

Legislative session, as well as Ms. Stockton and Ms. Balsam for their support. Ms. Anne Keith noted that Ms. Flynn is the recipient of two awards for her work on the Seal of Biliteracy and Ms. Flynn explained she was nominated and received the Montana Friends of Language Award, and the Pacific Northwest Friends of Language Award. Superintendent Arntzen added that Ms. Jane Hamman will be receiving an honorary award for community service from Carroll University.

**Item 2 EXECUTIVE DIRECTOR REPORT
McCall Flynn**

Ms. Flynn thanked the Montana School Boards Association for the use of their meeting space, as well as the staff at Shodair Children's Hospital for the tour the previous day, congratulating them on their new facility. Ms. Flynn updated the Board with an overview of the Legislative session and gave an update on the status of bills that the Board is tracking. Ms. Flynn thanked the Board's Legislative Committee for their work and noted that Friday at 3:00 the Senate Education Committee will hold the confirmation hearing for Mr. Ron Slinger, Dr. Tim Tharp, and Ms. Renee Rasmussen. Monday the Board's budget will be heard in House Appropriations, and Ms. Flynn will attend the hearing. Ms. Rasmussen thanked Ms. Flynn for her organizational work and the lists she compiles for the Legislative Committee.

**Item 5 STUDENT REPRESENTATIVE REPORT
Charles Fox**

Mr. Fox gave his report for the Board noting that the Montana Student Council Executive Board will meet to choose the next student representative to the Board of Public Education. Other student groups have upcoming meetings for state conferences in the coming weeks. Mr. Fox announced that he will be attending the Air Force Academy after graduation. Dr. Angela McLean congratulated Mr. Fox on his appointment to the Air Force Academy and asked if he had received any feedback from students on what they may need for college applications and support surrounding that process. Mr. Fox noted the feedback he received regarding College Application week was positive, and the students appreciated the event, but noted students have some frustrations with the FAFSA process and applying for financial aid.

**Item 3 STATE SUPERINTENDENT REPORT
State Superintendent Elsie Arntzen**

Superintendent Arntzen presented her report to the Board highlighting an event she attended at Miles Community College, a legislative event in Glendive, and visits to schools. The Superintendent discussed the charter school bills moving through the legislature, and other visits she has made across the state to discuss what schools need, and where public education is moving. The Superintendent discussed the possibility of opening a conversation regarding creating Mental Health Standards. Representatives from the Office of Public Instruction presented a series of reports from the office which included:

Annual School Food Services Report – Chris Emerson

Ms. Emerson highlighted the Annual School Food Services report for the Board and answered Board member questions.

Assessment Update – Cedar Rose, Dr. Julie Murgel

Ms. Cedar Rose, the new Assessment Director, introduced herself to the Board and presented the Assessment Update to the Board, including an update on the English Language Learner (ELL) Assessment, and the testing window for Spring Assessments. Board members welcomed Ms. Rose to her new position. Ms. Krystal Smith, OPI, gave an update on the Montana Alternative Student Testing Pilot (MAST) Program. Ms. Smith answered Board member questions regarding the MAST program, and Board member Hamman expressed her appreciation for the hard work on this pilot noting that the project is ahead of schedule. Dr. McLean thanked the team for their work on the project and the collaboration with the University System.

Data Modernization Update – Chris Sinrud

Mr. Chris Sinrud presented an update on the Data Modernization project reviewing the different phases of the project, and what will be rolled out with each phase. Ms. Hedalen expressed concerns that the project is directed more towards government interfaces and does not interface with schools. Superintendent Arntzen noted that the Legislature is concerned with improving the interfacing between agencies and that is how the money has been directed. The Superintendent recognized Ms. Hedalen's concern and is working on addressing the issue as much as possible, but noted the single sign-on will ease some of the burden. Ms. Hedalen again expressed disappointment that school interfacing is not the focus of the project. Ms. Rasmussen expressed concerns about the longevity of the project and ongoing maintenance. Mr. Sinrud addressed Board member concerns.

