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OFFICE OF PUBLIC INSTRUCTION  
STATE OF MONTANA

Putting Montana Students First **A+**



MEETING PROJECT NAME: Education Advocates Meeting  
**DATE OF MEETING: April 2, 2020**  
**TIME: 10:30 AM – 11:00 AM**  
**Conference Call**

**ATTENDEES:**

**PRESENT: As best of our records could show**

McCall Flynn, Education Policy Advisor, Governor's Office  
Pete Donovan, Executive Director, Board of Public Education (BOPE)  
Dianne Burke, Executive Director, Montana Quality Education Coalition (MQEC)  
Kirk Miller, Executive Director of School Administrators of Montana (SAM)  
Pad McCracken, Legislative Services  
Emily Dean, Director of Advocacy, Montana School Boards Association  
Denise Williams, Executive Director, Montana Association of School Business Officials (MASBO)  
Dan Rask, Executive Director, Montana Small Schools Alliance (MSSA)  
Linda Rost, Montana Teacher of the Year 2020  
William Parsons, Office of United States Senator Steve Daines  
Dylan Huisken, Teacher of the Year 2019  
Paul Furthmyre, Principal, Montana Scholl for the Deaf and Blind (MSDB)  
Marco Ferro, Public Policy Director, Montana Federation of Public Employees (MFPE)  
Julia Platt, Fiscal Analyst II Expenditure Analysis, Department of Health and Human Services (DPHHS)  
Laura Sankey Keip, Attorney, Legislative Services  
Kris Wilkinson, Legal Fiscal Division  
Angela McLean, Director, American Indian and Minority Achievement  
Lance Melton, Executive Director, Montana School Boards Association  
Dennis Parman, Executive Director, Montana Rural Education Association (MREA)

**OPI STAFF**

Elsie Arntzen, Superintendent  
Jason Butcher, Assistant Deputy Superintendent  
Tracy Moseman, Health Enhancement Division Administrator  
Julia Swingley, Chief Legal Counsel  
Dylan Klapmeier, Director of Communications and Federal Regulations  
Jenifer Cline, Student Support Service Division Administrator  
Michael Sweeney, Chief Data Officer  
Dick Trerise, Assistant Division Administrator  
Paul Taylor, Budget Analyst  
Linda Peterson, Accreditation Administrator  
Sharyl Allen, Transformational & Personalized Learning Manager

## **RECORD KEEPER**

Christy Perryman, Administrative Clerk, Office of Public Instruction

### **TOPIC & PRESENTER INFO**

**Attendance Guidance**, *Sharyl Allen*

- Materials Follow

### **TOPIC & PRESENTER INFO**

**CARES Update**, *Ken Bailey*

- [Guidance Document CARES Act](#)

### **TOPIC & PRESENTER INFO**

**SPED Update**, *Jenifer Cline*

- [Special Education COVID-19](#)

### **TOPIC & PRESENTER INFO**

**Other Business**

- Kirk Miller - [Remote Learning Survey](#)

Thank you for your patience and **Putting Montana Students First** during this uncertain time.

[Partial Education Advocates meeting can be listened to at this link](#)



## Guidance on Attendance during School Closures

**Released April 2, 2020**

***For OPI purposes of the accountability plan (ESSA) attendance on the first Monday in February count will be used.***

The Governor's first order, on March 15, for school closure was for school districts to use the time to plan for further school closures. Off-site learning for students was encouraged but not required. As a result of the first order, attendance of students was not needed. During this time, the OPI submitted to the Governor a request to waive the seat time requirement statute which occurred.

The Governor's second order for school closure through April 10, required off-site learning to occur for all students. The governor also included a waiver of the seat time requirement (aggregate hours of instruction) for all district approved COVID-19 plans, submitted to the Governor's office. **There is not any district that is required to meet aggregate hours of instruction, at this time.** Attendance monitoring is a local district decision as the OPI has adjusted what they will use for data collection.

Districts have had the ability to deliver off-site instruction since 2005 (see 20-9-311(11)(g); 20-7-118; 20-1-101(5)). The current trial run provides an opportunity to reflect on differences in the way that learning occurs on-site and off-site. Asynchronous discussion boards, chat rooms, facilitated online discussion are all legitimate forms of instruction qualifying for the aggregate hours requirement. Undoubtedly, there are many other examples, as well.

**20-1-101(5) "Average number belonging" or "ANB" means the average number of regularly enrolled, full-time pupils physically attending or receiving educational services at an offsite instructional setting from the public schools of a district.**

In addition to identifying and incorporating offsite learning in satisfaction of aggregate hours, districts have the authority to also enact permanent leeway of aggregate hours and pupil attendance required, through a proficiency model as outlined in 20-9-311 4 (d) MCA. Districts may want to begin the discussion of what alternative learning models can be offered, in a blend with on-site learning for post-pandemic. As you begin the discussion, this question may help you. "If you could create the school that you wanted, would you create the school that you have"? Currently, this crisis may be the opportunity to create the school you want. The OPI, SAM, MREA and MTSBA have resources to support you.

**20-9-311 4 (d)A school district may include in its calculation of ANB a pupil who is enrolled in a program providing fewer than the required aggregate hours of pupil instruction required under subsection (4)(a) or (4)(b) if the pupil has demonstrated proficiency in the content ordinarily covered by the instruction as determined by the school board using district assessments."**