

BOARD OF PUBLIC EDUCATION MEETING MINUTES

March 18, 2024
Montana State Capitol Building, Room 152
Helena, MT

Monday, March 18, 2024
8:30AM

CALL TO ORDER

Chair Tharp called the meeting to order at 8:30 AM 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.

Board members present: Dr. Tim Tharp, Chair; Ms. Susie Hedalen, Vice Chair; Ms. Renee Rasmussen; Dr. Ron Slinger; Ms. Lisa Schmidt; Ms. Madalyn Quinlan; Mr. Gavin Mow, Student Representative. Ex Officio members: Dr. Angela McLean, Office of the Commissioner of Higher Education; Mr. Dylan Klapmeier, Governor's Office; State Superintendent Elsie Arntzen, Office of Public Instruction (OPI). Staff present: Ms. McCall Flynn, Executive Director; Ms. Kris Stockton, Administrative Specialist; Ms. Julie Balsam, Accounting Technician. Guests: Dr. Rob Watson, School Administrators of Montana (SAM); Mr. Larry Crowder, Montana Rural Education Association; Ms. Kim Popham, Montana Federation of Public Employees (MFPE); Dr. Julie Murgel, OPI; Superintendent Sharyl Allen, Harrison Public Schools; Ms. Alie Wolf, OPI; Ms. Crystal Andrews, OPI; Ms. Kimberly Evans, OPI; Ms. Marie Judisch, OPI; Superintendent Paul Furthmyre, Montana School for the Deaf and Blind (MSDB); Ms. Jordann Lankford Forster, Chair, Montana Advisory Council for Indian Education (MACIE); Ms. Ashley Perez, OPI; Ms. Krystal Smith, OPI; Ms. Jenny Murnane Butcher, Montanans Organized for Education (MOFE); Ms. Trish Schreiber, Chair, Community Choice Schools Commission; Mr. Rick Wootton, Attorney, OPI; Mr. Brenton Craggs, Attorney, OPI; Mr. Chad Vanisko, Agency Legal Services; Ms. Barb Quinn, OPI; Representative Lee Deming, HD 55; Mr. Patrick Cates, OPI; Assistant Superintendent Christy Mock-Stutz, OPI; Mr. Todd Hanson, 4 Poles Education Consulting Group; Ms. Madison Yerian, Montana Association of School Psychologists, (MASP); Ms. Kristen Gyapay, MASP; Ms. Shawna Rader Kelly, MASP; Dr. Brittany Lewno-Dumdie, MASP; Ms. Sara Novak, SAM; John Sonju, Opportunity Solutions Project; Ms. Isabelle Welch, ABCTe; Ms. Jessie Luther, Taylor Luther Group; Ms. Sheridan Johnson, Montana Chamber of Commerce.

PUBLIC COMMENT

Dr. Rob Watson gave public comment regarding the graduation requirements in ARM 10.55.905, specifically related to the Financial Literacy requirements.

CONSENT AGENDA

Board member Quinlan moved to adopt the Consent Agenda as presented. Motion seconded by Board member Slinger.

No further discussion. Motion passed unanimously.

ADOPT AGENDA

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

No discussion. Motion passed unanimously.

❖ **REPORTS – Dr. Tim Tharp (Items 1-6)**

Item 1 **CHAIRPERSON REPORT**
Dr. Tim Tharp

Chair Tharp welcomed Board member Schmidt who introduced herself to the Board. Chair Tharp pointed members to the Committee Assignment list contained in the agenda packet and directed any questions regarding the assignments to the Chair and discussed meetings he has attended since the January 2024 Board of Public Education (BPE) meeting.

Item 2 **EXECUTIVE DIRECTOR REPORT**
McCall Flynn

Ms. McCall Flynn gave an update on the previous week's meetings of the Education Interim Committee and Education Interim Budget Committee and presentations she made to the committees. Ms. Flynn discussed ongoing work pertaining to the Public Charter Schools, Community Choice Schools Commission, and Early Literacy Targeted Interventions, discussed rulemaking the Board will be reviewing and approving at the meeting, and gave an update on HB 338 pertaining to Indian Education for All (IEFA). Ms. Flynn answered Board members' questions.

