

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

September 10-11, 2009

**BROWNING SCHOOL ADMINISTRATION BUILDING**  
**ADMINISTRATION BOARD ROOM**  
**129 1<sup>ST</sup> Avenue South East**  
**Browning, MT**

**September 10, 2009 - Thursday**  
**8:30 AM**

## **CALL TO ORDER**

Chairperson Patty Myers called the meeting to order at 8:30 AM. The meeting was opened by 2<sup>nd</sup> and 3<sup>rd</sup> grade Browning students performing the Flag Song. Just as the United States has its own National Anthem, most tribes have their own Flag Song. Mr. Art West Wolf and Mr. Pat Armstrong performed with the students and noted that this particular Flag Song was given to them by their Native American WWII veterans. Ms. Carol Will took roll call; a quorum was noted. Ms. Patty Myers announced that the Board of Public Education decided to hold this meeting in Browning, MT in order to take State Superintendent Denise Juneau home. The Board of Public Education was welcomed by Ms. Donna Yellow Owl, Browning Board of Trustees Chair and Mr. Peter D. Tatsey, Vice Chairman of the Blackfeet Tribal Business Council. Introductions included: Senator Carol Juneau; Mr. Stan Juneau; Representative Shannon Augare; MACIE Chair, Norma Bixby; and various MACIE and MIEA members. Ms. Patty Myers noted that Item 17 will be moved after Item 13 and that Items 14-16 will be moved to Friday's agenda due to a time certain dinner hosted by MIEA and MACIE.

***Mr. Storrs Bishop moved: to adopt the agenda as revised. Mr. Bernie Olson seconded.***  
***Motion passed unanimously.***

## **PUBLIC COMMENT**

## **CONSENT AGENDA**

Items on the consent agenda were adopted as presented.

Those in attendance at the meeting included the following Board members: Chair Ms. Patty Myers, Vice Chair Ms. Angela McLean, Ms. Sharon Carroll, Mr. Storrs Bishop, Mr. Cal Gilbert, Mr. Bernie Olson, Mr. John Edwards, and Student Representative Mr. Tim Seery. Staff present at the meeting included: Mr. Steve Meloy, Executive Secretary, Board of Public Education; Mr. Peter Donovan, Administrative Officer, Certification Standards and Practices Advisory Council; and Ms. Carol Will, Administrative Assistant, Board of Public Education. Ex-officio members present included: State Superintendent Denise Juneau; Dr. Sylvia Moore represented Commissioner Sheila Stearns and Mr. Dan Villa represented Governor Brian Schweitzer. Visitors in attendance included: Ms. Mary Johnson, Superintendent, Browning Public Schools; Ms. Nancy Coopersmith, Assistant Superintendent, OPI; Mr. Dennis Parman, Deputy Superintendent, OPI; Dr. Linda Vrooman Peterson, Accreditation Division Administrator, OPI; Mr. Dale Kimmet, Accreditation Specialist, OPI; Mr. Bill Sykes, Finance Director, MSDB; Mr. Steve Gettel, Superintendent, MSDB; Mr. Tim Harris, Special Education Division Administrator, OPI; Ms. Kris Wilkinson, Legislative Fiscal Analyst, LFD; Mr. James DeHerrera, MTSBA/ISBC; Ms. Joyce Silverthorne, P-20 Policy Advisor, OPI; Mr. John E. Salois, President, Blackfeet Community College; Ms. Donna Yellow Owl, Chair, Browning Board of Trustees; Ms. Norma Bixby, Chair, Montana Advisory Council on Indian Education (MACIE); Ms. Sandra Boham, Montana Indian Education Association (MIEA) and MACIE Member; Ms. Jennifer Flat Lip, MIEA and MACIE Member; Mr. Terry Kendrick, MIEA Director; Mr. Joe Arrow Top, MIEA Member; Ms. Luanne Kicking Woman, MIEA Member; Ms. Ann Gilkey, Legal Council, OPI; Senator Carol Juneau; Mr. Stan Juneau; Representative Shannon Augare; Ms. Arlene Augare,

teacher; Mr. Peter D. Tatsey, Vice Chair, Blackfeet Tribal Business Council; Ms. Nikki Hannon, Learning Coordinator, Blackfeet Learning Academy; Mr. Dennis Juneau, Instructor, Blackfeet Learning Academy; Mr. Ronnie Dragonfly, student, Blackfeet Learning Academy; Mr. Daniel Williams, student, Blackfeet Learning Academy; Mr. Art West Wolf, Blackfeet Language Teacher, Browning Public Schools; and Mr. Pat Armstrong, Teacher Assistant, Browning Public Schools.

