

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

January 15, 2021

**Friday January 15, 2021**  
**8:30**

**CALL TO ORDER**

Chair Schottle called the meeting to order at 8:34 AM. The Board said the Pledge of Allegiance and Ms. Stockton took Roll Call. The Chair read the Statement of Public Participation and welcomed guests.

Board members present: Dr. Darlene Schottle, Chair; Ms. Tammy Lacey, Vice Chair; Mr. Jerry Lynch; Ms. Sharon Carroll; Ms. Madalyn Quinlan; Ms. Mary Jo Bremner; Ms. Anne Keith. Ex-Officio members: Mr. Glenn Oppel, Governor's Office; Ms. Angela McLean, OCHE; Superintendent of Public Instruction Elsie Arntzen. Staff present: Ms. McCall Flynn, Executive Director; Ms. Kris Stockton, Administrative Specialist. Guests: Ms. Diane Fladmo, MFPE; Ms. Jule Walker, MTSBA; Mr. Paul Furthmyre, MSDB Superintendent; Ms. Diane Burke, MQEC; Ms. Sharyl Allen, OPI; Dr. Linda Vrooman Peterson, OPI; Ms. Tracy Moseman, OPI; Dr. Kirk Miller, SAM; Ms. Donna Schmidt, MSDB; Mr. Dale Kimmet; Mr. Ian Winick; Mr. Karl Ortman; Ms. Nancy Hall, Governor's Budget Office; Ms. Julie Murgel, OPI; Ms. Krystal Smith, OPI; Ms. Ashley McGrath, OPI; Mr. Nathan Miller, OPI; Mr. Ken Bailey, OPI; Mr. Jim Kelly, MSDB; Mr. Stuart Segrest, Agency Legal Services; Ms. Katherine Orr, Agency Legal Services; Mr. Ian Winnick; Mr. Jacob Barto, OPI; Ms. Donnell Rosenthal, OPI.

**PUBLIC COMMENT**

No Public Comment.

**CONSENT AGENDA**

**Mr. Jerry Lynch moved to approve the agenda as presented. Ms. Tammy Lacey seconded the motion.**

***No discussion. Motion passed unanimously.***

**ADOPT AGENDA**

**Ms. Madalyn Quinlan moved to adopt the agenda. Ms. Mary Jo Bremner seconded the motion.**

***No discussion. Motion passed unanimously.***

**INFORMATION ITEMS**

❖ **REPORTS – Dr. Darlene Schottle (Items 1-6)**

**Item 1                      CHAIRPERSON'S REPORT – 10 Minutes**  
**Dr. Darlene Schottle**

Chair Schottle made opening remarks thanking all the Board members and Education Community members for their hard work in the past year to serve the students of Montana. The Chair welcomed Ms. Flynn as the new Executive Director to the Board of Public Education. Chair Schottle thanked Board member Bremner for her past seven years of service on the Board and noted that Ms. Bremner has

applied for reappointment to the Board awaiting Senate confirmation, along with Board members Carroll and Lynch.

**Item 2 EXECUTIVE DIRECTOR REPORT - 15 Minutes  
McCall Flynn**

Ms. Flynn gave her report to the Board thanking the Board staff for welcoming her on and running the office smoothly. Ms. Flynn updated the Board on the Montana Digital Academy meeting earlier this week, the budget hearing for the Board of Public Education before the Joint Appropriations Committee, and the MSDB budget presented the following day. Ms. Flynn thanked Board member Quinlan for her valuable comments at the Board budget hearing as well as Dr. Miller, and for Ms. Bremner and Dr. Miller for their comments at the MSDB hearing. Ms. Flynn updated the Board on revisions to the state budget put forward by Governor Gianforte that affect education, including an increase in beginning teacher pay, and highlighted a few bills in committee for the following week the Board is following. Ms. Flynn answered Board member questions.

