

SENATE EDUCATION

EXHIBIT NO. 5

DATE 2-9-05

BILL NO. S.B.-359

ACCREDITATION

10.55.902

Sub-Chapter 9

Academic Requirements

10.55.901 BASIC EDUCATION PROGRAM: ELEMENTARY (1) An elementary school shall have an education program aligned to the program area standards that enables students to meet the content and performance standards. (History: Sec. 20-2-114, MCA; IMP, Sec. 20-2-121, 20-3-106, 20-7-101, MCA; NEW, 1989 MAR p. 342, Eff. 7/1/89; AMD, 1998 MAR p. 2707, Eff. 10/9/98; AMD, 2000 MAR p. 3340, Eff. 12/8/00.)

10.55.902 BASIC EDUCATION PROGRAM: MIDDLE GRADES (1) A school with middle grades must have an education program aligned to the program area standards that enables all students to meet the content and performance standards.

(2) In order to receive funding at the high school rate for grades 7 and 8, the program must follow either the middle school philosophy and components described in (3) or the departmentalized philosophy and components (often seen in junior high settings) described in (4).

(3) An officially recognized middle school must be approved by the board of public education upon recommendation of the superintendent of public instruction.

(a) A middle school specifically addresses the unique nature of middle-grade children by focusing on their intellectual, social, emotional, and physical development. To put such philosophy into practice, a middle school must have flexibility to:

(i) approach instruction, scheduling, and teaching in a variety of ways;

(ii) undertake interdisciplinary work; and

(iii) plan blocks of coursework deriving from the intellectual, social, emotional, and physical needs of middle school students.

(b) Critical and creative thinking, career awareness, lifelong learning, and safety must be incorporated in the school program.

(c) At a minimum, the following program areas shall be required of all students yearly:

(i) communication arts including, but not limited to literature, reading, writing, speaking and listening, media literacy;

(ii) mathematics including, but not limited to written and mental computation and problem solving;

(iii) physical and life sciences;

(iv) social studies; and

(v) health enhancement.

(d) At a minimum, the middle school curriculum shall maintain in balance the following required program areas:

(i) visual arts including, but not limited to art history, art criticism, aesthetic perception, and production;

(ii) music including, but not limited to general, instrumental, and vocal (emphasizing comprehensive music elements, music history, criticism, aesthetic perception, and musical production);

(iii) vocational technical education such as agriculture, business education, family and consumer sciences, industrial arts, and marketing; and

(iv) world languages.

(e) Exploratory courses such as creative writing, dance, drama, photography, and leadership shall be offered as electives to all students.

(4) A junior high or 7-8 school for middle grades must offer an educational program, aligned to the program area standards, that enables all students to meet the content and performance standards. The educational program shall be designed to familiarize students with the high school setting and provide content-specific instruction.

(a) All students shall complete the following program areas each year:

(i) communication arts--1 unit;

(ii) social studies--1 unit;

(iii) mathematics--1 unit;

(iv) science--1 unit; and

(v) health enhancement--1/2 unit.

(b) All students must be allowed to elect from the following program area offerings:

(i) visual arts--1/2 unit;

(ii) music--1/2 unit;

(iii) vocational technical education--1/2 unit; and

(iv) world languages--1/2 unit.

(c) A unit is defined as the equivalent of at least 225 minutes per week for one school year.

(d) Time to pass between classes may be counted toward the standard school day but shall not be counted toward class time. (History: Sec. 20-2-114, MCA; IMP, Sec. 20-2-121, 20-3-106, 20-7-101, MCA; NEW, 1989 MAR p. 342, Eff. 7/1/89; AMD, 1998 MAR p. 2707, Eff. 10/9/98; AMD, 2000 MAR p. 3340, Eff. 12/8/00.)

