

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

**November 12-13, 2009**

**MONTANA STATE CAPITOL**  
**Room 152**  
**Helena, MT**

**November 12, 2009 - Thursday**  
**1:00 PM**

## **CALL TO ORDER**

Chairperson Patty Myers called the meeting to order at 1:00 PM. The Pledge of Allegiance was led by Mr. Tim Seery. Ms. Carol Will took roll call; a quorum was noted. Ms. Stacey Howell, Field Representative from Senator Max Baucus' Office, introduced herself. Ms. Patty Myers noted that item 20 will be presented after item 11 on Friday, November 13, 2009. Item 21 was pulled from the agenda.

***Ms. Angela McLean moved: to adopt the agenda as revised. Mr. Storrs Bishop 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 and Dr. Mary Sheehy Moe represented Commissioner Sheila Stearns; and Mr. Dan Villa represented Governor Brian Schweitzer. Visitors in attendance included: Ms. Nancy Coopersmith, Assistant Superintendent, OPI; Dr. Linda Vrooman Peterson, Accreditation Division Administrator, OPI; Mr. Bill Sykes, Finance Director, MSDB; Mr. Steve Gettel, Superintendent, MSDB; Ms. Kris Wilkinson, Legislative Fiscal Analyst, LFD; Ms. Norma Bixby, Chair, Montana Advisory Council on Indian Education (MACIE); Mr. Matt Kleinsasser, Principal, Ashland Public Schools; Mr. Harry Chef, Superintendent, Colstrip Public Schools; Mr. Dan Lantis, Superintendent, Lame Deer Public Schools; Dr. Richard Littlebear, President, Chief Dull Knife College; Dr. Zane Spang, Dean of Student Affairs, Chief Dull Knife College; Mr. Marco Ferro, MEA-MFT; Ms. Beck McLaughlin, Education & Web Services Director, Montana Arts Council; Ms. Arni Fishbaugh, Executive Director, Montana Arts Council; Mr. Bob Vogel, MTSBA; Mr. Darrell Rud, SAM; Ms. Sally Broughton, 2009 Teacher of the Year; Ms. Cheri Seed, Tobacco Specialist, OPI; Ms. Susan Court, Youth Risk Behavior Survey Specialist, OPI; Judy Snow, Statewide Student Assessment Specialist, OPI; Ms. Madalyn Quinlan, Chief of Staff, OPI; Ms. Kris Goyins, Communication Arts Curriculum Specialist, OPI; Mr. Al McMilin, Accreditation Unit Manager, OPI; Ms. BJ Granbery, Educational Opportunity & Equity Division Administrator, OPI; Ms. Sue Brown, English Teacher, Flathead High School; Ms. Kelly Chapman, Student Assistance Foundation; Ms. Debra Poole, Gifted and Talented Specialist, OPI; and Ms. Stacey Howell, Field Representative, Office of Senator Max Baucus.

## INFORMATION ITEMS

### Item 1

#### CHAIRPERSON'S REPORT - Patty Myers

- September 21, 2009 MSDB Foundation Meeting – Great Falls, MT
- October 8, 2009 Dedication, Phyllis J. Washington Education Center, Missoula, MT
- October 15, 2009 Teacher of the Year Banquet – Billings, MT
- October 16, 2009 MEA-MFT – Billings, MT
- October 30, 2009 Common Core Adoption Summit – Chicago, IL
- October 31, 2009 Represented the Governor & Lt. Governor at half-time of the UM Game – Missoula, MT
- November 3, 2009 MSDB Committee Meeting Conference Call

#### BOARD OF PUBLIC EDUCATION APPEARANCES

##### Angela McLean

- October 16, 2009 MEA-MFT – Billings, MT
- October 31, 2009 Represented the Governor & Lt. Governor at half-time of the UM Game – Missoula, MT

##### Bernie Olson

- November 3, 2009 MSDB Committee Meeting Conference Call

##### Sharon Carroll

- October 15, 2009 Teacher of the Year Banquet – Billings, MT
- October 16, 2009 MEA-MFT – Billings, MT

##### Tim Seery

- October 18, 2009 MASC Executive Board Meeting – Hardin, MT
- October 19 – 21, 2009 MASC State Conference – Hardin, MT

### Item 2

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

- Mr. Steve Meloy reported that the Montana Virtual Academy distributed a planning survey, a web presence is being developed, brochures were distributed at MCEL and MEA-MFT Conferences, presentations have occurred at numerous locations and events, applications for the Director and Curriculum Specialist have been screened by the Governing Board, and interviews will occur in the middle of November.
- Appreciation was expressed to the Office of Public Instruction for their financial support to allow Ms. Patty Myers to attend the Common Core State Standards Initiative Adoption Summit, Chicago, IL.
- Mr. Steve Meloy met with the Interim Committee on the Education and Local Government concerning the implementation of HJR 6 which calls for shared goals among the OPI, the BPE, and the Interim Committee. Mr. Meloy stressed how closely aligned the Board of Public Education is with the Office of Public Instruction. It is imperative that the Interim Committee let the Office of Public Instruction and the Board of Public Education know if there is a problem and enable everyone to work together on a resolution before it comes out in form of a bill.
- The Board of Public Education continues to work on the implementation of the Class 8 license with recommendations from the Certification Standards and Practices Advisory Council Review Committee. MEA-MFT came to the hearing in support of the proposed changes.
- Mr. Meloy reported that he continues to attend the Learning First Alliance on behalf of the Board, but the LFA is considering adopting bylaws and is requesting members to pay \$200.00 in dues. The Board of Public Education needs to decide if it would like to continue being part of the LFA.

