Community Choice Schools Commission Meeting Minutes

January 23, 2024 Montana State Capitol Building Room 102

Call to Order - 10:00:29

Chair Schreiber called the meeting to order at 10:00 AM. The Chair led the Commission in the Pledge of Allegiance, Ms. Kris Stockton took Roll Call, and the Chair read the Statement of Public Participation and welcomed guests.

<u>Commission members present:</u> Trish Schreiber, Chair; Katy Wright, Vice Chair; Jon Rutt, Treasurer; Cathy Kincheloe; Dr. Katey Franklin; Mark Hufstetler; Dee Brown-excused. Board of Public Education (BPE) staff present: McCall Flynn, Executive Director; Kris Stockton, Administrative Specialist.

<u>Presenters:</u> Mr. Don Harris, Chief Legal Counsel, Department of Administration; Dr. Lisa Grover, Senior Director of State Advocacy, National Alliance of Charter Schools; Dr. Jim Goenner, National Charter School Institute; Dr. Ashley Rogers Berner, Johns Hopkins Institute for Education Policy.

<u>Guests:</u> Online: Mr. Chip Lindenlaub; Dr. Tim Tharp, Chair, BPE; Representative Sue Vinton; Cheryl Tusken; Ben Lindquist. In room: Jane Hamman, BPE; Jenny Murnane Butcher, Montanans Organized for Education; Pad McCracken, Legislative Analyst, Legislative Services Division; Robin Mohs; Susie Hedalen, Vice Chair, BPE; Leslie Heiner, Ed Choice; Georgia Fryer.

Item 1 Approve Consent Agenda – 10:04:45

Member Rutt moved to approve the Consent Agenda as presented. Motion seconded by Member Wright.

No discussion. Motion passed unanimously.

Approve Agenda – 10:05:39

Vice Chair Wright moved to adopt the agenda as presented. Motion seconded by Member Rutt.

No discussion. Motion passed unanimously.

Item 2 Chairperson Welcome Statement – 10:06:22

Chair Schreiber thanked Commission members for their work on the Commission and recognized Dr. Martin Luther King Jr. by reading a passage written by Dr. King regarding the importance of education. Chair Schreiber noted that it is also National School Choice Week.

Item 3 Discussion/Presentation: Don Harris, Chief Legal Counsel, Department of Administration; Rulemaking – 10:09:41

Mr. Don Harris gave an overview of the Administrative Rulemaking process by reviewing the intent of and timeframes for rulemaking. Mr. Harris discussed what is contained in the proposal notice, the adoption notice, and the timelines pertaining to the Administrative Rulemaking process before answering Commission member questions.

Item 4a Discussion/Presentation: Lisa Grover, Ph.D., Senior Director of State Advocacy, National Alliance of Public Charter Schools; Measuring Up to the Model – 11:01:37

Chair Schreiber introduced Dr. Lisa Grover by reviewing her advocacy work surrounding public charter schools and her work for the National Alliance of Public Charter Schools. Dr. Grover examined work the Alliance does on behalf of charter schools and states, and her experience opening a charter school in New Mexico and creating the New Mexico Public Charter School Association. Dr. Grover discussed the growing public charter school movement as parents push for more school choice, the percentages of charter schools in rural settings vs. urban settings, a history of the charter school movement, the definition of charter schools, a comparison of public schools and charter schools, and successes of charter schools across the country. Dr. Grover discussed how the governance structure of charter schools differs from that of traditional public schools by allowing parents, stakeholders, and community members to start a school and have input as to how the school is run from the "bottom up." This differs from the traditional publicschool model of an elected school board governing the school and making decisions under the direction of the state education department who sets regulations. Dr. Grover then reviewed the Community Choice Schools Act in Montana and compared it to the Model Charter School law, stating that the Community Choice Schools Act is strong and compares well to the model law. Representative Sue Vinton, who carried HB 562, discussed the differences between HB 549 Public Charter Schools and HB 562 Community Choice Schools, which both passed during the 2023 Legislative Session. Dr. Grover discussed components that predict the success of charter schools, before discussing how charter schools handle special education, athletics, and licensed vs. unlicensed teachers. Dr. Grover added that the funding could be improved over time, specifically for transportation and facilities. Dr. Grover concluded her presentation by answering Commission member questions.

Item 4b Discussion: Jim Goenner, National Charter School Institute; Implementation – 12:06:50

Dr. Jim Goenner gave a presentation on the duties of the commission as a charter school authorizer as well as an authorizer of other authorizers. . Dr. Goenner reviewed his presentation from the November 2023 Commission meeting. He went on to discuss what schools want from an authorizer, how it pertains to the Community Choice Schools Act as passed in Montana, and the responsibilities contained in the law for the Commission to carry out.. Dr. Goenner answered member questions..

