



**Education and Local Government Interim Committee**  
**61st Montana Legislature**

**SENATE MEMBERS**

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GARY BRANAE  
KIM GILLAN  
BOB HAWKS  
DANIEL MCGEE  
JIM PETERSON

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RUSSELL BEAN  
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**COMMITTEE STAFF**

LEANNE HEISEL, Research Analyst  
JEREMY GERSOVITZ, Staff Attorney  
CLAUDIA (CJ) JOHNSON, Secretary

# MINUTES

## Subcommittee on Legislative Resolutions HJR 6 and SJR 8

**December 10, 2009**

**Capitol Bldg., Rm 137  
Helena, MT**

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### **COMMITTEE MEMBERS PRESENT**

REP. BOB LAKE  
REP. EDITH MCCLAFFERTY  
SEN. BOB HAWKS  
SEN. JIM PETERSON

### **EX OFFICIO PARTICIPANTS**

DAN VILLA, Education and Policy Advisor, Governor's Office  
SHEILA STEARNS, Commissioner of Higher Education  
LYNN HAMILTON, Board of Regents  
MADALYN QUINLAN, Office of Public Instruction  
STEVE MELOY, Board of Public Education

### **STAFF PRESENT**

CASEY BARRS, Research Analyst  
HELEN THIGPEN, Staff Attorney  
CLAUDIA (CJ) JOHNSON, Secretary  
KRIS WILKINSON, Fiscal Analyst II  
PAM JOEHLER, Senior Fiscal Analyst

### **Visitors/agenda**

Visitors' list, Attachment #1.  
Agenda, Attachment #2.

## **COMMITTEE ACTION**

The ELG Subcommittee:

- approved the written minutes from the November 9, 2009, meeting.
- approved the timeline for a signed agreement, policy goals and accountability measures to present to the full ELG committee.
- approved the timeframe to finalize the agreement and make ready for signatures, and change the year from 2009 to 2010 (it is noted as 2009 of the figure 2 graph in Exhibit 1)
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## **AGENDA**

### **CALL TO ORDER AND ROLL CALL**

00:02:29 Chair Lake called the Education and Local Government Subcommittee meeting to order at 1:35 p.m. He welcomed the committee members and panel members to the meeting. The secretary noted the roll. Attachment #3.

00:03:10 Sen. Hawks noted that participant Dan Villa's name is not included in the minutes. Several other corrections were made to the minutes per Sen. Hawks and Steve Meloy, Board of Public Education (BPE).

### **Motion**

00:07:26 Sen. Hawks made the motion to approve the minutes from the November 9, 2009, subcommittee meeting as corrected. The motion **passed**. Attachment #4

00:07:49 Casey Barrs introduced Helen Thigpen, the new staff attorney for the LSD, and Dan Villa, who is the Education and Policy Advisor of the Office of the Governor.

00:12:10 Mr. Villa gave an overview of several of the Governor's educational initiatives that are going forward - Race to the Top program and the P-20 Program. He talked about partnerships with the schools and tracking performance and how they can bring that into the classroom.

### **Staff Summary of Process and Product: What getting to Shared Policy Goals and Accountability Measures looks like**

- Pam Joehler & Kris Wilkinson, Legislative Fiscal Division

00:16:44 Ms. Joehler talked about a handout that was distributed at the November 9, 2009 meeting on shared policy goals and accountability measures and the process for education. **(Exhibit 1)** She discussed the goals.

- Increased participation
- Retention, and
- Completion rates in the Montana University System (MUS)

Ms. Joehler talked about the timeline and completion date of the components. It is hoped that the agreements between the educational partners will be ready for signatures by that time.

### **ELG comments and questions**

- 00:34:51 Questions by Sen. Peterson regarding:
- The accountability and deliverables of long-term goals for P-20, and he wanted to know if anyone is including in the goals an analysis of the K-12 system's structure.
  - Is OPI looking at long-term structure related to projected demographics and he asked if that should be part of the process?
  - Is BPE looking at how to deliver these services given the changing demographics of the state?
  - Is the funding going to be on the shoulders of the Legislature or are there other resources, and how will the Legislature approach that?
- The committee discussed how they will approach these issues. They addressed the shifting of stimulus funds appropriated from the 2009 Legislature being the bigger issue this coming Legislative session.
- 00:41:22 Chair Lake talked about the subcommittee's goals and how they will work on the two resolutions, HJR 6 and SJR 8. The committee discussed the funding issues and how it can flow through accountability measures. ELG Committee Chair Grinde joined the subcommittee and discussed the goals and questioned how the committee members will measure those objectives.
- 00:44:17 Mr. Barrs informed the committee how the urban and rural communities are facing pressures in education and said that the full ELG committee's workplan will address this issue.
- 00:45:03 Mr. Meloy stated that the three issues that Sen. Peterson mentioned are the same ones that BPE is working on: 1) efficiency, 2) consolidation and eliminating barriers, and 3) reforming the tax structure. He said these were suggestions from previous interim committees.
- 00:46:35 Dr. Stearns, Commissioner of OCHE, said that the Board of Regents (BoR) has been focused on its strategic plan and that the directions from Superintendent Denise Juneau are lining up with the goals set out by the committee. She talked about Sen. Peterson's concerns regarding the structure and said that coincides with OCHE's shared policy goals on efficiency and effectiveness. She talked about the strategic investment that Sen. Hawks referred to. Dr. Stearns addressed the goals, commenting that it is a long process. Chair Lake talked about transparency and accountability that was addressed by Dr. Stearns.
- 00:59:47 Ms. Quinlan said she has been to several regional school superintendents meetings and they talked about consolidation. She said Montana is one of four states that has separate elementary and high school districts. She questioned how to increase resources and to increase the tax base, and

said that OPI has also applied and received several grants to assist with the funding.

