

**Board of Public Education Special Meeting  
Montana State Capitol Building  
Room 152  
Helena, MT**

**April 28, 2022**

***BOARD OF PUBLIC EDUCATION***

# AGENDA

**BOARD OF PUBLIC EDUCATION**  
**MEETING AGENDA**

**April 28, 2022**  
**Montana State Capitol Building, Room 152**  
**Helena, MT**

**Thursday, April 28, 2022**  
**9:30 AM**

**CALL TO ORDER**

- A. Pledge of Allegiance**
- B. Roll Call**
- C. Statement of Public Participation**
- D. Welcome Visitors**

**PUBLIC COMMENT**

*(This meeting is open to the public electronically. This time will be provided for public comment on items not listed on the agenda. For those wishing to give virtual public comment, please contact [bpe@mt.gov](mailto:bpe@mt.gov) to request the zoom link for the meeting. Members of the public who have joined may “raise their hand” at the appropriate time and participate after being recognized by the Board Chair. Written public comment may be submitted to the Executive Director at [bpe@mt.gov](mailto:bpe@mt.gov) and will be shared with the Board members and included as part of the official public record.)*

**ADOPT AGENDA**

❖ **LICENSURE COMMITTEE – Madalyn Quinlan (Items 1-2)**

**Item 1 UNUSUAL CASE REQUEST BPE CASE #2022-08, EMMONS - (ACTION) – 15 Minutes**  
**Crystal Andrews**

**Item 2 REVIEW OF AND RESPONSE TO PUBLIC COMMENTS SUBMITTED ON**  
**SUPERINTENDENT’S RECOMMENDATIONS FOR REVISIONS TO ARM TITLE 10,**  
**CHAPTER 57, EDUCATOR LICENSURE – (ACTION)**  
**McCall Flynn**

**PUBLIC COMMENT**

*(This meeting is open to the public electronically. This time will be provided for public comment on items not listed on the agenda. For those wishing to give virtual public comment, please contact [bpe@mt.gov](mailto:bpe@mt.gov) to request the zoom link for the meeting. Members of the public who have joined may “raise their hand” at the appropriate time and participate after being recognized by the Board Chair. Written public comment may be submitted to the Executive Director at [bpe@mt.gov](mailto:bpe@mt.gov) and will be shared with the Board members and included as part of the official public record.)*

**ADJOURN**

*The Montana Board of Public Education is a Renewal Unit Provider. Attending a Board of Public Education Meeting may qualify you to receive renewal units. One hour of contact time = 1 renewal unit up to 8 renewal units per day. Please complete the necessary information on the sign-in sheet if you are applying for renewal units.*

*Agenda items are handled in the order listed on the approved agenda. Items may be rearranged unless listed "time certain". Public comment is welcome on all items listed as "Action" and as noted at the beginning and end of each meeting.*

*The Board of Public Education will make reasonable accommodations for known disabilities that may interfere with an individual's ability to participate in the meeting. Individuals who require such accommodations should make requests to the Board of Public Education as soon as possible prior to the meeting start date. You may write to: Kris Stockton, PO Box 200601, Helena MT, 59620, email at: [kmstockton@mt.gov](mailto:kmstockton@mt.gov) or phone at 444-0302.*

## **CALL TO ORDER**

- A. Pledge of Allegiance**
- B. Roll Call**
- C. Statement of Public Participation**
- D. Welcome Visitors**

**ACTION**

❖ **LICENSURE COMMITTEE – (Item 1-2)**

**ITEM 1**

**UNUSUAL CASE REQUEST BPE CASE #2022-  
08, EMMONS**

**Crystal Andrews**



# Montana Board of Public Education Executive Summary

**Date: April 28, 2024**

<b>Presentation</b>	Wpucn'Ecug'Tgs wguu DRG'Ecug%' 4244/2: " Go o qo u
<b>Presenter</b>	NAME: Crystal Andrews  Office of Public Instruction
<b>Position Title</b>	Director of Licensure
<b>Overview</b>	
<b>Requested Decision(s)</b>	Action.
<b>Related Issue(s)</b>	
<b>Recommendation(s)</b>	Accept the Superintendent's recommendation.



**ACTION**

**ITEM 2**

**REVIEW OF AND RESPONSE TO PUBLIC  
COMMENTS SUBMITTED ON  
SUPERINTENDENT'S RECOMMENDATIONS  
FOR REVISIONS TO ARM TITLE 10,  
CHAPTER 57, EDUCATOR LICENSURE**

**McCall Flynn**

**Board of Public Education  
Special Meeting April 28, 2022**

The purpose of the Board’s meeting on April 28 is to review and respond to public comments regarding the revision to ARM, Title 10, Chapter 57 Educator Licensure rules and to provide staff with direction to draft written responses on behalf of the Board.

The Board only needs to take action on proposed rules for which it received public comment. Any portion of the proposed rules for which the Board received no public comments will be included in the final document presented to the Board for adoption at its regular meeting in May.

The Board will work through the “Chapter 57 Public Comments - Compiled” document, which has been prepared by BPE staff. To facilitate the process, the Licensure Committee proposes the following items as potential areas of consensus for the Board. If a Board member asks for an item to be moved off the consensus list, that item will be moved to the discussion section of the meeting. The items included in the potential areas of consensus are identified with an asterisk in the Chapter 57 Public Comments – Compiled document.

1. Approve Definition of “Exchange Teacher” and proposed changes to 10.57.112. (Comments 36 and 37)
2. Amend the definition of “Lapsed License” to use the term “professional development” units to replace “renewal” units. (Comment 22)
3. Correct statutory reference to emergency authorization of employment in 10.57.201A Criminal History Background Check. (Comment 38)
4. Use the term “Professional Development Units” to replace “Renewal Units” throughout Chapter 57. (Comments 40, 42, 43, 44)
5. Add National Board-Certification as a qualification for a teacher to be issued a Class 1 license. (Comment 64)
6. Require all licensure candidates to take the online course “An introduction to Indian Education for All in Montana.” (Comment 122)
7. Amend proposed definition of “Year of administrative experience” and “Year of teaching experience” to recognize the Board Licensure Committee’s recommendation for a 180-day equivalency (e.g. 4-day school week) through minimum aggregate hours. (Comments 27 and 28)
8. Allow the online Montana Jobs for Teachers service to be used to satisfy the requirement for statewide advertisement for 10.57.107 Emergency Authorization of Employment. (Comment 29 (1)(b))

9. Add Class 6 School Counseling License as a pathway to a Class 3 Administrative License. (Comment 74)
10. Expand qualifications for a Class 4B CTE license to include an individual with a certificate of completion from an apprenticeship program or an associate degree in 10.57.420. (Comment 89)
11. Reduce the minimum hours of documented, relevant work experience for a Class 4 license from 10,000 hours to 5,000 hours in 10.57.421. (Comments 87 and 88)
12. Reduce the required hours of professional development courses from 80 hours to 60 hours for health science education, engineering, and computer coding in 10.57.421 (4). (Comments 87 and 88)
13. Approve the three types of Class 5 Provisional licenses as proposed in 10.57.424 with the clarification that the applicant have a current Montana address or a job offer from a P-12 school in Montana (not just a state-funded school). (Comments 92 and 94)
14. Eliminate the specific criteria in 10.57.437 (c)(ii) for an applicant for a Class 8 Dual Credit Postsecondary Faculty license to demonstrate adequate education and experience to instruct dual enrollment courses. (Comment 111)
15. Amend the definition of “immoral conduct” in 10.57.601A as proposed by deleting the specific reference to 45-9-102(2), MCA, but keeping the general reference to an offense under “any statute in Title 45, chapter 9, part 1, MCA.” (Comment 116)
16. Allow written notice of appeal to be submitted by email in 10.57.607. (Comment 118)

The compiled public comments are organized in the same sequence as the proposed rules are published in the Notice of Public Hearing on Proposed Adoption, Amendment and Repeal ([MAR Notice No. 10-57-288, pages 103-139](#)) on January 28, 2022 by the Secretary of State.

For the discussion section of the meeting, the Board will work its way through the public comments and take action to agree/disagree/ modify the language of a proposed rule. The purpose of the Board’s actions is to guide staff in the preparation of the final document that will be presented to the Board for adoption in May.

**Board of Public Education  
Chapter 57 Public Comment-Compiled**

**Key:**

CSPAC: Certification Standards and Practices Advisory Council

MACIE: Montana Advisory Council on Indian Education

MCDE: Montana Council of Deans of Education

MTPEC: Montana Public Education Center

NEMASS: Northeast Montana Association of School Superintendents

NWMASS: Northwest Montana Association of School Superintendents

\*: denotes potential areas of consensus

Highlight: denotes general response comments

*Note: The number of comments may not match the number of commenters, as many made comments on multiple sections, and comments are compiled based on “like themes” as indicated below.*

**NEW RULE I RECIPROCITY FOR MILITARY  
SPOUSES/DEPENDENTS – Pages 103-104**

**COMMENT 1:** 16 commenters, including NWMASS and MTPEC, supported licensure reciprocity for military spouses.

**COMMENT 2:** The Board Licensure Committee commented that the term “military dependent” should be defined and worked with Malmstrom Air Force Base to suggest the following definition: “Military dependent” is an adult dependent of a member of the armed forces of the United States or a reserve component of the armed forces of the United States stationed in Montana in accordance with military orders or stationed in Montana before a temporary assignment to duties outside of the state.

**COMMENT 3:** CSPAC recommended the Board either define the use of “dependents” or remove the new rule entirely.

**COMMENT 4:** The Governor’s Office and Republican Legislators commented that they support automatic reciprocity for military spouses and dependents and would encourage the Board and OPI to enter into multi-state reciprocity agreements with states who have similar licensing standards to Montana.

**NEW RULE II EDUCATOR PREPARATION PROGRAM**  
**VERIFICATION – Page 104**

**COMMENT 5:** 14 commenters, including NWMASS and MTPEC, oppose this proposed rule, as it is duplicative and allows the superintendent to change rules, which are covered under other proposed rules.

**10.57.102 DEFINITIONS – Pages 104-108**

**COMMENT 6:** 16 commenters, including the MCDE, are concerned by the replacement of “accredited professional educator preparation program” with “approved educator preparation program”.

**COMMENT 7:** 14 commenters, including NWMASS and MTPEC, support the following proposed changes in this section:

(2)(b): Accredited educator preparation program-suggested the Board remove the stricken language in the first sentence to read “an educator preparation program at a regionally accredited college or university approved or accredited by a state board of education or a state *education* agency”

(3)(b)(ii): Accredited educator preparation program-suggested the Board include education to read “state *education* agency”

(4): Age 3-21-suggested the Board add a new definition for “Age 3-21” which would be defined as, “denotes a scope of service to children by licensed educators beginning at age 3, including preschools, kindergartens, and other early childhood programs authorized by law and continuing through the age of 21 under circumstances authorized by law”

**COMMENT 8:** CSPAC recommended support of the changes from grade to age.

**COMMENT 9:** The Governor’s Office disagreed with this suggestion and stated that licensure definitions are commonly described by grade levels.

(6): Approved preparation program-suggested changing the definition to “means an *accredited* educator preparation program as defined in (2) of this rule.

(10): Endorsement-

(a) change to “Age 3-Grade 3 (early childhood programs, including preschool or other early childhood programs authorized under exceptional circumstances pursuant to 20-5-101)”;

(f) change to “Age 3-21”

**COMMENT 10:** CSPAC recommended support of the changes from grade to age.

**COMMENT 11:** The Governor’s Office disagreed with this suggestion and stated that licensure definitions are commonly described by grade levels.

\*(18): Year of administrative experience-suggested changing the definition to “Age 3-21” and “for the equivalent of at least .5 full time employee (FTE) for a school year comparable to a 180-day school year.

**COMMENT 12:** CSPAC recommended support of the changes from grade to age.

**COMMENT 13:** The Governor’s Office disagreed with this suggestion and stated that licensure definitions are commonly described by grade levels.

\*(19): Year of teaching experience-suggested changing the definition to “Age 3-21” and “for the equivalent of at least .5 full time employee (FTE) for a school year comparable to a 180-day school year. Experience gained prior to initial licensure is not considered unless such experience is gained as a student teacher engaged in “supervised teaching experience” as defined in ARM 10.57.102(16)”

**COMMENT 14:** CSPAC recommended support of the changes from grade to age.

**COMMENT 15:** The Governor’s Office disagreed with this suggestion and stated that licensure definitions are commonly described by grade levels.

**COMMENT 16:** The MCDE commented that by approving the Superintendent’s proposed revisions, Montana EPPs are being held to higher standards set forth in Chapter 58 and those from out-of-state who have not completed accredited programs. Additionally, they suggest trusting data that shows alternatively prepared teachers from approved programs are more likely to leave the profession.

**COMMENT 17:** CSPAC recommended the Board consult with MCDE to define “approved program” and outline more clearly what that is and how it differs from “accredited program”.

**COMMENT 18:** One commenter and the Governor’s Office supported adding the proposed definition for approved educator preparation programs and accredited programs recognizes the diverse ways in which educators gain experience and can be licensed.

**COMMENT 19:** The Board Licensure Committee commented that the definition of (2) “Accredited preparation program” should be struck and instead included under the new definition for (6) “Approved educator preparation program”, which is the umbrella term for traditional and alternate educator preparation programs. They proposed the following definition: “Approved educator preparation program” means: (a) an educator preparation program accredited by the National Council for the Accreditation of Teacher Education (NCATE) or the Council for the Accreditation of Educator Preparation (CAEP) or the Montessori Accreditation Council for Teacher Education (MACTE). A MACTE educator preparation program is subject to the following restrictions: (i) Completion of a MACTE accredited program may only be used by an applicant for licensure who has also completed at least a bachelor's degree; and (ii) The resulting license granted to an applicant for licensure who has completed a MACTE accredited program shall be limited to early grades or middle grades licensure and only for the grade levels covered by the MACTE accredited program completed by the applicant then a (accredited/traditional); or (b) an educator preparation program at a regionally accredited college

or university approved or accredited by a state board of education or state education agency; or  
(c) an educator preparation program approved by a state board of education or state education agency that leads to licensure in the state of preparation.

**COMMENT 20:** The Board Licensure Committee commented that the definition of (7) “Certification” was not revised consistent with the proposed changes in the rest of ARM . They recommended the use of the term “approved” in place of “accredited”. They’ve suggested the following definition: “Certification” means licensure of an educator/specialist, as issued by the state of Montana, based on completion of a teacher, administrator, or specialist program of an approved educator preparation program. Certification includes grade level(s), endorsement(s), and classification.

**COMMENT 21:** The Board Licensure Committee commented that the definition of (9) “Coursework GPA” is confusing. They suggested the following definition: “Coursework GPA” means the weighted average of teacher education program course grades, weighted by credit hours, and calculated over the defined period of study at a regionally accredited college or university. The weights reflect the relative contributions of teacher education program course requirements, including content area coursework, based on contact hours or credits earned. The weighted average is calculated as follows: (a) For each course required by the program, multiply the numeric grade value earned by the number of credits for the course; (b) Sum the products for all the courses included in (a); and (c) Divide the sum calculated in (b) by the total credits for all the required courses.

**\*COMMENT 22:** The Board Licensure Committee commented that the definition of (12) “Lapsed license” still refers to “renewal units” in (a) and (b). They suggested removing “renewal” and inserting “professional development” to be consistent with the other proposed changes.

**COMMENT 23:** The Board Licensure Committee commented that in the proposed definition of (15) “Student-teaching portfolio,” it is unclear whether student learning outcomes refers to the learning outcomes for the teaching candidate or the students in the K-12 classroom. They suggested the following definition: “Student-teaching portfolio” is a type of performance assessment that asks students to demonstrate what they have learned, how they engage in the learning process, and how they apply their knowledge demonstrating their preparedness for the teaching profession.

