

Response from Superintendent Arntzen:

As requested by Chair Bedey in his November 22<sup>nd</sup> letter, below in italics are my responses to the questions he posed:

1. OPI's specific concerns regarding how provisions in HB 949 might inhibit or preclude collecting student data and sharing it with the system being provided by PowerSchool,

*House Bill 949 amended § 20-7-104, MCA, to narrow the amount and types of data that the Office of Public Instruction (OPI) may gather and release.*

2. OPI's specific concerns regarding limitations that FERPA may place on collecting and sharing student data necessary for full implementation of the PowerSchool system,

*The Workforce Data Governing Board established by House Bill 949 is not an "educational agency or institution" to which FERPA applies. Under FERPA, OPI can release directory information to the Workforce Data Governing Board, which would comprise a subset of the total information gathered by OPI from school districts.*

3. limitations that OPI's current statewide student information system, "Achievement in Montana (AIM)," places on the transmission to the PowerSchool system of all education data necessary to implement the full capability of the PowerSchool system including analytics, and

*OPI's information system includes programming that defines the information that OPI may lawfully gather from school districts. OPI gathers the information it is required to gather under state and federal law. The implementation should be fully capable of running analytics on the data OPI gathered.*

4. a copy of the contract (including modifications) between OPI and Infinite Campus, which was extended for five years in 2021.

*Please see the attached copy of the contract, which has not been amended. The addendum to the contract will be sent via separate e-mail due to attachment size limitations.*