**State Superintendent Denise Juneau arrived at 1:23 PM**

- The Board of Public Education is making conscious decisions in how it is spending its money due to budget constraints. Mr. Meloy noted that Governor Brian Schweitzer ordered agencies under his control to cut 35% from their out-of-state travel expenses paid from the state's general fund from FY2010. Mr. Dan Villa stated that Governor Schweitzer will be providing the Board of Public Education with more information.
- Mr. Steve Meloy was elected President of the National Council of State Boards of Education Executives (NCSBEE) beginning January 1, 2010.
- Ms. Patty Myers requested that the BPE's Executive Committee and its Finance Committee meet via a conference call to discuss the budget in detail.

### **Public Comment**

Mr. Darrell Rudd, SAM, requested that the Board of Public Education acknowledge the school administrators and others who obtained awards of excellence for their work in schools across Montana. He provided the BPE's Office with a list of names for acknowledgement.

#### **Item 3 CSPAC REPORT - Peter Donovan**

The Montana Certification Standards and Practices Advisory Council (CSPAC) met on October 8-9, 2009 at the University of Montana in Missoula, MT. CSPAC also met jointly with the Montana Council of Deans of Education. Some topics discussed included the following: An update of the proposed changes concerning the Class 8 Professional Educator Licensure to Chapter 57 of the Administrative Rules of Montana; a School Staffing Module update; changes being made to the Higher Education Opportunity Act Title II State Report Card; a follow-up to the NCATE Western Regional Accreditation Orientation; the proposed draft of the Highly Qualified Teacher's Plan; and an update on the Accreditation On-Site Review Schedule. Mr. Peter Donovan reported on his attendance to the Education Testing Center Conference in Las Vegas, NV. In conclusion, Mr. Donovan noted the significant increase in the number of licenses being issued in the state of Wyoming. There is a high level of disparity and it is becoming extremely more difficult to keep excellent teachers in the state of Montana.

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

State Superintendent Denise Juneau commended her staff for the work and commitment they have demonstrated through the changes of the strategic direction at the Office of Public Instruction. State Superintendent Denise Juneau and the First Lady met with Ms. Marian Dimitrov who was named the America's Top Young Scientist and asked her to come speak with the Board of Public Education. The Office of Public Instruction will launch its new website in January 2010. State Superintendent Denise Juneau attended the CCSSO meeting. Mr. Dan Villa will discuss the changes of Race to the Top under his report. She has been meeting with the turnaround schools and with the Regional Superintendents at the Montana Association of School Superintendent (MASS) Meetings. State Superintendent Denise Juneau was appointed to the NCATE Board. Montana's 4<sup>th</sup> grade math scores went up 5 points on the National Assessment of Education Progress (NAEP) this year. Mr. Cal Gilbert expressed his concern about the time it takes to complete the 5-year Comprehensive Education Plan document. Dr. Linda Vrooman Peterson stressed that schools should contact the Office of Public Instruction to assist them in completing the plan. This work is about the school's data and their direction which the Office of Public Instruction is available for assistance to schools.

#### **Item 5 COMMISSIONER OF HIGHER EDUCATION'S REPORT - Commissioner Sheila Stearns**

Dr. Sylvia Moore reported that Dr. Sheila Stearns introduced Dr. Waded Cruzado to the Board of Education, as the upcoming MSU-Bozeman President. The Regents are looking at ways to make the university system more efficient with the use of few dollars. Dr. Sylvia Moore continues to work with Ms.

Rene Dubay from the Commissioner of Higher Education's Office on access issues. The Commissioner's Office has met with Ms. Stacie Howell from Senator Max Baucus' Office. Dr. Mary Moe, Mr. Tyler Trevor, Ms. Madalyn Quinlan, Ms. Joyce Silverthorne and Dr. Sylvia Moore met to discuss the shared goals. The H1N1 flu is declining on the campuses across the state. Dr. Sylvia Moore attended the Joint CSPAC/Council of Deans meeting. Budget issues continue to be a concern. State Superintendent Denise Juneau requested that the Office of the Commissioner of Higher Education report to the Board of Public Education centering on the work surrounding Talent Search, Upward Bound, and TRIO as they relate to the transitions of post-secondary education.

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

Mr. Dan Villa referred to the presentation from the Board of Education meeting by Ms. Jamie Palagi, Chief of the Early Childhood Services Bureau, Human & Community Services Division, DPHHS concerning the work of Montana's Early Childhood System with the Stars to Quality Program. He stressed that as we raise the level of quality experiences for young children, more kids will be ready for school and be successful in learning, thereby closing the achievement gap in later years. Mr. Dan Villa also recapped from the BOE meeting that the Governor's Office is working with the Office of Public Instruction, the Department of Public Health & Human Services, the Department of Labor & Industry, and the Office of the Commissioner of Higher Education concerning the longitudinal data system that is directly linked to the Race to the Top.

Mr. Dan Villa presented to the Board of Public Education the U.S. Department of Education: Race to the Top Overview as presented to NGA, CCSO, and NASBE on November 9, 2009.

#### **Timeline for Phase 1**

Mid-November 2009	Notice inviting applications available
Mid-January 2010	Applications from States due
April 2010	Winners announced for Phase 1
	Feedback provided to applicants who do not win

#### **Timeline for Phase 2**

June 2010	Application deadline for Phase 2
September 2010	Winners announced for Phase 2

A state must meet the following requirements in order to be eligible to receive funds:

- a) The state's applications for funding under Phase 1 and Phase 2 of the State Fiscal Stabilization Fund program must be approved by the U.S. Department of Education prior to the state being awarded a Race to the Top grant.
- b) At the time the state submits its application, there must not be any legal, statutory, or regulatory barriers at the state level to linking data on student achievement or student growth to teachers and principals for the purpose of teacher and principal evaluation.