**COMMENT 24:** CSPAC recommended the Board to work with the MCDE to define “student teaching portfolio”.

**COMMENT 25:** The Governor’s Office commented that student-teaching portfolio as defined recognizes the diverse ways educators can demonstrate their knowledge and skills.

**COMMENT 26:** The Board Licensure Committee commented that the definition of (17) “Unrestricted license” is confusing and leaves out lifetime licenses. They have suggested the following language: “Unrestricted license” means a current renewable or lifetime license.

**\*COMMENT 27:** The Board Licensure Committee commented that the proposed definition for (18) “Year of administrative experience” refers to a 180-day school year. Given that many schools operate on a 4-day school week, they recommended the following language: “Year of administrative experience” means employment as a licensed administrator at any level... for a minimum of a 180-day school year, or its equivalent in minimum aggregate hours as defined by 20-1-301, MCA, and during that year, must have been at least a 0.5 full-time employee (FTE)...

**\*COMMENT 28:** The Board Licensure Committee commented that the proposed definition for (19) “Year of teaching experience” refers to a 180-day school year. Given that many schools operate on a 4-day school week, they recommended the following language: “Year of administrative experience” means employment as a licensed teacher at any level... for a minimum of a 180-day school year, or its equivalent in minimum aggregate hours as defined by 20-1-301, MCA, and during that year, must have been at least a 0.5 full-time employee (FTE)...

## **10.57.107 EMERGENCY AUTHORIZATION OF EMPLOYMENT** **– Pages 108-109**

**COMMENT 29:** 13 commenters, including NWMASS and MTPEC, support the following proposed changes in this section:

(1): suggested an edit to the last sentence to strike “consideration” and insert “approval”.

**\*1(b):** added a sentence that reads “The obligation of a statewide advertisement may be satisfied through any reasonable means, including use of the Montana jobs for teachers service of the Office of Public Instruction”

**COMMENT 30:** CSPAC agreed with this recommendation.

(1)(c): struck “shall not be currently endorsed in the area of a requested authorization”

(2): added to the end of the sentence to read “...and is eligible for continued authorization from year to year depending on satisfaction of conditions set forth in this rule”

**COMMENT 31:** CSPAC agreed with this recommendation.

**COMMENT 32:** CSPAC recommended the Board accept the Superintendent’s recommendation in (1)(c)(iv) and (4).

## **10.57.109 UNUSUAL CASES – Pages 109-110**

**COMMENT 33:** 12 commenters, including the Governor’s Office, NWMASS and MTPEC, agreed with the proposed changes as proposed by OPI.

**COMMENT 34:** Two commenters concurred with the task force recommendation in this section, not the Superintendent’s recommendation and stated the Board does not have the authority to abdicate its responsibility.

**COMMENT 35:** One commenter stated that the Superintendent should not decide on certification for unusual cases and paves the way for partisan politics to enter the process.

## **10.57.112 LICENSE OF EXCHANGE TEACHERS – Page 110**

**\*COMMENT 36:** 13 commenters, including NWMASS and MTPEC, agreed with the changes as proposed.

**\*COMMENT 37:** One commenter stated that the proposed language does not specify which Class 5 license the exchange teacher is eligible for.

## **10.57.201A CRIMINAL HISTORY BACKGROUND CHECK – Pages 110-11**

**\*COMMENT 38:** 13 commenters, including NWMASS and MTPEC, agreed with the changes as proposed.

**COMMENT 39:** One commenter stated we need to focus on background checks and drug testing of educators and that substitute teachers should go through the same types of testing.

## **10.57.215 PROFESSIONAL DEVELOPMENT AND RENEWAL REQUIREMENTS – Pages 111-112**

**\*COMMENT 40:** 16 commenters, including CSPAC, NWMASS, Lindsay School Board, and MTPEC, agreed with the changes as proposed.

**COMMENT 41:** The Board Licensure Committee commented that the language in (1)(a) is an incomplete sentence and recommended the following language: (a) Applicants for an initial

Montana Class 1, 2, 3 and 6 license whose degree is more than five years old and who do not have a current out-of-state license may be issued a license with verification of 60 professional development units earned within the five-year period preceding the effective date of the license.

### **10.57.216 APPROVED PROFESSIONAL DEVELOPMENT AND RENEWAL ACTIVITY – Pages 112-113**

\*COMMENT 42: 16 commenters, including CSPAC, NWMASS, Lindsay School Board, and MTPEC, agreed with the changes as proposed.

### **10.57.217 APPEAL PROCESS FOR PROFESSIONAL DEVELOPMENT ACTIVITY – Page 113**

\*COMMENT 43: 16 commenters, including CSPAC, NWMASS, Lindsay School Board, and MTPEC, agreed with the changes as proposed.

### **10.57.218 PROFESSIONAL DEVELOPMENT UNIT VERIFICATION – Pages 113-114**

\*COMMENT 44: 16 commenters, including CSPAC, NWMASS, Lindsay School Board, and MTPEC, agreed with the changes as proposed.

### **10.57.301 ENDORSEMENT INFORMATION – Pages 114-115**

COMMENT 45: 17 commenters, including UM Professional Education Unit Faculty, are concerned with the proposed changes for adding an endorsement, stating that an educator cannot have the qualifications, experience, and background knowledge in specialized fields by completing two years of teaching and passing the Praxis.

COMMENT 46: 14 commenters, including CSPAC, NWMASS, and MTPEC, supported the changes from grade to age.

COMMENT 47: The Governor's Office disagreed with this suggestion and stated licensure definitions are commonly described by grade levels.

**COMMENT 48:** Six commenters, including the Governor’s Office, Republican Legislators, and Lindsay School Board, supported the current changes making it easier to add an endorsement, based on the ability to take the Praxis exam, rather than attend an educator preparation program.

**COMMENT 49:** The Board Licensure Committee commented that the language in (3)(a) refers to “endorsement program” completion, a term that is not used elsewhere in ARM. They proposed the following language to reflect the same language used in subsection (2): (3)(a) completion of a program of study as verified by the appropriate official, defined in ARM 10.57.102...

**COMMENT 50:** CSPAC recommended the Board accept the Superintendent’s proposed changes to (3)(a) and (b).

**COMMENT 51:** One commenter stated they are unable to obtain a specific endorsement, as they have a different endorsement from another state. (Health and Physical Education vs. Health Enhancement).

**COMMENT 52:** One commenter supported the BPE Internship Program to assist teachers in adding endorsements.

## **10.57.410 CLASS 2 STANDARD TEACHER’S LICENSE – Pages 115-117**

**COMMENT 53:** 14 commenters, including NWMASS and MTPEC, supported adding the following language “(e) verified completion of an educator preparation program, a current standard, unrestricted out-of-state educator license, and two years of successful teaching experience as defined in ARM 10.57.102 as documented by a recommendation from the out-of-state accredited P-12 school employer on a form prescribed by the superintendent of public instruction”

**COMMENT 54:** 13 commenters, including NWMASS and MTPEC, commented that by requiring a Praxis score that meets Montana cut scores is duplicative and unnecessary, as any recent licensed education graduate from another state with a standard license and two or more years of experience already has a pre-licensure assessment score. MTPEC recommended the following language under (3)(e)(iv) “verified completion of an educator preparation program, a current standard, unrestricted out-of-state educator license, and two years of successful teaching experience as defined in ARM 10.57.102 as documented by a recommendation from the out-of-state state accredited P-12 school employer on a form prescribed by the superintendent of public instruction.”

**COMMENT 55:** 12 commenters, including NEMASS, supported the recognition of teaching licenses from other states.

**COMMENT 56:** Nine commenters, including the Governor’s Office, Republican Legislators, NEMASS, and Lindsay School Board, supported the revisions that allow for multiple pathways to licensure to show competency beyond the Praxis exam.

**COMMENT 57:** Seven commenters opposed the revisions that allow for multiple pathways to licensure, as the Praxis does not indicate one’s teaching ability, rather one should have to demonstrate competency through teaching experience.

**COMMENT 58:** Three commenters supported lifetime licenses and stated it is difficult to work another job in the private sector and still be able to get enough renewal units for licensure. Additionally, they stated that lifetime licenses may keep them in the profession to assist in substitute teaching or emergency authorizations.

**COMMENT 59:** Two commenters are concerned about lifetime licenses and stated that educators should continue to receive professional development and renewal process, as it relates to checks and balances.

**COMMENT 60:** One commenter and the Board Licensure Committee supported retaining the requirement for successful teaching experience.

**COMMENT 61:** The Governor’s Office supported removing the required years of experience for out-of-state educators and adding professional development opportunities to university coursework for recency requirements.

**COMMENT 62:** One commenter opposed changing the required years of experience from 5 years to none. Additionally, they do not believe the TEACH program is an incentive for new teachers, as it does not address the problem of low pay, long hours, affordable housing, and local of community support.

## **10.57.411 CLASS 1 PROFESSIONAL TEACHER’S LICENSE –** **Pages 117-118**

**COMMENT 63:** 13 commenters, including NWMASS and MTPEC, agreed with the changes as proposed.

**\*COMMENT 64:** Three commenters supported license reciprocity for National Board Certified Teachers.

**COMMENT 65:** Two commenters supported lifetime licenses for National Board Certified Teachers.

**COMMENT 66:** The Governor’s Office supported removing the required years of experience for out-of-state educators and adding professional development opportunities to university coursework for recency requirements.

### **10.57.412 CLASS 1 AND 2 ENDORSEMENTS – Pages 118-119**

**COMMENT 67:** 14 commenters, including CSPAC, NWMASS, and MTPEC, supported the changes from grade to age.

**COMMENT 68:** The Governor’s Office disagreed with this suggestion, as licensure definitions are commonly described by grade levels.

**COMMENT 69:** 14 commenters, including NWMASS and MTPEC, supported adding the following language “completion of an educator preparation program, a current standard, unrestricted out-of-state educator license, and two years of successful teaching experience as defined in ARM 10.57.102 documented by a recommendation from a state accredited P-12 school employer on a form prescribed by the superintendent of public instruction”

**COMMENT 70:** 13 commenters, including NWMASS and MTPEC, commented that by requiring a Praxis score that meets Montana cut scores is duplicative and unnecessary, as any recent licensed education graduate from another state with a standard license and two or more years of experience already has a pre-licensure assessment score. MTPEC recommended the following language under (6) “completion of an educator preparation program, a current standard, unrestricted out-of-state educator license, and two years of successful teaching experience as defined in ARM 10.57.102 documented by a recommendation from a state accredited P-12 school employer on a form prescribed by the superintendent of public instruction.”

**COMMENT 71:** One commenter and the Board Licensure Committee supported retaining the requirement for successful teaching experience.

**COMMENT 72:** One commenter stated that years of experience should be required for those coming from out of state alternative preparation programs.

### **10.57.413 CLASS 3 ADMINISTRATIVE LICENSE – Pages 119-120**

**COMMENT 73:** 13 commenters, including NWMASS and MTPEC, supported additional language that reads “an applicant for a Class 3 Administrative License who completed an educator preparation program, which does not meet the definition in arm 10.57.102, who is currently licensed in another state at the same level of licensure, may be considered for licensure

with verification of two years of successful administrative experience as defined in ARM 10.57.102 as documented by a recommendation from a state accredited P-12 school employer on a form prescribed by the superintendent of public instruction and approved by the Board of Public Education”

**\*COMMENT 74:** Three commenters, including CSPAC and the Governor’s Office, supported the counselor to administrator pathway throughout ARM.

**COMMENT 75:** The Board Licensure Committee supported retaining the requirement for successful administrative experience.

**COMMENT 76:** The Governor’s Office supported removing the required years of experience for out-of-state educators and adding professional development opportunities to university coursework for recency requirements.

**COMMENT 77:** One commenter supported a pathway for school psychologists to be licensed as principals, like the proposed revisions allow for school counselors.

### **10.57.414 CLASS 3 ADMINISTRATIVE LICENSE – SUPERINTENDENT ENDORSEMENT – Pages 120-121**

**COMMENT 78:** 15 commenters, including NWMASS and MTPEC, suggested changes to (1)(c) that read “(c) completion of courses covering Montana School Finance, Montana School Law and Montana Collective Bargaining and Employment Law, in order to qualify, such courses must have been provided either by: (i) an approved professional development provider pursuant to ARM 10.57.216 that has provided approved courses for at least five consecutive years in the required areas for which a candidate submits evidence to qualify for licensure; or (ii) an approved school administrator preparation program”

**COMMENT 79:** The Governor’s Office and Republican Legislators supported adding the option for professional development in addition to traditional university coursework in Montana school law, finance, and collective bargaining.

### **10.57.415 CLASS 3 ADMINISTRATIVE LICENSE – PRINCIPAL ENDORSEMENT – Page 121**

**COMMENT 80:** 13 commenters, including NWMASS and MTPEC, agreed with the changes as proposed.

**COMMENT 81:** One commenter opposed the proposed rules that remove Montana before school law.

**10.57.418 CLASS 3 ADMINISTRATIVE LICENSE –  
SUPERVISOR ENDORSEMENT – Page 122**

**COMMENT 82:** 13 commenters, including NWMASS and MTPEC, agreed with the changes as proposed.

**COMMENT 83:** The Board Licensure Committee suggested the deletion of the word “requirements” in subsection (1)(c). The concept is that the applicant must provide verification of eligibility for a Class 1 or Class 2 teaching license endorsed in the field of specialization or Class 6 school counseling license.

**10.57.419 CLASS 3 ADMINISTRATIVE LICENSE – SPECIAL  
EDUCATION SUPERVISOR ENDORSEMENT – Pages 122-123**

**COMMENT 84:** 13 commenters, including NWMASS and MTPEC, agreed with the changes as proposed.

**COMMENT 85:** The Board Licensure Committee recommended retaining the words “school setting” in (1)(c). According to OPI, the intent was to delete the word “accredited”, not “school setting”. They have suggested the following language: (1)(c) three years of teaching experience in a P-12 school setting...

**COMMENT 86:** One commenter opposed removing state-accredited, as it opens the door to where one receives experience from.

**10.57.420 CLASS 4 CAREER AND TECHNICAL EDUCATION  
LICENSE – Pages 123-124**

**\*COMMENT 87:** 15 commenters, including the Governor’s Office, NWMASS and MTPEC, agreed with the changes as proposed.

**\*COMMENT 88:** CSPAC recommended support of the changes from 10,000 to 5,000 hours of experience, and the reduction of professional development hours from 80 to 60.

**\*COMMENT 89:** The Board Licensure Committee commented that edits are needed in (2)(b) acknowledge completion of education. They have suggested the following language: A Class 4B license issued to individuals with a certificate of completion from an apprenticeship program, or an associate or bachelor’s degree from a regionally accredited college or university...

### **10.57.421 CLASS 4 ENDORSEMENTS – Pages 124-126**

**\*COMMENT 90:** 13 commenters, including NWMASS and MTPEC, agreed with the changes as proposed.

**COMMENT 91:** One commenter supported creating a group of cybersecurity experts to address the omission of a cybersecurity endorsement.

### **10.57.424 CLASS 5 PROVISIONAL LICENSE –Pages 126-128**

**\*COMMENT 92:** Five commenters, including the Governor’s Office, Lindsay School Board, and NWMASS, agreed with the changes as proposed.

**COMMENT 93:** The Board Licensure Committee and CSPAC commented that the last two sentences under (3) should be moved to the beginning of the rule as new (2), as the sentences are relevant to all Class 5 licenses, not just Class 5B.

**\*COMMENT 94:** The Board Licensure Committee commented that the term “state-funded school” in (5)(b) traditionally refers to MSDB, Pine Hills, and Riverside. They believe the current language is confusing and propose the following language: (5)(b) a current Montana address or job offer from an accredited P-12 school in Montana.

