



**MONTANA  
COMMUNITY  
CHOICE SCHOOLS**

# Montana Community Choice Schools Commission Meeting

February 18, 2026  
8:00 a.m. to 12:00 p.m.

**Zoom**

**Join by computer:**

<https://mt-gov.zoom.us/j/82195145186> [mt-gov.zoom.us]

Webinar ID: 821 9514 5186

Password: 732273

**Join by phone:**

Dial: +12133388477

Webinar ID: 821 9514 5186

Password: 732273

## Agenda Packet Contents:

1. Draft Minutes from 12.9.25
2. Proposed Agenda for 2.18.26
3. Community Choice Schools Cycle
4. Commission School Renewal Determination Guidebook
5. Renewal Application Guide for Schools
6. Corrective Action Intervention Guidebook
7. Commission's Charter Revocation Guidebook
8. Commission's School Closure Guidebook
9. Solomon Group Research Associates Assessment Report
10. Treasurer's Report
11. Board of Public Education Executive Director Report

## Packet Guidebooks List of Contents

### Commission School Renewal Determination Guidebook

1. Renewal Determination Policy
2. Renewal Determination Overview
3. Renewal Performance Report
4. Commission Renewal Site Visit Preparations
5. Renewal Site Visit Notes Template
6. Renewal Application Recommendation Template
7. Notice of Renewal Status

### Renewal Application Guide for Schools

1. Renewal Process
2. School Renewal Application Template

### Corrective Action Intervention Guidebook

1. Corrective Action Intervention Process
2. Indicators of Distress Monitoring Tool
3. Indicators of Distress Checklist - Leadership
4. Indicators of Distress Checklist - Governance
5. Indicators of Distress Checklist - Operations
6. Indicators of Distress Checklist - Finance
7. Indicators of Distress Checklist - Talent
8. Indicators of Distress Checklist - Culture
9. Indicators of Distress Checklist - Instruction
10. Tiered Intervention Protocols
11. Notice of Corrective Action Intervention Letter
12. Corrective Action Intervention Plan Template

### Commission's Charter Revocation Guidebook

1. Revocation Process
2. Notice of Revocation to Governing Board

### Commission's School Closure Guidebook

1. Commission's Closure Protocol
2. School Closure Transition Teams's Closure Protocol
3. Closure FAQ for Website
4. School Staff Closure Letter Template
5. Parent Closure Letter Template
6. BPE Closure Letter Template
7. OPI Closure Letter Template
8. Local District Closure Letter Template
9. Press Release Template



**Community Choice Schools Commission**  
**Meeting Minutes**  
December 9, 2025  
Zoom Webinar

**Call to Order** – (Recording Time Stamp) 00:00:15

Chair Schreiber called the meeting to order at 9:00 a.m. The Chair led the Commission in the Pledge of Allegiance, Cathy Kincheloe took Roll Call, and the Chair read the Statement of Public Participation and welcomed guests.

Commission members present: Trish Schreiber, Chair; Jon Rutt, Treasurer; Katy Franklin; Chip Lindenlaub; Taylor Ramos; Barbara Forrester-Frank; Commission Director of Planning, Cathy Kincheloe; Board of Public Education (Board) staff present: McCall Flynn, Executive Director, and Kris Stockton, Administrative Specialist.

Guests: Dr. Tim Tharp, Julia Pattin, Becca Brown, Rain Turcotte, Derrick White, Robyn Mohs, Representative Demming, Connie Filesteel, Moffie Funk.

**Public Comment** – 00:03:01

Rain Turcotte introduced herself as an enrolled Member of the Assiniboine and Sioux tribes and an NACA Inspired School Network Design Fellow working toward establishing a tribal school on the Fork Peck reservation in Poplar, MT to benefit all children with the opportunity to revitalize tribal language and culture. Rain provided details in her progress with development of the school.

Dr. Tim Tharp, Chair of the Board of Public Education, stated he would be listening and wished the Commission luck with their work.

**Item 1**      **Approve Consent Agenda** – 00:07:50

***Member Rutt moved to approve the Consent Agenda containing the September 9 and October 10 and 11, 2025 Minutes. Motion seconded by Member Franklin.***

***No discussion. Motion passed unanimously.***

**Approve Agenda** – 00:09:02

***Member Lindenlaub moved to adopt the agenda for December 9, 2025. Motion seconded by Member Forrester-Frank.***

***No discussion. Motion passed unanimously.***

**Item 2**      **Chairperson Welcome Statement** - 00:09:54

Chair Schreiber opened the meeting thanking Members and Guests for attending the meeting then proceeded to thank Director of Planning Kincheloe and the National Charter Schools Institute for preparing the final drafts the Commission will be considering in today's meeting. She also thanked the subcommittees for their involvement in the development of the draft policies. The public was reminded the Commission encourages public comment while conducting business. Chair Schreiber proceeded to welcome Barbara Forrester-Frank as a new member of the Commission replacing Katy Wright who had to step down. She also thanked Katy Wright for her invaluable work to the Commission. Member

Forrester-Frank will complete the remainder of a three year term as appointed by the House Minority Leader which ends in August 2026.

Member Forrester-Frank introduced herself as a fourth generation Montanan, public school educator currently serving as the Director of Students Services for Missoula County Schools. She shared her enthusiasm for joining the Commission in order to contribute to the work.

**Item 3            Officer Elections - 00:13:01**

Chair Schreiber turned the meeting over to Director of Planning Kincheloe to facilitate the Officer Elections. Director Kincheloe gave an overview of the process and proceeded to call for nominations.

*Director Kincheloe called for nominations for the Chair.*

*Member Lindenlaub moved to appoint Trish Schreiber as Commission Chair. Motion seconded by Member Rutt.*

*Director Kincheloe called for other nominations for the Chair. No other nominations made.*

*Motion passed unanimously.*

*Director Kincheloe called for nominations for the Vice Chair.*

*Member Ramos moved to appoint Jon Rutt as Commission Vice Chair. Motion seconded by Member Hufstetler.*

*Director Kincheloe called for other nominations for the Chair. No other nominations made.*

*Motion passed unanimously.*

*Director Kincheloe called for nominations for the Treasurer.*

*Member Rutt moved to appoint Chip Lindenlaub as Commission Treasurer. Motion seconded by Chair Schreiber.*

*Director Kincheloe called for other nominations for the Treasurer. No other nominations made.*

*Motion passed unanimously.*

**Item 4            Discussion and Business: – 00:16:53**

**1) Subcommittees**

*Chair Schreiber called for motions to open discussion to establish subcommittees for 2026.*

*Chair Schreiber moved to continue the fundraising subcommittee through 2026. Motion seconded by Member Rutt.*



***Chair Schreiber called for discussion. Chair Schreiber noted the importance of the fundraising subcommittee to ensure the Commission remains financially viable.***

***Chair Schreiber called for discussion from public comment. No comments offered.***

***Motion passed unanimously.***

***Chair Schreiber called for other motions to open discussion to establish subcommittees for 2026.***

***Member Rutt moved to continue the policymaking subcommittee through 2026. Motion seconded by Member Lindenlaub.***

***No discussion.***

***Motion passed unanimously.***

***Chair Schreiber called for other motions to open discussion to establish subcommittees for 2026.***

***Member Franklin moved to continue the special education consideration subcommittee through 2026. Motion seconded by Member Schreiber .***

***Member Franklin contributed to discussion by asking when would be an appropriate time to ask a Member to join the subcommittee. Chair Schreiber noted the bylaws state that the Chair will check in with all Members following creation of the Subcommittees to see who is interested in joining. She noted a recommendation can be made now. Member Franklin recommended Member Forrester-Frank join the special education consideration subcommittee. Chair Schreiber said she will contact Member Forrester-Frank to see if she is interested.***

***Motion passed unanimously.***

***Chair Schreiber asked if there are other nominations for subcommittees.***

***None were offered.***

## **2) 2026 Meeting Dates**

Chair Schreiber stated the bylaws state the Commission should meet four times each year. She put the Commission at ease to select dates. The following dates were selected for 2026 Commission meetings:

- February 18 8:00 AM Zoom
- June 15 10:00 AM Helena (in person)
- September 9 8:00 AM Zoom
- December 1 TBD Helena or Zoom

## **Item 5 Business – 00:37:54**

### **1) Core Values**

***Chair Schreiber made a motion to accept the Core Values document as the Commission's official guiding principles to fulfill their duties as state-wide authorizer as mandated in Title 20. Motion seconded by Member Rutt.***

***Chair Schreiber opened discussion. Chair Schreiber shared appreciation of the work of the Commission in creating these values. She then asked Member Forrester-Frank as a new Member if she had any concerns or additions to make to the document. Member Forrester-Frank said it touches on the needs of all stakeholders and that she appreciated the transparency. She also noted she is comfortable with this document. Chair Schreiber reminded Members this document can be reconsidered for revisions as the Commission continues their work.***

***Chair Schreiber opened public comment. No comment offered.***

***Motion passed unanimously.***

**2) Members Affirm Conflict of Interest Statements**

Chair Schreiber explained the procedure for each member to publicly affirm on an annual basis, awareness and understanding of and agreement to comply with the Conflict of Interest Statement.

***Members individually affirmed their adherence to the Conflict of Interest by stating the following:***

***I, Trish Schreiber, an acting member of the CCSC, affirm that I have been provided a copy of the Conflict of Interest, I have read and understand the Conflict of Interest, and I agree to comply with the policy.***

***I, Mark Hufstetler, an acting member of the CCSC, affirm that I have been provided a copy of the Conflict of Interest, I have read and understand the Conflict of Interest, and I agree to comply with the policy.***

***I, Jon Rutt, an acting member of the CCSC, affirm that I have been provided a copy of the Conflict of Interest, I have read and understand the Conflict of Interest, and I agree to comply with the policy.***

***I, Chip Lindenlaub, an acting member of the CCSC, affirm that I have been provided a copy of the Conflict of Interest, I have read and understand the Conflict of Interest, and I agree to comply with the policy.***

***I, Taylor Ramos, an acting member of the CCSC, affirm that I have been provided a copy of the Conflict of Interest, I have read and understand the Conflict of Interest, and I agree to comply with the policy.***

***I, Katey Franklin, an acting member of the CCSC, affirm that I have been provided a copy of the Conflict of Interest, I have read and understand the Conflict of Interest, and I agree to comply with the policy.***

***I, Barbara Forrester-Frank, an acting member of the CCSC, affirm that I have been provided a copy of the Conflict of Interest, I have read and understand the Conflict of Interest, and I agree to comply with the policy.***

**3) Application Proposal Review Policy**

***Chair Schreiber called for a motion to open up discussion..***

***Member Hufstetler made a motion to accept the Application Proposal Review Policy.***

***Motion seconded by Member Lindenlaub.***

***Chair Schreiber opened discussion. Chair Schreiber shared her opinion that this document is an improvement from the original policy, noting the contributions from national partners and revision of dates. Member Franklin asked if an interested party could enter into the RFP process outside the dates, or if it is an annual process. Chair Schreiber confirmed it is an annual process with dates determined by code. She further elaborated that the Commission is not limited to holding one application cycle per year.***

***Chair Schreiber opened public comment. Derrick White, Director of the School Design Fellowship with the NACA Inspired Schools Network, asked if the NACSA general guidelines were consulted in***

***development of the policy. Director of Planning Kincheloe confirmed the policy is largely based on NACSA guidelines.***

***Motion passed unanimously.***

**4) Founder Proposed School Application Guidebook**

***Chair Schreiber called for a motion to open up discussion. .***

***Member Rutt made a motion to accept the Founder Proposed School Application Guidebook. Motion seconded by Chair Schreiber.***

***Chair Schreiber opened discussion. Member Rutt commented that this is an outline for applicants, assisting them with understanding the process as best we know at this point. There is potential for revisions as the Commission implements the application review process in the future.***

***Chair Schreiber opened public comment. No comment offered.***

***Motion passed unanimously.***

**5) Commission Member Application Guidebook**

***Chair Schreiber called for a motion to open discussion. .***

***Member Lindenlaub made a motion to accept the Commission Member Application Guidebook. Motion seconded by Member Hufstetler.***

***Chair Schreiber opened discussion. Member Lindenlaub noted on page 51 of the Application Review Criteria, the law is misprinted and needs to be corrected to 20-11-11. Director of Planning Kincheloe made corrections on the document. Member Franklin asked about the special education program and the involvement of the Application Review Subcommittee regarding guidance for proper application review. Chair Schreiber responded that the application review subcommittee will be formed ahead of an application cycle and a member of the special education consideration subcommittee should also be a member of the review subcommittee.***

***Chair Schreiber opened public comment. No comment offered.***

***Motion passed unanimously.***

**6) CCS Annual Report Template**

***Chair Schreiber called for a motion to open discussion. .***

***Member Franklin made a motion to accept the CCS Annual Report Template. Motion seconded by Member Rutt.***

***Chair Schreiber opened discussion. Member Franklin asked about a proper place to note the standardized assessment results in the Annual Report Template. Director of Planning Kincheloe detailed the use of the performance framework in relation to reporting assessment results and stated the standardized assessment name will be added to the report template. Chair Schreiber added detail as to the process for selecting and reviewing the choice school's assessment selection.***

***Chair Schreiber opened public comment. Derrick White asked about an opportunity for schools to be included in determining performance indicators in the performance framework specifically mission specific goals. He further detailed the importance of mission specific goals for schools to their stories of***

*success in differentiating themselves from other public schools. Director of Planning Kincheloe noted the Commission's consideration of mission specific goals. Chair Schreiber noted mission specific goals could be developed in the Year Zero program and the report allows for a narrative from the school to go beyond the performance framework. Member Franklin noted the importance of qualitative data in the school review process.*

*Motion passed unanimously.*

7) Authorizer Annual Report Requirements and Template

*Chair Schreiber called for a motion to open discussion. .*

*Member Hufstetler made a motion to accept the Authorizer Annual Report Requirements and Template. Motion seconded by Member Lindenlaub.*

*Chair Schreiber opened discussion. Chair Schreiber noted the formatting is sometimes hard to read. Director of Planning Kincheloe noted edits will be made. Member Hufstetler commented this document will likely undergo revisions as it is implemented.*

*Chair Schreiber opened public comment. Derrick White asked about the legislation as it pertains to who may serve as an authorizer. Chair Schreiber clarified the Commission is the state-wide authorizer and that the law allows traditional school boards to apply to the Commission to be authorizers.*

*Motion passed unanimously.*

8) Commission Annual Report Template

Chair Schreiber explained the Commission's Annual report is submitted to the Education Interim Committee, the Board of Public Education, and the public.

*Chair Schreiber called for a motion to open discussion.*

*Member Ramos made a motion to accept the Commission Annual Report Template. Motion seconded by Member Rutt.*

*Chair Schreiber opened discussion. Member Franklin asked if the BPE was involved in creation of the report template. Director of Planning Kincheloe clarified the report requirements are detailed in statute and the BPE was not consulted in development. BPE Executive Director Flynn stated input could be provided at a later date. Chair Schreiber clarified the intent of the report is to the Education Interim Committee (EIC), the Director of Planning should consult with the EIC for feedback. Member Forrester-Frank noted the need to create ADA compliant copies of the documents. Director of Planning Kincheloe stated she will create ADA compliant copies.*

*Chair Schreiber opened public comment. No comment offered.*

*Motion passed unanimously.*

9) Member Expense Approval Policy

*Chair Schreiber called for a motion to open discussion. .*

*Member Rutt made a motion to accept the Member Expense Approval Policy. Motion seconded by Member Lindenlaub.*

*Chair Schreiber opened discussion. Chair Schreiber offered her support of the policy.*

*Chair Schreiber opened public comment. None stated.*

*Motion passed unanimously.*

**Item 6 Break – 01:24:22**

**Item 7 Reports – 01:34:58**

**In the Chairperson Report, Chair Schreiber** detailed updates to the performance report cycle for the Director of Planning, providing direction, and ensuring priorities according to the phases of work in addition to editing all documents developed with the National Charter School Institute. The next three months' work for the Director of Planning will focus on authorizing authorizers.

**01:36:26 Transition of Chair**

**Chair Schreiber then announced her need to leave the meeting to attend to other scheduled business, turning the meeting over to Jon Rutt to run as Chair. Treasurer Rutt assumed the role of Chair.**

**Taylor Ramos gave the Fundraising Subcommittee Report** reporting the Commission's grant request for \$200,000 from the Bradley Foundation was granted for work to be completed in 2026. The purpose of the grant is to develop a Year Zero program, provisions to support the operations of the volunteer Commission, and to promote CCS via public relations. The funds allow the Commission to retain the Director of Planning position. The Fundraising Subcommittee plans to prepare to apply for a federal Charter School Program grant in 2026.

**In the Director of Planning Report Cathy Kincheloe** updated the Commission on her work around programs and policy, public relations, and fundraising. Much progress was made in the contract with the NCSI to build out the application cycle and annual reports. Working drafts are in progress for the renewal and closure cycles. Meetings are underway with the Solomon Research Associates to provide recommendations to the Commission regarding selection and use of standardized assessments. They are on track to report out on the project at the Commission's February meeting. Key takeaways pertinent to the work of the Commission from NACSACon sessions attended with Member Lindenlaub including updates to the Application Evaluation Criteria template. The first open webinar for interested parties was held attracting approximately 10 participants, future presentations are planned. Connections continue to be made with potential founders. The Bradley Foundation was thanked for their next round of grant funding in support of the Year Zero support program.

**Member Rutt presented the Treasurer Report** summarizing the income and expenses to November 5, 2025. All revenue is from donations. Treasurer Rutt detailed major operational expenses. The Commission currently has \$142, 175.07 and is operating within its budget.

**The Policy Making Committee Report was delivered by Member Rutt**, highlighting past meetings in which the Committee has been providing feedback for the application review policy specifically for thoughtful inclusion of public comment and the responsibility of the Application Subcommittee and Director in making a final recommendation to approve or deny applications.

**Member Franklin reported on the progress of the Special Education Consideration Subcommittee** noting the Subcommittee's work to launch an RFP in collaboration with the State Procurement Department and BPE staff. The Special Education policy work will support applicants in development of their Special Education models and the Commission in ensuring applicants meet all IDEA requirements. Contracting work is anticipated to begin in February.

**Member Lindenlaub gave a Special Report** on his participation at the National Association of Charter School Authorizer's Conference. First noted was the importance of engaging experts in building out Special Education programs. He noted a recommendation to test out our application policy prior to opening the first RFP cycle to ensure we've planned a

comprehensive policy. A theme across the conference was balancing a relationship of support and accountability. Facilities, finance and governance are the areas schools need the most support building into the program. Advice from others highlighted the importance of culture and achievement across an authorizer's portfolio where students & teachers want to be in their school everyday. A focus on people vs paperwork in the application cycle is a key lesson learned from other authorizers. He also noted the importance of the Year Zero development program. His final note was as authorizers we need to be bold in promoting innovation with potential schools and be a model for strong culture ourselves. Chair Rutt noted the Commission has funds to support Members attending conferences in the future.

**Public Comment – 02:02:16**

Derrick White, Director of School Design Fellowship with NACA Inspired Schools Network (NISN), provided background on NISN's work to support school founders in building school models to open a charter school that is community led and responsive to their children to include language and culture for Indigenous students. He meets weekly with Rain Turcotte in support of best practice in developing an intentional school serving the needs of the local community. Their goal is to submit an application as soon as the law permits.

Connie Filesteel from Fort Belknap, asked when the initial application will be posted for potential founders to access. Director of Planning Kincheloe stated the application resources are on the BPE website and Ms. Filesteel is welcome to reach out directly for resources. She also noted the Commission is not permitted to open an application cycle at this time.

Chair Rutt thanked Members for their participation in the meeting. He also thanked Executive Director Flynn and the staff of the BPE for their continued support, especially their technical support during Commission meetings. Chair Rutt offered a final appreciation to Members for their service today and welcomed the newest Member Barbara-Forrester Frank for joining the Commission.

**Adjourn**

Meeting adjourned at - 02:10:15



## Montana Community Choice Schools Commission

### Meeting Agenda

February 18, 2026

Zoom Webinar

8:00 a.m. to 12:00 p.m.

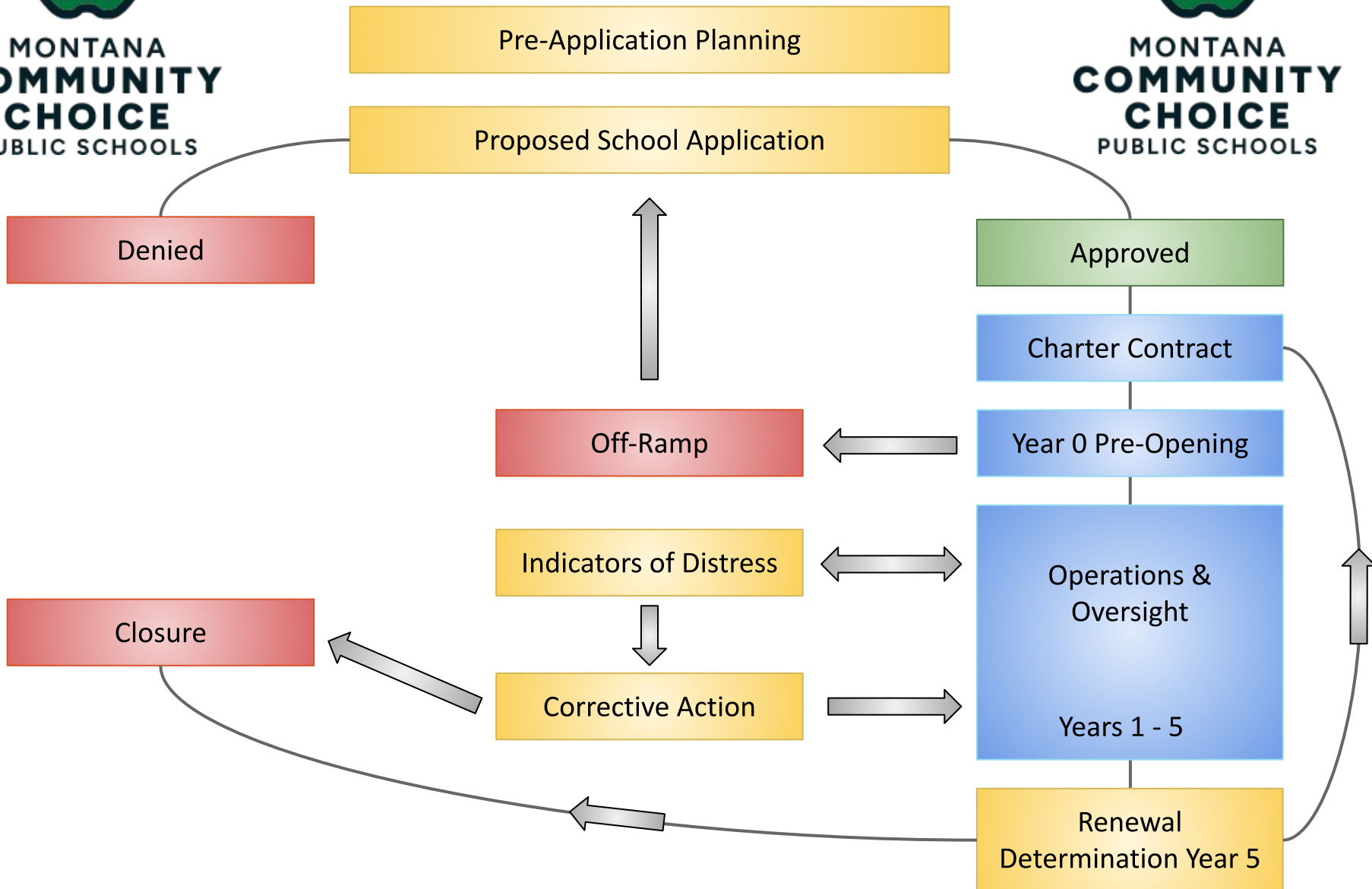
	Estimated Time	Details
<b>Call to Order</b>	8:00 a.m.	<ol style="list-style-type: none"> <li>1. Pledge of Allegiance</li> <li>2. Roll Call</li> <li>3. Statement of Public Participation</li> <li>4. Welcome and Introduction of Visitors</li> </ol>
<b>Note to the Public</b>		<ol style="list-style-type: none"> <li>1. Action may be taken on any item listed on the Choice Commission agenda. Per §2-3-103 MCA, <i>the Choice Commission encourages public comment on any item prior to final action.</i></li> <li>2. All times are approximate and may change as reasonably necessary.</li> </ol>
<b>Agenda</b>		
Item 1	8:05 a.m.	<ul style="list-style-type: none"> <li>◊ Action: Consent Agenda Adoption <ul style="list-style-type: none"> <li>○ Minutes from 12/9/2025</li> </ul> </li> <li>◊ Action: Agenda Adoption for 2/18/2026</li> </ul>
Item 2	8:10 a.m.	Chairperson Welcome Statement
Item 3	8:15 a.m.	Business: <ul style="list-style-type: none"> <li>◊ Action: Approval for working with lawyer in 2026</li> <li>◊ Action: Renewal Policy</li> <li>◊ Action: Corrective Action Intervention Procedures</li> <li>◊ Action: Revocation Policy</li> <li>◊ Action: Closure Policy</li> </ul>
Item 4	8:45 a.m.	Presentation/Discussion/Training: Dr. William Sullivan, Psychiatrician, and Joe Marr, Project Director from The Solomon Group Research Associates <ul style="list-style-type: none"> <li>● Assessment Recommendations for the Application and Contracting phases of Authorizing</li> </ul>
	10:45 a.m.	Break
Item 5	11:00 a.m.	Reports: <ol style="list-style-type: none"> <li>1. Chairperson Report: Trish Schreiber</li> <li>2. Treasurer Report: Chip Lindenlaub</li> <li>3. Policymaking Special Committee: Jon Rutt</li> <li>4. Fundraising Special Committee: Taylor Ramos</li> <li>5. Special Education Consideration Committee: Barbara Forrester-Frank</li> <li>6. Director of Planning Report: Cathy Kincheloe</li> </ol>
Item 6	11:30 a.m.	Board of Public Education Executive Director Report and Discussion
<b>Public Comment</b>	11:45 a.m.	This time will be provided for public comment on items not listed on the agenda. This meeting is open to the public electronically. For those wishing to give virtual public comment, please contact <a href="mailto:cathy.kincheloe@mt.gov">cathy.kincheloe@mt.gov</a> to request the Zoom link

		for the meeting. Written public comment may be submitted to the Director of Planning at <a href="mailto:cathy.kincheloe@mt.gov">cathy.kincheloe@mt.gov</a> and will be shared with the Commission members and included as part of the official public record.
<b>Adjourn</b>	12:00 p.m.	
<b><i>Note to the Public</i></b>		<p>**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 end of each meeting.</p> <p>**The Choice Commission will make reasonable accommodations for known disabilities that may interfere with an individual’s ability to participate in the meeting. Individuals who require such accommodations should make requests to the Director of Planning as soon as possible prior to the meeting start date. You may email <a href="mailto:cathy.kincheloe@mt.gov">cathy.kincheloe@mt.gov</a> or phone at 406-407-0727.</p>





# Community Choice Schools Cycle





**MONTANA  
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# Commission's School Renewal Determination Guidebook

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## Renewal Determination Policy

### May

1. Renewal Procedures Meeting: The Commission Director will schedule a meeting with the school leadership team and governing board representative to introduce the renewal process, provide the Renewal Application Guide, and discuss any concerns regarding school outcomes.

### June

2. Performance Report and Charter Renewal Application Guide: No later than June 30 of the year prior to charter contract expiration, the Commission shall issue a Community Choice School Performance Report and Charter Renewal Application Guide.

### September

3. School's Response to Performance Report: The Community Choice School shall respond to the Performance Report and submit any corrections or clarifications within 90 days.

### October - November

4. Campus Renewal Visits: Schools host the Commission Director and Commission Renewal Subcommittee on campus to observe the school in action and meet with members of the school community which may include: students, families, teachers, leadership team, and/or governing board members. The Director and school leader will collaborate to determine the visit agenda.

### December

5. Renewal Application: The governing board of a Community Choice School seeking renewal shall submit a Renewal Application to the Commission pursuant to the Renewal Application Guide. The Renewal Application is due on (12/XX/XX). The Commission Director and Renewal Subcommittee will review each Renewal Application providing an Executive Summary to the Commission.
6. Public Posting: The Renewal Applications shall be posted on the Board of Public Education's website under the Community Choice Schools tab with directions for submission of written public comment.

### January - February

7. Commission Action: The Commission shall rule by resolution on the Renewal Application no later than 30 days after the filing of the Renewal Application (1/XX/XX). Deliberations and vote will occur in a public meeting. Choice Schools that are approved for renewal will proceed to contracting. Choice Schools that are not renewed, move to the non-renewal hearing process.
8. Non-renewal Hearing: The Commission will provide the charter contract holders an opportunity to submit documents and testimony at a hearing to challenge the rationale for the non-renewal recommendation and in support of the continuation of the school. The charter contract holders may be represented by counsel and call witnesses on their behalf. Recording of the proceedings is permitted as are all open meeting laws. The Director and Choice School governing board will arrange the date of the hearing within 5 business days of the Commission's decision to open a hearing.
9. Final Determination: The Commission will deliberate and take action as the final step in the hearing. The hearing will abide by Montana's (MCA) open meeting laws.
10. Closure Protocol: If closure is determined, within 48 hours of final closure determination, a meeting will be held between the Commission Director, school leadership team, and governing board members to review the School Closure Protocol and establish a plan specific to the school.

### Renewal Procedures Meeting

May of Year 4

The Commission Director schedules a meeting with the school leadership team and governing board representative to introduce the renewal process, provide the Renewal Application Guide, and discuss any concerns regarding school outcomes.

Performance Report and Charter Renewal Application Guide	School's Response to Performance Report	Campus Renewal Visits
June	September	October - November
No later than June 30 of the year prior to charter contract expiration, the Commission issues a CCS Performance Report and Charter Renewal Application Guide.	The CCS responds to the Performance Report and submits any corrections or clarifications within 90 days.	Schools host the Commission Director and Commission Renewal Subcommittee on campus to observe the school in action and meet with members of the school community.

