

# BOARD OF PUBLIC EDUCATION MEETING MINUTES

July 12-14, 2023  
Montana State Capitol Building, Room 152  
Helena, MT

Wednesday, July 12, 2023  
1:00 PM

## CALL TO ORDER

Chair Quinlan called the meeting to order at 1:00 PM and led the Board in the Pledge of Allegiance. Ms. Kris Stockton took Roll Call. The Chair read the Statement of Public Participation and welcomed guests, inviting guests to introduce themselves to the Board.

Board members present: Ms. Madalyn Quinlan, Chair; Ms. Susie Hedalen, Vice Chair; Ms. Renee Rasmussen; Dr. Ron Slinger; Ms. Anne Keith; Ms. Jane Hamman; Dr. Tim Tharp; Mr. Gavin Mow, Student Representative. Ex Officio Members: Superintendent Elsie Arntzen, Office of Public Instruction (OPI); Dr. Angela McLean, Office of Commissioner of Higher Education; Mr. Dylan Klapmeier, Governor's Office. Staff: Ms. McCall Flynn, Executive Director; Ms. Kris Stockton, Administrative Specialist; Ms. Julie Balsam, Accounting Technician. Guests: Ms. Krystal Smith, OPI; Ms. Ashley Eden, New Meridian; Mr. Chris Gentile, New Meridian; Superintendent Chad Johnson, Livingston Public Schools; Mr. Larry Crowder, Executive Director Montana Rural Education Association (MREA); Ms. Moffie Funk, Montanans Organized for Education (MOFE); Ms. Jenny Murnane-Butcher, Deputy Director, MOFE; Mr. Jay Phillips, OPI; Ms. Amanda Curtis, Montana Federation of Public Employees (MFPE); Mr. Jeff Havens; Mr. Erik Burke, MFPE; Ms. Jordan Krause, MFPE.

## PUBLIC COMMENT

Superintendent Chad Johnson, Livingston Public Schools, gave public comments pertaining to HB 352, Early Literacy, and offered any assistance necessary to implement the bill requirements.

Ms. Amanda Curtis, President, MFPE thanked the Board for their work.

## CONSENT AGENDA

**Ms. Jane Hamman moved to approve the Consent Agenda as presented. Motion seconded by Dr. Ron Slinger.**

*No discussion. Motion passed unanimously.*

## ADOPT AGENDA

**Ms. Renee Rasmussen moved to approve the agenda as presented. Motion seconded by Ms. Jane Hamman.**

*No discussion. Motion passed unanimously.*

## **STRATEGIC PLANNING SESSION – Madalyn Quinlan REVIEW STRATEGIC PLAN**

Ms. Flynn reviewed the proposed revisions to the Strategic Plan for the Board. Chair Quinlan discussed the revisions and answered Board member questions pertaining to the proposed revisions. Board members discussed the Montana School Safety Advisory Committee and Board participation.

## **REVIEW BYLAWS**

Ms. Flynn reviewed a draft version of the Bylaws and explained to the Board the reasons for the proposed revisions. Board members discussed the proposed revisions.

## **REVIEW COMMITTEE ASSIGNMENTS**

Ms. Flynn reviewed the current committee assignments, as appointed by Chair Quinlan, and Board members discussed the makeup of the committee assignment. Ms. Flynn commented that the current structure will be revised to better represent the Board committees, Board liaisons, and Board appointments to other committees and councils.

## **SET ANNUAL AGENDA CALENDAR AND MEETING CALENDAR 2024**

Ms. Flynn reviewed the proposed meeting calendar schedule for the next year and stated reasons for proposed changes. Chair Quinlan asked Board members to discuss what proposed dates work best for them, and that the calendar will be acted upon via the Consent Agenda at the September meeting. Ms. Flynn discussed the Annual Agenda Calendar, recurring items listed on the calendar, required reports to the Board, and where those items are placed throughout the year. Ms. Jane Hamman noted there are required annual reports to the Board for the Community Choice Schools and recommended those be included in the meeting calendar.

