BOARD OF PUBLIC EDUCATION MEETING MINUTES

May 12-13, 2022
Montana School for the Deaf and the Blind
3911 Central Ave
Great Falls. MT 59401

Thursday May 12, 2022 8:30 AM

CALL TO ORDER

The Chair called the meeting to order at 8:33 AM. Students from the MSDB led the Board in the Pledge of Allegiance. Ms. Stockton took Roll Call and the Chair read the Statement of Public Participation and welcomed guests.

Board members present include: Ms. Tammy Lacey, Chair; Ms. Madalyn Quinlan, Vice Chair; Ms. Renee Rasmussen; Ms. Susie Hedalen; Dr. Tim Tharp; Ms. Jane Hamman; Ms. Paige LePard, Student Representative. Ex-officio members: Superintendent of Public Instruction Elsie Arntzen; Mr. Dylan Klapmeier, Governor Gianforte's Office; Dr. Angela McLean, Commissioner of Higher Education Office. Staff present: Ms. McCall Flynn, Executive Director; Ms. Kris Stockton, Administrative Assistant. Guests present: Ms. Amanda Curtis, MFPE; Ms. Emily Dean, MTSBA; Ms. Sharyl Allen, OPI; Dr. Julie Murgel, OPI; Ms. Barbara Brown; Mr. Tom Cubbage; Mr. Scott Lemmon; Ms. Tara Harris, Counsel; Ms. Jule Walker, MTSBA.

PUBLIC COMMENT

No public comment was made.

CONSENT AGENDA

Ms. Renee Rasmussen moved to approve the consent agenda as presented. Dr. Tim Tharp seconded the motion.

No discussion. Motion passed unanimously.

ADOPT AGENDA

Ms. Jane Hamman moved to approve the agenda as presented. Ms. Renee Rasmussen seconded the motion.

No discussion. Motion passed unanimously.

INFORMATION ITEMS

❖ REPORTS – Tammy Lacey (Items 1-6)

Item 1 CHAIRPERSON'S REPORT Tammy Lacey

Chair Lacey reviewed the updated committee list, welcomed Dr. Tharp to the Board, and reviewed activities and meetings she has attended in her role as Chair. Activities include the MSDB Spring program, the April CSPAC meeting, and weekly meetings of the Executive Committee. The Chair noted Ms. LePard is in her last meeting as student representative and presented her with a gift card and card of appreciation.

Item 2 EXECUTIVE DIRECTOR'S REPORT McCall Flynn

Ms. Flynn opened her remarks by thanking Mr. Furthmyre for his hospitality in hosting the Board on the campus of the school, then updated the Board on the Chapter 57 revisions being presented for adoption at this meeting. Ms. Flynn discussed the draft document for the Chapter 58 revisions, and the ongoing efforts on the revisions to Chapter 55, Accreditation Standards. Ms. Flynn announced that the individual in the CSPAC Trustee position did not win reelection in her district as a trustee, and that position will be posted soon. Ms. Hannah Nieskens, applicant for the CSPAC Trustee position joined the meeting and introduced herself to the Board.

<u>Dr. Tharp moved to approve the application of Ms. Hannah Nieskens to the CSPAC Trustee position.</u> Ms. Jane Hamman seconded the motion.

No discussion. Motion passed unanimously.

Ms. Flynn clarified that the financials listed in the agenda packet indicate a balance in the Legal Fees fund, but that has been expended since the report was run.

Item 3 STATE SUPERINTENDENT'S REPORT State Superintendent Elsie Arntzen

Superintendent Arntzen gave a status report on the CSCT program before discussing the Chapter 55 Negotiated Rulemaking committee, the Chapter 55 Task Force, and the work both groups have been doing. The Superintendent noted that pending the Board's approval of the MACIE nominations, MACIE will have a full board. The Superintendent discussed the possibility of the Board and OPI developing a "Shared Goals Policy" before answering Board member questions.

