

Community Choice Schools Commission  
c/o Montana Board of Public Education  
P.O. Box 200601  
Helena, MT 59620

Dear Superintendent Arntzen,

March 25, 2024

Thank you for the opportunity to participate in this important step forward in providing educational choices to families in Montana.

As it has been six months since the Choice Commission was first assembled, the time seems right for a complete update on the work that has been done. The seven-member Commission is comprised of the following appointees:

Governor Gianforte: Cathy Kincheloe of Whitefish and Trish Schreiber of Helmville (Chair)

Superintendent Arntzen: Jon Rutt of Laurel (Treasurer)

House Speaker Regier: Mark Hufstettler of Kalispell

House Minority Leader Abbot: Katy Wright of Helena (Vice Chair)

Senate President Elsworth: Dee Brown of Hungry Horse

Senate Minority Leader Flowers: Katey Franklin of Bozeman

Despite a request for a stop injunction on the law, Judge Christopher Abbot of Montana First Judicial District Court of Lewis and Clark County, “declined to enjoin Section 4 of House Bill 562, or to prevent the Commission from meeting, hiring staff, approving by-laws, or otherwise fulfilling its duties under that section. The Commission may not, however, approve or deny applications for authorizers or choice schools while the preliminary injunction is in effect” (Opinion and Order on Motion for Preliminary Injunction, Cause No.: DDV-20230425, Filed 09/26/2023).

Therefore, the Commission first convened and passed its [bylaws](#) on October 2, 2023, and voted in officers on November 1, 2023.

Though the bylaws state the Commission must meet at least quarterly, the Commission [has met monthly](#) in order to learn about the many aspects of creating a healthy Choice School sector. In addition to necessary state training, the Commission has hosted numerous national experts to present about and discuss the roles of various organizations and education providers in developing a vibrant chartering ecosystem in our state. Such topics of study and conversation have been:

- The importance of Charter Management Organizations and Education Management Organizations in jumpstarting and operating sound charter school models, and how to manage these types of relationships as authorizers.
- The necessity of a non-profit Charter Support Organization to develop so it can support the incubation and sustainability of high-quality Choice Schools.
- The possibility of bringing federal Charter School Program funds into Montana to support facility and transportation funding for new Choice Schools and the eventual replication and expansion of successful Choice models.

- The Commission has studied the facts collected from 45 other states and D.C., showing the long-term positive impact of autonomous charter sectors and how charter schools nationwide have led to the improvement of all public schools.
- The Commission hosted author Dr. Ashley Rogers Berner who discussed the importance of embracing Education Pluralism, an expansion of operators who receive public education dollars to intentionally diversify public education offerings for the families of Montana.
- And, the Commission has spent time learning about the various features and merits of the new law and how best to implement it to satisfy the legislature's intent and to foster high-quality choice schools throughout the state in the communities that want them.

The Commission has created two subcommittees in preparation for the eventual implementation of the law in full. The first is a Fundraising Subcommittee. The Commission is a state entity operating with no state funding, and there is a lot of work required to prepare for applications for Choice Schools and issuing contracts for charters and additional authorizers. Therefore, the Commission needs funds to hire inter-agency legal support and possibly administrative support to create official state documents, and to reimburse the members for travel expenses related to the work of the Commission. So far, the Fundraising Committee has raised \$27,500. It's quite possible this will be sufficient to cover expenses for creation of the application and contract.

Secondly, the Commission has created a subcommittee for Rulemaking and Policy Development. After a thorough review of the Community Choice Schools Act, the Commission believes most of the law can be implemented through policy. The Policy Development Committee has prioritized the creation of the application for a charter (MCA 20-11-112) and a template contract (MCA 20-11-112). Additionally, because the law requires in MCA 20-11-108 that "authorizers shall employ procedures, practices, and criteria consistent with nationally recognized principles and standards for authorizing," the Commission is reviewing the National Association of Charter School Authorizers (NACSA) Performance Framework standards and is actively consulting with the National Charter School Institute (NCSI) to develop the application and charter contract.

To complete these tasks, first and foremost, the Commission, as an authorizer must "develop its own strategic vision" and "performance framework" as stated in MCA 20-11-111. These tasks will be accomplished during an extended work session in April when the Commission will convene in Missoula for an extended, multiple-day work session. This session will take place from noon on April 24<sup>th</sup> through noon on April 26<sup>th</sup>. The work session will be open to the public, but the Commission will not take any action during the session. The agenda has not yet been set, but it will be posted on the [BPE](#) webpage under the Choice Schools tab no less than a week in advance of the session.

Please do not hesitate to contact the Commission or the Board of Public Education should you desire more details about the work of the Choice Commission.

Thank you for your trust and support,  
Respectfully submitted by

Trish Schreiber  
Katy Wright  
Jon F Rutt and the entire Community Choice Schools Commission