Federal Update – Dr. Julie Murgel

Dr. Julie Murgel gave the Board an update on the Federal Programs report. Dr. Murgel noted that the Federal Programs Accountability System report under Every Student Succeeds Act has not been run since 2019 due to the Covid-19 pandemic but stated the system has recently been run. Dr. Murgel updated the Board on the results of the latest report, and discussed waivers that OPI has applied for to the Department of Education to assist schools who have recently been identified as Comprehensive Schools. The report to identify Targeted schools has also been run. Dr. Murgel discussed the Federal Report card explaining that embargoed data was sent to the schools March 8, and the public report will be released March 15.

CAEP MOU Update – Dr. Julie Murgel

Dr. Murgel reviewed the draft CAEP MOU agreement for the upcoming year which the Board will act on at the May 2023 meeting. Dr. Murgel answered Board member questions.

Item 4

COMMISSIONER OF HIGHER EDUCATION REPORT

Dr. Angela McLean

Dr. McLean updated the Board on projects within the Commissioner of Higher Education's Office and the Montana University System. Dr. McLean discussed projects related to the American Indian Minority Achievement Act (AIMA) and announced that Ms. Jeannie Origbo is the new GEAR UP Director. Dr. McLean provided an update on how the Educator Recruitment and Retention project is using the Teacher Residency Model at the OPI. Additional updates included a report on the Grow Your Own Educator program, and efforts to develop an Apprenticeship Trades Schedule that can be done on MUS campuses. Dr. McLean noted the "Complete Your Application" event to encourage students to complete their FAFSA or College Application.

❖ MSDB LIAISON – Renee Rasmussen (Items 6-7)

Item 6

MSDB REPORT

Paul Furthmyre

Mr. Furthmyre explained the process that the MSDB has undertaken to gain accreditation for the Blind and Visually impaired program at the MSDB. Mr. Furthmyre reviewed the documents with the Board and answered Board member questions regarding the accreditation process and the documents he has prepared for the accreditation review. Mr. Furthmyre then reviewed the Outreach Report for the Board and answered Board member questions.

Mr. Furthmyre briefly explained the requested action items before asking for approval.

Ms. Renee Rasmussen moved to approve the Human Resource actions for three new staff at the MSDB as listed in the agenda packet. Motion seconded by Ms. Anne Keith.

No discussion. Motion passed unanimously.

Ms. Susie Hedalen moved to approve the ETS Praxis Test Scores as presented and recommended by CSPAC. Motion seconded by Mr. Ron Slinger.
No discussion. Motion passed unanimously.

*****TIME CERTAIN AT 1:15 PM*****

Item 9 INITIAL REVIEW OF BPE CASE #2022-18, GRAYBILL
Katherine Orr, Agency Legal Services

Ms. Katherine Orr introduced herself to the Board and introduced Mr. Chad Vanisko to the Board. Ms. Orr reviewed the process for the Initial Review and called Mr. Rob Stutz, Chief Legal Counsel for OPI, to review the reasons for the revocation request. Mr. Stutz summarized the investigation that took place at the school the educator was employed by explaining that school administration acted immediately upon being notified of inappropriate behavior by the educator with a student. Board members asked questions of Mr. Stutz pertaining to the investigation. Ms. Orr inquired of Mr. Stutz the specific ARM rule that OPI is basing the revocation request on. Mr. Stutz informed the Board that ARM 10.57.601A(1)(f) involving significant misuse of technology is the rule being used.

Ms. Susie Hedalen recommended forwarding BPE Case #2022-18, Graybill to a contested case hearing. Motion seconded by Ms. Anne Keith.

No discussion. Motion passed unanimously.

