Montana
**Office of Public Instruction**
Denise Juneau, State Superintendent
opi.mt.gov

# VARIANCES TO STANDARDS APPLICATION

**March 2, 2015**

Purpose: ARM 10.55.604.1. A local board of trustees may apply to the Board of Public Education through the Superintendent of Public Instruction to implement a variance to a standard or a section of standards, excluding standards stating statutory criteria, standards pertaining to educator licensure or endorsement, and content standards as defined by the Board of Public Education and provided in guidance from the Superintendent of Public Instruction.

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## DUE DATES

- First semester implementation; March 2, 2015
- Second semester implementation; July 6, 2015

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**COUNTY:** Flathead

**DISTRICT:** Swan River School District #4

**LIST THE SCHOOL OR MULTIPLE SCHOOLS THAT ARE REQUESTING THE VARIANCE(S):** Swan River K-6 and Swan River 7-8 Schools.

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1. **Is this an initial application (2 years) or a Renewal application (3 years)?**
   Initial Application

2. **Is this for first semester implementation or second semester implementation?**
   First Semester Implementation

3. **Standard(s) for which a variance is requested, i.e., 10.55.709. If there is a program delivery standard, be sure to list it as well. For example, 10.55.1801.**
   10:55.704(1)(b) – ADMINISTRATIVE PERSONNEL: ASSIGNMENT OF DISTRICT SUPERINTENDENTS

4. **Please attach evidence through official minutes of the board of trustees that local school community stakeholders were involved in the consideration and development of the proposed variance to standards. Stakeholder groups include trustees, administrators, teachers, classified school staff, parents, community members, and students as applicable.**
   Please see the attached Board Meeting Minutes for February 10, 2015. At this meeting, acting superintendent, Marc Bunker (principal), reported on accreditation requirements, the accreditation deviation, and all possible solutions in the presence of all stakeholders at a properly noticed board meeting. As an agenda item, there was also discussion on how to proceed.

5. **Please provide evidence that the board of trustees adopted its application for variance at an official, properly noticed meeting of its board of trustees.**

   Please see the attached Board Meeting Minutes for February 10, 2015.

6. **Describe the variance requested.**

   We are requesting, at this time, that the school district be excused from the minimum requirement of employing a 0.1 superintendent (10.55.704) and a prorated 0.4 principal (10.55.705), and instead be allowed to continue to function with a 1.0 principal in the role of head administrator for the school district, as has been successfully done for numerous years previous to this time.

7. **Provide a brief statement of the mission and goals of this proposed variance.**

   In making this request for a variance, our purpose is to provide the highest quality education for our students at the lowest reasonable cost to the district and taxpayers.

8. **List at least one specific measurable objective(s) that demonstrates that the proposed variance will meet or exceed the results under the current standard(s).**

   The head administrator for the school district will continue to fulfill the job descriptions for principal and superintendent, as measured by reports completed and involvement in other organizations comprised of both principals and superintendents, which includes the Advisory, Management, and/or Executive Boards for the Flathead Special Education Cooperative (FSEC), Northwest Montana Education Cooperative (NWMEC), and Crossroads Cooperative (CC).

   Moreover, there are numerous administrative performance objectives that have been and are being performed by the present administrative configuration employed by the school district. A few of these are listed below.

   1. The principal attends all School Board meetings, serving the role of advisor as prescribed in board policy.
   2. The principal conducts all staff evaluations per Montana Educator Performance Appraisal System.
   3. The principal completes all reports required by the Office of Public Instruction.
   4. The principal monitors student behavior.
   5. The principal communicates directly with parents, community, staff and trustees.
   6. The principal carries out all duties assigned by the Board of Trustees and the State of Montana.

9. **What data or evidence will be gathered to document progress toward meeting the measurable objectives?**

   Completion of TEAMS (Terms of Employment And Master Schedule) report, Title 1 Report, CSIP (Continual School Improvement) Report, etc. for OPI. Attendance records for Swan River School Board Meetings , as well as attendance records for FSEC, NWMEC, and CC board meetings.