## **RECOMMENDATIONS ON LEGISLATIVE IMPLEMENTATION FROM BOARD COMMITTEES**

Board members reviewed and discussed recommendations from Board committees on the implementation of bills passed during the 2023 Legislative Session that pertain to the Board, specifically HB 352 Early Literacy, HB 549 Establishing Public Charter Schools, HB 562 Authorizing Community Choice Schools, and SB 373 Provide for Alternative Teacher Credentialing. Board members generally agreed upon next steps and directed Board staff to start working on the new requirements.

## **DISCUSS MACIE BUDGET**

Superintendent Arntzen and Mr. Jay Phillips, CFO for OPI, discussed the MACIE budget with the Board and the costs of meetings throughout the year. The Superintendent noted that there is no line item specific to MACIE in the OPI budget. Chair Quinlan asked the Superintendent what has changed that the OPI is unable to fund MACIE out of the multi-million-dollar annual budget OPI receives to conduct state business. The Superintendent stated that OPI is holding strict accountability to taxpayers and is seeking a partnership with the Board to offset costs. Vice Chair Hedalen stated that both she and Ms. Flynn work with the MACIE chair to work on agendas and administrative duties and that a collaborative partnership already exists. Ms. Flynn discussed the administrative duties Board staff performs supporting MACIE, in addition to work done by Vice Chair Hedalen.

## **RECOMMENDATIONS ON LEGISLATIVE IMPLEMENTATION FROM BOARD COMMITTEES**

Discussion continued after the MACIE Budget discussion regarding the implementation of bills passed during the 2023 Legislative session. A discussion was held regarding whether it may be necessary to form ad hoc committees to work on implementing the charter school bills. Chair Quinlan has agreed to appoint members to a Board Charter School Committee.

**PUBLIC COMMENT ON STRATEGIC PLANNING ITEMS**

Ms. Murnane-Butcher, MOFE, gave public comment regarding implementing the bills, creating ad hoc committees to ensure public participation, and asked that when implementing HB 352 and the Home-based program to include parents and educators for assistance.

Ms. Curtis, MFPE, echoed Ms. Murnane-Butcher’s remarks.

**❖ EXECUTIVE COMMITTEE – Madalyn Quinlan (Item 1)**

**Item 1 PRESENTATION OF CSPAC ANNUAL REPORT  
McCall Flynn**

Ms. Flynn presented the CSPAC Annual Report to the Board, reviewing the past year of CSPAC meetings, work CSPAC did over the year, and recommendations CSPAC made to the Board. Chair Quinlan asked Ms. Flynn to review the duties of CSPAC that were outlined in statute, and to discuss how Class 8 License applications will be handled moving forward, which previously were reviewed and recommended for licensure by CSPAC.

**❖ ASSESSMENT COMMITTEE – Anne Keith (Item 2)**

**Item 2 MONTANA ALTERNATIVE STUDENT TESTING Q&A SESSION  
New Meridian, Krystal Smith**

Ms. Smith, Education Innovation Director at OPI, opened the item with Ms. Ashley Eden and Mr. Chris Gentile of New Meridian. The group reviewed the Montana Alternative Student Testing (MAST) pilot program and answered Board member questions.

**4:30 PM ROBOTICS PRESENTATION AND DEMONSTRATION  
4133 Fusion Robotics Team**

Students from the Helena Fusion Robotics Team, who recently competed and won the World Championship in Texas, introduced themselves to the Board and presented the robot they designed and developed.

Meeting adjourned at 4:38PM.

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**Thursday, July 13, 2023**

**8:30 AM**

**CALL TO ORDER**

Chair Quinlan called the meeting to order at 8:30 AM and led the Board in the Pledge of Allegiance. Ms. Kris Stockton took Roll Call and the Chair read the Statement of Public Participation and welcomed guests.

