SENATE EDUCATION
Exhibit No. 6
Date 2/20/15
Bill No. SB 331

Existing Options to Address Recruitment and Retention Through Flexible Licensing				
Option	**Sources of Authority**	**Prerequisites**	**Limits on Length**	**Other Details**
Use a substitute teacher	10.55.716, ARM	GED or high school diploma, 3 hours of training by the district and a fingerprint background check. All requirements can be waived by the district if the substitute has prior substitute teaching experience in another public school from November 2002 or earlier.	No more than 35 consecutive teaching days (which is 20% of the school year) for the same teacher under BPE Rule. However, you could use the same subsitute all year long for successive absences of different staff as long as each regular teacher for whom the substitute is covering is back by 35 consecutive teaching days.	If you run out of the maximum days on the substitute, the rule says you can convert them to an emergency authorization of employment for the remainder of the year.
Emergency Authorization of Employment	10.57.107, ARM and 20-4-111, MCA	Statute says must previously have held a valid teacher certificate OR can have met requirements of rule. Rule is more flexible, allowing a bachelor's degree or acceptable evidence of cultural experience (specifically for Class 7 American Indian Language Specialist).	Valid for one school year at a time. Can be renewed from year to year provided conditions of scarcity continue to persist.	Can't get this authorization if you held a class 5 alternative license the year before seeking emergency authorization. However, you could gain credits while employed in an emergency authorization situation that could be used to qualify for a Class 5 in a subsequent year.
Hire a retired licensed educator	19-20-732, MCA	School district has to certify to OPI and TRS that district has been unable to fill the position due to no qualified applications or no acceptance of offer by a nonretired teacher.	No limit on the district. There is a 3 year lifetime limit on a retired individual going to work under this provision and the retired member must have at least 30 years of experience in TRS.	SB 141 by Senator Jones seeks to make this temporary provision permanent in the code. This bill has passed the Senate 47-0 and has been referred to House Education.
Class 4 CTE	10.57.420 et seq., ARM, and 20-4-106, MCA	4A is for licensed teachers without a CTE endorsement, 4b is for people with at least a bachelor's degree and 4c is for people with at least a diploma or GED. BPE has enacted substantial flexibility beyond what is required by statute.	None. This is treated like any other license or endorsement.	Available to anyone with 10,000 hours (approximately 5 years fulltime OTJ) experience in automotive technology, welding, auto body, industrial mechanics, small engines, heavy equipment operations, electronics, horticulture, agriculture mechanics, building trades, building maintenance, culinary arts, metals, drafting, computer information systems, graphic arts, aviation, health occupations, machining, diesel mechanics, videography, and theater arts.

Existing Options to Address Recruitment and Retention Through Flexible Licensing				
Option	**Sources of Authority**	**Prerequisites**	**Limits on Length**	**Other Details**
Class 5 Alternative	10.57.424 et. Seq., ARM, and 20-4-106, MCA	Scaled requirements that depend on the alternative you are seeking (e.g. higher requirements to get a Class 5 for a superintendent than for an elementary teacher)	Good for a maximum of three years.	Applicant must submit a plan showing how he or she will meet full licensure requirements by the end of the 3 year license. Board also allows nonqualifying master's degrees when accepted by the University.
Internships	10.55.602 (defined) and 10.55.607 (requirements), ARM	Available to anyone with a current license and endorsement in one subject who wants to move to a new licensed role/endorsement area. All endorsements are available through internships.	Requirements must be satisfied within 3 years and must include a plan between the intern, the school district and an accredited preparation program.	Person can start teaching in new subject area immediately.
If all else fails, take a ding on the district's assurance standards	Accreditation standards requiring adherence to licensing	None - determined locally	If you repeat for more than one year, you will take a larger ding.	Regardless of how many times you violate the assurance standards, the district won't be in jeopardy of losing funding under 20-9-311(8)(d) unless it is also failing to meet the performance and content standards. Also, you can have a minor violation on inputs and as long as you have no violations on outputs, your overall accreditation remains regular.
New Option Proposed Under SB 331	SB 331	Similar to emergency authorization. It even quotes, verbatim, from the BPE rule on emergency authorization for (b)(i) and (ii) and slightly changes BPE rule language in (iii). Distinctions: No bachelor's degree required, which emergency authorization waives only for someone in a class 7 position; District only has to prove it advertised the position, not that it did not have any reasonably qualified candidates; Could be used to bypass 3 year limit on Class 5 Alternative, which emergency authorization prohibits.	No limits. Could be implemented each year, year after year.	This language does not do much of anything that could not already be accomplished through other existing alternatives. It also creates a contradictory process between this proposal and emergency authorization. And since the trustees would have to report to OPI to confirm the job was advertised, it would not even reduce the paperwork required under emergency authorization for employment.