



**Office of the Superintendent**  
Billings Public Schools  
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Billings, Montana 59101-1298  
Phone: (406) 281-5065 Fax: (406) 281-6187

December 6, 2021

***sent via email***

The Honorable Elsie Arntzen  
Superintendent of Public Instruction  
State of Montana  
P. O. Box 202501  
Helena, MT 59620-2501

Dear Superintendent Arntzen:

We are the superintendents of Montana's AA schools. Collectively, we are responsible for the education and safety of almost 64,000 students, which is nearly 45% of the state's public schools enrollment. We write to express our disappointment in your leadership as our state's chief public education officer. Indeed, for the reasons described in this letter, we express no confidence in your performance as Montana's chief public education officer. Public education is a central tenet of our democracy, as recognized in our Montana Constitution. Our locally elected trustees and our local school districts play an indispensable role in our Montana communities. With limited resources and ever more obligations under state and federal law, it is increasingly difficult to provide the constitutionally protected education our children deserve while your office is simultaneously failing to provide the critical assistance we need.

The bottom line is that for us to best do our jobs, we need you to be doing yours. Unfortunately, the Montana Office of Public Instruction during your tenure in office has experienced a turnover rate of nearly 90%, leaving the agency with absences in critical areas, such as special education, accreditation, and licensure. Additionally, your months-long campaign against our districts' efforts to combat COVID-19 in our schools and communities has undermined the role and responsibilities of our locally elected officials and disrespects the honorable volunteer efforts of hundreds of trustees in our Montana communities. Your conduct destabilizes the credibility of our local schools, the same ones you are elected to represent and help and on whose behalf you are supposed to advocate.

Each of us have years of experience as educators. Like you, we have educated hundreds of children. Some days were hard, but most were calm and productive, and we ended the day feeling like we made a difference. To have someone at a political rally you attended "joke" that we should be shot because of the professional roles we play shook and outraged us. We realize you attempted to distance yourself from those comments, but this was not the first time you participated in an event that vilified public educators.

Recently you advocated for changes in administrative rule that would permit parents to "opt out" of local school policies. That move is likely unconstitutional, but, worse, it sends a message that the person elected to represent public education rejects the principle of "local control" you claim to celebrate and tells parents that our policies are suspect and subject to their personal discretion. That same logic, applied to the classroom level, (to which you should relate), would permit

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students to pick and choose which rules to follow and would inevitably result in students declaring themselves exempt from your lessons, your testing, and your grades. At a basic level, you articulated a position that rejects the code of ethics you willingly embraced when you chose to be a public school teacher. If you cannot advocate for the basic principles of your profession, you should not serve as our chief education officer.

As a practical matter, your leadership of the Montana Office of Public Instruction has created serious deficiencies in the services your office is obligated to provide. The turnover in your agency has caused significant disruption in schools across the state. You have lost many good people who want to improve education in Montana. Our criticism on this point is not directed to those who remain on your staff; we appreciate their work and thank them for their continued service. While we understand the mantra of “cutting the fat out of government,” the steps you have taken effectively left no muscle in our state’s education agency. To continue with that metaphor, you are permitting – indeed, encouraging – OPI to bleed to death. This is, ultimately, a decision that harms Montana’s school districts and the students (and local communities!) they serve.

To be clear, our concerns are not related to your politics, but rather your leadership (or lack thereof). To provide examples, we note here some specific instances of the deficiencies at OPI under your management which we believe transcend the political scums of the day:

- *Unlicensed Educators:* OPI monitors the status of our teachers with the Fall Report. We have had issues with unlicensed teachers in our Fall 2021 report, more than we typically have. This results from a backlog of applications at OPI and not enough staff to effectively process the applications in a timely manner. It is our understanding that the licensure department is currently not taking any calls and is at least a month behind in responding to e-mails “in the order in which [OPI] receive[d them].” This is unacceptable in the best of times, much less when the state is facing a critical shortage of licensed educators, as you yourself have said many times. Furthermore, it can result in our educators not being timely paid for their work, as state law forbids us from paying a teacher after they have worked for sixty days if they do not have a license on file with the county superintendent. See Mont. Code Ann. § 20-4-202(1). If teachers are not being paid, they may consider looking to other states with better functioning licensure programs, further exacerbating Montana’s educator shortage.
- *Updated Content Standards:* There appear to be no plans going forward to update our state’s content standards. The Board of Public Education has still not approved any schedule for this important work and it does not appear to be a priority for your office. This is understandably problematic for school districts that are striving to keep our educational materials up to date and rely on the Office of Public Instruction regularly updating the state’s standards. In addition to the disservice it does our students when we are forced to teach to outdated standards, districts also regularly plan curriculum review cycles years in advance to plan for the enormous budget expenditures that follow updating to new standards, so the lack of leadership from OPI on this is also causing

districts financial uncertainty we can ill afford in these already increasingly uncertain times.