**10. In what way does this variance to standard meet the specific needs of the students in your school(s)?**

Our school district has functioned ably in previous years with the present administrative format (one 1.0 head administrator) in supporting the staff efforts to provide quality education for our students. It is anticipated that the needs of students would continue to be sufficiently met under the existing administrative format.

**11. Variance to Standard: Outline how and why the proposed variance would be:**

**a. Workable. (Sufficient district resources are available for the success of the variance.)**

A Variance to Standards would allow the school to maintain administration and certified positions as is for now, which could be decreased in time through attrition or otherwise. In the meantime, the district can ensure that certified FTE will not be increased, and any additional or supplemental personnel needs can be met by employing non-certified staff.

**b. Educationally sound. (Applicant has relied on sound research as a rationale for the variance.)**

There are basically two solutions to the accreditation deviation facing the school district.

1. Directly meet the accreditation standard by employing a 0.1 superintendent. This can be accomplished in three ways.
   1.1. *Employ a 0.1 superintendent in addition to the principal.* The problem with this is that it is highly unlikely that a candidate for such a small FTE position can be found, unless that same person were filling a number of these positions for multiple school districts. This is basically the equivalent of what the county superintendent already does for the small rural schools in the county. This would also incur an additional cost to the school district, and prospect of offsetting the cost by reducing the FTE of the principal would likely be a deterrent to retaining or hiring a principal.
   1.2. *Hire a new administrator who possesses a superintendent's endorsement.* It is unlikely for this rural school district to hire such a person, since a professional who has expended the considerable money, time, and effort to obtain such an endorsement is more likely to pursue a career that will more fully utilize that capability and/or monetarily compensate for it in the form of a significantly higher administrative salary than is presently being offered by the school district, or which the school district is justifiably able to commit to such and administrator. To do so would likely divert money in the general fund away from providing quality instruction for students.
   1.3. *Require the present administrator to obtain a superintendent's endorsement.* This is also not reasonable solution for much of the same reasons noted in solution 1.2 above. If the administrator were to devote the necessary money, time, and effort to obtain a superintendent's endorsement, the school district cannot justifiably compensate in the form of a prudent administrative salary increase. To do so would likely require a diversion of funds away from instruction. Likewise, if the school district were to

subsidize the administrator's obtaining the superintendent's endorsement, it would encumber the district with a significant cost, which again would likely divert money away from provisions for student instruction. Furthermore, retaining the administrator is unlikely as he/she would likely pursue a career path that would more fully utilize the endorsement and monetarily compensate for it the form of a higher salary.

2. Indirectly meet the accreditation need by reducing certified FTE from 14.5 to 14.0, thereby negating the need for a 0.1 superintendent. This can be done using two general approaches.
   2.1. *Reducing one certified position by 0.5*. This would negatively impact students since reducing positions means reducing staff and quality instruction by provided by certified personnel. For example, this could be accomplished at our school by eliminating our music position. Yes, general education teachers could teach it, but this would eliminate critical middle school elective options, likely resulting in a decrease in middle school enrollment and ANB funds to the school.
   2.2. Reducing multiple certified positions by 0.1 or 0.2 FTE. Similarly, this would negatively impact students since reducing positions means reducing staff and quality instruction by provided by certified personnel. This was attempted here before the start of this school year with our special education position, which was met with significant resistance from our community (as voiced at a school board meeting), based on the perception that it would negatively and noticeably impact the quality of instruction our school could provide. A reduced position would also have resulted in our losing a quality certified teacher, who understandably, as a result of this proposition to move to part-time status, was seeking full-time employment at another school district. There were resolutions expressed by parents of sped students indicating they would withdraw their children from our school. All such actions would have resulted in a decrease in enrollment and ANB funds. Such reductions, as small as they may be, are magnified considerably for a small school.

