting testing windows, interim assessments, Science update, Test Security Update, Test Security Course, Score Reports, and student privacy. Ms. McGrath answered board member questions concerning testing dates and addressed concerns surrounding testing dates and windows. The OPI has 45 sites to observe testing in process. Ms. McGrath answered Board member questions.

❖ LICENSURE COMMITTEE – Tammy Lacey (Items 20-23)

**Item 20 VIRTUAL SITE VISIT OF THE EDUCATOR PREPARATION PROGRAM AT
STONE CHILD COLLEGE NOVEMBER 24-26, 2019 – (INFORMATION ONLY)
– 15 Minutes
Dr. Linda Vrooman Peterson**

Dr. Linda Peterson introduced Dr. Kaydene Drummer from Stone Child College. Dr. Peterson also introduced Dr. Stevie Schmit, Rocky Mountain College, who was on the Accreditation team with Dr. Peterson. Dr. Schmit reviewed the accreditation process pointing out a few highlights from the review including the areas for improvement, areas that met the standards, and areas that met the standards with notation. Dr. Drummer then discussed where the school goes from here, addressing the Areas for Improvement, and growing the program. Dr. Drummer also highlighted the teachers who are currently in the program, and how the program, though small, is continuing to grow.

**Item 21 LEGAL UPDATE – (INFORMATION ONLY) – 15 Minutes
Rob Stutz**

Mr. Stutz gave a brief update to the Board on two items: a claim against the MSDB which named the Board as a defendant received in January. The correct service process in naming the Board was not properly followed, so Mr. Stutz spoke with Risk Management and determined that the claim is really

against the state, not the BPE and MSDB. Risk Management reached out to the plaintiff with the request and Ms. Kirsten Madsen, the attorney for MSDB, will represent the state in this matter. Additionally, Mr. Stutz updated the Board on the Oelkers case.

Item 22 NOTICE OF SURRENDER OF BPE CASE #2019-11 – (INFORMATION ONLY)

-10 Minutes

Julia Swingley

Ms. Swingley presented the surrender to the Board.

Item 23 NOTICE OF SURRENDER OF BPE CASE #2019-17 – (INFORMATION ONLY)

- 10 Minutes

Julia Swingley

Ms. Swingley presented the surrender to the Board.

FUTURE AGENDA ITEMS May 7-8, 2020, Great Falls

CSPAC Appointments

Student Representative Last Meeting & Recognition

Approve K-12 Schools Payment Schedule

Assessment Update

Accreditation Report

Variance to Standards Requests & Renewals

Federal Update

MACIE Update

Approve MSDB School Calendar

Executive Director Performance Evaluation

PUBLIC COMMENT

No public comment was made.

ADJOURN

The meeting adjourned at 3:31 PM.

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Agenda items are handled in the order listed on the approved agenda. Items may be rearranged unless listed "time certain". Action may be taken by the Board on any item listed on the agenda. Public comment is welcome on all items but time limits on public comment may be set at the Chair's discretion.

The Board of Public Education will make reasonable accommodations for known disabilities that may interfere with an individual's ability to participate in the meeting. Individuals who require such accommodations should make requests to the Board of Public Education as soon as possible prior to the meeting start date. You may write to: Kris Stockton, PO Box 200601, Helena MT, 59620, email at: kmstockton@mt.gov or phone at 444-0302.