10.55.903 BASIC EDUCATION PROGRAM: JUNIOR HIGH AND GRADES 7 AND 8 BUDGETED AT HIGH SCHOOL RATES (IS HEREBY REPEALED)
(History: Sec. 20-2-114, MCA; IMP, Sec. 20-2-121, 20-3-106, 20-7-101, MCA; NEW, 1989 MAR p. 342, Eff. 7/1/89; AMD, 1998 MAR p. 2707, Eff. 10/9/98; REP, 2000 MAR p. 3340, Eff. 12/8/00.)

10.55.904 BASIC EDUCATION PROGRAM OFFERINGS: HIGH SCHOOL

(1) The basic education program, aligned to the program area standards, for grades 9 through 12 shall be at least 20 units of coursework that enable all students to meet the content and performance standards.

(2) Minimum offerings shall include at least the following:

- (a) 4 units of English language arts;
- (b) 3 units of mathematics;
- (c) 3 units of science;
- (d) 3 units of social studies;
- (e) 2 units of vocational/technical education;
- (f) 2 units of arts;
- (g) 1 unit of health enhancement;
- (h) 2 units of world languages; and
- (i) 2 units of electives. (History: Sec. 20-2-114, MCA; IMP, Sec. 20-2-121, 20-3-106, 20-7-101, MCA; NEW, 1989 MAR p. 342, Eff. 7/1/89; AMD, 1998 MAR p. 2707, Eff. 10/9/98; AMD, 2000 MAR p. 3340, Eff. 12/8/00.)

10.55.905 GRADUATION REQUIREMENTS (1) As a minimum, a school district's requirements for graduation shall include a total of 20 units of study that enable all students to meet the content and performance standards.

(2) In order to meet the content and performance standards, the following 13 units shall be part of the 20 units required for all students to graduate:

- (a) 4 units of English language arts;
- (b) 2 units of mathematics;
- (c) 2 units of social studies;
- (d) 2 units of science;
- (e) 1 unit of health enhancement, with 1/2 unit each year for two years;
- (f) 1 unit of arts;
- (g) 1 unit of vocational/technical education.

(3) Units of credit earned in any Montana high school accredited by the board of public education shall be accepted by all Montana high schools.

(4) In accordance with the policies of the local board of trustees, students may be graduated from high school with less than four years enrollment. (History: Sec. 20-2-114, MCA; IMP, Sec. 20-2-121, 20-3-106, 20-7-101, MCA; NEW, 1989 MAR p. 342, Eff. 7/1/89; AMD, 1998 MAR p. 2707, Eff. 10/9/98; AMD, 2000 MAR p. 3340, Eff. 12/8/00.)

10.55.906 HIGH SCHOOL CREDIT (1) A high school shall require a minimum of 20 units of credit for graduation, including ninth grade units. A unit of credit shall be given for satisfactory completion of a full-unit course.

(a) A unit of credit is defined as the equivalent of at least 225 minutes per week for one year.

(b) Passage of time between classes may be counted toward the standard school day but shall not be counted toward class time.

(2) A student who is unable to attend class for the required amount of time may be given fractional credit for partial completion of a course, with the local administrators permission.

(3) Each governing authority may waive specific course requirements based on individual student needs and performance levels. Waiver requests shall also be considered with respect to age, maturity, interest, and aspirations of the students and shall be in consultation with the parents or guardians.

(4) With the permission of the school district trustees, a student may be given credit for a course satisfactorily completed in a period of time shorter or longer than normally required and, provided that the course meets the district's curriculum and assessment requirements, which are aligned with the content and performance standards stated in the education program. Examples of possible acceptable course work include correspondence and extension courses, distance learning courses, adult education, summer school, work study, specially designed courses and challenges to current courses. Any acceptable program must be consistent with local board policy.

(a) Any Montana high school shall accept such units of credit taken with the approval of the accredited Montana high school in which the student was then enrolled and which appear on the student's official transcript. (History: Sec. 20-2-114, MCA; IMP, Sec. 20-2-121, 20-3-106, 20-7-101, MCA; NEW, 1989 MAR p. 342, Eff. 7/1/89; AMD, 1998 MAR p. 2707, Eff. 10/9/98; AMD, 2000 MAR p. 3340, Eff. 12/8/00.)