**c. Where applicable, aligned with program standards under ARM 10.55.1101 through 10.55.1901.**

Program standards are presently being met, as evidenced by there being no such accreditation deviations assigned to our school district in the areas of program standards.
Also, by employing a full-time principal, rather than a 0.4 principal along with a 0.1 superintendent, we believe our proposal positively impacts delivery of content standards. Principals are typically the administrator who supervises the delivery of these standards rather than a superintendent.

**12. Designed to meet the content standards for this area of the curriculum (only applies to those standards which also have related curriculum content standards).**

Not applicable.

**RENEWAL APPLICATION ONLY: Please attach a summary of the data gathered to demonstrate that the variance cycle ending June 30, met or exceeded the standard. State the measurable objective for the initial or previous application.**

## Required school district signatures:

**Board Chair Name:** Dawn Dowell Grim

**Board Chair Signature:** _____ **Date:** 2/25/15

**Superintendent Name:** Marc Bunker

**Superintendent Signature:** _____ **Date** 25/Feb/2015

## Mail your signed form to:

**Accreditation and Educator Preparation Division**
**Office of Public Instruction**
**PO Box 202501**
**Helena, MT 59620-2501**

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## OPI USE ONLY

**Superintendent of Public Instruction:** _____ **Date**_____

_____**Approve** _____**Disapprove**

**Board of Public Education Chair** _____ **Date**_____

_____**Approve** _____**Disapprove**

# Swan River School District #4

We enter to learn and leave to achieve.

February 11, 2015

Montana Office of Public Instruction
Variance to Standards Review Board
Denise Juneau, State Superintendent
Box 202501
Helena, MT 59620-2501

Honorable Superintendent Juneau,

On behalf of Swan River School District #4, I hereby submit this request for relief from Accreditation Standard: 10.55.704 (1)(b) "School systems with more than 14 and fewer than 18 FTE licensed staff shall employ a part-time, at a minimum of .10 FTE, licensed superintendent. One individual may serve as both superintendent and principal as defined in ARM 10.55.705(2)(a) or (2)(b)"; Supporting our request is a standard we are exceeding: 10.55.705(2)(a) (Assignment of Administrators/Principals) "The assignment of licensed principals shall be based upon student enrollment and prorated as applicable... 0.25 FTE licensed principal shall be assigned to schools with enrollments of 125 to fewer than 175 students;"

The District presently employs one full time certified principal who has 9 years teaching and almost 3 years administrative experience. Our K-6 school currently has 123 students, and our 7-8 middle school has 37 students. Our student enrollment, based on a proration, thus requires us to have only a 0.4 principal. By providing a full time administrator, the district feels we are, out of the necessity of performing all expected responsibilities, more than meeting the requirements when Accreditation Standards 10.55.704 and 10.55.705.

To support this request, the District has attached a completed Variances to Standards Application and a demographic handout to assist the Superintendent and the Variance to Standards Review Board in understanding the needs of our district.

While the Superintendent and the Variance Standards Review Board consider this application, please take into account the FTE of the district. Our FTE is only 0.5 over that which does not require a superintendent. Additionally, for many years now, the school district has operated well using the same personnel format, which includes having an administrator function of principal while also carrying out those duties of a superintendent that are essential and relevant to our school district.

In conclusion, I would like to point out that Swan River is small rural school district, and as such, it has unique characteristics as compared to many other districts in the state. We have two schools (K-6 & 7-8) that truly operate as one. Many of our personnel take on multiple responsibilities. Our unique size and dynamics call for unique solutions to administrative needs, which we feel are being met by the FTE we currently employ.

Respectfully submitted,

Marc E. Bunker, Principal

1205 Swan Hwy, Bigfork MT 5991 Phone: (406) 837-4528 Fax: (406) 837-4055
**Marc Bunker, Principal** **Dee Johnson, Clerk**

# Swan River School District #4

We enter to learn and leave to achieve.