The application requires states to document their past success and outline their plans to extend their reforms by using college- and career- ready standards and assessments, building a workforce of highly effective educators, creating educational data systems to support student achievement, and turning around their lowest-performing schools. The final application clarifies that states should use multiple measures to evaluate teachers and principals, including a strong emphasis on the growth in achievement of their students. But it also reinforces that successful applicants will need to have rigorous teacher and principal evaluation programs and use the results of teacher evaluations to inform what happens in the schools. Mr. Dan Villa pointed out that some of the key changes are much more Montana friendly. For instance he believes that Montana will score highly based on the following priorities:

- **Absolute:** Comprehensive approach to education reform
- **Competitive:** Emphasis on Science, Technology, Engineering, & Mathematics (STEM)
- **NEW Invitational:** Innovations for improving early learning outcomes

- Invitational: Expansion and adaptation of statewide longitudinal data systems
- Invitational: P-20 coordination, vertical and horizontal alignment
- Invitational: School-level conditions for reform, innovation, and learning

The report, "Leaders and Laggards: A State-by-State Report Card on Educational Innovation," was issued by members of the U.S. Chamber of Commerce, the Center for American Progress, and Frederick M. Hess, Director of Education Policy Studies for the American Enterprise Institute. It used state data and existing and original research to assign letter grades to states, based on seven indicators of innovation: school management, finance, hiring and evaluation of teachers, removal of ineffective teachers, data, "pipeline to postsecondary", and technology. Mr. Dan Villa stressed that it is an opinion and not a true reflection of the quality of teachers in Montana as evidenced in student performance.

Discussion ensued about one-time-only money, revenue, operating costs, accountability of ARRA funds, and if there is a mechanism in place on how much should be used on our American Indian students.

#### **Item 7 STUDENT REPRESENTATIVE'S REPORT - Tim Seery**

Mr. Tim Seery reported on his attendance to the Montana Association of Student Councils (MASC) statewide convention in Hardin, Montana. Mr. Seery presented a report to MASC outlining the history of the Board of Public Education and its role along with seven issues that the Board has faced in his tenure.

The issues presented were: Training for teachers, interpreters, Braille instructors at MSDB; Common Core Standards; accreditation; drop-out rates; and passage rate of GED's. Mr. Seery felt that the students were receptive to information regarding school governance and held a genuine interest in the complex nature of issues facing our schools. After the presentation, he held a workshop for those who had questions. As a result, Mr. Seery obtained new contacts and he intends to rely on these students and others in the next legislative year to accurately portray and represent their concerns. Mr. Tim Seery also shared an experience visiting a one room school at the Big Stone Hutterite Colony.

#### **2:35 PM Mr. Dan Villa and Dr. Sylvia Moore departed**

#### **Item 8 MT STANDARDS FOR ARTS AND THE MT ARTS COUNCIL - Arni Fishbaugh, Executive Director and Beck McLaughlin, Education & Web Services Director, Montana Arts Council**

Ms. Arni Fishbaugh presented the K-12 Arts Education in Operation Blueprint to the Board of Public Education and thanked the Board for the invitation to share how the Montana Arts Council addresses the Board's standards for the arts. Ms. Beck McLaughlin stated that the Montana Arts Council has two arts education grants programs:

1. Artists in Schools and Communities residency and special project grants
  - Fund residencies where working professional artists teach hands-on lessons in the fundamental skills and knowledge of an art form. The Montana Arts Council fund curriculum development and professional development for teachers and teaching artists. This year 37 grants were funded for about \$112,000. Historically these grants reach from 11% to 19% of Montana enrolled students.
2. Teacher Exploration of the Arts of TEA grants
  - TEA grants are for elementary classroom teachers of K-8 teachers with an elementary endorsement, who are asked to teach visual art or music and do not have a background in that subject, who wish to work on-on-one with a professional working artist in order to develop the teacher's skill in a particular artistic discipline. Arts Council funds \$500 for at least 8 hours of one-on-one work with the artist and the match is the teacher's time. Experience in other states has found that when a teacher is more familiar and confident in one art form they are more apt to use all the arts in their classroom. The program started 2 years ago – funded 11 grants the first year, but this year there were only 3 applicants.

Other grants and organizations reviewed were: Rocky Mountain Development Corp. Head Start Program; Art Mobile of Montana; and VSA art of Montana. The Montana Arts Council provides



Dr. Richard Littlebear reported that the Circle of Schools was created to focus on at-risk students since the P-20 Committee was eliminated. Lame Deer Public Schools, Lame Deer, Montana; Liberty Christian Academy, Lame Deer, Montana; Northern Cheyenne Tribal School, Busby, Montana; Colstrip Public Schools, Colstrip, Montana; St. Labre Indian Catholic School, Ashland, Montana; Ashland Public Schools, Ashland, Montana, and Chief Dull Knife College, Lame Deer, Montana have pulled together to address at-risk students who are not achieving up to their potential. The vision is to pull together to seek common goals to academically prepare these students in the global economy. The mission of the Circle of Schools is to successfully transition students from pre-school to high school into higher education or the workforce. The Circle of Schools is developing and refining common policies and procedures that include some of the following: Attendance, discipline/behavior, culture, assessment, curriculum, and parental involvement. Dr. Richard Littlebear stressed that they do not have the financial resources to support this work, but everyone involved is committed to the shared vision, mission and goals.

Mr. Dan Lantis, Superintendent, Lame Deer Public Schools pointed out that the Northern Cheyenne Tribe has made education compulsory for all children from 7 to 18 years of age, completion of high school graduation and/or GED. Therefore, absences from school without adequate reason may be in violation of tribal ordinance and state law. (MCA 20-5-103-104-105-108) Attendance, unless exempt or excused, is mandatory and students are responsible for being in class. This record follows a student from school to school since many of the students who attend these schools are very transient.