Item 3 **STATE SUPERINTENDENT'S REPORT**
State Superintendent Elsie Arntzen, Assistant Superintendent Christy Mock-Stutz

Ms. Mock-Stutz reviewed the State Superintendent's report highlighting "Figure it Out", a new program that assists student leaders resolve issues at their schools, and an update on the Teacher Residency Program, before turning the report over to OPI staff for updates. Superintendent Arntzen joined the meeting and answered Board members' questions.

Assessment Update: Ms. Marie Judisch presented an overview of work pertaining to Assessment.

MAST Update: Ms. Krystal Smith gave an update from the MAST Summit and reviewed next steps for implementation before answering Board members' questions. Dr. Julie Murgel answered questions regarding the MAST assessment as it pertains to accreditation at the state and federal levels.

Federal Update: Dr. Julie Murgel announced the date schools will receive their state report card and when it will be made public before reviewing an amendment to the Rigorous Action Plan. Dr. Murgel stated the OPI will be assisting schools with the amendment before providing an update regarding the Federal Waiver.

Accreditation Update: Ms. Crystal Andrews updated the Board on the status of the new Accreditation process and answered Board members' questions.

School Nutrition Programs Annual Report: Ms. Alie Wolf presented the 2023 School Nutrition Programs Annual Report providing an overview of the program and highlighting statistics from the report. Board members commended OPI on the report and Ms. Wolf answered Board members' questions.

Content Standards Revisions Update: Ms. Marie Judisch presented an update on the content standards revisions referencing the OPI website where information on the revisions process is posted before reviewing where each content area is in the revisions process. Dr. Murgel provided an update on the financial literacy crosswalk which will list where course codes are located in various subject matter areas.

Data Modernization Update: Ms. Ashley Perez gave an update on the progress of the Data Modernization Project and answered Board members' questions.

Item 4 **COMMISSIONER OF HIGHER EDUCATION'S REPORT**
Dr. Angela McLean

Dr. Angela McLean discussed work at the Commissioner's Office pertaining to the Public Charter Schools and how post-secondary can partner with the charter schools to offer student support as those students

Vice Chair Hedalen stated the provisions for receiving a Class 5 Provisional License for school counselors is outlined in 10.57.435. Discussion regarding the proposed revision related to the comment.

No further discussion. Motion passed unanimously.

10.57.432 CLASS 5 PROVISIONAL LICENSE – SPECIALIST ENDORSEMENT

Vice Chair Hedalen moved to disagree with Comment 3 and agree with Comment 4. Motion seconded by Board member Rasmussen.

Board member Rasmussen discussed how changing this rule could remove people who are already in the middle of obtaining licensure via this process.

Chair Tharp concurred with Board member Rasmussen's comment.

Board member Schmidt asked if agreeing with Comment 4 is watering down the qualifications.

Ms. Sara Novak addressed Board member Schmidt's question specific to a Class 5 license that an individual is receiving education and supervision while working to obtain full licensure.

Vice Chair Hedalen noted that revising the rules was not intended to water down qualifications.

Ms. Madison Yerian spoke in opposition to the proposed revisions.

Ms. Kirsten Gyapay spoke in opposition to the proposed revisions.

Ms. Shawna Rader Kelly, spoke in opposition to the proposed revisions.

Dr. Julie Murgel clarified that the rule under consideration is specific to a Class 5 Provisional License only and that the requirements to obtain Class 6 licensure are not being changed.

Vice Chair Hedalen expressed appreciation for the school psychologists who spoke and clarified that this discussion is specifically related to Class 5 Provisional Licenses.

Dr. Brittany Lewno-Dumdie, School Psychologist and President of MASP, spoke in opposition to the proposed revisions.

Vice Chair Hedalen noted she has spoken with the school psychologists that she works with and noted the critical component that school psychologist fill, and specified the rule under consideration is specific to the Class 5 Provisional License only.

Board member Rasmussen also stated her appreciation for the work done by school psychologists and that the proposed revisions are not changing the courses required for licensure but will allow someone enrolled in a program to obtain provisional licensure which is a better fit than an Emergency Authorization. Board member Rasmussen stated that the proposed rules allow flexibility for districts.