Renewal Application	Renewal Recommendation	Public Posting	Final Determination
December			January
The governing board of a CCS seeking renewal submits a Renewal Application to the Commission.	The Commission Director and Renewal Subcommittee review each Renewal Application providing an Executive Summary and renewal recommendation to the Commission.	The Renewal Application is posted on the Board of Public Education's website under the Community Choice Schools tab with directions for submission of written public comment.	In a public meeting, the Commission rules by resolution on the Renewal Application no later than 30 days after the filing of the Renewal Application.



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## Renewal Performance Report

School Name

Year

Issued by the Commission to the Choice School no later than June 30th of the 4th year of operation containing data through contract year 4. Year 5 is the renewal year.

## Table of Contents

Section I:	Academic Performance Framework Longitudinal Results with Commission Notes and School Response
Section II:	Operational Performance Framework Longitudinal Results with Commission Notes and School Response
Section III:	Financial Performance Framework Longitudinal Results with Commission Notes and School Response

## SECTION I: ACADEMIC PERFORMANCE FRAMEWORK

LITERACY PROFICIENCY (color coded by <b>exceeds</b> / <b>meets</b> / <b>approaches</b> / <b>does not meet</b> )				
	Year 1	Year 2	Year 3	Year 4
All Students				
Free/Reduced Lunch				
American Indian				
Special Education				
English Language Learners				
Other (indicate)				

LITERACY GROWTH (color coded by <b>exceeds</b> / <b>meets</b> / <b>approaches</b> / <b>does not meet</b> )				
	Year 1	Year 2	Year 3	Year 4
All Students				
Free/Reduced Lunch				
American Indian				
Special Education				
English Language Learners				
Other (indicate)				

MATH PROFICIENCY (color coded by <span>exceeds</span> / <span>meets</span> / <span>approaches</span> / <span>does not meet</span> )				
	Year 1	Year 2	Year 3	Year 4
All Students				
Free/Reduced Lunch				
American Indian				
Special Education				
English Language Learners				
Other (indicate)				

MATH GROWTH (color coded by <span>exceeds</span> / <span>meets</span> / <span>approaches</span> / <span>does not meet</span> )				
	Year 1	Year 2	Year 3	Year 4
All Students				
Free/Reduced Lunch				
American Indian				
Special Education				
English Language Learners				
Other (indicate)				

POST SECONDARY READINESS/ADJUSTED COHORT GRADUATION RATE (color coded by <span>exceeds</span> / <span>meets</span> / <span>approaches</span> / <span>does not meet</span> )				
	Year 1	Year 2	Year 3	Year 4
All Students				



ACADEMIC PERFORMANCE FRAMEWORK CONCERNS	
COMMISSION’S NOTICE OF WEAKNESS OR CONCERN	
DATA POINT	DESCRIPTION OF CONCERN
SCHOOL’S RESPONSE TO NOTICE OF WEAKNESS OR CONCERN	
DATA POINT	PLAN TO ADDRESS CONCERN

## SECTION II: OPERATIONAL PERFORMANCE FRAMEWORK

### GOVERNING BOARD PERFORMANCE AND STEWARDSHIP (color coded by **meets/does not meet**)

	Year 1	Year 2	Year 3	Year 4
Governance Oversight Rubric				

### OPERATIONAL COMPLIANCE (color coded by **meets/does not meet**)

	Year 1	Year 2	Year 3	Year 4
Operational Compliance Rubric				

### ATTENDANCE RATES (color coded by **exceeds/meets/approaches/does not meet**)

	Year 1	Year 2	Year 3	Year 4
All Students				

### RECURRENT ENROLLMENT (color coded by **exceeds/meets/approaches/does not meet**)

	Year 1	Year 2	Year 3	Year 4
All Students				

OPERATIONAL PERFORMANCE FRAMEWORK CONCERNS	
COMMISSION’S NOTICE OF WEAKNESS OR CONCERN	
DATA POINT	DESCRIPTION OF CONCERN
SCHOOL’S RESPONSE TO NOTICE OF WEAKNESS OR CONCERN	
DATA POINT	PLAN TO ADDRESS CONCERN

## SECTION III: FINANCIAL PERFORMANCE FRAMEWORK

NEAR TERM HEALTH (color coded by exceeds/meets/approaches/does not meet)				
	Year 1	Year 2	Year 3	Year 4
Current Ratio				
Unrestricted Days Cash				
Default				
Enrollment Variance				

SUSTAINABLE HEALTH (color coded by exceeds/meets/approaches/does not meet)				
	Year 1	Year 2	Year 3	Year 4
Total Margin & 3 Year Aggregated Margin				
Debt Service Coverage Ratio				
Debt to Assets Ratio				
Financial Compliance Rubric				

FINANCIAL PERFORMANCE FRAMEWORK CONCERNS	
COMMISSION'S NOTICE OF WEAKNESS OR CONCERN	
DATA POINT	DESCRIPTION OF CONCERN
SCHOOL'S RESPONSE TO NOTICE OF WEAKNESS OR CONCERN	
DATA POINT	PLAN TO ADDRESS CONCERN



## Renewal Site Visit Preparations for the Commission

### Purpose

The Renewal Site Visit serves to provide the Commission context and insight as to how the school model and mission are implemented that may not be captured in the Renewal Performance Report and the Renewal Application. The Visit provides the school an opportunity to highlight aspects of the school community climate and culture that are not easily captured in the Performance Framework. Additionally, the site visit affords the Commission the opportunity to dig into areas of growth and strength that may have surfaced over the contract term. The site visit agenda will provide opportunity to:

- Observe how the school's key design elements are being implemented;
- Evidence of the school's mission in practice;
- Experience the school's climate and culture;
- Understand the perspective of students, staff, families, and governing board members.

The Director and school leader will design an agenda that is appropriate to the school's programming and current areas of improvement. Following the site visit, the Director will prepare a visit summary of the qualitative and contextual information gathered to include in the Final Recommendation Report to the Commission to consider in making their renewal decision.

### Charter Renewal Site Visit Planning Checklist

- Initial Planning Meeting between Director and School Leader
  - Identify the renewal visit date
  - Schedule a pre-visit meeting one week prior to the visit to review the final agenda
  - Discuss agenda items for the visit
- Commission Site Visit Team Preparations
  - Complete Renewal Site Visit Notes Template pre-work
    - Areas of Concern/Focus Noted on Renewal Report
    - Prepare questions for focus groups

### Sample Agenda

- Welcome Meeting between Commission representatives and School Leadership
- Observation of Student Arrival
- Parent Forum (3-5 parents for 20-30 mins)
- Student Led Tour with Classroom Observations
- Conversation with School Leadership Team
- Conversation with Staff Groups
- Conversation with Board Members
- Lunch with Students
- Conversation with Staff Groups
- Student Led Tour with Classroom Observations
- Conversation with Staff Groups
- Parent Forum (3-5 parents for 20-30 mins)
- Observation of Dismissal
- Visit Summary with School Leader and Board Members



## Site Visit Sample Questions

### Purpose

Site visit sample questions are designed to support the Commission in gathering consistent, meaningful evidence of school performance across critical areas of the Performance Framework. These questions are not intended to be used as a script but rather as prompts that site visit evaluators can adapt depending on the stakeholder group (e.g., leaders, teachers, board members, students, or families) and the context of the school's performance. Combining these questions with direct observations, artifact reviews, and performance data, allows evaluators to develop a comprehensive and balanced understanding of the school's strengths, challenges, and progress toward fulfilling its mission and charter contract commitments.

### Mission Driven Performance Questions: Is the school delivering on its promise?

1. Shared Understanding of Mission
  - a. How would you describe the school's mission? (ask leaders, teachers, students, families)
  - b. How do teachers and staff incorporate the mission into their daily work with students?
  - c. What evidence do you see that students and families are aware of and engaged with the school's mission?
  - d. How is the mission reflected in public-facing materials (website, recruitment flyers, reports, family handbooks)?
2. Implementation of the Mission in Key Design Elements
  - a. What are the school's key design elements, and how do they shape the student experience?
  - b. Can you provide examples of how these design elements are visible in the academic program, school culture, or operations?
  - c. How does the school evaluate whether design elements are being implemented with fidelity?
  - d. If revisions have been made to the charter contract, how has the school ensured new elements are fully integrated into practice?
  - e. Can you point to specific outcomes that demonstrate the effectiveness of the mission and key design elements?

### Academic Performance Questions: Is the school an academic success?

1. Instruction
  - a. How do leaders and teachers at this school define "high-quality instruction"? How is this definition communicated and reinforced across classrooms?
  - b. During observations, how do you monitor whether instruction aligns with your shared understanding of high-quality teaching?
  - c. How do teachers engage students in rigorous thinking and active learning, beyond compliance and participation?
  - d. What evidence do you have that instruction is being differentiated to meet the needs of diverse learners?
  - e. What professional development opportunities do teachers receive to improve instructional practice? How do you measure whether PD translates into improved student outcomes?
  - f. How do teachers make adjustments in real time when students are not meeting learning targets?
2. Curriculum
  - a. How do you ensure your curriculum aligns with college and career ready benchmarks?
  - b. How do you ensure horizontal alignment across classrooms within the same grade level? Can you provide examples?
  - c. What systems are in place to ensure vertical alignment across grades, particularly in core subjects like

ELA and math?

- d. How is the curriculum differentiated for students with disabilities, English learners, and economically disadvantaged students?
- e. What is your process for systematically reviewing and revising curriculum materials? Who is involved and how often does this happen?

3. Assessment and Program Evaluation

- a. What system of formative, diagnostic, and summative assessments do you use across grades?
- b. How do teachers use formative assessment data to adjust instruction daily or weekly?
- c. Can you provide an example of how data has led to changes in instructional strategies or interventions for a subgroup of students?
- d. How does the school evaluate the overall quality and effectiveness of its academic program using both qualitative (e.g., student work, observations) and quantitative (e.g., test scores, growth measures) data?
- e. How often are assessment results analyzed, and by whom?
- f. In what ways does the school use multiple measures to monitor progress toward standards?

4. Support for Diverse Learners

- a. What process does the school follow for identifying students with disabilities and English learners? Is it consistent with federal guidelines?
- b. How does the school provide targeted support to meet the academic needs of students with disabilities, English learners, and economically disadvantaged students?
- c. How do interventionists and general education teachers coordinate and communicate about students receiving additional support?
- d. Can you share an example of how student progress is monitored and how interventions have been adjusted as a result?
- e. What systems are in place to ensure all students, including subgroups, have equitable access to rigorous curriculum and instruction?

## School Climate and Culture: Is the school a safe and welcoming environment conducive to learning?

1. Measures of Culture, Climate, and Student Engagement

- a. What processes are in place to identify and support students at risk of chronic absenteeism?
- b. How do you track and address absenteeism trends across different student subgroups?
- c. What strategies have been most effective in reducing out-of-school suspensions and keeping students engaged in learning?
- d. How do you ensure consistency and fairness in suspension decisions across subgroups?
- e. What tools or surveys do you use to measure school culture and climate? How often are they administered, and how do you use the results to make improvements?
- f. How do students describe their sense of belonging and engagement in the school community?

2. School Leadership

- a. How does the leadership team communicate the school's mission and goals to staff, students, and families?
- b. Can you share examples of how decisions are aligned with the school's mission and priorities?
- c. What communication systems are in place to ensure information flows effectively across all levels of the school (leaders, teachers, staff, board, families)?
- d. How does leadership make and communicate decisions that affect the school community?
- e. What strategies does the school use to recruit, hire, and retain key personnel (teachers, support staff, operations)?
- f. How are staffing decisions made when an employee is not meeting performance expectations?
- g. How familiar is school leadership with the Charter School Performance Framework standards, and what plans are in place to ensure compliance with them?

3. Professional Climate

- a. How are roles and responsibilities defined for leadership, staff, management, and the board? How is this communicated and reinforced?
- b. How does the school ensure that staff have the training and expertise to meet the needs of all students,

- including those in subgroups?
- c. Is the school fully staffed in key areas (finance, human resources, communications, operations)? If not, how are gaps addressed?
- d. What structures or practices support collaboration among teachers (e.g., PLCs, grade-level meetings, co-teaching)?
- e. How are teachers and staff evaluated, and how is feedback used to improve performance?
- f. What professional development opportunities are offered, and how does the school measure their effectiveness?
- g. How does leadership solicit teacher and staff feedback? Can you share examples of changes made in response to staff input?
- h. What systems are in place to monitor organizational health and school culture among staff?
- 4. Behavior Management and Safety
  - a. Describe your schoolwide discipline policy. How is it communicated to staff, students, and families?
  - b. What does implementation of your behavior policy look like across classrooms and grade levels?
  - c. How does your tiered system of behavioral supports promote student growth in social-emotional development?
  - d. What evidence do you have that classrooms are generally safe and conducive to learning?
  - e. How do staff and students describe what makes the school a safe environment?
  - f. What systems are in place to prevent and respond to bullying, harassment, and discrimination?
  - g. How do teachers manage disruptions in ways that minimize lost instructional time?
- 5. Family Engagement and Communication
  - a. How does the school ensure that all families, regardless of primary language or disability status, receive communication in a way they can access and understand?
  - b. Can you give examples of how families are engaged beyond required events (e.g., conferences), such as through advisory groups, workshops, or community events?
  - c. How do you assess family satisfaction? Can you share examples of changes the school has made based on family or community feedback?
  - d. What processes are in place to respond to family or community concerns, and how do you ensure transparency in this process?
  - e. How does the school share performance data with families and the broader community?
  - f. How do you support parents to interpret and act on this data in ways that help their child?
- 6. Student and Staff Wellbeing
  - a. What systems or programs are in place to support students' and staff wellbeing?
  - b. How does the school track and monitor student wellbeing, both at the individual and subgroup levels?
  - c. How do you evaluate the effectiveness of wellbeing supports over time?
  - d. What professional development do staff receive to help them address students' wellbeing?
  - e. What supports are in place for McKinney-Vento eligible students? Who is the school's McKinney-Vento Coordinator, and how do staff access them?
  - f. Can you share an example of how student wellbeing supports have positively impacted a student's academic progress or engagement?

### Operational Performance Questions: Is the school an effective viable organization?

- 1. Board Evaluation of Leadership, Itself, and Providers
  - a. What formal process does the board use to evaluate the school leader's performance each year?
  - b. How does the board ensure its self-evaluations are meaningful and lead to improvement?
  - c. If applicable, how does the board evaluate management or comprehensive service providers?
  - d. Can you provide an example of how feedback from these evaluations has led to concrete changes?
- 2. Oversight of Management, Fiscal Operations, and School Goals
  - a. How does the board monitor academic performance and progress toward charter contract goals?
  - b. What reports or dashboards does the board regularly review to oversee fiscal health?
  - c. How often does the board review the budget, financial statements, and audit reports?
  - d. If using a management provider, how does the board ensure the provider is accountable to the school's



mission and goals?

- e. Can you share an example of the board intervening or redirecting resources based on oversight findings?

3. Strategic and Continuous Improvement Planning

- a. How does the board set priorities and goals that align with the school's mission and charter contract?
- b. What process does the board use for long-term strategic planning?
- c. Can you describe a recent example of the board adjusting strategy in response to performance data or community needs?
- d. How does the board monitor progress on its own strategic priorities?

4. Policy Oversight

- a. How does the board ensure policies are reviewed and updated in a timely manner?
- b. Can you provide an example of a recent policy update and what prompted it?

5. Board Recruitment and Composition

- a. What skills and expertise does the board seek when recruiting new members?
- b. How does the board ensure it represents the school community?
- c. What onboarding or training processes are in place for new board members to quickly become effective?
- d. Can you describe how the board assesses gaps in its collective expertise and addresses them?

6. Board Development

- a. What ongoing professional development opportunities does the board engage in each year?
- b. How does the board ensure its members stay current on governance best practices and charter school law?
- c. How do professional development efforts translate into stronger governance or oversight?

7. Governance Role, Legal Obligations, and Charter Contract Requirements

- a. How do board members distinguish between governance and management roles?
- b. How do you ensure compliance with legal obligations, including open meetings and conflict-of-interest laws?
- c. What systems are in place to ensure the school remains faithful to the terms of its charter?
- d. Can board members clearly articulate their fiduciary responsibilities?

8. Familiarity with Performance Framework Standards

- a. How familiar is the board with the Charter School Performance Framework standards?
- b. What systems are in place to monitor the school's performance against these standards?
- c. How does the board ensure the school is on track to meet renewal expectations?
- d. Can you share how the board communicates performance standards and progress with stakeholders (staff, families, community)?

9. Enrollment Systems

- a. What processes are in place to manage student enrollment fairly and transparently?
- b. How does the school ensure compliance with enrollment and lottery requirements?
- c. How does leadership monitor enrollment numbers against charter targets throughout the year?

10. Recruitment Practices

- a. What strategies does the school use to recruit students from diverse backgrounds?
- b. How does the school ensure outreach efforts reach English learners, students with disabilities, and economically disadvantaged families?
- c. Can you share examples of partnerships with community organizations that support recruitment?
- d. How does the school communicate its mission and program to prospective families?

11. Retention Strategies

- a. What systems are in place to track and analyze student retention data by subgroup?
- b. How does the school identify reasons why students leave, and how does it respond to trends?
- c. What strategies have proven effective in retaining students, particularly those from historically underserved populations?
- d. How does the school engage families to strengthen their connection and commitment to staying enrolled?
- e. Can you share specific examples where retention data informed program or family engagement improvements?

12. Contractual Relationships (If Applicable)

- a. Have there been any changes to management or service provider contracts? If so, how did the school ensure compliance with amendment procedures?
- b. How does the board and school leadership monitor the performance and effectiveness of contracted service providers?
- c. Can you provide an example of how feedback or monitoring led to adjustments in a provider's services?
- d. How do school leaders ensure that contracted partners align with the school's mission and goals?



## Renewal Site Visit Notes Template

School Information			
School Name		Date	
Mission			

### Section I: Pre-Visit Preparations

Areas of Focus Noted from Renewal Performance Report			
	Concern	Sources of Further Evidence	Plan to Address in Visit
Academics			
Operations			
Finance			

## Section II: Site Visit Notes (note: prepare questions in advance)

### School Leadership Team Meeting Notes

Attendees	
Questions	Notes

### Governing Board Members Meeting Notes

Attendees	
Questions	Notes

### School Staff Meetings Notes

Attendees	
Questions	Notes

### Parent Forum Meeting Notes

Attendees	
Questions	Notes

## Observations of School Culture

## Evidence of the Mission in Practice

[illegible]



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## Renewal Application Recommendation to Commission

School Information	
School Name	
School Leader	
Governing Board Chair	
Location	
Grades Served	
Enrollment	
Mission	

### Section I: Key Evidence from Performance Framework and Application

--

### Section II: Site Visit Summary

--

### Section III: Recommendation

Approve

Rationale

Conditions

Deny

Feedback



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## Notice of Renewal Status to School and Governing Board

### School Information

School Name	
School Leader	
Governing Board Chair	
Location	
Grades Served	
Enrollment	
Mission	

### Section I: Key Evidence from Performance Framework and Application

--

### Section II: Site Visit Summary

--



### Section III: Final Renewal Decision

#### Meeting Notes Containing Commission's Resolution

Approve

Rationale

Conditions

Deny

Feedback

Page Break between Guidebooks



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# Renewal Application Guide for Schools

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Section II:	Renewal Policy and Timeline
Section III:	Criteria Guiding Renewal
Section IV:	School Renewal Site Visit Protocol
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## Section I: Purpose and Intent of Community Choice School Performance and Renewal

The premise of the charter school movement is autonomy in exchange for accountability. A Community Choice Charter School is granted an initial contract for five years of operation. Renewal of that contract is not a given, it must be earned through consistent evidence of a high quality academic program, efficient operations, and sustainable financial health. A fair, transparent, and strong renewal process is critical to sustaining autonomy, holding schools to high standards, and ensuring the trust of the Community Choice Schools community, the greater public, and lawmakers.

In accordance with the Community Choice Schools Act 20-11-117. (1) The performance provisions within the charter contract must be based on a performance framework that clearly sets forth the academic and operational performance indicators, measures, and metrics that will guide the authorizer's evaluations of each choice school. The performance framework must include indicators, measures, and metrics for, at a minimum:

- (a) student academic proficiency;
- (b) student academic growth;
- (c) achievement gaps in both proficiency and growth between major student subgroups;
- (d) attendance;
- (e) recurrent enrollment from year to year;
- (f) postsecondary readiness;
- (g) financial performance and sustainability; and
- (h) governing board performance and stewardship, including compliance with all applicable laws, regulations, and terms of the charter contract.

(2) Each choice school, in conjunction with its authorizer, shall set annual performance targets designed to help each school meet applicable federal, state, and authorizer expectations.

(3) (a) The contract performance framework must include rigorous, valid, and reliable indicators proposed by a choice school to evaluate its performance that are consistent with the purposes of this part.

(b) The authorizer shall collect and analyze data from each choice school it oversees in accordance with the performance framework.

(c) Multiple schools operating under a single charter contract or overseen by a single governing board shall report their performance as separate, individual schools. Each school must be held independently accountable for its performance.

(4) (a) An authorizer shall monitor the performance and legal compliance of the choice schools it oversees, including collecting and analyzing data to support ongoing evaluation according to the charter contract. Every authorizer has the authority to conduct or require oversight activities that do not unduly inhibit the autonomy granted to choice schools but that enable the authorizer to fulfill its responsibilities under this part, including conducting appropriate inquiries and investigations consistent with the intent of this part, and to adhere to the terms of the charter contract. Required oversight activities may not encumber the choice school financially and may be appealed by the choice school through the commission.

(b) Each authorizer shall annually publish and provide as part of its annual report to the commission a performance report for each choice school it oversees, within the performance framework set forth in the charter contract and **20-11-112**. The authorizer may require each choice school it oversees to submit an annual report to assist the authorizer in gathering complete information about each school, consistent with the performance framework.

(c) In the event that a choice school's performance or legal compliance appears unsatisfactory, the authorizer shall promptly notify the choice school of the perceived problem and provide a reasonable opportunity for the school to remedy the problem.

(d) An authorizer may take appropriate corrective action or exercise sanctions short of revocation in response to apparent deficiencies in choice school performance or legal compliance. The action or sanctions may include, if warranted, requiring a choice school to develop and execute a corrective action plan within a specified timeframe.

(5) (a) A charter contract may be renewed for successive 5-year terms, although the authorizer may vary the term based on the performance, demonstrated capacities, and particular circumstances of each choice school. An authorizer may grant renewal with specific conditions for necessary improvement to a choice school.

## Section II: Renewal Policy and Timeline

### May

1. Renewal Procedures Meeting: The Commission Director will schedule a meeting with the school leadership team and governing board representative to introduce the renewal process, provide the Renewal Application Guide, and discuss any concerns regarding school outcomes.

### June

2. Performance Report and Charter Renewal Application Guide: No later than June 30 of the year prior to charter contract expiration, the Commission shall issue a Community Choice School Performance Report and Charter Renewal Application Guide.

### September

3. School's Response to Performance Report: The Community Choice School shall respond to the Performance Report and submit any corrections or clarifications within 90 days.

### October - November

4. Campus Renewal Visits: Schools host the Commission Director and Commission Renewal Subcommittee on campus to observe the school in action and meet with members of the school community which may include: students, families, teachers, leadership team, and/or governing board members. The Director and school leader will collaborate to determine the visit agenda.

### December

5. Renewal Application: The governing board of a Community Choice School seeking renewal shall submit a Renewal Application to the Commission pursuant to the Renewal Application Guide. The Renewal Application is due on (12/XX/XX). The Commission Director and Renewal Subcommittee will review each Renewal Application providing an Executive Summary to the Commission.
6. Public Posting: The Renewal Applications shall be posted on the Board of Public Education's website under the Community Choice Schools tab with directions for submission of written public comment.

### January - February

7. Commission Action: The Commission shall rule by resolution on the Renewal Application no later than 30 days after the filing of the Renewal Application (1/XX/XX). Deliberations and vote will occur in a public meeting. Choice Schools that are approved for renewal will proceed to contracting. Choice Schools that are not renewed, move to the non-renewal hearing process.
8. Non-renewal Hearing: The Commission will provide the charter contract holders an opportunity to submit documents and testimony at a hearing to challenge the rationale for the non-renewal recommendation and in support of the continuation of the school. The charter contract holders may be represented by counsel and call witnesses on their behalf. Recording of the proceedings is permitted as are all open meeting laws. The Director and Choice School governing board will arrange the date of the hearing within 5 business days of the Commission's decision to open a hearing.
9. Final Determination: The Commission will deliberate and take action as the final step in the hearing. The hearing will abide by Montana's (MCA) open meeting laws.
10. Closure Protocol: If closure is determined, within 48 hours of final closure determination, a meeting will be held between the Commission Director, school leadership team, and governing board members to review the School Closure Protocol and establish a plan specific to the school.

### Section III: Criteria Guiding Renewal

In making charter renewal decisions, the Commission must adhere to the following pursuant to 20-11-117, Community Choice Schools Performance and Renewal. (1)The performance provisions within the charter contract must be based on a performance framework that clearly sets forth the academic and operational performance indicators, measures, and metrics that will guide the authorizer's evaluations of each choice school.

1. The Commission will place emphasis on the following Performance Framework metrics: academic growth, steady enrollment, and financial sustainability.
2. The Commission will use the following Guiding Questions:
  - a. Is the school delivering on its promise?
  - b. Is the school an academic success?
  - c. Is the school a safe and welcoming environment conducive to learning?
  - d. Is the school an effective and viable organization?
  - e. Is the school fiscally sound?

### Section IV: School Renewal Site Visit Protocol

The Renewal Site Visit serves to provide the Commission context and insight as to how the school model and mission are implemented that may not be captured in the Renewal Performance Report and the Renewal Application. The visit provides the school an opportunity to highlight aspects of the school community climate and culture that are not easily captured in the Performance Framework. Additionally, the site visit affords the Commission the opportunity to dig into areas of growth and strength that may have surfaced over the contract term. The site visit agenda will provide opportunity to:

- Observe how the school's key design elements are being implemented;
- Evidence of the school's mission in practice;
- Experience the school's climate and culture;
- Understand the perspective of students, staff, families, and governing board members.

The Director and school leader will design an agenda that is appropriate to the school's programming and current areas of improvement. Following the site visit, the Director will prepare a visit summary of the qualitative and contextual information gathered to include in the Final Recommendation Report to the Commission to consider in making their renewal decision.

#### Charter Renewal Site Visit Planning Checklist

- Initial Planning Meeting between Director and School Leader
  - Identify the renewal visit date
  - Schedule a pre-visit meeting one week prior to the visit to review the final agenda
  - Discuss agenda items for the visit
- School Leader Preparations
  - Ensure that no field trips, special events, or school-wide testing is scheduled for the day of the site visit
  - Draft an agenda for the visit based on the items discussed in the initial planning meeting with the Director, including:
    - Selecting participants for interviews and focus groups
    - Ensuring proper space for meetings with staff, board members, and family forums
  - Review the agenda and visit purpose with staff and others who are involved

#### Sample Agenda

- Welcome Meeting between Commission representatives and School Leadership
- Observation of Student Arrival
- Parent Forum (3-5 parents for 20-30 mins)
- Student Led Tour with Classroom Observations
- Conversation with School Leadership Team
- Conversation with Staff Groups
- Conversation with Board Members
- Lunch with Students

- Conversation with Staff Groups
- Student Led Tour with Classroom Observations
- Conversation with Staff Groups
- Parent Forum (3-5 parents for 20-30 mins)
- Observation of Dismissal
- Visit Summary with School Leader and Board Members

### Section V: Renewal Application Requirements (see report template)

20-11-117 (6) The renewal application must, at a minimum, provide an opportunity for the choice school to:

(a) present additional evidence, beyond the data contained in the performance report, supporting its case for charter contract renewal; (b) describe improvements undertaken or planned for the choice school; and (c) detail the choice school's plans for the next charter contract term.

#### Cover Sheet

1. School's Name & Address
2. School Leader Name & Contact Information
3. Governing Board Chair Name & Contact Information
4. Grades Served
5. Current Enrollment
6. Enrollment at Capacity
7. School Mission

#### Narrative Responses

1. What additional evidence should the Commission consider beyond the Performance Framework?
2. What improvements has the school undertaken in the current charter contract?
3. What modifications and or additions are you planning for the next charter contract?



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## School Renewal Application Template

School Information	
School Name	
Address	
Grades Served	
Current Enrollment & Enrollment at Capacity	
Mission	
School Leader Name	
School Leader Phone & Email	
Governing Board Chair Name	
Governing Board Chair Phone & Email	



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Section III:	Future Plans
Appendix A:	Renewal Performance Report
Appendix B:	Site Visit Summary



## Section I: Additional Evidence

What additional evidence should the Commission consider beyond the Performance Framework?

## Section II: Improvements Undertaken

What improvements has the school undertaken in the current charter contract?

## Section III: Future Plans

What modifications and or additions are you planning for the next charter contract?

## Appendix A: Renewal Performance Report

## Appendix B: Site Visit Summary

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# School Corrective Action Intervention Guidebook

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## Corrective Action Intervention Process

### Conditions for Corrective Action Intervention

Preceding Corrective Action Intervention, Commission staff will have monitored the warning signs of distress using the Indicators of Distress Monitoring Tool to determine if a recommendation to the Commission for Corrective Action Intervention is necessary. Upon receiving a recommendation for Corrective Action Intervention, the Commission will consider a school's context, additional quantitative and qualitative data, and other information to determine if Corrective Action Intervention is appropriate. The Commission will ultimately use professional judgment in determining whether, and at what level, to initiate intervention. The Commission reserves the right to forgo intervention or skip levels of intervention, including moving straight to revocation, as may be appropriate.

Community Choice Schools Act 20-11-117(4)

(c) In the event that a choice school's performance or legal compliance appears unsatisfactory, the authorizer shall promptly notify the choice school of the perceived problem and provide a reasonable opportunity for the school to remedy the problem.

(d) An authorizer may take appropriate corrective action or exercise sanctions short of revocation in response to apparent deficiencies in choice school performance or legal compliance. The action or sanctions may include, if warranted, requiring a choice school to develop and execute a corrective action plan within a specified timeframe.