**Demographic Information for Swan River School District #4**

Swan River School District #4 is located in a rural community five miles northwest of Bigfork, Montana. Our current enrollment is 160 students that attend our accredited K-6 (120 students) and 7-8 schools (40 students), which are located on the same campus and in the same building. In essence, our school district functions as one school as we certified have teachers who use the full range of their K-8 endorsement. We have experienced an enrollment increase of 9% over last year, which was the second highest increase among schools in the Flathead Valley this year.

The percentage of students on free and reduced lunch in our K-6 school is 43% and 54% in our 7-8 school. It is also worth noting that Swan River School district's student population is comprised of 36% out of district students, one of the highest percentages in the valley, while not providing school bus transportation at all. A clear sign that families are willing to make a significant effort to have their children receive their education in this school district.

Swan River School district employs 14.5 certified employees, including one full-time administrator. There are ten full time classroom teachers, as well as one full-time special education teacher, one full-time Title 1 teacher, a 0.6 Music teacher, 0.5 librarian, and a 0.4 counselor.

Swan River School District #4 operates with a General Fund Budget (Fiscal Year 2015) of $943,577. Additionally, the school district has the following budgeted funds: Transportation ($590), Tuition ($24,952), Retirement ($126,636), Technology & Flex Budgets ($7,482). As a result of our school district's efforts to frugally run a school and to not unduly burden the community, the district generally does not even entertain the idea of running levies, with the last one being run and successfully passed in 2008. Previous to that, the school ran and passed a levy in 2003. During the fiscal year 2015, Swan River School District #4 expended $8,231 per student. It has 29.17% of its budget funded by a district levy.

1205 Swan Hwy, Bigfork MT 5991 Phone: (406) 837-4528 Fax: (406) 837-4055

**Marc Bunker, Principal** **Dee Johnson, Clerk**

Swan River School Board
AGENDA
REGULAR BOARD MEETING
February 10, 2015
5:30 P.M.
Swan River School Library

1. **Call to order**
2. **Pledge of Allegiance**
3. **Approval of Agenda and Minutes of Prior (Meetings)**
4. **Correspondence**
5. **Public Participation**

At this time, a member of the public is welcome to address the Board on any public matter that is a non-agenda item; however, the audience must remember the Right to Privacy act concerning individuals. The Chairperson may interrupt or terminate an individual's statement when it is too lengthy, personally directed, abusive, or irrelevant. A patron who wishes to speak on an Agenda item will be recognized by the Board Chair when the Board gets to that item on the agenda. The public should realize that this is a Trustee business meeting conducted in a public forum.

6. SRS PTO Report
7. SRS Teacher's Organization Report
8. Committee Reports
9. **Action Items:**
   - A: Steps to correct O.P.I. accreditation deviation
   - B: Review/Approve recommended policy revision # 1310
   - C: Review/ Approve recommended policy revisions/additions
   - D: Approve temporary Contract for Megan Burns
   - E: Approve Contract for Brandy Vickrey

F: Letters of Intent to negotiate for Certified Staff/Classified staff
G: Letters of Intent to change lanes on certified salary schedule
H: Decision on 1 Contract day fulfillment
I: Approve funding NAESP

**10. Principals Report TBA**
**11. Board Remarks and Discussion**
**12. Approval of Claims and Payroll & JV's**

**13. January Payroll**
General Fund $ 66,499.65
Lunch Fund $ 1,863.87
Retirement Fund $ 9,387.62
Title Fund $ 2,071.40
**Adjourn Meeting**