Item 4 COMMISSIONER OF HIGHER EDUCATION'S REPORT Dr. Angela McLean

Dr. McLean thanked Mr. Furthmyre for his hospitality, congratulated Ms. Lepard on her upcoming high school graduation, and welcomed Dr. Tharp to the Board. Dr. McLean updated the board on American Indian Minority Achievement Division activities, including the MACIE meeting the previous day, Decision Day on May 3rd for high school seniors to announce their post high school plans, MUS College Access update, Statewide ACT, and continuing efforts with Educator Recruitment and Retention. Dr. McLean answered Board member questions.

Item 5 GOVERNOR'S OFFICE REPORT Dylan Klapmeier

Mr. Klapmeier thanked Mr. Furthmyre and MSDB Staff for hosting the Board meeting and announced that Montana has three Presidential Scholars this year. Mr. Klapmeier recognized Dr. Tharp as the newest member to the Board and recognized previous board member Ms. Heller for her service on the Board over the past year. Mr. Klapmeier reviewed the Governor's visits to schools across the state, highlighting discussions he had with schools regarding the TEACH Act as well as visits to youth and YMCA programs statewide. Mr. Klapmeier extended the Governor's thanks to the Board for the work completed on the Chapter 57 revisions for Educator Licensure and noted that as soon as the agenda and meeting information for the June Education Summit are finalized that information will be shared. Mr. Klapmeier ended his report with a summary of the Governor's efforts surrounding Work-Based Learning

partnerships. Mr. Klapmeier thanked Ms. Lepard for her service on the Board and presented Ms. Lepard with gifts from the Governor, and thanked Ms. Nieskens for her application to CSPAC.

Item 6 STUDENT REPRESENTATIVE'S REPORT Paige Lepard

Ms. Lepard gave her report to the Board noting spring activities including graduation, Great Falls Scholarship Foundation awards, Decision Day at CMR, spring sports activities, DECA Nationals trip, BPA trip in Dallas, Student Council Activities, and Senior Activities to round out the year. The State Student Council met recently, and Charles Fox from Helena High was selected as the next Student Representative to the Board.

❖ MSDB LIAISON – Tammy Lacey (Item 7)

Item 7 MSDB REPORT – (INFORMATION) Paul Furthmyre

Mr. Furthmyre gave a presentation to the Board on interpreters and the critical need for interpreters across the state. Mr. Furthmyre gave this presentation to the Great Falls Lions Club recently and Chair Lacey asked him to give the presentation to the Board. Mr. Furthmyre briefly reviewed the MSDB report to the Board reviewing new hires in the personnel area, student enrollment numbers, and Legislative priorities for the 2023 Session.

Ms. Susie Hedalen moved to approve the Personnel actions for the MSDB as listed in the packet. Ms. Renee Rasmussen seconded the motion.

No discussion. Motion passed unanimously.

Ms. Susie Hedalen moved to approve the MSDB policies 5120, 5120P, 5120F, 5122, and 5122F. Ms. Jane Hamman seconded the motion.

No discussion. Motion passed unanimously.

Ms. Susie Hedalen moved to approve the 2022-2023 MSDB School Calendar. Dr. Tim Tharp seconded the motion.

No discussion. Motion passed unanimously.

Ms. Susie Hedalen moved to approve the Golden Triangle Cooperative Agreement with MSDB. Ms. Jane Hamman seconded the motion.

No discussion. Motion passed unanimously.

Ms. Susie Hedalen moved to approve the Out-of-State Travel Request for MSDB to attend AER. Ms. Renee Rasmussen seconded the motion.

Ms. Hedalen and Chair Lacey gave remarks about Mr. Furthmyre being able to attend this national conference. Chair Lacey thanked the MSDB Foundation for their fundraising to be able to pay for professional development opportunities for the MSDB.

No further discussion. Motion passed unanimously.