- *Federal Programs Monitoring Process:* One of our districts had been flagged as a “high risk” district due to alleged violations of compliance with three specific federal programs (IDEA, McKinney-Vento, and Foster Care). The original notification letter was addressed to the district but identified a different school district in the body of the letter. There were other mistakes in the first letter. When the district asked for a corrected letter, it received a new letter ten days later with some corrections, but the name of a different school district listed in the body of the letter. When the district asked for details about the alleged violations, it received conflicting reports from various OPI staff. The administration discussed this issue with its board and received unanimous support to pursue the complaint and appeal process as outlined in the OPI federal programs guidelines. The letter sent by OPI contained a link to the appeals process, but unfortunately the link did not work; it was a dead link. The district researched on its own to find the appeals process. After submitting its appeal, but before any substantive discussions took place, the school district was notified that OPI was dropping the determination of “high risk” status. It does not appear there was any basis for the designation in the first place.
- *Special Education:* With the lack of a director at OPI, the general communication regarding special education updates from OPI to our districts has been lacking. Technical support from OPI is difficult to obtain. The current staff continues to be helpful, but we have found it difficult to get information quickly. The other issue is a lack of connections between OPI personnel and our staff. Due to high turnover of staff at OPI, we have lost some of the long-standing connections we had with OPI staff. Special education is one of those high-risk areas where districts, especially districts without dedicated compliance staff, can get into trouble in a hurry if they cannot rely on technical assistance from the state education agency.
- *Professional Code of Ethics:* The MT Educators Professional Code of Ethics is reviewed and revised every five years by the Certification Standards and Practices Advisory Council. This body of professionals is established in state law. Members include representatives from each level of public education: teachers, counselor, administrator, board trustee and a rep from a state teacher education program. As education professionals currently practicing in the field, this group is tasked with reviewing and recommending revisions to the Professional Code of Ethics. At a public meeting in July, when the group presented its proposed revisions to the Code, you spoke against the proposed changes. You apparently believed the revisions were connected to “Critical Race Theory.” Unfortunately, your comments and misinformation were supported by several members of the public who testified at the public meeting. As the Superintendent of Public Instruction, your actions and statements should support the professional educators in Montana. In this instance, you instead used the influence of your office to

speak against the efforts of public educators chosen to review and revise the Code of Ethics that guide our profession.

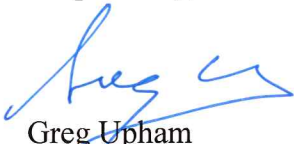
- *Work Force Development and Career/Technical Education:* Montana needs a strong link between our PK-12 education system, higher education, legislators, and business and industry leaders. Bringing these entities together to provide a coordinated effort for our students is a leadership opportunity that rests on the shoulders of the chief officers of these institutions. However, the leadership at OPI has failed to articulate an organized plan for our PK-12 system to participate in a strategic manner for the encouragement of work force development and educational efforts in Montana. To the contrary, despite a stated desire to do just that through your Montana Ready initiative, OPI leadership has instead created confusion and chaos while failing to collaborate or demonstrate consistent communication with school district leaders across the state.
- *Concerns with the Chapter 57 Review Process:* The OPI is in the process of reviewing Chapter 57. This chapter is focused on the rules and procedures regarding educator licensure in the State of Montana. A task force of stakeholders has met several times to make revisions and recommendations. Ultimately, the revisions will need to be presented to the Board of Public Education for approval. There have been recent presentations made to the Certification Standards and Practices Council regarding this work. During public comment it became clear that the stakeholder group has not reached consensus on many of the revised changes. It has been stated several times by those involved that the process is moving forward too quickly. This assessment is based on similar processes used when these rules were reviewed in the past. Apparently, the stakeholder group has not been given enough time and support to do this work effectively. These rules are critically important to maintaining a high-quality standard for teacher licensure in the state. The lack of support and leadership at OPI is jeopardizing this important process.
- *EGrants:* Numerous issues at OPI have resulted in districts being unable to timely apply for or access funds they need to do their work. Some sources of issues are delayed information from OPI on submission deadlines and reporting instructions, difficulty in locating grants information on OPI's website, inaccurate formulas, and lack of stable staffing in this area to provide technical assistance for districts that need help applying for funds.
- *Accreditation:* It is frankly absurd that such an important task of our state education agency is now being shouldered by just one person. With hundreds of school districts needing annual accreditation reports, this division must be returned to its former strength (and probably could use additional assistance on top of that) as soon as possible so educators, trustees, students, and parents can have confidence in our schools' abilities to teach our kids. While we understand that you have recently announced the hire of one additional staff person for this division, it remains our opinion this will still be a critically understaffed area of OPI.

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Let us be clear once more: we do not place the blame for these problems at the feet of the dedicated staff at OPI, who we know are doing the best they can with what they have been given. We know many of them have been called upon to do work outside their training and expertise, and we cannot reasonably expect them to do as well as the people who had been doing these jobs for years.

We expect better of you, the Superintendent of Public Instruction, whose job it is to guide the OPI and manage its resources for the betterment of all of Montana's public schools. We hope our concerns do not fall on deaf ears, Superintendent Arntzen. Our local schools need your support and our local elected trustees deserve your respect. We respectfully ask you, as a Montana educator, to please take our concerns to heart and put your efforts towards restoring OPI instead of throwing rocks at local school districts.

Respectfully,



Greg Upham  
Superintendent  
Billings Public Schools



Godfrey Saunders  
Superintendent  
Belgrade School District



Casey Bertram  
Interim Superintendent  
Bozeman Public Schools



Thomas G. Moore  
Superintendent  
Great Falls Public Schools



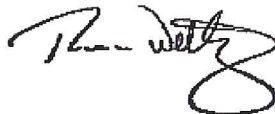
Rob Watson, EdD  
Superintendent  
Missoula County Public Schools



Judy Jonart  
Superintendent  
Butte Public Schools



Micah Hill  
Superintendent  
Kalispell Public Schools



Rex Weltz  
Superintendent  
Helena Public Schools