**ACTION ITEMS DESCRIPTION:**
A: Discuss ways to correct O.P.I. deviation for accreditation
B: Reviewing and or Approve of MTSBA recommended Policy # 1310
C: Reviewing and or Approve recommended Policy #'s 3210,3231,3600P,5125,5336
D: Megan Burns is past the 35 day allotment for subbing and must be offered a Contract for remainder of time needed
E: Approve the hiring and Contract for Brandy Vickrey, Title 1
F: Certified letter of intent to negotiate for the 2015-2016 school year
G: Four Certified staff turned in letters of their intent to change lanes on the salary schedule for the 2-15-2016
H: As a result of the extra snow day there will be 1 extra contract day for staff that would need to be made up
I: Request to approve funding for 1 year to NAESP membership for Administration in order to allow staff to apply for grants

Swan River School District #4
1205 Swan Hwy 83
Bigfork, MT 59911

February 10, 2015

The Swan River School Board of Trustees met in regular session on Tuesday, February 10, 2015 at 5:30 p.m. in the School Library to consider business to come before the board.
Dawn Dowellgrim presided over the entire meeting.

MEMBERS PRESENT:

Trustees: Dan Elwell, Brooke Johnston, Dawn Dowellgrim and Ben Haag

MEMBERS ABSENT: Toby Thompson

ALSO PRESENT:
Principal Marc Bunker, District Clerk Dee Johnson, Eve Darling, Shawna Benson, Shanna Burchwell, Shelley Emslie, Sheri Modderman, Marshelle Wade, Curt Wade, Jennifer Woll Steve Modderman, Nate Modderman, Robert Modderman, Andrea Goss and Sherry Bradstreet

CALL TO ORDER:
Meeting called to order at 5: 30 p.m.

APPROVE AGENDA AND MINUTES

Motion to approve agenda for February 10, 2015 and minute's from January 13, 2015
Motion: Dan Elwell
Seconded: Brooke Johnston
Passed unanimously

Correspondence:

Public Participation: Eve Darling stated that she would like to discuss the possibility of having someone in the front office at all times for safety reasons and would like to put it on the next agenda for further discussion.

PTO Report: Shelley Emslie informed the board that PTO with the help of an anonymous donor has allowed the school to purchase 15 Chrome books, a cart, printer and toner. The chrome books should be here within the month

Teachers Report: None

Committee report: Mr. Bunker spoke about the Transportation Committee that met on Friday February 6. The purpose was to meet and discuss and to eventually recommend to the board whether or not to pursue having bussing at our school. The reason for looking into bussing started as an enrollment factor. Our enrollment percentage wise is 2nd in the valley. There was old information handed out to the committee from committees that met twice before in previous years. Even though the numbers have changed the committee considered information that was already there. There was a survey done almost 20 years ago.
There are 3 or 4 sources of revenue for bussing to consider.
The state & county pays a percentage of riders who live beyond 3 miles but are still in District
Marc showed a graph of eligible riders. About 10% are eligible and about 50 % are not eligible for state and federal reimbursement, this would pay for approximately 20% of the Bus cost
The next source of revenue would be bussing fees for students inside 3 miles.
The next source would be a permissive levy which is not voted upon in the public
And then General fund would fund any remainder there might be
The committee will meet again to discuss points, and get back to the board

ACTION ITEMS:

A: Steps to correct O.P.I. accreditation deviation: Mr. Bunker stated that he had previously made a promise to avoid deviations with O.P.I. and has been successful. Our accreditation has been clear until up till now. The state public board of education sets the standards for schools. We are at a .5 over FTE, which means we have 4 options on the table.

1. Hire a .01 Superintendent, which is not likely to get candidates for the position.
2. Decrease a .5 position, which affects someone's job.
3. Current Principal goes back to school to get the 18 credits for superintendent endorsement, which is probable because of time and expense.
4. Apply for variance of standards which would give us 3 years to make corrections, and a lot of changes could occur in 3 years. Mr. Bunker's recommendation is to apply for the variance of standards which is due March 3, 2015.

Motion to apply for the variance of standards
Motion: Ben Haag
Seconded: Brooke Johnston
Passed unanimously

B: Review/Approve required policy revision #1310
Dawn feels this is a good idea, to not have to do more than one reading.
Dan is concerned that having only one reading is not enough to give the public more time to see the information. Other concerns spoken from the public also, the board is wondering who "requires" the policy and what does administrative rule mean?