## **INFORMATION ITEMS**

### **Item 1**

#### **CHAIRPERSON'S REPORT - Patty Myers**

- August 17, 2009 Welcomed Teacher/Staff @ MSDB, Great Falls, MT
- August 19, 2009 Math/Science Teacher Initiative Steering Committee, Salmon Lake, MT
- August 24, 2009 BPE Conference Call Meeting
- September 1, 2009 MSDB Committee Meeting Conference Call

#### **BOARD OF PUBLIC EDUCATION APPEARANCES**

##### **Angela McLean**

- August 24, 2009 BPE Conference Call Meeting

##### **Sharon Carroll**

- August 24, 2009 BPE Conference Call Meeting

##### **Storrs Bishop**

- August 24, 2009 BPE Conference Call Meeting

##### **Bernie Olson**

- August 20, 2009 Kindergarten to College Workgroup, Helena, MT
- August 24, 2009 BPE Conference Call Meeting
- September 1, 2009 MSDB Committee Meeting Conference Call

##### **John Edwards**

- August 24, 2009 BPE Conference Call Meeting

### **Item 2**

#### **EXECUTIVE SECRETARY'S REPORT - Steve Meloy**

- Mr. Steve Meloy noted that the Board of Public Education will reauthorize MACIE every two years as identified on the Annual Agenda Calendar. Mr. Tom Thompson, former BPE member, moved to establish the Indian Education Advisory Council during the April 12-13, 1984 Board of Public Education meeting.
- The Governing Board of the Montana Virtual Academy (MVA) includes the following: Chair Dr. Bruce Messinger, district administrator; Vice Chair Mr. Dennis Parman, superintendent of public instruction designee; Commissioner Sheila Stearns, commissioner of higher education; Ms. Barbara Fettig, Montana-licensed and currently practicing classroom teacher; and Bryan Duval, school district trustee. Dr. Bobbie Evans is the ex-officio member who will act as the facilitator for discussion. The University of Montana will provide the technical infrastructure for the Montana Virtual Academy. During the September 2, 2009 MVA meeting the hiring of staff, budget, and the timeline which included classes beginning in the fall of 2010 were discussed.
- Mr. Steve Meloy reviewed the meetings that he attended as identified on the Board of Public Education's 2009 calendar.
- Mr. Steve Meloy addressed the following points during his presentation: Working with the legislature on the fiscal responsibility processes for SB 152; by-laws for the Learning First Alliance; Class 8 revisions; Common Core Standards; MEA-MFT Conference; NASBE Conference; and license denial process.

**Item 3 CSPAC REPORT - Peter Donovan**

Mr. Peter Donovan presented the highlights of the July 23, 2009 Certification Standards and Practices Advisory Council (CSPAC) Meeting and a list of meetings attended from July to the present. He noted that the Council of Deans will be meeting with CSPAC on October 8, 2009 in Missoula, MT.

**CLASS 8 UPDATE**

During the first round of reviewing Class 8 applications there were only three. The second round increased to more than fifty applicants. Approximately forty of them were approved. Some that weren't approved were eligible for Class 4 licenses. Additional applicants that are pending are highly qualified professors, but their specific areas of expertise do not match the level of endorsements available. The Class 8 Review Panel has proposed some modifications to the rule to assist highly trained professors in obtaining a Class 8 license. The proposed amendments will be presented during Item 12. Mr. Steve Meloy identified the success of the Class 7 license and how the Class 8 license is modeled after that work. Ms. Arlene Augare was the first Montana American Indian who obtained a Class 7 license.

**AREAS OF PERMISSIVE SPECIALIZED COMPETENCY UPDATE**

Mr. Peter Donovan reviewed the rule 10.57.412(3) Class 1 and 2 Endorsements to determine if Advanced Placement (AP) could be considered for an area of specialized competency. He determined that it would not meet the requirements because an AP teacher is not required to complete a minimum of 20 semester college credit hours or equivalency in a specific academic area.

**ACCESS TO TRAINING FOR TEACHERS OF DEAF AND BLIND STUDENTS**

Mr. Peter Donovan noted that the Board of Public Education will be taking action on the New Rule I pertaining to Sign Language Interpreters under Item 13 of this agenda. Mr. Peter Donovan was pleased to report that the Sign Language Interpreters' Standards Workgroup that consisted of experts from the Montana School for the Deaf and Blind (MSDB); Special Education Division, OPI; Montana Registry of Interpreters for the Deaf (MRID); and the Montana Association of the Deaf (MAD) provided assurances on ways to implement and provide teachers with the training that they need to obtain this standard of instruction. MSDB will be providing outreach support and develop a survey to send out to the interpreters to determine how they obtained their training and continuing education needs. This will assist in determining a model. Most agreed that more work needs to be done to educate school districts in their responsibilities of serving the hearing impaired.