Mr. Matt Kleinsasser, Principal, Ashland Public Schools reported that the Circle of Schools is making a strong effort to close the gap between each school's curriculum. The Circle of Schools recognizes the importance and the direct impact curriculum has on academic success of children that attend schools on or near the Northern Cheyenne Reservation. It is further recognized that there may be multi-cultural influences on curriculum that may impact student learning. Schools are directed to align to the state standards and benchmarks as well as incorporate a process to review the curriculum regularly. The Circle of Schools recommends that districts appoint a committee of the board to address curriculum on an ongoing basis. The "Curriculum Committee" is made up of administration, certified teachers, trustees and a community member(s) and meets regularly to address the various disciplines. Districts that are too small to support a curriculum committee are encouraged to join a consortium. Mr. Matt Kleinsasser identified the following assessments that are used to measure the academic progress of students: Criterion Referenced Tests (CRT), IOWA Basic Test, Measure of Academic Progress, and DIBELS. The scores from these assessments follow students from school to school when a student transfers.

Mr. Harry Chef, Superintendent, Colstrip Public Schools stressed that the Circle of Schools operates on a zero dollar budget. There is a ton of volunteer time for the simple reason to promote student success. In the discipline statement students need to know that "we live in a disciplined world". We are disciplined whether we like it or not. We have the choice of disciplining ourselves or being disciplined by others. Every school employee serves in a function of "enforcement" of the discipline policy adopted by each district.

Discussion ensued about the significant improvements that have been made in students' proficiency levels in math and reading, critical quality educator shortage areas, this being a model program, and the fact that a few committed people working together for a common goal can make a big difference.

**Item 11                    COMPREHENSIVE TOBACCO-FREE SCHOOL POLICY - Cheri Seed, Tobacco Specialist, OPI**

This presentation highlighted the Office of Public Instruction's efforts to improve and enhance school tobacco policy post the Montana Board of Public Education's Position Statement on Tobacco Free School Policies dated May 13, 2005. The position statement encouraged all Montana school districts to adopt and implement a comprehensive tobacco-free school policy by September 2006. Ms. Cheri Seed pointed out the recent steps of the Office of Public Instruction to improve tobacco-free school policy: Signage survey (2008); new school signage development (2009); hire two regional coordinators (Sept. /Oct.

2009); awarded NSBA Consortium State Pilot Project Mini Grant (Oct. 2009); and strategic planning policy workshop (Oct. 29, 2009). In conclusion, Ms. Cheri Seed shared the risk behaviors of smokers vs. nonsmokers as reported in the 2009 Montana High School Youth Risk Behavior Survey and a collection of tobacco products designed to market the youth.

## INTRODUCTION

Ms. Patty Myers introduced Ms. Debra Poole, Gifted and Talented Specialist, from the Office of Public Instruction.

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**November 13, 2009 – Friday**

**8:30 AM**

### ACTION ITEM

### PUBLIC COMMENT

*The public will be afforded the opportunity to comment before the Board on every action item on the agenda prior to final Board action.*

**8:33 AM Closed Meeting**

**Item 20 DENIAL HEARING - CASE #2009-04 (CLOSED) - Steve Meloy**

**8:42 AM Opened Meeting**

**Ms. Angela McLean moved: to uphold the State Superintendent's decision to deny the license in BPE Case #2009-04. Mr. Storrs Bishop seconded. Motion passed unanimously.**

Discussion ensued about the credentials necessary for those who obtain a masters degree in education, but have no student teaching experience. The licensing department at the Office of Public Instruction is very thorough in determining if the licensure applicants have met the standards set by the Board of Public Education. There has to be transcribed evidence of field experience and completion of an accredited program. The OPI also looks to see if the licensure applicant may be eligible for an alternative or provisional license to accommodate the applicant whenever possible, but adhering to the Board of Public Education's licensing standards. Discussion continued on the Northern Plains Transition to Teaching Program.

**8:47 PM Dr. Mary Sheehy Moe arrived to represent Ex-Officio Commissioner Sheila Stearns**

### INFORMATION ITEMS

**Item 12 SPOTLIGHT ON THE OPI EDUCATIONAL OPPORTUNITY AND EQUITY DIVISION  
BJ Granbery, Educational Opportunity & Equity Division Administrator, OPI**

This presentation highlighted the scope and responsibilities of the Educational Opportunity and Equity Division. Ms. BJ Granbery provided the Board of Public Education with the OPI Educational Opportunity & Equity Chart that identifies the flow chart of the different positions, who holds each position, and how they are interconnected to ensure Title I A Compliance issues across the program. This chart also identified the four units within the division: Federal Formula & Discretionary Grants Units; Migrant Education Unit; School Support Unit; and Instructional Innovations Unit. A brief description of each unit was presented as well. Discussion ensued about addressing the needs of educating homeless children.

Mr. Cal Gilbert stressed that one out of every 8 kids in his school are homeless.

**Item 13 FINDINGS OF THE 2009 MONTANA YOUTH RISK BEHAVIOR SURVEY – Susan Court, Youth Risk Behavior Survey Specialist, OPI**

This report summarized the 2009 YRBS results and trends in the health risk behaviors of Montana high school students. Since 1991, the Montana Office of Public Instruction has administered the survey to students in Montana schools under a cooperative agreement with the Centers for Disease Control and Prevention (CDC). Weighted data results have been obtained with every survey since 1993. The YRBS measures self-reported behaviors for unintentional and intentional injury, tobacco use, alcohol and other drug use, sexual behaviors, nutrition and dietary behaviors and physical activity. Ms. Susan Court stated that the Montana Youth Risk Behavior Survey contains valid and statistically accurate data thanks to the participation of the schools within the state of Montana. Some statistics that were highlighted:

- Rode in a car driven by someone who had been drinking alcohol during the past 30 days – 28.8% of students
- Drove a car when they had been drinking alcohol during the past 30 days – 13.5% of students
- Were hit, slapped, or physically hurt on purpose by their boyfriend or girlfriend during the past 12 months – 9.6% of students
- Used chewing tobacco, snuff, or dip during the past 30 days – 14.6% of students
- Had five or more drinks of alcohol in a row during the past 30 days (“binge drink”) – 30.1% of students
- Had sexual intercourse with four or more people during their life – 16.0% of students
- Were overweight (i.e., at or above the 85<sup>th</sup> percentile but below the 95<sup>th</sup> percentile for body mass index) – 11.9% of students

Some other points addressed were: Montana has the 2<sup>nd</sup> highest suicide rate in the nation; methamphetamine use in Montana is dropping; and condom use is increasing. Two additional questions that were added to the survey:

- Had ever been bullied on school property during the past 12 months
- Had ever been electronically bullied, such as through e-mail, chat rooms, instant messaging during the past 12 months

Discussion ensued about the effectiveness of the meth project, schools accessing their data on the OPI website, texting while driving, marijuana use, suicide rate, forced sexual intercourse, Facebook issues, cyberbullying, nationalities, filtering the data, and why the survey is limited to 90 questions.

**Item 14 MACIE REPORT - Norma Bixby**

Ms. Norma Bixby reported to the Board of Public Education the highlights from the MACIE meeting that was held in Browning, Montana in September 2009. MACIE provided its new members with the history and role of its relationship with the Office of Public Instruction and the Board of Public Education. State Superintendent Denise Juneau was in attendance and requested the MACIE members complete a questionnaire. Mr. Tim Harris provided MACIE with a report on Special Education and Native American Indians. The Office of Public Instruction reported that it is taking the tribal histories of each tribe and making lesson plans for teachers. Ms. Norma Bixby stressed that Indian Education for All needs to be included in the Montana Virtual Academy and the Common Core Standards. Other items addressed at the MACIE meeting included: a proposed curriculum for science and social studies using Good Earth Technology; reviewed Indian Education for All grants; and reviewed the resolution written by Representative Franke Wilmer to transcribe tribal names into English to help others pronounce them correctly. There will be a listening session at the MIEA Conference in Billings, MT. Discussion ensued about the Circle of Schools; appropriate use of the Indian Education for All money; school improvement process; high turnover rates in teaching staff; teacher development; and the use of instructional coaches.

## DISCUSSION ITEMS

### **Item 15           ASSESSMENT UPDATE - Judy Snow, Statewide Student Assessment Specialist, OPI**

Ms. Judy Snow reported to the Board of Public Education the 2009-2010 MontCAS testing window:

October 19 – November 20, 2009	English Language Proficiency (ELP), Grades K-12
February 9 – March 24, 2010	CRT-Alternate, Grades 3-8 and 10, Reading and Math; Grades 4, 8, and 10, Science
March 1 – March 24, 2010	CRT, Grades 3-8 and 10, Reading and Math; Grades 4, 8, and 10, Science

The Combined Assessment and 2010 MontCAS Test Administration Training Conference will be held at the Red Lion Colonial, Helena, MT on January 28-29, 2010. Dr. Gerald W. Bracey, an international expert on education research and statistics will be the keynote speaker. Ms. Judy Snow continued with a review of the Formative Assessment for Montana Educators (FAME) class. The Office of Public Instruction intends to offer the class again next semester. There are four online writing programs for formative assessments that are being piloted in Montana schools in the 2009-2010 school year. The final report of these pilots will be presented to the Board of Public Education in July 2010. Additional information that was included in the October 2009 JUMP Newsletter: CRT and CRT-Alternative accommodations and registration; Braille versions of the CRT; large print versions of the CRT; CRT and CRT-Alternate Spring 2009 results; CRT test development events; 2009-2010 materials/training schedule for the English Language Proficiency Assessment (ELP); and the request for schools to participate in grant pilot test.

### **Item 16           FEDERAL UPDATE - Nancy Coopersmith, Assistant Superintendent, OPI**

This presentation included a schedule for the determination of Adequate Yearly Progress (AYP) for Montana schools and districts in July and August, 2010. In addition, information will be provided concerning a recently awarded grant to the Office of Public Instruction from the U.S. Department of Education for the Early Reading First Program. Ms. Nancy Coopersmith reported that all grants are approved, AYP has been determined, and the Office of Public Instruction is providing technical support to schools. The 2009 timelines for adequate yearly progress and assessment data was distributed to the Board with the following dates highlighted: OPI will be releasing the determinations earlier next year; federal government wants all parents notified two weeks before school starts; submit amendment to Montana Accountability Workbook to United States Department of Education by January 15, 2010; CRT testing window is March 1 – March 24, 2010; proposed AYP determinations are printed and mailed to schools/districts by June 18-19, 2010 (this date is considerably sooner than in past years); 30-day LEA review and appeals process by June 21 – July 22, 2010; AYP leadership meeting to determine appeals will occur on July 23, 2010; and final AYP determinations will be printed and mailed to school/districts by July 27, 2010. Ms. Nancy Coopersmith reported that NCLB provided \$165 million to Title I, Title II, Title II part D, and Title III funds. Title V funds have been eliminated. The Office of Public Instruction received the \$6.1 million Early Reading First Grant for three years. The Reading First funding has been eliminated. There is discussion of a new literacy bill that will provide funding for literacy education. Discussion ensued about the number of appeals, the appeal process, and the number of appeals granted. Ms. Nancy Coopersmith stated that the OPI will receive about 6-10 appeal requests each year and the OPI grants the appeals when they can if the evidence is present.