### Corrective Action Intervention Process

1. Initial Meeting: In the event a Community Choice School begins to exhibit early warning signs of distress, the Commission Director, school leadership, and the governing board shall convene to collect additional data to determine the severity of the distress.
2. Commission Deliberation: Following the initial meeting, the Commission Director will present the early warning signs of distress, additional data collected, and a possible recommendation for Corrective Action Intervention to the Commission for deliberation.
3. Written Notice: If the Commission determines Corrective Action Intervention is necessary, the Commission Director will detail the concern(s) and potential consequences in written notice to the school leadership and governing board. Written notice will include the Commission's identification of tiered intervention determination according to the Tiered Interventions Protocol, expectations and timeline for remedy, and a copy of the Corrective Action Intervention Plan template.
4. Corrective Action Intervention Plan Completion: The Commission Director will meet with school leadership, and governing board members to review the expectations for completion of the Corrective Action Plan. The Director will draft a SMART goal (Specific, Measurable, Attainable, Relevant, and Timebound) detailing expectations for remedying the issue for refining in collaboration with school leadership and the governing board. The school leadership team and governing board will complete the rest of the Corrective Action Plan, submitting it to the Commission Director within 3 business days.
5. Corrective Action Plan Review by Commission Director: Within 2 business days of receipt, the Commission Director will review the completed Corrective Action Plan submitted by the school leadership and governing board to determine sufficiency of the plan to achieve required outcomes. If the plan is determined inadequate, the Commission Director will provide written feedback detailing where more information is needed and the school team will be provided an opportunity to revise and re-submit the plan. The Director will not require or recommend specific remedies providing autonomy to the school team. The school team will have 2 business days from receipt of Director's feedback to submit a final Plan.
6. Corrective Action Plan Review by Commission Executive Committee: The Commission Director will provide a copy of the Corrective Action Plan to the Commission Executive Committee. The Executive Committee will call for an immediate meeting with the Commission to discuss and approve or deny the Corrective Action Plan..
7. Action Plan Implementation: The school team implements their plan monitored by the governing board and Commission Director.

8. Final Evaluation: Upon the completion date, the school team presents their final results to the Commission Director. The Director shall make a final recommendation to the Commission as to adequacy of the progress. The Commission will determine whether or not the school moves out of Corrective Action Intervention or to a more severe level of Intervention or Revocation. If the recommendation is for Revocation, the Revocation Policy is initiated.



## Corrective Action Tiered Intervention Protocols

Intervention Status	Conditions that May Trigger Status	Tiered Interventions			
<b>Level I:</b> Notice of Concern	<ul style="list-style-type: none"> <li>Indications of weak or declining performance identified through routine monitoring, site visits, or other means;</li> <li>Repeated failure to submit requirements on a timely basis.</li> </ul>	Written notification to school leader and governing board	Meeting with school leadership and governing board		
<b>Level II:</b> Notice of Breach	<ul style="list-style-type: none"> <li>Failure to satisfactorily remedy or make substantial progress toward remedying previously identified concern(s);</li> <li>Failure to meet multiple performance targets;</li> <li>An overall “Does Not Meet” rating on any Annual Report Performance Framework measure;</li> <li>One or more indicator-level “Approaches” ratings on any Annual Report Performance Framework measure;</li> <li>Failure to comply with applicable law or breach of contract.</li> </ul>	Written notification to school leader and governing board	Meeting with school leadership and governing board	Specialized site visit	Corrective Action Intervention Plan developed by the school and approved by the Commission
<b>Level III:</b> Notice of Probationary Status	<ul style="list-style-type: none"> <li>Any overall “Approaches” rating on any Annual Report Performance Framework measure;</li> <li>Continued failure to comply with applicable law or with the charter;</li> <li>Failure to meet or make sufficient progress toward meeting terms of remedial action plan, as relevant.</li> </ul>	Written notification to school leader and governing board	Meeting with school leadership and governing board	Specialized site visit	Corrective Action Intervention Plan developed by the school and approved by the Commission
<b>Level IV:</b> Notice of Revocation Review	<ul style="list-style-type: none"> <li>Continued failure to comply with applicable law or with the charter contract;</li> <li>Failure to meet or make sufficient progress toward meeting terms of the remedial action plan, as relevant;</li> <li>Noncompliance with an applicable health or safety standard.</li> </ul>	Written notice stating intent to consider revocation	Meeting with school leadership and governing board	Specialized site visit	Corrective Action Intervention Plan developed by the school and approved by the Commission
<b>Level V:</b> Notice of Revocation	<ul style="list-style-type: none"> <li>Extended pattern of failure to comply or to meet performance targets;</li> <li>Failure to satisfactorily address or make sufficient progress toward meeting terms of prior interventions;</li> <li>Applicable conditions for revocation set forth in Community Choice Schools law.</li> </ul>	Revocation process must be conducted in accordance with CCS Revocation Policy			



[DATE]

Dear [SCHOOL LEADER AND GOVERNING BOARD CHAIR NAMES],

This notice is to inform you that [SCHOOL NAME'S] performance has become a concern of the Commission. The Commission has considered your school's context with additional quantitative and qualitative data to determine Corrective Action Intervention is appropriate at this time. The Commission has determined Corrective Action Tiered Intervention as indicated by the box checked below.

- ☐ Level I: Notice of Concern
- ☐ Level II: Notice of Breach
- ☐ Level III: Notice of Probationary Status
- ☐ Level IV: Notice of Revocation Review

The following are specific concerns noted by the Commission requiring remediation:

Indicator(s) of Distress	SMART Goal Expectation to Remedy Concern (draft)

At this time, the Commission is requiring the following Interventions.

- ☐ Meeting with school leadership and governing board
- ☐ Specialized site visit
- ☐ Corrective Action Intervention Plan developed by the school and approved by the Commission

The Commission Director will proceed with scheduling a meeting to include both school leadership and a representative of the governing board to discuss specifics of the Commission's concerns, the Corrective Action Plan Process, [and completion of a Corrective Action Intervention Plan. Please find attached a copy of the Corrective Action Intervention Plan template. This template will be due to the Commission not later than [XX-XX-XXXX].]

Upon satisfactory remedy of the concern, your school will be removed from Corrective Action. Please note, if the Commission's expectations are not met, the Intervention may escalate to revocation. A copy of the Commission's Corrective Action Plan Intervention Process is attached.

Sincerely,

Commission Director

Commission Chair





## Corrective Action Intervention Plan

Tiered Intervention Level	
---------------------------	--

School Information			
School Name		Date	
School Leader		Board Chair	
Mission			

### Section I: Action Plan

Completed by Commission			
Indicator of Distress		SMART Goal Expectation to Remedy Concern (draft)	
Completed by School Team			
Action Item	Person(s) Responsible	Timeline	Evidence of Success (upon completion)

## Section II: Timeline

(completed by School Team and Commission Director)

Due Date	Action Items
	Initial Corrective Action Intervention Planning Meeting between school leadership, governing board, and Commission Director
	Corrective Action Intervention Plan due to Commission (3 business days from initial meeting)
	Commission Director Review of Corrective Action Intervention Plan (within 2 business days)
	If needed, School Team Revisions to Corrective Action Implementation Plan (within 2 business days of feedback from Commission Director)
	Implementation of Corrective Action Intervention Plan Begins
	Progress Monitoring Check-in with Commission Director
	Progress Monitoring Check-in with Commission Director
	Presentation of Completed Action Plan to Commission for Final Determination

## Section III: School's Self-Reflection and Plans to Ensure Future Compliance

(upon completion of plan)

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## Section IV: Commission's Final Determination

Tiered Intervention Level		Next Steps
	No Intervention, All Conditions Remedied	
	Level I: Notice of Concern	
	Level II: Notice of Breech	
	Level III: Probationary Status	
	Level IV: Notice of Revocation Review	
	Level V: Notice of Revocation	



## Indicators of Distress Monitoring Tool

### Process

Upon initial concern, Commission staff first consult the Indicators of Distress Checklists to determine if concerns align with Indicators of Distress. If so, the Commission Director, school leadership, and the governing board convene using this template to document and monitor the warning signs to determine if Corrective Action Intervention is necessary.

School Information			
School Name			Date

### Section I: Progress Monitoring

(insert model component)				
Indicator of Distress	Evidence of Indicator in Practice	Data to Determine Impact	Data Collection Activity	School Specific Notes
			Informal <input type="checkbox"/> Check-ins <input type="checkbox"/> Board Meetings <input type="checkbox"/> Board Meeting Materials <input type="checkbox"/> Other Formal <input type="checkbox"/> Site Visit <input type="checkbox"/> Annual Reports & Audits <input type="checkbox"/> Surveys <input type="checkbox"/> Compliance Reports	

## Section II: Findings from Meeting with School Leadership and Governing Board

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## Section III: Next Steps

Recommendation	
	No Intervention, All Conditions Remedied
	Corrective Action Intervention



## Indicators of Distress Checklist - Leadership

### Process

Upon initial warning signs, Commission staff first consult the Indicators of Distress Checklists to determine if warning signs align with Indicators of Distress. If so, proceed to use the Indicators of Distress Monitoring Tool to document and monitor the warning signs to determine if Corrective Action Intervention is necessary.

Mismatched Leadership Competencies to Context	
Evidence of Indicator in Practice	Data to Determine Impact
Leader's inability to share decision-making authority	<input type="checkbox"/> Academic data trends <input type="checkbox"/> Leader evaluation reports <input type="checkbox"/> Teacher interviews/focus groups <input type="checkbox"/> Annual report or audit data
Leader's inability to gain respect/trust of staff or families	
Leader's inability to respect/trust staff	
Leader's failure to demonstrate instructional leadership as necessary; for example, by taking minimal interest or time in classroom instruction	
Leader's failure to manage time efficiently and appropriately	
Core school operational or instructional tasks drop in quality	
Leader is failing in operational leadership; for example, by delegating all business functions to the extent that the leader cannot answer questions about core school operations	
Leader does not demonstrate the ability to make changes, handle complaints/concerns, leverage board and staff skills and time appropriately	
Leader is unable to create or maintain effective teams	

Inability to Sustain Leadership	
Evidence of Indicator in Practice	Data to Determine Impact
High or increased leader turnover	<input type="checkbox"/> Staff retention data <input type="checkbox"/> Annual report data <input type="checkbox"/> Interviews or conversations with current leaders and board members
Lack of leadership pipeline development	

Lack of Systemic Leadership Development	
Evidence of Indicator in Practice	Data to Determine Impact
Lack of succession planning for key leadership and other positions	<input type="checkbox"/> Staff retention data  <input type="checkbox"/> Interviews or conversations with current leaders or board members
“Founder’s syndrome” demonstrated by a leader who develops and starts a school but fails to develop shared or distributed leadership structures	

Lack of Leadership	
Evidence of Indicator in Practice	Data to Determine Impact
Leader is unable to make decisions	<input type="checkbox"/> Leader interviews  <input type="checkbox"/> Check-ins
Lack of academic and organizational leadership	
Decreased frequency or quality of communication with Commission or delays responding to Commission requests	
Leader is not able to report on key progress indicators	
Leader is not present at the school for significant amounts of time or to the extent that staff work or school functions are negatively impacted	
Leader is not accessible to families, board, or Commission	



## Indicators of Distress Checklist - Governance

### Process

Upon initial warning signs, Commission staff first consult the Indicators of Distress Checklists to determine if warning signs align with Indicators of Distress. If so, proceed to use the Indicators of Distress Monitoring Tool to document and monitor the warning signs to determine if Corrective Action Intervention is necessary.

Inability to Convene the Board	
Evidence of Indicator in Practice	Data to Determine Impact
Failure to recruit or retain sufficient and appropriate membership based on bylaws	<input type="checkbox"/> Board meeting observations <input type="checkbox"/> Board meeting minutes <input type="checkbox"/> Interviews with board members <input type="checkbox"/> Review of these data against board policies, board bylaws, state open meeting laws
Failure to recruit or retain sufficient depth and diversity of expertise necessary for successful board governance	
Low or decreasing attendance at board meetings	
Low engagement in the school's work	
Minimal knowledge of the school's mission, core operations, or improvement status	

Board's Deteriorating Relationship with Commission	
Evidence of Indicator in Practice	Data to Determine Impact
Inability to accept feedback from staff or Commission	<input type="checkbox"/> Check-ins <input type="checkbox"/> Board minutes <input type="checkbox"/> Conversations with board members <input type="checkbox"/> Conversations with staff members
Decreased frequency or quality of communication with Commission or increased time responding to Commission requests	

Board's Inability to Hold School Leaders Accountable	
Evidence of Indicator in Practice	Data to Determine Impact
Poor relationship between board and school leaders	<input type="checkbox"/> Board minutes <input type="checkbox"/> Check-ins <input type="checkbox"/> Board and school leader evaluations
Inadequate review of school leaders' decisions	
Lack of appropriate structures or tools to execute its strategic vision	
Lack of ability to work with school leaders to implement changes or improvements as necessary	



Inadequate Board Capacity to Govern	
Evidence of Indicator in Practice	Data to Determine Impact
Lack of ability to work with school leaders to implement changes or improvements as necessary	<div><input type="checkbox"/> Board minutes</div> <div><input type="checkbox"/> Board evaluations</div>
Board practices reflect a lack of distinction between governance vs. management in charter schools (i.e., board attempts to manage the daily operations of a school beyond its formal purview)	
Board does not demonstrate strong governance oversight	
Board members fail to engage with the school	
Board members fail to engage with the community	
Board members do not have requisite content expertise related to core board functions, such as academics, school finances, and school operations	



## Indicators of Distress Checklist - Operations

### Process

Upon initial warning signs, Commission staff first consult the Indicators of Distress Checklists to determine if warning signs align with Indicators of Distress. If so, proceed to use the Indicators of Distress Monitoring Tool to document and monitor the warning signs to determine if Corrective Action Intervention is necessary.

Breakdown in Compliance and Reporting Functions	
Evidence of Indicator in Practice	Data to Determine Impact
Decision-making that lacks oversight or internal accountability among school leadership and/or the board	<input type="checkbox"/> Documentation of process and procedures for operational decisions  <input type="checkbox"/> Reports to the school's authorizer, state education department, and federal authorities: <input type="checkbox"/> Annual charter report  <input type="checkbox"/> Annual audit reporting package  <input type="checkbox"/> Documentation of compliance activities
Lack of process and procedures for operational decisionmaking among school leadership and the board	
Lack of compliance with relevant reporting requirements (i.e., applicable laws, rules, regulations, and provisions of the charter) to the Commission, OPI, and/or federal authorities	
Missed compliance activities or missed deadlines, such as failure to comply with state and local security and building safety requirements	
Lack of fulfillment of Generally Accepted Accounting Principles (GAAP)	
Evaluation showing the charter holder's annual audit reporting packages do not reflect sound operations	

Failure to be Responsive to Market Needs	
Evidence of Indicator in Practice	Data to Determine Impact
Decrease in student enrollment	<input type="checkbox"/> Enrollment data  <input type="checkbox"/> Student retention data  <input type="checkbox"/> Estimated enrollment figures from the budget  <input type="checkbox"/> Parent surveys Informal parent and community feedback  <input type="checkbox"/> Documentation of community engagement policies and practices
Decrease in student re-enrollment	
Decrease in actual enrollment compared to projected enrollment	
Poor reputation in community, decreasing reputation, or lack of a reputation	
Poor community engagement policies or practices	



## Indicators of Distress Checklist - Finance

### Process

Upon initial warning signs, Commission staff first consult the Indicators of Distress Checklists to determine if warning signs align with Indicators of Distress. If so, proceed to use the Indicators of Distress Monitoring Tool to document and monitor the warning signs to determine if Corrective Action Intervention is necessary.

Failure to Properly Manage Finances	
Evidence of Indicator in Practice	Data to Determine Impact
Unclear budgeting/reporting process	<input type="checkbox"/> Documentation of internal controls <input type="checkbox"/> Borrowing history <input type="checkbox"/> Site visits and/or facility reviews <input type="checkbox"/> Planning and budgeting documentation around facilities <input type="checkbox"/> Documentation of debt default <input type="checkbox"/> Annual and renewal reporting/ audits  Financial reporting metrics: <input type="checkbox"/> Enrollment data Current ratio (current assets divided by current liabilities) <input type="checkbox"/> Unrestricted days of cash on hand <input type="checkbox"/> Debt-to-asset ratio <input type="checkbox"/> Cash flow <input type="checkbox"/> Total margin (net income divided by total revenue)/aggregated 3-year margin <input type="checkbox"/> Debt service coverage ratio (net income + depreciation + interest expense)/(principal and interest payments)
Unaddressed facilities upgrades or repairs	
Debt default (i.e., the school is in default of loan covenant[s] and/or is delinquent with debt service payments)	
Poor near-term financial viability: Falling or variable student enrollment	
Poor near-term financial viability: Low current ratio	
Poor near-term financial viability: Low unrestricted days of cash on hand	
Poor financial sustainability measures: High debt-to-asset ratio	
Poor financial sustainability measures: Low or negative cash flow	
Poor financial sustainability measures: Low or negative total margin/aggregated 3-year margin.	
Poor financial sustainability measures: Low debt service coverage ratio	

Misappropriation of Funds	
Evidence of Indicator in Practice	Data to Determine Impact
Lack of checks and balances in financial decisions among the board and/or school leadership	<input type="checkbox"/> Whistleblower reports or feedback from school stakeholders <input type="checkbox"/> Background checks on school leaders and governing board members <input type="checkbox"/> Cash flow
Mismanagement of financial systems	
Hiring of individuals with histories of misappropriation of funds	



## Indicators of Distress Checklist - Talent

### Process

Upon initial warning signs, Commission staff first consult the Indicators of Distress Checklists to determine if warning signs align with Indicators of Distress. If so, proceed to use the Indicators of Distress Monitoring Tool to document and monitor the warning signs to determine if Corrective Action Intervention is necessary.

Hiring Challenges	
Evidence of Indicator in Practice	Data to Determine Impact
Low or decreased student-to-qualified-staff ratios	<input type="checkbox"/> HR policies and procedures, timelines, and strategy <input type="checkbox"/> Staff roster and student enrollment <input type="checkbox"/> Open staff positions <input type="checkbox"/> Staff credentials data
Poor/lowered qualifications of hires	
Lack of key personnel to meet student needs (i.e., special educators and subject matter experts)	

High Teacher Turnover/Loss of Specialized Staff	
Evidence of Indicator in Practice	Data to Determine Impact
Falling or variable student enrollment	<input type="checkbox"/> Staff retention, annual trends <input type="checkbox"/> Dates of staff departure <input type="checkbox"/> Staff credentials data
High or increased staff turnover	
High turnover or churn of specialized staff, such as special education, ELL teachers	
Staff turnover in the middle of the school year	

Decreasing Teacher Capacity	
Evidence of Indicator in Practice	Data to Determine Impact
Poor qualifications of hires	<input type="checkbox"/> Classroom observations <input type="checkbox"/> Staff interviews/discussions <input type="checkbox"/> Staff credentials data <input type="checkbox"/> Staff support strategy, policies, procedures <input type="checkbox"/> Staff evaluation policy, procedures, staff evaluations
Poor teacher effectiveness	
Lack of adequate/effective teacher evaluation system	
Lack of support for staff (professional development, coaching)	
Lack of leaders using instruction and school assessment data to inform teacher effectiveness supports and professional development	



## Indicators of Distress Checklist - Culture

### Process

Upon initial warning signs, Commission staff first consult the Indicators of Distress Checklists to determine if warning signs align with Indicators of Distress. If so, proceed to use the Indicators of Distress Monitoring Tool to document and monitor the warning signs to determine if Corrective Action Intervention is necessary.

Poor Student and Family Connection to School	
Evidence of Indicator in Practice	Data to Determine Impact
Frequent or increased parental complaints regarding the school, leader, and/or staff	<input type="checkbox"/> Policy or practices related to family engagement, such as a schedule of communication with families <input type="checkbox"/> Attendance rates <input type="checkbox"/> Chronic absenteeism rates <input type="checkbox"/> Disaggregated attendance, chronic absenteeism by grade, race/ethnicity, socioeconomic status, special education, English Learner status, and gender <input type="checkbox"/> Discipline data <input type="checkbox"/> Disaggregated discipline data, by grade in school, race/ethnicity, socioeconomic status, special education, English Learner status, and gender <input type="checkbox"/> Student re-enrollment rate
Decreased or low student re-enrollment	
High overall chronic absenteeism; high chronic absenteeism for particular student subgroup(s)	
High or increased disciplinary incidents; high or increased disciplinary incidents for particular student subgroup(s)	

Inhospitable Professional Culture	
Evidence of Indicator in Practice	Data to Determine Impact
Staff do not see themselves as part of a team	<input type="checkbox"/> Staff interviews/discussions <input type="checkbox"/> Staff attendance <input type="checkbox"/> Staff retention <input type="checkbox"/> Teacher survey data
Staff plan and prepare for instruction in isolation	
Decrease in staff meetings/collaboration opportunities	
Decrease in teacher attendance	



## Indicators of Distress Checklist - Instruction

### Process

Upon initial warning signs, Commission staff first consult the Indicators of Distress Checklists to determine if warning signs align with Indicators of Distress. If so, proceed to use the Indicators of Distress Monitoring Tool to document and monitor the warning signs to determine if Corrective Action Intervention is necessary.

Poor or Declining Assessment Outcomes	
Evidence of Indicator in Practice	Data to Determine Impact
Poor alignment of goals, vision, and mission to meet students' needs	<input type="checkbox"/> Progress on a school's mission specific academic goals <input type="checkbox"/> Classroom observation data <input type="checkbox"/> Assessment results, annually and trends over time <input type="checkbox"/> Disaggregated student assessment data by grade, race/ethnicity, socioeconomic status, special education, English Learner status, and gender

Lack of Focus on Instruction	
Evidence of Indicator in Practice	Data to Determine Impact
Lack of clear expectations for staff and students	<input type="checkbox"/> Process of developing professional development plan <input type="checkbox"/> Professional development plan <input type="checkbox"/> Classroom observation data <input type="checkbox"/> Teacher interviews and/or surveys <input type="checkbox"/> Assessment schedule School schedule
Lack of teachers using data and school assessment system to inform instruction	
Lack of a professional development plan that aligns with the program of instruction and best practices	
Insufficient instruction time	
Lack of a systematic process for reviewing and evaluating the curriculum, at specific intervals, for alignment with state academic standards and improving student academic outcomes for the population served	

Lack of Cohesion or Alignment in Curriculum	
Evidence of Indicator in Practice	Data to Determine Impact
Poor/lack of alignment of standards, curriculum, assessments	<input type="checkbox"/> Progress on a school's missionspecific academic goals <input type="checkbox"/> Curriculum and assessment documents
Teacher pedagogies inconsistent with the school's mission	

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# Commission's Charter Revocation Guidebook

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## Revocation Process

### Conditions for Revocation

In the instance a Community Choice School has moved into Corrective Action Intervention and failed to make the progress needed, and/or violated any provisions of the Community Choice Schools Act 20-11-118 (1); charter revocation is in order. Every effort will be made to provide the school community as much notice as possible prior to the closure.

#### Community Choice Schools Act (20-11-118)

Charter contract revocation and school closure or charter contract nonrenewal (1) A charter contract may be subject to nonrenewal or revocation if the authorizer determines that the community choice school:

- (a) committed a material and substantial violation of any of the terms, conditions, standards, or procedures required under this part or the charter contract and from which the choice school was not exempted;
- (b) failed to meet or make sufficient progress toward the performance expectations set forth in the charter contract;
- (c) failed to meet public safety standards; or
- (d) failed to meet generally accepted standards of fiscal management.

### Revocation Process

1. Commission Action: The Commission shall review evidence of charter contract non-compliance and consider how to take action. If the Commission determines there is immediate risk to student and/or staff safety, the Commission may take action to implement an immediate closure until a final determination is made following a Revocation Hearing.
2. Revocation Hearing: The Commission will provide the charter contract holders an opportunity to submit documents and testimony at a hearing to challenge the rationale for the revocation recommendation and in support of the continuation of the school. The charter contract holders may be represented by counsel and call witnesses on their behalf. Recording of the proceedings is permitted as are all open meeting laws. The Director and Choice School governing board will arrange the date of the hearing within 5 business days of the Commission's decision to open a hearing.
3. Final Determination: The commission will deliberate and take action as the final step in the hearing. The hearing will abide by Montana's (MCA) open meeting laws.
4. Closure Protocol: Knowing time is of the essence to communicate closure plans and answer questions from families and staff, a meeting will be held between the Commission Director, school leadership, and governing board members to review the School Closure Protocol and establish a plan specific to the school within 48 hours of final closure determination.



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## Notice of Revocation to Governing Board

School Information			
School Name		LEA #	
School Address			
Charter Holders			
Date of Hearing			

### Section I: Reason for Revocation with Evidence of Non-Compliance

### Section II: Meeting Notes Containing Commission's Revocation Resolution

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# Commission’s School Closure Guidebook

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## Closure Protocol Commission's Tasks

Commission Closure Responsibilities						
Timeframe from Closure Determination	Due Date	Task	Action Item	Person(s) Responsible	Status	CHECK WHEN DONE
Within 24 hours of scheduling hearing		Notice to Staff & Parents	Customize letter template & distribute to school staff & parents	Commission Director		
Within 24 hours		Closure FAQs	Customize the School Closure FAQs template	Commission Director		
Within 24 hours		Initial Closure Notification Letter: Staff & Parents	Customize letter template for immediate distribution to school staff & parents.	Commission Director		
Within 24 hours		Talking Points	Customize template & distribute with Closure Letter	Commission Director		
Within 24 hours		Initial Closure Notification Letter: State & Local Agencies	Customize letter templates & distribute to OPI & BPE	Commission Director		
Within 24 hours		Press Release	Customize template & distribute	Commission Director		
Within 24 hours		Initial Closure Notification Letter: Local and Resident School District	Customize letter & distribute	Commission Director		

Within 48 hours		Schedule Meeting with School Leaders & Governing Board Chair	<p>Review the School Closure Protocol and establish a plan specific to the school including identifying a Transition Team dedicated to ensuring the smooth transition of students, staff and close down of the school's business populated by authorizer staff in conjunction with board members and staff of the closing charter school.</p> <p>Team to include:</p> <ul style="list-style-type: none"> <li>• Lead person from Authorizer Staff;</li> <li>• Charter School Board chair;</li> <li>• Lead Administrator from the Charter School;</li> <li>• Lead Finance person from the Charter School;</li> <li>• Lead person from the Charter School Faculty; and,</li> <li>• Lead person from the Charter School Parent Organization.</li> </ul>	Commission Director, School Leadership, & Governing Board Chair		
Within 48 hours		Weekly Check-ins	Establish a system for weekly updates with school leadership on the progress on the Closure Plan.	Commission Director, School Leadership, & Governing Board Chair		
Within 72 hours		Determine the Need to Hire a Closure Conservator	A consultant on the ground to oversee all of the operational and financial requirements (especially the handling of student records and assets on behalf of the school).	Commission Director		
Within 10 business days		Notifications	<p>The school must satisfy statutory and regulatory obligations to ensure a smooth transition for students. Check requirements under state statute and regulation. Notifications may include:</p> <ul style="list-style-type: none"> <li>• school finance;</li> <li>• grants management;</li> <li>• federal programs office;</li> <li>• staff retirement system;</li> <li>• local school district superintendent(s);</li> <li>• state auditor/county treasurer/budget office (depending on revenue flow);</li> <li>• assessment and testing;</li> <li>• data reporting (student information);</li> <li>• child nutrition; and</li> <li>• transportation</li> </ul>	Commission Director & School Leadership		



## Closure Protocol School Tasks

Forming a Closure Transition Team						
Timeframe from Closure Determination	Due Date	Task	Action Item	Person(s) Responsible	Status	CHECK WHEN DONE
Within 48 hours		Closure Planning Meeting	<p>Review the School Closure Protocol and establish a plan specific to the school including identifying a Transition Team dedicated to ensuring the smooth transition of students, staff and close down of the school's business populated by authorizer staff in conjunction with board members and staff of the closing charter school.</p> <p>Team to include:</p> <ul style="list-style-type: none"> <li>• Lead person from Commission Staff;</li> <li>• Choice School Board chair;</li> <li>• Lead Administrator from the Choice School;</li> <li>• Lead Finance person from the Choice School;</li> <li>• Lead person from the Choice School Faculty; and,</li> <li>• Lead person from the Choice School Parent Organization (if applicable).</li> </ul>	Commission Director, School Leadership, & Governing Board Chair		
Within 48 hours		Establish Communication Schedule with Commission Director	Set weekly status update meetings between Transition Team Leader and Commission Director			
Within 48 hours		Assign Transition Team Action Item Responsibilities	Distribute contact information to all transition team members, set calendar for meetings and assign dates for completion of each charter school closure action item.	Transition Team Leader		

Communications Tasks						
Timeframe from Closure Determination	Due Date	Task	Action Item	Person(s) Responsible	Status	CHECK WHEN DONE
Until the end of the scheduled school year		Continue Current Instruction	Continue instruction under current education program per charter contract until the end of the school calendar year.	School Leader		
Within 24 hours		Convene a Staff Closure Process Meeting	Gather staff for a face-to-face meeting to address any questions & concerns Board Chair to communicate: <ul style="list-style-type: none"> <li>• commitment to continuing coherent school operations throughout closure transition;</li> <li>• plan to assist students and staff by making closing as smooth as possible;</li> <li>• reasons for closure;</li> <li>• timeline for transition details;</li> <li>• compensation and benefits timeline; and</li> <li>• contact information for ongoing questions.</li> </ul> Provide the authorizer copies of all materials distributed	School Leadership, Governing Board Chair & Commission Director		
Within 72 hours		Convene Parent Closure Process Meeting	Plan and convene a parent closure meeting. <ul style="list-style-type: none"> <li>• Make copies of “Closure FAQ” document available;</li> <li>• Provide overview of authorizer board closure policy and closure decision;</li> <li>• Provide calendar of important dates for parents;</li> <li>• Provide specific remaining school vacation days and date for end of classes;</li> <li>• Present timeline for transitioning students;</li> <li>• Present timeline for closing down of school operations;</li> </ul>	School Leader, Governing Board Chair & Commission Director		
Within 10 days		Staff Closure Transition Letter	Outline transition plans and timelines for staff, including but not limited to: <ul style="list-style-type: none"> <li>• commitment of school’s board to transitioning staff;</li> <li>• commitment to positive transition of children into new educational settings;</li> <li>• any transition to new employment assistance board anticipates providing (such as job fairs);</li> <li>• timelines for compensation and benefits;</li> <li>• timelines for outstanding professional development issues;</li> <li>• COBRA information;</li> <li>• pertinent licensure information;</li> <li>• faculty lead contact information; and</li> <li>• transition team member contact information.</li> </ul> Provide the Commission with a copy of the letter and any accompanying materials.			