Board members present: Ms. Madalyn Quinlan, Chair; Ms. Susie Hedalen, Vice Chair; Ms. Renee Rassmussen; Dr. Ron Slinger; Ms. Jane Hamman; Dr. Tim Tharp; Mr. Gavin Mow, Student Representative. Ex Officio Members: Superintendent Elsie Arntzen, OPI; Dr. Angela McLean, Office of Commissioner of Higher Education (OCHE); Mr. Dylan Klapmeier, Governor’s Office. Staff: Ms. McCall Flynn, Executive Director; Ms. Kris Stockton, Administrative Specialist; Ms. Julie Balsam, Accounting Technician. Guests: Superintendent Paul Furthmyre, Montana School for the Deaf and the Blind (MSDB); Mr. Rob Stutz, Chief Legal Counsel, OPI; Mr. Chad Vanisko, Board Legal Counsel,



**Item 5 EXECUTIVE DIRECTOR REPORT  
McCall Flynn**

Ms. Flynn updated Board members on work done by Board committees to begin implementation of legislation passed during the 2023 session that pertains to the Board, discussed the new Board budget that is now only General Fund, and thanked members for their work.

**Item 6 STATE SUPERINTENDENT REPORT  
State Superintendent Elsie Arntzen**

Superintendent Arntzen presented her report to the Board discussing ESSER funding, Teacher Residency Program, meetings and conferences she has attended, OPI Staffing, Data Modernization, and Content Standards revisions. The Superintendent discussed the new direct certification process for students receiving free and reduced lunch, which removes the forms to apply for the program that families previously had to complete and gave an update on bills passed during the Legislative session that pertain to OPI. The Superintendent concluded her report by discussing a recent OPI Family Day held for employees and families. Ms. Cedar Rose presented the Assessment Report to the Board discussing completed and upcoming projects, completion rates for ACT with Writing, Smarter Balanced, Math and English Language Arts (ELA) Summative Assessments, and Science Summative Assessments. Ms. Wendi Fawns gave an update on the Elementary and Secondary School Emergency Relief (ESSER) Act funds for the Board. Mr. Chris Sinrud gave an update on the Data Modernization Project, noting that the OPI website contains updated information on the project. Mr. Sinrud answered Board member questions. Ms. Marie Judisch presented an update on the ongoing Content Standards revisions ELA, World Languages, and Math. Ms. Judisch answered Board member questions. Superintendent Arntzen noted that due to legislative changes the Health Standards may need to be reopened, in addition to the Assessment rules. Board members asked additional questions related to the ESSER funds. Dr. McLean discussed work being done at the Higher Education level to assist students with their math needs to be successful in post-secondary education and offered a presentation on the project at a future Board meeting. The Superintendent answered questions related to the GEMS system and COVID-19 learning loss.

**Item 7 COMMISSIONER OF HIGHER EDUCATION REPORT  
Dr. Angela McLean**

Dr. McLean noted she is on the Teacher of the Year Selection committee and looks forward to working with Board member Keith in the selection process. Dr. McLean commended OPI on the work with the Data Modernization project and thanked the Council for Accreditation of Educator Preparation (CAEP) accredited Educator Preparation Programs (EPP) for the ongoing conversation regarding national accreditation. Dr. McLean updated the Board on College Application Week, which will be held October 2-14, 2023, Montana's Future at Work CTE summit in September and provided an update on the Educator Recruitment and Retention program and Teacher Residency program. Dr. McLean answered Board member questions. A discussion surrounding the Educator Recruitment and Retention program and Teacher Residency program ensued.

**Item 8 GOVERNOR'S OFFICE REPORT  
Dylan Klapmeier**

Mr. Klapmeier gave an update from the Governor's Office to the Board. Mr. Klapmeier discussed the benefits of the Board Strategic Planning meeting the day before, then discussed legislation passed during the 2023 session pertaining to K-12 education, including Early Literacy, Montana Digital Academy, Charter School bills, education related funding, and noted the work done during the interim between education partners that resulted in legislative success during the session. Ms. Jane Hamman thanked Mr. Klapmeier and the Governor's Office for their collaboration during the session.