### **Item 17           NATIONAL COMMON CORE STATE STANDARDS INITIATIVE - Nancy Coopersmith, Dan Villa, Patty Myers, and Steve Meloy**

The presentation included information received at the Common Core State Standards Adoption Summit held October 30, 2009. The summit is sponsored by the Council of Chief State School Officers, the National Governors Association Center for Best Practices, and the National Association for State Boards

of Education. The presentation also included information placed on the Office of Public Instruction's website concerning the initiative. A document from the Office of Public Instruction dated September 29, 2009 stated a second draft of the College and Career Readiness Standards was released from the National Governors Association (NGA) and the Council of Chief State School Officers (CCSSO). The standards are available to view at <http://www.corestandards.org/Standards/index.htm>. The OPI staff, in conjunction with a panel of secondary educators and university professors, extensively reviewed the first draft of the National Common Core Standards, the College and Career Readiness Standards, for mathematics and English language arts. On July 31, 2009, a summary of the review panel's comments was sent to Mr. Gene Wilhoit, Executive Director CCSSO. The summary included concerns about specific aspects of the document. The following are taken from the Montana comments:

- There is an omission of any recognition of any or all culture; specifically the cultural heritage of Montana American Indians.
  - \* Culture is not incorporated into the second draft.
- These readiness standards must realistically address career readiness. These readiness standards appear to be a "sorter" of students; academia versus the world of work.
  - \* There is a resonating need for the second draft to address this comment. The standards need to be written for all Montana students regardless of the path they choose after completing high school.
- The College and Career Readiness Standards for Mathematics are not a balanced set of concepts, emphasis on Algebra.
  - \* Critical concepts for finance, medicine, and other areas for workforce are deficient.

The entire document is available on the OPI website at <http://opi.mt.gov/CCSSO/index.html>. The draft Common Core Standards were supposed to be released on Friday, November 13, 2009, but were not available at the time of this report.

The CCSO/NGA Common Core State Standards process flow chart was provided along with a question and answer sheet that was developed by the Common Core State Standards Initiative after its October 30, 2009 meeting in Chicago. Discussion ensued about the following: rate of progress; college and career ready standards are not exit standards; and 85% adoption.

**Item 18 EDUCATION AND LOCAL GOVERNMENT COMMITTEE - Steve Meloy**

There are two identified issues with the current statute of MCA 20-7-101 affecting the process for the adoption of accreditation standards. One, while the Legislative Fiscal Division (LFD) has been working with both the Board of Public Education and the Office of Public Instruction on the new process in relation to accreditation standards the results of the September 11, 2009 Board of Public Education meeting point out that there are still issues to be resolved before the process works as envisioned by the 2005 Legislature. Under what, if any, conditions should the legislature grant authority to the Board of Public Education to process without a determination of the fiscal impact of adoption or amendment of accreditation standards? 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 LFD and the Education and Local Government Interim Committee (ELGIC) action be conveyed to the Board and by whom? Two, statute does not address how the Board of Public Education can adopt or amend standards during the biannual legislative session when interim committees are disbanded. Does the legislature wish to designate a legislative committee for the Board of Public Education to submit changes to accreditation standards?

In order to work collaboratively and address these issues Mr. Steve Meloy presented this process for the fiscal analysis of proposed accreditation standards that was derived by Ms. Madalyn Quinlan, OPI; Ms. Kris Wilkinson, LFD; and Mr. Steve Meloy, BPE.

	<b>Meeting 1</b>	<b>Meeting 2</b>	<b>Meeting 3</b>
	Information	Notice of Proposed Rulemaking	Adoption of Rule
<b>Prior to meeting:</b>	BPE sends letter to the		BPE holds public

	ELGIC to communicate the planned process and timeline for adoption of the content and performance standard.		hearing to receive input on the proposed standards.
<b>At meeting:</b>	OPI presents cost assumptions to BPE along with draft version of standards.	Any revisions of proposed standards and cost assumptions are presented to the BPE. BPE approves notice of proposed rulemaking, which begins the formal rulemaking process.	LFD fiscal analysis is presented to the BPE.
<b>Meeting follow-up:</b>	BPE sends letter to ELG with draft cost assumptions. ELG requests LFD Analysis.	LFD prepares its fiscal analysis of the proposed rules.	If the proposed standard is substantially changed from the NPRM version, the LFD will revise its analysis and present its conclusions to the BPE in a conference call prior to the next scheduled BPE meeting.

Discussion ensued about not wanting to impede on the Board's process. Ms. Kris Wilkinson distributed a memorandum from Mr. Jeremy Gersovitz, Staff Attorney from the Education and Local Government Interim Committee dated October 1, 2009 to the committee members reporting the Board of Public Education's administrative rule activity. The Board of Public Education notified the ELGIC on May 28, 2009 of its intent to adopt, amend, and repeal rules pertaining to the math content standards and performance descriptors before the Board took final action on September 11, 2009. A technical note in Mr. Gersovitz memo stated, "the Board's taking action in advance of the LFD's analysis potentially handicaps the legislature's constitutional duty to provide 'a basic system of free quality public elementary and secondary schools throughout the State of Montana that will guarantee equality of educational opportunity to all.'" Ms. Kris Wilkinson stated that there is no significant fiscal impact to school districts from the final analysis for the math standards. Discussion continued on the Board's constitutional mandate to set the standards, the starkness of the language in Mr. Jeremy Gersovitz' memorandum, and whether or not the Board should respond to Mr. Gersovitz. The consensus of the Board was to respond to Mr. Jeremy Gersovitz' memorandum.