Item 10 HEARING ON APPEAL OF LICENSURE DENIAL, BPE CASE #2022-17, DUTTON
Katherine Orr, Agency Legal Services

Ms. Orr opened the hearing announcing that OPI has brought new information forward regarding this matter and asked OPI Chief Legal Counsel Mr. Rob Stutz to discuss OPI's new position. Mr. Stutz advised the Board that it is now OPI's position that Ms. Dutton never applied for the endorsements in question, so there has never been a denial of the endorsements, and therefore never should have been an appeal. Because of this, there may be a motion to dismiss from OPI. Dr. Tim Tharp noted that there is a letter from the Superintendent stating that there has been a denial. Mr. Stutz noted that the denial letter sent to Ms. Dutton pertained to a transcript analysis that was put in the same context as a letter of denial of an application, but that there has never been an application for licensure endorsements. Ms. Orr stated that this should be an argument on the basis of dismissal. Mr. Stutz answered Board member questions.

Mr. Rob Stutz moved the Board to dismiss the appeal for lack of subject matter jurisdiction under 20-4-110(7), MCA and ARM 10.57.607 because no application was submitted, therefore the application was not denied.

Ms. Orr recommended hearing from the parties.

Ms. Dutton came before the Board to respond to Mr. Stutz's claims regarding jurisdiction. Ms. Hedalen asked if it is appropriate to move forward without Ms. Dutton being able to prepare ahead of time as this information is being presented at the last minute. Ms. Dutton stated she would like to move forward and presented her case to the Board. Ms. Dutton admitted that she did not apply for additional endorsements because the TEACH MT system did not allow for the application of multiple endorsements. Ms. Dutton answered Board member questions.

Mr. Ron Slinger seconded the motion to dismiss as requested by OPI.

Ms. Rasmussen stated that there isn't any other option and that OPI does a good job regarding licensure but stated that the process may need clarification. Ms. Rasmussen apologized to Ms. Dutton for the confusion and that she did not have

clear guidance. Ms. Rasmussen encouraged her to look at the new pathways to licensure to see if something will work for her.

Ms. Hedalen thanked Ms. Dutton for taking the time to come before the Board and thanked her for her contributions to public education.

No additional discussion. Motion passed unanimously.

❖ **MACIE LIAISON – Susie Hedalen (Item 11)**

Item 11

MACIE REPORT

Jordann Lankford Forster

Ms. Susie Hedalen opened the MACIE report and announced that the next MACIE meeting will be in person April 4 and that MACIE will join the Tribal Youth Conference at the same time in Billings. Ms. Hedalen then turned the item over to Ms. Jordann Lankford Forster for her report. Ms. Forster also discussed the upcoming April MACIE meeting, and that MACIE will be at the Indian Education for All (IEFA) Best Practices Seminar the week of March 13th. Ms. Lankford reviewed the action item before the Board and asked for the approval of the Tribal Representative to MACIE.

Ms. Susie Hedalen moved to approve the nomination to MACIE for Ms. Corey Sangrey-Billy as the Tribal Representative. Motion seconded by Ms. Jane Hamman.

Ms. Hedalen explained the application process the Tribal Colleges went through to select their representative to MACIE. Three individuals applied, and Ms. Sangrey-Billy was selected as the nominee.

Dr. McLean noted that Ms. Sangrey-Billy is a member of the AIMA Council and will be a strong voice for students.

No further discussion. Motion passed unanimously.

Ms. Forster briefly discussed the IEFA Best Practices Conference and what the conference entails for Board members.

EXECUTIVE COMMITTEE – Madalyn Quinlan (Item 12)

Item 12

PRESENTATION ON MUS SPRINT DEGREES

Ange DeWolf King, Academic, Research, and Student Affairs, OCHE

Ms. Ange DeWolf King presented the new Sprint Degrees programs which will be available for students beginning in June 2023. Students enrolled in the Spring program will complete their degree in an accelerated time frame. It is anticipated that 2-year degrees will take 12-18 months, and 4-year degrees will take two and a half years to complete. Ms. DeWolf King explained the program in further detail for the Board and answered Board member questions.