### **10.57.425 CLASS 5 PROVISIONAL LICENSE ENDORSEMENT – Pages 128-129**

**COMMENT 95:** 14 commenters, including CSPAC, NWMASS, and MTPEC, supported the changes from grade to age.

**COMMENT 96:** The Governor’s Office disagreed with this suggestion and stated that licensure definitions are commonly described by grade levels.

**10.57.427 CLASS 5 PROVISIONAL LICENSE –  
SUPERINTENDENT ENDORSEMENT – Page 129**

**COMMENT 97:** 13 commenters, including NWMASS, and MTPEC, suggested the inclusion of the following language to (b) “...and two years of successful supervisory experience as a licensed administrator as defined in ARM 10.57.102, documented by a recommendation from a state accredited P-12 school employer on a form prescribed by the superintendent of public instruction”

**COMMENT 98:** The Board Licensure Committee supported retaining the requirement for successful supervisory experience.

**10.57.428 CLASS 5 PROVISIONAL LICENSE – PRINCIPAL  
ENDORSEMENT – Pages 129-130**

**COMMENT 99:** 13 commenters, including NWMASS, and MTPEC, suggested the inclusion of the following language to (b) “...and two years of successful supervisory experience as a licensed administrator as defined in ARM 10.57.102 as documented by a recommendation from a state accredited P-12 school employer on a form prescribed by the superintendent of public instruction”

**COMMENT 100:** The Board Licensure Committee supported retaining the requirement for successful supervisory experience.

**10.57.431 CLASS 5 PROVISIONAL LICENSE – SUPERVISOR  
ENDORSEMENT – Page 130**

**COMMENT 101:** 13 commenters, including NWMASS and MTPEC, agreed with the changes as proposed.

**COMMENT 102:** The Board Licensure Committee supported adding “P-12” to the “school setting” language in (1)(b) to be consistent with the rest of rule.

**10.57.432 CLASS 5 PROVISIONAL LICENSE – SPECIALIST  
ENDORSEMENT – Page 132**

**COMMENT 103:** 13 commenters, including NWMASS and MTPEC, agreed with the changes as proposed.

**10.57.433 CLASS 6 SPECIALIST LICENSE – Pages 131-132**

**COMMENT 104:** 14 commenters, including NWMASS, Lindsay School Board, and MTPEC, agreed with the changes as proposed.

**10.57.434 CLASS 6 SPECIALIST LICENSE – SCHOOL  
PSYCHOLOGIST – Page 132**

**COMMENT 105:** 13 commenters, including NWMASS and MTPEC, agreed with the changes as proposed.

**COMMENT 106:** The Board Licensure Committee supported adding “P-12” to the “school setting” language in (1)(b) and (c)(ii) to be consistent with the rest of rule.

**10.57.435 CLASS 6 SPECIALIST LICENSE – SCHOOL  
COUNSELOR – Pages 132-133**

**COMMENT 107:** 13 commenters, including NWMASS and MTPEC, agreed with the changes as proposed.

**COMMENT 108:** The Board Licensure Committee supported adding “P-12” to the “school setting” language in (1)(b) and (c)(ii) to be consistent with the rest of rule.

**10.57.436 CLASS 7 AMERICAN INDIAN LANGUAGE AND  
CULTURE SPECIALIST – Page 133**

**COMMENT 109:** 14 commenters, including CSPAC, NWMASS, and MTPEC, agreed with the changes as proposed.

**COMMENT 110:** MACIE recommended the Class 7 License to only require a tribal delegate signature on the initial application. They suggested the Board retain the five-year renewal process and allow for all professional development opportunities, including those required by the tribe as described in the MOU, to be acceptable under the renewal process.

### **10.57.437 CLASS 8 DUAL CREDIT POSTSECONDARY FACULTY – Pages 133-135**

**\*COMMENT 111:** 15 commenters, including CSPAC, the Governor’s Office, NWMASS, and MTPEC, agreed with the changes as proposed.

**COMMENT 112:** The Board Licensure Committee commented that revisions needed to be made in (3)(c) to include (i), given the deletion of language in (ii). They have suggested the following language: (3)(c) recommendation from the Chief Academic Officer from a regionally accredited college or university verifying the applicant plans to teach...

**COMMENT 113:** The Governor’s Office encouraged the Board to consider striking (4), as they believe CSPAC should not be reviewing Class 8 applications.

### **10.57.601 REQUEST FOR DISCIPLINE AGAINST THE LICENSE OF AN EDUCATOR/SPECIALIST: PRELIMINARY ACTION Not included in Notice**

**COMMENT 114:** Two commenters agreed with the task force recommendation to strike “or from any other credible source” or if the Board would like to keep the language, then a definition should be provided for “credible source”.

**COMMENT 115:** The Governor’s Office agreed with the Superintendent to keep the current rule as written to ensure members of the public are able to file a complaint about official misconduct.

### **10.57.601A DEFINITION OF “IMMORAL CONDUCT” – Pages 135-136**

**\*COMMENT 116:** 13 commenters, including NWMASS and MTPEC, agreed with the changes as proposed.

## **10.57.601B REVIEW – Pages 136-137**

**COMMENT 117:** 13 commenters, including NWMASS and MTPEC, agreed with the changes as proposed.

## **10.57.607 APPEAL FROM DENIAL OF AN EDUCATOR/SPECIALIST LICENSE – Pages 137-138**

**\*COMMENT 118:** 13 commenters, including NWMASS and MTPEC, agreed with the changes as proposed.

### **GENERAL COMMENTS**

**COMMENT 119:** 30 commenters, including MCDE, stated that Montana could retain our educators by incentivizing better pay, affordable housing, and more affordable health insurance coverage. Additionally, they stated that educators need to feel supported, respected, and appreciated for the professionals they are.

**COMMENT 120:** 17 commenters stated if standards are lowered, our state is doing a disservice to our youth.

**COMMENT 121:** 13 commenters, including NWMASS and MTPEC, agreed with the repeal of the following rules: 10.57.416, 10.57.417, 10.57.426, 10.57.429, 10.57.430.

**\*COMMENT 122:** Five commenters, including CSPAC and the Governor’s Office, supported the Indian Education for All requirements throughout the proposed revisions.

**COMMENT 123:** Three commenters, including MCDE, stated there is no evidence that relaxing or streamlining certification standards will attract more teachers to fill open positions and fix the teacher shortage. They have asked the Board to show the data that proves that teacher candidates are waiting to come to Montana to take advantage of the lowered standards. Additionally, they’ve suggested the Board decrease class sizes, provide more preparatory time, and investigate how to make the career of teaching more attractive to our younger generation.

**COMMENT 124:** Two commenters, including Governor’s Office, supported the changes to Chapter 57 to help school districts recruit and retain qualified educators.

**COMMENT 125:** The MCDE asked the Board to consider the following suggestions: address number of seniors pursuing post-secondary education, invite students to see themselves as

educators by creating pathways, work with the Board of Regents to allow EPPs to offer endorsements in any area in which their resources permit, support students with scholarships who agree to teach in rural areas for a certain period of time, scale “grow your own” models, and ensure housing exists.

**COMMENT 126:** One commenter asked the Board to consider how these policy adjustments will impact current teachers and argued that the current changes will not benefit those who are currently in our Montana classrooms. They are concerned about licensing being under the direction of the superintendent/OPI.

**COMMENT 127:** NEMASS commented that they support local control and returning the authority for classroom teachers to a simpler process.

**COMMENT 128:** One commenter urged people to keep politics out of schools and stated that it’s not always about the money—a few thousand dollars will not fix the lack of support from government for public education.

**COMMENT 129:** One commenter asked the Board why the Montana Lottery profits were changed in 1990 from going to the teacher’s retirement system to the school equalization account at the Office of Public Instruction. Additionally, they’re curious why school boards allow teachers to live outside the district they work in.

**COMMENT 130:** One commenter stated that we should look at teacher training as an apprenticeship program, especially for elementary teachers, and would be able to recruit more teacher’s aids, support staff, and volunteers with on-the-job training.

**COMMENT 131:** One commenter stated that the reforms that have been proposed, and those in the past, have the underlying goal of undermining public schools to promote future privatization.

**COMMENT 132:** One commenter stated we should focus more on training programs to support teacher education training, especially for para educators. Additionally, they would like the Board to incentivize senior citizens to give back to their communities through property tax breaks.

**COMMENT 133:** One commenter stated that the Board needs to make it easier on teacher that have J1 Visas. They would also like to see people in the licensure department that can answer licensure questions.

**COMMENT 134:** One commenter stated she has worked with good and bad teachers, and the teachers they perceived as bad were pertaining to their sexual identity.

**COMMENT 135:** One commenter supported the recruitment of teachers from within communities by supporting dual-credit teacher education coursework, 2+2 programs, and online/distance coursework. Additionally, they recommended the facilitation of cohort or

“cluster hire” partnerships to assist staffing and provide an expanded social and professional network for new teachers.

BEFORE THE BOARD OF PUBLIC EDUCATION  
OF THE STATE OF MONTANA

In the matter of the adoption of NEW	)	NOTICE OF PUBLIC HEARING ON
RULES I and II; the amendment of	)	PROPOSED ADOPTION,
ARM 10.57.102, 10.57.107,	)	AMENDMENT, AND REPEAL
10.57.109, 10.57.112, 10.57.201A,	)	
10.57.215, 10.57.216, 10.57.217,	)	
10.57.218, 10.57.301, 10.57.410,	)	
10.57.411, 10.57.412, 10.57.413,	)	
10.57.414, 10.57.415, 10.57.418,	)	
10.57.419, 10.57.420, 10.57.421,	)	
10.57.424, 10.57.425, 10.57.427,	)	
10.57.428, 10.57.431, 10.57.432,	)	
10.57.433, 10.57.434, 10.57.435,	)	
10.57.436, 10.57.437, 10.57.601A,	)	
10.57.601B, 10.57.607; and the	)	
repeal of ARM 10.57.416, 10.57.417,	)	
10.57.426, 10.57.429, and 10.57.430	)	
pertaining to Teacher Licensing	)	

TO: All Concerned Persons

1. On February 24, 2022, at 9:00 a.m., the Board of Public Education will hold a public hearing in Room 303 of the Montana State Capitol Building, Helena Montana, to consider the proposed adoption, amendment, and repeal of the above-stated rules.

2. The Board of Public Education will make reasonable accommodations for persons with disabilities who wish to participate in this rulemaking process or need an alternative accessible format of this notice. If you require an accommodation, contact the Board of Public Education no later than 5:00 pm on February 17, 2022, to advise us of the nature of the accommodation that you need. Please contact McCall Flynn, Executive Director, Board of Public Education, 46 N. Last Chance Gulch, Suite 2B, P.O. Box 200601, Helena, Montana, 59635; telephone (406) 444-0300; fax (406) 444-0847; or e-mail bpe@mt.gov.

3. The rules as proposed to be adopted provide as follows:

NEW RULE I RECIPROCITY FOR MILITARY SPOUSES/DEPENDENTS

(1) A Class 1, 2, 3, 4, or 6 license may be issued to a military spouse and/or dependents who holds a current, out-of-state unrestricted license.

(2) The license shall be valid for a term of five years.

(3) The applicant must:

(a) be the spouse and/or a dependent of an active-duty member of the United States armed forces who has been transferred to Montana, is scheduled to

be transferred to Montana, is domiciled in Montana. or has moved to Montana on a permanent change-of-station basis; and

(b) submit verified completion of the online course "An Introduction to Indian Education for All in Montana."

(c) An applicant for a Class 3 administrative license must submit verified completion of the requirements of ARM 10.57.415.

AUTH: Mont. Const. Art. X, sec. 9, 20-4-102, MCA

IMP: Mont. Const. Art. X, sec. 9, 20-4-103, 20-4-106, MCA

REASON: The Board of Public Education recognizes the need for reciprocity for military spouses and dependents. According to written testimony from the U.S. Department of Defense, "Barriers to the transfer and acceptance of certifications and licenses that occur when state rules differ can have a dramatic and negative effect on the financial well-being of military families. Removing these barriers, creating reciprocity in licensing requirements, and facilitating placement opportunities can help a military family's financial stability, speed the assimilation of the family into its new location, and create a desirable new employee pool for a state (especially in education and health care)."

Providing reciprocity for military spouses and dependents, who move on an average of every three years, would maximize flexibility when accepting current out-of-state licenses, expedite applications from military spouses/dependents, and waive cumbersome deadlines and other requirements.

During the 2021 calendar year, this licensing mechanism would have been utilized in at least four known cases.

#### NEW RULE II EDUCATOR PREPARATION PROGRAM VERIFICATION

(1) The Superintendent of Public Instruction has discretion to deny licensure consistent with these rules if the standards for an educator preparation program are not substantially equivalent to or greater than the standards required in Montana, subject to approval by the Board of Public Education upon appeal of the denial.

AUTH: Mont. Const. Art. X, sec. 9, 20-4-102, MCA

IMP: Mont. Const. Art. X, sec. 9, 20-4-103, 20-4-106, MCA

REASON: The Superintendent of Public Instruction has the authority to deny licensure consistent with the rules of ARM Title 10, chapter 57 if the standards of the educator preparation program are determined to not be substantially equivalent or greater than the Montana standards. If the quality of an educator preparation program is below the Montana standards, the Superintendent of Public Instruction has the discretion to deny a license. This is consistent with ARM 10.57.102(2)(b).

4. The rules as proposed to be amended provide as follows, new matter underlined, deleted matter interlined:

10.57.102 DEFINITIONS The following definitions apply to this chapter.

(1) "Acceptable evidence" means relevant official transcripts, university recommendation, certificates of completion, and other documentation as required by the Board of Public Education or the Superintendent of Public Instruction.

(2) "Accredited educator preparation program" means:

(a) an educator preparation program accredited by the National Council for the Accreditation of Teacher Education (NCATE) or the Council for the Accreditation of Educator Preparation (CAEP) or the Montessori Accreditation Council for Teacher Education (MACTE). A MACTE educator preparation program is subject to the following restrictions:

(i) Completion of a MACTE accredited program may only be used by an applicant for licensure who has also completed at least a bachelor's degree; and

(ii) The resulting license granted to an applicant for licensure who has completed a MACTE accredited program shall be limited to early grades or middle grades licensure and only for the grade levels covered by the MACTE accredited program completed by the applicant; ~~or~~

~~(b) an educator preparation program at a regionally accredited college or university approved or accredited by a state board of education or a state agency. The Superintendent of Public Instruction has discretion to deny licensure consistent with these rules if the standards are not substantially equivalent to or greater than the standards required in Montana, subject to approval by the Board of Public Education upon appeal of the denial.~~

(3) "Accredited specialist program" means:

(a) for school psychologists, a program accredited by the National Association of School Psychologists (NASP); and

(b) for school counselors, a program for the preparation of specialists approved or accredited by:

(i) the Council for the Accreditation of Counseling and Related Education Programs (CACREP); or

~~(ii) a state board of public education or a state agency. The Superintendent of Public Instruction has discretion to deny licensure consistent with these rules if the standards are not substantially equivalent to or greater than the standards required in Montana, subject to approval by the Board of Public Education upon appeal of the denial.~~

(4) "Appropriate grade level(s)" means early childhood, elementary, middle, secondary, or other levels as defined by the Board of Public Education.

(5) "Appropriate official" means the Superintendent of Public Instruction, the dean of the school of education or another official designated by them.

(6) "Approved preparation program" means an educator preparation program approved by a state board of education or a state agency that leads to licensure in the state of preparation.

~~(6) (7)~~ "Certification" means licensure of an educator/specialist, as issued by the state of Montana, based on completion of a teacher, administrator, or specialist program of an accredited college or university. Certification includes grade level(s), endorsement(s), and classification.