MACIE LIAISON – Susie Hedalen (Item 8)

MACIE REPORT - (INFORMATION) Item 8 Jennifer Smith

Ms. Smith discussed the MACIE meeting the previous day, including a request from Superintendent Arntzen to discuss Mental Health for Native American students, particularly depression experienced by high school students, and how to address those issues. Ms. Smith discussed the draft Regalia Protections Statement created by MACIE, and a draft Regalia Protections Resolution for the Board's consideration and approval at a later meeting. Chair Lacey and Director Flynn noted that this is the initial presentation of the Regalia Protections Resolution which will be presented to the Board at the July meeting for action. Ms. Hedalen added remarks on the work that MACIE has done on this project, and the purpose of the project. Dr. Tharp noted his frustration that there is still an issue with students being able to wear their regalia when it has been allowed by law for six years. Dr. McLean gave comments about the work between MACIE and AIMA. Ms. Smith thanked Board members for their comments and read the bios for the two MACIE Appointments.

> Ms. Susie Hedalen moved to approve the MACIE appointments for Marcy Cobell and Jonathan Jay Eagleman. Ms. Jane Hamman seconded the motion.

No discussion. Motion passed unanimously.

EXECUTIVE COMMITTEE – Tammy Lacey – (Items 9-12)

SCHEDULE - (ACTION)

Barb Quinn

Item 9

Ms. Barb Quinn, OPI, presented the proposed 2023 K-12 Base Aid Payment schedule to the Board. Ms. Quinn explained the process for determining the dates to ensure no holidays are included.

> Dr. Tim Tharp moved to approve the fiscal year 2023 Base Aid Payment Schedule. Ms. Susie Hedalen seconded the motion.

REQUEST APPROVAL OF THE 2023 PROPOSED K-12 BASE AID PAYMENT

Question from Ms. Renee Rasmussen if the schedule was much different than last year. Ms. Quinn noted it is similar and has been approved by the Office of Budget and Program Planning.

No further discussion. Motion passed unanimously.

Item 11 MUS COLLEGE ACCESS PORTAL PRESENTATION – (INFORMATION) Scott Lemmon, OCHE

Mr. Lemmon presented the MUS College Access Portal to the Board, giving a live demonstration on how students access the website and move through the application process. This allows students to complete one application for all ten MUS campuses at no cost. Mr. Lemmon answered Board member questions.

❖ LICENSURE COMMITTEE - Madalyn Quinlan (Items 13-23)

Item 13 REQUEST APPROVAL OF THE NOTICE OF ADOPTION PERTAINING TO THE AMENDMENT OF ARM TITLE 10, CHAPTER 57, EDUCATOR LICENSURE - (ACTION)

McCall Flynn

Ms. Quinlan reviewed the process for the revisions to Chapter 57 which began with the Task Force, the public hearing, and the special Board meeting in April. Ms. Quinlan thanked Ms. Flynn, Ms. Stockton,

and the OPI staff for all the work and long hours put into the process and preparing the final document. Ms. Hamman asked if there had been any feedback on the final notice. Ms. Flynn responded that to this point there have been no comments.

Ms. Madalyn Quinlan moved to approve the Notice of Adoption pertaining to the amendment of ARM Title 10, Chapter 57, Educator Licensure. Ms. Renee Rasmussen seconded the motion.

Public comment from Ms. Amanda Curtis regarding the proposed revisions regarding out-of-state licensure.

Ms. Quinlan responded to Ms. Curtis' comments.

Ms. Lacey noted that the student teaching requirement remains in place, and a definition of "student teaching portfolio" has been amended to be more specific.

Ms. Lacey stated that she did receive a phone call with concerns over "approved" versus "accredited" and that there seems to be some concerns still over that change.

No further discussion. Motion passed unanimously.

Item 14 LEGAL UPDATE – (INFORMATION) Katherine Orr, Agency Legal Services

Ms. Katherine Orr, Agency Legal Services representative updated the Board on the class action suit filed against the Board and the Office of Public Instruction by Shauna Yellow Kidney. Ms. Orr explained the basics of the suit for the two new Board members. Ms. Orr also reviewed the Oelkers case and gave the Board an update on that case. The parties have come to an agreement and a stipulation is being drafted and will be presented to the Board for approval at the July meeting.

Item 15 INITIAL REVIEW OF BPE CASE #2020-10, SANTALA – (ACTION) Tara Harris, Attorney

Ms. Harris, Attorney for OPI, reviewed the case for the Board, reviewing the initial revocation request for the Board, and the events and rescheduling that has occurred since then..

