

**BOARD OF PUBLIC EDUCATION**  
**MEETING MINUTES**

**January 15 & 16, 2004**

**Higher Education Complex  
Conference Room 102 A & B  
2500 Broadway  
Helena, MT 59620**

Chairperson Miller called the meeting to order at 9:10 a.m. on Thursday, January 15, 2004 and thanked the people who attended the Meet the Board Reception, in conjunction with the regularly scheduled board meeting.

Board members present were: Kirk Miller, Chairperson; Diane Fladmo, Vice Chairperson; Storrs Bishop, Joyce Silverthorne, Randy Morris, John Fuller, Erik Engellant, and Patty Myers. Ex-Officio member present was Superintendent Linda McCulloch. Governor Judy Martz and Commissioner Sheila Stearns were absent. Staff members present included Steve Meloy, Executive Secretary, BPE; Peter Donovan, Administrative Officer, CSPAC; Suzan Hopkins, Administrative Assistant, BPE, and Jennifer Marsicano, Administrative Assistant, CSPAC. Those in attendance included: Spencer Sartorius, OPI; Eric Feaver, MEA-MFT; Darrell Rud, SAM; Kris Goss, Governor's Office; Connie Erickson, Legal Services Division; Rick Chiotti, OPI; Nancy Coopersmith, OPI; Maxine Mougeot, OPI; Bud Williams, OPI; Margaret Bowles, OPI; Cathy Warhank, OPI; Al McMilin, OPI; BJ Granbery, OPI; Karen Richem, OPI; Bob Vogel, MTSBA; Steve Gettel, MSDB; Alan Sipes, Columbus Schools, and David Scrimm, ALS-DOJ.

**CALL TO ORDER**

Ms. Myers led the board members in the pledge of allegiance. Dr. Miller read the Statement of Public Participation.

**MOTION: Ms. Fladmo moved to adopt the agenda as presented. Ms. Myers seconded the motion and the motion unanimously carried.**

**PUBLIC COMMENT**

There was no public comment at this time.

**CONSENT AGENDA**

Mr. Bishop stated that the budget is in excellent order with 42% elapsed time. There were no questions of Mr. Bishop regarding the financials or the minutes from the November 2003 board meeting.

**MOTION: Mr. Bishop moved to adopt the consent agenda as presented. Ms. Silverthorne seconded the motion and the motion unanimously carried.**

**ITEM 1 CHAIRPERSON'S REPORT**

Dr. Miller reported his activities that have transpired since the last meeting. They included:

- Met with Governor Martz to discuss progress of the BPE and the Renewal Commission.
- Met with Lt. Governor Ohs and Steve Szenick when they were in Havre; planning for the November 24 Renewal Commission Meeting.

- Attended via METNET the MontCAS II Assessment teleconference.
- Attended the sixth meeting of the School Renewal Commission.
- Sent correspondence to Diane Fladmo and John Fuller regarding their appointment to the Regents Economic Road Map Project.
- Will be providing testimony, along with Joyce Silverthorne, regarding the MQEC lawsuit.

### **Board Member Appearances**

#### **Patty Myers**

11/16/03 Thanksgiving Dinner-MSDB  
 11/19/03 Montana Commission on Teaching-Helena  
 12/02/03 P-20 Committee (via telephone call)  
 12/04/03 PEPPS-Helena  
 12/18/03 Christmas Program-MSDB  
 01/09/04 E-Learning Committee-Helena  
 01/14/04 P-20 Committee-Helena

### **ITEM 2 EXECUTIVE SECRETARY'S REPORT**

Steve Meloy presented the following projects that the board is involved in:

- ✓ CSPAC Assessment Study Group
- ✓ BOE sub-committee work
- ✓ E-Learning work of the BPE
- ✓ Pilot (Praxis II) testing task force
- ✓ Special Purpose Schools Task Force
- ✓ PEPPS Review Advisory Panel
- ✓ Counselorship Initiative
- ✓ SAELP phase II
- ✓ Leadership Initiatives
- ✓ BPE Five-Year Plan
- ✓ BPE Communications Plan
- ✓ Writing Assessment Consortia Project

Mr. Meloy also highlighted some of the activities that he has been involved with since the last meeting which included the following:

- ✓ Initiated discussion regarding teacher fees and CSPAC budget
- ✓ Attended Governor Martz's press conference on the release of 50 million federal dollars
- ✓ Attended November 25 Ed Forum
- ✓ Attended meeting of the P-20 Committee

Mr. Meloy reported that the major projects of the board continue to be working with the Renewal Commission, committee work for the BPE and the BOE, and our public relations initiative.