**Item 4 STATE SUPERINTENDENT'S REPORT - State Superintendent Denise Juneau**

State Superintendent Denise Juneau listed some of the following events that she attended across the state: Browning High School Dedication; Browning staff orientation; Pryor Schools orientation; Missoula Schools orientation; President Obama's visit in Bozeman; public hearing for the Land Board in Lame Deer; Spring Creek Coal Mine; Montana's Title I Statewide System of Support (SSOS) meeting; and Girls' State to name a few.

The Strategic Directions Report included the following directives:

- Ensure that every child begins school and graduates with knowledge and skills necessary for success in the 21<sup>st</sup> century global society through the creation and implementation of a comprehensive P-20 education plan.
- Provide current and accurate education information to the state, school districts and schools to promote data-driven policy decisions and assist in improving teaching and learning.
- Improve student achievement in struggling schools by providing leadership to school improvement efforts across the state.
- Provide systematic training opportunities and focused staff development for OPI staff to support their work and ensure quality customer service.
- Improve school-community relationships and student performance through the development and implementation of a comprehensive communication plan.

The overall goals and highlights to-date followed each directive. Discussion ensued about instructional coaches, resource coaches, and school coaches that provide schools who do not meet Annual Yearly Progress (AYP) with specific direction. State Superintendent Denise Juneau said she would invite Ms. BJ Granbery, ESEA Title I Improvement Specialist, to the next Board of Public Education meeting as the Office of Public Instruction's spotlight.

It was announced that State Superintendent Denise Juneau was honored as the Educator of the Year by the National Indian Education Association.

**Item 5** **COMMISSIONER OF HIGHER EDUCATION'S REPORT - Deputy Commissioner, Academic & Student Affairs, Dr. Sylvia Moore**

Dr. Sylvia Moore stated that Commissioner Sheila Stearns has been very involved with the selection process of the new president of Montana State University. The three finalists are: Dr. Steven Angle, provost, Wright State University; Dr. Waded Cruzado-Salas, executive vice president and provost, New Mexico State University; and Dr. Steven Leath, vice president of research and sponsored programs at the University of North Carolina. The Commissioner of Higher Education's office is currently in the process of searching for the new Director of American Indian/Minority Achievement to replace the position previously held by Ms. Ellen Swaney. Dr. Sylvia Moore provided the Board of Public Education with Resolution #2 of the Montana Board of Regents on Two-Year Education Goals and Strategies that included the following strategies:

1. Bring the comprehensive community college mission-transfer education, workforce education, and college/workforce readiness – to all two-year campuses in Montana.
2. Develop approaches to programming, services, and tuition/fees specifically targeted to increasing adults' enrollment in two-year education and completion of two-year degrees.
3. Develop a certification of completion for the "two-year college transfer core" to facilitate student transfer and reward the completion of a quality-assured credential.
4. Establish common related instruction requirements in programs leading to the same career to ensure equity of access and adequacy of preparation.
5. Designate two-year colleges (along with MSU-Northern, UM-Western, and participating tribal Colleges) as regional "hubs" for partnerships supporting high school-college transitions and workforce development.
6. In collaboration with the Office of Public Instruction, develop a statewide protocol for dual enrollment and other high school-to-college transitions.
7. Create a virtual community college offered on a consortium basis, featuring the "two-year college transfer core," dual enrollment opportunities, and programming of participating two-year colleges.
8. Coordinate/integrate data systems and improve network connectivity to support data analysis and resource-sharing.
9. Implement outcomes-based funding strategies.

Dr. Sylvia Moore stressed that the biggest challenge is to preserve quality and increase participation with a flat budget. The following "one-pagers" were distributed: Admission Standards and Distance Learning. Discussion ensued on the following topics: H1N1; honors scholarships that are tied to the rigorous core; Montana Virtual Academy; number of distance learning students and how they are counted; math remediation rates; and math proficiency exams.

**Item 6** **GOVERNOR'S OFFICE REPORT - Dan Villa**

Mr. Dan Villa stressed the 5 points of the Governor's educational plan are: affordability, accessibility, portability, durability, and sustainability. Governor Schweitzer believes that the drop-out rate isn't as high as the data reflects due to the loopholes that are in the data collection system.

Governor Brian Schweitzer continues to meet with the Crow Nation to promote the Many Stars Coal-to-Liquids project which requires highly trained, skilled workers. The Energy System Technology & Education Center (ESTEC) embraces a model of collaboration between education, industry, and community outreach partners. The three operating partners of ESTEC bring a system for providing industry approved curriculum and a community wide STEM outreach component that has proven successful.



presented.