**11:25 AM Dr. Mary Sheehy Moe departed**

**Item 19 UPDATE OF ACCREDITATION ON-SITE VISITS OF PROFESSIONAL EDUCATION UNITS - Dr. Linda Vrooman Peterson, Accreditation Division Administrator, OPI**

The Office of Public Instruction provided the Board of Public Education with the schedule of the 2008-2013 on-site accreditation visits of Montana's Professional Education Units. The OPI conducts on-site accreditation reviews of the nine units on a seven-year cycle. In addition to these regular on-site reviews, the OPI facilitates reviews for other purposes, e.g., technical assistance, follow-up, focused and new program reviews. The Professional Educator Preparation Program Standards (PEPPS) and Procedures Manual are included in the BPE packet of materials. To find the electronic copy of the PEPPS use the OPI Website link at [www.opi.mt.gov/Accred](http://www.opi.mt.gov/Accred). The Montana Professional Education Units Accreditation Review Schedule for 2008-2013 is as follows:

2008 University of Montana-Western

2008	Montana State University-Bozeman
2009	Montana State University-Northern
2010	Montana State University-Billings
2010	Salish Kootenai College
2011	Carroll College
2012	University of Montana-Missoula
2012	University of Great Falls
2013	Rocky Mountain College

## ACTION ITEMS

## PUBLIC COMMENT

*The public will be afforded the opportunity to comment before the Board on every action item on the agenda prior to final Board action.*

~~Item 21 — REVOCATION — CASE #2007-703 (CLOSED) — Steve Meloy~~

This item was removed from the agenda.

11:30 AM Mr. Tim Seery departed

**Item 22 RECOMMEND APPROVAL OF CRITICAL QUALITY EDUCATOR SHORTAGE AREAS-**

**Madalyn Quinlan, Chief of Staff, OPI**

Section 20-4-501 through 506, MCA provides for a quality educator loan assistance program. This presentation included information about the responsibilities of the Board of Public Education and the Office of Public Instruction in the implementation of this program. The Office of Public Instruction reported and recommended for Board adoption, a listing of specific schools and specific quality educator licensure and endorsement areas impacted by critical quality educator shortage areas. Ms. Madalyn Quinlan provided the background of the program and reported that the legislative appropriation for quality educator loan assistance is \$882,000 in FY2010 and \$1,076,000 in FY2011 for a total of \$1,958,000 for the 2011 biennium. This funding level will support loan assistance to approximately 300-330 educators in FY2010 and 400-440 educators in FY2011. The Office of Public Instruction has developed a rubric for scoring the needs of schools based on three factors: rural isolation, economic disadvantage, and low student achievement. These three factors are weighted to set a threshold for identifying "impacted schools." There are 526 impacted schools on the list, of which 255 are elementary schools, 147 are middle schools or grade 7/8 schools, and 124 are high schools. Last year 327 schools were identified. The Office of Public Instruction looked at three available sources of information related to licensure and endorsement shortage areas: Personnel Recruitment and retention Report; emergency authorizations; and misassignments reported by accredited schools. Ms. Madalyn Quinlan reported that there is an extra effort being extended to promote this program through marketing to ensure that a net is cast wide enough to catch those who are eligible to apply.

**Ms. Angela McLean moved: to adopt the Critical Quality Educator Shortage Areas report as presented to establish eligibility for the quality educator loan assistance program in the spring of 2010. Ms. Sharon Carroll seconded. Motion passed unanimously.**

**Item 23 NOTICE OF ADOPTION OF NEW RULE I AND AMENDMENT OF ARM 10.57.102, 10.57.201, 10.57.204, 10.57.215, 10.57.301, 10.57.413, 10.57.420, 10.57.425, 10.57.426, AND 10.57.437 PERTAINING TO EDUCATOR LICENSURE - Peter Donovan**

Mr. Peter Donovan reported that during the Board of Public Education meeting on March 13, 2009, the Board adopted changes to Title 10 Chapter 57 of the Administrative Rules of Montana, as recommended

by the Chapter 57 Review Team. The review team convenes every five years as required by ARM 10.57.101 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. The adoption of New Rule I and the amendment of rules in Chapter 57 were 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 Postsecondary 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 in these areas and create additional dual credit opportunities for Montana's students. Mr. Peter Donovan reported that there are 13 people who are waiting to receive a Class 8 license, but will be able to obtain the license if this rule is passed as presented. Mr. Eric Feaver, on behalf of MEA-MFT, stated that he supported the rules as written at the November 9, 2009 public hearing. Discussion ensued about the concerns expressed by Representative Steenson about limiting access to students; Mr. Steve Meloy's response to Representative Steenson on October 21, 2009 is found in this meetings correspondence; and continued vigilance by the Board of Public Education to ensure that its rules are being upheld.

**Ms. Angela McLean moved: to adopt New Rule I and amendment of ARM 10.57.102, 10.57.201, 10.57.204, 10.57.215, 10.57.301, 10.57.413, 10.57.420, 10.57.425, 10.57.426, and 10.57.437 pertaining to educator licensure. Ms. Sharon Carroll seconded. Motion passed unanimously.**

**Item 24            RECOMMEND APPROVAL OF NOTICE OF PUBLIC HEARING AND TIMELINE RELATING TO ARM 10.54.3010 THROUGH 10.54.3898 COMMUNICATION ARTS CONTENT STANDARDS AND PERFORMANCE DESCRIPTORS - Kris Goyins, Communication Arts Curriculum Specialist, OPI**

The Office of Public Instruction provided the Board of Public Education with the Notice of Public Hearing and Timeline relating to the K-12 Communication Arts Content Standards and Performance Descriptors. This presentation included the final process for comments, review and editing, areas of focus and resulting documents. Attached are the draft Notice of Public Hearing, Timeline, cost analysis for implementation of standards and performance descriptors, and "user-friendly" K-12 Communication Arts Content Standards and Performance Descriptors. Ms. Kris Goyins and Ms. Sue Brown reviewed the standards, timeline, and the cost analysis for implementation. They reported that the standards are easy to measure and easy to understand. The Office of Public Instruction and the colleagues that worked on the standards from around the state tried to eliminate any redundancy, clearly identify essential learner elements, and ensure there is life enrichment of communication arts in the content of these standards.