### **ITEM 3 CSPAC REPORT**

Peter Donovan introduced the new CSPAC Administrative Assistant, Jennifer Marsicano. She joined the Board of Public Education on January 12, 2004.

He mentioned that the joint meeting with the Board of Public Education would be held on March 11, 2004 in Helena.

Mr. Donovan reported on his attendance at the Western States Certification Conference, held in Arizona. He stated the American Board for Certification of Teacher Excellence (ABCTE) was awarded \$10 million and were planning on developing a test for teachers. Recently, they have received an additional \$35 million, for a total of \$45 million. Anyone with a bachelor's degree can take the exam; it is a five hour, computer-based test. The ABCTE has a goal to have 25 states adopt this test within the next year. To date, only two states have adopted it.

#### **ITEM 4 STATE SUPERINTENDENT'S REPORT**

Linda McCulloch introduced the new Deputy Superintendent, Bud Williams. He was formerly Superintendent of Kalispell Schools. She also thanked Spencer Sartorius for his performance as Interim Deputy Superintendent.

Other items highlighted in the Superintendent's report included, but were not limited to the following:

- Chaired November 3<sup>rd</sup> meeting of the School Renewal Commission
- Yellow School Bus Tour-December 2, 2003 to Bozeman Public Schools
- Developed theme for the 2004 Reading Summit
- Welcomed a group of Russian leaders visiting Montana as part of The Center for Russian Leadership's Open World 2003 Program
- Attended Board of Regent's meeting in Bozeman
- Met with the Kind Acts Foundation
- Taped a program on MTN-TV on Montana's response to the No Child Left Behind Act
- Participated in the monthly meeting of Ed Forum

#### **ITEM 5 COMMISSIONER OF HIGHER EDUCATION REPORT**

Commissioner Sheila Stearns was in attendance at the Board of Regents meeting, held at the same time as the BPE meeting, so subsequently, there was no report from the Commissioner's office.

#### **ITEM 6 GOVERNOR'S OFFICE REPORT**

Lieutenant Governor Karl Ohs had a prior commitment, so Kris Goss presented the Governor's Office report. The first item Mr. Goss referenced was the distribution of federal money; \$1.7 million to technology fund (computers, computer servers and technical training), Reading First was awarded \$450,000, Indian Education for All Act was awarded \$50,000 for curriculum initiatives as well as materials, \$250,000 for vocational career and technical education, \$50,000 for technical assistance with NCLB, \$25,000 to Public School Renewal Commission. The Montana School for the Deaf and Blind received \$125,000 for vacancy savings.

Mr. Goss reported on the progress of the School Renewal Commission; focusing on the outcome of the most recent meeting, held on January 12, 2004. One of the primary topics of discussion was the definition of quality education as outlined in the Constitution. It was decided to utilize a matrix that examines each of the studies that have been done on the definition of quality education and attempt to blend the commonalities that exist within those studies. A productive dialogue was also held on the value of all-day kindergarten, as well as summer and after school programs. Cost figures were requested and will be available for the February 23, 2004 meeting. Efficient and effective structure, along with consolidation barriers were also discussed at length. Working groups were established to research these topics and report at the next meeting.

Mr. Goss presented Joyce Silverthorne with a citation from the Governor for her dedication to the children of Montana. Ms. Silverthorne's term on the board expires on February 1, 2004.

#### **ITEM 7 STUDENT REPRESENTATIVE REPORT**

Erik Engellant reported to the board that he had attended the last School Renewal Commission meeting, which was held on January 12, 2004. He also presented a summary of the (32 question) student survey results on education issues in the schools of Montana.

Some of the future plans Mr. Engellant has is to visit some of the schools in Joplin and Chester to ask the students their feelings about consolidation issues. He also plans to implement his survey on the internet in order to make it more accessible to the students and efficient with regards to garnering results.