~~(7) (8)~~ "College credit" means credit received for completion of a course from a regionally accredited college or university.

(9) "Course work GPA" means the weighted average of teacher education program course grades calculated over the defined period of study at a regionally accredited college or university. The weights reflect the relative contributions of teacher education program course requirements measured in arbitrary units, called credit value, based on contact hours or presumed total student workload.

~~(8)~~ (10) "Endorsement" means an official indication on a license of the grade level(s), subject area(s), or specialist program area(s) as listed in Subchapter 4 for which the licensee is authorized to practice in Montana accredited schools. Grade levels are:

- (a) ~~age 3 P~~ - grade 3 (early childhood);
- (b) K-8 (elementary);
- (c) 4-8 (middle grades);
- (d) 5-12 (secondary, content-specific);
- (e) K-12 (as delineated in ARM 10.57.412); and
- (f) P-12 (special education and school psychologist).

(11) "Exchange teacher" means a person from outside the United States with exceptional expertise and contracted to provide instruction that is on an exchange program with a school district or university.

~~(9)~~ (12) "Lapsed license" means:

- (a) the licensee has not earned the required number of renewal units during the term of the license; or
- (b) the licensee has earned the required number of renewal units during the term of the license but has not renewed the license by June 30 following the year of expiration.

~~(40)~~ (13) "License" or "licensure" means a certificate issued or applied for under 20-4-101, et seq., MCA.

~~(44)~~ (14) "Regionally accredited" means a college or university accredited by one of the following:

(a) Higher Learning Commission;

~~(a)~~ (b) Middle States Association of Schools and Colleges;

~~(b)~~ (c) New England Association of Schools and Colleges;

~~(c)~~ North Central Association of Schools and Colleges;

(d) Northwest Commission on Colleges and Universities;

(e) Southern Association of Schools and Colleges; or

(f) Western Association of Schools and Colleges.

(15) "Student-teaching portfolio" is a collection of artifacts to document evidence of student learning outcomes for teacher education program course requirements.

~~(42)~~ (16) "Supervised teaching experience" means teaching experience while under the supervision of an approved accredited professional educator preparation program and is identified through acceptable evidence as delineated in ARM 10.57.102(1) on a college or university transcript as field experience, internship, practicum, or student teaching.

(17) "Unrestricted license" means a current renewable license that is not an emergency or provisional license.

~~(43)~~ (18) "Year of administrative experience" means employment as a licensed administrator at any level within a state accredited P-12 school system, or

in an educational institution specified in 20-9-707, MCA, ~~for the equivalent of at least .5 full time employee (FTE) for a school year comparable to a 180 day school year~~ for a minimum of a 180-day school year and during that year, must have been at least a 0.5 full time employee (FTE). Experience as a County Superintendent may be considered as "administrative" experience with evidence of the following:

(a) possession of a Class 3 license for the time period requested to be considered as administrative experience; and

(b) the school(s) they are claiming to hold or have held supervisory responsibilities over have provided notice that the county superintendent served in an administrative role.

(14) (19) "Year of teaching experience" means employment as a licensed teacher at any level within a ~~state accredited~~ P-12 school system, or in an educational institution specified in 20-9-707, MCA, ~~for the equivalent of at least .5 FTE for a school year comparable to a 180 day school year~~ for a minimum of a 180-day school year and during that year, must have been at least a 0.5 full time employee (FTE). Experience gained prior to initial licensure is not considered.

AUTH: Mont. Const. Art. X, sec. 9, 20-4-102, MCA

IMP: Mont. Const. Art. X, sec. 9, 20-4-106, MCA

REASON: (2)(b) In order to implement the recommended changes to treat traditional and alternative pathways equally, it is essential to define a term for "approved educator preparation program." This ensures that both types of programs are approved by a state agency and lead to licensure in the state the program was approved. The term "accredited program" generally applies only to traditional programs that participate in a professional accreditation process.

(6) Proposed new definition of approved educator preparation program to recognize traditional and alternative educator preparation more equally for licensure purposes.

(9) Proposed language to define the additional pathways to demonstrate content and pedagogical knowledge for Coursework GPA. Also, to clarify that the GPA represents not only content knowledge but all the coursework required for the Educator Program of Study.

(10) Changed "3" to "P" to align with the most commonly used language across the field. Removed "accredited" to include all Montana schools.

(11) Added to define "exchange teacher" and clarify difference between exchange teacher and someone who may be working on a visa.

(13)(14) This is proposed to eliminate a common misunderstanding for this definition when it is interpreted or applied. For example, the common misconception is that 5 years of experience for 0.5 FTE for a year comparable to 180-day school year is equivalent to 2.5 years of experience. That math calculation also leads to confusion that 1.0 FTE for 3 years would equate to 6 total years of experience. As a result, we proposed language that would better explain the meaning of the definition.

(15) Proposed language to define the additional pathways to demonstrate content and pedagogical knowledge using a student-teaching portfolio.

(16) Aligned with the new definition of approved educator preparation program. Language change allows for flexibility in evidence outside of just a transcript.

(17) Added for clarity of phrase used throughout rule and inclusion of lifetime licenses.

(18) Simplified the language for the definition of "years of experience" to better convey the concept of a "year of experience" and make it easier to understand and use. Removed "state accredited" to include all P-12 schools' systems.

(19) Simplified the language for the definition of "years of experience" to better convey the concept of a "year of experience" and make it easier to understand and use. Removed "state accredited" to include all P-12 schools' systems.

10.57.107 EMERGENCY AUTHORIZATION OF EMPLOYMENT (1) In accordance with 20-4-111, MCA, district administrators who have exhausted all possibilities for hiring a licensed teacher may request that the Superintendent of Public Instruction issue an emergency authorization of employment to the district to employ a person to teach. The following requirements must be met to ensure consideration of the request:

(a) The request must originate with the school district.

(b) The position must have been advertised at least statewide far enough in advance to reasonably enable qualified applicants to submit applications and be interviewed.

(c) The individual for whom the emergency authorization is being sought shall not be currently endorsed in the area of requested authorization and shall:

(i) have previously held a teacher or specialist license; or

(ii) provide acceptable evidence of academic qualifications or significant experience related to the area for which the emergency authorization of employment is being sought; or

(iii) provide evidence of experience as a paraprofessional; or

(iv) provide evidence to be assigned as a student teacher engaged in "supervised teaching experience" as defined in ARM 10.57.102(16).

(2) An emergency authorization of employment is valid for one year.

(3) Experience as a classroom teacher when authorized pursuant to this rule qualifies as teaching experience as defined in ARM 10.57.102(44)(19).

(4) Emergency authorization of employment for special education teachers is prohibited under federal regulations and is unavailable to a district for such positions.

AUTH: Mont. Const. Art. X, sec. 9, 20-4-102, MCA

IMP: Mont. Const. Art. X, sec. 9, 20-4-111, MCA

REASON: The IDEA Statute Sec. 300.156 Personnel Qualifications states emergency authorization may not be granted in the area of Special Education.

Language was also added to the rule, to codify that the emergency authorization can be used as a way for paraprofessionals and student teachers to be a teacher of record, be compensated similar to a teacher salary rate, and earn teaching experience. Even though the teacher would not qualify the school district for the highly qualified educator payment, this would continue to ensure that the school would not earn a deficiency in accreditation for an unlicensed teacher.

10.57.109 UNUSUAL CASES (1) The Board of Public Education is aware that these licensure rules cannot cover all the special circumstances that can arise. Therefore, the ~~Board of Public Education~~ Superintendent of Public Instruction is authorized to exercise judgment in unusual cases ~~upon recommendation by the Superintendent of Public Instruction~~ and report any such actions to the Board of Public Education on an annual basis.

(2) If the Superintendent of Public Instruction denies an unusual case, the denial may be appealed to the Board of Public Education within 30 days of the denial.

(3) Upon receiving a timely notice of appeal from the denial of an unusual case, the Board of Public Education shall set an unusual case hearing and shall provide notice of the hearing to the prospective licensee and Superintendent of Public Instruction, by certified mail not less than 30 days prior to the date of the hearing.

(a) Such notice shall include:

(i) a statement of the time, place, and nature of the hearing;

(ii) a statement of the legal authority and jurisdiction under which the hearing is to be held;

(iii) a reference to the particular sections of the statutes and rules involved;

(iv) a statement of the matters asserted;

(v) a designation of who will hear the allegation pursuant to ARM 10.57.603;

and

(vi) a statement of the licensee's right to be represented by counsel at the hearing if they so choose at their own cost.

(b) The notice shall advise the prospective licensee that the unusual case hearing will be open to the public unless an individual's right to privacy outweighs the public's right to know as determined by the Board of Public Education.

(4) The prospective licensee and/or the Superintendent of Public Instruction may waive their right to the 30 days' notice in order to be placed on the next meeting agenda by writing a letter to the Board of Public Education.

AUTH: Mont. Const. Art. X, sec. 9, 20-4-102, MCA

IMP: Mont. Const. Art. X, sec. 9, 20-4-102, MCA

REASON: To return the authority to review unusual cases back to the Superintendent. This rule was changed in 2017.

The Office of Public Instruction (OPI) has an Educator Licensure Review Committee in place that reviews denial, suspension, unusual cases, and revocations matters. This committee currently drafts the letters for unusual cases for consideration for the Board of Public Education (BPE) and would continue to enact a review process.

Returning the authority back to the superintendent would reduce the time frame that an educator license remains in pending status while the unusual case is presented and considered by the BPE on a bimonthly schedule. This would also decrease the need to request a 30-day waiver, which is a result of attempting to hear the unusual cases in a timelier manner. If the OPI was to deny an unusual case, there is an appellate procedure for the prospective licensee.

10.57.112 LICENSE OF EXCHANGE TEACHERS ~~(1) An exchange teacher is a person from outside the United States with exceptional expertise and contracted to provide instruction.~~

(2) (1) A Class 5 license may be issued to an exchange teacher as defined in ARM 10.57.102(11) educator who is on an exchange program with a school district or university.

AUTH: Mont. Const. Art. X, sec. 9, 20-4-102, MCA

IMP: Mont. Const. Art. X, sec. 9, 20-4-103, MCA

REASON: Transferred to the definition rule, ARM 10.57.102(11).

10.57.201A CRIMINAL HISTORY BACKGROUND CHECK (1) The National Child Protection Act of 1993, as amended, (codified at 42 United States Code sections 5119a and 5119c) (the "Act") authorizes a state and national criminal history background check to determine the fitness of an employee, volunteer, or other person with unsupervised access to children, the elderly, or individuals with disabilities. The purpose of this rule is to support the Superintendent of Public Instruction's duty to determine whether an applicant for licensure has been convicted of a crime that bears upon the applicant's fitness related to the safety and well-being of children and the integrity of the teaching profession.

(2) Each of the following applicants shall provide to the Montana Department of Justice information and material sufficient to obtain a fingerprint-based national criminal history background check:

(a) any applicant for initial Montana educator licensure;  
(b) any applicant seeking to reinstate a lapsed, surrendered, revoked, or suspended educator license; or

(c) an individual for whom a school district is seeking emergency authorization of employment pursuant to ~~20-4-110~~ 20-4-111, MCA, and ARM 10.57.107.

(3) Neither the Superintendent of Public Instruction nor the Board of Public Education shall bear the costs of the background check.

(4) The Superintendent of Public Instruction shall not issue a Montana educator license pursuant to 20-4-101, et seq., MCA, until the applicant's

background check has been completed and the results delivered to and reviewed by the Superintendent of Public Instruction.

(5) To initiate the criminal history background check process, the applicant must submit a set of fingerprints on the appropriate form to the Montana Department of Justice for the purpose of licensure. Criminal background checks submitted for other purposes will not be acceptable for licensure.

(6) As part of the licensure application process, the applicant must provide character and fitness information to the Superintendent of Public Instruction. If the applicant has any criminal history record, the applicant must provide a description and explanation of the circumstances of the crime.

(7) Each applicant who is the subject of a criminal history background check is entitled to receive a copy of the report from the Superintendent of Public Instruction with the appropriate identification and signed release. The applicant may challenge the accuracy and completeness of any information contained in any such report through the Montana Department of Justice procedures.

(8) The Montana Office of Public Instruction shall make a determination whether the applicant has been convicted of, or is under pending indictment for, a crime that bears upon the applicant's fitness related to the safety and well-being of children or the teaching profession.

(9) Conviction, including conviction following a plea of nolo contendere, a conviction in which the sentence is suspended or deferred, or any other adjudication treated by the court as a conviction, may be considered by the Superintendent of Public Instruction in the licensure process if the conviction was for a sexual offense, a crime involving violence, the sale of drugs, theft, or any other offense related to public health, welfare, and safety as it applies to the teaching profession.

AUTH: Mont. Const. Art. X, sec. 9, 20-4-102, MCA

IMP: Mont. Const. Art. X, sec. 9, 20-4-103, 20-4-104, MCA

REASON: To reference to the correct MCA.

10.57.215 PROFESSIONAL DEVELOPMENT AND RENEWAL REQUIREMENTS (1) Montana Class 1, 2, 3, and 6 educator licenses may be renewed with verification of 60 ~~renewal~~ professional development units earned during the five years of validity through August 31 of the year the license expires.

(a) Applicants for an initial Montana Class 1, 2, 3, and 6 license whose degree is more than five years old and who do not have a current out-of-state licensure may be issued with verification of 60 professional development units earned within the five-year period preceding the effective date of the license.

(2) Participation in ~~renewal~~ professional development activities is equivalent to the following ~~renewal~~ professional development units:

(a) one hour of attendance at a professional development activity = one ~~renewal~~ professional development unit;

(b) one quarter college credit = 10 ~~renewal~~ professional development units;

(c) one semester college credit = 15 ~~renewal~~ professional development units.

(3) ~~Renewal~~ Professional development activities used to renew or obtain all licenses must be a planned and structured experience, of benefit to the licensee's

professional development as defined in ARM 10.55.714, an exposure to a new idea or skill or an extension of an existing idea or skill, and in compliance with (4).

(4) Activities acceptable to renew or obtain licenses are professional development, training, workshops, or coursework consistent with PK-12 public school curriculum and may include:

(a) credits earned from a regionally accredited college or university;

(b) activities offered by ~~renewal~~ professional development unit providers approved pursuant to ARM 10.57.216 and documented on an OPI ~~renewal~~ professional development unit certificate;

(c) other professional development activities offered by providers who have not been approved as a ~~renewal~~ professional development unit provider pursuant to ARM 10.57.216, when licensees have received approval for the professional development activity from the Superintendent of Public Instruction;

(d) another state's validated professional development activities other than college or university credit when the intent and structure of the process ensures the meeting or exceeding of Montana ~~renewal~~ professional development unit requirements for licensure;

(e) the instruction of a relevant college or university course by a Montana licensee who has achieved a graduate degree in an endorsed field of specialization; or

(f) verification of completing the National Board Certification (NBC) process through the National Board of Professional Teaching Standards or successfully achieving and renewing NBC licensure shall result in 60 ~~renewal~~ professional development units. NBC ~~renewal~~ professional development units may apply to renewal of an expiring license.

(5) The licensee shall be solely responsible for retaining the ~~renewal~~ professional development unit verification to be used in the application for license renewal.

AUTH: Mont. Const. Art. X, sec. 9, 20-2-121, 20-4-102, MCA

IMP: Mont. Const. Art. X, sec. 9, 20-4-102, 20-4-108, MCA

REASON: Augment recency requirements to include professional development options that can be used in lieu of additional coursework or credit requirements. This may increase access to qualified educators who have an expired license and want additional options beside attending college or university courses. The wide range of cost-effective professional development opportunities often exceed the variety of college courses offerings. This expansion allows educators to better personalize their professional learning and growth. Language adjusted to align with the 6 semester or 60 PD units for recency. They cannot be considered renewal units because a candidate does not have a license yet to renew. They first need to earn 6 credits or the 60 units to first earn a renewable license.