**Mr. Storrs Bishop moved: to approve the notice of public hearing and timeline relating to Administrative Rules of Montana 10.54.3701 through 10.54.3715, 10.54.3610 through 10.54.3613, 10.54.3620 through 10.54.3623, 10.54.3630 through 10.54.3633, 10.54.3640 through 10.54.3653 concerning the Communication Arts Content Standards and Performance Descriptors. Mr. John Edwards seconded. Motion passed unanimously.**

**Item 25            PROGRESS REPORT AND RECOMMENDATIONS FOR SCHOOLS IN AN INTENSIVE ASSISTANCE CYCLE DUE TO CONTINUING OR SERIOUS DEVIATIONS  
AI McMilin, Accreditation Unit Manager, OPI**

This presentation provided the Board of Public Education with a progress report and recommendations regarding schools that have been in an intensive assistance cycle either in 2007-2008 or 2008-2009 due to continuing or serious deviations. The schools have all developed corrective plans approved by the BPE to address the deviations. An outlying issue is that the State Superintendent of Public Instruction provides annual recommendations to the Board of Public Education for accreditation status determinations for all Montana accredited schools. Over the past two years the State Superintendent of Public Instruction and the Office of Public Instruction's accreditation staff have worked with the Board of

Public Education to develop and implement a process that will address these serious and continuing deviations fairly, consistently and with intention toward continuous education improvement. The response options for continuing or serious deviations were provided along with the Progress Report on Schools in Intensive Assistance Cycles updated November 2009. Mr. Al McMilin reported on the schools involved in the initial cycle for 2007-2008 and the initial cycle for 2008-2009 and noted that this will not be the last update, but the Office of Public Instruction wanted to keep the Board informed. Another report will come before the Board in January 2010 to report on Lewistown Public Schools since its plan has not been accomplished to date.

**Mr. Storrs Bishop moved: to approve State Superintendent Denise Juneau's recommendations in regard to the response options for continuing or serious deviations for all schools identified with the exception of Lewistown Public Schools. Mr. Cal Gilbert seconded. Motion passed unanimously.**

#### **PRELIMINARY AGENDA ITEMS – January 7-8, 2010**

5 YCEP Process Update  
Exiting Board Member – Last Meeting  
Transportation Report  
Assessment Update  
Federal Update  
MACIE Update  
Report on Teacher Education Program  
Alternative Standards Request

Discussion ensued about whether or not the Board of Public Education should ask Montana State University-Bozeman to present the Northern Plains Transition to Teaching Program. State Superintendent Denise Juneau will be making a recommendation to the Board of Public Education in January 2010 concerning MSU-Bozeman's accreditation status. It was decided to wait until after this recommendation from State Superintendent Denise Juneau in January 2010 to determine if the Board of Public Education should make this request of MSU-Bozeman.

**12:45 PM Mr. John Edwards and Mr. Bernie Olson departed**

#### **INFORMATION ITEM**

##### **Item 26 MSDB COMMITTEE MEETING REPORT - Steve Gettel**

Mr. Steve Gettel reported that Montana's News Station presented a series of articles concerning the decrease in the number of students attending the Montana School for the Deaf and Blind. MSDB at its height in the 1970s had about 100 students; five year ago, the number stood at 70, and now, there are just 50 students. There are lots of reasons for the decrease, including fewer children born with hearing and vision impairments; technology advances that help those with impairments stay in more traditional schools; and a 1994 law that required school districts to provide services for these kids. But MSDB school staff members note that sending kids to MSDB can still be a huge benefit, and estimate that of the kids eligible to attend MSDB, only one-fifth do. It can mean some kids that should be at MSDB are falling behind at their own school. Even though the classes are small at MSDB, it continues to be the best place to provide services for hearing and vision impaired students. Other articles focused on MSDB being a "second" home for most students, and the continual need to provide financial support through the MSDB Foundation.

Mr. Steve Gettel continued to report to the Board of Public Education about personnel actions and updates on the strategic planning process, 5-year comprehensive education plan development process, MAP assessments, LFD performance measures, in-service training, conference attendance, and MSDB

Foundation activities. The Foundation received a \$10,000 grant award from PPL to support MSDB's summer programs, a \$50,000 bequest from the Alta Haugse Trust, and John and Jesse Boor bequest one sixth of their estate with an estimated value of \$60,850 before expenses.

Mr. Bill Sykes reported that MSDB may have to make a personal services contingency request from the Governor's Office due to two staff members who will be retiring. Deferred maintenance money will be used to replace worn out carpet, tile, etc.

Mr. Steve Gettel continued the report with the school calendar of events, holiday schedule, and additional school news. He also reviewed the concept statement from Portland State University concerning the Pacific Northwest Consortium for Vision Education concerning the need of Teachers of children with Visual Impairments (TVIs). The consortium is requesting that each state provide a payment of \$5,000 per year and provide in-kind support by having a state coordinator of vision services and agree to help find placements and assist in the supervision of practica placements. As a result the consortium will guarantee the continuance of the program at Portland State University and will help insure sufficient numbers of qualified teachers for member states. In conclusion, it was discussed to create a task force to meet regularly to ensure that those who need training for sign-language interpreting have the support that they need to obtain and continue these skills. There may be money available through the Office of Public Instruction, the Montana Registry for Interpreters of the Deaf, and/or the Montana School for the Deaf and Blind. Mr. Peter Donovan will work with Mr. Steve Gettel to create this task force.

***Ms. Angela McLean moved: to adjourn. Mr. Storrs Bishop seconded. Motion passed unanimously.***

**1:50 PM Adjourned**

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