## **ITEM 8 UPDATE ON FIVE-YEAR PLAN**

Diane Fladmo, Vice Chair of the Executive Committee, turned this report over to Mr. Meloy, who gave an update of the draft addendum to the goals that were devised as a result of the Board of Public Education's Planning Retreat, held in July 2003. The addendum addressed the accomplishments that have been made toward reaching these goals. It was called to Mr. Meloy's attention that the draft document failed to reference Indian Education for All and diversifying workforce, which was addressed in Goal #4. Mr. Meloy apologized for this oversight and advised that it will be corrected.

## **ITEM 9 UPDATE ON COMMITTEE ACTIONS**

Steve Meloy gave an update on the activities of the committees of the Board of Education (P-20, Indian Education for All, Budget, and Policy and Evaluation) and the committees of the Board of Public Education (Executive, E-Learning, Certification, MSDB, Finance, Legislative, Government Affairs, and Advisory Group Liaisons).

The Executive Committee was instrumental in making a determination that the Steve Gettel, Superintendent, MSDB should be on the same timeline as other superintendents in the state. Subsequently, this change will allow the board to renew the Executive Secretary and the Superintendent of MSDB's contracts on a yearly basis while allowing them two years advance notice if the board should choose not to renew their contracts.

The Accreditation Committee is actively involved with the Special Purpose Schools Task Force to review accreditation standards for schools that do not fall under the majority of public schools in place currently.

The Certification Committee is involved with the PEPPS review of Chapter 58 and the Praxis II.

The work of the MSDB Committee is referred to on a regular basis at all of the board meetings.

The Finance Committee is mainly involved with the School Renewal Commission, the board and CSPAC's budgets and the Unified Budget.

The Legislative Committee is working with Connie Erickson on a regular basis to see what our budget requests will look like.

Government Affairs is working on schedules to visit with corporations to generate revenue for the Communications Plan.

With regards to the Advisory Group Liaisons, it was established that the board will meet jointly with CSPAC every March and every fall with MACIE.

## **ITEM 10 MONTANA YOUTH RISK BEHAVIOR SURVEY REPORT**

Rick Chiotti, Administrator, Health Enhancement and Safety Division, OPI; presented a report on the 2003 Montana Youth Risk Behavior Survey's methodology, surveyed populations, and survey findings. The report also provided information on accessing the accumulated data reports from multiple YRBS data sets (1993 through 2003).

## **ITEM 11 TRANSPORTATION REPORT**

Maxine Mougeot, State Director/Fiscal Officer, presented information regarding the new accounting and data management program, the transportation web site, cost saving, statistics spreadsheet, Carpenter bus concerns, and school bus driver training. She also included information concerning the 2005 National Standards Committee and a special committee to rewrite language for activity trips.

## **ITEM 12 E-LEARNING COMMITTEE REPORT**

Joyce Silverthorne presented to the board a list of school districts that utilize distance learning as the primary source of classroom instruction, as well as a letter which was distributed to these schools requesting additional specific information regarding their distance learning

classes.

Also distributed during this report were the most recent minutes of the E-Learning Committee meeting which transpired on January 9, 2004.

A current timeline regarding the proposed distance learning rule was disseminated to the board members, along with amendments to this rule.

**MOTION: Ms. Myers moved to authorize the publication of amendments to 10.55.907 (Distant Learning Rule) in a notice and the publication of the adoption notice if there are no negative amendments. The motion was seconded by Ms. Silverthorne and unanimously carried.**

### **ITEM 13 ASSESSMENT STUDY GROUP UPDATE**

Diane Fladmo presented a document summarizing the results gathered by the "Future of the NRT" Survey.

Some of the results garnered from this analysis are listed below:

- ❖ Of the responding school systems, use of the Iowa Test for off grades ranges from a low of 5.2% in grade twelve and a high of 61.4% in grade three.
- ❖ Of the responding systems, use of the Stanford Test for off grades ranges from a low in grades 9-12 of 1.3% and a high of 5.9% in grades 2-5.
- ❖ Of the responding systems, use of the NWEA Tests for off grades ranges from a low of 1.3% in grades 12 and a high of 13.7% in grades 3-7.
- ❖ Of the school systems that responded to the survey, the NRT data have been useful for 108 systems (71%).