01:03:58 Chair Lake asked the members if they agreed with the timeline that is set forth in the graph from Ms. Joehler and Ms. Wilkinson's handout on Page 2 of Exhibit 1.

01:07:49 The committee discussed the timetable and how it should be going forward. Ms. Quinlan asked if there is a timeline to bring a bill draft request forward. Mr. Barrs said that agency bill draft requests should be made by the ELG's June meeting. Chair Lake said that the June 2010 meeting will also be the finalization to prepare the written agreements and have them ready for signatures.

**Motion:**

01:09:56 Sen. Hawks made the motion to accept the timeframe of the June 2010 meeting for the finalization of signatures for the agreement, and with the previously mentioned change from 2009 to 2010 (it is noted as 2009 on Exhibit 1, figure2). The motion **passed**.

**Postsecondary Panel**

- **Tyler Trevor, Associate Deputy Director, Office of the Commissioner of Higher Education (OCHE)**
- **Mary Sheehy Moe, Deputy Commissioner on two-year education - Community Colleges (CC)**
- **Dr. Sheila Stearns, Commissioner of OCHE**

01:11:15 Mr. Trevor said he will be speaking for Regent Hamilton who could not be present today. Mr. Trevor distributed a handout and explained the shared policy goals and accountability measures for the Montana University System (MUS) for the 2009 Biennium. **(Exhibit 2)** He talked about a subcommittee attached to the MUS that has regents and citizen's advisors as members and includes Sen. Hawks who works in between BoR meetings on topics of reinvention and reform, and how to become more efficient. Mr. Trevor discussed some of the topics that relate to OCHE's goals on efficiency and effectiveness, one being the alignment of business practices. He said that the MUS has been working on this by restructuring efforts such as common course numbers and a more centralized distance learning. He said when the MUS gets through this there will be better services for Montana through business practices that will be identical on all campuses.

01:16:02 Deputy Commissioner Sheehy Moe described the two-year CC's courses and that the faculty in the MUS have reviewed over 5,000 courses in 12

disciplines and have identified enough of the courses to reduce that number to approximately 2,000 courses. Students who want to transfer can go online to determine if their course is accepted at a 4-year college or another 2-year college.

01:21:03 Commissioner Stearns talked about OCHE's partnership between the virtual academy and the BoR and what they will be able to accomplish in the years ahead.

01:22:38 Chair Lake asked for a printout on the shared policy goals from OCHE. Mr. Trevor has a handout of the goal objectives and measures in the Montana Board of Regents 2008 Strategic Plan book. **(Exhibit 3)** The Plan is available on the OCHE website.

[http://mus.edu/board/meetings/2010/Mar2010/Strat\\_Plan\\_Quick\\_Ref\\_Guide.pdf](http://mus.edu/board/meetings/2010/Mar2010/Strat_Plan_Quick_Ref_Guide.pdf)

#### **K-12 Panel (HJR-6)**

- **Madalyn Quinlan, Office of Public Instruction (OPI)**
- **Steve Meloy, Board of Public Education (BPE)**

01:25:09 Ms. Quinlan distributed a copy of OPI's four policy goals. **(Exhibit 4)** She addressed and explained each goal.

#### **ELG subcommittee comments and questions**

01:28:48 The committee members and Ms. Quinlan talked about Goal #1 and students learning at their maximum capability.

01:31:05 Commissioner Stearns stated that the Governor appointed a Kindergarten to College Work Group three years ago which deals with P-20 education. A consulting firm had been hired and made about 30 recommendations which the work group has been working on, for example how to achieve a 100% graduation of high school seniors.

01:33:02 Mr. Meloy talked about the strategies taken by the BPE at the state and local level. He concurred that the committee keep Goal #1, but recognize that all the educational institutions are trying to reach that goal the best way they can.

01:35:58 Chair Lake and Ms. Quinlan talked about achieving high school attainment and going on to college and what the requirements will be. Chair Lake said the action plan will show how to achieve it. Sen. Hawks asked if one of the goals will be to accept a GED student as a graduate. Ms. Quinlan said they have to be careful because nationally a person with a GED is considered a drop-out.