**Item 9** **MONTANA INDIAN EDUCATION ASSOCIATION REPORT - Senator Carol Juneau, Chair, MIEA**

Senator Carol Juneau introduced the Montana Indian Education Association (MIEA) members who were present, provided the Board of Public Education MIEA pins, and thanked the Board for its effort to build positive relationships between the Indian communities and state policy makers that will translate to success for Indians students. Ms. Sandra Boham and Ms. Jennifer Flat Lip presented the approved Montana Indian Education Association Resolutions for 2009.

- 2009-01: Indian Hiring Preference Policy in Public Schools on Indian Reservations
- 2009-03: Close the Achievement Gap and Increase Graduation Rates for American Indian Students in Montana's K-12 Schools
- 2009-04: Use Funds Allocated for the Achievement Gap and At Risk Students (*if funding is restored for At Risk Students*) to Close the Gap and Support At Risk Students with Accountability through Ongoing Reports
- 2009-05: Increase the On-Going Funding for Indian Education for All for 2009 Biennium
- 2009-06: Annual Report on the Status of Indian Education by MBPE and BOR
- 2009-07: Building an American Indian Data Bank at OPI
- 2009-08: Funding for Indian Education for All in the Units of the University System
- 2009-09: Revise Reporting for NCLB Adequate Yearly Progress (AYP) and Reporting and Defining Graduation Rates
- 2009-10: Preservation and Revitalization of Montana Tribal Language
- 2009-11: Restore the \$10.0 Million in At Risk Funding
- 2009-12: Indian School Board Caucus Advocacy for Indian Education for All and Closing the Achievement Gap
- 2009-13: Report Closing the Gap and At Risk Student Funds be Developed to Provide a System of Accountability for Funds
- 2009-14: Improving Urban Indian Education
- 2009-17: In Support of Graduating Students Wearing Items of Cultural Significance during Graduation Ceremonies
- 2009-20: MACIE is Recognized as the Formal Group to Advise the Office of Public Instruction and the Board of Public Education
- 2009-21: The MIEA Supports the Inclusion of Indian Education for All in Early Childhood Programs in Montana

Other items that were presented included: Urban Indian Education Forum, November 19-20, 2009, Great Falls; MIEA Convention, April 8-11, 2010, Billings; inclusion of Indian Education for All in the math accreditation standards; appreciation of the position that Montana has taken in the National Common Core Standards; Race to the Top Funds; inclusion of American Indian communities in the discussion of distance learning to reservations; and the reporting and accountability on the use of American Recovery and Reinvestment Act (ARRA) fund. Discussion ensued about Mr. Bernie Olson's question in regard to why Kalispell does not reflect a high school completion rate for Indian students according to Resolution 2009-14. There appears to be some conflicting data. Mr. Cal Gilbert expressed the passion that is exhibited by the Montana Indian Education Association and its partners to save our Montana American Indian children.

**Item 10** **KINDERGARTEN TO COLLEGE WORKGROUP UPDATE - Bernie Olson and Steve Meloy**

The Kindergarten to College Workgroup met on August 20, 2009. Mr. Bernie Olson and Mr. Steve Meloy were in attendance. Mr. Bernie Olson reported on the item concerning Leveraging Longitudinal Data Systems for Student Success with input from Mr. Dan Villa. It was noted to qualify for the second round of Education Stabilization funds from the American Recovery and Reinvestment Act of 2009 (ARRA) states must demonstrate progress in four areas of education reform:

- Making improvements in teacher effectiveness and in the equitable distribution of qualified teachers for all students, particularly students who are most in need;

- Creating rigorous college-and career-ready standards and high-quality assessments that are valid and reliable for all students, including English language learners and students with disabilities;
- Providing intensive support and effective interventions for the lowest-performing schools; and
- Establishing data systems that track students' progress from prekindergarten to college and careers and foster continuous improvement.

ARRA provides a strategic opportunity for states to build the political will and take the practical steps to remove current barriers to accessing, sharing and using data to improved student success. Mr. Bernie Olson asked if we should sell our souls to get the money. Mr. Dan Villa stated that Montana needs to be positioned to avail itself to the stimulus money. Mr. Bernie Olson concluded by saying that the State of Montana should not give up what is important just to receive the money.

Mr. Steve Meloy reported that the Kindergarten to College Workgroup is a subcommittee of the Board of Education. Up until now it had been focused primarily on workforce development. The Leveraging Longitudinal Data Systems have already been started and Montana should be at the table. The Board of Public Education needs to stay partnered with the Governor's Office because Governor Schweitzer continues to be at the table with the Board of Education. Mr. Dan Villa supported Mr. Steve Meloy's point about the workforce development and believes that it has materialized through projects such as the Many Stars Coal-to-Liquids project. The work underway enables the Kindergarten to College Workgroup focus on student success and the Race to the Top application. Mr. Bernie Olson stated that the State of Montana knows what the problems are and has a good concept as to how to address them, but the model shown to Montana does not match with its concepts.

