

BOARD OF PUBLIC EDUCATION MEETING MINUTES

March 25, 2024
Zoom

Monday, March 25, 2024
11:00AM

CALL TO ORDER

Chair Tharp called the meeting to order at 11:02 AM and led the Board in the Pledge of Allegiance. Ms. McCall Flynn took Roll Call, the Chair read the Statement of Public Participation, and welcomed guests.

Board members present: Dr. Tim Tharp, Chair; Ms. Susie Hedalen, Vice Chair; Ms. Renee Rasmussen; Dr. Ron Slinger; Ms. Jane Hamman; Ms. Lisa Schmidt; Ms. Madalyn Quinlan. Ex Officio members: Dr. Angela McLean, Office of the Commissioner of Higher Education; Mr. Dylan Klapmeier, Governor's Office; Superintendent Elsie Arntzen, Office of Public Instruction (OPI). Staff present: Ms. McCall Flynn, Executive Director; Ms. Julie Balsam, Accounting Technician. Guests: Mr. Chad Vanisko, Agency Legal Services; Ms. Aislinn Brown, Agency Legal Services. Ms. Kim Popham, Montana Federation of Public Employees; Mr. Brian O'Leary, OPI; Representative Fred Anderson; Jana H.; Ms. Christine Lewanski, Hamilton School District; Mr. Doug Reisig, Montana Quality Education Coalition; Superintendent Rex Weltz, Helena Public Schools; Mr. Rick Wootton, OPI; Ms. Katherine Bloodgood, OPI; Superintendent Erik Wilkerson, Jefferson High School District; Billings Public Schools (BPS); Mr. Chip Lindenlaub; Ms. Emily Dean, Montana School Board Association; Superintendent Erwin Garcia, BPS; Principal Gordon Klasna, BPS; Dr. Jeril Hehn, BPS; M. Blakely; Representative David Bedey; School Administrators of Montana.

ADOPT AGENDA

Board member Quinlan moved to adopt the agenda as presented. Motion seconded by Board member Rasmussen.

No further discussion. Motion passed unanimously.

Item 1 ACTION ON LETTER TO SUPERINTENDENT ARNTZEN PERTAINING TO THE PUBLIC CHARTER SCHOOL OPENING PROCESS Dr. Tim Tharp

Chair Tharp reviewed the roles and responsibilities of Montana's education entities and highlighted new laws interpreted by OPI that are causing challenges for Montana schools by slowing or interfering in funding. The Chair reviewed the requirements of HB 549 for the opening of public charter schools, and the interpretation by OPI that the 19 public charter schools approved by the Board must go through the school opening process for new public schools, outlined in statute. Chair Tharp discussed the possible consequences this could create for the schools.

Board Member Quinlan moved to send the letter to Superintendent Arntzen as presented in the packet. Motion seconded by Board member Schmidt.

Mr. Dylan Klapmeier spoke in support of the Board's letter to Superintendent Arntzen to not impede the opening of Board-approved public charter schools. Mr. Klapmeier stated Governor Gianforte desires the schools open without delay.

Board member Quinlan highlighted the Board's authority to open charter schools, stated in Section 6 of HB 549.

Board member Rasmussen noted that HB 549 contains the same requirements to open a public charter school as are required in law for traditional schools and expressed that charter schools opened under the new legislation are not subject to the additional requirements that exist for the opening of a new regular public school.

Vice Chair Hedalen mentioned that a public charter school in Bozeman opened in the past was not required to go through the additional steps for opening that OPI is now requiring.

Representative Fred Anderson, legislative sponsor of HB 549, discussed the extensive time bill drafters spent with legal counsel writing the bill and said there was no intent to have charters go through additional steps to open. Representative Anderson noted the frustration that has been expressed to him from the new charter schools regarding additional steps to open their schools.

Mr. Chip Lindenlaub spoke of his experience attending every meeting of the drafting and passing of the charter bills during the session and that the bill states public charter schools must follow Title 20, and encouraged the Board withdraw the letter to the Superintendent.

Representative David Bedey expressed respectful disagreement with some previous comments and spoke of the consultation with legal counsel during the drafting of the bill, extensive hearings held, and that the Board has authority to open public charter schools.

Superintendent Arntzen requested the Board draft a policy on the procedure they follow to open a charter school and offered her assistance in drafting such a policy.

Board member Rasmussen highlighted the bill drafters stated intent in opening charter schools which speaks of the Board's responsibility to open and oversee the schools. She stated that because charter schools that have been opened in the past were not subject to additional opening requirements, charter schools opened under HB 549 should also not be subject to additional requirements.

No further discussion. Motion passed unanimously by Roll Call vote**

** Board member Hamman experienced technical difficulties and conveyed her "yes" vote after the fact.

PUBLIC COMMENT

No public comment was made.

ADJOURN

Meeting adjourned 11:32 AM

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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.

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