10.57.216 APPROVED PROFESSIONAL DEVELOPMENT AND RENEWAL ACTIVITY (1) Organizations wishing to offer professional development activities for the award of ~~renewal~~ professional development units must receive approval from the

Superintendent of Public Instruction prior to offering activities. Status as an approved provider will continue as long as the provider is in compliance with (2).

(2) Approved providers of professional development for the award of ~~renewal~~ professional development units must:

(a) provide activities deemed appropriate for professional development of licensees in compliance with ARM 10.55.714 and 10.57.215;

(b) prepare and award completed ~~renewal~~ professional development unit certificates provided by the Superintendent of Public Instruction, ~~or an approved facsimile~~, to eligible participants;

(c) annually report the activities offered to the Superintendent of Public Instruction, including:

(i) the activity title and brief description;

(ii) date(s) and location(s) of the program; and

(iii) program schedule, name, and number of participants; and

(d) maintain records of all professional development activities for which ~~renewal~~ professional development unit awards are made for five years following the date of completion of the annual reporting requirement.

(3) The Superintendent of Public Instruction shall provide access to approved professional development providers and annually provide a report to the Board of Public Education, which shall include, at a minimum, a list of providers.

AUTH: Mont. Const. Art. X, sec. 9, 20-4-102, MCA

IMP: Mont. Const. Art. X, sec. 9, 20-4-108, MCA

REASON: Language adjusted from "renewal" to "professional development" to align with the 6 semester or 60 professional development units for recency.

10.57.217 APPEAL PROCESS FOR ~~RENEWAL~~ PROFESSIONAL DEVELOPMENT ACTIVITY (1) Decisions of the Superintendent of Public Instruction on matters of ~~renewal~~ professional development unit activity or provider status may be appealed to the Board of Public Education pursuant to ARM 10.57.603.

AUTH: Mont. Const. Art. X, sec. 9, 20-4-102, MCA

IMP: Mont. Const. Art. X, sec. 9, 20-4-108, MCA

REASON: Language adjusted from "renewal" to "professional development" to align with the 6 semester or 60 PD units for recency.

10.57.218 ~~RENEWAL~~ PROFESSIONAL DEVELOPMENT UNIT VERIFICATION (1) Applications to the Superintendent of Public Instruction for license renewal shall include a listing of the activities completed for renewal as required by ARM 10.57.215. The licensee is responsible for maintaining official documentation verifying completion of ~~renewal~~ professional development activities during the term of the license.

(2) The Superintendent of Public Instruction may conduct an audit of any renewal applications submitted. Those licensees selected for audit will be required

to submit official transcripts or original ~~renewal~~ professional development unit certificates within 60 days from the date the renewal application is submitted or from the date of the audit letter.

(3) Failure to respond within the time allowed to a request for ~~renewal~~ professional development unit activities in connection with an audit may result in denial of license renewal.

AUTH: Mont. Const. Art. X, sec. 9, 20-4-102, MCA

IMP: Mont. Const. Art. X, sec. 9, 20-4-108, MCA

REASON: Language adjusted from "renewal" to "professional development" to align with the 6 semester or 60 PD units for recency.

10.57.301 ENDORSEMENT INFORMATION (1) The only endorsements on Montana teaching, administrative, or specialist licenses are those approved by the Board of Public Education.

(2) An initial endorsement may be granted by the Superintendent of Public Instruction based on the program of study completed as verified by the appropriate official defined in ARM 10.57.102.

(3) To add an additional endorsement to a Class 1 or 2 license, an applicant must submit verification of one of the three pathways:

(a) Endorsement program completion and recommendation for the endorsement from the appropriate official from an approved professional program, and

(i) proof of a minimum passing score on the PRAXIS Subject Assessment applicable to the requested endorsement as established by the Office of Public Instruction and approved by the Board of Public Education; on the endorsement-related content area exam; or

(ii) evidence of a passing score on a student teaching portfolio as defined in ARM 10.57.102 and verified by the appropriate official from the educator preparation program; or

(iii) evidence of a 3.00 or higher coursework Grade Point Average (GPA) as defined in ARM 10.57.102 and verified by the appropriate official from the educator preparation program.

(b) Posted Degree, Major, Minor, or National Board for Professional Teaching Standards Certification: Evidence of completion of at least one of the following degrees in the area applicable to the requested endorsement:

(i) a doctorate degree;

(ii) a master's degree;

(iii) a baccalaureate degree, with a major or posted minor of at least 18 semester hours in the endorsement area requested; or

(iv) a certificate for National Board of Certification for Teaching;

(v) This method is not available for early childhood (P-3), elementary education (K-8), reading (K-12), english as a second language (K-12); School Administrator (Superintendent, Principal, or Supervisor); Specialist (School Psychologist or School Counselor); and initial endorsements in Special Education fields.

(c) Content Area Knowledge and Teaching Experience: Evidence of two years of teaching experience while appropriately licensed documented by a recommendation from a P-12 school employer on a form prescribed by the Superintendent of Public Instruction and proof of a minimum passing score on the PRAXIS Subject Assessment applicable to the requested endorsement as established by the Office of Public Instruction and approved by the Board of Public Education; on the endorsement-related content area exam. Only where content area exam(s) have been identified may endorsements be added with this method.

(i) If the applicant has a categorical special education endorsement, the applicant must pass the state-designated content test for a K-12 special education endorsement. If the applicant has a P-3 or K-8 special education endorsement, the applicant must have a minimum of two years of teaching experience as appropriately licensed in special education and pass the state-designated pedagogy test for the secondary level to add the K-12 special education endorsement.

(ii) This method is not available for early childhood (P-3), elementary education (K-8), reading (K-12), english as a second language (K-12); School Administrator (Superintendent, Principal, or Supervisor); Specialist (School Psychologist or School Counselor); and initial endorsements in Special Education fields.

~~(3)~~ (4) An endorsement may be dropped from a license at the end of its valid term if licensure requirements pursuant to these rules are met.

AUTH: Mont. Const. Art. X, sec. 9, 20-4-102, MCA

IMP: Mont. Const. Art. X, sec. 9, 20-4-103, 20-4-106, MCA

REASON: Montana certificate endorsements focus on teaching topics and are intended to add value to a license or certificate. Like teaching certificates, the characteristics (including grade level) and focus of the state's endorsements can complicate an educator's desire to either add a subsequent endorsement or apply for an endorsement when moving to the state.

The Board of Public Education wants to allow more flexibility for current and future educators to obtain subsequent endorsements areas which may help address teacher shortages, particularly in rural schools. This increased flexibility strives to find more time and cost-effective ways for educators to expand their credentials, whether it is through college coursework, work experience, or testing.

10.57.410 CLASS 2 STANDARD TEACHER'S LICENSE (1) A Class 2 standard teacher's license shall be valid for a term of five years.

(2) Applicants for an initial Montana Class 4, 2, ~~or 3~~ standard teacher's license whose degree is more than five years old and who do not have current out-of-state licensure must have earned ~~six semester credits from a regionally accredited college or university~~ 60 professional development units as defined in ARM 10.57.215(4) within the five-year period preceding the effective date of the license. For the purposes of this provision, current licensure does not include provisional, ~~or restricted, or lifetime~~ licenses.

(3) To obtain a Class 2 standard teacher's license an applicant must submit verification of all of the following:

(a) a bachelor's degree from a regionally accredited college or university;  
(b) completion of an ~~accredited professional~~ approved educator preparation program including appropriate supervised teaching experience as the terms are defined in ARM 10.57.102 with a recommendation for the license requested from the appropriate official from the educator preparation program;

(c) qualification for one or more endorsement as outlined in ARM 10.57.412;  
or

(d) ~~a current license from the National Board for Professional Teaching Standards in an area approved for endorsement in Montana~~ verified completion of the online course "An Introduction to Indian Education for All in Montana"; and

(e) proof of:

(i) a minimum passing score on the PRAXIS Subject Assessment applicable to the requested endorsement as established by the Office of Public Instruction and approved by the Board of Public Education; or

(ii) a passing score on a student-teaching portfolio as defined in ARM 10.57.102 and verified by the appropriate official from the educator preparation program; or

(iii) a 3.00 or higher course work grade point average (GPA) as defined in ARM 10.57.102 and verified by the appropriate official from the educator preparation program.

(4) ~~If the educator preparation program completed by the applicant is not in Montana, upon initial application of a Class 1 or Class 2 license, the applicant must provide:~~

(a) ~~proof of a minimum passing score on the PRAXIS Subject Assessment applicable to the requested endorsement as established by the Office of Public Instruction and approved by the Board of Public Education; or hold current certification from the National Board for Professional Teaching Standards in an area approved for endorsement in Montana, and apply for endorsement in the same area; and~~

(b) ~~verified completion of the on-line course "An Introduction to Indian Education for All in Montana"; and~~

(c) ~~verified completion of an accredited professional educator preparation program including appropriate supervised teaching experience as the terms are defined in ARM 10.57.102; or~~

(d) ~~verified completion of an educator preparation program, a current standard, unrestricted out-of-state educator license, and five years of successful teaching experience as defined in ARM 10.57.102 and appropriately aligned to ARM 10.58.501 as documented by a recommendation from the out-of-state state accredited P-12 school employer on a form prescribed by the Superintendent of Public Instruction.~~

(5) (4) A Class 2 standard teacher's license is renewable pursuant to the requirements of ARM 10.57.215.

(6) (5) A lapsed Class 2 standard teacher's license may be reinstated by earning 60 ~~renewal~~ professional development units as defined in ARM 10.57.215(4)

units during the five-year period preceding the date of application for the new license.

AUTH: Mont. Const. Art. X, sec. 9, 20-2-121, 20-4-102, MCA

IMP: Mont. Const. Art. X, sec. 9, 20-4-102, 20-4-103, 20-4-106, 20-4-108, MCA

REASON: Language added to allow flexibility for these specific cases to obtain a license without having to take additional university classes.

Removed language regarding National Board Certification because recommended changes have NBPTS eligible for Class 1 Professional license.

Included rather than prohibited a lifetime license to the list of approved current out-of-state licenses.

Inclusion of multiple pathways to show competency beyond the Praxis.

Revised to recognize traditional and alternative educator preparation more equally for licensure purposes.

10.57.411 CLASS 1 PROFESSIONAL TEACHER'S LICENSE (1) A Class 1 professional teacher's license shall be valid for a period of five years.

(2) To obtain a Class 1 professional teacher's license an applicant must submit verification of all the following:

(a) eligibility for the Class 2 standard teacher's license as set forth in ARM 10.57.410, ~~including proof of a minimum passing score on the PRAXIS Subject Assessment applicable to the requested endorsement if the educator preparation program completed by the applicant is not in Montana; or hold current certification from the National Board for Professional Teaching Standards in an area approved for endorsement in Montana, and apply for endorsement in this same area;~~

(b) completion of "An Introduction to Indian Education for All in Montana";  
and

(c) a master's degree in education or an endorsable teaching area(s) from a regionally accredited college or university or certification by the National Board for Professional Teaching Standards; ~~and~~

~~(d) three years of teaching experience as defined by ARM 10.57.102.~~

(3) A Class 1 professional teacher's license shall be renewable pursuant to the requirements of ARM 10.57.215.

(4) A lapsed Class 1 professional teacher's license may be reinstated by earning 60 renewal professional development units as defined in ARM 10.57.215(4) units during the five-year period preceding the date of application for the new license.

AUTH: Mont. Const. Art. X, sec. 9, 20-4-102, MCA

IMP: Mont. Const. Art. X, sec 9, 20-4-106, 20-4-108, MCA

REASON: National Board Certification (NBC) is a voluntary, advanced teaching credential that goes beyond state licensure. NBC has national standards for what accomplished teachers should know and be able to do. The National Board for Professional Teaching Standards (NBPTS) certifies teachers who successfully complete its rigorous certification process. Based on the rigorous requirements for certification by the National Board for Professional Teaching Standards which includes extensive professional learning activities equivalent to master's level work, it is proposed to elevate the NBC from a Class 2 Standard Teacher's License to a Class 1 Professional Teacher's License. Language added to align with previous changes for 60 professional development units.

10.57.412 CLASS 1 AND 2 ENDORSEMENTS (1) Subject field endorsement must be in areas approved for endorsement by the Board of Public Education.

(2) Areas approved for endorsement on Class 1 and 2 licenses include the following: agriculture, art K-12, biology, business education, chemistry, communication, computer science, early childhood (~~age 3 to grade P-3~~), earth science, economics, elementary education (K-8), English, English as a second language K-12, family and consumer sciences, geography, health, health and physical education K-12, history, industrial trades and technology education, journalism, library K-12, mathematics, middle grades (4-8), music K-12, physical education K-12, physics, political science, psychology, reading K-12, school counseling K-12, science (broadfield), social studies (broadfield), sociology, special education P-12, special education P-12 hearing impairment, special education P-12 vision impairment, theater, traffic education, and world languages K-12.

(3) As appropriate, grade level endorsements may be issued as consistent with the educator preparation program completed by the applicant.

(4) Permissive special competencies or endorsements identified on an educator license, but no longer offered, may be retained as long as the licensee continues to renew the license.

(5) To obtain an early childhood (~~age 3 to grade 3 P-3~~), elementary (K-8), or middle grades (4-8), secondary (5-12 content-specific), K-12, or P-12 (special education) endorsement, an applicant must provide verification of completion of an accredited teacher education approved educator preparation program at the grade level(s) identified by the program, in those areas to include including supervised teaching experience or a waiver of this requirement if the applicant has previously had supervised teaching experience.

~~(6) To obtain a secondary (5-12) or K-12 endorsement other than special education, the applicant must provide verification of:~~

~~(a) completion of an accredited professional educator preparation program at the grade level(s) identified by the program, including supervised teaching experience, or a waiver of this requirement on the university recommendation if the applicant has previously had supervised teaching experience; or~~

~~(b) completion of an educator preparation program, a current standard, unrestricted out-of-state educator license, and five years of successful teaching experience as defined in ARM 10.57.102 documented by a recommendation from a~~

state accredited P-12 school employer on a form prescribed by the Superintendent of Public Instruction.

~~(7)~~ To obtain an endorsement in special education P-12, the applicant must provide verification of:

- ~~(a)~~ completion of an accredited professional educator preparation program; or
- ~~(b)~~ completion of a state approved special education P-12 professional educator preparation program from a regionally accredited college or university; and
- ~~(c)~~ supervised teaching experience or a waiver of this requirement if the applicant has previously had supervised teaching experience.

~~(8)~~ (6) Applicants must also submit a recommendation for any endorsement requested from the appropriate official from an approved educator preparation accredited professional educator program.

~~(9)~~ (7) Applicants who have completed an approved accredited professional educator preparation programs outside of Montana and hold endorsements in specific disability areas (for example, early childhood special education, autism, hearing impaired) ~~in another state~~ may qualify for a special education P-12 endorsement in hearing and vision upon verification of program completion and proof of a minimum passing score on the PRAXIS Subject Assessment applicable to the special education endorsement.

~~(10)~~ (8) Applicants with graduate degrees in an endorsable area may use experience instructing in relevant college or university courses as credit in that endorsement area for licensure.

AUTH: Mont. Const. Art. X, sec. 9, 20-4-102, MCA

IMP: Mont. Const. Art. X, sec. 9, 20-4-106, 20-4-108, MCA

REASON: Aligned with change in ARM 10.57.102. All endorsement areas combined to reduce replication. Revised to recognize traditional and alternative educator preparation more equally for licensure purposes. Synthesized to reduce replication.

10.57.413 CLASS 3 ADMINISTRATIVE LICENSE (1) A Class 3 administrative license shall be valid for a period of five years.

(2) Appropriate administrative areas which may be approved for license endorsement are: elementary principal, secondary principal, K-12 principal, K-12 superintendent, and supervisor.

