

July 28, 2009

The Honorable Arne Duncan  
Secretary, U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202-0008

Dear Secretary Duncan:

I am writing to thank you, and President Obama, for your leadership priorities for public education. I serve as Montana's State Superintendent of Public Instruction to help our state's public schools achieve many of the same priorities you are promoting. I believe in the power of public education to transform children's lives. I believe in making data-driven decisions to improve instruction. I believe in good educators' ability to spark children's interest in academics and make them successful citizens. I believe in having high standards, high expectations, and creating the correct assessment tools for accountability. Finally, I too believe we must do more for children who have languished for generations in our lowest performing schools.

During my first six months as the State Superintendent of Public Instruction, our agency has pulled together in teams around many of these same strategic directions to develop plans to help us achieve our goals in these areas. Please understand that your goals are our goals. However, the business of getting this done and achieving success in these areas may be carried out in our state differently than is currently envisioned by your administration.

As you may recall from your visit to our great state, our large land mass is very rural. According to the 2000 U.S. Census, there are 6.2 people per square mile in our state. Only 6 percent of Montana schools have an enrollment of more than 500 students, while 54 percent of schools enroll fewer than 100 students. Our largest district serves approximately 15,500 students.

In Montana, the State Board of Public Education (BPE) adopts standards of accreditation for K-12 public schools upon the recommendation of the State Superintendent of Public Instruction. Accordingly, the State Superintendent recommended, and the BPE adopted, a standard for the establishment of charter schools. This process honors the Montana Constitution by empowering the local school board as the chartering entity and the BPE providing oversight in determining approval.

There have been no requests to the BPE to approve charter schools since the effective date of the Rule, July 1, 1989, indicating that local school boards have found sufficient flexibility to operate under existing rules without resorting to a charter system. Montana's rural context and economic status has made it challenging for many communities and the state to support the public schools we currently have, much less encourage the duplication of infrastructure a charter school would mean in most communities.

As the State Superintendent, I stand by the BPE's accreditation standard for charter schools and do not feel the need to support legislation introduced in Montana for the creation of charter schools. Requiring the opening of charter schools in very small communities does not make sense. Requiring the opening of charter schools in areas where students are performing well does not make sense. As for turning around our lowest performing schools, we are creating a plan that makes sense for our rural context. This plan does not require charter schools. I hope you can support the plan when it is completed.

I have heard you speak about your visit to the Northern Cheyenne Reservation and how bright the students are and how they deserve better than they are receiving. We have seven Indian reservations in Montana, which include our highest poverty communities. In Montana, our achievement gap exists predominantly between American Indian (economically disadvantaged) and White students. These areas need more than a charter school. These students need support from all adults in their communities. Our plan to turnaround these schools consists of more than changing the structure of a school system and giving it a new label. We intend to transform the system and include many stakeholders in the effort to help the communities take control of their destiny. Please allow us to approach our turnaround effort in our own way and not penalize us because we do not, and will not, support the requirement of charter schools as the vehicle to get the job done.

We have many partners we call upon to assist all of our efforts at the state level. You will see below the signature of some of these partners. We urge you to consider priorities for the Race to the Top grants that will be equitable for all states. We believe the requirement for operational charter schools may not be attainable for all states.

Using a one-size-fits-all measurement will do a disfavor to states that cannot meet the established criteria. We strongly believe all states deserve an equal opportunity to qualify for this important funding that will help to improve teaching and learning for all of our students.

Thank you for considering our comments and concerns. We look forward to our continued partnership.

Sincerely,

Denise Juneau  
State Superintendent of Public Instruction



Patty Myers  
Chairperson, Board of Public  
Education



Eric Feaver  
President, MEA-MFT



Shelia Stearns  
Commissioner of Higher Education



Lance Melton  
Executive Director, Montana  
School Boards Association



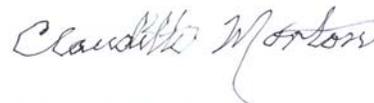
Dave Puyear  
Executive Director, Montana Rural  
Education Association



Lynda Brannon  
Executive Director, Montana  
Association of School  
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Darrell Rud  
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