Dr. Murgel reviewed the process the OPI conducted to review the ABCTe program prior to bringing the request to the Board for approval. After the January 2024 BPE meeting when the Board decided to delay approving ABCTe until the March 2024 BPE meeting, the OPI Licensure Committee and ABCTe met with the Governor's office to review the program. Dr. Murgel noted the request is to initially approve ABCTe for two years, and to come to the Board with a report in the interim for a review of the program.

Ms. Isabelle Welch, Director of Governmental Affairs for ABCTe, gave a presentation based upon questions from Board members at the January 2024 BPE meeting, highlighting the pedagogy required for completion, how content standards are aligned with national standards and corresponding PRAXIS exams, and clarified the requirements for the Special Education and Reading endorsements. OPI completed a crosswalk of ABCTe's Special Education Program and Reading Program and found they align with or are in excess of Montana's requirements for those content areas. Ms. Welch discussed the legislation passed in 2023 which allows alternative teacher training programs in Montana and stated that ABCTe offers an alternative pathway to licensure for teachers and requested the Board approve ABCTe as an alternative educator preparation program in Montana. Ms. Jessie Luther introduced herself and offered letters of support from Representative Fred Anderson and Senator Dan Salomon.

Chair Tharp stated that he spoke with colleagues in North Dakota who have hired teachers trained by ABCTe and that he specifically asked them about concerns the Board has with the lack of student teaching experience. Chair Tharp stated that the administrators he spoke with noted that while it was a concern, it was not a deal breaker, and that any issues have been overcome by utilizing a strong mentorship program. Dr. Tharp stated each administrator he spoke with was pleased with hiring ABCTe trained educators. Board member Slinger commended Ms. Andrews and Dr. Murgel for the comparison between ABCTe standards and Montana standards and stated he is comfortable supporting the program.

Vice Chair Hedalen moved to approve the Board Licensure Committee's recommendation to initially approve ABCTe until January 2026 and allow them to offer the following endorsements: Math 5-12, Sciences 5-12, English 5-12, History 5-12, Elementary Education K-8, and Special Education K-12, and require a report be filed with the Board in January 2025. Motion seconded by Board member Slinger.

Board member Quinlan asked members of the Licensure Committee what the considerations surrounding the Reading endorsement were. Dr. Murgel clarified that the concern surrounds the Reading Specialist piece, and that although the Reading endorsement aligns with Montana standards, the specific coaching instruction was not in alignment, which is an important part of the Reading Specialist endorsement in Montana.

Board member Schmidt asked if approving ABCTe prohibits the Board from operating with other alternative programs. Ms. Flynn noted that it does not prohibit the Board from entering into agreements with other programs.

Vice Chair Hedalen noted that the Sprint Degree Program the University System is working on would be an example of an alternative program within Montana.

Dr. McLean asked if data can be collected and reported separately from the Montana institutions, and Dr. Murgel clarified the data would be collected and reported separately per Title II reporting requirements.

Dr. McLean inquired when the Board will expect a report from ABCTe, and Vice Chair Hedalen noted that the report will be expected in January 2025.

Board member Rasmussen asked for the cost of a degree with ABCTe, and Ms. Welch answered approximately \$1900.

Ms. Kim Popham gave public comment in opposition to the approval of ABCTe.

Mr. John Sonju spoke in support of ABCTe.

Ms. Sheridan Johnson spoke in support of the approval of ABCTe.

Ms. Jenny Murnane Butcher spoke in opposition to the approval of ABCTe specifically in the areas of Special Education.

Board member Quinlan asked if other states had concerns about violating federal requirements surrounding special education. Ms. Welch answered that no other state has had any federal violations and that over 1,500 teachers have been certified in Special Education through ABCTe and are employed across the country.

Board member Schmidt asked if ABCTe Special Education standards met Montana standards and Dr. Murgel answered they are, in some cases, stronger.

Chair Tharp restated the motion.

No further discussion. Motion passed unanimously.