**Item 3 STATE SUPERINTENDENT'S REPORT – 15 Minutes  
State Superintendent Elsie Arntzen**

Superintendent Arntzen welcomed Ms. Flynn to her new position and briefly reviewed legislative priorities at the Office of Public Instruction for the 2021 session, the assessment waiver request to the US Department of Education, and that she is hopeful for a better 2021 year. The Superintendent answered Board member questions. The Superintendent noted that 170 million dollars has been allotted to Montana through Title I for additional funding and that a possible special board meeting may be necessary to determine where that funding should be disbursed. Board member Lynch suggested that the Board draft a letter of support for the waiver assessment. Ms. Flynn offered to draft a letter and move forward from there with a possible special BPE meeting. Ms. Quinlan noted that the OPI has three dates for public comment and that a meeting may need to wait until after the public comment in case there are revisions the OPI makes based upon public comment.

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

Ms. McLean gave the report from the Commissioner of Higher Education's Office, including an update on the ACT and a possible waiver for the ACT. If a waiver is not received the Commissioner's Office is working with the OPI to have three paper and pencil test dates as well as online testing for high school juniors. OCHE is working with OPI on some revisions to the Administrative Rules for Educator Licensure that the Board will be reviewing later in the year and provided a brief update on the Educator Recruitment and Retention Task Force and grow your own program for teachers. Ms. McLean discussed American Indian enrollment and answered Board member questions.

**Item 5 GOVERNOR'S OFFICE REPORT -15 Minutes  
Glen Oppel**

Mr. Oppel gave the report from Governor Gianforte's Office and updated the Board on the Governor's Education Policy. Mr. Oppel discussed the Executive Order the Governor issued on January 13<sup>th</sup>, and Education Policy Initiatives the Governor is working on, including the skills gap in the trades and an effort to boost the ability of businesses to educate their employees in their trades via a \$2000 tax credit to send the individual to a training program. An update on HB 143 to boost starting salary for beginning teachers was given as well as information on a bill to provide a "Students With Special Needs Savings Account", directing a portion of the student ANB to the program for qualified students, as defined under the IDEA or the 504 plan and a minimum age of five. Mr. Oppel answered Board member questions.

**Item 6 STUDENT REPRESENTATIVE'S REPORT – 15 Minutes  
Paige Lepard**

No student report.

❖ **MSDB LIAISON - Mary Jo Bremner (Item 7)**

**Item 7 MSDB REPORT – (INFORMATION ONLY) – 20 Minutes  
Paul Furthmyre**

Mr. Furthmyre gave the MSDB report to the Board highlighting some student activities including the Expressions of Silence that students performed virtually, the school accreditation report to OPI, the MSDB budget, an audit currently wrapping up, and teacher recruitment and retention issues the school faces. Mr. Furthmyre noted that the school has received two student referrals for new enrollments and that student numbers are starting to increase after a pause on new students due to Covid. Mr. Furthmyre reviewed the MSDB budget hearing before the Joint Appropriations Committee and that currently Governor Gianforte's changes to the Education budget do not affect the MSDB. The Committee has asked for some research as to why MSDB does not qualify for Title 1 funding which seems to be because the school is considered a state agency and not a public school. Mr. Furthmyre discussed the budget requests the school has for this biennium including travel and funding for a new phone system. Board member Bremner and Mr. Furthmyre both expressed their thanks and appreciation to Ms. Nancy Hall at the budget office for her help at the subcommittee hearing. Ms. Hall spoke to the budget requests in additional detail for Board members. Mr. Furthmyre reviewed the action items before requesting approval of the action items from the Board. Questions from Board member Quinlan regarding Board ability to adopt policy on the first reading and clarification in Policy 1901 that policies can be adopted at first reading if posted on agenda as an action item and no revisions are made to the policy.

