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Attorney for Intervenor-Applicants

MONTANA FIRST JUDICIAL DISTRICT COURT,
LEWIS AND CLARK COUNTY

JESSICA FELCHLE; BEAU WRIGHT; the
MONTANA QUALITY EDUCATION
COALITION; the LEAGUE OF WOMEN
VOTERS OF MONTANA; SHARON
CARROLL; SUZANNE MCKIERNAN;
LINDA ROST; PENELOPE COPPS; LANCE
EDWARD; and CORINNE DAY,

Plaintiffs,

vs.

STATE OF MONTANA; GREG GIANFORTE,
in his official capacity as GOVERNOR OF
THE STATE OF MONTANA; and ELSIE
ARNTZEN, in her official capacity as
SUPERINTENDENT OF PUBLIC
INSTRUCTION,

Defendants.

Cause No.: D DV-25-2023-0000425-IJ

Hon. Chris Abbott

**Declaration of Connie L. Filesteel in
Support of Intervention**

I am over the age of 18 and competent to testify to the following:

1. I am an enrolled citizen of the Aaniiih Nation from the Fort Belknap Indian Reservation in northcentral Montana. I have Aaniiih paternal and Nakoda maternal lineages and was born and raised on our ancestral land of the Fort Belknap Reservation. I come from a long line of business-minded educators, ranchers, and cultural teachers and activists. I have more than 18 years of experience as a professor and researcher in tribal colleges and universities and as a

teacher and administrator at K-12 public and parochial schools and state and tribal education agencies. I have experience in working with at least one school on nearly every reservation in Montana.

2. I hold a Bachelor of Science in Elementary Education from Montana State University-Northern and a Master's of Educational Leadership from Penn State University. I am also a Doctor of Philosophy candidate at Penn State, where I completed all doctoral course work and I will continue completing my dissertation.

3. I am in the process of developing a curriculum and establishing a Community Choice School on the Fort Belknap Reservation. I believe that Community Choice Schools under HB 562 are critical to give American Indian students in Montana academic and cultural opportunities not currently available on reservations so that they can achieve their full potential.

4. While there are positive aspects of the traditional public school system on reservations in Montana, unfortunately they very often fall short in providing American Indian students the academic and cultural knowledge they need to meet their full potential. My views are based on my training and experience as an educator on Montana's reservations, as well as my experience as a parent of a student who attended a reservation-bordering school.

5. My daughter is now a law student at the University of Montana. When my daughter was young, I took teaching jobs out of state, where my daughter had the opportunity to attend a public charter Montessori school from Second to Sixth grades. I watched her thrive in that environment where she was exposed to educational opportunities that were unavailable at any reservation school in Montana. Her skill and love of learning grew exponentially. Because the school was a public charter school, I did not have to pay for her education. I could never have afforded her education otherwise.

6. When she was in Seventh grade, she transitioned to a public charter middle school that was established by BASIS, which is a nationwide public charter school program nationally ranked as one of the best with a widely recognized rigorous curriculum. Like her Montessori public charter school, she excelled at the school and thrived in a learning environment that focused on meeting her academic needs.

7. After she finished the Seventh grade, I took a job as a professor at the Aaniiih Nakoda College on the Fort Belknap Reservation. I enrolled my daughter in the local public school bordering the reservation. Based on my experience, I was concerned that the Reservation public schools would not meet my daughter's academic needs and would be a step back for her. My concerns were justified. In Eighth grade at the public school on the reservation, my daughter was doing coursework that she had completed in Fifth and Sixth grades at her Montessori public charter school.

8. I met with teachers and administrators to ask if they could accommodate her by giving her work at her level and challenged her, especially in Math. Without additional learning opportunities, she was at serious risk of becoming disengaged in her coursework. My requests were met with resistance and ultimately refused. I then asked if my daughter could at least attend a high school Math course, since she was undoubtedly academically qualified and ready for advanced Math. That request was also refused. With no other educational opportunity, my daughter was required to stay in class and complete coursework that was well below her ability and objectives.

9. I have witnessed many other students over the course of my career in similar situations, and public schools on reservations and elsewhere respond in similar ways. Because

these students' academic needs are not being met, they are consistently at risk of becoming disengaged, frustrated, and not meeting their academic potential and even dropping out.

10. It is a difficult thing to witness, and it is what has motivated me to work to establish a Community Choice School on the Fort Belknap Reservation. In addition to academics, it is important for students to learn about our American Indian cultures. I am in the process of developing a dual language Montessori K-6 school, which will teach in both English and the Aaniiih and Nakoda languages.

11. In my experience, dual language instruction has significant benefits for students. Dual language instruction increases learning capability, it increases cognitive dexterity and problem solving, and improves communication skills. For American Indian students taught their ancestral languages, it promotes increased confidence and cultural identity and helps to keep our languages and culture alive and vibrant, which is especially important for students to develop an understanding and awareness of their culture and history. I was involved with a dual language school when I lived out of state, and students in dual language programs consistently performed at very high levels that often exceeded traditional models.

12. There is currently no public school on any reservation in Montana using a Montessori program or instructing in dual language.

13. My school will start small as a brick and mortar campus, but will likely grow quickly. I may also include a virtual learning component for students who cannot consistently travel across the large expanse of the Reservation, or who are not on the Reservation but want to take part in the unique Montessori, dual language opportunity not otherwise available in Montana.

14. The Community Choice School Act gives the flexibility to establish this type of school, which would otherwise be unavailable under the traditional public school model or the charter school model under HB 549. Based on my long experience with school administrators and school boards on reservations, the traditional public school system will likely not be receptive to a new public charter school because they have consistently resisted these ideas and concepts for a dual language, Montessori school, despite the well-established research showing the distinct benefits of these programs for students.

15. The Community Choice Schools public charter school program also allows me to form a board of individuals who have distinct expertise but reside outside my school district or a contiguous district. Drawing on experience with Montessori and dual language education from potential board members will allow me to ensure that we are developing the best model and curriculum for students to thrive.

16. I understand that Community Choice Schools are under the general supervision of the board of public education, and I believe that is also a benefit.

I declare under the penalty of perjury that the foregoing is true and correct to the best of my understanding and knowledge.

Connie L Filesteel

Connie L Filesteel (Sep 13, 2023 12:33 MDT)

Dated: _____

Connie L. Filesteel

Harlem, Montana

CERTIFICATE OF SERVICE

I, Dale Schowengerdt, hereby certify that I have served true and accurate copies of the foregoing Affidavit - Affidavit in Support to the following on 09-15-2023:

Rylee Sommers-Flanagan (Attorney)

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Representing: Beau Wright, Jessica Felchle, Corinne Day, Linda Rost, Sharon Carroll, League of Women Voters of Montana, Lance Edwards, Montana Quality Education Coalition, Penelope Copps, Suzanne McKiernan

Service Method: eService

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Electronically Signed By: Dale Schowengerdt

Dated: 09-15-2023