❖ EXECUTIVE COMMITTEE – Tim Tharp (Item 18)

**Item 18 INFORMATION ON K-12 PAYMENT SCHEDULE FOR FISCAL YEAR
Barbara Quinn**

Ms. Barbara Quinn presented the proposed K-12 payment schedule to the Board. The Board is scheduled to act upon the payment schedule at the May 2024 BPE meeting.

❖ ASSESSMENT COMMITTEE – Renee Rasmussen (Items 19-20)

**Item 19 INITIAL REVIEW OF SUPERINTENDENT’S PROPOSED REVISIONS TO ARM
TITLE 10, CHAPTER 56, ASSESSMENT STANDARDS
Dr. Julie Murgel and Marie Judisch**

Dr. Julie Murgel presented the proposed revisions to the Assessment Standards for the Board and reviewed each proposed revision and answered members questions.

**Item 20 ACTION ON THE PROPOSED NOTICE OF PUBLIC HEARING AND TIMELINE
PERTAINING TO RULEMAKING IN ARM TITLE 10, CHAPTER 56,
ASSESSMENT STANDARDS, AND AUTHORIZE FILING OF THE NOTICE
WITH THE SECRETARY OF STATE FOR PUBLICATION IN THE MONTANA
ADMINISTRATIVE REGISTER
Renee Rasmussen**

Board member Rasmussen moved to approve the Notice of Public Hearing and Timeline pertaining to rulemaking in ARM Title 10, Chapter 56, Assessment Standards allowing Director Flynn to make technical and grammatical changes as necessary and authorized filing of the notice with the Secretary of State for publication in the Montana Administrative Register. Motion seconded by Board member Schmidt.

Board member Quinlan stated her concerns with striking “single assessment system”.

No discussion. Motion passed unanimously.

Item 25

ACTION ON THE NOTICE OF ADOPTION PERTAINING TO THE ADOPTION OF ARM, TITLE 10, CHAPTER 54, EARLY LITERACY TARGETED INTERVENTION STANDARDS, AND AUTHORIZE FILING OF THE NOTICE WITH THE SECRETARY OF STATE'S OFFICE FOR PUBLICATION IN THE MONTANA ADMINISTRATIVE REGISTER

Madalyn Quinlan

Ms. Flynn reviewed the comment received for this proposal and thanked the Early Literacy Advisory Council for their work.

Board member Quinlan moved to approve the Notice of Adoption pertaining to the adoption of ARM Title 10, Chapter 54, Early Literacy Targeted Intervention Standards, and authorized filing of the notice with the Secretary of State's office for publication in the Montana Administrative Register. Motion seconded by Board member Schmidt.

No discussion. Motion passed unanimously.

Item 26

ACTION ON THE APPROVED LIST OF SCREENING TOOLS PERTAINING TO THE TITLE 10, CHAPTER 54, EARLY LITERACY TARGETED INTERVENTION STANDARDS

Madalyn Quinlan

Ms. Flynn directed Board members to the agenda packet for the statute requiring the Board approve the Early Literacy screening tools. Ms. Flynn noted that districts are not required to use a screening tool from the approved list but will need to provide a justification for why they made the decision not to use an approved screening tool.

Chair Tharp noted the approved list is not contained in rule and will be easier to revise if necessary.

Board member Quinlan moved to approve the approved list of screening tools pertaining to the Title 10, Chapter 54, Early Literacy Targeted Intervention Standards. Motion seconded by Board member Rasmussen.

No discussion. Motion passed unanimously.

FUTURE AGENDA ITEMS May 9-10, 2024 – Great Falls, MT

MACIE Update

Approve K-12 Schools Payment Schedule

Assessment Update

Accreditation Report

Federal Update

Content Standards Revision Update

Executive Director Performance Evaluation

Chair Tharp discussed the ongoing work for the Board regarding alternatives such as proficiency-based learning, charter schools, to name a few, and that the Board has learned there are new ways of doing things while maintaining high quality.

Board member Slinger thanked OPI for their work.

Dr. McLean spoke to her experience renewing her Educator License online and how well the process worked.

Chair Tharp thanked all the educators across the state and the education partners for their work.

PUBLIC COMMENT

No public comment was made.

ADJOURN

Meeting adjourned at 3:59 PM.

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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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