10.55.907 DISTANCE, ONLINE, AND TECHNOLOGY DELIVERED LEARNING (1) This rule establishes requirements for distance, online, and technology delivered learning programs and/or courses that fulfill elementary or middle grades basic education programs and/or high school graduation requirements.

(2) School districts may receive and/or provide distance, online, and technology delivered learning programs.

(a) School districts receiving distance, online, and technology delivered learning programs to supplement instruction may utilize distance, online, and technology delivered learning as they would other supplementary resources without restriction.

(b) Distance, online, and technology delivered learning programs and/or courses shall meet the learner expectations adopted by the school district or aligned with state content and performance standards.

(3) Except as provided in (3)(a), teachers of distance, online, and technology delivered learning programs shall be licensed and endorsed in the area of instruction with such license granted as a result of the completion of a professional educator preparation program accredited by NCATE and/or a state board of education. School districts receiving distance, online, and technology delivered learning programs described in this rule shall have a distance learning facilitator as provided in this rule assigned for each course and available to the students.

(a) When a teacher of distance, online, and technology delivered learning programs and/or courses is not licensed and endorsed as provided in this rule, the facilitator must hold a Montana educator license.

(b) When a teacher of distance, online, and technology delivered learning programs is licensed and endorsed in the area of instruction, as provided in this rule, the receiving school district's facilitator shall be a licensed teacher or a para-educator.

(c) The school district must ensure that the distance, online, and technology delivered learning facilitator, whether licensed or not, receives in-service training on technology delivered instruction pertaining to:

- (i) the course organization;
- (ii) classroom management;
- (iii) technical aspects of the delivery method;
- (iv) strategies for use of distance learning;
- (v) monitoring of student testing;
- (vi) and securing other services as needed.

(4) Montana school districts providing distance, online and technology delivered learning shall comply with the teacher load requirements of ARM 10.55.713(3).

(5) Providers of distance, online, and technology delivered learning programs, other than Montana school districts, shall annually:

(a) register with the office of public instruction;

(b) identify all Montana school districts to whom they are providing distance, online, and technology delivered programs and/or courses;

(c) verify the professional qualifications, including Montana teacher licensure and endorsement if possessed, of their teachers of distance, online, and technology delivered programs and/or courses;

(d) provide the course description including the content and delivery model for each distance, online, and technology delivered program and/or course provided to Montana schools; and

(e) demonstrate that the students they serve have ongoing contact with their teachers of distance, online, and technology delivered learning programs and/or courses. (History: Sec. 20-2-114, MCA; IMP, Sec. 20-2-121, 20-3-106, 20-7-101, MCA; NEW, 1989 MAR p. 342, Eff. 7/1/89; AMD, 1995 MAR p. 626, Eff. 4/28/95; AMD, 1998 MAR p. 2707, Eff. 10/9/98; AMD, 2000 MAR p. 3340, Eff. 12/8/00; AMD, 2004 MAR p. 719, Eff. 4/9/04.)

10.55.908 SCHOOL FACILITIES (1) School facilities shall be constructed, maintained, and supervised in accordance with all applicable local, state and national codes, regulations, and laws.

(2) School facilities shall be of sufficient size and arrangement to meet all programs' educational goals.

(3) The board of trustees shall provide for educational facilities which are pleasant and reasonably safe for the conduct of the educational and extracurricular activities of students, and which will meet federal accessibility standards.

(4) The school shall provide the necessary equipment for emergency nursing care and first aid.

(5) When the board of trustees considers major remodeling or building a facility, it shall seek facility expertise in all affected program areas as well as comments from faculty, students, and community.

(6) The board of trustees shall have in writing a policy that defines the use of school facilities and resources. (History: Sec. 20-2-114, MCA; IMP, Sec. 20-2-121, MCA; NEW, 1989 MAR p. 342, Eff. 7/1/89; AMD & TRANS from 10.55.2001, 2000 MAR p. 3340, Eff. 12/8/00.)