- 01:43:11 Ms. Quinlan addressed Goal #2, Goal #3, and Goal #4.
- 01:45:30 Rep. McClafferty and Ms. Quinlan talked about schools providing a reading coach.
- 01:50:27 Sen. Hawks talked about tracking students who take an alternative education path such as an GED, and questioned why a student cannot be tracked that has taken the GED course. Commissioner Stearns read an e-mail from one of her office staff that reads: "The GED is not considered ready for college. It only tests approximately 8th grade math. As a result the Adult Basic Education providers are changing their focus to prepare students for work or college and not just for the GED."
- 01:52:43 Ms. Quinlan said they follow all students, but a GED does not count as a graduate from high school. Chair Lake commented that a student getting a GED is an achievement for that student. He commented that there needs to be some form of recognizing this achievement.
- 01:54:37 Chair Lake and the members talked about what they will discuss in the future subcommittee meetings. It was decided that the March meeting will focus on objectives and the June meeting will look at accountability measures.
- 01:55:01 Ms. Wilkinson said that the written agreement will be a one page document that references the report and has the goals, the measures, and the objectives in it.
- 01:57:14 Sen. Hawks said the overall goal in higher education is to analyze the results over a period of time. Chair Lake talked about setting goals and setting them high. He said it is a continual work in progress.
- 01:59:40 Ms. Wilkinson asked if a recommendation will be made from this subcommittee as to whether they agree with the goals and then present them to the full committee.

### **Motion**

- 02:00:34 Sen. Hawks made the motion that the recommendations regarding the K-12 goals discussed in this subcommittee be reported to the full committee for their consideration.

### **Discussion**

- 02:02:06 The language in Goal #1 is questioned and Sen. Hawks responded that this committee is only reporting its recommendation to the full committee tomorrow. Commissioner Stearns discussed how shared policy goals have been reached in the past and how the goals will be presented to the

Legislature.

02:04:45 Sen. Peterson asked that the motion be clarified. Sen. Hawks said the recommendation to the full committee includes the discussion from this subcommittee and its agreement to the terms.

02:05:50 ELG Committee Chair Grinde commented that the K-12 goals language should not be changed so the full committee can deal with it.

**Motion**

02:07:20 Sen. Hawks said the motion is to go forward with the goals as written, and it is suggested that this subcommittee continue this discussion tomorrow and present it to the full committee with a recommendation of a do pass motion." The motion **passed**.

**K-20 Panel (SJR-8)**

- **Madalyn Quinlan, Office of Public Instruction (OPI)**
- **Steve Meloy, Board of Public Education (BPE)**
- **Tyler Trevor, Office of the Commissioner of Higher Education (OCHE)**

02:09:23 Ms. Quinlan distributed and explained a handout that shows a list of the goals agreed upon by the BoR, OCHE, OPI and the BPE. **(Exhibit 5)**

02:14:53 The committee members discussed how the state is required under the Constitution to provide a quality education. Mr. Meloy said that BPE has sent out surveys to all of the schools asking what their needs are and how BPE can assist them.

02:18:06 Ms. Quinlan said that the OPI and OCHE have met and they have set a goal to have 20 courses available for the Virtual Academy by enrollment time. She talked about how distance learning will provide students the opportunities to meet the full courses required for graduation.

02:25:57 Dr. Stearns and the committee talked about assessment and the data from the school system that will provide assistance for early warning such as dropping out of school. They also talked about the misperception of students regarding the cost of college and are they college ready.

02:29:47 Chair Lake talked about parents and students being on the same page and the students understanding what is required of them to go to school.

**Motion**

02:31:41 Sen. Peterson made the motion to approve the K-20 goals (see Exhibit 5),

and recommend them to the full committee. The motion **passed**.

### **Public Comment**

02:32:41 Claudette Morton, Director of the Montana Small Schools Alliance, commented about how great it is having these goals and the data that is available, but stated that the committee has not addressed how nothing will help the schools without them having the human resources to reach out to students and parents and figure out what is needed. She said since the 1980s the schools have lacked guidance counselors. She said that all of the GEAR UP schools have additional resources to do that type of work. She said it is critical not to lose counselors. She stated "it is human beings that keep contact with the students and the parents."

02:35:02 Mr. Villa informed the committee that he has just returned from the Race to the Top webinar conference. He talked about some of the issues that were discussed:

- Can student achievement be linked with teacher evaluations?
- Are there legal barriers?
- Montana has no statutory boundaries on linking student performance with teacher evaluations linked to principal evaluations
- Montana has been singled out as exemplary in charter schools, because they are treated the same as a public school under the leadership of the board of trustees and the BPE and the accreditation standards
- The Chamber of Commerce has rated Montana as one of the few states in the nation to receive an "A" for student achievement.

Mr. Villa said that the discussions in this subcommittee are leading up to the full committee level to determine what the Legislature will be looking at in regards to student achievement and how to integrate it into the Race to the Top application that could be made.

02:38:46 Chair Lake informed the ex-officio participants that they are included in tomorrow's December 11, 2009, full ELG meeting.

02:40:28 ELG Committee Chair Grinde asked that a brief overview from the last two subcommittees and information be presented to the full committee of the goals and how they will be achieved.

### **Adjournment**

02:45:10 Chair Lake adjourned the ELG subcommittee at 4:15 p.m.