Within 10 days		Parent Closure Transition Letter	<p>Distribute letter with detailed guidance regarding transition plan. Notification should include, but not be limited to:</p> <ul style="list-style-type: none"> <li>• date of the last day of regular instruction;</li> <li>• cancellation of any planned summer school;</li> <li>• notification of mandatory enrollment under state law;</li> <li>• date(s) of any planned school choice fair(s);</li> <li>• listing of the contact and enrollment information for charter, parochial, public and private schools in the area;</li> <li>• information on obtaining student records pursuant to the state Freedom of Information Law before the end of classes;</li> <li>• contact information for parent/guardian assistance/questions.</li> </ul> <p>Provide the authorizer with a copy of the letter.</p>			
Within 10 days		Notifications	<p>The school must satisfy statutory and regulatory obligations to ensure a smooth transition for students. Check requirements under state statute and regulation. Notifications may include:</p> <ul style="list-style-type: none"> <li>• school finance;</li> <li>• grants management;</li> <li>• federal programs office;</li> <li>• staff retirement system;</li> <li>• local school district superintendent(s);</li> <li>• state auditor/county treasurer/budget office (depending on revenue flow);</li> <li>• assessment and testing;</li> <li>• data reporting (student information);</li> <li>• child nutrition; and</li> <li>• transportation</li> </ul>	Commission Director & School Leadership		

Operations Tasks						
Timeframe from Closure Determination	Due Date	Task	Action Item	Person(s) Responsible	Status	CHECK WHEN DONE
Within 48 hours		Secure Student Records	Ensure all student records are organized, up to date and maintained in a secure location.			
Within 48 hours		Parent Contact Information	<p>Create Parent Contact List to include:</p> <ul style="list-style-type: none"> <li>• student name;</li> <li>• address;</li> <li>• telephone; and</li> <li>• email, if possible.</li> </ul> <p>Provide a copy of the parent contact information to the Commission.</p>			

Within 48 hours		Faculty Contact Information	<p>Create Faculty Contact List that includes:</p> <ul style="list-style-type: none"> <li>• name;</li> <li>• position;</li> <li>• address;</li> <li>• telephone; and</li> <li>• email.</li> </ul> <p>Provide a copy of the list to the authorizer.</p>			
On-going until closure complete		Maintenance of Location and Communication	<p>Establish if the school will maintain the current facility as its locus of operation for the duration of closing out the school's business, regulatory and legal obligations. In the event the facility is sold or otherwise vacated before concluding the school's affairs, the school must relocate its business records and remaining assets to a location where a responsive and knowledgeable party is available to assist with closure operations. The school must maintain operational telephone service with voice message capability and maintain custody of business records until all business and transactions are completed and legal obligations are satisfied. The school must immediately inform the Commission if any change in location or contact information occurs.</p>			
Within 15 days		Notification of Management Company/ Organization and Termination of Contract	<p>The school must:</p> <ul style="list-style-type: none"> <li>• notify management company/organization of termination of education program by the school's board, providing the last day of classes and absence of summer programs;</li> <li>• provide notice of non-renewal in accordance with management contract;</li> <li>• request final invoice and accounting to include accounting of retained school funds and grant fund status; and</li> <li>• provide notice that the management company/organization should remove any property lent to the school after the end of classes and request a receipt of such property.</li> </ul> <p>Provide a copy of this notification to the commission.</p>			
One week from end of classes		Final Report Cards and Student Records Notice	<p>The school must ensure that:</p> <ul style="list-style-type: none"> <li>• all student records and report cards are complete and up to date;</li> <li>• parents/guardians are provided with copies of final report cards and notice of where student records will be sent (with specific contact information); and</li> <li>• parents/ guardians receive a reminder letter or post card reminding them of the opportunity to access student records under Freedom of Information law.</li> </ul> <p>Provide the authorizer with a copy of the notice.</p>			
One month from end of classes		Transfer of Student Records	<p>According to state protocol, the school must transfer all student records to students' new schools, a state agency or another entity. Student records to include:</p> <ul style="list-style-type: none"> <li>• grades and any evaluation;</li> <li>• all materials associated with Individual Education Plans;</li> <li>• immunization records; and</li> <li>• parent/guardian information.</li> </ul>			

			<ul style="list-style-type: none"> <li>• The school must contact the relevant districts of residence for students and notify districts of how (and when) records—including special education records—will be transferred. In addition, the</li> <li>• school must create a master list of all records to be transferred and state their destination(s).</li> </ul>			
Within 1 month of end of classes		Documenting Transfer of Records	<p>Written documentation of the transfer of records must accompany the transfer of all student materials. The written verification must include:</p> <ul style="list-style-type: none"> <li>• the number of general education records transferred;</li> <li>• the number of special education records transferred;</li> <li>• the date of transfer;</li> <li>• the signature and printed name of the charter school representative releasing the records; and</li> <li>• the signature and printed name of the district (or other entity) recipient(s) of the records.</li> </ul> <p>Provide copies of all materials documenting the transfer of student records to the authorizer.</p>			
Within 1 week of end of classes		Transfer of Testing Materials	<p>The school must determine state requirements regarding disposition of state assessment materials stored at the school and return as required.</p> <p>Provide Commission with a letter outlining transference of testing materials.</p>			

## Finance Tasks

NOTE: 20-11-11(5)(c) In the event a choice school closure for any reason, the nonrestricted distributable assets of the choice school must be distributed first to satisfy:

1. Outstanding payroll obligations for employees of the choice school;
2. Creditors of the choice school;
3. Resident school districts of students previously attending the closed choice school on a per-pupil basis;
4. State general fund.

If the assets are insufficient to pay all obligations, the prioritization of the distribution of assets may be determined by a court of law.

Timeframe from Closure Determination	Due Date	Task	Action Item	Person(s) Responsible	Status	CHECK WHEN DONE
Within 48 hours		Secure Financial Records	Ensure all financial records are organized, up to date and maintained in a secure location.			
Within one week		Establish Use of Reserve Funds	If a school is required to maintain closure reserve funds, identify acceptable use of such funds to support the orderly closure of the			

			school.			
On-going until all business related closure is complete		Insurance	<p>The school's assets and any assets in the school that belong to others must be protected against theft, misappropriation and deterioration. The school should:</p> <ul style="list-style-type: none"> <li>• maintain existing insurance coverage until the disposal of such assets under the school closure action plan;</li> <li>• continue existing insurance for the facility, vehicles and other assets until 1) disposal or transfer of real estate or termination of lease, and 2) disposal, transfer or sale of vehicles and other assets;</li> <li>• negotiate facility insurance with entities that may take possession of school facility (lenders, mortgagors, bond holders, etc.);</li> <li>• continue or obtain appropriate security services; and</li> <li>• plan to move assets to secure storage after closure of the school facility.</li> </ul> <p>If applicable under state statute, the school should maintain existing directors and officers liability (D&amp;O) insurance, if any, until final dissolution of the school.</p>			
Within 45 days		Notification of Employees and Benefit Providers	<p>The school should establish an employee termination date and: notify all employees of termination of employment and/or contracts; notify benefit providers of pending termination of all employees; notify employees and providers of termination of all benefit programs; terminate all programs as of the last date of service in accordance with applicable law and regulations (i.e., COBRA), including (if applicable):</p> <ul style="list-style-type: none"> <li>• health care/health insurance;</li> <li>• life insurance;</li> <li>• dental plans;</li> <li>• eyeglass plans;</li> <li>• cafeteria plans;</li> <li>• 401(k) retirement plans; and</li> <li>• pension plans.</li> </ul> <p>Specific rules and regulations may apply to such programs, especially teachers' retirement plans, so legal counsel should be consulted. Provide the Commission copies of all materials.</p>			
Within 15 days		Notification of Contractors Agreement	<p>The school must formulate a list of all contractors with contracts in effect and:</p> <ul style="list-style-type: none"> <li>• notify them regarding school closure and cessation of operations;</li> <li>• instruct contractors to make arrangements to remove any contractor property from the school by a certain date (copying machines, water coolers, other rented property);</li> <li>• retain records of past contracts as proof of full payment; and</li> <li>• maintain telephone, gas, electric, water and insurance (including Directors and Officers liability insurance) long enough to cover the time period required for all necessary closure procedures to be complete.</li> </ul> <p>Provide the Commission written notice of such notification.</p>			

Within 1 month		Notification to Creditors	Solicit from each creditor a final accounting of the school's accrued and unpaid debt. Compare the figures provided with the school's calculation of the debt and reconcile. Where possible, negotiate a settlement of debts consummated by a settlement agreement reflecting satisfaction and release of the existing obligations. Provide the Commission a written summary of this activity.			
Within 1 month		Notification to Debtors	Contact all debtors and demand payment. If collection efforts are unsuccessful, consider turning the debt over to a commercial debt collection agency. All records regarding such collection or disputes by debtors regarding amounts owed must be retained. Provide the Commission a written summary of this activity.			
Within 2 months		Disposition of Records	If the school's governing board has a records retention policy, or if records retention is governed by state law, follow the appropriate policy and/or law. In all cases, the governing board shall maintain all corporate records related to: <ul style="list-style-type: none"> <li>• loans, bonds, mortgages and other financing;</li> <li>• contracts;</li> <li>• leases;</li> <li>• assets and asset sales;</li> <li>• grants (records relating to federal grants must be kept in accordance with 34 CFR 8042.)</li> <li>• governance (minutes, by-laws, policies);</li> <li>• employees (background checks, personnel files);</li> <li>• accounting/audit, taxes and tax status;</li> <li>• employee benefit programs and benefits; and</li> <li>• any items provided for in the closure action plan.</li> </ul> If the school does not have a records retention policy, and no state law governs records retention in charter schools, or if the school's board abdicates responsibility for records, the Commission shall seek to take possession of personnel, non-student and non-personnel records and should consult legal counsel about liabilities.			
Within 1 week of end of classes		U.S. Dept. of Education Filings	File Federal form 269 or 269a if the school was receiving funds directly from the United States Department of Education. See 34 CFR 80.41.			
TBD by IRS		IRS Status	Since the school has 501(c)(3) status, it must take steps to maintain that status including, but not limited to, the following according to state law: <ul style="list-style-type: none"> <li>• notification to IRS regarding any address change of the School Corporation; and</li> <li>• filing of required tax returns or reports (e.g., IRS form 990 and Schedule A). If the school corporation proceeds to dissolution, notify the IRS of dissolution of the education corporation and its 501(c)(3) status, and provide a copy to the authorizer.</li> </ul>			

Within 1 month		UCC Search	The school should perform a Uniform Commercial Code (UCC) search to determine if there are any perfected security interests and to what assets security interests are attached. Provide a copy of the search to the Commission. See MCA Title 30 Trade and Commerce.			
Within 3 months of end of classes		Audit	The school must establish a date by which to complete a final close out audit by an independent firm or state auditor as determined by statute. Provide a copy of the final audit to the authorizer.			
Within 45 days		Vendors	The school must: <ul style="list-style-type: none"> <li>• create vendor list; and</li> <li>• notify vendors of closure and cancel or non-renew agreements as appropriate.</li> </ul> Provide the Commission with a copy of all documents.			
Within 45 days		Inventory	The school must: <ul style="list-style-type: none"> <li>• create a fixed asset list segregating state and federal dollars;</li> <li>• note source codes for funds and price for each purchase; and,</li> <li>• establish fair market value, initial and amortized for all fixed assets.</li> </ul> Provide the authorizer with a copy of all documents.			
Within 45 days		Disposition of Property	Check with the state department of education regarding proper procedures for the disposition of property purchased with federal funds.			
Within 45 days		Disposition of Inventory	Establish a disposition plan (e.g., auction), and establish a payment process (e.g., cash, checks, credit cards) for any remaining items. Provide the Commission with a copy of all documents.			
Within 60 days		Property Purchased with Charter School Program (CSP) Funds	Establish under state or individual school agreements required disposition of property purchased with CSP funds. Generally, property purchased with CSP funds must first be offered to other charter schools within the same region in which the closing school is located, with requisite board resolutions consistent with the purpose of the CSP. If no schools want the property, an auction must be held to dispose of the CSP assets. The school must: <ul style="list-style-type: none"> <li>• ensure public notice of the auction is made widely;</li> <li>• price items at fair market value, as determined from inventory and fixed assets policy; and</li> <li>• determine with the state education department how to return funds if any remain.</li> </ul> Provide the Commission resolutions and minutes of any transfer of assets with a dollar value of zero (0) to another school.			
Within 45 days		Disposition of Real Property (i.e., Facilities)	Determine state requirements for real property acquired from a public school district to determine right of first offer and other applicable requirements for disposition.			

Plan complete within 45 days & activity on-going until complete		Payment of Funds	<p>The school should work with the authorizer to prioritize payment strategy considering state and local requirements. Using available revenue and any funds from auction proceeds, pay the following entities:</p> <ul style="list-style-type: none"> <li>• retirement systems;</li> <li>• teachers and staff;</li> <li>• employment taxes and federal taxes;</li> <li>• audit preparation;</li> <li>• private creditors;</li> <li>• overpayments from state/district; and</li> <li>• other as identified by Commission.</li> </ul> <p>Provide the Commission with a copy of all materials associated with this action.</p>			
Within 45 days from end of classes		Expenditure Reporting	<p>Ensure that Federal Expenditure Reports (FER) and the Annual Performance Report (APR) are completed.</p> <p>Provide the Commission a copy of all materials.</p>			
Within 30 days from end of classes		Itemized Financials	<p>Review, prepare and make available:</p> <ul style="list-style-type: none"> <li>• fiscal year-end financial statements;</li> <li>• cash analysis;</li> <li>• list of compiled bank statements for the year;</li> <li>• list of investments;</li> <li>• list of payables (and determinations of when a check used to pay the liability will clear the bank);</li> <li>• list of all unused checks;</li> <li>• list of petty cash; and</li> <li>• list of bank accounts.</li> </ul> <p>Additionally, collect and void all unused checks as well as close accounts once transactions have cleared.</p>			
Within 30 days of end of classes		Payroll Reports	<p>The school must generate a list of all payroll reports including taxes, retirement or adjustments on employee contracts.</p> <p>Provide the Commission with copies of all materials.</p>			
Within 15 days		List of Creditors and Debtors	<p>Formulate list of creditors and debtors and any amounts accrued and unpaid with respect to such creditor or debtor. The list should include:</p> <ul style="list-style-type: none"> <li>• contractors to whom the school owes payment;</li> <li>• lenders;</li> <li>• mortgage holders;</li> <li>• bond holders;</li> <li>• equipment suppliers;</li> <li>• secured and unsecured creditors;</li> <li>• persons or organizations who owe the school fees or credits;</li> <li>• lessees or sub-lessees of the school; and</li> <li>• any person or organization holding property of the school.</li> </ul>			



## School Closure Frequently Asked Questions for Website

### Why Would the Commission Decide to Close a Community Choice School?

The Commission is obligated to follow state statute ([20-11-118](#)) as outlined below. In addition, the Commission is held to their Promise as stewards of the public trust to do what is best for every student including the difficult decision to close a school.

As duly appointed Members of the Montana Community Choice Schools Commission, we embrace our responsibility to serve as stewards of educational opportunity and the public trust. We are committed to helping realize the full promise of our Constitution for every student, in every community.

**20-11-118. Charter contract revocation and school closure or charter contract nonrenewal.** (1) A charter contract may be subject to nonrenewal or revocation if the authorizer determines that the community choice school:

- (a) committed a material and substantial violation of any of the terms, conditions, standards, or procedures required under this part or the charter contract and from which the choice school was not exempted;
- (b) failed to meet or make sufficient progress toward the performance expectations set forth in the charter contract;
- (c) failed to meet public safety standards; or
- (d) failed to meet generally accepted standards of fiscal management.

### What are the Procedures for Determining School Closure?

The Commission adheres to two policies for closure. Closure resulting from the Choice School charter renewal process and charter revocation resulting from the Corrective Action Intervention Process and/or a violation of any provisions of the Community Choice Schools Act. Final determination in either policy follows a Revocation Hearing.

1. Revocation Hearing: The Commission will provide the charter contract holders an opportunity to submit documents and testimony at a hearing to challenge the rationale for the revocation recommendation and in support of the continuation of the school. The charter contract holders may be represented by counsel and call witnesses on their behalf. Recording of the proceedings is permitted as are all open meeting laws. The Director and Choice School governing board will arrange the date of the hearing within 5 business days of the Commission's decision to open a hearing.
2. Final Determination: The commission will deliberate and take action as the final step in the hearing. The hearing will abide by Montana's (MCA) open meeting laws.

### How do I Learn Specifics as to My Child's School Closure?

Within 24 hours of the determination to close a school, the Commission Director and school leaders will meet to outline a plan to ensure a responsible closure. You will be invited to a parent meeting to be held within 3 days of the closure decision to hear details of the plan including resources for transitioning your child into a new school for the next school year.





[DATE]

Dear [FIRST NAME],

The Commission wants to thank you for your hard work and professionalism this year on behalf of the children at [CHARTER SCHOOL NAME]. As you know, the Community Choice Schools Commission recently voted to deny the school's application for charter renewal OR revoke the school's charter. As such, the school will continue to serve students through [DATE].

The decision to close a school is never easy, and always a last resort. The [CHARTER SCHOOL NAME] board is fully committed to seeing this school year through successfully. In partnership with school leadership [and MANAGEMENT COMPANY, IF APPLICABLE], the Commission is committed to helping the staff complete the remainder of the school year successfully.

The Commission Director, [NAME], will be meeting with your board and school leader to outline a plan for closure ensuing clear communication to you, your colleagues, and parents. A Closure Transition Team will be established to ensure a smooth transition for everyone allowing you to focus on your students and finding your next career opportunity. Within the next two weeks, you will receive specific details as to wrapping up the school year including compensation and benefits information.

Understanding your need to seek out new employment opportunities for the next school year, please provide your school leadership advance notice for time off needed for job interviews in order to make arrangements to accommodate your schedule to the best of their ability.

Your Closure Transition Team will be in contact about a meeting to discuss all aspects of the closure process. While the day-to-day operations of the school won't change between now and the end of the school year, you will receive communication containing important dates and information related to the winding down of operations following the last day of classes on [DATE].

Please also be aware that the Commission's primary concern is the wellbeing of the school community. The Transition Team will be hosting a series of parent meetings to assist students and parents with the transition to their new school next year. The first meeting will be held within the next few days. We strongly encourage you to attend to show your support for the students and the community.

The Commission thanks you for your commitment and dedication to your students. Plans are in place to ensure a smooth transition allowing you to make the most of the time you have together with your school community staying focused on preparing your students for academic success after this year.

Sincerely,

[AUTHORIZING STAFF NAME]

Community Choice Schools Commission



[DATE]

Dear [SCHOOL NAME PARENTS AND GUARDIANS],

Behind every charter school is an authorizer. Authorizers ensure charter school leaders have the freedom and flexibility needed to innovate and meet student needs, while also ensuring the school is succeeding and open to all. As the authorizer of [SCHOOL NAME], The Community Choice School Commission writes to you with a heavy heart to inform you of our decision to close the school, whose last day of operation will be [DATE].

The closure of a school is not an easy decision and always a last resort, the process was extensive and thoughtful following MCA 20-11-118 and the Community Choice Schools Renewal and Revocation Policy. Our decision was made final after a thorough evaluation of evidence that demonstrated [ISSUE, e.g., poor financial health and concerning academic results].

The Commission's primary concern is making sure every child has a smooth transition to their new school. You and your family are encouraged to attend one of several parent information meetings to assist your student(s) with the transition to their new school next year. Enrollment information and materials will be made available.

The first parent information meetings will be held [DATE, TIME, LOCATION].

The Commission Director, [NAME], will be meeting with your board and school leader to outline a plan for closure ensuing clear communication to you through all steps in the process. A Closure Transition Team will be established to ensure a smooth transition for everyone allowing your child's teacher to continue to prepare all students for academic success after this year. While the day-to-day operations of the school won't change between now and the end of the school year, you will receive communication containing important dates and information related to the winding down of operations following the last day of classes on [DATE].

The Community Choice Schools Commission is committed to seeing this school year through successfully. In partnership with the school leaders [and the MANAGEMENT COMPANY NAME, IF APPLICABLE], we are also committed to helping the teaching staff successfully complete the remainder of the school year.

A transition plan is in place allowing you, your child, and the whole school community to make the most of the time you have together and focus on ensuring students are prepared for academic success after this year.

Sincerely,

[AUTHORIZER STAFF NAME]

Community Choice Schools Commission



[DATE]

Dear Board of Public Education Chair [NAME],

I am writing to inform you that on [DATE], the Community Choice Schools Commission voted to close [SCHOOL NAME], effective at the end of the school year. The decision was made final after a thorough evaluation of evidence that demonstrated [ISSUE, e.g., poor financial health and concerning academic results]. The closure of a school is not an easy decision and always a last resort. The Commission followed MCA 20-11-118 and the Commission Revocation and Non-Renewal Policy to ensure the decision was made extensively and thoughtfully.

Please find attached a copy of the Notice of Revocation OR Non-Renewal, copies of the letters to notify parents and staff, and a copy of the School Closure Protocol Template. Per the Commission's closure protocol, we will be working with school leadership to ensure a smooth and transparent closure process for all. A School Closure Transition Team will be in place to work through the School Closure Protocol including handling all financial assets, student records, and ensuring both students and staff transition into new schools for the next school year.

We appreciate your support of a smooth closure and transition for the [SCHOOL NAME] community.

[AUTHORIZER STAFF NAME]

Community Choice Schools Commission

[AUTHORIZER STAFF CONTACT INFORMATION]



[DATE]

Dear Superintendent [NAME],

I am writing to inform you that on [DATE], the Community Choice Schools Commission voted to close [SCHOOL NAME], effective at the end of the school year. The decision was made final after a thorough evaluation of evidence that demonstrated [ISSUE, e.g., poor financial health and concerning academic results]. The closure of a school is not an easy decision and always a last resort. The Commission followed MCA 20-11-118 and the Commission Revocation and Non-Renewal Policy to ensure the decision was made extensively and thoughtfully.

The school will remain in regular operation until the end of the school year. Please continue with normal payments to the school through [DATE].

The Commission has established a closure protocol, we will be working with school leadership to ensure a smooth and transparent closure process for all. A School Closure Transition Team will be in place to work through the School Closure Protocol including handling all financial assets, student records, and ensuring both students and staff transition into new schools for the next school year.

We appreciate your support of a smooth closure and transition for the [SCHOOL NAME] community.

[AUTHORIZER STAFF NAME]

Community Choice Schools Commission

[AUTHORIZER STAFF CONTACT INFORMATION]



[DATE]

Dear Superintendent [NAME],

I am writing on behalf of the Community Choice Schools Commission to notify you that the Commission has made a determination to close [SCHOOL NAME] effective at the end of the school year. The closure of a school is not an easy decision and always a last resort, the Commission followed policy to ensure the decision was made extensively and thoughtfully. Our decision was made final after a thorough evaluation of evidence that demonstrated [ISSUE, e.g., poor financial health and concerning academic results] over multiple years.

Per the Commission's closure protocol, we will be working with school leadership to ensure a smooth and transparent closure process for all. A School Closure Transition Team will be in place within a couple days to work through the School Closure Protocol including handling all student records, and ensuring both students and staff transition into new schools for the next school year. The school will remain under regular operations through [DATE].

Our goal is to ensure families and staff are properly supported with clear and timely communication as to their options for next school year which may include families enrolling their children in your schools. A member of the School Closure Transition Team will be reaching out to you shortly to discuss student enrollment and records transfer for the next school year, and possible proration of funds on a per-pupil basis.

We are grateful for your cooperation in support of a smooth transition for the [SCHOOL NAME] community.

[AUTHORIZER STAFF NAME]

Community Choice Schools Commission

[AUTHORIZER STAFF CONTACT INFORMATION]

**For Immediate Release:** [RELEASE DATE]

**Contact:** [NAME OF INFORMATION OFFICER OR MEDIA CONTACT, (XXX) XXX-XXXX]

**Community Choice School Commission Votes to [REVOKE, CLOSE, ETC.] Charter of [CHARTER SCHOOL NAME].**

*Decision means school to close at the end of this school year on [DATE]*

[CITY, STATE]—During the Community Choice Schools Commission [DATE] meeting, the Board denied the request made by [CHARTER SCHOOL NAME] to continue in operation after the close of the [XXXX-XX] school year. This decision means that the [CHARTER SCHOOL NAME] will close on [DATE] at the end of the current school year. The Community Choice Schools Commission will start working with the school leadership to ensure all students have a smooth transition to a new high-quality school.

The decision to close a school is never easy and always a last resort, the process was extensive, thoughtful, and made final after a thorough evaluation of evidence that demonstrated [CONCERNS, e.g., poor financial health and concerning academic results] over multiple years. Specifically, the Community Choice Schools Commission was unable to find the school had demonstrated the evidence of success necessary to earn renewal under the Commission’s Renewal Policy. The final decision of the Commission, the Commission’s policies, and other pertinent information are available online at [www.bpe.gov](http://www.bpe.gov) under the Community Choice Schools tab.

Prior to the Board’s vote to deny the school’s renewal application, [CHARTER SCHOOL NAME] was afforded an opportunity on [DATE] to speak on their behalf. The Commission considered the appeal offered by the school. In addition members of the public including parents, governing board members, and staff representing the school were given the opportunity to speak directly to the Commission

[SCHOOL NAME], a Community Choice public charter school serving grades [XX to XX], is located in [CITY, STATE]. The school was founded in [YEAR]. The school states its mission is “[INSERT SCHOOL’S MISSION]. As of [MONTH YEAR], [SCHOOL] has a current enrollment of approximately [XX] students.

“Today’s difficult decision was made first and foremost with the interests of students, families, and taxpayers in mind,” said [AUTHORIZING SPOKESPERSON, TITLE]. “While we never set out to close a school when we grant a charter, we know we must act as stewards of the public trust making difficult decisions when we see [REASON FOR CLOSURE, e.g., severe deficiencies in academic performance and fiscal health]. We honor the dedication of the school’s board, leadership, and staff over the years and wish them the best.

“Our attention will now turn to ensuring each child has a smooth transition to their next school and to minimize disruption to families and the community,” [SPOKESPERSON] concluded.

Over the coming weeks, The Community Choice Schools Commission, [CHARTER SCHOOL], and community partners will be working closely together to provide the following supports to the students and parents of the school:

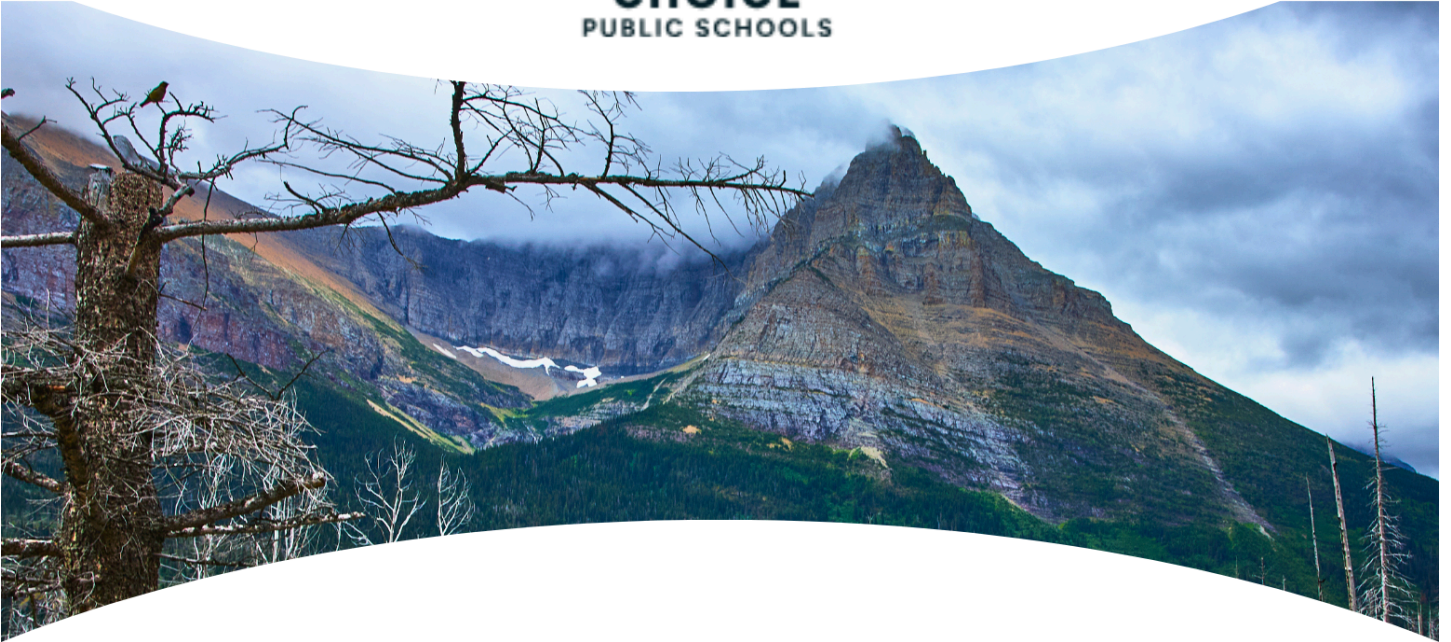
- An information meeting for [CHARTER SCHOOL NAME] parents on [DATE].

Charter schools are independently run public schools that are granted greater flexibility to meet children’s needs in return for greater accountability for meeting their promises to families and taxpayers. Each school is accountable to an authorizer, such as the Community Choice School Commission that decides who can start a new charter school, sets academic and operational expectations, oversees school performance, and decides whether a charter should remain open or close at the end of its contract. All charter schools must continually apply for and demonstrate that they have earned the right to continue the privilege of educating the children of this state.