Ms. Renee Rasmussen approved moving the Initial Review of BPE Case #2020-10, Santala to a contested case hearing at the July 2022 meeting. Ms. Madalyn Quinlan seconded the motion.

Procedural question from Ms. Hamman.

No further discussion. Motion passed unanimously.

Item 16 UNUSUAL CASE REQUEST BPE CASE #2022-09, BLOOM – (ACTION) Crystal Andrews

Ms. Andrews reviewed the case for the Board before asking for approval of the Unusual Case Request.

Ms. Renee Rasmussen moved to approve the unusual case request in BPE Case #2022-09, Bloom. Ms. Jane Hamman seconded the motion.

No discussion. Motion passed unanimously.

Item 17 UNUSUAL CASE REQUEST BPE CASE #2022-10, BULLUCK – (ACTION) Crystal Andrews

Ms. Andrews reviewed the case for the Board before asking for approval of the Unusual Case Request. Mr. Bulluck added information relevant to his case for the Board members to consider.

Ms. Renee Rasmussen moved to approve the Unusual Case Request in BPE Case #2022-10, Bulluck. Ms. Jane Hamman seconded the motion.

No discussion. Motion passed unanimously.

Item 18 UNUSUAL CASE REQUEST BPE CASE #2022-11, MCBRAYER – (ACTION) Crystal Andrews

Ms. Andrews reviewed the case for the Board before asking for approval of the Unusual Case Request.

Ms. Renee Rasmussen moved to approve the Unusual Case Request in BPE Case #2022-11, McBrayer. Ms. Jane Hamman seconded the motion.

No discussion. Motion passed unanimously.

Item 19 UNUSUAL CASE REQUEST BPE CASE #2022-12, CORDIER – (ACTION) Crystal Andrews

Ms. Andrews reviewed the case for the Board before asking for approval of the Unusual Case Request.

Ms. Renee Rasmussen moved to approve the Unusual Case Request in BPE Case #2022-12, Cordier. Ms. Jane Hamman seconded the motion.

No discussion. Motion passed unanimously.

Item 20 UPDATE ON NEW MONTANA EDUCATOR LICENSING SYSTEM – (INFORMATION)

Crystal Andrews, Zam Alidina

Ms. Andrews and Mr. Zam Alidina presented an update to the Board on the new Educator Licensing System, which will be named TEACH Montana, or TMT for short. Mr. Alidina shared updated information with the Board on the new system, noting that the project is still on track to go live on June 1st. Ms. Andrews answered Board member questions.

Item 21 REQUEST APPROVAL OF THE ETS PRAXIS MATHEMATICS 5165 REVIEW – (ACTION)

Crystal Andrews

Ms. Andrews reviewed the process to change the mathematics test for the PRAXIS exam, including an initial presentation to the Board in March and a presentation to CSPAC in April.

<u>Ms. Renee Rasmussen moved to approve the ETS Praxis Mathematics 5165 with a score of 159.</u> Dr. Tim Tharp seconded the motion.

No discussion. Motion passed unanimously.

Item 22 REVIEW DRAFT OF CAEP MOU – (INFORMATION) Dr. Julie Murgel

Dr. Murgel reviewed the draft for the CAEP MOU for the Board and explained the reasons for the MOU between CAEP, OPI, and the Board. Four EPPs in Montana are CAEP accredited. Dr. Murgel explained that the 2021-2022 agreement was only for one year, so it is time for the renewal process to take place. The Superintendent has signed off on the agreement and it is now in the Board's hands for signature and

approval. The Board will take action on the agreement in July. Dr. Murgel answered Board member questions.

EXECUTIVE COMMITTEE – Tammy Lacey (Items 10 and 12)

Item 10 FEDERAL PROGRAMS REPORT – (INFORMATION) Dr. Julie Murgel

Dr. Murgel reviewed the status of the Federal American Rescue Plan-Elementary and Secondary School Emergency Relief Fund (AARP-ESSER) and the Federal Accountability System. Dr. Murgel discussed approval of waivers the OPI has applied for, the waiver template, report cards, and specific information on ESSER funding and EANS funding.

