

**Board of Public Education Meeting
Zoom Meeting
Helena, MT**

January 29, 2021

BOARD OF PUBLIC EDUCATION

AGENDA

BOARD OF PUBLIC EDUCATION
MEETING AGENDA

Friday, January 29th, 2021
8:30 AM
Zoom Meeting

Join Zoom Meeting

<https://mt.gov.zoom.us/j/96306230181?pwd=dXJiOXBpcWFPZkRkNkVycXFXZVhkUT09>

Meeting ID: 963 0623 0181
Password: 088051

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Meeting ID: 963 0623 0181
Password: 088051

Friday, January 29, 2021
8:30 AM

CALL TO ORDER

- A. Pledge of Allegiance
- B. Roll Call
- C. Statement of Public Participation
- D. Welcome Visitors

PUBLIC COMMENT

ADOPT AGENDA

ACTION ITEM

❖ **ASSESSMENT COMMITTEE – Anne Keith (Items 1-2)**

Item 1 **APPROVE BPE LETTER OF SUPPORT TO OPI REQUEST FOR A FEDERAL ASSESSMENT WAIVER**
Anne Keith

PUBLIC COMMENT

ADJOURN

The Montana Board of Public Education is a Renewal Unit Provider. Attending a Board of Public Education Meeting may qualify you to receive renewal units. One hour of contact time = 1 renewal unit up to 8 renewal units per day. Please complete the necessary information on the sign-in sheet if you are applying for renewal units.

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.

CALL TO ORDER

- A. Pledge of Allegiance**
- B. Roll Call**
- C. Statement of Public Participation**
- D. Welcome Visitors**

ACTION

❖ **ASSESSMENT COMMITTEE – (Item 1)**

Anne Keith

APPROVE BPE LETTER OF SUPPORT TO
OPI REQUEST FOR A FEDERAL
ASSESSMENT WAIVER

Anne Keith



Board of Public Education

BOARD MEMBERS

January 29, 2021

APPOINTED MEMBERS:

Darlene Schottle-Chair
Bigfork

Tammy Lacey-Vice Chair
Great Falls

Madalyn Quinlan
Helena

Sharon Carroll
Ekalaka

Mary Jo Bremner
Browning

Anne Keith
Bozeman

Jeremiah Lynch
Missoula

Paige Lepard, Student Rep.
Great Falls

EX OFFICIO MEMBERS:

Clayton Christian
Commissioner of
Higher Education

Elsie Arntzen,
Superintendent of
Public Instruction

Greg Gianforte, Governor

EXECUTIVE DIRECTOR:

McCall Flynn

Office of Elementary and Secondary Education
c/o Frank Brogan, Assistant Secretary
400 Maryland Ave., SW
Washington, DC 20202

Dear Assistant Secretary Brogan,

The Montana Board of Public Education supports and encourages the Montana Office of Public Instruction's pursuit of seeking maximum flexibility and options under the Elementary and Secondary Education Act (ESEA) reauthorized as the Every Student Succeeds Act (ESSA) with the intent to receive a second one-year waiver under Section 8401 of ESSA for provisions specific to the 2020-2021 state assessment and the accountability system.

The Board of Public Education recognizes that the primary purpose of assessment is to serve learning. A balanced assessment system provides an integrated approach to meeting both classroom learning needs and school and state level information needs—one that continuously improves teaching and learning and informs education policy. Unfortunately, due to the COVID-19 pandemic, serving the basic needs of our students has been challenging and requiring our schools to implement statewide testing is not the best way to measure student success at this time. We believe that the health, safety, and well-being of our communities should be the focus of our efforts for as long as the COVID-19 pandemic continues to impact teaching and learning in our schools. While we recognize the importance of accountability to direct federal funds that support our schools, we know that the continuing effects of the pandemic make it critical to grant these waivers for the 2020-2021 school year.

We appreciate your consideration in granting the Montana Office of Public Instruction a second one-year assessment waiver and recognizing the value this flexibility would provide to our schools, educators, families, and students.

Sincerely,

A handwritten signature in cursive script that reads "Darlene Schottle, Ed.D.".

Darlene Schottle, Chair
cc: Superintendent Elsie Arntzen, Office of Public Instruction



January 8, 2021

The Honorable Betsy DeVos
U.S. Secretary of Education
U.S. Department of Education 400 Maryland Avenue, SW Washington, D.C. 20202

Dear Madam Secretary:

The Montana Office of Public Instruction (OPI) is requesting the maximum flexibility and options under the Elementary and Secondary Education Act (ESEA) reauthorized as the Every Student Succeeds Act (ESSA) that can be afforded to our State given the continual challenges for our children, families, and schools due to the unpredictable coronavirus (COVID-19) pandemic. I am writing with the intent to submit a second one-year waiver under Section 8401 of ESSA for provisions specific to state assessment and the accountability system and requesting flexibility to amend the ESSA State Plan in the future to address these impacted ESSA requirements. I recognize that the initial response from your department, is “students need to test”. However, I feel duty-bound to convey the needs of our schools today. It is not getting easier, it is getting more challenging for students and their teachers. To quote a local superintendent, “our teachers are working double-time and they are exhausted.” A test, at this time, is not where our efforts need to be deployed. We are focusing our efforts and energies on serving the basic needs of our schools. We cannot predict school closures. We have communities that are completely locked down due to COVID-19. We have gatherings in most communities limited to 20 students or less. We have the mental well-being of our children challenged. For these and many more reasons, we are asking you to provide the universal waiver option to Montana ASAP. This puts the control back to the States versus the federal government. I know you are an advocate of state control over their public education.