This school year, the Community Choice Schools Commission oversees [XX] public charter schools serving more than [X,XXX] students across the state. [XX] new charter schools from the [DATE] application cycle are scheduled to open in fall [YEAR].



MONTANA  
**COMMUNITY  
CHOICE**  
PUBLIC SCHOOLS



# ASSESSMENT **RECOMMENDATIONS**

Presented To :  
The Community Choice Schools  
Commission

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# Summary Report

## Assessment Recommendation under the Montana Community Choice Schools Act

The Montana Community Choice Schools Act passed in 2023 and established a framework for the authorization of charter schools in the state. The law sets clear expectations for the components that must be included in a choice school's performance framework and outlines the reporting requirements assigned to the Commission.

Performance expectations under the Act are collaborative. Choice schools are responsible for proposing the measures by which they will be evaluated, subject to approval by the Commission. The law does not prescribe specific assessments. Instead, it defines technical characteristics that any assessment used for performance evaluation must meet. Assessments must provide valid and reliable measures of student proficiency and student growth and must allow for meaningful comparisons of performance across student subgroups.

This flexibility allows choice schools and the Commission to consider a wide range of assessment options, including niche or specialized tools, provided the proposed assessment meets the criteria laid out in statute.

The Commission directed this work for two purposes. First, to identify assessments that clearly meet the requirements of the law. Second, to develop tools and methods that allow the Commission to evaluate other assessments proposed by schools applying for a charter.

As part of this work, we developed tools to assist with the selection and evaluation of assessments to ensure they comply with the requirements of the Community Choice Schools Act. These tools are included in the appendix of this report.

## Statutory Framework and the Role of the Authorizer

The Community Choice Schools Act requires that the academic portion of a school's performance framework include student outcome indicators. While the law includes a range of required elements, the assessment related requirements focus on four core areas:

- Student academic proficiency
- Student academic growth
- Gaps in achievement and growth across student subgroups
- Postsecondary readiness

The law requires that these components be included in the performance framework but does not specify the assessments, targets, or educational goals that the Commission must impose. One important nuance to consider when reading the Community Choice Schools Act is the interpretation of the following sections of the statute.

**Relevant Legal Citation 20-11-117(2)\*<sup>1</sup>:**

*“Each choice school, in conjunction with its authorizer, shall set annual performance targets designed to help each school meet applicable federal, state, and authorizer expectations.”*

Based on the Commission’s discussions about this clause, it has been interpreted as an expectation that the Choice School will collect baseline data from their standardized test administration in the fall of the first year of operations. The Commission and the choice school will use the baseline data to set annual performance targets leading to the satisfaction of the goals contained within the Performance Framework by the time the choice school enters the year of their renewal.

**Relevant Legal Citation 20-11-117(3)(a)\*:**

*“The contract performance framework must include rigorous, valid, and reliable indicators proposed by a choice school to evaluate its performance that are consistent with the purposes of this part.”*

This section places the responsibility for proposing rigorous, valid, and reliable indicators on the choice school. Based on recent discussions and analysis, the Performance Framework will be established by the Commission and the Commission and the choice school will work together during the contracting process to define measures specific to the school's model and/or mission for the duration of the contract. This section of law is interpreted to 1) provide schools an opportunity to include mission specific goals in their Performance Framework that measure their ability to deliver on the promise of their mission, and 2) provide schools who may have an entirely unique instructional model, the opportunity to propose replacing some standard measures in the Performance Framework with other measures that better capture the school's intended outcomes while maintaining the intent of the CCSA. This structure places an important responsibility on the Commission. In order to approve relevant measures of progress, the Commission must determine whether the proposed assessments and or other sources of data are capable of producing valid and reliable measures of proficiency and growth and whether they support subgroup comparisons as required by law. Additionally, the Commission will ensure that the proposed, mission or model specific measures, align with the overarching goals contained in the performance framework.

Given the nuance in these sections of the statute, we recommend that the Commission seek formal interpretation from legal counsel.

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<sup>1</sup> \*All statutory references refer to the Montana Code Annotated (MCA)

**Relevant Legal Citation 20-11-117(1)\*:**

*“The performance provisions within the charter contract must be based on a performance framework that clearly sets forth the academic and operational performance indicators, measures, and metrics that will guide the authorizer’s evaluations of each choice school. The performance framework must include indicators, measures, and metrics for, at a minimum:*

- (a) student academic proficiency;*
- (b) student academic growth;*
- (c) achievement gaps in both proficiency and growth between major student subgroups;*
- (d) attendance;*
- (e) recurrent enrollment from year to year;*
- (f) postsecondary readiness;*
- (g) financial performance and sustainability; and*
- (h) governing board performance and stewardship, including compliance with all applicable laws, regulations, and terms of the charter contract.”*

## **Reporting and Data Considerations**

Assessment quality alone is not sufficient. The law also imposes specific reporting obligations on the Commission, with different timelines and levels of scrutiny depending on the context.

The most consequential reporting requirement applies to schools in the year preceding the expiration of their charter contract. In those cases, the Commission is required to issue a performance report by June 30. This timeline requires the Commission to consider whether the assessments used to evaluate a school can produce complete and reliable data early enough to support timely analysis and reporting.

**Relevant Legal Citation 20-11-117(5)(b)\*:**

*“No later than June 30 of each year, the authorizer shall issue a choice school performance report and charter renewal application guide to any choice school whose charter contract will expire the following year.”*

If the Commission places the burden of analysis and reporting on the choice school, it must also consider whether the school has sufficient staff capacity and technical expertise to produce accurate and complete analyses within the required timeframe.

The Commission must also decide whether it expects schools to submit completed analyses or whether the Commission will conduct analyses using raw data. Each approach carries implications.

If the Commission conducts the analyses, questions of data ownership and access must be addressed. In many cases, the school may own the data because it pays for the assessment. Data sharing agreements may need to be incorporated into charter contracts to ensure timely access.

If the Commission relies on analyses produced by the choice schools, additional safeguards may be necessary. There is an inherent risk when the entity being evaluated is also responsible for producing the analysis. This may require periodic audits or validation checks to ensure accuracy and consistency.

The law also requires annual performance reports for all schools in the Commission's portfolio.

**Relevant Legal Citation 20-11-117(4)(b)\*:**

*“Each authorizer shall annually publish and provide as part of its annual report to the commission a performance report for each choice school it oversees.”*

These annual reports are less time sensitive and generally lower stakes than renewal year reports. However, if annual reports serve as the primary checkpoints during a contract term, it is important that their findings align with the conclusions reached during the renewal process.

## **Foundations of Assessment Use in Accountability**

Most accountability systems rely on more than one assessment and often combine different assessment types. **Criterion-referenced** assessments measure performance against defined standards and are well suited for determining mastery or proficiency. **Norm-referenced** assessments compare student performance to a broader group and provide useful context for interpretation.

**Growth** measurement adds another layer of complexity. Meaningful growth estimates require assessments with stable vertical scales. Strong growth models also account for where students start academically and compare growth relative to students with similar starting points. These are commonly referred to as **conditional growth measures**.

**Alignment** also matters. Assessments must align to curriculum and instruction. When assessments are misaligned with what students are taught, the validity and reliability of performance claims are weakened.

## **Recommended Assessments**

Based on the statutory requirements, technical considerations, and the Montana context, we recommend that the Commission approve four assessments for use within performance frameworks. These assessments may be used individually or in combination, depending on a school's model and the expectations set in its charter contract.

The recommended assessments are:

- NWEA MAP Growth
  - Assessment solutions for grades K-12
  - There are limitations in grades 9-12, specifically in the growth measures
- iReady Diagnostic
  - Assessment solutions for grades 3-8
- Montana Aligned Standards Test (MAST)
  - Assessment solutions for grades 3-8
  - Growth measures are not yet available for MAST
- ACT/preACT
  - preACT can be taken in 8th-10th grade
  - ACT for grade 11

NWEA MAP Growth is a norm- referenced assessment with a large national sample, stable scaled scores, and well documented growth measures, including conditional growth percentiles. It includes detailed technical documentation and is widely used for accountability purposes.

The iReady Diagnostic is a criterion-referenced assessment that provides detailed information about student skill development. It measures performance against grade level standards, includes a growth component, and aligns closely with instructional planning resources.

The Montana Aligned Standards Test (MAST) is the state summative assessment. It provides criterion-referenced proficiency determinations aligned to Montana standards and is required for state and federal accountability. At this time, MAST does not support growth reporting until additional longitudinal data are available.

The ACT is an assessment that Montana uses as part of their comprehensive assessment system. Students take the assessment in 11th grade. The ACT, together with the preACT, provides valid and reliable measures of student proficiency, growth and postsecondary readiness. It's important to note that in order for the ACT to provide a measure of growth students must take the assessment more than once.

Schools may use one, two, or all recommended assessments. A school may rely primarily on MAST for proficiency reporting while using MAP Growth or iReady to monitor growth. Other schools may use MAP Growth or iReady as primary indicators, with MAST serving as an external benchmark.

The key requirement is that the assessment system, taken as a whole, supports the indicators required in the performance framework.

## **Final Recommendation**

It is recommended that the Commission approve NWEA MAP Growth, iReady Diagnostic, the ACT and the Montana Aligned Standards Test (MAST) as acceptable assessments for use within performance frameworks under the Montana Community Choice Schools Act.

Choice schools should continue to be allowed to propose alternative assessments as part of their applications or charter contracts. Proposals should be evaluated using the assessment review tools developed through this work.

This approach preserves flexibility for schools while ensuring consistency, legal compliance, and defensible oversight by the Commission. When used thoughtfully, it supports accountability, renewal decisions, and transparent reporting in alignment with Montana law.

## **Recommended Next Steps**

1. Seek clarification from legal counsel. Specifically regarding who is responsible for proposing and developing the performance framework.
2. Decide who will control the data. If the Commission controls the data, draft standard MOUs and data sharing agreements. If the choice school controls the data, draft processes to ensure accuracy.
  - Ensure that the MOU is specific enough to grant the Commission access to student-level, assessment, and demographic data, and broad enough to allow the Commission to access all data necessary to comply with the statute.

# Policy Memorandum

## Montana Community Choice Schools Act

This Community Choice School Performance and Renewal section of the *Community Choice Schools Act* lays out the foundation for how applicants and existing schools are evaluated. It sets high-level requirements for a performance framework that the authorizer and the applicant (or operating choice school) must agree to before a charter contract is executed.

The law does not prescribe which assessments a choice school must use. Instead, it requires that any assessments included in the school's framework meet certain standards. The purpose of this memo is to build a shared understanding of the Community Choice Schools Commission's (the Commission) oversight responsibilities when creating or approving a performance framework for a new contract or renewal. It also outlines what the law requires of any performance framework and the assessments that make up its foundation.

### Oversight Responsibilities of the Commission

The primary responsibility for establishing the performance framework is shared between the Commission and the choice school. The Commission will provide a high-level framework for evaluation, while the choice school will propose the assessments by which the Commission and choice school will measure progress towards the goals set forth in the framework.

**Mont. Code Ann. § 20-11-117(2)\*<sup>2</sup>** Each choice school, in conjunction with its authorizer, shall set annual performance targets designed to help each school meet applicable federal, state, and authorizer expectations.

**20-11-117(3)(a)** The contract performance framework must include rigorous, valid, and reliable indicators proposed by a choice school to evaluate its performance that are consistent with the purposes of this part.

These two sections shape the relationship between the Commission and the operator. Section (2) makes it clear that choice schools are expected to collaborate with their authorizer to set annual performance targets aligned with federal, state, and authorizer expectations. The choice school would collect baseline data in the beginning of the first year of operation and then collaborate with the Commission to set performance targets for each year in the first 5-year contract.

In Section (3)(a), the statute puts the responsibility on the choice school to propose the indicators used to evaluate their performance within the performance framework. Taken together, these provisions suggest a process where the choice school drives indicator

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<sup>2</sup> \*All statutory references refer to the Montana Code Annotated (MCA)

development, and the Commission's role is to develop the overall framework and ensure that the indicators proposed by the choice school comply with the law.

For the Commission, the key responsibility is ensuring that each school's chosen assessments produce valid and reliable measures of student proficiency and growth. The Commission must also verify that the school's data can identify and report performance gaps among major student subgroups in both achievement and growth.

**20-11-117(1)(a)** student academic proficiency

**(b)** student academic growth

**(c)** achievement gaps in both proficiency and growth between major student subgroups

In practice, this means the Commission needs to have enough technical understanding or a trusted analytical partner to confirm that proposed assessments meet the statutory requirements and that the school's internal capacity for analysis is sufficient.

## **Data Ownership and Reporting**

The *Community Choice Schools Act* includes specific provisions about reporting on school performance within the approved framework. These create some practical challenges around data access, ownership, and reporting timelines.

**20-11-117(4)(b)** Each authorizer shall annually publish and provide as part of its annual report to the commission a performance report for each choice school it oversees, within the performance framework set forth in the charter contract and 20-11-112. The authorizer may require each choice school it oversees to submit an annual report to assist the authorizer in gathering complete information about each school, consistent with the performance framework.

**20-11-117(5)(b)** No later than June 30 of each year, the authorizer shall issue a choice school performance report and charter renewal application guide to any choice school whose charter contract will expire the following year. The performance report must summarize the choice school's performance record to date, based on the data required by this part and the charter contract, and must provide notice of any weaknesses or concerns perceived by the authorizer concerning the choice school that may jeopardize renewal if not promptly rectified. The choice school shall respond to the performance report and submit any corrections or clarifications within 90 days.

Sections (4)(b) and (5)(b) together create an interesting tension. Under (4)(b), the Commission is required to publish an annual performance report and may rely on data and reports submitted by the schools themselves. Under (5)(b), however, the Commission is directly responsible for producing a renewal-year performance report and identifying any performance issues that could jeopardize renewal.



In other words, Section (4)(b) envisions a more collaborative data-sharing process, while Section (5)(b) clearly puts the accountability and reporting burden on the Commission. This raises the question of data ownership and access. If the Commission does not directly “own” the underlying student, fiscal, or operational data, which is often the case, it will need to establish clear mechanisms for data transfer and validation.

The Commission may qualify as a “school official” under FERPA, allowing access to student-level data under a legitimate educational interest. Still, data-sharing agreements or MOUs may be necessary to formalize this access, especially if third-party vendors are involved.

Timing is another concern. Section (4)(b) does not specify a publication date for the annual report. But Section (5)(b) sets a firm June 30 deadline for issuing renewal-year performance reports. Because many assessments have spring testing windows extending into late May or June, this creates a tight turnaround. Assessment, operational, and fiscal data all need to be collected, cleaned, analyzed, and summarized before that date.

Practically, the Commission might need to exclude data from the most recent assessment window or use prior-year data to meet the June 30th deadline. Another option, though more complex, would be seeking legislative or regulatory adjustment to the deadline or adopting a two-stage reporting process, such as a preliminary report by June 30 followed by an addendum once new data are finalized. This is especially important given the 2024-2025 state assessment data release timeline. If future years are to follow similar timelines then the Commission and schools may not have access to state assessment results, for the most recent school year, in time to be included in the required reports.

## **Assessment Requirements of the Performance Framework**

Each assessment proposed for inclusion in a choice school's performance framework must meet three key criteria:

1. Provide a valid and reliable estimate of proficiency
2. Provide a valid and reliable estimate of growth
3. Allow for comparisons of achievement and growth between relevant subgroups

These requirements emphasize the need for a consistent approach to evaluating whether proposed assessments actually meet the law's intent. “Valid and reliable” in this context should be interpreted in line with professional testing standards.

To support compliance, Solomon Research & Analytics will help Montana's Community Choice Schools Commission identify a set of approved assessments that meet statutory requirements and develop a practical review framework for determining whether proposed assessments meet these statutory requirements.

# Assessment Landscape

## Types of Assessments

Educators use different types of assessments for different purposes. Understanding these categories helps ensure that the right tools are selected for instruction, progress monitoring, and accountability.

- **Formative Assessment**

Formative assessments are informal, low-stakes checks for understanding used during instruction. Their purpose is to give teachers and students immediate feedback so teaching and learning can be adjusted in real time. These are quick, targeted, and designed to support learning as it happens. Formative assessments are not used to assign grades or determine mastery.

- **Interim Assessment**

Interim assessments are periodic measures administered throughout the year to monitor progress toward grade-level expectations. They offer more structure and consistency than formative assessments but are not as comprehensive as summative assessments. Interim assessments help educators evaluate whether students are on track, identify emerging needs, and adjust instruction before the end of the year.

- **Diagnostic Assessment**

Diagnostic assessments identify specific strengths and weaknesses in a skill area. They provide detailed information about what a student knows and where gaps exist, enabling targeted intervention. Diagnostics are especially useful at the start of instruction or when a student is struggling, helping educators tailor support to individual learning needs.

- **Summative Assessment**

Summative assessments are comprehensive evaluations administered at the end of a unit, course, or school year. Their purpose is to determine how well students have learned the expected content or met the standards. Summative assessments provide a snapshot of achievement at a specific moment in time and are often used for grading, reporting, and accountability. State assessments are the most common example.

# Foundations of Assessment

As Montana's Community Choice Schools Commission (the commission) develops a performance framework for school evaluation, it's important to understand the foundations of student assessment. Assessments themselves have their own use cases, and many people describe these use cases based on the type of measurement an assessment is meant to provide. There are two types of assessments:

## 1. Criterion-Referenced Assessments

### Definition:

A *criterion-referenced assessment* measures a student's performance against a fixed set of learning standards or specific skill criteria, not against the performance of other students. The goal is to determine whether each student has achieved mastery of defined content or competencies. Scores are interpreted in terms of what students *can do* relative to the criterion, such as "meets proficiency" or "demonstrates mastery." Criterion referenced assessments are commonly used when trying to determine mastery or proficiency relative to a set of standards.

### Example:

A state summative assessment aligned to grade-level standards, where "proficient" is defined by state benchmarks.

### Citations:

- Popham, W. J. (2017). *Classroom Assessment: What Teachers Need to Know* (8th ed.). Pearson Education.
- American Educational Research Association, American Psychological Association, & National Council on Measurement in Education. (2014). *Standards for Educational and Psychological Testing*. Washington, DC: AERA.

## 2. Norm-Referenced Assessments

### Definition:

A *norm-referenced assessment* compares a student's performance to that of a representative sample (the "norm group"). The purpose is to rank-order students and determine how an individual or group performs relative to peers. Scores are usually reported as percentiles, stanines, or normal curve equivalents (NCEs). These assessments are useful for understanding relative standing, identifying exceptional performance (high or low), and comparing across populations. *Norming* is the process assessment vendors use to create typical performance expectations for a test. A norm-referenced assessment compares the performance of students to a carefully selected sample of students. The norm group then represents the baseline by which assessment results are interpreted. Norm-referenced assessments are commonly used when comparing the performance of a group of students to national or local peers.

**Example:**

The NWEA MAP Growth assessment or TerraNova, where student results are expressed relative to national norms. NWEA selects a nationally representative sample of students and then each student who takes the assessment has their performance compared to the nationally representative sample in the form of percentiles.

**Citations:**

- Miller, M. D., Linn, R. L., & Gronlund, N. E. (2012). *Measurement and Assessment in Teaching* (11th ed.). Pearson.

Many authorizers use a mix of both types of assessments to evaluate schools.

In addition to considerations regarding the assessment type, it is important to consider validity and reliability. As these things are written into the law in Montana, it is important that the commission understands what validity and reliability means.

## **Ensuring Equitable Results Across Subgroups - *Differential Item Functioning***

**Definition:**

Differential Item Functioning (DIF) is used to ensure that an assessment item (question) on an assessment performs the same for students with the same underlying skill level. If they do not, and the difference is consistently tied to group membership such as gender, race, ethnicity, English learner status, disability status, or other relevant subgroups the item may be functioning differently in a way that raises fairness concerns. DIF does not automatically mean the item is biased, but it signals that something unrelated to the intended skill may be influencing performance. Assessment companies often include a small number of trial items in assessments to test new items for bias. Assessment companies also use subject matter experts (SMEs) to review the items before and after they have been trialed in a live assessment.

**Example:**

A math word problem that shows lower performance for English learners who have the same math ability as native English speakers may indicate that the reading load or vocabulary of the problem is interfering with measurement of actual math skills.

## **Why DIF matters for assessment selection**

Assessments used for high stakes decisions, including accountability within a performance framework or charter contract, must be fair and accessible to all students. When items function differently for different groups, results may misrepresent student ability and distort subgroup data. This matters because authorizers are responsible for monitoring equitable performance across all federally recognized subgroups. Fairness, including analysis of DIF, is part of evaluating validity under national testing standards.

## How DIF relates to validity and reliability

DIF is closely connected to validity because validity concerns whether test scores support accurate interpretations for their intended use. If items behave differently across student groups who have the same underlying ability, then interpretations about proficiency or growth may be inaccurate. DIF can also weaken reliability for subgroups because inconsistent item behavior introduces measurement error. Under the Community Choice Schools Act, any assessment used for reporting or evaluation must support valid interpretations for all students served by a public choice school, which includes ensuring that items function fairly across groups.

## Citations

- American Educational Research Association, American Psychological Association, and National Council on Measurement in Education. (2014). *Standards for Educational and Psychological Testing*.
- Camilli, G. and Shepard, L. A. (1994). *Methods for Identifying Biased Test Items*. Sage Publications.

## Validity

### Definition:

*Validity* refers to the degree to which evidence and theory support the interpretations of test scores for their intended purposes. A valid assessment measures what it purports to measure and supports accurate inferences about student learning. Validity is not a property of the test itself but of the specific uses and interpretations of test results. Common types of validity evidence include **content validity** (alignment with intended skills or standards), **construct validity** (theoretical soundness), and **criterion-related validity** (correlation with other measures).

### Example:

A math test designed to measure conceptual understanding, not just procedural fluency, would demonstrate content validity if its items truly represent conceptual reasoning in math standards.

### Citations:

- American Educational Research Association, American Psychological Association, & National Council on Measurement in Education. (2014). *Standards for Educational and Psychological Testing*.
- Messick, S. (1995). Validity of psychological assessment: Validation of inferences from persons' responses and performances as scientific inquiry into score meaning. *American Psychologist*, 50(9), 741–749.

## Reliability

### Definition:

*Reliability* refers to the consistency, stability, and precision of test scores. A reliable assessment yields similar results under consistent conditions, meaning that differences in scores are due to real differences in student performance, not random error or inconsistencies in test administration, scoring, or form. Reliability is a prerequisite for validity; without consistency, no valid interpretation can be made.

### Example:

A reading comprehension assessment that produces similar results when administered to the same students two weeks apart (assuming no new learning occurred) demonstrates high test-retest reliability.

### Citations:

- Crocker, L., & Algina, J. (2008). *Introduction to Classical and Modern Test Theory*. Cengage Learning.

## Achievement

### Definition:

Achievement refers to a student's level of mastery or proficiency in a specific domain of knowledge or set of academic standards at a particular point in time. It reflects what a student knows and can do, typically measured by criterion-referenced assessments aligned to grade-level expectations. Achievement results are used to determine proficiency levels (e.g., proficient, advanced, below basic) and to evaluate whether students meet state or school performance benchmarks.

### Example:

A student scoring at or above the state's "proficient" cut-score on the Montana state assessment demonstrates achievement that meets grade-level expectations.

### Citations:

- American Educational Research Association, American Psychological Association, & National Council on Measurement in Education. (2014). *Standards for Educational and Psychological Testing*.

## Growth

### Definition:

Growth refers to the change in a student's achievement over time, usually from one testing period to another. Unlike achievement, which represents an absolute level of performance, growth measures the progress a student has made relative to their prior performance. Growth measures can be expressed in scale score gains, student growth percentiles (SGPs), or other model-based estimates.

A key concept in growth measurement is conditional growth. Conditional growth metrics (such as Conditional Growth Percentiles, or CGPs) evaluate a student's progress in relation to peers who started at the same prior achievement level. This approach acknowledges that expected progress is not uniform:

- Students who begin at lower achievement levels may need to grow faster than their peers to “catch up.”
- Students already performing at high levels have less room for measurable improvement but may still show strong conditional growth.

### Example:

A Conditional Growth Percentile of 65 means the student grew more than 65% of peers who began at the same prior score level.

### Citations:

- Betebenner, D. W. (2009). *Norm- and Criterion-Referenced Student Growth. Educational Measurement: Issues and Practice*, 28(4), 42–51.
- Castellano, K. E., & Ho, A. D. (2013). *A Practitioner's Guide to Growth Models*. Washington, DC: Council of Chief State School Officers.
- NWEA. (2023). *Conditional Growth Percentiles*. Retrieved from <https://connection.nwea.org/s/article/Conditional-Growth-Percentile>.

## Alignment

### Definition:

Alignment refers to the degree of correspondence between curriculum standards, classroom instruction, and assessment. It ensures that what students are taught (the implemented curriculum) and what is measured (the attained curriculum) both reflect what educators intend students to learn (the intended curriculum). A well-aligned system allows assessment results to serve as valid indicators of whether students have met established learning goals.

The tripartite curriculum model, first articulated by researchers such as Porter (2002) and Webb (1997) describes three components that must be coherently linked:

- **Intended curriculum:** The learning objectives and academic standards that define what students are expected to know and be able to do.
- **Implemented curriculum:** The content actually taught and experienced in classrooms.
- **Attained curriculum:** What students have learned, as reflected in assessment results.

When assessments are aligned to curriculum standards, they provide meaningful feedback about both instructional effectiveness and student learning. Misalignment, such as assessments emphasizing skills or knowledge not covered in standards or instruction, reduces validity and can lead to misleading conclusions about school or student performance.

#### **Example:**

A grade 5 mathematics assessment that measures proportional reasoning and aligns directly to the state’s grade-level standards for “ratios and proportional relationships” demonstrates strong alignment. In contrast, an assessment emphasizing algebraic expressions beyond grade 5 expectations would show poor alignment.

#### **Citations:**

- Porter, A. C. (2002). *Measuring the Content of Instruction: Uses in Research and Practice*. *Educational Researcher*, 31(7), 3–14.
- Webb, N. L. (1997). *Criteria for Alignment of Expectations and Assessments in Mathematics and Science Education*. Council of Chief State School Officers.
- American Educational Research Association, American Psychological Association, & National Council on Measurement in Education. (2014). *Standards for Educational and Psychological Testing*. Washington, DC: AERA.

## **Common Assessment Vernacular**

**Proficiency:** Proficiency refers to a student meeting a criterion-referenced benchmark tied to grade-level standards. A student is considered proficient when they earn a scaled score that represents mastery of the targeted content for that grade. In most standardized assessments, proficiency is linked to a specific cut score that reflects the level of performance expected for that grade.

**Percentile:** A percentile reflects how a student performed compared to a defined group of peers. Percentile ranks range from 1 to 99 and are tied to the scaled scores of the normative sample used to create the assessment norms. For example, if a student earns a percentile rank of 62, whether for achievement or growth, it means they performed better than 62 percent of students in the norm group.



**Scaled Score:** A scaled score is the numerical value an assessment uses to report student performance. Each assessment has its own scale, and the range and structure of those scales vary across tests. Scaled scores allow performance to be compared across different forms or administrations of the same assessment, but scales are not interchangeable across different assessments.

# Practical Checklist

Proposed Assessment: \_\_\_\_\_

## *Face Validity and Practical Significance*

- ☐ Does the assessment vendor and/or choice school clearly articulate what the assessment is intended to measure?

Source (Link or Citation): \_\_\_\_\_

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- ☐ Does the assessment intend to measure things that the authorizer deems relevant to school performance and evaluation?

Source (Link or Citation): \_\_\_\_\_

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## *Content Validity and Alignment to Standards*

- ☐ Is the content of the assessment clearly aligned with the authorizer's performance framework and the targets contained within it?
- ☐ Does the assessment provider provide documentation on how the assessment is aligned to relevant standards (criterion referenced) or evidence of the assessment's relationship to students within the choice school (norms referenced)?

Source (Link or Citation): \_\_\_\_\_

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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## Evidence of Validity

- ☐ Does the assessment vendor provide validity evidence (correlations with other established measures, comparisons of score groups, predictive validity)?
- ☐ Are there item-level analyses that show that items behave as expected (discriminate between students of different proficiency levels)?
- ☐ Does the assessment vendor provide documentation that the assessment was reviewed by Subject Matter Experts (SMEs)?
- ☐ Does the assessment vendor provide documentation on how they ensure that the assessment works similarly for different demographic groups?

Source (Link or Citation): \_\_\_\_\_

Comments: \_\_\_\_\_

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## Evidence of Reliability

- ☐ Does the assessment vendor provide a technical report that includes reliability statistics (for example: internal consistency coefficients, test-retest reliability, alternate form reliability, standard error of measurement)?
- ☐ Does the assessment vendor report separate reliability statistics for different subgroups?
- ☐ Are the reliability coefficients reasonably high (usually greater than or equal to 0.8)?
- ☐ Does the assessment have a *reasonable* standard error of measurement (SEM) or information about the assessment's precision?

Source (Link or Citation): \_\_\_\_\_

Comments: \_\_\_\_\_

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## Evidence of Alignment

- ☐ Does the assessment clearly link to Montana's state content standards?
- ☐ Are the content domains, cognitive processes, and skills measured by the assessment consistent with those emphasized in the standards?
- ☐ Does the assessment developer provide a content alignment study or crosswalk demonstrating the relationship between test items and standards?

Source (Link or Citation): \_\_\_\_\_

Comments: \_\_\_\_\_

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## Evaluating Growth Measures

- ☐ Does the assessment report student-level growth metrics that are reliable and replicable across administrations?
- ☐ Are growth estimates based on longitudinal data that track individual student progress over time?
- ☐ Is the growth model clearly specified (e.g., Conditional Growth Percentiles, Student Growth Percentiles, or gain scores)?
- ☐ Are the conditions for valid growth comparison met—such as consistent scaling, equated test forms, and similar constructs across years?
- ☐ Does the growth measure allow for conditional interpretation, meaning it accounts for the starting achievement level when evaluating progress?
- ☐ Can growth data be aggregated to the school or subgroup level without introducing bias or instability?
- ☐ Are growth results communicated in an interpretable way for educators, families, and policymakers (e.g., growth categories, percentile distributions)?