**ACTION ITEMS**

- **Approve Pay Plan 61 Statutory Increases**

**Ms. Mary Jo Bremner moved to approve the 2021 statutory increase from the 2019 legislative session for those MSDB employees in Pay Plan 061 for: Julie-Dee Alt, Carol Clayton-Bye, Dianne Eddy, Paul Furthmyre, Jim Kelly, Sheryl Lute, and Donna Schmidt. Motion seconded by Ms. Madalyn Quinlan.**

***No discussion. Motion passed unanimously.***

- **Approve Human Resource Hirings**

**Ms. Mary Jo Bremner moved to approve the MSDB Human Resource hirings for: Amanda Taylor, Collage House Parent, and Cheyanne Tucker, Cottage House Parent. Motion seconded by Ms. Tammy Lacey.**

***No discussion. Motion passed unanimously.***

- **Approve MSDB Policies**

**Ms. Mary Jo Bremner moved to approve the following MSDB Policies: Policy 1900 Emergency Policy Framework; Policy 1901 School District Policy & Procedure; Policy 1903 School District Meetings & Gatherings; Policy 1905 Student, Staff, & Education Services; Policy 1906 Student Instruction & Educational Services; Policy 1907 School District Declaration of Emergency, as a one-time only policy and all future policies will be done with a First Reading. Motion seconded by Ms. Sharon Carroll.**

***Questions regarding the policies from Board member Lacey and Board member Lynch to Ms. Furthmyre.***

***No additional questions. Motion passed unanimously.***

❖ EXECUTIVE COMMITTEE – Dr. Darlene Schottle (Items 8- 12)

**Item 8**                                 **STUDENT ACHIEVEMENT REPORT/FEDERAL UPDATE – (INFORMATION ONLY) – 15 Minutes**  
**Dr. Julie Murgel**

Dr. Murgel presented the Student Achievement and Federal Report to the Board. Dr. Murgel discussed the addendum to the ESSA Waiver requested by the OPI to the Department of Education in the Spring of 2020 for temporary changes that address a one year look for the 2020-2021 school year. Dr. Murgel explained the changes to the Board, the reasons behind the request, and the implications for the addendum. Dr. Murgel answered Board member questions and addressed concerns regarding ongoing support to the Targeted and Intensive Assistance Schools.

**Item 9**                                 **TRANSPORTATION REPORT – (INFORMATION ONLY) – 15 Minutes**  
**Donell Rosenthal**

Ms. Rosenthal presented the Annual Transportation Report to the Board highlighting the number of drivers, average miles driven, total pupil ridership, and reimbursement information then answered Board member questions. Ms. Rosenthal discussed transportation numbers and information due to Covid-19 shutdowns in the Spring of 2020, and Coronavirus Relief Funds for Pupil Transportation. It was noted that the Annual Conference was cancelled due to Covid-19 so bus drivers were unable to attend, although a Zoom training of 16 hours was offered in May, and approximately 99 drivers attended for their required training. The National Conference was also cancelled due to Covid, so no new requirements have been adopted. Ms. Rosenthal discussed the new Drug and Alcohol Clearinghouse, a secure database on drivers with a commercial driver's license or permit, and all violations or refusals are entered into the database for employers to use to screen any drivers with violations. A new Entry Level Driver Training program has also been postponed for release until February 2022. This covers specific training requirements for drivers applying for a Class A or C, or bus driver endorsement. Ms. Rosenthal answered Board member questions.

**Item 10**                                **QUALIFY TRANSFORMATIONAL LEARNING GRANT APPLICATIONS – (ACTION) – 15 Minutes**  
**Krystal Smith**

Ms. Krystal Smith, Transformational Learning Manager at OPI reviewed the 21 districts who have applied for re-qualification and the list of new districts who have applied for funding. All districts have completed and submitted the necessary documents required for application and to receive funding. Ms. Smith asked for Board approval of the applications and answered Board member questions.

**Ms. Sharon Carroll moved to approve the applications and annual reports for districts who have qualified or re-qualified for the Transformational Learning Grant funding. Motion seconded by Ms. Tammy Lacey.**

***No discussion. Motion passed unanimously.***

**Item 11**                                **QUALIFY ADVANCED OPPORTUNITY GRANT APPLICATION DEADLINES – (ACTION) – 15 Minutes**  
**Krystal Smith**

Ms. Krystal Smith presented the list of 31 districts who have submitted their Annual Report and application for re-qualification, and 6 new districts who have applied for funding.