As the COVID-19 pandemic continues to paralyze school systems, I implore you to approve the flexibilities under Section 8401 of ESSA to waive the below requirements so we can focus on our primary mission, serving Montana students first, in a manner that considers their safety, well-being and uses common sense.

Sections 1111(b)(2)(B) and Sections 1111(b)(2)(B)(vii)(I) which require the participation of all students in all public elementary and secondary schools in the State.

Sections 1111(b)(2)(B)(v)(I) which require the annual administration of assessments in mathematics and reading/language arts in defined grade levels. In the case of our State, we have selected the following assessments to fulfill this requirement—

- **Smarter Balanced** is the general math and reading/language arts assessment for academic achievement reporting in Grades 3–8.
- **ACT with Writing** is the general math and reading/language arts for academic achievement reporting in Grade 11.
- **Multi-State Alternate Assessment** is the alternate math and reading/language arts assessment for academic achievement reporting in Grades 3–8 and 11 for students with significant cognitive disabilities.

<p>Sections 1111(b)(2)(B)(v)(II) which require the annual administration of assessments in science in defined grade-bands. In the case of our State, we have selected the following assessments to fulfill this requirement—</p> <ul style="list-style-type: none"> • Montana Science Assessment is the general science assessment for academic achievement reporting in Grades 5 and 8. • ACT with Writing is the general science assessment for academic achievement reporting in Grade 11. • Alternate Montana Science Assessment is the alternate science assessment for academic achievement reporting in Grades 5, 8, and 11 for students with significant cognitive disabilities.
<p>Sections 1111(b)(2)(B)(x) and (xii) and 1111(h)(l)(C)(ii) and (2)(C) which require the State and local educational agencies to provide individual student reports to parents, teachers, and principals and to include the results of assessments on State and local report cards.</p>
<p>Section 1111(c)(4)(A) which require reporting on long-term goals including interim measures of progress toward meeting the State goals.</p>
<p>Section 1111(c)(4)(C) which require annual meaningful differentiation of all public schools using valid and reliable indicators.</p>
<p>Section 1111(c)(4)(D) which require the annual differentiation of schools and identification of schools for support at least once every three school years.</p>
<p>Section 1111(c)(4)(E) which require annually measuring the achievement of not less than 95 percent of all students, and 95 percent of all students in each subgroup of students, who are enrolled in public schools.</p>
<p>Section 1111(d)(3)(A) which require continued support for schools and local education agencies to improve student academic achievement and school success in the State through (i) established statewide exit criteria for (I) schools identified by the State for comprehensive support and improvement under subsection (c)(4)(D)(i), which, if not satisfied within three years, shall result in more rigorous State-determined action; and (II) schools described in paragraph (2)(C), which, if not satisfied within three years, shall, in the case of such schools receiving assistance under this part, result in identification of the school by the State for comprehensive support and improvement under subsection (c)(4)(D)(i)(III).</p>
<p>Section 1111(h)(1)(A) which require a State to prepare and disseminate widely to the public an annual State report card for the State as a whole that meets specified requirements.</p>

The purpose of our Montana assessments and accountability system is to provide valid and reliable, consistent, relevant measures of student academic achievement. I recognize testing is an important component of school accountability under ESSA to ensure our public schools provide all children significant opportunity to receive a fair, equitable, and high-quality education. However, during this pandemic nightmare, it is not the most important element of student success.

We continue to pursue options with our test delivery contractors and consortia, including extending testing windows, shortening tests, but further testing delays does not address the essence of this request. This is not the time to be testing our students and adding the burden on school systems that are already at breaking point.

Testing window extensions are not viable options given the impact this pandemic is likely to have within this spring end-of-year timeline; upholding the requirements for student achievement under accountability will most likely not

provide us with a valid and reliable picture of what our students know and can do as their school experience will be shadowed by this pandemic.

Thus, we need to be accountable to our students and seek the maximum waiver authority under Section 8401 of ESSA. For the 2019–20 school year, we seek the maximum flexibility under ESSA to:

- Ensure local education agencies receive full funding for the school year;
- Provide flexibility to the State under Section 1111(c)(4)(E) as it pertains to annual assessments under (b)(2)(B)(v)(I);
- Provide flexibility to the State under Section 1111(c)(4) for the accountability system as our process hinges on the completion and quality of the measures under (b)(2)(B)(v)(I);
- Hold local education agencies harmless under these assessment and accountability requirements and pause determinations using the 2018-2019 data; and,
- Provide flexibility to the State to amend its ESSA State Plan to address these impacted ESSA requirements.

We cannot reasonably provide the standardized conditions under which all public schools and students are expected to test to ensure meaningful differentiation or reporting to families. Today, we know the impacts of COVID-19 are more long-term than short-term, so the only thing we can do now is focus on the learning opportunities for our children rather than the testing regulations. I ask you Madam Secretary to take unprecedented measures to put the needs of our students and schools first.

Please feel free to contact me by phone or email if you have any questions regarding this request. We appreciate your consideration in providing meaningful assessments to our Montana students, upholding the focus on equity and local control as established through ESSA, and recognizing the value this flexibility would provide to schools, educators, families, and students.

Respectfully,

A handwritten signature in black ink that reads "Elsie Arntzen". The signature is written in a cursive, flowing style.

Elsie Arntzen
Montana Superintendent of Public Instruction

cc: Greg Gianforte, Governor
Dr. Darlene Schottle, Board of Public Education Chair
Steve Daines, U.S. Senator
Jon Tester, U.S. Senator
Matt Rosendale, U.S. Representative
Mark Blasdel, Montana Senate President
Wylie Galt, Montana Speaker of the House
Dan Salomon, Chair Montana Senate Education Committee
Seth Berglee, Chair Montana House Education Committee