***\*\* THE BOARD OF PUBLIC EDUCATION RECESSED AT 2:00 P.M. ON THURSDAY, JANUARY 15, 2004 TO CONVENE WITH THE BOARD OF REGENTS AS THE BOARD OF EDUCATION\*\****

### **PUBLIC COMMENT**

There was no public comment at this time.

### **ITEM 14 ONLINE TEACHER CERTIFICATION RENEWAL PROCESS**

Margaret Bowles, Educator Licensure Program Manager, OPI presented an overview of the online renewal process, which has been operational since early October. The overview also addressed the verification process that has been implemented.

### **ITEM 15 EMERGENCY AUTHORIZATION FOR EMPLOYMENT REPORT**

Margaret Bowles, Educator Licensure Program Manager, OPI provided information on the emergency authorization for employment requests, which is pursuant to the Montana Code Annotated 20-4-111. The Superintendent of Public Instruction may approve, under specific circumstances, requests for emergency authorization of employment of a non-certified person in a teaching position.

### **ITEM 16 NO CHILD LEFT BEHIND UPDATE**

Nancy Coopersmith, Assistant Superintendent, OPI, BJGranbery, Division Administrator, Educational Opportunity and Equity, OPI and Al McMilin, Accreditation Specialist, OPI, presented an update on the progress of NCLB, which included the following highlights:

1. The process used to determine Adequate Yearly Progress for schools with small enrollments

2. New regulations concerning alternate assessments for children with disabilities
3. Future visits from the U.S. Department of Education staff-first week in March, will visit some rural schools, also will visit (on-site) seven states, for Title 1 Monitoring, of which Montana was one selected.
4. Future activities and events concerning NCLB.

### **ITEM 17 MACIE UPDATE**

Lori Falcon, Indian Education Specialist, OPI, presented information relating to such topics as:

- Overview of the December 5, 2003 MACIE meeting,
- Establishment of four new MACIE committees:
  - ◆ ***Dropout Prevention Committee***
  - ◆ ***Research Committee***
  - ◆ ***Committee for review of Indian Education for All action plan***
  - ◆ ***Professional Development Committee***
- Recommendations to the Superintendent of Public Instruction and to the Board of Public Education:
  - ◆ ***Recommend that a content area expert be a member of each focus group regarding the Professional Education Program Standards***
  - ◆ ***Request Office of Public Instruction staff to provide workshops at MIEA conference***
  - ◆ ***Request for a report regarding American Indian special education data from the Office of Public Instruction's Special Education Division at the next MACIE meeting***

### **ITEM 18 ADVICE AND DEFICIENCY IMPROVEMENT PLANS**

Al McMilin, Accreditation Specialist, OPI and Karen Richem, Accreditation Program Officer, OPI reported on the standing of corrective plans for schools receiving Advice or Deficiency status for the 2002-2003 school year. This final report verifies the current status of those plans following a review of the 2002-2003 Annual Data Collection electronic preliminary accreditation reports for those schools. The report also includes 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 determination.

**MOTION: Mr. Bishop moved to approve the corrective plans presented by the Office of Public Instruction. Ms. Silverthorne seconded the motion and the motion unanimously carried.**

### **ITEM 19 FIVE-YEAR RENEWAL OF ALTERNATIVE STANDARDS REQUESTS**

Al McMilin, Accreditation Specialist, OPI and Karen Richem, Accreditation Program Officer, OPI presented to the board for consideration Alternative Standard Five-Year Renewal Requests recommended either for approval or disapproval by the state Superintendent Linda McCulloch.

**MOTION: Mr. Bishop moved to approve the Superintendent's recommendations for the five-year alternative standard requests. The motion was seconded by Ms. Fladmo and the motion unanimously carried.**

\* Board member, John Fuller, was absent for this motion.

### **ITEM 20 PROCEDURE FOR LICENSURE SUSPENSION AND REVOCATION**

Cathy Warhank, Chief Legal Counsel, OPI presented the role of the Board of Public Education, CSPAC and OPI in the disciplinary act of suspension or revocation of an educator's

license.

Both the role of the Board and OPI are statutorily defined and outlined in the administrative rules governing the operation of each entity.

CSPAC has no role in the process for revocation, suspension, non-renewal or denial of an educator license. Because CSPAC is an advisory council as established by 2-15-1522 MCA, and is created to act in an advisory capacity only, the Council may furnish advice, gather information, and make recommendations.