(3) To obtain a Class 3 administrative license, except pursuant to ARM 10.57.419, an applicant must be eligible for an appropriately endorsed Class 1, 2, or 5 teaching license or Class 6 School Counseling license to work teach in the school(s) in which the applicant would be an administrator or would supervise, and qualify as set forth in ARM 10.57.414, 10.57.415, and through 10.57.418.

~~(4) An applicant for a Class 3 administrative license who completed an educator preparation program which does not meet the definition in ARM 10.57.102, who is currently licensed in another state at the same level of licensure, may be considered for licensure with verification of five three years of successful administrative experience as defined in ARM 10.57.102 as documented by a recommendation from a state accredited P-12 school employer on a form prescribed by the Superintendent of Public Instruction and approved by the Board~~

of Public Education. The requirements of ARM 10.57.414(1)(c)(i) through (iii) must be met by an applicant seeking a superintendent endorsement.

(5) An applicant for a Class 3 administrative license must submit verified completion of the online course "An Introduction to Indian Education for All in Montana."

(6) A Class 3 administrative license shall be renewable pursuant to the requirements of ARM 10.57.215.

(7) A lapsed Class 3 administrative license may be reinstated by ~~showing verification of earning 60 renewal units earned~~ professional development units as defined in ARM 10.57.215(4) during the five-year period preceding the date of application for the new license.

AUTH: Mont. Const. Art. X, sec. 9, 20-4-102, MCA

IMP: Mont. Const. Art. X, sec. 9, 20-4-106, 20-4-108, MCA

REASON: School counselors seeking a Class 3 administrative license first need to gain classroom teaching experience, which may deter school counselors from pursuing administrator licensure. If a counselor to administrator pathway were reverted to a similar pathway available prior to 2015, more school counselors may pursue administrative licenses. The majority of licensure denials in the last three years have been for school counselors seeking administrative licenses who do not have teaching experience.

Added language to align with previous changes for 60 professional development units. Revised to recognize traditional and alternative educator preparation more equally for licensure purposes.

10.57.414 CLASS 3 ADMINISTRATIVE LICENSE - SUPERINTENDENT ENDORSEMENT (1) To obtain a superintendent endorsement an applicant must provide verification of all of the following:

(a) an education specialist, master's, or doctoral degree from a regionally accredited college or university in education or education leadership;

(b) completion of an approved ~~accredited professional~~ educator preparation program as defined in ARM 10.57.102 for superintendents with a recommendation for the license requested from the appropriate official from the educator preparation program;

(c) ~~a minimum of 18 semester graduate credits in a school administrator preparation program, of which 12 must be beyond the master's degree in education leadership and include three credits in each of the following:~~ completion of Montana requirements through online professional development courses or graduate coursework in each of the following areas:

(i) Montana school law; and

(ii) Montana school finance; and

(iii) Montana collective bargaining and employment law;

(d) completion of the online course "An Introduction to Indian Education for All in Montana";

(~~d~~) (e) a minimum of three years of teaching experience as an appropriately licensed teacher or school counselor;

~~(e) (f)~~ licensure and endorsement as a principal (~~P-12~~); and  
~~(f) (g)~~ a minimum of one year of administrative experience as an appropriately licensed principal or one year of a supervised Board of Public Education approved administrative internship as a superintendent.

~~(2) Applicants must also submit a recommendation for the endorsement requested from the appropriate official from accredited professional superintendent program.~~

AUTH: Mont. Const. Art. X, sec. 9, 20-4-102, MCA

IMP: Mont. Const. Art. X, sec. 9, 20-4-106, 20-4-108, MCA

REASON: To increase flexibility for EPPs to design programming based on the Montana specific requirements rather than a set number of courses and credits (60 professional development units). The recommended language change replaces the "three credits" with "Montana educator preparation program requirements" in each of the following: (i) Montana school law; (ii) Montana school finance; and (iii) Montana collective bargaining and employment law. Revised to recognize traditional and alternative educator preparation more equally for licensure purposes.

10.57.415 CLASS 3 ADMINISTRATIVE LICENSE - ~~ELEMENTARY~~ PRINCIPAL ENDORSEMENTS (1) To obtain an elementary, secondary, or K-12 principal endorsement an applicant must provide verification of:

(a) a minimum of three years of teaching or school counseling experience with a standard, unrestricted license at the elementary level of the requested endorsement;

~~(b) a master's degree in educational leadership from an accredited professional educator preparation program as defined in ARM 10.57.102 or a master's degree related to education from a regionally accredited college or university from a regionally accredited college or university in education or education leadership;~~

(c) completion of an approved accredited professional educator preparation program as defined in ARM 10.57.102 for elementary principals at the level of the requested endorsement with a recommendation from the appropriate official from the educator preparation program;

(d) completion of three semester credits of college courses in ~~Montana~~ school law, including special education law; and

~~(e) recommendation for the endorsement from the appropriate official from an accredited professional principal program~~ verified completion of the online course "An Introduction to Indian Education for All in Montana."

AUTH: Mont. Const. Art. X, sec. 9, 20-4-102, MCA

IMP: Mont. Const. Art. X, sec. 9, 20-4-106, 20-4-108, MCA

REASON: Synthesized to reduce replication. Matched the language in ARM 10.57.415(1)(c) to the language used throughout the chapter. Generalized the requirement for school law. Revised to recognize traditional and alternative educator preparation more equally for licensure purposes.

10.57.418 CLASS 3 ADMINISTRATIVE LICENSE - SUPERVISOR ENDORSEMENT (1) ~~This administrative~~ To obtain a supervisor endorsement is issued in specific fields such as math, music, and school counseling. an applicant must provide verification of: This endorsement may be issued to applicants who submit verification:

- (a) ~~of completion of an accredited~~ approved educator preparation program with a recommendation from the appropriate official from the educator preparation program;
- (b) ~~of completion of a master's degree in the area requested for endorsement at a regionally accredited college or university;~~
- (c) ~~that the applicant meets~~ eligibility requirements for a Class 1 or Class 2 teaching license endorsed in the field of specialization or Class 6 school counseling license;
- (d) ~~of three years of teaching experience~~ or school counseling with a standard, unrestricted license;
- (e) ~~of completion of a supervised practicum/internship at an accredited professional~~ approved educator preparation program; and
- (f) ~~of recommendation for the endorsement from the appropriate official from an accredited professional supervisor program~~ verified completion of the online course "An Introduction to Indian Education for All in Montana."

AUTH: Mont. Const. Art. X, sec. 9, 20-4-102, MCA

IMP: Mont. Const. Art. X, sec. 9, 20-4-106, 20-4-108, MCA

REASON: Inclusion of counseling component. Matched the language in ARM 10.57.418(1)(a) to the language used throughout the chapter. Revised to recognize traditional and alternative educator preparation more equally for licensure purposes.

10.57.419 CLASS 3 ADMINISTRATIVE LICENSE - SPECIAL EDUCATION SUPERVISOR ENDORSEMENT (1) ~~This administrative~~ To obtain a supervisor endorsement is issued in the specific field of special education an applicant must provide This endorsement may be issued to applicants who submit verification of:

- (a) completion, at a regionally accredited college or university, of a master's degree in special education or a master's degree in the following special education-related service fields: school psychologist, speech-language pathologist, audiologist, physical therapist, occupational therapist, registered nurse, clinical social worker, or clinical professional counselor;
- (b) full licensure in the field of specialization;
- (c) three years of teaching experience ~~in an accredited school setting with a standard, unrestricted license, or five~~ three years of experience ~~in an accredited school setting with a standard, unrestricted license~~ as a fully licensed and assigned related services provider;
- (d) three semester credits in special education law;
- (e) a supervised practicum/internship from an ~~accredited~~ approved special education supervisor program;

(f) verified completion of the online course "An Introduction to Indian Education for All in Montana;" and

(f) (g) recommendation for the endorsement from the appropriate official from an ~~accredited~~ approved special education supervisor program.

AUTH: Mont. Const. Art. X, sec. 9, 20-4-102, MCA

IMP: Mont. Const. Art. X, sec. 9, 20-4-106, 20-4-108, MCA

REASON: Reduced the 5-year to a 3-year requirement for a special education supervisor. Revised to recognize traditional and alternative educator preparation more equally for licensure purposes. Removed "accredited" to include all P-12 schools.

#### 10.57.420 CLASS 4 CAREER AND TECHNICAL EDUCATION LICENSE

(1) A Class 4 license is specific to career and technical education and shall be valid for a period of five years.

(2) There are three types of Class 4 licenses:

(a) A Class 4A license issued to individuals holding a valid Montana teaching license, but without an appropriate career and technical education endorsement;

(b) A Class 4B license issued to individuals with an apprenticeship program or associate or ~~at least a~~ bachelor's degree from a regionally accredited college or university, but who do not hold a valid Montana teaching license with the appropriate career and technical education endorsement; and

(c) A Class 4C license issued to individuals who hold at least a high school diploma or high school equivalency diploma and meet the minimum requirements for endorsement.

(3) To obtain a Class 4 career and technical educator license an applicant must:

(a) meet the requirements of (2)(a), (b), or (c) above and qualify for one or more endorsements as outlined in ARM 10.57.421-; and

(b) verify completion of the online course "An Introduction to Indian Education for All in Montana."

(4) A Class 4 license shall be renewable pursuant to the requirements of ARM 10.57.215 and the requirements specific to each type of Class 4 license.

(a) Class 4A licenses shall be renewable by earning 60 professional development ~~renewal~~ units. Endorsement related technical studies may be accepted. ~~Additionally,~~ The first renewal must show evidence of ~~renewal~~ professional development units earned in each of the following areas:

- (i) curriculum and instruction in career and technical education; and
- (ii) safety and teacher liability.

(b) Class 4B or 4C licenses shall be renewable by earning 60 ~~renewal~~ professional development units. The first renewal must show evidence of ~~renewal~~ professional development units earned in the following areas:

- (i) curriculum and instruction in career and technical education; and
- (ii) safety and teacher liability.

(c) Other professional development appropriate to renew a Class 4B or 4C license includes the following:

- (i) principles and/or philosophy of career and technical education;
  - (ii) curriculum and instruction in career and technical education;
  - (iii) learning styles/teaching styles; including serving students with special needs;
  - (iv) safety and teacher liability;
  - (v) classroom management;
  - (vi) teaching methods;
  - (vii) career guidance in career and technical education; or
  - (viii) endorsement related technical studies, with prior OPI approval.
- (5) A lapsed Class 4 license may be reinstated by showing verification of 60 ~~renewal~~ professional development units earned during the five-year period preceding the validation date of the new license, including ~~renewal~~ professional development units in:
- (a) curriculum and instruction in career and technical education;
  - (b) safety and teacher liability; and
  - (c) endorsement related technical studies or industry validated training.

AUTH: Mont. Const. Art. X, sec. 9, 20-4-102, MCA

IMP: Mont. Const. Art. X, sec. 9, 20-4-106, 20-4-108, MCA

REASON: The Board of Public Education proposes the inclusion of an associate degree and apprenticeship certificate to the 4B license. This flexibility is proposed to expand CTE pathways for trained and qualified individuals to support student learning in these areas. Inclusion of IEFA requirement for all classes of licenses. Added language to replace renewal units with professional development units to align with previous changes.

10.57.421 CLASS 4 ENDORSEMENTS (1) Recognized occupations eligible for a Class 4 license shall be evaluated on an annual basis by the Superintendent of Public Instruction. Appropriate career and technical education areas acceptable for endorsement on the Class 4 license include but are not limited to the following: agriculture business, agriculture mechanics, auto body, automotive technology, aviation, building maintenance, building trades, business marketing, computer coding, computer information systems, culinary arts, diesel mechanics, drafting, electronics, emergency medical technician (EMT), engineering, fire and disaster services, graphic arts, health science education, heavy equipment operations, horticulture, industrial mechanics, livestock production, machining, metals, plant and soil sciences, Reserve Officer Training Corps (ROTC) instruction, small engines, stagecraft, teacher education, videography, and welding.

(2) Endorsements removed from the list of recognized occupations may be retained as long as the licensee continues to renew the license.

(3) To obtain an endorsement on a Class 4 license, an applicant must provide verification of a minimum of ~~10,000~~ 5,000 hours of documented, relevant work experience which may include apprenticeship training, documenting the knowledge and skills required in the specific trade in which they are to teach. Acceptable documentation of relevant work experience is determined by the Superintendent of Public Instruction and may include, but is not limited to:

- (a) work experience completed and verified by previous employers, to include a detailed description of the duties performed during employment;
- (b) for self-employed individuals, examples of projects completed, letters of verification from clients or customers, profit and loss statements demonstrating the viability of the business or self-employment;
- (c) verification of teaching experience in the area requested for endorsement, accompanied by verification of substantial work experience in the area requested for endorsement; or
- (d) certificates of completion of appropriate technical programs or related college degrees and coursework, and industry certification (e.g., ASE, AWS).

(4) For health science education, engineering, computer information systems, computer coding, teacher education, EMT, or fire and disaster services, an alternative to the above requirement of ~~40,000~~ 5,000 hours of work experience may be substituted as recognized by the Office of Public Instruction and the Board of Public Education as follows:

- (a) For health science education:
  - (i) hold a Class 1 or 2 license with an endorsement in health or any of the science areas;
  - (ii) provide verification of successful completion of a blended learning professional development course of at least ~~80~~ 60 hours by a provider recognized by the Office of Public Instruction and the Board of Public Education; and
  - (iii) successful completion of coursework in human biology or anatomy and physiology; or
  - (iv) hold a current professional license in a related health occupation field.
- (b) For engineering:
  - (i) hold a Class 1 or 2 license with an endorsement in math or science; and
  - (ii) provide verification of successful completion of a blended learning professional development course of at least ~~80~~ 60 hours by a provider recognized by the Office of Public Instruction and the Board of Public Education.
- (c) For computer information systems an individual may provide verification of completion of an approved technical program in a recognized training institution and hold a professional license or industry standard certificate recognized by the Office of Public Instruction and the Board of Public Education.
- (d) For computer coding:
  - (i) hold a Class 1 or 2 license; and
  - (ii) provide verification of successful completion of a blended learning professional development course of at least ~~80~~ 60 hours by a provider recognized by the Office of Public Instruction and the Board of Public Education.
- (e) For teacher education:
  - (i) hold a Class 1 or 2 license; and
  - (ii) provide verification of successful completion of five years of professional experience as a licensed educator.
- (f) For EMT:
  - (i) hold a Class 1 or 2 license;
  - (ii) hold a current CPR/First Aid certificate and a current license as a lead instructor obtained through the Montana Board of Medical Examiners;
  - (iii) provide verification of a minimum of 2,000 hours of EMT experience; and

(iv) provide verification of successful completion of a blended learning professional development course offered by the Office of Public Instruction.

(v) In addition to renewal requirements outlined in ARM 10.57.420, renewal of this endorsement will also require a current CPR/First Aid certificate and a current license as a lead instructor obtained through the Montana Board of Medical Examiners.

(g) For fire and disaster services:

(i) hold a Class 1 or 2 license;

(ii) provide verification of a minimum of 2,000 hours of employment in fire services or law enforcement; and

(iii) provide verification of successful completion of a blended learning professional development course offered by the Office of Public Instruction.

(5) A Class 4A, 4B, or 4C career and technical education license may be approved to teach traffic education if the license meets the requirements of ARM 10.13.310.

(6) To qualify for a ROTC instructor endorsement the applicant must provide evidence of certification by the appropriate branch of the U.S. military and successful completion of a criminal background check pursuant to ARM 10.57.201A. This endorsement does not require verification of ~~10,000~~ 5,000 hours of work experience and may not be issued as a Class 4C license. A Class 4A or 4B license with a ROTC endorsement may be renewed every five years with resubmission of certification by the appropriate branch of the U.S. military.