Dawn asked for a motion to adopt the revision of "May" require only one reading
Motion to adopt revised policy
Motion: Ben Haag
Seconded: Dawn Dowellgrim
Passed unanimously

C: Review/Approve required/recommended policy revisions/additions

Motion to: approve # 5336 (attached)
Motion: Dan Elwell
Seconded: Ben Haag
Passed unanimously

Motion of approve #3210
Shawna Benson asked how it can be passed if the state rejected the law. The Board is not sure it is speaking of the same changes to the law and we should hear if it is.
Motion: Ben Haag
Seconded: Dawn Dowellgrim
Passed unanimously

Motion to adopt # 3231 (attached)
Motion: Dan Elwell
Seconded: Brooke Johnston
Passed unanimously

Motion to adopt # 3600P (attached)
Motion: Ben Haag
Seconded: Dan Elwell
Passed unanimously

Motion to adopt # 5125 (attached)
Motion: Dan Elwell
Seconded: Brooke Johnston
Passed unanimously

D: Approve temporary contract for Megan Burns:
After 35 days of long term substitute we are obligated to offer Megan burns a temporary contract
Motion to approve Contract: Dan Elwell
Seconded: Brooke Johnston
Passed unanimously

E: Approve Contract for Brandy Vickrey
After interviews it was recommended to give a contract to Brandy Vickrey for the remainder of the 2014-2015 school year for the Title position

Motion to Hire Brandy Vickrey: Brooke Johnston
Seconded: Ben Haag
Passed unanimously

F: Approve Letters of Intent to negotiate for Certified Staff/Classified staff
Letters read from both Certified and Classifies staff for intent to negotiate
Motion to accept letters: Dan Elwell
Seconded: Ben Haag
Passed unanimously

G: Approve Letters of intent to change lanes for on certified salary schedule for the 2015-2016 school year

Motion to approve letters of intent to change lanes with the understanding all credits must be turned into the Principal/Clerk before Sept 15, 2015
Motion: Ben Haag
Seconded: Dan Elwell
Passed unanimously

H: Discuss Contract day fulfillment as result of 2 snow days.
We had 2 snow days off of school and the student's requirement for attendance is acceptable because we have 1 free day that we don't have to make up and 1 already built in day in April which will be used. Teachers are required to fill that extra day for fulfillment of their contract. Mr. Bunker recommends that they be allowed to fill in that time on their own and document the time they will use.
Motion to accept recommendation: Brooke Johnston
Seconded: Ben Haag
Passed unanimously

I: Approve funding for NAESP (National association of elementary School principals) Most all grants have choices that are limited to k-12. We would like to apply for Grants for K-8. We are required to pay membership dues of $235.00. As part of this organization we would be eligible to apply for k-8 grants. Examples of available grants are, Art, Technology, Playground equipment etc.
Motion to approve funding: Dan Elwell
Seconded: Brooke Johnston
Passed unanimously

Principals Report: pre-school requirement is still pending legislation
The special Education department had a recent audit by O.P.I and there were no issues to report and Sherry Modderman has done a great job. Mr. Bunker commends the efforts of the Special Education staff.
There was a phone call from a business in Bigfork about the 8th grade boys who came to their establishment for donations for the annual 8th grade history trip; this business was very complimentary of their respect and manners.

Board Remarks and Discussion
Great Job on Warrior Palooza night!

Approval of claims and Payroll & JV's

Motion: Ben Haag
Seconded: Dan Elwell
Passed unanimously

E: Adjourn:

Motion to adjourn meeting at 6:35 p.m.
Motion: Brooke Johnston
Seconded: Ben Haag
Passed unanimously

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Dawn Dowellgrim, Board Chair

_____
Dee Johnson, District Clerk