### **ITEM 21 REPORT OF LICENSE SURRENDER**

Cathy Warhank, Chief Legal Counsel, OPI presented to the board the surrender of Ms. Carlson's educator license. She resigned from her teaching position in Great Falls after she was charged with felony production and possession of dangerous drugs. She surrendered her license in early December 2003.

### **ITEM 22 LEGAL AFFAIRS REPORT (Meeting may be closed for this item)**

There were no points to report under this item.

### **ITEM 23 MSDB COMMITTEE MEETING/REPORT**

Steve Gettel, Superintendent, MSDB, and Bill Sykes, presented highlights from activities that have transpired since the last board meeting. Some of these events are listed below:

1. **Spotlight on Programs**-Christmas Program video
2. **Student Enrollment/Evaluations**-Campus total – 73; Student evaluations – 15; Off Campus total – 299
3. **Human Resources**-(New Hires)1/2 Teacher Assistant, 1 LPN, 1 Maintenance Worker; (Resignations) 1/2 Baker/Food Service Worker; (Vacancies) 3 Teachers, 1 Cottage Life Attendant, 1/2 Baker/Food Service Worker, 1 Lead Houseparent, 1 LPN/Nightwatch; (Over-assigned Positions) 2 Teacher Assistants, 2 Interpreters Interest-Based Problem Solving Committee-met on 12/1/03
4. **Program Accreditation/School Improvement**
  - ✓ Update on activities
  - ✓ AYP Report
  - ✓ OPI On-site Compliance Review for IDEA
  - ✓ Memorandum of Agreement and Tracking System for Sensory Impaired Children
  - ✓ Clarifying MSDB's Definition within the State Education System
  - ✓ Administrative Rule Review and Policy Manual
5. **Professional Development Activities**-
  - ✓ 11/11/03-NASDE IDEA Teleconference, Great Falls, Supervising teachers
  - ✓ 11/21/03-In-service on Blood Borne Pathogens and CPR recertification for 20 residential staff
  - ✓ 2/27/04-Collaborative Assessment with students who are blind or visually impaired
  - ✓ Ms. Geri Darko, a teacher in visually impaired department, has been accepted into the Project Vision 2004 cohort.
6. **MSDB Foundation Activities**-Murdock Foundation Grant application (\$140,000) in process to support an expanded transition Program
7. **Conferences, Meetings and Contacts**-
  - ✓ 11/17/03-Open House for Quality Life Concepts
  - ✓ 11/20/03-Leadership Great Falls tour
  - ✓ 12/19/03-MSU-N to discuss on-line courses for outreach support to LEA's
  - ✓ 1/13/04-Meeting with Missoula County Public Schools on VI resources and interagency agreement
  - ✓ 1/28/04-IDEA, Section 504, NCLB Policy Workshop, Missoula

- ✓ 2/5/04-VR Task Force Meeting, Great Falls
  - ✓ 2/25/04-Discipline of Special Education Students Workshop, Billings
  - ✓ 3/4/04-BPE Committee Meeting, Great Falls
  - ✓ 3/12/04-BPE Meeting, Helena
8. **Budget and Finance**-Update on school budget, E-Rate application was filed on 12/19/03 includes \$60,000 upgrade for network services.
9. **Plant and Facilities**-

## **EXECUTIVE SESSION (Meeting closed to public)**

### **ITEM 24 EVALUATION OF MSDB SUPERINTENDENT**

**MOTION: Ms. Fladmo moved to extend the contract of the MSDB Superintendent one year to expire on June 30, 2006. The motion was seconded by Ms. Silverthorne and the motion unanimously carried.**

### **ITEM 25 EVALUATION OF EXECUTIVE SECRETARY**

**MOTION: Ms. Silverthorne moved to extend the contract of the Executive Secretary of the Board of Public Education to expire on June 30, 2006. The motion was seconded by Mr. Morris and the motion unanimously carried.**

## **PRELIMINARY AGENDA ITEMS – March 11-12, 2004**

- ❖ Special Purpose Schools Task Force Update
- ❖ PEPPS Update
- ❖ Indian Education for All Update
- ❖ White Paper
- ❖ Alyson Mike, Teacher of the Year

The meeting was adjourned at 3:41 p.m.