**2:20 PM Ms. Angela McLean and Mr. Dan Villa departed**

**2:30 PM Closed BPE Meeting**

**Item 11 SURRENDER OF TEACHER LICENSES (CLOSED SESSION) - Ann Gilkey**

Ms. Ann Gilkey reported to the Board of Public Education two surrenders as required by Administrative Rules of Montana 10.57.605(5): "The Superintendent of Public Instruction shall provide notice to the Board of Public Education of each surrender of a license and of the circumstances surrounding the surrender." The surrenders were assigned the following case numbers: Surrender 2009-06 and Surrender 2009-07.

**3:00 PM Opened BPE Meeting**

**Item 12 RECOMMENDED REVISIONS OF ADMINISTRATIVE RULES OF MONTANA CHAPTER 57, EDUCATOR LICENSURE - Peter Donovan**

During the Board of Public Education meeting on March 13, 2009 the Board adopted changes to Chapter 57 of Administrative Rule, Educator Licensure, as recommended by the Chapter 57 Review Team. The Review Team convenes every 5 years as required by ARM 10.57.101 (1) to conduct a comprehensive review of the entire chapter. In implementing those recommended changes, the OPI Educator Licensure Division discovered omissions and clerical errors in administering the new rule. This agenda item was presented to correct those omissions and errors. No significant changes were requested to most of the chapter. However, with the implementation of the Class 8 Dual Credit-only Post-Secondary Faculty License, two difficulties arose with regard to (1) endorsement of faculty who are highly specialized in their field of study and (2) those faculty members teaching in Career and Technical fields, e.g. Health Occupations. Changes to the Class 8 language will allow licensing of these areas and create additional dual credit opportunities for Montana's students.

Mr. Steve Meloy addressed that the way 10.57.438 (NEW) Class 8 Dual Credit-Only Postsecondary Faculty License Endorsement (3) was written included the Board of Public Education in the decision process. If left as written a denied applicant for the Class 8 would not have the opportunity to appeal to the Board itself. The suggested revision was as follows: (3) Applicants for the class 8 license with



**terrorist attacks and for those that serve the United States.**

## **DISCUSSION ITEMS**

### **10:00 AM Deputy Commissioner of Academic & Student Affairs, Dr. Sylvia Moore departed**

#### **Item 18                      BLACKFEET LEARNING ACADEMY - Nikki Hannon and Dennis Juneau**

Ms. Nikki Hannon, Learning Coordinator, reported that the Blackfeet Learning Academy (BLA) provides a unique educational opportunity to students who wish to attain their high school diploma but who feel that traditional high school does not accommodate their needs. The Blackfeet Learning Academy was envisioned in the fall of 2003 by a group of educators from the Browning Public Schools. In cooperation with the Blackfeet Community College, BLA came into existence in the fall of 2004. Eighty-six students have graduated beginning with the first graduation class in 2005.

Mr. Dennis Juneau, Blackfeet Learning Academy Instructor, reported that the Blackfeet Community Culture Class begins by laying a foundation of trust between the teachers and students by creating a culture of respect. The significance of this class has eliminated physical confrontations in the past 5-years. The following quote was written by John Marciano from his book Civil Illiteracy and Education: Battle for the Hearts and Minds of American Youth: "Civics Literacy is vital because it will bring us together as one people with common beliefs in a time when stress and multicultural traditions are breaking us apart." Mr. Juneau also stressed that the success of the BLA is connected to the power of the place being located on a college campus because higher education is just a walk across the parking lot. Students are taught to identify the enemy, which are stereotypes that they think are holding them back. The four things that make a Blackfeet are: land; family; choice about personal and/or tribal identity; and believing and following Blackfeet values and characteristics of being self-motivated, hardworking, responsible, and positive role model.

Two students provided testimony pertaining to the Blackfeet Learning Academy. Mr. Ronnie Dragonfly stated that he would not be going to school if it weren't for the BLA. "I am more self-motivated. I will be more successful in the future because I believe in myself. The school should be bigger." Mr. Daniel Williams said, "My eyes were opened during my sophomore year when I had a friend pass away. I had a negative stereotype of the academy and now I am a senior, ready to graduate. I straightened my act up. The academy has taught me who I am. I don't have grudges against anyone. I owe everything to the academy."

In conclusion, Ms. Nikki Hannon stressed that when a student is accepted into the BLA they enter with a clean slate and the only thing that is known about them is what is shown after their acceptance. Each student must complete twenty hours of community service as a graduation requirement; however, BLA students are encouraged to go above and beyond this minimum in an effort to make a sincere contribution to the community.