Item 12 REVIEW SEAL OF BILITERACY RECOMMENDATION – (INFORMATION) McCall Flynn

Ms. Flynn reviewed the process over the past year for the Seal of Biliteracy. In May 2021 the Board heard an initial presentation from Ms. Lisa Werner about the Seal of Biliteracy. At that time the Board approved a group of stakeholders to come together to discuss the Seal, how it would look, and how it might work. Ms. Flynn and Ms. Werner formed an Advisory Group which met for the first time in August 2021, to discuss this project. The group reviewed the National Seal of Biliteracy information and determined how this could function in Montana. Ms. Flynn noted that implementing a Seal of Biliteracy is optional. School districts can choose to adopt and use the Seal, or they may choose not to use the Seal. The committee determined levels that would be denoted and the application process but determined that local school districts could determine how the Seal would appear, whether on a diploma or transcript. Ms. Hedalen, who was a member of the Advisory group, also made comments about the process. The Board discussed where the Seal would lie, with OPI, or with the Board. A discussion took place about how this could work and possible means for implementation. The Chair recommended the Assessment Committee work with the Seal of Biliteracy Advisory Group to develop an implementation strategy. The Chair thanked Ms. Flynn for her work on this process.

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Item 23	LITIGATION STRATEGY REGARDING STATES NEWSROOM ET AL V. BPE (DISCUSSION)
	Tammy Lacey
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The Board came back to open session at 4:04 PM.

Chair Lacey adjourned the meeting for the day at 4:05 PM.

Friday, May 13, 2022 8:30 AM

CALL TO ORDER

The Chair called the meeting to order at 8:31 AM and led the Board in the Pledge of Allegiance. Ms. Stockton took Roll Call and the Chair read the Statement of Public Participation and welcomed guests. The Board took a tour of the school and saw the new lighting system approved by the Legislature, and areas where new projects will be taking place over the summer.

❖ LICENSURE COMMITTEE – Madalyn Quinlan (Item 24)

Item 24

INITIAL REVIEW OF SUPERINTENDENT'S RECOMMENDATIONS TO REVISIONS TO ARM TITLE 10, CHAPTER 58, EDUCATOR PREPARATION PROGRAMS – (INFORMATION)

Dr. Julie Murgel, Zach Hawkins

Chair Lacey opened the item and asked Ms. Flynn to explain the document the Board will be reviewing. Ms. Flynn noted that the Chapter 58 Task Force has completed their meetings and sent recommendations to the Superintendent. The Superintendent has reviewed the Task Force recommendations and has made her own recommendations, which is what the Board will be reviewing today. CSPAC will review these at their July meeting and make their recommendations to the Board for their review during a work session on Thursday of the July BPE meeting. On Friday of the July BPE meeting, the Board will act on the Notice of Public Hearing. Dr. Murgel and Mr. Zach Hawkins from OPI led the Board through the Superintendent's recommendations and answered questions. The Chair asked that Board members review the document in more detail before the July meeting and send any comments, questions, concerns, or revisions to Ms. Flynn.

❖ ASSESSMENT COMMITTEE – Anne Keith (Item 25)

Item 25 ASSESSMENT REPORT – (INFORMATION) Ashley McGrath

Ms. McGrath reported to the Board on the updated test windows and expected reporting timelines for assessment for the remainder of the 2021-2022 school year and into the 2022-2023 school year. Ms. McGrath shared updated information on statewide test completions for the Spring 2022 testing window, and information on technical assistance provided by the OPI Assessment team to schools across the state. Ms. McGrath noted that the Assessment Division has completed a grant to the US Department of Education to assist in innovative state assessment.

❖ ACCREDITATION COMMITTEE – Susie Hedalen (Items 26-28)

Item 26

RECOMMEND APPROVAL OF THE INITIAL AND RENEWAL VARIANCE TO STANDARDS APPLICATIONS – (ACTION)

Ellery Bresler, Dr. Julie Murgel

Ms. Ellery Bresler reviewed the Variance to Standards Board's recent meeting to review the applications for Initial Variance to Standards. The board approved all three, and the Superintendent recommends approval of all three applications.