Friday, March 10, 2023

8:30 AM

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

Board members present: Ms. Madalyn Quinlan, Chair; Ms. Susie Hedalen, Vice Chair; Ms. Jane Hamman; Ms. Anne Keith; Dr. Tim Tharp; Mr. Ron Slinger; Ms. Renee Rasmussen; Mr. Charles Fox, Student Representative. Ex Officio Members: Dr. Angela McLean, Office of the Commissioner of Higher Education; Superintendent Elsie Arntzen, OPI. Staff present: Ms. McCall Flynn, Executive Director; Ms. Kris Stockton, Administrative Specialist; Ms. Julie Balsam, Accounting Technician. Guests: Dr. Julie

Murgel, OPI; Ms. Crystal Andrews, OPI; Ms. Ellery Bresler, OPI; Ms. Chris Noel, OPI; Mr. Rob Stutz, Chief Legal Counsel, OPI; Mr. Chad Vanisko, Agency Legal Services; Ms. Katherine Orr, Agency Legal Services; Deputy Superintendent Sharyl Allen, OPI; Ms. Sarah Piper, MFPE.

❖ **ACCREDITATION COMMITTEE – Dr. Tim Tharp (Items 13-18)**

Item 13 ACTION ON THE 2022-2023 ACCREDITATION STATUS OF ALL SCHOOLS

Crystal Andrews, Ellery Bresler

Ms. Crystal Andrews, OPI, opened the report introducing Ms. Ellery Bresler, Accreditation Specialist, and announced new hirings in the Accreditation Division at the OPI. Ms. Bresler reviewed the Accreditation Status of All Schools report for the Board, highlighting the accreditation process, how data is gathered, and the categories of accreditation in which schools may be placed. Ms. Bresler answered Board member questions.

Dr. Tim Tharp moved to approve the 2022-2023 Accreditation for All Schools Report as presented. Motion seconded by Ms. Renee Rasmussen.

No discussion. Motion passed unanimously.

Item 14 ACCREDITATION PROCESS GUIDANCE

Dr. Julie Murgel

Dr. Julie Murgel, OPI, reviewed for the Board the process and schedule for Accreditation in the upcoming year. ARM 10.55.601(2) dictates that the Board and the Superintendent establish the process for accreditation. Dr. Murgel reviewed work being done at the OPI to review the process and determine areas where duplication may be occurring and how the process can be streamlined moving forward. Dr. Murgel answered Board member questions and addressed concerns they have with the process.

Item 15 CONTENT STANDARDS REVISION UPDATE AND DISCUSSION

Chris Noel

Ms. Chris Noel, OPI, presented the Content Standards Revision Timeline and information for the Board. Ms. Noel announced that the applications for the Math Standards Task Force have been reviewed and will be announced in the next week. Ms. Chris Noel discussed how the applicants will be selected for the Task Force and noted that the review for World Languages is also on the same time schedule and reviewed the process for how that review process will begin. World Language content standards have not been reviewed since 1999, and the review process will be based upon a National set of standards that have recently been reviewed. Ms. Noel answered Board member questions.

Item 16 OPI CHIEF LEGAL COUNSEL UPDATE

Rob Stutz

Mr. Rob Stutz, OPI Chief Legal Counsel, discussed with the Board a concern Superintendent Arntzen has regarding the process the Board used to review the proposed revisions to ARM Title 10, Chapter 55, Standards of Accreditation. The Superintendent wants to ensure that the Montana Administrative Procedures Act (MAPA) was followed and that time for public comment was allowed. Mr. Stutz stated that the changes, which were made by the Board Accreditation Committee and not by public comment, have the potential to be substantive changes to the revisions proposed by the Superintendent. Dr. Julie Murgel reviewed the concern related to the Superintendent's proposal to move from grade level to grade band, and the Board Committee's comments to leave as grade band. No public comment was made regarding changing from grade level to grade band, only the comment from the Board committee, and this change impacts ten different rules within Chapter 55. Dr. Murgel explained the reasons the Negotiated Rulemaking Committee proposed moving from grade level to grade band. Mr. Stutz explained that the only public comment on this proposed change was from the Board Accreditation Committee, and no members of the public. Dr. Murgel and Mr. Stutz answered Board member questions and addressed concerns from Board members. Chair Quinlan noted her concern that assessment is still addressed at