#### **Item 14                      ASSESSMENT UPDATE - Nancy Coopersmith**

Ms. Nancy Coopersmith reported that the Formative Assessment for Montana Educators (FAME) on-line class was closed at 60 students. Sessions are recorded and available on the Office of Public Instruction's website. The on-line writing projects are going as scheduled and the 2009-2010 MontCAS Testing Windows were provided. Other topics reported in the August JUMP Newsletter included: 2010 Assessment Conference; Webinars; CRT and CRT-Alternate Spring 2009 Results; Montana Analysis and Reporting System (MARS); registration for CRT-Alternate; English Language Proficiency Assessment; updates on two Montana grant awards; Annual Data Collection (ADC) Timeline; and the Aim Collection Schedule.

### **10:45 AM State Superintendent Denise Juneau departed**

#### **Item 15                      FEDERAL UPDATE - Nancy Coopersmith**

This report included information about the Adequate Yearly Progress (AYP) determinations for Montana

schools and districts for school year 2008-09, as required by the Elementary and Secondary Education Act (ESEA) of 1965 as reauthorized by the No Child Left Behind (NCLB) act of 2001. Other ESEA/NCLB information included an update on progress toward meeting the highly qualified teacher requirements. Information was provided concerning the Race to the Top grants included in the American Recovery and Reinvestment Act (ARRA) of 2009, as well as information concerning the State Fiscal Stabilization Funds of the ARRA. The proposed priorities for applications and draft regulations were highlighted. The Federal Fiscal Year 2010 budget proposal and actions were presented.

In a letter written by Dr. Kerri Briggs from the US Department of Education, it was stated that Montana's assessment system is fully approved. This means Montana's standards and assessment system meets all statutory and regulatory requirements of Section 1111(b)(1) and (3) of the Elementary and Secondary Education Act, as amended by the No Child Left Behind Act of 2001. The letter also pointed out that Montana's science assessments are not yet fully compliant. Ms. Nancy Coopersmith commented that science is not part of the measurement process in calculating AYP, but it is still evaluated.

According to the accountability system the minimum group size is 30 students. The Annual Measurable Objectives (AMO) (the yearly target for the percentage of students required to be proficient or above for a school to make AYP):

- 2008-09: Montana's goal for this year is 83 percent of students scoring proficient in reading/language arts and 68 percent in mathematics.
- AMO type: Montana set its AMOs consistent with the statutory requirements, using a stair step method. This means that Montana's AMOs increased in equal increments every three years through 2013-2014 to reach 100 percent proficient.

Ms. Nancy Coopersmith reviewed the chart that shows the summary of the 2009 final AYP determinations as of 8/25/2009. She pointed out that according to all districts-284 districts made AYP compared to the 286 from the previous year. Those districts that were evaluated using the Small Schools Accountability Process (SSAP) were 150 districts that made AYP compared to the 152 from the previous year. Those districts that were evaluated using the Calculated Process were 134 districts that made AYP which is similar to the same from the previous year. The report shows 603 (73%) of Montana's 823 public schools currently meet the requirements of the federal law which is an increase of 14 schools from 2008.

Discussion ensued about the following: Federal funding being used for the use of instructional coaches, resource coaches, and school coaches that provide schools that do not meet AYP with specific direction; Federal Government waiting for health care issue to be resolved before addressing educational work; tracking students who drop out and attend another school; and mobility of students in at-risk schools.

Ms. Nancy Coopersmith reviewed some of the American Recovery and Reinvestment Act (ARRA) and Stabilization Funding for Montana's K-12 School Districts that included: K-12 BASE Aid \$62.10 Million; State Special Education \$2.46 Million; Deferred Maintenance and Energy Improvement Grants to Schools (Dept. of Commerce) \$20 Million; "Quick Start" Energy Grants (Dept. of Commerce) \$15 Million; and more. In a letter written by State Superintendent Denise Juneau on August 21, 2009 to the US Department of Education, she stated, "I support the four key priorities of education reform promoted in the American Recovery and Reinvestment Act (ARRA). These key areas include Achieving Equity in Teacher Distribution, Improving Collection and Use of Data, Standards and Assessment, And Supporting Struggling Schools." Some requirements that the State Superintendent finds unacceptable are:

- Collect and post information on teacher and principal evaluations is untenable to the Montana education system.
- Estimate the impact of an individual teacher on student achievements; link information regarding the extent to which students transition successfully from secondary school to postsecondary education, including whether students enroll in remedial coursework; supply student-level transcript information, including information on courses completed and grades earned; access and integrate student level college readiness test scores; and analyze the appropriateness and





State Superintendent. Senate Bill 152 of the 2005 Legislative Session, sponsored by Senator Ryan, an act to define the basic system of free quality public elementary and secondary schools, amended the statute to include the following:

(2) Prior to adoption or amendment of any accreditation standard, the board shall submit each proposal to the Education and Local Government Interim Committee for review. The interim committee shall request a fiscal analysis to be prepared by the Legislative Fiscal Division. The Legislative Fiscal Division shall provide its analysis to the interim committee and the Office of Budget and Program Planning to be used in preparation of the executive budget.