**Ms. Sharon Carroll moved to approve the applications and annual reports for districts who have qualified or re-qualified for the Advanced Opportunity Grant funding. Motion seconded by Ms. Anne Keith.**

***No discussion. Motion passed unanimously.***

**Item 12                        APPROVE FINAL CRITICAL QUALITY EDUCATOR SHORTAGE REPORT – (ACTION) – 15 Minutes  
Ken Bailey**

Mr. Ken Bailey presented the final Critical Quality Educator Shortage Area Report to the Board noting changes from the draft report.

**Ms. Sharon Carroll moved to approve the Final Critical Quality Educator Shortage Report. Motion seconded by Ms. Madalyn Quinlan.**

***Question from Ms. Lacey regarding possible statute change for the date of the report. Mr. Bailey noted discussions have taken place but so far there is no sponsorship of a bill.***

***No additional questions. Motion passed unanimously.***

**❖ MACIE LIASION – Mary Jo Bremner (Item 13)**

**Item 13                        MACIE REPORT – (INFORMATION ONLY) -15 Minutes  
Jennifer Smith**

Ms. Jennifer Smith presented the MACIE report to the Board noting continued Strategic Planning efforts in conjunction with OPI and discussing the possibility of meeting more frequently to continue with Strategic Planning efforts. The Council is also working on aligning reports with the Council goals. Ms. Smith noted two appointments to MACIE and asked for Board approval.

**Ms. Mary Jo Bremner moved to approve the appointments to MACIE for: Megan Gourneau and Dugan Coburn to the MACIE Board. Motion seconded by Ms. Madalyn Quinlan.**

***Board member Lacey spoke to the qualifications of Mr. Dugan Coburn. Ms. Bremner seconded Ms. Lacey's endorsement.***

***No further discussion. Motion passed unanimously.***

**❖ ASSESSMENT COMMITTEE – Anne Keith (Item 14)**

**Item 14                        ASSESSMENT REPORT – (INFORMATION ONLY) – 20 Minutes  
Ashley McGrath**

Ms. Ashley McGrath began by thanking the Board for their flexibility with Assessment during Covid, and to the Commissioner of Higher Education and Ms. Angela McLean for their work with the ACT during Covid. Ms. McGrath reviewed the tests affected by Covid and tests postponed due to Covid. Ms. McGrath discussed the Strategic COVID Waiver Process with the Board, ability for Public Comment, and the timeline of when final determination of the waiver granting process will be complete. Ms. McGrath reviewed the upcoming 2021 Assist Conference to be held the end of January via Zoom. Ms. McGrath answered Board member questions.

**❖ ACCREDITATION COMMITTEE – Madalyn Quinlan (Item 15)**

**Item 15                        ACCREDITATION REPORT – (INFORMATION ONLY) – 15 Minutes  
Nathan Miller**

Mr. Nathan Miller presented the Accreditation Report, noting that the TEAMS closing date was extended from November 1 to December 1 this year due to Covid. Mr. Miller reviewed the Intensive Assistance Process for the Board and how schools move through that process. Also provided was a list of schools in Intensive Assistance, schools in Intensive Assistance and listed as Targeted schools, and schools in

Intensive Assistance and considered a High Priority. Mr. Miller noted all these schools have completed their TEAMS reporting and participated in TEAMS webinar training this fall as well.

❖ **LICENSURE COMMITTEE – Tammy Lacey (Items 16 – 21)**

**Item 16 LICENSURE REPORT – (INFORMATION ONLY) – 15 Minutes**  
**Dr. Julie Murgel**

Dr. Murgel presented the Annual Licensure Report to the Board and reviewed the separate License categories, how many licenses are in each category, how many licenses the OPI Licensure division issued in each category, and licensure numbers from year to year for the past five years. Dr. Murgel answered Board member questions.

**Item 17 HEARING ON APPEAL OF LICENSURE DENIAL, BPE CASE #2020-12, LINDBERG – (ACTION)**  
**Katherine Orr, Agency Legal Services**

Ms. Lacey opened the meeting and turned it over to Ms. Katherine Orr, Agency Legal Services attorney. Ms. Orr explained the request from OPI which is now an Unusual Case request and not a licensure hearing. Ms. Sharyl Allen, Deputy Superintendent at OPI, explained why OPI is making the Unusual Case request. Ms. Allen went through the candidate's educational and employment background that OPI is using as the reason for the request.