AUTH: Mont. Const. Art. X, sec. 9, 20-4-102, MCA

IMP: Mont. Const. Art. X, sec. 9, 20-4-106, 20-4-108, MCA

REASON: OPI researched other states' requirements, which range from 2,000 to 10,000. Montana with 10,000 is on the high end. 5000 hours is recommended, based on equivalence 5000 hrs./8 hrs. per day/235 calendar workdays. Recommendation to lower the hours from 80 to 60 hours to align with the requirements of recency and renewal requirements.

10.57.424 CLASS 5 PROVISIONAL LICENSE (1) There are ~~two~~ three types of Class 5 licenses:

(a) a Class 5A provisional license that is valid for ~~three~~ one years; and

(b) ~~a Class 5A provisional license that is valid for one year.~~ a Class 5B provisional license that is valid for three years; and

(c) a Class 5C provisional license that is valid for three years.

(2) A Class 5A provisional license will be issued to those individuals seeking their initial Montana educator license who meet all licensure requirements except need successful completion of the Montana required Praxis test. This license is valid for one year and is non-renewable.

(2)(3) A Class 5B provisional license is valid for a term of three years, is not renewable, and may not be reinstated. A Class 5B provisional license will be issued to those individuals who hold a bachelor's degree from a regionally accredited college or university but have not completed an approved educator preparation program. A Montana educator may be issued only one Class 5 provisional license

per teaching license (Class 1 or 2), administrator license (Class 3), or specialist license (Class 6). A Class 5 provisional license is not available for an initial Class 4 license or a Class 7 or 8 license.

~~(3) (a) An applicant for a Class 5B provisional license must sign and file with the Superintendent of Public Instruction a plan of professional intent leading, within three years of the date of validity of the provisional license, to an appropriately endorsed Class 1, 2, 3, or 6 license as provided in ARM 10.57.412, 10.57.414, 10.57.415, 10.57.418, through 10.57.419, or 10.57.434 and 10.57.435 10.57.436.~~

~~(4) A Class 5C provisional license is valid for a term of three years, is not renewable, and may not be reinstated. A Class 5C provisional license will be issued to those seeking a license in Montana whose degree is more than five years old, do not hold a current standard, unrestricted educator licensure, and have not earned 60 professional development units as defined in ARM 10.57.215(4) within the five-year period preceding the effective date of the license.~~

~~(a) An applicant for a Class 5C provisional license must sign and file with the Superintendent of Public Instruction a plan of professional intent to obtain 60 professional development units which lead, within three years of the date of validity of the provisional license, to an appropriately endorsed Class 1, 2, 3, or 6 license as provided in ARM 10.57.412, 10.57.414, 10.57.415, 10.57.418, 10.57.419, or 10.57.434 and 10.57.435.~~

~~(4) (5) An applicant for a Class 5A, 5B, or 5C provisional license who has graduated from an educator preparation program outside of Montana must provide proof of must provide verification of:~~

~~(a) a minimum passing score on the Praxis Subject Assessment applicable to the requested endorsement; or hold current certification from the National Board for Professional Teaching Standards in an area approved for endorsement in Montana, and apply for endorsement in the same area a bachelor's degree from a regionally accredited college or university; and~~

~~(b) have a current Montana address or job offer from an accredited or a state-funded P-12 school in Montana; and~~

~~(5) (c) An applicant for a Class 5 provisional license must provide verified completion of the online course "An Introduction to Indian Education for All in Montana."~~

~~(6) A Class 5A, 5B, or 5C provisional licensee is not eligible for a Board of Public Education approved internship program in the same endorsement area subsequent to the Class 5A, 5B, or 5C licensure expiration date.~~

~~(7) A Class 5A provisional license will be issued to those individuals seeking their initial Montana educator license who meet all licensure requirements except for successful completion of the Montana required Praxis test. This license is valid for one year and is non-renewable.~~

AUTH: Mont. Const. Art. X, sec. 9, 20-4-102, MCA

IMP: Mont. Const. Art. X, sec. 9, 20-4-106, 20-4-108, MCA

REASON: (5)(a) Maintain the one-year time frame to complete and pass the Praxis.  
(5)(b) 3 years' time frame to complete an EPP while employed or residing in MT.

(5)(c) 3 years' time frame language added to allow flexibility for specific cases where an out-of-state license has expired, and the candidate does not have recent credits within the last 5 years. This allows a teacher to obtain a license by opting to complete 60 professional development units, or 6 semester credits, or a combination of college credits and PD units.

10.57.425 CLASS 5 PROVISIONAL LICENSE - ELEMENTARY LEVEL ENDORSEMENTS (1) ~~To obtain a Class 5 provisional license with an elementary, middle, or early childhood level endorsement, an applicant must provide verification of: Subject field endorsement must be in areas approved for endorsement by the Board of Public Education.~~

~~(a) a bachelor's degree from a regionally accredited college or university; and  
(b) for those applicants who have not completed an accredited professional education preparation program, a plan of study from an accredited professional educator preparation program verifying that the applicant:~~

~~(i) can meet the requirements for full licensure within the three-year valid period of the license; and~~

~~(ii) meets the professional educator preparation program's admission requirements.~~

(2) Areas approved for endorsement on Class 5 provisional license include the following: agriculture, art K-12, biology, business education, chemistry, communication, computer science, early childhood (P-3), earth science, economics, elementary education (K-8), English, English as a second language K-12, family and consumer sciences, geography, health, health and physical education K-12, history, industrial trades and technology education, journalism, library K-12, mathematics, middle grades (4-8), music K-12, physical education K-12, physics, political science, psychology, reading K-12, school counseling K-12, science (broadfield), social studies (broadfield), sociology, special education P-12, special education P-12 hearing impairment, special education P-12 vision impairment, theater, traffic education, and world languages K-12.

(3) As appropriate, grade level endorsements may be issued as consistent with the educator preparation program completed by the applicant.

(4) To obtain an early childhood (P-3), elementary (K-8), middle grades (4-8), secondary (5-12 content-specific), K-12 (as delineated in ARM 10.57.412), or P-12 (special education and school psychologist) endorsement, an applicant must provide verification of:

(a) a bachelor's degree from a regionally accredited college or university; and

(b) for those applicants who have not completed an approved educator preparation program, a plan of study from an approved educator preparation program verifying that the applicant:

(i) can meet the requirements for full licensure within the three-year valid period of the license; and

(ii) meets the professional educator preparation program's admission requirements.

AUTH: Mont. Const. Art. X, sec. 9, 20-4-102, MCA

IMP: Mont. Const. Art. X, sec. 9, 20-4-106, 20-4-108, MCA

REASON: Synthesized to reduce replication. Revised to recognize traditional and alternative educator preparation more equally for licensure purposes.

10.57.427 CLASS 5 PROVISIONAL LICENSE – SUPERINTENDENT ENDORSEMENT (1) To obtain a Class 5 provisional license with a superintendent endorsement, an applicant must provide verification of:

(a) a master's degree in ~~educational leadership from an accredited professional educator preparation program as defined in ARM 10.57.102~~ from a regionally accredited college or university in education or education leadership;

(b) eligibility for a Class 1, 2, or 5 teaching license or school counseling license or a current standard, unrestricted out-of-state license ~~and five years of successful supervisory experience as a licensed administrator as defined in ARM 10.57.102, documented by a recommendation from a state accredited P-12~~

~~school employer on a form prescribed by the Superintendent of Public Instruction;~~

(c) a minimum of three years of experience as an appropriately licensed and assigned teacher or school counselor license at any level;

(d) one year of appropriately licensed experience as a principal;

(e) completion of an ~~accredited professional~~ approved educator preparation program, as defined in ARM 10.57.102, for superintendents; and

(f) for those applicants who have not completed the ~~required courses in Montana school law, Montana school finance, and Montana collective bargaining and employment law, a plan of intent as detailed in ARM 10.57.424.~~ Montana requirements through online professional development courses or graduate coursework in each of the following areas:

(i) Montana school law; and

(ii) Montana school finance; and

(iii) Montana collective bargaining and employment law; a plan of intent as detailed in ARM 10.57.424.

(2) Applicants required to complete coursework other than Montana requirements in Montana school law, Montana collective bargaining and employment law, and Montana school finance are not eligible for a Class 5 provisional license, but may enroll in an internship program pursuant to ARM 10.55.607.

AUTH: Mont. Const. Art. X, sec. 9, 20-4-102, MCA

IMP: Mont. Const. Art. X, sec. 9, 20-4-106, 20-4-108, MCA

REASON: Included the counseling component and the three options for professional development courses for college course work. Revised to recognize traditional and alternative educator preparation more equally for licensure purposes.

10.57.428 CLASS 5 PROVISIONAL LICENSE - ELEMENTARY PRINCIPAL ENDORSEMENT (1) To obtain a Class 5 provisional license with an elementary, secondary, or K-12 principal endorsement, an applicant must provide verification of:

(a) a master's degree from an ~~accredited professional educator preparation program~~ a regionally accredited college or university in education or education leadership;

(b) eligibility for a Class 1, 2, or 5 teaching or school counseling license at the ~~elementary level of the requested endorsement~~ or a current standard, unrestricted out-of-state license and ~~five years of successful supervisory experience as a licensed administrator as defined in ARM 10.57.102 as documented by a recommendation from a state-accredited P-12 school employer on a form prescribed by the Superintendent of Public Instruction;~~ and

(c) a minimum of three years of experience as an appropriately licensed and assigned teacher ~~at the elementary level~~ or counselor at the level of the requested endorsement.

(2) Applicants required to complete coursework requirements other than Montana school law, including special education law are not eligible for a Class 5 provisional license, but may enroll in an internship program pursuant to ARM 10.55.607.

AUTH: Mont. Const. Art. X, sec. 9, 20-4-102, MCA

IMP: Mont. Const. Art. X, sec. 9, 20-4-106, 20-4-108, MCA

REASON: The Board of Public Education intends to include a pathway for counselors to become licensed. Revised to recognize traditional and alternative educator preparation more equally for licensure purposes. The language was synthesized to reduce replication.

10.57.431 CLASS 5 PROVISIONAL LICENSE - SUPERVISOR ENDORSEMENT (1) To obtain a Class 5 provisional license with a supervisor endorsement, an applicant must provide verification of:

(a) a master's degree from a regionally accredited college or university in the area requested for supervisory endorsement; and

(b) three years of appropriately licensed experience as a teacher or counselor in the area requested for supervisory endorsement or ~~five~~ three years of experience in a school setting as a fully licensed and appropriately assigned related services provider; and

(c) a plan of study from an ~~accredited professional~~ approved educator preparation program verifying that the applicant:

(i) can meet the requirements for full licensure within the three-year valid period of the license; and

(ii) meets the ~~professional~~ educator preparation program's admission requirements.

AUTH: Mont. Const. Art. X, sec. 9, 20-4-102, MCA

IMP: Mont. Const. Art. X, sec. 9, 20-4-106, 20-4-108, MCA

REASON: The Board of Public Education intends to reduce the required years and include a pathway for counselors. Also align language for the educator preparation program.

10.57.432 CLASS 5 PROVISIONAL LICENSE - SPECIALIST

ENDORSEMENT (1) To obtain a Class 5 provisional license with a specialist endorsement in school psychology, an applicant must provide:

(a) verification of a master's degree or greater in school psychology or related field from a regionally accredited college or university; and

(b) for those applicants who have not completed an ~~accredited~~ approved specialist preparation program, verification from an ~~accredited~~ approved specialist program, of being within four course deficiencies of completing full requirements as outlined in ARM 10.57.434.

(2) To obtain a Class 5 provisional license with a specialist endorsement in school counseling an applicant must provide:

(a) verification of a bachelor's degree; and

(b) verification from the ~~accredited~~ approved specialist program, of being within four course deficiencies of completing full requirements as outlined in ARM 10.57.435.

AUTH: Mont. Const. Art. X, sec. 9, 20-4-102, MCA

IMP: Mont. Const. Art. X, sec. 9, 20-4-106, 20-4-108, MCA

REASON: Revised to recognize traditional and alternative educator preparation more equally for licensure purposes.

10.57.433 CLASS 6 SPECIALIST LICENSE (1) A Class 6 specialist license

is valid for a period of five years.

(2) Class 6 specialist licenses may be issued with the following endorsements:

(a) school psychologist; or

(b) school counselor.

(3) Applicants for an initial Montana Class 6 license with a degree more than five years old and who do not have current out-of-state licensure must have earned ~~six graduate semester credits from a regionally accredited college or university~~ 60 professional development units as defined in ARM 10.57.215(4) within the five-year period preceding the effective date of the license. For the purposes of this provision, current licensure does not include provisional, or restricted, or lifetime licenses.

(4) An applicant must verify completion of the online course "An Introduction to Indian Education for All in Montana."

~~(4)~~ (5) A Class 6 specialist license may also be endorsed in traffic education if the licensee meets the requirements of ARM 10.13.310 and is approved by the Superintendent of Public Instruction.

~~(5)~~ (6) Class 6 specialist licenses may be renewed pursuant to the requirements of ARM 10.57.215.

~~(6)~~ (7) A lapsed Class 6 specialist license may be reinstated by showing verification of ~~60 renewal~~ 60 professional development units earned during the five-year period preceding the date of application for the new license.

AUTH: Mont. Const. Art. X, sec. 9, 20-4-102, MCA

IMP: Mont. Const. Art. X, sec. 9, 20-4-106, 20-4-108, MCA

REASON: The Board of Public Education intends to include the Indian Education for All in Montana course as a requirement for all licenses. The board also intends to increase flexibility for educators. It is proposed to adjust the 6-semester requirement for recency to include the option of 60 professional development units. As a result, the term renewal units are renamed as professional development units.

Including rather than prohibiting a lifetime license to the list of approved current out-of-state licenses.

10.57.434 CLASS 6 SPECIALIST LICENSE - SCHOOL PSYCHOLOGIST

(1) To obtain a Class 6 specialist license with a school psychologist endorsement an applicant must provide verification of:

(a) current credentials as a nationally certified school psychologist (NCSP) from the National Association of School Psychologists (NASP); or

(b) completion of a specialist level degree from a NASP accredited school psychologist program which included a 1200-hour internship, of which 600 hours were in a school setting; or

(c) for those applicants who did not earn at least a specialist level school psychology degree from a NASP accredited program:

(i) a master's degree or higher in school psychology or a related field from a regionally accredited college or university; and

(ii) recommendation from a NASP accredited specialist program defined in ARM 10.57.102, attesting to the applicant's qualifications being equivalent to NASP training standards, which included a 1200-hour internship experience of which 600 hours were in a school setting.

AUTH: Mont. Const. Art. X, sec. 9, 20-4-102, MCA

IMP: Mont. Const. Art. X, sec. 9, 20-4-106, 20-4-108, MCA

REASON: The Board of Public Education intends to clarify that the rule is a or b. This is not a content change, just language clarification.

10.57.435 CLASS 6 SPECIALIST LICENSE - SCHOOL COUNSELOR

(1) To obtain a Class 6 specialist license with a school counselor endorsement an applicant must provide verification of:

(a) a master's degree from a regionally accredited college or university; and

(b) completion of a CACREP accredited school counselor program which included an internship in a school setting of 600 hours; or

(c) for those applicants who did not earn a degree from a CACREP accredited program:

(i) a master's degree in school counseling from a regionally accredited college or university; and

(ii) recommendation from an ~~accredited~~ approved specialist program defined in ARM 10.57.102, which included an internship in a school setting of 600 hours.

AUTH: Mont. Const. Art. X, sec. 9, 20-4-102, MCA

IMP: Mont. Const. Art. X, sec. 9, 20-4-106, 20-4-108, MCA

REASON: Revised to recognize traditional and alternative educator preparation more equally for licensure purposes.