(3) If the fiscal analysis of the proposal is found by the Legislative Fiscal Division to have a substantial fiscal impact, the board may not implement the standard until July 1 following the next regular legislative session and shall request that the same legislature fund implementation of the proposed standard. A substantial fiscal impact is an amount that cannot be readily absorbed in the budget of an existing school district program.

Ms. Kris Wilkinson said that on May 29, 2009 the Legislative Fiscal Division received a copy of the notice of public hearing on the proposed adoption of amendment to the math content standards and performance descriptors, considered to be accreditation standards for public schools. The Education and Local Government Interim Committee requested the Legislative Fiscal Division complete a fiscal analysis on the proposed standards when it convened its first meeting of the 2011 interim on June 30, 2009. The next scheduled meeting of the Education and Local Government Interim Committee is October 1-2, 2009.

Mr. Steve Meloy stressed that the Board of Public Education may only consider delaying the implementation date, but the Board realizes the importance of having these standards in place for the 2009-2010 school year. If the Board passes this rule and the legislature refuses to fund then this issue will go to court. The Board of Public Education has never received any notice from the Legislative Fiscal Division or the Education and Local Government Interim Committee whether or not to delay the implementation due to funding or notice to move forward with its implementation. Mr. Meloy asked the following questions: How long shall the Board of Public Education's action on rules be held abeyance for a review to take place? How shall notification of the Legislative Fiscal Division and the Education and Local Government Interim Committee action be conveyed to the Board and by whom?

State Superintendent Denise Juneau recommended to the Board of Public Education to move forward to do the work at hand. She will ask Ms. Madalyn Quinlan to provide the Legislative Fiscal Division with a fiscal analysis.

***Motion passed unanimously. Ms. Angela McLean was absent for the vote.***

**Item 23**

**RECOMMEND APPROVAL OF BROCKTON PUBLIC SCHOOLS' PLAN TO CORRECT ONGOING EMPLOYMENT OF NON-LICENSED TEACHER - Dale Kimmet**

Mr. Dale Kimmet and Ms. Kelly Glass conducted an on-site review of the Brockton Public Schools' plan to correct the ongoing employment of a non-licensed teacher with the new Brockton Public Schools' Superintendent and the Chairperson of the Board of Trustees prior to the September Board of Public Education meeting. Mr. Dale Kimmet reported that the music teacher was removed from the music teacher's position and re-hired as a teacher's aide. Brockton is offering art by an accredited art teacher to meet the accreditation requirement. The response options for continuing or serious deviations were reviewed with the board of trustees and the superintendent to ensure their understanding of the process. High school students are still able to be involved in a pep band and explore other musical interests; they just cannot obtain high school credit. State Superintendent Denise Juneau recommends approval of Brockton Public Schools' plan.

***Mr. Storrs Bishop moved: to approve Brockton Public School's plan to correct the ongoing employment of a non-licensed teacher as recommended by the State Superintendent. Mr. Cal Gilbert seconded. Motion passed unanimously. Ms. Angela McLean was absent for the vote.***

**Item 24**

**RECOMMEND APPROVAL OF NOTICE OF PUBLIC HEARING AND  
TIMELINE RELATING TO PROPOSED REVISIONS OF ADMINISTRATIVE  
RULES OF MONTANA CHAPTER 57, EDUCATOR LICENSURE - Peter  
Donovan**

The Office of Public Instruction recommended approval of Notice of Public Hearing and Timeline relating to the Proposed Revisions of Administrative Rules of Montana, Chapter 57, Educator Licensure. Mr. Peter Donovan reiterated the Board of Public Education's recommended amendment to 10.57.438 (3) to read: (3) Applicants for the class 8 license with degrees in highly specialized academic areas and hired by the postsecondary institution under the policies set forth in ARM 10.57.102 (10) to teach specific courses not covered by the K-12 endorsement areas in 92), may be eligible for a designation in their area of specialization as recommended approved by the Superintendent and approved by the Board of Public Education.

***Mr. Bernie Olson moved: to recommend approval of the notice of public hearing and timeline relating to the proposed revisions of administrative rules of Montana Chapter 57 as amended. Ms. Sharon Carroll seconded. Motion passed unanimously. Ms. Angela McLean was absent for the vote.***

**Item 25**

**ELECTION OF NASBE BOARD OF DIRECTORS - Steve Meloy**

Mr. Steve Meloy reported to the Board of Public Education that Ms. Dana Mann-Tavegia and Mr. Allan B. Taylor are the candidates for president-elect of the National Association of State Boards of Education. Ms. Sharon Carroll and Mr. Steve Meloy recommended Ms. Dana Mann-Tavegia because she would be the best candidate to effectively represent the western states since she is from Wyoming.

