

Governor's Office has been notified of Mr. Barnhart's resignation and the Governor will be filling the vacant spot.

Chair Schottle turned the item over to Executive Director Donovan for Election of Officers.

- **Election of Officers**

Ms. Tammy Lacey moved to re-elect Chair Schottle for another term as Chair of the Board of Public Education. Motion seconded by Ms. Mary Jo Bremner.

No discussion. Motion passed unanimously.

Dr. Schottle accepted the nomination and thanked the Board for their support.

Chair Schottle opened the floor for nominations for Vice-Chair.

Ms. Mary Jo Bremner moved to re-elect Ms. Tammy Lacey as Vice-Chair of the Board of Public Education. Mr. Jerry Lynch seconded the motion.

No discussion. Motion passed unanimously.

Ms. Lacey accepted the nomination and thanked the Board for their support.

**Item 2 EXECUTIVE DIRECTOR REPORT - 15 Minutes
Pete Donovan**

Mr. Donovan gave his report to the Board reviewing the upcoming Education Interim Committee Meeting next week where he and OPI will present the Annual Reports for the Transformational Learning Grants, and the Content Standards Revisions to the Committee. Mr. Donovan also discussed the Education of the States Conference also next week that will be held virtually. Mr. Donovan reviewed the public hearings held September 2nd for the five content standards areas being revised.

**Item 3 STATE SUPERINTENDENT'S REPORT - 15 Minutes
Deputy State Superintendent Sharyl Allen**

Ms. Sharyl Allen gave the Superintendent Report noting that the Superintendent is traveling today for the Teacher of the Year Award. Ms. Allen discussed the letter from Education Secretary DeVos that Assessments will not be waived for the 2020-2021 school year and noted that additional information will be forthcoming regarding state Assessments. Ms. Allen updated the Board on numbers of Educator Licensure renewals coming in to the OPI since the Board extended the deadline from August 31 to September 30. Ms. Allen answered Board member questions. Ms. Allen noted that 3-5 renewal applications are coming in each week.

**Item 4 COMMISSIONER OF HIGHER EDUCATION'S REPORT – 15 Minutes
Angela McLean**

Ms. Angela McLean gave the Commissioner of Higher Education's report noting that the Apply Montana will be launched next week for students to apply to college. Ms. McLean noted a new hire, Scott Lemon, to handle the launch of Apply Montana. The office continues to work with OPI, campuses statewide, and K-12 schools regarding recruitment and retention. Ms. McLean discussed reopening of schools and different ways that schools and families are working hard to help students learn in new environments. Ms. McLean answered Board member questions. Ms. Keith asked if it would be possible to have a report on how many teachers have quit teaching or left the profession due to Covid-19. Mr. Donovan noted that the TEAMS reporting gathers that information and that would be the best way to start gathering the information.

the previous day, reviewed the Council Goals, oversight of the Council, recruitment and retention of MACIE members and professional development for Council members.

Ms. Mary Jo Bremner moved to approve the Superintendent's request to renew the Montana Advisory Council on Indian Education per MCA 2-15-122. Motion seconded by Mr. Jerry Lynch.

No discussion. Motion passed unanimously.

*****TIME CERTAIN @1:00 PM*****

❖ **LICENSURE COMMITTEE – Tammy Lacey (Items 13-14)**

**Item 13 HEARING OF BPE CASE #2018-12 (ACTION) – 45 Minutes
Rob Stutz, Agency Legal Services**

Ms. Lacey opened the item time certain at 1:00, noting the Board will only be voting on the petitioner's Motion to Dismiss. Mr. Jim Molloy represents Ms. Oelkers, Ms. Tara Harris represents OPI. This case is a license discipline action brought to the Board by OPI in December 2018. The board voted in January 2019 to not move to a hearing. The matter was sent to District Court for a Judicial Review, who ruled the matter back to the Board for hearing. Limited discovery has taken place since then and the Board has been given this information in redacted form. Each party will receive 15 minutes to present their case and 15 minutes for the Board to deliberate. Mr. Molloy presented the reasons behind the request for a Motion to Dismiss. Ms. Tara Harris, representing OPI, responded to the request for the Motion to Dismiss as to how the OPI attempted to obtain the necessary information to complete their investigation and that from the date of a credible source, OPI filed the revocation request. Board members asked questions of Ms. Harris regarding the timing of the request from OPI, the investigation of OPI, why they waited more than 12 months. After much discussion, questions, and answers, the Board voted.

Ms. Tammy Lacey moved to grant Oelkers Motion to Dismiss. Motion seconded by Mr. Jeremiah Lynch.

Question from Ms. Keith to Mr. Lynch to explain why he seconded the motion. Mr. Lynch, as a former judge, noted that in his opinion the OPI had credible sources from the start and did not file the revocation request with the Board within the required 12 month time frame.

Roll Call Vote: Aye vote: Schottle, Lacey, Keith, Lynch, Quinlan. Nay: Bremner.

**Item 14 NOTICE OF SURRENDER, BPE CASE #2020-04 - (INFORMATION ONLY)– 10 Minutes
Julia Swingley, Chief Legal Counsel OPI**

Ms. Swingley presented the surrender to the Board.

**Item 15 NOTICE OF SURRENDER, BPE CASE #2020-07 – (INFORMATION ONLY) – 10 Minutes
Julia Swingley, Chief Legal Counsel, OPI**

Ms. Swingley presented the surrender to the Board.