10.57.436 CLASS 7 AMERICAN INDIAN LANGUAGE AND CULTURE SPECIALIST (1) A Class 7 American Indian language and culture specialist license is valid for ~~a period of five years~~ the lifetime of the license holder.

(2) The Superintendent of Public Instruction shall issue a Class 7 license based upon verification by the authorized representative of a tribal government, that has a memorandum of understanding with the Superintendent of Public Instruction, that the applicant has met tribal standards for competency and fluency as a requisite for teaching that language and culture.

(3) The Board of Public Education will accept and place on file the criteria developed by each tribe for qualifying an individual as competent to be a specialist in its language and culture.

(4) An application must verify completion of the online course "An Introduction to Indian Education for All in Montana."

~~(4) (5)~~ A Class 7 American Indian language and culture specialist licensee may be approved to teach traffic education if the licensee meets the requirements of ARM 10.13.310 and is approved by the Superintendent of Public Instruction.

~~(5) A Class 7 American Indian language and culture specialist license may be renewed upon verification by the tribe that the professional development plan, as defined by the memorandum of understanding in (2) is met.~~

(6) A school district may assign an individual licensed under this rule to only specialist services within the field of American Indian language and culture under such supervision as the district may deem appropriate. No other teaching license or endorsement is required for duties within this prescribed field.

AUTH: Mont. Const. Art. X, sec. 9, 20-4-102, MCA

IMP: Mont. Const. Art. X, sec. 9, 20-4-103, 20-4-106, MCA

REASON: The Board of Public Education intends to include the Indian Education for All in Montana course as a requirement for all licenses. Extending the term for a Class 7 American Indian Language and Culture Specialist from 5 years to lifetime, which also removes the requirement for renewal.

10.57.437 CLASS 8 DUAL CREDIT POSTSECONDARY FACULTY LICENSE (1) A faculty member of a college or university is required to hold a Class 8 dual credit license, unless already licensed or eligible for licensure as a Class 1, 2, or 4 and properly endorsed, whenever a faculty member is teaching a dual credit course at the college or university for which one or more students will earn both high school and college credit.

(2) The license is valid for five years.

(3) To obtain a Class 8 dual credit postsecondary faculty license, an applicant shall provide the following:

- (a) verification of faculty employment from the Chief Academic Officer or an appropriate official of the employing regionally accredited college or university;
  - (b) compliance with all other nonacademic requirements for licensure as required by 20-4-104, MCA, ARM 10.57.201 and 10.57.201A; and
  - (c) recommendation from the Chief Academic Officer from a regionally accredited college or university verifying the following:
    - (i) the applicant plans to teach in a subject covered by the K-12 endorsement areas in ARM 10.57.438, and will teach a subject in which the applicant has a major or minor; and
    - ~~(ii) the applicant demonstrates adequate education and experience to instruct dual enrollment courses as demonstrated by the following criteria:
      - ~~(A) ability to create learning environments that support creativity, critical thinking, individual and collaborative learning, and that encourage positive social interaction, active engagement in learning, and self motivation;~~
      - ~~(B) understanding and ability to use a variety of instructional and assessment strategies to encourage learners to develop understanding of content areas and to build skills to apply knowledge in meaningful ways; and~~
      - ~~(C) understanding of individual differences and diverse cultures with an ability to integrate history, culture, heritage, and contemporary status of American Indians and tribes in Montana.~~~~
  - (d) verification of completion of the online course "An Introduction to Indian Education for All in Montana."
- (4) Class 8 dual credit license applications will be reviewed by the Certification Standards and Practices Advisory Council for recommendation regarding issuance of the license by the Superintendent of Public Instruction. Denial of an application for licensure shall be appealable to the Board of Public Education pursuant to ARM 10.57.607.
- (5) A Class 8 dual credit postsecondary faculty license may be consecutively reissued upon submission and approval of an application for renewal. An educator with a lapsed Class 8 license must submit a new application.
- (6) A Class 8 license shall not be valid unless the licensee is in an employment relationship with a regionally accredited college or university.

AUTH: Mont. Const. Art. X, sec. 9, 20-4-102, MCA

IMP: Mont. Const. Art. X, sec. 9, 20-4-106, 20-4-108, MCA

REASON: The Board of Public Education intends to include the Indian Education for All in Montana course as a requirement for all licenses. The board intends to remove barriers to Class 8 licenses and develop a more expedient approach for university faculty to apply for a Class 8 license. This eliminates duplicative and extensive evidence of content knowledge that an applicant must submit. Currently, the requirements for a Class 8 license include the submission of a curriculum vitae, teaching philosophy, syllabi, course examples of assignments/projects along with official transcripts and recommendation and verification from a college or university. Most of the supplemental materials (curriculum vitae, teaching philosophy, syllabi, course examples of assignments/projects) are not requested for any other license nor used as criteria to issue or deny a license. The suggestion is to simplify the

criteria based on ARM 10.57.437 (3)(a) through (c): verification of faculty employment from the chief academic officer or an appropriate official of the employing regionally accredited college or university; compliance with all other nonacademic requirements for licensure as required by 20-4-104, MCA, ARM 10.57.201 and 10.57.201A; and recommendation from the chief academic officer from a regionally accredited college or university verifying the following: the applicant plans to teach in a subject covered by the K-12 endorsement areas in ARM.

10.57.601A DEFINITION OF "IMMORAL CONDUCT" (1) "Immoral conduct" related to the teaching profession, under 20-4-110(1)(f), MCA, includes, but is not limited to:

- (a) sexual contact, as defined in 45-2-101, MCA, or sexual intercourse as defined in 45-2-101, MCA, involving a minor or a person the applicant or licensee knows, reasonably should know, or should have known is a student at a public or private elementary or secondary school;
- (b) conduct, whether resulting in the filing of criminal charges or not, which would constitute an offense under any of the following statutes of this state:
  - (i) 45-5-502, MCA, (sexual assault);
  - (ii) 45-5-503, MCA, (sexual intercourse without consent);
  - (iii) 45-5-504, MCA, (indecent exposure);
  - (iv) 45-5-505, MCA, (deviate sexual conduct), if the conduct either was non-consensual or involved a minor or a person the applicant or licensee knows, reasonably should know, or should have known is a student at a public or private elementary or secondary school;
  - (v) 45-5-507, MCA, (incest);
  - (vi) 45-5-601, 45-5-602, or 45-5-603, MCA, (offenses involving prostitution);
  - (vii) 45-5-622(2), MCA, (endangering the welfare of children);
  - (viii) 45-5-623, MCA, (unlawful transactions with children);
  - (ix) 45-5-625, MCA, (sexual abuse of children);
  - (x) 45-8-201, MCA, (obscenity);
  - (xi) 45-5-627, MCA, (ritual abuse of minor);
  - (xii) any statute in Title 45, chapter 9, part 1, MCA, (dangerous drugs); ~~provided that a first offense under 45-9-102(2), MCA, shall not fall within this definition;~~
  - (xiii) 45-5-220, MCA, (stalking);
  - (xiv) 45-5-223, MCA, (surreptitious visual observation or recordation);
  - (xv) 45-10-103, MCA, (criminal possession of drug paraphernalia);
  - (xvi) 45-10-105, MCA, (delivery of drug paraphernalia to a minor);
  - (xvii) 45-8-334, MCA, (possession of a destructive device);
  - (xviii) 45-8-361, MCA, (possession or allowing possession of weapon in school building);
  - (xix) 45-8-403, MCA, (use of threat to coerce gang membership);
  - (xx) 45-8-406, MCA, (supplying of firearms to criminal street gang);
  - (xxi) 45-5-622(3), MCA (endangering welfare of children);
- (c) repeated convictions for violations of any one or more of the criminal laws of this state, which violations are not otherwise grounds for suspension or

revocation, if the repeated convictions, taken together, demonstrate that the teacher, specialist or administrator is unwilling to conform their conduct to the requirements of law;

(d) occurrences related to ARM 24.9.1003(3), (sexual harassment), defined as "unwelcome sexual advances, requests for sexual favors, and other verbal and physical conduct of a sexual nature" when:

(i) submission to the conduct is explicitly or implicitly made a term or condition of education;

(ii) submission to or rejection of the conduct is used as the basis for an educational decision affecting the individual; and/or

(iii) the conduct has the purpose or effect of unreasonably interfering with school performance or creating an intimidating, hostile or offensive learning environment.

(e) submitting false credentials, omitting relevant information, or making any statement of material fact an applicant or licensee knows to be false to apply for a license, endorsement, employment, or promotion. False credentials include but are not limited to:

(i) college degrees or credit from non-accredited or -approved colleges or universities;

(ii) false professional development credit;

(iii) false academic awards; or

(iv) inaccurate employment history;

(f) significant misuse of technology or electronic communication involving a minor or a person an applicant or licensee knows, reasonably should know, or should have known is a student at a public or private elementary or secondary school, including but not limited to misuse of computers, cellular telephones, or other electronic devices; or

(g) intentionally falsifying or deliberately misrepresenting information regarding standardized assessment of students, including but not limited to providing or changing test answers or using inappropriate testing accommodations or modifications.

AUTH: Mont. Const. Art. X, sec. 9, 20-4-102, MCA

IMP: Mont. Const. Art. X, sec. 9, 20-4-110, MCA

REASON: To correct the rule to reflect legislative changes in HB 701.

10.57.601B REVIEW (1) Upon receipt of a request for disciplinary action by the trustees of a district or the Superintendent of Public Instruction pursuant to 20-4-110(2), MCA, and ARM 10.57.601, the Board of Public Education shall review the allegations to determine whether there is sufficient cause to believe that professional misconduct occurred.

(2) This review shall include notifying the affected licensee of the request for discipline and allegations against the licensee by certified mail and allowing the licensee ten days to respond to those charges.

(3) If the ~~board~~ Board of Public Education determines there is sufficient cause to believe that professional misconduct occurred, the ~~board~~ Board of Public

Education shall provide notice to the licensee of a hearing on possible disciplinary action as provided in ARM 10.57.602.

AUTH: Mont. Const. Art. X, sec. 9, 20-4-102, MCA

IMP: Mont. Const. Art. X, sec. 9, 20-4-110, MCA

REASON: Clarification to specify which board as it could mean the Board of Trustees or the Board of Public Education.

10.57.607 APPEAL FROM DENIAL OF AN EDUCATOR/SPECIALIST

LICENSE (1) Written notice of appeal from the decision of the Superintendent of Public Instruction to deny issuance or renewal of an educator/specialist license must be submitted to the Board of Public Education. Written notice of appeal must be postmarked or received by the board no later than 30 days from the date of the letter of denial sent from the office of the Superintendent of Public Instruction.

(2) ~~The written notice of appeal may not be submitted by e-mail.~~ The written notice of appeal shall be submitted by email or sent via post mail. The notice must be signed by the appellant and must:

(a) summarize the appellant's responses to the superintendent's denial of licensure;

(b) provide preliminary statements supporting the appellant's contention that the superintendent's denial should be overturned; and

(c) if applicable, show that the appeal satisfies the requirements of ARM 10.57.608.

(3) When an appeal of a denial from the decision of the superintendent is before the Board of Public Education, the board shall provide notice by certified mail at least 30 days prior to a hearing of the appeal.

(a) Such notice shall include:

(i) a statement of the time, place, and nature of the hearing;

(ii) the legal authority and jurisdiction under which the hearing is to be held;

(iii) reference to the particular sections of the statutes and rules involved;

(iv) a statement of the matters asserted; and

(v) designation of who will hear the allegation pursuant to ARM 10.57.603.

(b) The notice shall advise the applicant that the applicant has the right to contest the denial and that the applicant may do so by appearing at the hearing either personally or through counsel, or by requesting the board to consider the matter on the basis of the available evidence without an appearance by the applicant.

(c) The notice shall advise the licensee that the hearing will be open to the public unless an individual's right to privacy outweighs the public's right to know.

(d) The hearing officer or person designated pursuant to ARM 10.57.603 to hear the appeal shall conduct a pre-hearing conference to determine matters relevant to scheduling, evidence, witnesses, and other matters related to the hearing as delineated in ARM 10.57.603.

AUTH: Mont. Const. Art. X, sec. 9, 20-2-121, 20-4-102, MCA

IMP: Mont. Const. Art. X, sec. 9, 20-4-102, 20-4-110, MCA

REASON: The Board of Public Education intends to include email as an appropriate form of communication.

5. The Board of Public Education proposes to repeal the following rules:

10.57.416 CLASS 3 ADMINISTRATIVE LICENSE - SECONDARY PRINCIPAL ENDORSEMENT

AUTH: Mont. Const. Art. X, sec. 9, 20-4-102, MCA  
IMP: Mont. Const. Art. X, sec. 9, 20-4-106, 20-4-108, MCA

REASON: Not necessary as it was synthesized into ARM 10.57.415.

10.57.417 CLASS 3 ADMINISTRATIVE LICENSE - K-12 PRINCIPAL ENDORSEMENT

AUTH: Mont. Const. Art. X, sec. 9, 20-4-102, MCA  
IMP: Mont. Const. Art. X, sec. 9, 20-4-106, 20-4-108, MCA

REASON: Not necessary as it was synthesized into ARM 10.57.415.

10.57.426 CLASS 5 PROVISIONAL LICENSE – SECONDARY, K-12, AND P-12 SPECIAL EDUCATION LEVELS

AUTH: 20-4-102, MCA  
IMP: 20-4-106, 20-4-108, MCA

REASON: Not necessary as it was synthesized into ARM 10.57.425.

10.57.429 CLASS 5 PROVISIONAL LICENSE - SECONDARY PRINCIPAL ENDORSEMENT

AUTH: Mont. Const. Art. X, sec. 9, 20-4-102, MCA  
IMP: Mont. Const. Art. X, sec. 9, 20-4-106, 20-4-108, MCA

REASON: Not necessary as it was synthesized into ARM 10.57.415.

10.57.430 CLASS 5 PROVISIONAL LICENSE - K-12 PRINCIPAL ENDORSEMENT

AUTH: 20-4-102, MCA  
IMP: 20-4-106, 20-4-108, MCA

REASON: Not necessary as it was synthesized into ARM 10.57.415.

6. Concerned persons may submit their written data, views, or arguments to: McCall Flynn, Executive Director, Board of Public Education, 46 N. Last Chance Gulch, Suite 2B, P.O. Box 200601, Helena, Montana, 59635; telephone (406) 444-0300; fax (406) 444-0847; or e-mail [bpe@mt.gov](mailto:bpe@mt.gov), and must be received no later than 5:00 p.m., April 8, 2022.

7. McCall Flynn, Executive Director, has been designated to preside over and conduct this hearing.

8. The Board of Public Education maintains a list of interested persons who wish to receive notices of rulemaking actions proposed by this agency. Persons who wish to have their name added to the list shall make a written request that includes the name, e-mail, and mailing address of the person to receive notices and specifies for which program the person wishes to receive notices. Notices will be sent by e-mail unless a mailing preference is noted in the request. Such written request may be mailed or delivered to the contact person in paragraph 7 or may be made by completing a request form at any rules hearing held by the department.

9. An electronic copy of this proposal notice is available through the Secretary of State's web site at <http://sosmt.gov/ARM/Register>.

10. The bill sponsor contact requirements of 2-4-302, MCA, do not apply.

11. With regard to the requirements of 2-4-111, MCA, the Board of Public Education has determined that the adoption, amendment, and repeal of the above-referenced rules will not significantly and directly impact small businesses.

/s/ McCall Flynn  
McCall Flynn  
Rule Reviewer

/s/ Tammy Lacey  
Tammy Lacey  
Chair  
Board of Public Education

Certified to the Secretary of State January 18, 2022.