criminal investigation to the Board. Mr. Stutz pointed out that the facts of the case meet the requirements of §20-4-110(1)(e), MCA. Mr. Betchie defended Mr. Case and argued that his conviction is invalid due to law enforcement entering his home without a warrant and violating his constitutional rights. Mr. Stutz moved to enter exhibits into evidence. OPI – A, Statement from Ric Cattell, and OPI – B, Verdict Form, and Judgement and Order of Conviction. The Board voted unanimously to accept the exhibits as evidence. A discussion ensued about continuing to move forward and whether Mr. Case and his attorney had been properly noticed. Dr. Tharp noted that letters have been sent going back months and that the Board has confirmation that Mr. Case has received the notices sent by the Board. Mr. Betchie asked for a break to attempt to contact Mr. Case to ask if he would like to participate in the proceedings. Mr. Betchie returned and stated that Mr. Case is unable to participate in the proceedings today and inquired if the Board is willing to renew the motion to continue. Mr. Stutz stated that OPI would oppose taking the motion to continue back under reconsideration and noted past practice of the Board. Mr. Vanisko responded that he understands OPI’s position but that the Board does have latitude to reconsider. Chair Quinlan stated she would like to continue the hearing and then give each Board member the opportunity to discuss but is concerned there is a motion on the floor that needs to be addressed. Mr. Vanisko noted that the motion can be delayed until the hearing is over then taken up again for consideration. Mr. Stutz and Mr. Betchie gave closing arguments to the Board. Chair Quinlan asked each Board member to discuss their thoughts. Mr. Vanisko clarified the Board’s options: revocation or suspension. Mr. Betchie clarified his motion to continue and to accept a voluntary suspension from Mr. Case pending the outcome of appeal. Chair Quinlan clarified the potential options: accepting the motion to continue with a voluntary suspension, or to revoke. Ms. Rasmussen questioned if the decision could be to suspend pending the outcome of the appeal, and if the conviction is upheld the license would be revoked. Mr. Vanisko stated that might be possible through a settlement between the parties. Board members each stated their support or not of the motion on the floor to continue with voluntary suspension. Mr. Betchie restated the motion:

*We request the board continue proceedings on this matter until the outcome of the appeal to the Montana Supreme Court. During that time Mr. Case will voluntarily suspend his license so that he cannot teach. Pending the outcome of the appeal we would defer to the Board for necessary action. No arguments of timeliness will be brought up and Mr. Case will not seek employment in any kind of educational occupation.*

Vice Chair Hedalen questioned whether the case would be brought back to the Board once the appeal is concluded and Mr. Stutz noted that it may be, pending the outcome of the appeal. Mr. Vanisko suggested that once the appeal is concluded that Mr. Case notify the Board and OPI of the outcome.

*Motion passed 4-2 with members Tharp and Rasmussen dissenting.*

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**Friday, July 14, 2023**  
**8:30 AM**

**CALL TO ORDER**

Chair Quinlan called the meeting to order at 8:30 AM and led the Board in the Pledge of Allegiance. The Chair read the Statement of Public Participation and Ms. Kris Stockton took Roll Call. The Chair welcomed guests and asked them to introduce themselves.





Ms. Flynn reviewed the future agenda items listed below for the Board, reminding members that the September meeting will be in Miles City.

**FUTURE AGENDA ITEMS – September 14-15, 2023, Miles City, MT**

Election of Board Officers  
Approve Yearly Board Meeting Calendar – C  
Approve Annual Agenda Calendar – C  
MACIE Update  
Montana Digital Academy Update  
*Assessment Update*  
*Federal Update*  
*Annual HiSET Report*  
*Annual Special Education Report*  
*Update on Praxis Test Review*

**PUBLIC COMMENT**

Superintendent Chad Johnson, Livingston Public Schools, thanked the Board for their work and invited the Board to hold their September 2024 meeting in Livingston.

**ADJOURN**

Meeting adjourned at 11:26 AM.

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*The Montana Board of Public Education is a Professional Development Unit Provider. Attending a Board of Public Education Meeting may qualify you to receive professional development units. Please complete the necessary information on the sign-in sheet if you are applying for professional development units.*

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

*The Board of Public Education 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 Board of Public Education as soon as possible prior to the meeting start date. You may write to: Kris Stockton, PO Box 200601, Helena MT, 59620, email at: [kmstockton@mt.gov](mailto:kmstockton@mt.gov) or phone at 406-444-0302.*