❖ **ACCREDITATION COMMITTEE – Madalyn Quinlan (Item 17-19)**

Item 17 **OVERVIEW OF ACTIVITIES FOR MCA 20-7-469, DYSLEXIA DEFINITION – SCREENING – INTERVENTION – (INFORMATION ONLY) – 15 Minutes**
Colet Bartow

Ms. Bartow reviewed the legislation passed in the 2019 Legislative session requiring the OPI to define dyslexia and for schools to screen and intervene in instances where students are determined to have dyslexia. Ms. Bartow updated the Board on the Dyslexia Task Force created by the OPI, and reviewed the recommendations brought out of the Task Force. Ms. Bartow and Mr. Donovan will be presenting this information to the Education Interim Committee next week. Additionally, OPI has created a course for teachers on the Teacher Learning Hub on Dyslexia screening.

Item 18 **PROCESS FOR 2020-2021 ACCREDITATION STATUS – (ACTION) – 15 Minutes**
Sharyl Allen

Ms. Allen reviewed the process for Accreditation for the 2020-2021 School year worked on at the OPI, thanking Tracy Moseman, Dr. Murgel, Jessie Counts, Dr. Peterson, Patty Muir, Nathan Miller, and Colet Bartow, for their work on this process. Ms. Allen pointed to the key facts for the Board to consider assurances, and student performance data. Ms. Allen reviewed the Accreditation process and the data that is gathered for assurance standards and student performance data noting that even using only assurance standards there are districts that will move out of deviation status to regular status. OPI requests to maintain the Accreditation status of districts from 2019-2020 when both sets of data were available, to waive the ARM rule that says two sets of data are required, and if schools improve from deviation status that they be allowed to move out. Chair Schottle asked for clarification on the request to waive or suspend ARM rule and that she has concerns in not using Student Performance data to determine Accreditation because it is important to know how students perform during Covid. Ms. Lacey noted her concern in waiving the Accreditation process in its entirety for the year. Schools still need to send in their assurance data for the Accreditation process. Ms. Quinlan noted the Board will not waive any accreditation and schools are still required to submit data to OPI through the annual TEAMS reporting cycle.

Ms. Madalyn Quinlan moved that in the absence of student performance data, due to the Covid-19 Pandemic, the Assurance Standards alone, through the annual TEAMS Reporting Cycle, will determine the overall accreditation status for schools for the 2020-2021 academic year only. Any school district with an existing accreditation citation will have the opportunity to improve the accreditation status of the school with sufficient evidence of meeting Assurance Standards for the 2020-2021 academic year. No school/district will have their accreditation status diminished during the 2019-2020 school year as long as the school/district submits the required data to complete the TEAMS Reporting Cycle for the 2020-2021 academic year. Motion seconded by Ms. Tammy Lacey.

Comments in support from Mr. Marco Ferro, MFPE, Dr. Kirk Miller, School Administrators of Montana.

Ms. Lacey commented that this is a good way to give districts flexibility during Covid but underscores the importance of the Accreditation process the Board oversees and that it is important for schools to uphold their promise to the state and tax payers in Montana. Accreditation levels the playing field to ensure quality and equity.

No further comments. Motion passed unanimously.

Item 19

PROPOSED REVISION SCHEDULE CHAPTER 55, ACCREDITATION 57, EDUCATOR LICENSURE, AND 58, PROFESSIONAL EDUCATOR PREPARATION PROGRAMS (ACTION) – 15 Minutes

Sharyl Allen

Ms. Allen reviewed the proposed timeline for revisions to Chapter 55 Accreditation, Chapter 57 Educator Licensure, and Chapter 58 Educator Preparation Program Providers. Dr. Peterson reviewed the timeline for the cycle of review of each sets of standards and where those are in their timelines. Some of Chapter 58 has begun with the Council of Deans, Chapter 55 is on track for its 10-year timeframe, and Chapter 57 typically follows Chapter 57. Ms. Kris Thatcher discussed the last review of Chapter 57, and a general discussion of the revision process and timelines for comprehensive review. Mr. Donovan noted that in his experience there has never been three sets of standards reviewed at once, and that as the Boards representative on the review committee, and with the Legislature coming up, it would be a big ask for him and for the associations as well, and has concerns that the Education community may not be able to have full participation and input into the standards review during the Legislative session. Mr. Lynch asked Mr. Donovan what his suggested timeframe would be. Mr. Donovan noted that Chapter 58 has already been started and that could move ahead and delay the Chapter 55 and Chapter 57 revisions.

Ms. Madalyn Quinlan moved to approve the revision timeline for the ARM Chapter 58 Professional Educator Preparation Program Standards, PEPPS as recommended by the Superintendent of Public Instruction. Motion seconded by Ms. Tammy Lacey.

Mr. Marco Ferro, MFPE, urged the Board members to approve the motion and to extend the timeline as they are intensive, and they all require input from educators in the field who are dealing with school during a pandemic.

No further discussion. Motion passed unanimously.

FUTURE AGENDA ITEMS November 5-6, 2020

Committee Appointments – C

MACIE Annual Report

Assessment Update

Critical Quality Educator Shortage Area Report

Federal Update

Variance to Standards Requests & Renewals

Accreditation Report

Youth Risk Behavior Survey Update (Odd Years)

Annual Renewal Unit Providers List - C

MSDB Superintendent Performance Evaluation & Contract Extension Discussion

PUBLIC COMMENT

No comment.

ADJOURN

Ms. Madalyn Quinlan moved to adjourn the meeting. Motion seconded by Mr. Jerry Lynch.

No discussion. Motion passed.

Meeting adjourned at 3:48 PM

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