Ms. Susie Hedalen moved to approve the initial applications to Variance to Standards for: Havre Public Schools, Stevensville Public Schools, and Target Range School. Ms. Renee Rasmussen seconded the motion.

No discussion. Motion passed unanimously.

The OPI reviewed the nine Renewal applications and approved all nine. The Superintendent is recommending approval of all nine.

Ms. Susie Hedalen moved to approve the nine renewal applications for Hellgate Elementary Early Childhood and Primary; South Elementary; Fort Smith Elementary; Shelby Elementary; Flathead High School; Highland Park Elementary; <u>Shepherd Middle School; Yellowstone Independent School; Polson Middle School.</u>
Dr. Tim Tharp seconded the motion.

No discussion. Motion passed unanimously.

Chair Lacey thanked Ms. Bresler and the OPI staff for their work.

Item 27 REVIEW OF PROGRESS ON REVISIONS TO ARM TITLE 10, CHAPTER 55, ACCREDITATION – (INFORMATION)

Dr. Murael

Dr. Murgel presented an update on the revisions to Chapter 55 Negotiated Rulemaking and the Quality Schools Task Force for the Board. Dr. Murgel reviewed conceptual change topics being considered for revision, noting that an extra meeting was requested by the Task Force. Dr. Murgel reviewed the members of the Task Force and the proposed timeline for revisions before answering Board member questions.

Item 28 ACCREDITATION COMMITTEE REPORT – (INFORMATION) McCall Flynn

Ms. Flynn discussed a recent meeting of the Board's Accreditation Committee to review the timeline for revisions to Chapter 55. The committee discussed the possibility of a special meeting of the Board to meet the proposed timeline knowing that there has been a request from the Task Force to extend the timeline of the revisions. There are concerns about being able to conduct the survey and economic impact statement and still be able to meet the current timeline. The committee determined that a request be made to OPI to present an updated and extended timeline to the Board in July, and for the Board to act upon the revised timeline. OPI would like to keep the current timeline. Ms. Flynn noted that the revisions to Chapter 55 would be occurring at the same time as the revisions to Chapter 58. Ms. Sharyl Allen, Deputy Superintendent of Public Instruction, gave comments to the Board regarding why OPI does not want to extend the timeline for the revisions to Chapter 55. OPI has concerns that some areas of Chapter 55 have not been updated in a decade, specifically Library Media Specialists, and revisions need to be made. Ms. Allen noted that the survey will be completed in June and the Economic Impact Statement will be presented to the Board at the July BPE meeting and to the Education Interim Committee in September. OPI believes it is in the best interest of students and districts to keep the current timeline. Ms. Allen stated that if the timeline is delayed, this information would not be shared with the Education Interim Committee until the 2023 Interim, and not approved until the completion of the 2025 Legislative session. Chair Lacey shared her concerns with the current timeline. A discussion ensued on how the current timeline could work, concerns with the current timeline, and whether a revised timeline is necessary. Chair Lacey suggested that pulling out sections of Chapter 55 that are most problematic for schools and revising those now is also a possibility.

PUBLIC COMMENT

Ms. Sue Dickinson gave public comment as a former educator in Great Falls, and former legislator who was on the Education and Local Government Interim Committee.

Item 29	EXECUTIVE DIRECTOR ANNUAL EVALUATION Tammy Lacey	

Open session at 1:29 Pt	М	

FUTURE AGENDA ITEMS July 14-15, 2022

Strategic Planning Meeting

CSPAC/BPE Joint Meeting
CSPAC Annual Report
MACIE Update
Approve MSDB/Golden Triangle Co-op
Annual HiSET Report
Annual Special Education Report
Assessment Update
Federal Update
Educator Preparation Program Report
OPI Staffing Report
Accreditation Report

Ms. Flynn explained the schedule for the July meeting and the Joint meeting with CSPAC.

ADJOURN

Meeting adjourned at 1:32PM.

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Agenda items are handled in the order listed on the approved agenda. Items may be rearranged unless listed "time certain". Public comment is welcome on all items listed as "Action" and as noted at the beginning and end of each meeting.

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