**Ms. Tammy Lacey moved to approve the request from the Superintendent to approve a Class 2 license endorsed in Music K-12 as an Unusual Case pursuant to ARM 10.57.109 for BPE Case #2020-12, Lindberg. Motion seconded by Ms. Sharon Carroll.**

***Questions from Board member Quinlan and Lynch.***

***No further discussion. Motion passed unanimously.***

**Item 18 NOTICE OF EDUCATOR LICENSURE SURRENDER, SEID 81359 – (INFORMATION ONLY) – 5 Minutes**  
**Sharyl Allen**

Ms. Allen presented the license surrender to the Board.

**Item 19 INITIAL REVIEW OF REVOCATION REQUEST, BPE CASE #2020-10, SANTALA – (ACTION) – 15 Minutes**  
**Katherine Orr, Agency Legal Services**

Ms. Orr announced that the educator is awaiting a criminal process and the OPI is requesting a continuance on this case.

**Ms. Tammy Lacey moved to approve the request of a Motion to Continue the Initial Review in BPE Case #2020-10, Santala. Motion seconded by Mr. Jerry Lynch.**

***No discussion. Motion passed unanimously.***

**Item 20 INITIAL REVIEW OF REVOCATION REQUEST, BPE CASE #2020-11, MEDICINE HAWK – (ACTION) 15 Minutes**  
**Katherine Orr, Agency Legal Services**

Ms. Sharyl Allen, OPI, reviewed for the Board the reasons for the request from the Superintendent to revoke the educator license in BPE Case #2020-11, Medicine Hawk. Ms. Allen answered Board member questions. Mr. Stuart Segrest, OPI Agency Legal Services Attorney, answered Board member questions.

**Ms. Tammy Lacey moved to carry BPE Case #2020-11, Medicine Hawk, to a contested case hearing at the March 11-12, 2021 BPE Meeting. Motion seconded by Ms. Madalyn Quinlan.**  
**No discussion. Motion passed unanimously.**

**Item 21 INITIAL REVIEW OF REVOCATION REQUEST, BPE CASE #2020-14, ORTMAN – (ACTION) – 15 Minutes**  
**Katherine Orr, Agency Legal Services**

Ms. Katherine Orr reviewed the revocation request from the Office of Public Instruction and the response from Mr. Ortman. Mr. Ortman was present at the meeting and presented his defense to the Board.

**Ms. Tammy Lacey moved to carry BPE Case #2020-14, Ortman to a contested case hearing at the March 11-12, 2021 BPE Meeting. Motion seconded by Mr. Jerry Lynch.**

**No discussion. Motion passed unanimously.**

**PUBLIC COMMENT**

\*\*\*\*\*EXECUTIVE SESSION – CLOSED\*\*\*\*\*

❖ **MSDB LIAISON – Mary Jo Bremner (Item 22)**

**Item 22 CONTRACT EXTENSION DISCUSSION FOR MSDB SUPERINTENDENT – 20 Minutes**  
**Dr. Darlene Schottle**

\*\*\*\*\*OPEN SESSION\*\*\*\*\*

**ACTION ON CONTRACT EXTENSION FOR MSDB SUPERINTENDENT**

**Ms. Mary Jo Bremner moved to approve the MSDB Interim Superintendent Paul Furthmyre for an additional year as Interim Superintendent from July 1, 2021 – June 30, 2022. Motion seconded by Ms. Anne Keith.**

**No discussion. Motion passed unanimously.**

**FUTURE AGENDA ITEMS March 11-12, 2021**

- Assessment Update
- Federal Update
- Accreditation Report
- Annual School Food Services Report
- MACIE Update
- Initial Presentation of MSDB School Calendar

**ADJOURN**

**Meeting adjourned at 3:02 PM**

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*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.*

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