Source (Link or Citation): \_\_\_\_\_

Comments: \_\_\_\_\_

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## Ensuring Equitable Results Across Subgroups - *Differential Item Functioning*

- ☐ Does the assessment vendor perform rigorous testing to ensure the assessment is not impacted by demographic differences between subgroups?

Source (Link or Citation): \_\_\_\_\_

Explain the process by which the assessment ensures the results are equitable across subgroups: \_\_\_\_\_

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## Ensuring Accessible Assessment and Accommodations

- ☐ Does the assessment vendor document and implement accessibility features that allow students to meaningfully access the assessment without altering the construct being measured?
- ☐ Does the assessment vendor provide a clearly defined accommodations policy aligned with federal and state requirements (e.g., IDEA, Section 504)?
- ☐ Does the assessment platform support assistive technologies and comply with recognized digital accessibility standards (e.g., WCAG 2.0/2.1)?
- ☐ Does the assessment vendor document how accommodated administrations are handled in reporting and aggregation?
- ☐ Does the assessment vendor monitor accessibility performance and accommodation use over time to identify and address barriers?

Source (Link or Citation): \_\_\_\_\_

Explain how the assessment ensures accessibility for all students (including students with disabilities and English learners) while preserving score validity:

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Explain how accommodated results are included in student-, school-, and subgroup-level reporting and any implications for interpretation:

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Explain the process by which accessibility features and accommodation practices are reviewed, monitored, and improved:

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# Assessment Decision Matrix

## 1.Face Validity & Practical Significance

Criteria	Evidence Required	Meets? (Y/N/Partial)	Notes
Assessment clearly states what it measures	Vendor overview, technical manual		
Intended constructs align to evaluator needs (achievement, growth, mastery)	Statement of use, school rationale		
Assessment purpose supports authorizer evaluation of learning	Connection to performance framework targets		
<b>Decision Guidance:</b> If purpose is unclear or misaligned with school outcomes, <b>do not approve</b> the assessment.			

Notes:

## 2. Content Validity & Standards Alignment

Criteria	Evidence Required	Meets? (Y/N/Partial)	Notes
Content aligns to Montana or relevant academic standards	Alignment study, crosswalk		
Items match expected cognitive demand	Blueprint, depth-of-knowledge mapping		
Assessment is either criterion-referenced or supported by validated norming	Norms manual or alignment documentation		
<b>Decision Guidance:</b> If alignment is missing or superficial, classify as <b>NOT SUITABLE</b> for high-stakes decisions.			

Notes:



### 3.Evidence of Validity

Criteria	Evidence Required	Meets? (Y/N/Partial)	Notes
Vendor provides validity evidence (correlations, predictions, group comparisons)	Technical report		
Item-level analysis shows expected discrimination	Item analysis summary		
Reviewed by SMEs during development	SME validation documentation		
Fairness/validity evidence across subgroups	DIF or bias analysis		
<b>Decision Guidance:</b> If the assessment cannot demonstrate validity, <b>do not use for accountability.</b>			

Notes:

## 4.Evidence of Reliability

Criteria	Evidence Required	Meets? (Y/N/Partial)	Notes
Internal consistency $\geq$ .*	Reliability coefficients		
Test-retest or alternate forms reliability provided	Technical report		
Subgroup reliability documented	Reliability by subgroup		
SEM or precision fully reported	SEM tables		
<b>Decision Guidance:</b> If reliability is too low or inconsistent, results are not stable enough for school-level evaluation.			

Notes:

## 5. Growth Measure Quality

Criteria	Evidence Required	Meets? (Y/N/Partial)	Notes
Provides student-level growth measure	Growth model documentation		
Growth is longitudinal and comparable across years	Scaling documentation		
Growth model is clearly defined (CGP, SGP, gain score, etc.)	Growth model guide		
Supports conditional interpretation (accounts for starting score)	Conditional growth tables/SGP methodology		
Can aggregate growth without bias	Technical assurances		
<b>Decision Guidance:</b> If growth is unstable or model is unclear, use <b>achievement only</b> , or require a different assessment for growth.			

Notes:

## 6. Equity & Fairness

Criteria	Evidence Required	Meets? (Y/N/Partial)	Notes
Routine DIF analysis during development	Fairness/bias section of technical report		
Items revised/removed based on DIF	Revision documentation		
Demographic groups demonstrate comparable performance conditional on ability	Subgroup impact study		
<b>Decision Guidance:</b> If the assessment cannot demonstrate equitable functioning across subgroups, it fails minimum technical requirements.			

Notes:

## 7. Accessibility & Accommodations

Criteria	Evidence Required	Meets? (Y/N/Partial)	Notes
Vendor documents built-in accessibility features that support access without altering the construct	Accessibility documentation; technical manual		
Assessment design reflects principles of Universal Design for Learning (UDL)	Vendor design documentation		
Vendor provides a clearly defined accommodations policy aligned with IDEA and Section 504	Accommodations policy		
Appropriate accommodations are available for students with disabilities	Accommodations list; guidance		
Appropriate accommodations are available for English learners	EL supports documentation		
Assessment platform is compatible with common assistive technologies	Platform specs; accessibility statement		
Platform meets recognized digital accessibility standards (e.g., WCAG 2.0/2.1)	Accessibility compliance statement		
Vendor documents how accommodations affect score interpretation and comparability	Technical manual; guidance		

Accommodated scores can be validly aggregated at the school/subgroup level	Technical documentation		
Vendor monitors accommodation use and accessibility performance over time	Monitoring or update documentation		
<p><b>Decision Guidance:</b> If the assessment cannot demonstrate that students can meaningfully access the assessment, through documented accessibility features and appropriate accommodations, without altering the construct being measured, the assessment fails minimum technical requirements for use in school evaluation.</p>			

Notes:

## Overall Decision Summary

Category	Rating (Y/Partial/N)	Strengths	Concerns
Face Validity			
Content Validity			
Validity Evidence			
Reliability			
Standards Alignment			
Growth			
Equity & Fairness			
Accessibility			

Notes:

## Final Recommendation

- ☐ **Approved** - *Meets core criteria*
- ☐ **Approved with Conditions** - *Gaps exist but can be addressed*
- ☐ **Not Approved** - *Lacks essential technical qualities*

Commission Signature: \_\_\_\_\_

Date: \_\_\_\_\_

# Completed Checklists

## Practical Checklist

### Proposed Assessment: NWEA MAP

#### *Face Validity* and Practical Significance

- ☒ ~~Does the assessment vendor and/or choice school clearly articulate what the assessment is intended to measure?~~

Source (Link or Citation): \_\_\_\_\_

Comments: This answer would be specific to each choice school applicant. It would be fair to expect them to connect the assessment they're proposing to the positive outcomes they expect to see from their students along with alignment to their curriculum.

- ☒ ~~Does the assessment intend to measure things that the authorizer deems relevant to school performance and evaluation?~~

Source (Link or Citation): <https://www.nwea.org/map-growth/>

Comments: In general terms, the authorizer is concerned with the ability of the assessment to comply with the Community Choice Schools Act. This means that the assessment has the capability to produce valid and reliable measures of student achievement and growth as well as the ability to measure the gap between student subgroups.

#### *Content Validity* and Alignment to Standards

- ☒ ~~Is the content of the assessment clearly aligned with the authorizer's performance framework and the targets contained within it?~~
- ☒ ~~Does the assessment provider provide documentation on how the assessment is aligned to relevant standards (criterion referenced) or evidence of the assessment's relationship to students within the choice school (norms referenced)?~~

Source (Link or Citation):

[https://www.nwea.org/resource-center/white-paper/88182/MAP-Growth-Norms\\_NWEA\\_Technical-Manual.pdf/](https://www.nwea.org/resource-center/white-paper/88182/MAP-Growth-Norms_NWEA_Technical-Manual.pdf/)

Comments: Yes, NWEA MAP can be used to measure performance of a choice school against the authorizer's framework. NWEA MAP is a norms-referenced assessment and has detailed



documentation on their sampling methodology as well as the norms they create with their sample.

## Evidence of Validity

- ☒ ~~Does the assessment vendor provide validity evidence (correlations with other established measures, comparisons of score groups, predictive validity)?~~
- ☒ ~~Are there item-level analyses that show that items behave as expected (discriminate between students of different proficiency levels)?~~
- ☒ ~~Does the assessment vendor provide documentation that the assessment was reviewed by Subject Matter Experts (SMEs)?~~
- ☒ ~~Does the assessment vendor provide documentation on how they ensure that the assessment works similarly for different demographic groups?~~

Source (Link or Citation):

[https://www.nwea.org/uploads/2021/11/MAP-Growth-Technical-Report-2019\\_NWEA.pdf](https://www.nwea.org/uploads/2021/11/MAP-Growth-Technical-Report-2019_NWEA.pdf)

Comments: NWEA provides detailed documentation on validity and it can be found in their technical manual linked above. NWEA also provides linking studies to state assessments across the country. Montana has a new state assessment so there is no linking study but it would be reasonable to expect that NWEA completes one as more MAST data is collected.

## Evidence of Reliability

- ☒ ~~Does the assessment vendor provide a technical report that includes reliability statistics (for example: internal consistency coefficients, test-retest reliability, alternate form reliability, standard error of measurement)?~~
- ☒ ~~Does the assessment vendor report separate reliability statistics for different subgroups?~~
- ☒ ~~Are the reliability coefficients reasonably high (usually greater than or equal to 0.8)?~~
- ☒ ~~Does the assessment have a *reasonable* standard error of measurement (SEM) or information about the assessment's precision?~~

Source (Link or Citation):

[https://www.nwea.org/uploads/2021/11/MAP-Growth-Technical-Report-2019\\_NWEA.pdf](https://www.nwea.org/uploads/2021/11/MAP-Growth-Technical-Report-2019_NWEA.pdf)

Comments: NWEA provides detailed technical documentation. NWEA conducts of performance between subgroups called DIF that, in some cases, can be interpreted as reliability analysis between subgroups. They also conduct tests of marginal reliability between states and other assessments.

## Evidence of Alignment

- ☒ ~~Does the assessment clearly link to Montana's state content standards?~~
- ☒ ~~Are the content domains, cognitive processes, and skills measured by the assessment consistent with those emphasized in the standards?~~
- ☒ ~~Does the assessment developer provide a content alignment study or crosswalk demonstrating the relationship between test items and standards?~~

Source (Link or Citation): <https://www.nwea.org/state-solutions/montana/>

Comments: NWEA is a norms-referenced assessment but it is weighted toward state standards. For this reason, I would say that NWEA is well-aligned to Montana standards but not specifically aligned. NWEA provides strand score estimates in their score reports that help align items and groups of items to standards.

## Evaluating Growth Measures

- ☒ ~~Does the assessment report student-level growth metrics that are reliable and replicable across administrations?~~
- ☒ ~~Are growth estimates based on longitudinal data that track individual student progress over time?~~
- ☒ ~~Is the growth model clearly specified (e.g., Conditional Growth Percentiles, Student Growth Percentiles, or gain scores)?~~
- ☒ ~~Are the conditions for valid growth comparison met, such as consistent scaling, equated test forms, and similar constructs across years?~~
- ☒ ~~Does the growth measure allow for conditional interpretation, meaning it accounts for the starting achievement level when evaluating progress?~~
- ☒ ~~Can growth data be aggregated to the school or subgroup level without introducing bias or instability?~~
- ☒ ~~Are growth results communicated in an interpretable way for educators, families, and policymakers (e.g., growth categories, percentile distributions)?~~

Source (Link or Citation):

[https://www.nwea.org/resource-center/white-paper/88182/MAP-Growth-Norms\\_NWEA\\_Technical-Manual.pdf/](https://www.nwea.org/resource-center/white-paper/88182/MAP-Growth-Norms_NWEA_Technical-Manual.pdf/)

Comments: NWEA has a very strong growth model with transparent and detailed technical documentation. They also have comprehensive reporting at the individual and aggregate levels.

## Ensuring Equitable Results Across Subgroups - *Differential Item Functioning*

- ☒ ~~Does the assessment vendor perform rigorous testing to ensure the assessment is not impacted by demographic differences between subgroups?~~

Source (Link or Citation):

[https://www.nwea.org/uploads/2021/11/MAP-Growth-Technical-Report-2019\\_NWEA.pdf](https://www.nwea.org/uploads/2021/11/MAP-Growth-Technical-Report-2019_NWEA.pdf)

Explain the process by which the assessment ensures the results are equitable across subgroups: Subject Matter Experts (SMEs) develop test items, NWEA tests them, then they analyze the results and gives a score for each item based on the difference in item performance between subgroups. If there is a relatively large difference between subgroups then the item is removed from the trial and either evaluated and modified by a group of SMEs or it's thrown out altogether.

## Ensuring Accessible Assessment and Accommodations

- ☒ ~~Does the assessment vendor document and implement accessibility features that allow students to meaningfully access the assessment without altering the construct being measured?~~
- ☒ ~~Does the assessment vendor provide a clearly defined accommodations policy aligned with federal and state requirements (e.g., IDEA, Section 504)?~~
- ☒ ~~Does the assessment platform support assistive technologies and comply with recognized digital accessibility standards (e.g., WCAG 2.0/2.1)?~~
- ☒ ~~Does the assessment vendor document how accommodated administrations are handled in reporting and aggregation?~~
- ☒ ~~Does the assessment vendor monitor accessibility performance and accommodation use over time to identify and address barriers?~~

Source (Link or Citation): <https://www.nwea.org/accommodations-accessibility/>

Explain how the assessment ensures accessibility for all students (including students with disabilities and English learners) while preserving score validity:

NWEA provides technological and specific accommodations for students. They also provide guidance to their customers on using accommodations.

Explain how accommodated results are included in student-, school-, and subgroup-level reporting and any implications for interpretation:

Appropriate accommodated results are included in norming calculations.

Explain the process by which accessibility features and accommodation practices are reviewed, monitored, and improved:

They claim to monitor the best practices and industry trends to adjust their accessibility and accommodation features.

# Practical Checklist

## Proposed Assessment: iReady Diagnostic

### *Face Validity* and Practical Significance

- ☒ ~~Does the assessment vendor and/or choice school clearly articulate what the assessment is intended to measure?~~

Source (Link or Citation): \_\_\_\_\_

Comments: This answer would be specific to each choice school applicant. It would be fair to expect them to connect the assessment they're proposing to the positive outcomes they expect to see from their students along with alignment to their curriculum.

- ☒ ~~Does the assessment intend to measure things that the authorizer deems relevant to school performance and evaluation?~~

Source (Link or Citation): \_\_\_\_\_

Comments: In general terms, the authorizer is concerned with the ability of the assessment to comply with the Community Choice Schools Act. This means that the assessment has the capability to produce valid and reliable measures of student achievement and growth as well as the ability to measure the gap between student subgroups.

### *Content Validity* and Alignment to Standards

- ☒ ~~Is the content of the assessment clearly aligned with the authorizer's performance framework and the targets contained within it?~~
- ☒ ~~Does the assessment provider provide documentation on how the assessment is aligned to relevant standards (criterion referenced) or evidence of the assessment's relationship to students within the choice school (norms referenced)?~~

Source (Link or Citation): <https://www.curriculumassociates.com/programs/i-ready-assessment/diagnostic>

Comments: The assessment vendor (Curriculum Associates) provides documentation on the standards aligned to the assessment.

## Evidence of Validity

- ☒ Does the assessment vendor provide validity evidence (correlations with other established measures, comparisons of score groups, predictive validity)?
- ☐ Are there item-level analyses that show that items behave as expected (discriminate between students of different proficiency levels)?
- ☒ Does the assessment vendor provide documentation that the assessment was reviewed by Subject Matter Experts (SMEs)?
- ☒ Does the assessment vendor provide documentation on how they ensure that the assessment works similarly for different demographic groups?

Source (Link or Citation):

<https://cdn.bfldr.com/LS6J0F7/at/cnjb995nsjtrtj9fm5n8bj8/iready-NCII-ratings-flyer.pdf>  
<https://charts.intensiveintervention.org/screening/tool/?id=3ff23b4dcbff89bf>  
<https://charts.intensiveintervention.org/screening/tool/?id=7534542c4f422f85>

Comments: iReady has more general technical information on their website and uses outside vendors to provide white papers and research about the technical capabilities of their assessment. While I do not see item-level analyses that show items behave as expected, this is a normal procedure of a large scale assessment company and I would expect that it takes place. This may be something to ask the Curriculum Associates team in the even it becomes a concern.

## Evidence of Reliability

- ☒ Does the assessment vendor provide a technical report that includes reliability statistics (for example: internal consistency coefficients, test-retest reliability, alternate form reliability, standard error of measurement)?
- ☐ Does the assessment vendor report separate reliability statistics for different subgroups?
- ☒ Are the reliability coefficients reasonably high (usually greater than or equal to 0.8)?
- ☒ Does the assessment have a *reasonable* standard error of measurement (SEM) or information about the assessment's precision?

Source (Link or Citation):

<https://cdn.bfldr.com/LS6J0F7/at/cnjb995nsjtrtj9fm5n8bj8/iready-NCII-ratings-flyer.pdf>  
<https://charts.intensiveintervention.org/screening/tool/?id=3ff23b4dcbff89bf>  
<https://charts.intensiveintervention.org/screening/tool/?id=7534542c4f422f85>

Comments: Curriculum Associates does not provide separate reliability statistics for each subgroup.

## Evidence of Alignment

- ☐ Does the assessment clearly link to Montana's state content standards?
- ☒ Are the content domains, cognitive processes, and skills measured by the assessment consistent with those emphasized in the standards?
- ☒ Does the assessment developer provide a content alignment study or crosswalk demonstrating the relationship between test items and standards?

Source (Link or Citation):

<https://www.curriculumassociates.com/programs/i-ready-assessment/diagnostic>

Comments: iReady is not directly aligned to Montana standards, specifically but there is broad alignment between the standards used for iReady and the Montana state standards.

## Evaluating Growth Measures

- ☒ Does the assessment report student level growth metrics that are reliable and replicable across administrations?
- ☒ Are growth estimates based on longitudinal data that track individual student progress over time?
- ☒ Is the growth model clearly specified (e.g., Conditional Growth Percentiles, Student Growth Percentiles, or gain scores)?
- ☒ Are the conditions for valid growth comparison met—such as consistent scaling, equated test forms, and similar constructs across years?
- ☒ Does the growth measure allow for conditional interpretation, meaning it accounts for the starting achievement level when evaluating progress?
- ☒ Can growth data be aggregated to the school or subgroup level without introducing bias or instability?
- ☒ Are growth results communicated in an interpretable way for educators, families, and policymakers (e.g., growth categories, percentile distributions)?

Source (Link or

Citation): [https://core-docs.s3.us-east-1.amazonaws.com/documents/asset/uploaded\\_file/4752/C DAPS/4171799/i-ready-deep-dive-using-i-ready-as-a-student-growth-measure-2022.pdf](https://core-docs.s3.us-east-1.amazonaws.com/documents/asset/uploaded_file/4752/C DAPS/4171799/i-ready-deep-dive-using-i-ready-as-a-student-growth-measure-2022.pdf)

Comments: iReady is a criterion-referenced assessment and therefore growth is not the same as on a norms based assessment. This can be both a strength or a weakness. iReady provides a stretch growth goal which is very impactful for many students who are behind.

## Ensuring Equitable Results Across Subgroups - *Differential Item Functioning*

- ☒ Does the assessment vendor perform rigorous testing to ensure the assessment is not impacted by demographic differences between subgroups?

Source (Link or Citation):

<https://charts.intensiveintervention.org/progressmonitoring/tool/?id=d264b2946d8df43d#BiasAnalysis>

Explain the process by which the assessment ensures the results are equitable across subgroups: iReady conducts DIF similar to many other large assessment vendors.

## Ensuring Accessible Assessment and Accommodations

- ☒ Does the assessment vendor document and implement accessibility features that allow students to meaningfully access the assessment without altering the construct being measured?
- ☒ Does the assessment vendor provide a clearly defined accommodations policy aligned with federal and state requirements (e.g., IDEA, Section 504)?
- ☒ Does the assessment platform support assistive technologies and comply with recognized digital accessibility standards (e.g., WCAG 2.0/2.1)?
- ☐ Does the assessment vendor document how accommodated administrations are handled in reporting and aggregation?
- ☒ Does the assessment vendor monitor accessibility performance and accommodation use over time to identify and address barriers?

Source (Link or Citation):

<https://www.curriculumassociates.com/access-and-outcomes/committed-to-accessibility>

Explain how the assessment ensures accessibility for all students (including students with disabilities and English learners) while preserving score validity:

iReady provides technical accessibility accommodations and provides support for students with specific accommodations required by their IEP and/or 504 plan.

Explain how accommodated results are included in student-, school-, and subgroup-level reporting and any implications for interpretation:

This is not clear in the iReady documentation

Explain the process by which accessibility features and accommodation practices are reviewed, monitored, and improved:



Curriculum Associates continues to iterate to ensure they are current on the available accommodations. More information can be found at the link in the source section.

# Practical Checklist

## Proposed Assessment: ACT

### *Face Validity* and Practical Significance

- ☒ ~~Does the assessment vendor and/or choice school clearly articulate what the assessment is intended to measure?~~

Source (Link or Citation): <https://www.act.org/content/act/en/products-and-services/the-act.html>

Comments: This answer would be specific to each choice school applicant. It would be fair to expect them to connect the assessment they're proposing to the positive outcomes they expect to see from their students along with alignment to their curriculum.

- ☒ ~~Does the assessment intend to measure things that the authorizer deems relevant to school performance and evaluation?~~

Source (Link or Citation): <https://www.act.org/content/act/en/products-and-services/the-act.html>

Comments: The ACT is a measure of student readiness for first year college courses. In this way, the ACT is used to measure postsecondary readiness in terms of college readiness.

### *Content Validity* and Alignment to Standards

- ☐ Is the content of the assessment clearly aligned with the authorizer's performance framework and the targets contained within it?
- ☒ ~~Does the assessment provider provide documentation on how the assessment is aligned to relevant standards (criterion referenced) or evidence of the assessment's relationship to students within the choice school (norms referenced)?~~

Source (Link or Citation):

[https://www.act.org/content/dam/act/unsecured/documents/ACT\\_Technical\\_Manual.pdf](https://www.act.org/content/dam/act/unsecured/documents/ACT_Technical_Manual.pdf)

Comments: The ACT is a criterion-referenced assessment with clear content standards outlined in the technical manual. The degree to which it aligns with the authorizer's performance framework is unclear.

## Evidence of Validity

- ☒ Does the assessment vendor provide validity evidence (correlations with other established measures, comparisons of score groups, predictive validity)?
- ☒ Are there item level analyses that show that items behave as expected (discriminate between students of different proficiency levels)?
- ☒ Does the assessment vendor provide documentation that the assessment was reviewed by Subject Matter Experts (SMEs)?
- ☒ Does the assessment vendor provide documentation on how they ensure that the assessment works similarly for different demographic groups?

Source (Link or Citation):

[https://www.act.org/content/dam/act/unsecured/documents/ACT\\_Technical\\_Manual.pdf](https://www.act.org/content/dam/act/unsecured/documents/ACT_Technical_Manual.pdf)

Comments: The ACT provides detailed validity information in the Technical Manual.

## Evidence of Reliability

- ☒ Does the assessment vendor provide a technical report that includes reliability statistics (for example: internal consistency coefficients, test-retest reliability, alternate form reliability, standard error of measurement)?
- ☐ Does the assessment vendor report separate reliability statistics for different subgroups?
- ☒ Are the reliability coefficients reasonably high (usually greater than or equal to 0.8)?
- ☒ Does the assessment have a reasonable standard error of measurement (SEM) or information about the assessment's precision?

Source (Link or Citation):

[https://www.act.org/content/dam/act/unsecured/documents/ACT\\_Technical\\_Manual.pdf](https://www.act.org/content/dam/act/unsecured/documents/ACT_Technical_Manual.pdf)

Comments: The ACT does not provide separate reliability statistics for different subgroups, but they do have sufficient documentation of reliability.

## Evidence of Alignment

- ☐ Does the assessment clearly link to Montana's state content standards?
- ☒ Are the content domains, cognitive processes, and skills measured by the assessment consistent with those emphasized in the standards?
- ☐ Does the assessment developer provide a content alignment study or crosswalk demonstrating the relationship between test items and standards?

Source (Link or Citation):

[https://www.act.org/content/dam/act/unsecured/documents/ACT\\_Technical\\_Manual.pdf](https://www.act.org/content/dam/act/unsecured/documents/ACT_Technical_Manual.pdf)

Comments: The ACT is specifically designed to measure whether a student is ready for first year college courses. It's not designed to align to state standards directly, though there is broad alignment between Montana state standards and the ACT domains.

## Evaluating Growth Measures

- ☒ ~~Does the assessment report student-level growth metrics that are reliable and replicable across administrations?~~
- ☒ ~~Are growth estimates based on longitudinal data that track individual student progress over time?~~
- ☒ ~~Is the growth model clearly specified (e.g., Conditional Growth Percentiles, Student Growth Percentiles, or gain scores)?~~
- ☒ ~~Are the conditions for valid growth comparison met—such as consistent scaling, equated test forms, and similar constructs across years?~~
- ☒ ~~Does the growth measure allow for conditional interpretation, meaning it accounts for the starting achievement level when evaluating progress?~~
- ☒ ~~Can growth data be aggregated to the school or subgroup level without introducing bias or instability?~~
- ☒ ~~Are growth results communicated in an interpretable way for educators, families, and policymakers (e.g., growth categories, percentile distributions)?~~

Source (Link or Citation):

<https://www.act.org/content/act/en/research/services-and-resources/act-growth-modeling-resources.html>

[https://www.act.org/content/dam/act/unsecured/documents/ACT\\_Technical\\_Manual.pdf](https://www.act.org/content/dam/act/unsecured/documents/ACT_Technical_Manual.pdf)

Comments: The ACT provides both gain and conditional growth information. This is helpful because it provides both nominal growth expectations and also growth expectations relative to students with similar score history. It should be noted that all assessments require multiple assessments to measure growth and Montana only requires students to take the ACT in 11th grade. In order for a choice school to use the ACT as their sole assessment they would have to give an ACT assessment more than once.

## Ensuring Equitable Results Across Subgroups - *Differential Item Functioning*

- ☒ ~~Does the assessment vendor perform rigorous testing to ensure the assessment is not impacted by demographic differences between subgroups?~~

Source (Link or Citation):

[https://www.act.org/content/dam/act/unsecured/documents/ACT\\_Technical\\_Manual.pdf](https://www.act.org/content/dam/act/unsecured/documents/ACT_Technical_Manual.pdf)

Explain the process by which the assessment ensures the results are equitable across subgroups: Subject Matter Experts (SMEs) develop test items, ACT tests them, then they analyze the results and give a score for each item based on the difference in item performance between subgroups. If there is a relatively large difference between subgroups then the item is removed from the trial and either evaluated and modified by a group of SMEs or it's thrown out altogether.

## Ensuring Accessible Assessment and Accommodations

- ☒ ~~Does the assessment vendor document and implement accessibility features that allow students to meaningfully access the assessment without altering the construct being measured?~~
- ☒ ~~Does the assessment vendor provide a clearly defined accommodations policy aligned with federal and state requirements (e.g., IDEA, Section 504)?~~
- ☒ ~~Does the assessment platform support assistive technologies and comply with recognized digital accessibility standards (e.g., WCAG 2.0/2.1)?~~
- ☒ ~~Does the assessment vendor document how accommodated administrations are handled in reporting and aggregation?~~
- ☒ ~~Does the assessment vendor monitor accessibility performance and accommodation use over time to identify and address barriers?~~

Source (Link or Citation):

[https://www.act.org/content/dam/act/unsecured/documents/ACT\\_Technical\\_Manual.pdf](https://www.act.org/content/dam/act/unsecured/documents/ACT_Technical_Manual.pdf)  
[https://content.act.org/act\\_special/r/Accessibility\\_Supports\\_Guide\\_for\\_the\\_ACT\\_-\\_National\\_and\\_Special\\_Testing](https://content.act.org/act_special/r/Accessibility_Supports_Guide_for_the_ACT_-_National_and_Special_Testing)

Explain how the assessment ensures accessibility for all students (including students with disabilities and English learners) while preserving score validity:

The ACT has detailed documentation associated with available accommodations. The degree to which accommodations can be used for the assessment in Montana is likely dependent on state requirements as well as assessment best practices. This is because the ACT is part of the state assessment protocol.

Explain how accommodated results are included in student-, school-, and subgroup-level reporting and any implications for interpretation:

Many accommodations are included in the sample data and this does not effect interpretation.

Explain the process by which accessibility features and accommodation practices are reviewed, monitored, and improved:

The ACT reviews and updates their materials regularly.

# Practical Checklist

## Proposed Assessment: Montana Aligned to Standards Through-Year Assessment (MAST)

### *Face Validity* and Practical Significance

- ☒ Does the assessment vendor and/or choice school clearly articulate what the assessment is intended to measure?

Source (Link or Citation):

OPI. *MAST ELA Assessment Specifications (2024–2025)*.

<https://opi.mt.gov/Portals/182/Page%20Files/MAST/2024-2025%20Assets/Educator%20Resources/ELA%20Assessment%20Specifications.pdf?ver=2025-02-04-144619-223>

OPI. *MAST Math Assessment Specifications (2024–2025)*.

<https://opi.mt.gov/Portals/182/Page%20Files/MAST/2024-2025%20Assets/Educator%20Resources/Math%20Assessment%20Specifications.pdf?ver=2025-02-04-144701-553>

OPI. *MAST FAQ (overview of purpose and use)*.

<https://opi.mt.gov/Leadership/Assessment-Accountability/MontCAS/Required-Assessments/Montana-Aligned-to-Standards-Through-Year-FAQ>

New Meridian. *MasteryGuide Through-Year Assessment (program overview)*.

<https://newmeridiancorp.org/masteryguide-through-year-assessment/>

*MAST 2024–2025 Technical Report (OPI/New Meridian), Chapter 7 (IRT, linking/scaling) and reporting description (see Ch. 10–12).*

Comments: Yes. The assessment's intended purpose and constructs are clearly articulated.

