



**MONTANA
ADMINISTRATIVE
REGISTER**



BOARD OF PUBLIC EDUCATION

NOTICE OF PROPOSED RULEMAKING

MAR NOTICE NO. 2026-4.1

Summary

Adoption of NEW RULE 1 (10.57.439) pertaining to Class 9 Special Education Technician License in the Educator Licensure Standards

Hearing Date and Time

Tuesday, March 3, 2026, at 10:00 a.m.

Virtual Hearing Information

Please click the link below to join the webinar:

<https://mt-gov.zoom.us/j/82948590657>

Comments

Comments may be submitted using the contact information below. Comments must be received by Friday, March 6, 2026, at 5:00 p.m.

Accommodations

The agency 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. Requests must be made by Friday, February 27, 2026, at 5:00 p.m.

Contact

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(406) 444-6576
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General Reasonable Necessity Statement

The proposed new rule will support the intent to increase the capacity of Montana's paraprofessionals to provide a higher level of support to Montana students with disabilities. In particular, the purpose is to certify a technician, who meets requirements to provide technical services to a special education supervising teacher. This pathway is currently not available through any other classification of licenses under the authority of the Board of Public Education. The new rule will be numbered ARM 10.57.439 and titled Class 9 Special Education Technician License.

Rulemaking Actions

ADOPT

The rules proposed to be adopted are as follows:

NEW RULE 1 (10.57.439) CLASS 9 SPECIAL EDUCATION TECHNICIAN LICENSE

- (1) A Class 9 special education technician license shall be valid for a term of five years.
- (2) To obtain a Class 9 special education technician license, an applicant must submit verification of all of the following:
 - (a) hold a high school diploma or high school equivalency diploma;
 - (b) completion of the approved special education technician online modules, as determined by the Superintendent of Public Instruction;
 - (c) proof of 1,000 hours of documented special education work or relevant work experience, as determined by the Superintendent of Public Instruction;
 - (d) verified completion of four institutionally accredited college or university introductory courses in education, as determined by the Superintendent of Public Instruction; and
 - (e) verified completion of the online course "An Introduction to Indian Education for All in Montana."

- (3) A Class 9 special education technician license is renewable pursuant to the requirements of ARM 10.57.215 with 30 professional development units.
- (4) A lapsed Class 9 special education technician license may be reinstated by earning 30 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.

Authorizing statute(s): Mont. Const. Art. X, sec. 9, 20-4-102, MCA

Implementing statute(s): Mont. Const. Art. X, sec. 9, 20-4-106, 20-4-108, MCA

Small Business Impact

The Board of Public Education adopts rules that primarily impact teachers, administrators, and school district operations. The board works in cooperation with public schools across the state to implement the rules that are adopted. Given that the board does not work directly with small businesses, the small business impact analysis performed as required under 2-4-111, MCA, indicates that no small businesses are likely to be directly impacted by the proposed rule changes.

Bill Sponsor Notification

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

Interested Persons

The board 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, email, 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 email unless a mailing preference is noted in the request. Such written request may be mailed or delivered to the contact person above or may be made by completing a request form at any rules hearing held by the board.

Rule Reviewer

McCall Flynn

Approval

Dr. Tim Tharp
Board Chair