Item 5 Discussion/Presentation: Dr. Ashley Rogers Berner, Johns Hopkins Institute for Education Policy: Education Pluralism in America – 13:11:26

Chair Schreiber introduced Dr. Ashley Rogers Berner and reviewed her educational and professional background where she is a professor at Johns Hopkins University School of Education, her work in the Johns Hopkins Institute for Public Policy, and her work as an author. Dr. Berner began her presentation to the Commission discussing educational pluralism as a way to restructure the education system. Dr. Berner discussed how other countries design their education systems using an educational pluralism structure in which the government funds and regulates the education system but is not the sole operator of the schools. This differs from the

traditional United States educational system which uses an education uniformity system, meaning that the government funds, regulates, and operates all the public schools. Dr. Berner discussed that historically the United States had an educational pluralism structure, but that system developed into the education uniformity system which has been in place for the past 100+ years. Dr. Berner discussed the events that led to this systemic change, the consequences of this system, and how pluralism handles education differently. Dr. Berner discussed how educational pluralism recognizes different ethos in schools and funds the schools accordingly, helps all families find the best education for their children, recognizes that the state, family, and civil society are all important for democracy, that pluralism can bring positive benefits to the next generation, and more. Dr. Berner reviewed the current education system in the United States and noted that each state governs its own system. She noted that historical underachievement is still an issue for the United States as a whole and gave examples of how some states and school districts have implemented changes to their public educational curriculum to ensure that students have high quality curriculum and are sufficiently prepared for post-secondary education or the workforce. Members discussed their experiences in educational settings with different curriculum, how educational pluralism could work in the Montana, and how some states or schools have incorporated types of pluralistic change through school choice measures. Dr. Berner engaged in questions from the Commission and guests

Item 6

Action: Formation of Subcommittees – Shall the Commission form any committees at this time other than the standing Executive Committee? – 15:06:52

Member Rutt moved to form a Fundraising Special Committee to commence immediately and to continue until 12/31/24 that will develop, manage, and carry out a fundraising campaign to acquire donations for the operations of the Choice Commission. Motion seconded by Vice Chair Wright.

Chair Schreiber made comments on the work that the fundraising committee will need to do and for any members to let her know if they are interested. Chair Schreiber stated that subcommittees will be made up of three people.

No further discussion. Motion passed unanimously.

Vice Chair Wright moved to form a Rulemaking Special Committee to commence immediately and to continue until 12/31/2024 that will guide the process of creating a framework for rulemaking, including identifying what parts of the law need rules or clarification, prioritizing the sequence of work, setting a schedule for the framework and the rulemaking process, and ultimately, recommending rules to the committee as a whole. Motion seconded by Chair Schreiber.

Vice Chair Wright noted she would like to add to the motion to define membership on the committee.

Chair Schreiber noted that the motion could be amended to include that language.

Vice Chair Wright noted she would amend the motion.

Vice Chair Wright amended the motion: I move to form a Rulemaking Special Committee to commence immediately and to continue until 12/31/2024 that will guide the process of creating a framework for rulemaking, including identifying what parts of the law need rules or clarification, prioritizing the sequence of work, setting a schedule for the framework and the rulemaking process, integrating a public steering committee, and ultimately, recommending rules to the committee as a whole. Motion seconded by Member Kincheloe.

Chair Schreiber restated the amended motion.

No discussion on the amended motion.

Chair Schreiber restated the amended motion once more.

No further discussion. Amendment passed unanimously.

Chair Schreiber read the full motion.

No discussion. Motion passed unanimously.

Member Kincheloe moved that the Choice Commission send the Donation Intake Process Form as presented in the agenda packet to the Board of Public Education to request an agreed upon communication process regarding donations intended for the Community Choice Schools Commission and processed by the BPE staff. Motion seconded by Member Rutt.

Comment from Executive Director McCall Flynn that the Board staff has already reviewed the form and proposed communication process and sees no issue with moving forward.

Chair Schreiber thanked the Executive Committee and the BPE for sharing their internal documents.

No further discussion. Motion passed unanimously.

Item 7 Future Agenda Items – 15:19:12

Chair Schreiber noted the February meeting will be virtual and no meeting is scheduled in March. The Chair asked for suggestions for speakers for the April meeting and suggested topics included: an update on the litigation, a presentation from high performing authorizing organizations, a presentation from Dr. Plucker from Johns Hopkins University on accountability, and a look at examples from other states for Charter School applications from which the Commission might be able to get ideas. The Chair noted that future meetings beyond April will be determined at a later time.

Public Comment

Representative Sue Vinton thanked the members of the Commission and the presenters for their contributions to the meeting today.

Dr. Tim Tharp, Chair, BPE, commended the Chair on the meeting today and noted how impressed he is with the work the Commission is doing on the front end, and that the Board is paying attention and taking examples from the information for the Public Charter School program.

Chair Schreiber thanked members and guests for their time and participation and noted a change to the evaluation form.

Adjourn

The meeting adjourned at 3:28 PM.