- At the program level, MAST is described as a through-year system intended to provide actionable information during the year and produce summative results.
- The ELA and Math Assessment Specifications describe what is measured by grade and subject, including the targeted standards/skills, testlet structure, item types, and blueprint expectations.
- The Technical Report further clarifies that ELA and mathematics forms are linked to base reporting scales and reported on a common summative scale, supporting statewide summative interpretations.

Remaining note: The specifications provide strong construct and blueprint definitions; the Technical Report provides psychometric support for scaling and score interpretation.

### English Language Arts (ELA)

#### Assessment Purpose:

The ELA document clearly states that the *through-year system* measures reading and writing skills aligned to the Common Core State Standards (CCSS) as operationalized for Montana, including vocabulary, syntax, key ideas, author's craft, and comprehension.

### **Construct Definition and Design:**

The ELA design includes a *genre-based structure* with passages and items coded to CCSS and learning progression indicators. Item complexity and depth of knowledge are explicitly described, and there are specifications for standalone items and performance tasks.

### **Blueprint & Specifications:**

The specifications include *grade-level blueprints* showing how many items are administered in each content cluster, how they align to specific standards, and how complexity increases across testlets throughout the year.

Interpretation: The ELA document provides a *comprehensive statement of purpose*, content measured, item structures, standard alignment, and cognitive complexity. There is a clear operational definition of constructs being assessed.

## **Mathematics**

### **Assessment Purpose and Design:**

The Math Assessment Specifications document outlines the system structure, stating it is a through-year mastery measurement system organized around *mathematical strands* derived from the CCSS for Mathematics.

### **Construct and Content Domains:**

Each grade-level math testlet is tied to specific *strands of mathematical understanding*. These strands cover coherent clusters of standards (e.g., ratios, measurement, geometry) and specify attributes and item contexts.

### **Item Development & Review Practices:**

The document describes item development and tagging with multiple frameworks for complexity (e.g., Webb's DOK), and notes involvement of OPI content specialists and educators in item review.

Interpretation: The Math specifications provide a detailed *taxonomy of content*, item design rationale, and alignment to CCSS strands. The constructs measured are clearly defined through the strand structure, and the document specifies *content domains per grade*.

### **Combined Assessment Intent**

Overall, both documents articulate:

- The **intended constructs** (reading comprehension, writing, vocabulary/syntax in ELA; strand-based mathematical understanding in math).
- The **content domains and blueprints** tied to the standards.
- The **assessment design** (testlets, item types, complexity levels).
- The **alignment to grade-level standards** and learning progressions.

This constitutes substantive evidence of what MAST is designed to measure and provides operational definitions of the key constructs.



- ☒ Does the assessment intend to measure things that the authorizer deems relevant to school performance and evaluation?

Source (Link or Citation):

OPI. MAST FAQ.

<https://opi.mt.gov/Leadership/Assessment-Accountability/MontCAS/Required-Assessments/Montana-Aligned-to-Standards-Through-Year-FAQ>

MAST 2024–2025 Technical Report (OPI/New Meridian), Chapter 7 (scale scores) and Chapter 9 (achievement levels/standard setting).

Comments: Mostly yes, for proficiency/achievement. MAST is intended to measure student achievement relative to Montana's adopted standards in ELA and mathematics and report results on a summative scale with achievement levels.

Growth: MAST is administered through the year, but publicly available documentation does not clearly specify a formal growth model (e.g., SGP/CGP or other longitudinal growth metric).

## Content Validity and Alignment to Standards

- ☒ Is the content of the assessment clearly aligned with the authorizer's performance framework and the targets contained within it?
- ☐ Does the assessment provider provide documentation on how the assessment is aligned to relevant standards (criterion referenced) or evidence of the assessment's relationship to students within the choice school (norms referenced)?

Source (Link or Citation):

OPI. MAST ELA Assessment Specifications (2024–2025).

<https://opi.mt.gov/Portals/182/Page%20Files/MAST/2024-2025%20Assets/Educator%20Resources/ELA%20Assessment%20Specifications.pdf?ver=2025-02-04-144619-223>

OPI. MAST Math Assessment Specifications (2024–2025).

<https://opi.mt.gov/Portals/182/Page%20Files/MAST/2024-2025%20Assets/Educator%20Resources/Math%20Assessment%20Specifications.pdf?ver=2025-02-04-144701-553>

MAST 2024–2025 Technical Report (OPI/New Meridian), Chapter 7 (test construction and blueprint adherence).

Comments: Yes, the ELA and Math Assessment Specifications provide detailed evidence of content validity and standards alignment. Both documents clearly define:

- The **content domains and strands** assessed at each grade level
- The **specific standards** associated with each testlet
- The **distribution of items across standards clusters**

- The **intended cognitive demand** (e.g., Webb's Depth of Knowledge)

The assessment is explicitly criterion-referenced, designed to measure mastery of Montana's adopted ELA and Mathematics standards rather than to norm students relative to a national sample.

However, while alignment is clearly articulated at the design and blueprint level, the documentation does not include an independent alignment study or third-party validation confirming the depth, balance, and rigor of alignment relative to Montana's standards. Alignment evidence is therefore theoretical and design-based, rather than empirically validated.

## Evidence of Validity

- ☒ ~~Does the assessment vendor provide validity evidence (correlations with other established measures, comparisons of score groups, predictive validity)?~~
- ☒ ~~Are there item level analyses that show that items behave as expected (discriminate between students of different proficiency levels)?~~
- ☒ ~~Does the assessment vendor provide documentation that the assessment was reviewed by Subject Matter Experts (SMEs)?~~
- ☒ ~~Does the assessment vendor provide documentation on how they ensure that the assessment works similarly for different demographic groups?~~

Source (Link or Citation):

*MAST 2024–2025 Technical Report (OPI/New Meridian): Chapter 6 (Classical item analyses; DIF; construct validity evidence and factor analyses), pp. ~85–96. Chapter 7 (IRT modeling and linking/scaling), pp. ~107–120. Chapter 9 (Standard setting using Bookmark; TAC review; educator panels), pp. ~138–140.*

OPI. *MAST ELA Assessment Specifications (2024–2025) (construct/blueprint definitions).*  
<https://opi.mt.gov/Portals/182/Page%20Files/MAST/2024-2025%20Assets/Educator%20Resources/ELA%20Assessment%20Specifications.pdf?ver=2025-02-04-144619-223>

OPI. *MAST Math Assessment Specifications (2024–2025) (construct/blueprint definitions).*  
<https://opi.mt.gov/Portals/182/Page%20Files/MAST/2024-2025%20Assets/Educator%20Resources/Math%20Assessment%20Specifications.pdf?ver=2025-02-04-144701-553>

Comments: Validity evidence is partially documented and is stronger than what is available in public overviews.

Documented in the Technical Report:

- Construct validity evidence: confirmatory factor analyses (CFAs) and evaluation of theoretical latent factor structures by grade/subject.

- Item-level analyses: item difficulty and discrimination statistics (including item-total correlations) used to flag items for review and possible exclusion.
- SME/educator involvement: educator panels review operational items during data review; standard setting uses Montana educator panels and is reviewed/approved by the Montana Technical Advisory Committee (TAC).
- Fairness: DIF analyses are conducted for multiple subgroup comparisons, with rules for classifying DIF magnitude and actions taken when bias is identified.

Not clearly documented in the sources reviewed:

- Relationships to external measures (e.g., correlations with other established statewide assessments), predictive validity, or other external validation studies.
- Detailed documentation of SME selection/training protocols outside of standard-setting panel design descriptions.

## Evidence of Reliability

- ☒ ~~Does the assessment vendor provide a technical report that includes reliability statistics (for example: internal consistency coefficients, test-retest reliability, alternate form reliability, standard error of measurement)?~~
- ☒ ~~Does the assessment vendor report separate reliability statistics for different subgroups?~~
- ☒ ~~Are the reliability coefficients reasonably high (usually greater than or equal to 0.8)?~~
- ☒ ~~Does the assessment have a reasonable standard error of measurement (SEM) or information about the assessment's precision?~~

Source (Link or Citation):

*MAST 2024–2025 Technical Report (OPI/New Meridian), Chapter 8 (Reliability): Raw score reliability (Cronbach's alpha) and SEM by grade/subject (see pp. ~131–132). Subgroup reliability reporting with minimum N thresholds (see pp. ~132 and Appendix 8). Conditional SEM and scale-score reliability methods described (see pp. ~118–130).*

Comments: Yes. The Technical Report includes reliability evidence.

- Internal consistency reliability (Cronbach's alpha) is reported by grade and subject, with values in the mid-0.90s for both ELA and mathematics.
- Standard error of measurement (SEM) is reported alongside alpha.
- Subgroup reliability (e.g., gender, race/ethnicity, EL status, SWD) is reported when subgroup sample sizes meet minimum thresholds.

Considerations / remaining gaps:

- The report focuses on internal consistency reliability; other forms (test-retest, alternate form) are not emphasized in the sections reviewed.
- Some subgroup reliabilities are not reported when Ns are too small.

## Evidence of Alignment

- ☒ Does the assessment clearly link to Montana's state content standards?
- ☒ Are the content domains, cognitive processes, and skills measured by the assessment consistent with those emphasized in the standards?
- ☐ Does the assessment developer provide a content alignment study or crosswalk demonstrating the relationship between test items and standards?

Source (Link or Citation):

*OPI. MAST ELA Assessment Specifications (2024–2025).*

<https://opi.mt.gov/Portals/182/Page%20Files/MAST/2024-2025%20Assets/Educator%20Resources/ELA%20Assessment%20Specifications.pdf?ver=2025-02-04-144619-223>

*OPI. MAST Math Assessment Specifications (2024–2025).*

<https://opi.mt.gov/Portals/182/Page%20Files/MAST/2024-2025%20Assets/Educator%20Resources/Math%20Assessment%20Specifications.pdf?ver=2025-02-04-144701-553>

*MAST 2024–2025 Technical Report (OPI/New Meridian), Chapter 7 (test construction to meet blueprint goals).*

Comments: Yes, the assessment is designed to link to Montana's content standards through standards-based blueprints and grade-level specifications.

- The ELA and Math Assessment Specifications provide the clearest documentation of standards linkage, including what standards/skills are targeted in each grade and how those targets are distributed across testlets.
- The Technical Report describes the test construction process and indicates that summative forms were created to meet blueprint goals.

Information gap:

- A standalone content alignment study or third-party crosswalk analysis demonstrating the relationship between items and Montana standards is not clearly documented in the sources reviewed (beyond the blueprints/specifications).

## Evaluating Growth Measures

- ☐ Does the assessment report student-level growth metrics that are reliable and replicable across administrations?
- ☐ Are growth estimates based on longitudinal data that track individual student progress over time?

- ☐ Is the growth model clearly specified (e.g., Conditional Growth Percentiles, Student Growth Percentiles, or gain scores)?
- ☒ ~~Are the conditions for valid growth comparison met—such as consistent scaling, equated test forms, and similar constructs across years?~~
- ☐ Does the growth measure allow for conditional interpretation, meaning it accounts for the starting achievement level when evaluating progress?
- ☐ Can growth data be aggregated to the school or subgroup level without introducing bias or instability?
- ☐ Are growth results communicated in an interpretable way for educators, families, and policymakers (e.g., growth categories, percentile distributions)?

Source (Link or Citation):

*MAST 2024–2025 Technical Report (OPI/New Meridian), Chapter 7 (IRT models; linking to base reporting scales; scale score calculation), pp. ~107–120.*

*OPI. MAST FAQ (public overview of through-year structure).*

<https://opi.mt.gov/Leadership/Assessment-Accountability/MontCAS/Required-Assessments/Montana-Aligned-to-Standards-Through-Year-FAQ>

*New Meridian. MasteryGuide Through-Year Assessment (program overview).*

<https://newmeridiancorp.org/masteryguide-through-year-assessment/>

Comments: Partial. MAST is administered through multiple checkpoints across the year, and the Technical Report documents scaling and linking methods that support producing a common summative scale score.

Documented:

- IRT calibration and linking processes used to connect ELA and mathematics forms to base reporting scales.
- Scale score reporting and related precision concepts (e.g., conditional SEM).

Not clearly documented in the sources reviewed (important for accountability growth claims):

- A clearly specified student-level growth model (e.g., Student Growth Percentiles, Conditional Growth Percentiles, or validated gain scores).
- Evidence that growth estimates are reliable/replicable across years and can be aggregated without instability.
- Explicit guidance for conditional interpretation of growth (accounting for starting achievement level) in an accountability context.

Implication: MAST appears well-positioned to support progress monitoring across checkpoints and to support summative achievement reporting, but additional documentation would be needed to evaluate whether it meets authorizer requirements for annual growth reporting.

## Ensuring Equitable Results Across Subgroups - *Differential Item Functioning*

- ☒ ~~Does the assessment vendor perform rigorous testing to ensure the assessment is not impacted by demographic differences between subgroups?~~

Source (Link or Citation):

*MAST 2024–2025 Technical Report (OPI/New Meridian), Chapter 6 (DIF methods and results): Dichotomous items: Cochran-Mantel-Haenszel (MH) approach. Polytomous items: Standardized Mean Difference (SMD) and effect-size rules. DIF classification rules (A/B/C) and minimum sample requirements. Educator panel bias review and removal of items from operational scoring when bias is identified. See pp. ~92–94 for methods and pp. ~88–95 for example results/bias review notes.*

Explain the process by which the assessment ensures the results are equitable across subgroups: MAST evaluates subgroup fairness using differential item functioning (DIF) analyses and an additional educator bias review process.

- DIF methods: For dichotomously scored items, New Meridian uses the Cochran-Mantel-Haenszel (MH) chi-square approach with stratification on total score. For polytomous items, New Meridian uses a standardized mean difference (SMD) and effect-size approach.
- DIF classification and decision rules: Items are classified into DIF categories (A = negligible, B = slight/moderate, C = moderate/large) using statistical significance tests and magnitude thresholds; minimum subgroup sample sizes are required for valid DIF analysis.
- Operational actions: The Technical Report notes that items exhibiting C-DIF are intended to be limited in future form development to the extent possible.

Bias review: The Technical Report states that all operational items on 2024–2025 forms were evaluated by educator panels during data review for possible bias, and items for which possible bias was identified were removed from operational scoring

## *Ensuring Accessible Assessment and Accommodations*

- ☒ Does the assessment vendor document and implement accessibility features that allow students to meaningfully access the assessment without altering the construct being measured?
- ☒ Does the assessment vendor provide a clearly defined accommodations policy aligned with federal and state requirements (e.g., IDEA, Section 504)?
- ☐ Does the assessment platform support assistive technologies and comply with recognized digital accessibility standards (e.g., WCAG 2.0/2.1)?
- ☐ Does the assessment vendor document how accommodated administrations are handled in reporting and aggregation?
- ☒ Does the assessment vendor monitor accessibility performance and accommodation use over time to identify and address barriers?

Source (Link or Citation):

*MAST 2024–2025 Technical Report (OPI/New Meridian), Chapter 4: Accessibility and Accommodations (policy foundation, tools/accommodations, monitoring/incident reporting). Referenced in the Technical Report: MAST Accessibility Guide; Accessibility and Accommodations Manual; DTC Handbook; Test Security Manual.*

Comments: Mostly yes (strong on policy and operational implementation; partial on formal digital accessibility standards and reporting/aggregation specifics).

- Accessibility features without altering the construct: Yes, with explicit controls and implementation requirements. The Technical Report documents embedded accommodations configured in Kite via the student PNP (e.g., text-to-speech, ASL, speech-to-text) and non-embedded accommodations/tools (e.g., alternate response options, braille/large-print/paper forms, word prediction with restrictions, specialized calculators). It also ties accommodations to formal plans (IEP/504) and describes verification that accessibility features are active during administration windows.

Information gap: The Technical Report emphasizes policy/process and restrictions to protect construct meaning, but does not present a dedicated empirical study demonstrating that each accessibility feature preserves the intended construct.

- Accommodations policy aligned with IDEA/Section 504: Yes. The Technical Report explicitly references IDEA, Section 504, and ESSA/ESEA requirements and describes Montana's accessibility policy structure and participation expectations for students with disabilities and English learners. It notes that accommodations must be documented in an IEP or 504 plan and decisions are made by IEP/504 teams (and EL planning).
- Assistive technology support and WCAG compliance: Assistive-technology-aligned supports are documented (e.g., alternate response options including switches/adapted keyboards; speech-to-text; text-to-speech; braille; ASL support). However, the Technical Report does not clearly state platform compliance with recognized digital accessibility standards (e.g., WCAG 2.0/2.1) or provide a VPAT/Section 508 conformance statement.
- Reporting and aggregation for accommodated administrations: Partially documented. The Technical Report indicates accommodations and irregularities are documented in Kite, and that participation/accommodation indicators and trends are reviewed for

reporting completeness/consistency under ESSA. Information gap: It does not clearly specify how accommodations are flagged on score reports/data exports or the aggregation/business rules (e.g., interpretive cautions, exclusions, or separate reporting rules) for accommodated results.

- Monitoring and improvement over time: Yes. The Technical Report describes monitoring during each administration window (verification of accessibility feature activation), post-administration reviews of usage data and incidents, investigation of discrepancies, corrective actions (retraining/procedural revisions), centralized incident logging, and trend review of accommodation usage across subgroups for continuous improvement.

Explain how the assessment ensures accessibility for all students (including students with disabilities and English learners) while preserving score validity:

MAST frames accessibility within federal/state participation and validity requirements, and operationalizes access through IEP/504- and EL plan-based decision-making, configuration of embedded supports via Kite PNP settings, and a defined set of embedded and non-embedded accommodations (including alternate responses and accessible formats such as braille/large print/paper where applicable). The Technical Report emphasizes standardized implementation and verification during administration windows to support access while protecting the intended construct.

Explain how accommodated results are included in student-, school-, and subgroup-level reporting and any implications for interpretation:

The Technical Report indicates accommodations and irregularities are captured in Kite and that accommodation indicators and trends are reviewed for reporting completeness/consistency under ESSA. However, it does not specify how accommodation use is displayed/flagged in score reports or data exports, nor does it specify aggregation/business rules (e.g., exclusions or interpretive cautions) for accommodated administrations. Additional reporting documentation (report guides, data dictionary, accountability business rules) may be needed to fully interpret accommodated results at student-, school-, and subgroup-levels.

Explain the process by which accessibility features and accommodation practices are reviewed, monitored, and improved:

The Technical Report describes a recurring monitoring and improvement cycle: verification of appropriate PNP settings and in-test activation of accessibility features; post-administration review of usage data; investigation and corrective actions for discrepancies; documentation of irregularities in Kite; centralized incident logging and review; and analyses of participation and accommodation usage trends across subgroups. Findings are used to refine manuals, training, and guidance over time.



# Practical Checklist

## Proposed Assessment: ACT WorkKeys

### *Face Validity* and Practical Significance

- ☒ ~~Does the assessment vendor and/or choice school clearly articulate what the assessment is intended to measure?~~

Source (Link or Citation):

<https://www.act.org/content/dam/act/unsecured/documents/ACT-workkeys-NCRC-technical-manual.pdf> pg. 1

Comments: This is a quote from the ACT WorkKeys Technical Manual:

“The ACT® WorkKeys® suite of assessments and the ACT® WorkKeys® National Career Readiness Certificate® (NCRC®) provide a comprehensive workforce development solution that gives high school students and job-seeking adults scores that are valid indicators of career readiness. The ACT WorkKeys Assessments and the resulting NCRC are nationally recognized for the comprehensive and holistic evaluation of workforce-ready skills that help job seekers gain employment and help employers find the right candidate.”

- ☒ ~~Does the assessment intend to measure things that the authorizer deems relevant to school performance and evaluation?~~

Source (Link or Citation):

<https://www.act.org/content/act/en/products-and-services/act-workkeys/act-workkeys-assessments.html>

Comments: Yes, the law requires that authorizers include measures of postsecondary readiness in their performance framework. The WorkKeys assessment is a measure of postsecondary readiness.

### *Content Validity* and Alignment to Standards

- ☐ Is the content of the assessment clearly aligned with the authorizer's performance framework and the targets contained within it?
- ☒ ~~Does the assessment provider provide documentation on how the assessment is aligned to relevant standards (criterion referenced) or evidence of the assessment's relationship to students within the choice school (norms referenced)?~~

Source (Link or Citation):

<https://www.act.org/content/dam/act/unsecured/documents/ACT-workkeys-NCRC-technical-manual.pdf>

Comments: The assessment vendor provides detailed documentation on the assessment and what it intends to measure. The content of the assessment is well-positioned to be used as a measure of postsecondary readiness, but the degree to which the measure of postsecondary readiness that can be obtained by using the WorkKeys assessment is aligned to the expectation of the authorizer is not yet defined.

## Evidence of Validity

- ☒ ~~Does the assessment vendor provide validity evidence (correlations with other established measures, comparisons of score groups, predictive validity)?~~
- ☐ Are there item-level analyses that show that items behave as expected (discriminate between students of different proficiency levels)?
- ☒ ~~Does the assessment vendor provide documentation that the assessment was reviewed by Subject Matter Experts (SMEs)?~~
- ☒ ~~Does the assessment vendor provide documentation on how they ensure that the assessment works similarly for different demographic groups?~~

Source (Link or Citation):

<https://www.act.org/content/dam/act/unsecured/documents/ACT-workkeys-NCRC-technical-manual.pdf> Chapter 11: Validity Section

Comments: The WorkKeys assessment is not like other standardized assessments in that they compile a set of necessary skills from SMEs (employers) and then they use an assessment to measure a student's competency in those skills. While the validity evidence is not what one might expect when evaluating a standardized assessment, the validity evidence is both compelling and comprehensive.

## Evidence of Reliability

- ☒ ~~Does the assessment vendor provide a technical report that includes reliability statistics (for example: internal consistency coefficients, test-retest reliability, alternate form reliability, standard error of measurement)?~~
- ☐ Does the assessment vendor report separate reliability statistics for different subgroups?
- ☒ ~~Are the reliability coefficients reasonably high (usually greater than or equal to 0.8)?~~
- ☒ ~~Does the assessment have a *reasonable* standard error of measurement (SEM) or information about the assessment's precision?~~

Source (Link or Citation):

<https://www.act.org/content/dam/act/unsecured/documents/ACT-workkeys-NCRC-technical-manual.pdf> Chapter 10: Reliability Section

Comments: Reliability statistics are provided with the exception of separate reliability statistics for different subgroups. Reliability statistics and SEMs are acceptable.

## Evidence of Alignment

- ☐ Does the assessment clearly link to Montana's state content standards?
- ☐ Are the content domains, cognitive processes, and skills measured by the assessment consistent with those emphasized in the standards?
- ☒ ~~Does the assessment developer provide a content alignment study or crosswalk demonstrating the relationship between test items and standards?~~

Source (Link or Citation):

<https://www.act.org/content/dam/act/unsecured/documents/ACT-workkeys-NCRC-technical-manual.pdf> Chapter 1

Comments: The WorkKeys assessment is aligned to standards but they are different than most standards to which an assessment would be aligned. WorkKeys aligns the assessment to The College and Career Readiness Standards for Adult Education (CCRS AE) which were developed using a subset of the Common Core State Standards (CCSS) that were deemed most relevant for adult education. In this way, the WorkKeys assessment is broadly aligned to standards that most educators would be familiar with. The WorkKeys assessment is a creative solution that serves a different purpose than many other assessment tools and for this reason it should not be expected to conform to all of the norms in educational assessment.

## Evaluating Growth Measures

- ☐ Does the assessment report student-level growth metrics that are reliable and replicable across administrations?
- ☒ ~~Are growth estimates based on longitudinal data that track individual student progress over time?~~
- ☐ Is the growth model clearly specified (e.g., Conditional Growth Percentiles, Student Growth Percentiles, or gain scores)?
- ☒ ~~Are the conditions for valid growth comparison met—such as consistent scaling, equated test forms, and similar constructs across years?~~
- ☐ Does the growth measure allow for conditional interpretation, meaning it accounts for the starting achievement level when evaluating progress?

- ☒ ~~Can growth data be aggregated to the school or subgroup level without introducing bias or instability?~~
- ☐ Are growth results communicated in an interpretable way for educators, families, and policymakers (e.g., growth categories, percentile distributions)?

Source (Link or Citation):

<https://www.act.org/content/act/en/products-and-services/act-workkeys/act-workkeys-assessments/scores.html>

Comments: The WorkKeys assessment does not include a conditional growth model, rather it encourages educators and students to track progress over time. The assessment provides level scores for hiring and enhancement and utilizes scaled scores to track progress over time. This isn't considered a growth score in the traditional sense, it might be more accurately described as a change in proficiency over time. One may be able to argue that this change in scaled score constitutes a valid and reliable growth measure but they would have to adopt a looser definition of growth.

## Ensuring Equitable Results Across Subgroups - *Differential Item Functioning*

- ☒ ~~Does the assessment vendor perform rigorous testing to ensure the assessment is not impacted by demographic differences between subgroups?~~

Source (Link or Citation)

<https://www.act.org/content/dam/act/unsecured/documents/ACT-workkeys-NCRC-technical-manual.pdf> Chapter 12: Test Fairness

Explain the process by which the assessment ensures the results are equitable across subgroups: The WorkKeys assessment uses Differential Item Functioning (DIF) to minimize bias between subgroups. WorkKeys provides a detailed description of their process in the technical manual. They test item performance between a focal group and a reference group and if the probability of answering a question correctly differs between groups then they evaluate the item for bias. SMEs either make adjustments to the item and submit it for retesting or they throw out the item. The process is comprehensive and aligned to industry standards.

## Ensuring Accessible Assessment and Accommodations

- ☒ ~~Does the assessment vendor document and implement accessibility features that allow students to meaningfully access the assessment without altering the construct being measured?~~
- ☒ ~~Does the assessment vendor provide a clearly defined accommodations policy aligned with federal and state requirements (e.g., IDEA, Section 504)?~~

- ☐ Does the assessment platform support assistive technologies and comply with recognized digital accessibility standards (e.g., WCAG 2.0/2.1)?
- ☐ Does the assessment vendor document how accommodated administrations are handled in reporting and aggregation?
- ☒ Does the assessment vendor monitor accessibility performance and accommodation use over time to identify and address barriers?

Source (Link or Citation):

<https://www.act.org/content/dam/act/unsecured/documents/WorkKeysAccessibilitySupportsGuide.pdf>

<https://www.act.org/content/dam/act/unsecured/documents/ACT-workkeys-NCRC-technical-manual.pdf> Chapter 5

Explain how the assessment ensures accessibility for all students (including students with disabilities and English learners) while preserving score validity:

The WorkKeys assessment defines three levels of student support: 1. Universal Supports, 2. Designate Supports, and 3. Accommodations. They give general guidance for the utilization of supports in their technical manual and also a specific guide for accessibility and supports (link above).

Explain how accommodated results are included in student-, school-, and subgroup-level reporting and any implications for interpretation:

This is unclear, however given that the WorkKeys assessment is a criterion-referenced assessment the impact of the inclusion or exclusion of students with accommodations is unlikely to make an impact on the interpretation of results.

Explain the process by which accessibility features and accommodation practices are reviewed, monitored, and improved:

ACT, the assessment vendor, makes a commitment to maintaining accommodation in line with industry standards and best practices.

# Practical Checklist

## Proposed Assessment: SAT/PSAT

### *Face Validity* and Practical Significance

- ☒ ~~Does the assessment vendor and/or choice school clearly articulate what the assessment is intended to measure?~~

Source (Link or Citation):

<https://satsuite.collegeboard.org/>

Comments: The PSAT/SAT Suite is designed to measure college and career readiness in Evidence-Based Reading and Writing and Mathematics. College Board documentation clearly states that the suite is vertically aligned to track academic development from middle school through high school.

- ☒ ~~Does the assessment intend to measure things that the authorizer deems relevant to school performance and evaluation?~~

Source (Link or Citation):

<https://satsuite.collegeboard.org/media/pdf/sat-suite-assessments-technical-manual.pdf>

Comments: Yes. The PSAT/SAT Suite measures academic achievement and readiness outcomes relevant to secondary school evaluation. When used as a system, it supports longitudinal analysis of student progress.

### *Content Validity* and Alignment to Standards

- ☐ Is the content of the assessment clearly aligned with the authorizer's performance framework and the targets contained within it?
- ☒ ~~Does the assessment provider provide documentation on how the assessment is aligned to relevant standards (criterion referenced) or evidence of the assessment's relationship to students within the choice school (norms referenced)?~~

Source (Link or Citation):

<https://satsuite.collegeboard.org/media/pdf/sat-suite-assessments-technical-manual.pdf>

Comments: The SAT documents how their assessment is aligned to success in college and the content is designed to measure the performance of students on concepts most likely to predict readiness for college level courses. The degree to which it aligns with the authorizer's framework is not yet defined.

## Evidence of Validity

- ☒ Does the assessment vendor provide validity evidence (correlations with other established measures, comparisons of score groups, predictive validity)?
- ☒ Are there item-level analyses that show that items behave as expected (discriminate between students of different proficiency levels)?
- ☒ Does the assessment vendor provide documentation that the assessment was reviewed by Subject Matter Experts (SMEs)?
- ☒ Does the assessment vendor provide documentation on how they ensure that the assessment works similarly for different demographic groups?

Source (Link or Citation):

<https://satsuite.collegeboard.org/media/pdf/sat-suite-assessments-technical-manual.pdf> Chapter 2: Fairness & Chapter 7: Validity

Comments: The assessment vendor provides validity evidence associated with the objectives of the assessment. They also provide detailed psychometric evidence and they consult experts to help develop the assessment. They provide detailed information on how they ensure fairness across subgroups.

## Evidence of Reliability

- ☐ Does the assessment vendor provide a technical report that includes reliability statistics (for example: internal consistency coefficients, test-retest reliability, alternate form reliability, standard error of measurement)?
- ☐ Does the assessment vendor report separate reliability statistics for different subgroups?
- ☐ Are the reliability coefficients reasonably high (usually greater than or equal to 0.8)?
- ☒ Does the assessment have a *reasonable* standard error of measurement (SEM) or information about the assessment's precision?