***Mr. Bernie Olson moved: to cast the Montana Board of Public Education's vote for Ms. Dana Mann-Tavegia for president-elect of NASBE. Ms. Sharon Carroll seconded. Motion passed unanimously. Ms. Angela McLean was absent for the vote.***

Mr. Steve Meloy reported to the BPE that Mr. Greg W. Haws is the candidate for secretary-treasurer of NASBE.

***Mr. John Edwards moved: to cast the Montana Board of Public Education's vote for Mr. Greg W. Haws for secretary-treasurer of NASBE. Mr. Bernie Olson seconded. Motion passed unanimously. Ms. Angela McLean was absent for the vote.***

Mr. Steve Meloy reported to the BPE that Mr. Kim R. Burningham is the candidate for the Western Area Director of NASBE.

***Ms. Sharon Carroll moved: to cast the Montana Board of Public Education's vote for Mr. Kim R. Burningham for Western Area Director of NASBE. Mr. Bernie Olson seconded. Motion passed unanimously. Ms. Angela McLean was absent for the vote.***

**Item 26**

**ELECTION OF BOARD OFFICERS - Steve Meloy**

Ms. Patty Myers passed the chairmanship to Mr. Steve Meloy to open nominations for the Board of Public Education's chair. Mr. Steve Meloy called for nomination for the BPE's chair. Ms. Sharon Carroll nominated Ms. Patty Myers. No other nominations were made. Mr. Steve Meloy called for the vote.

***Motion and vote were approved by unanimous concurrence to elect Ms. Patty Myers as the Board of Public Education's chair. Ms. Angela McLean was absent for the vote.***

Mr. Steve Meloy passed the chairmanship to Ms. Patty Myers to open nominations for the election of the BPE's vice chair.

***Mr. Bernie Olson moved: to elect Ms. Angela McLean as the Board of Public Education's vice chair. Ms. Sharon Carroll seconded. Motion passed unanimously. Ms. Angela McLean was absent for the vote.***

**Item 27 COMMITTEE APPOINTMENTS - Patty Myers**

Ms. Patty Myers made the following recommendation to the BPE's committee assignments for 2009-2010:

**ADVISORY GROUP LIAISONS**

Angela McLean, CSPAC  
Cal Gilbert, MACIE  
Patty Myers, MSDB Foundation

**TASK FORCE**

**Indian Education for All**

Cal Gilbert, Chair

**Distance Learning**

Patty Myers, Chair

**STANDING COMMITTEES**

**Executive Committee**

Patty Myers, Chair  
Angela McLean, Vice Chair  
Steve Meloy, Secretary (ex-officio)

**Accreditation Committee**

Storrs Bishop, Chair  
John Edwards, Member  
Tim Seery, Member

**Licensure Committee**

Angela McLean, Chair  
Sharon Carroll, Member

**MSDB Committee**

Patty Myers, Chair  
Cal Gilbert, Member  
Bernie Olson, Member

**Government Affairs Committee**

**(NASBE Delegate)**

Patty Myers, Chair

**Legislative Committee**

Bernie Olson, Chair  
John Edwards, Member  
Tim Seery, Member

**Assessment Committee**

Sharon Carroll, Chair  
Cal Gilbert, Member

**STATE BOARD OF EDUCATION**

**Kindergarten to College Workgroup**

Steve Meloy  
Bernie Olson

**LEGISLATIVE COMMITTEE**

**Education and Local Government**

**Interim K-12 Subcommittee**

Patty Myers  
Angela McLean

The Quality Schools/Quality Educators and the Pathways for Learners were removed from the list of task forces. The Assessment Task Force was moved to the standing committees.

***Mr. John Edwards moved: to approve the assignments and the restructuring of the 2009-2010 Board of Public Education's Committee Assignments as proposed. Mr. Cal Gilbert seconded. Motion passed unanimously. Ms. Angela McLean was absent for the vote.***

**PRELIMINARY AGENDA ITEMS – November 12-13, 2009**

**\*\* Note: This date is different than originally scheduled**

Assessment Update  
Federal Update  
Alternative Standards Request  
MACIE Annual Report  
Joint MACIE/BPE/OPI Meeting  
Youth Risk Behavior Survey Update (Odd years)

***Mr. Cal Gilbert moved: to adjourn the Board of Public Education meeting. Mr. John Edwards seconded. Motion passed unanimously. Ms. Angela McLean was absent for the vote.***

**1:25 PM Meeting adjourned**

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