Source (Link or Citation):

<https://satsuite.collegeboard.org/media/pdf/sat-suite-assessments-technical-manual.pdf>

Chapter 6: Psychometrics

<https://satsuite.collegeboard.org/media/pdf/sat-suite-assessments-technical-manual-appendix-pt-2.pdf>

Comments: The SAT provides a detailed technical manual and a separate manual of appendices associated with the technical manual. While they state that their reliability metrics are sound, they do not report them either in the technical manual or the appendices. This may be because the SAT has recently undergone significant changes. This should be monitored.

## Evidence of Alignment

- ☐ Does the assessment clearly link to Montana's state content standards?
- ☐ Are the content domains, cognitive processes, and skills measured by the assessment consistent with those emphasized in the standards?
- ☒ ~~Does the assessment developer provide a content alignment study or crosswalk demonstrating the relationship between test items and standards?~~

Source (Link or Citation):

<https://satsuite.collegeboard.org/media/pdf/sat-suite-assessments-technical-manual.pdf> Chapter 3

Comments: The SAT provides information on how the assessment is developed but the assessment is not developed with Montana standards, directly.

## Evaluating Growth Measures

- ☒ ~~Does the assessment report student level growth metrics that are reliable and replicable across administrations?~~
- ☒ ~~Are growth estimates based on longitudinal data that track individual student progress over time?~~
- ☒ ~~Is the growth model clearly specified (e.g., Conditional Growth Percentiles, Student Growth Percentiles, or gain scores)?~~
- ☒ ~~Are the conditions for valid growth comparison met—such as consistent scaling, equated test forms, and similar constructs across years?~~
- ☐ Does the growth measure allow for conditional interpretation, meaning it accounts for the starting achievement level when evaluating progress?
- ☒ ~~Can growth data be aggregated to the school or subgroup level without introducing bias or instability?~~
- ☐ Are growth results communicated in an interpretable way for educators, families, and policymakers (e.g., growth categories, percentile distributions)?

Source (Link or Citation):

<https://satsuite.collegeboard.org/media/pdf/sat-suite-assessments-technical-manual.pdf> Chapter 7.6

Comments: Growth on the PSAT/SAT is represented by the change of student performance over time. The scale between the PSAT and SAT assessments is vertical so it allows tracking over time. The SAT does not provide student growth percentiles. This is not surprising given the purpose of the SAT is to determine whether or not a student is ready for college level courses,



the focus on that benchmark and not on the change in student performance over time is consistent with that goal.

## Ensuring Equitable Results Across Subgroups - *Differential Item Functioning*

- ☒ ~~Does the assessment vendor perform rigorous testing to ensure the assessment is not impacted by demographic differences between subgroups?~~

Source (Link or Citation):

<https://satsuite.collegeboard.org/media/pdf/sat-suite-assessments-technical-manual.pdf> Chapter 2: Fairness

Explain the process by which the assessment ensures the results are equitable across subgroups: The assessment vendor provides detailed documentation on their process ensuring fairness. They start by using SMEs to help develop test questions. Once the questions are developed they test them using differential item functioning (DIF) this method compares the performance of groups of students to one another. If there is a group difference in the probability of answering a question correctly then they evaluate the item for bias. The SMEs then make adjustments to the items and resubmit them for retesting or if the item cannot be modified to reduce the bias then they throw it out altogether. This is consistent with industry standards.

## Ensuring Accessible Assessment and Accommodations

- ☒ ~~Does the assessment vendor document and implement accessibility features that allow students to meaningfully access the assessment without altering the construct being measured?~~
- ☒ ~~Does the assessment vendor provide a clearly defined accommodations policy aligned with federal and state requirements (e.g., IDEA, Section 504)?~~
- ☒ ~~Does the assessment platform support assistive technologies and comply with recognized digital accessibility standards (e.g., WCAG 2.0/2.1)?~~
- ☐ Does the assessment vendor document how accommodated administrations are handled in reporting and aggregation?
- ☒ ~~Does the assessment vendor monitor accessibility performance and accommodation use over time to identify and address barriers?~~

Source (Link or Citation):

<https://bluebook.collegeboard.org/students/accommodations-assistive-technology>  
<https://satsuite.collegeboard.org/media/pdf/sat-suite-assessments-technical-manual.pdf> Chapter 2.3: Fairness

Explain how the assessment ensures accessibility for all students (including students with disabilities and English learners) while preserving score validity:

The College Board (assessment vendor) has a documented process for accommodations are handled and they provide assurances that the underlying constructs that are being measured are not impacted by the accommodation for a student. Students with disabilities or documented need for accommodations have to submit documentation to the College Board.

Explain how accommodated results are included in student-, school-, and subgroup-level reporting and any implications for interpretation:

They are included in the results. The College Board states that approved accommodations do not affect the measurement of the underlying construct.

Explain the process by which accessibility features and accommodation practices are reviewed, monitored, and improved:

They are reviewed based on the impact on underlying constructs and industry standards.

# Montana Code Annotated 2025

## TITLE 20. EDUCATION

### CHAPTER 11. COMMUNITY CHOICE SCHOOLS

#### Part 1. Community Choice Schools Act

## Community Choice School Performance And Renewal

**20-11-117. Community choice school performance and renewal.** (1) The performance provisions within the charter contract must be based on a performance framework that clearly sets forth the academic and operational performance indicators, measures, and metrics that will guide the authorizer's evaluations of each choice school. The performance framework must include indicators, measures, and metrics for, at a minimum:

- (a) student academic proficiency;
- (b) student academic growth;
- (c) achievement gaps in both proficiency and growth between major student subgroups;
- (d) attendance;
- (e) recurrent enrollment from year to year;
- (f) postsecondary readiness;
- (g) financial performance and sustainability; and
- (h) governing board performance and stewardship, including compliance with all applicable laws, regulations, and terms of the charter contract.

(2) Each choice school, in conjunction with its authorizer, shall set annual performance targets designed to help each school meet applicable federal, state, and authorizer expectations.

(3) (a) The contract performance framework must include rigorous, valid, and reliable indicators proposed by a choice school to evaluate its performance that are consistent with the purposes of this part.

(b) The authorizer shall collect and analyze data from each choice school it oversees in accordance with the performance framework.

(c) Multiple schools operating under a single charter contract or overseen by a single governing board shall report their performance as separate, individual schools. Each school must be held independently accountable for its performance.

(4) (a) An authorizer shall monitor the performance and legal compliance of the choice schools it oversees, including collecting and analyzing data to support ongoing evaluation according to the charter contract. Every authorizer has the authority to conduct or require oversight activities that do not unduly inhibit the autonomy granted to choice schools but that enable the authorizer to fulfill its responsibilities under this part, including conducting appropriate inquiries and investigations consistent with the intent of this part, and to adhere to the terms of the charter contract. Required oversight activities may not encumber the choice school financially and may be appealed by the choice school through the commission.

(b) Each authorizer shall annually publish and provide as part of its annual report to the commission a performance report for each choice school it oversees, within the performance framework set forth in the charter contract and **20-11-112**. The authorizer may require each choice school it oversees to submit an annual report to assist the authorizer in gathering complete information about each school, consistent with the performance framework.

(c) In the event that a choice school's performance or legal compliance appears unsatisfactory, the authorizer shall promptly notify the choice school of the perceived problem and provide a reasonable opportunity for the school to remedy the problem.

(d) An authorizer may take appropriate corrective action or exercise sanctions short of revocation in response to apparent deficiencies in choice school performance or legal compliance. The action or sanctions may include, if warranted, requiring a choice school to develop and execute a corrective action plan within a specified timeframe.

(5) (a) A charter contract may be renewed for successive 5-year terms, although the authorizer may vary the term based on the performance, demonstrated capacities, and particular circumstances of each choice school. An authorizer may grant renewal with specific conditions for necessary improvement to a choice school.

(b) No later than June 30 of each year, the authorizer shall issue a choice school performance report and charter renewal application guide to any choice school whose charter contract will expire the following year. The performance report must summarize the choice school's performance record to date, based on the data required by this part and the charter contract, and must provide notice of any weaknesses or concerns perceived by the authorizer concerning the choice school that may jeopardize renewal if not promptly rectified. The choice school shall respond to the performance report and submit any corrections or clarifications within 90 days.

(6) The renewal application guide must, at a minimum, provide an opportunity for the choice school to:

(a) present additional evidence, beyond the data contained in the performance report, supporting its case for charter contract renewal;

(b) describe improvements undertaken or planned for the choice school; and

(c) detail the choice school's plans for the next charter contract term.

(7) The renewal application guide must include or refer explicitly to the criteria that will guide the authorizer's renewal decisions, based on the performance framework set forth in the charter contract and consistent with this part.

(8) (a) No later than February 1 of each year, the governing board of a community choice school seeking renewal shall submit a renewal application to the authorizer pursuant to the renewal application guide issued by the authorizer. The authorizer shall rule by resolution on the renewal application no later than 30 days after the filing of the renewal application.

(b) Every authorizer shall, when considering charter contract renewal:

(i) base its decision on evidence of the school's performance over the term of the charter contract in accordance with the performance framework set forth in the charter contract;

(ii) ensure that the data used in making renewal decisions is available to the choice school and to the public; and

(iii) provide a public report summarizing the basis for each decision.

# Treasurer's Report on Commission Financials

## 2.18.26

### 51010 Board of Public Education Revenue/Expenditure Comparison by Fund, Org

Data Selected for Month/FY: 01 (Jul)/2023 through 08 (Feb)/2026

Fund	Org	Acct Lvl 1	Acct Lvl 2	Revenues	Expenditures	Rev less Exp
08084	Community Choice Schools			327,500.00	252,135.59	75,364.41
	20 Community Choice Schools			327,500.00	252,135.59	75,364.41
		580000	Grants/Transfers/Misc	327,500.00	0.00	327,500.00
			580000 Grants/Transfers/Misc	327,500.00	0.00	327,500.00
		61000	Personal Services	0.00	103,717.66	(103,717.66)
			61100 Salaries	0.00	78,302.86	(78,302.86)
			61400 Employee Benefits	0.00	25,414.80	(25,414.80)
		62000	Operating Expenses	0.00	148,417.93	(148,417.93)
			62100 Other Services	0.00	120,952.14	(120,952.14)
			62200 Supplies & Materials	0.00	1,622.61	(1,622.61)
			62300 Communications	0.00	1,770.43	(1,770.43)
			62400 Travel	0.00	18,054.40	(18,054.40)
			62500 Rent	0.00	546.01	(546.01)
			62800 Other Expenses	0.00	5,472.34	(5,472.34)
(blank)						0.00
Grand Total				327,500.00	252,135.59	75,364.41



**Montana Board of Public Education**  
Community Choice School Commission Presentation  
February 18, 2026

- ❖ Who is the Board of Public Education?
- ❖ The Board of Public Education and Office of Public Instruction
- ❖ Policy Highlights
  - Accreditation
  - Early Targeted Interventions
  - New Class 9 Special Education Technician License



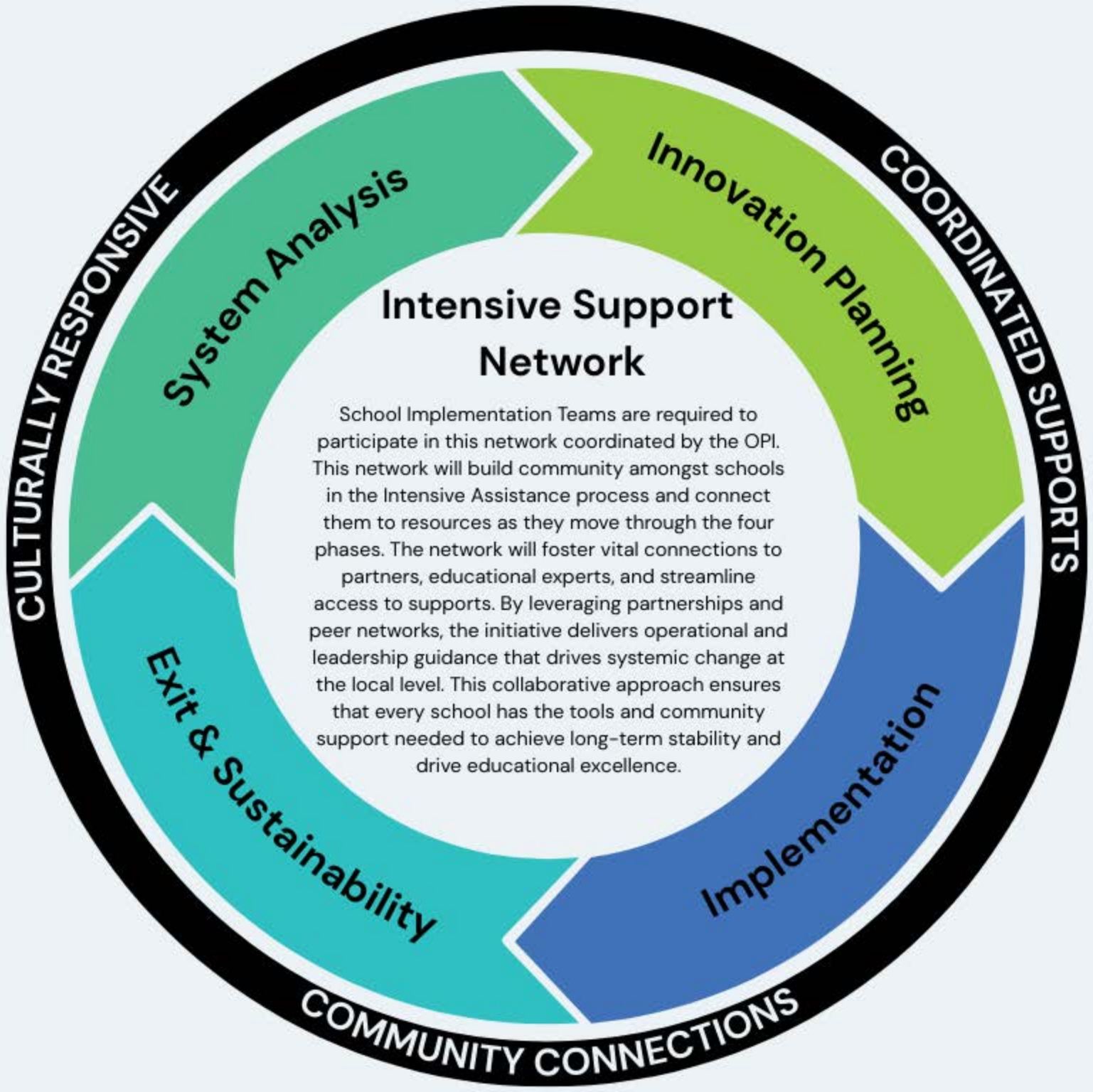
# **ACCREDITATION**

## **Intensive Assistance Vision Statement**

### **(Proposed)**

*Intensive Assistance Support will be intentional, individualized, and culturally relevant—designed to honor local context and community voice while maintaining clarity and accountability. In collaboration with its community, each school develops a plan reflecting its unique strengths and needs, using backward mapping and transparent progress markers. Flexibility will be provided to locally define relevant goals, identify and mitigate barriers, and adjust supports. As a result schools will implement focused strategies, provide opportunities, demonstrate progress, and achieve academic outcomes that endure for students.*





# 4 Phases of Intensive Assistance

## SYSTEM ANALYSIS

- The process is led by the school with support from a 3rd party entity, using a framework supplied by OPI.
- A wide variety of qualitative and quantitative data are examined, including student achievement and factors that contribute to it (e.g. basic needs, cultural instruction, facilities, staffing trends, public health data).
- The entire school community participates in gathering and making meaning from the data.
- The initial outcome is a student-centered vision and map of assets and challenges.

## INNOVATION PLANNING

- The plan is supported by an implementation team that builds the necessary framework, accesses resources, and creates organizational supports.
- The team will lead ongoing professional learning, coaching and feedback, data collection, and course correction.
- The team builds momentum and commitment and makes data visible to show progress and outcomes.
- The implementation team will conduct community data sharing at least twice yearly.

## IMPLEMENTATION

- Weekly meetings of the dedicated intensive support network team aligned to the needs identified through the system analysis phase (finance, administration, instruction) works with school leaders, staff, parents, students, tribal representatives.
- The team collaborates on locally relevant goals, strategic actions, and policy flexibilities to strengthen implementation.
- Broad community participation is required, as well as transparency about challenges and consequences, and clear communication plans for both community and school staff.
- The plan is formalized and adopted by the local school board, the State Superintendent and approved by the BPE.

## EXIT & SUSTAINABILITY

- Exit criteria is based on student performance and assurance standards.
- To exit, schools must demonstrate sufficient and sustained progress.
- Schools present progress on goals and objectives, action steps, and data analysis, challenges and barriers, financial update and next steps to the BPE bi-annually.
- Schools may participate for a maximum of **three years** before a decision is made on their exit/status.
- Schools that lack participation in the process, make no progress on student achievement, or fail to exit will be placed on non-accredited status.
- Schools that successfully exit IA will continue to participate in the Intensive Support Network for at least one and up to three years.



## Summary of the Intensive Assistance Timeline

This timeline outlines a seven-step process for a school placed in "intensive assistance" due to consecutive years of overall deficient accreditation status, culminating in either exiting the process or moving to non-accredited status. Schools placed in "intensive assistance" will have one year for systems analysis and innovation planning, followed by three years of plan implementation with biannual progress updates, before either exiting "intensive assistance" status or being recommended for non-accreditation.

Step	Action/Requirement	Key Timeline	Potential Outcome
<b>Preamble</b>	The Board of Public Education (BPE) approves overall accreditation statuses for all schools.	<b>MAY</b>	Establishes the initial deficient status.
<b>STEP 1</b>	The State Superintendent recommends BPE place school in intensive assistance, if 2 years of overall deficient status. School starts receiving support. OPI/State Superintendent presents the process to the district school board.	<b>MAY</b>	Formal initiation of the Intensive Assistance process.
<b>STEP 2</b>	A 3rd Party Entity supports the school in conducting a system analysis to drive the development of an innovation plan. The school presents and submits the system analysis.	<b>NOVEMBER</b>	Establishes the foundation for the innovation plan.



Step	Action/Requirement	Key Timeline	Potential Outcome
<b>STEP 3</b>	School submits and presents the innovation plan. BPE approves or denies the plan. If approved, implementation begins. If denied, school updates plan based on feedback to resubmit in May.	<b>MARCH</b>	Innovation plan is finalized and implementation starts.
<b>STEP 4</b>	School submits assurance standards components for accreditation review. OPI reports assurance standard rating to BPE.	<b>MAY</b>	If overall rating is Deficient, the school is recommended for non-accreditation (moves to Step 6).
<b>Ongoing Progress Reports</b>	School presents biannual progress reports including information prepared with support from the 3rd Party Entity. OPI presents state assessment data.	<b>NOVEMBER</b> (Year 1, 2, 3) & <b>MARCH</b> (Year 2, 3)	Continuous monitoring and evidence of progress is required. Failure to show improvement leads to Step 6.
<b>STEP 5</b>	School submits assurance and student performance components in the 3rd year of Intensive Assistance. OPI reports overall accreditation rating to BPE.	<b>MARCH</b> (Submission) / <b>MAY</b> (Report)	If <b>Deficient</b> , school is recommended for non-accreditation (moves to Step 6). If <b>Regular, Regular with Minor Deviation, or Advice</b> , the school is <i>exited</i> from intensive assistance and receives one more year of support.

Susie Hedalen, Superintendent  
PO Box 202501  
Helena, MT 59620-2501



Phone: 406.444.3680  
opi.mt.gov

Step	Action/Requirement	Key Timeline	Potential Outcome
<b>STEP 6</b>	BPE gives notice of potential non-accredited status. The school can appeal at the next meeting. BPE approves or denies appeal and takes action to place the school in non-accredited status if the appeal is denied.	<b>MAY</b> (Notice) / <b>JULY</b> (Appeal & Action)	Final decision point for non-accreditation status.
<b>STEP 7</b>	The school officially enters non-accredited status.	Following <b>JULY 1</b>	Final consequence of the process.

Title 10, Chapter 54, Part 9  
**Early Targeted Interventions Standards**

**10.54.901 EVALUATION METHODOLOGY FOR EARLY LITERACY TARGETED INTERVENTIONS**

- (1) The local board of trustees shall adopt and ensure use of an evaluation methodology to identify, enroll, and admit children to early targeted interventions. The evaluation methodology used must be overseen by and include application of professional judgment of qualified employees. A child may not be evaluated for the purposes of these interventions unless requested by the child's parent or guardian. The district must maintain evidence of the request. The evaluation methodology must assess at least one of the following literacy skills:
- (a) For four-year-olds:
    - (i) oral language;
    - (ii) phonological awareness;
    - (iii) alphabet knowledge.
  - (b) Prior to kindergarten:
    - (i) oral language;
    - (ii) phonological awareness;
    - (iii) alphabet knowledge.
  - (c) Prior to first grade:
    - (i) phoneme awareness;
    - (ii) listening comprehension;
    - (iii) developmental spelling;
    - (iv) vocabulary (expressive or receptive);
    - (v) word reading (nonsense or real);
    - (vi) reading composite.
  - (d) Prior to second grade:
    - (i) listening comprehension;
    - (ii) developmental spelling;
    - (iii) vocabulary (expressive or receptive);
    - (iv) word reading (nonsense or real);
    - (v) connected text reading fluency;
    - (vi) connected text accuracy;
    - (vii) reading composite.
  - (e) Prior to third grade:
    - (i) developmental spelling;
    - (ii) vocabulary (expressive or receptive);
    - (iii) word reading (nonsense or real);
    - (iv) connected text reading fluency;
    - (v) connected text accuracy;
    - (vi) reading comprehension;
    - (vii) reading composite.



- (2) The list of approved evaluation methodology screening tools must be reviewed in odd years through a process of review complying with the provisions of Title 2, chapter 3, MCA, to ensure continuous adherence to developmentally appropriate and research-based screening tool requirements. Any changes to the list must be published and made publicly available by the Board of Public Education no later than 30 days after adoption of any changes. The removal of an evaluation methodology screening tool shall not be effective until July 1 following such removal.
- (3) A local board of trustees adopting and using one of the approved evaluation methodology screening tools shall be construed to have complied with this rule.
  - (a) Use of one of the approved evaluation methodology screening tools shall not, however, be required, provided that the district's adopted evaluation methodology screening tool conforms to the requirements of (1).
- (4) For the purposes of this rule, "evaluation methodology" means an age-appropriate research-based methodology, instrument, or assessment selected by the Board of Public Education to determine, based on a child's age or grade level, whether the child is above, at, or below a developmental trajectory leading to reading or math proficiency on completion of third grade.

AUTH: Mont. Const. Art. X, sec. 9, 20-2-114, 20-7-1803, MCA

IMP: Mont. Const. Art. X, sec. 9, 20-7-1803, MCA

#### **10.54.902 JUMPSTART PROGRAM FRAMEWORK FOR EARLY TARGETED INTERVENTIONS**

- (1) The local board of trustees may offer a jumpstart program to support early targeted intervention based on evaluation methodology identified in ARM 10.54.901 as aligned to the Montana Early Childhood Education Standards and the Montana Content Standards for English Language Arts and Literacy and Mathematics.
- (2) The jumpstart program must be overseen by and include application of professional judgment of qualified employees and must be designed in a manner to increase the likelihood of a child being evaluated at the end of the ensuing school year to be at or above a trajectory leading to reading or math proficiency at the end of third grade.
- (3) For the purposes of this rule, "jumpstart program" means a program that is at least four weeks in duration and provides at least 120 instructional hours and takes place during the time between the end of one school calendar year and the start of the next school calendar year, as determined by the trustees, preceding a child's entry into kindergarten, first grade, second grade, or third grade.

AUTH: Mont. Const. Art. X, sec. 9, 20-2-114, 20-7-1803, MCA

IMP: Mont. Const. Art. X, sec. 9, 20-7-1803, MCA

## **10.54.903 EVALUATION METHODOLOGY FOR EARLY NUMERACY TARGETED INTERVENTIONS**

- (1) The local board of trustees shall adopt and ensure use of an evaluation methodology to identify, enroll, and admit children to early targeted interventions. The evaluation methodology used must be overseen by and include application of professional judgment of qualified employees. A child may not be evaluated for the purposes of these interventions unless requested by the child's parent or guardian. The district must maintain evidence of the request. The evaluation methodology must assess at least one of the following numeracy skills:
- (a) For four-year-olds:
    - (i) number naming;
    - (ii) one-to-one correspondence;
    - (iii) oral counting;
    - (iv) quantity comparison.
  - (b) Prior to kindergarten:
    - (i) number naming;
    - (ii) one-to-one correspondence;
    - (iii) oral counting;
    - (iv) quantity comparison;
    - (v) cardinality.
  - (c) Prior to first grade:
    - (i) oral counting;
    - (ii) quantity comparison;
    - (iii) cardinality;
    - (iv) subitizing;
    - (v) numeral identification;
    - (vi) math composite.
  - (d) Prior to second grade:
    - (i) subitizing;
    - (ii) number order;
    - (iii) strategic counting;
    - (iv) numeral identification;
    - (v) number comparison;
    - (vi) addition and subtraction;
    - (vii) math composite.
  - (e) Prior to third grade:
    - (i) numeral identification;
    - (ii) number comparison;
    - (iii) addition and subtraction;
    - (iv) problems in context;
    - (v) math composite.



- (2) The list of approved evaluation methodology screening tools must be reviewed in odd years through a process of review complying with the provisions of Title 2, chapter 3, MCA, to ensure continuous adherence to developmentally appropriate and research-based screening tool requirements. Any changes to the list must be published and made publicly available by the Board of Public Education no later than 30 days after adoption of any changes. The removal of an evaluation methodology screening tool shall not be effective until July 1 following such removal.
- (3) A local board of trustees adopting and using one of the approved evaluation methodology screening tools shall be construed to have complied with this rule.
- (a) Use of one of the approved evaluation methodology screening tools shall not, however, be required, provided that the district's adopted evaluation methodology screening tool conforms to the requirements of (1).
- (4) For the purposes of this rule, "evaluation methodology" means an age-appropriate research-based methodology, instrument, or assessment selected by the Board of Public Education to determine, based on a child's age or grade level, whether the child is above, at, or below a developmental trajectory leading to reading or math proficiency on completion of third grade.

AUTH: Mont. Const. Art. X, sec. 9, 20-2-114, 20-7-1803, MCA

IMP: Mont. Const. Art. X, sec. 9, 20-7-1803, MCA



**MONTANA  
ADMINISTRATIVE  
REGISTER**



**BOARD OF PUBLIC EDUCATION**

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**NOTICE OF PROPOSED RULEMAKING**

**MAR NOTICE NO. 2026-4.1**

**Summary**

Adoption of NEW RULE 1 (10.57.439) pertaining to Class 9 Special Education Technician License in the Educator Licensure Standards

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**Hearing Date and Time**

Tuesday, March 3, 2026, at 10:00 a.m.

**Virtual Hearing Information**

Please click the link below to join the webinar:

<https://mt-gov.zoom.us/j/82948590657>

**Comments**

Comments may be submitted using the contact information below. Comments must be received by Friday, March 6, 2026, at 5:00 p.m.

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**Accommodations**

The agency will make reasonable accommodations for persons with disabilities who wish to participate in this rulemaking process or need an alternative accessible format of this notice. Requests must be made by Friday, February 27, 2026, at 5:00 p.m.

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## Contact

McCall Flynn  
(406) 444-6576  
bpe@mt.gov

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## General Reasonable Necessity Statement

The proposed new rule will support the intent to increase the capacity of Montana's paraprofessionals to provide a higher level of support to Montana students with disabilities. In particular, the purpose is to certify a technician, who meets requirements to provide technical services to a special education supervising teacher. This pathway is currently not available through any other classification of licenses under the authority of the Board of Public Education. The new rule will be numbered ARM 10.57.439 and titled Class 9 Special Education Technician License.

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## Rulemaking Actions

### ADOPT

The rules proposed to be adopted are as follows:

#### **NEW RULE 1 (10.57.439) CLASS 9 SPECIAL EDUCATION TECHNICIAN LICENSE**

- (1) A Class 9 special education technician license shall be valid for a term of five years.
- (2) To obtain a Class 9 special education technician license, an applicant must submit verification of all of the following:
  - (a) hold a high school diploma or high school equivalency diploma;
  - (b) completion of the approved special education technician online modules, as determined by the Superintendent of Public Instruction;
  - (c) proof of 1,000 hours of documented special education work or relevant work experience, as determined by the Superintendent of Public Instruction;
  - (d) verified completion of four institutionally accredited college or university introductory courses in education, as determined by the Superintendent of Public Instruction; and
  - (e) verified completion of the online course "An Introduction to Indian Education for All in Montana."

- (3) A Class 9 special education technician license is renewable pursuant to the requirements of ARM 10.57.215 with 30 professional development units.
- (4) A lapsed Class 9 special education technician license may be reinstated by earning 30 professional development units as defined in ARM 10.57.215(4) during the five-year period preceding the date of application for the new license.

**Authorizing statute(s):** Mont. Const. Art. X, sec. 9, 20-4-102, MCA

**Implementing statute(s):** Mont. Const. Art. X, sec. 9, 20-4-106, 20-4-108, MCA

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### **Small Business Impact**

The Board of Public Education adopts rules that primarily impact teachers, administrators, and school district operations. The board works in cooperation with public schools across the state to implement the rules that are adopted. Given that the board does not work directly with small businesses, the small business impact analysis performed as required under 2-4-111, MCA, indicates that no small businesses are likely to be directly impacted by the proposed rule changes.

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### **Bill Sponsor Notification**

The bill sponsor contact requirements of 2-4-302, MCA, do not apply.

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### **Interested Persons**

The board maintains a list of interested persons who wish to receive notices of rulemaking actions proposed by this agency. Persons who wish to have their name added to the list shall make a written request that includes the name, email, and mailing address of the person to receive notices and specifies for which program the person wishes to receive notices. Notices will be sent by email unless a mailing preference is noted in the request. Such written request may be mailed or delivered to the contact person above or may be made by completing a request form at any rules hearing held by the board.

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**Rule Reviewer**  
McCall Flynn

**Approval**  
Dr. Tim Tharp  
Board Chair