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# Education Interim Committee

68th Montana Legislature

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TO: Education Interim Committee Members  
 FROM: Laura Sankey Keip, Staff Attorney  
 DATE: March 8, 2024  
 RE: Administrative Rule Review – March 2024

**BOARD OF PUBLIC EDUCATION (BPE)**

MAR Notice No.	<a href="#">10-53-139 – English Language Proficiency Content Standards</a>
Status	UNDER CONSIDERATION FOR ADOPTION
Public Hearing Date	March 5 at 9am
Public Comment Period	CLOSED: as of 5pm on March 8
Summary of Proposed Changes	The Board has proposed to adopt amendments to the English Language Proficiency Content Standards. In 5 rules providing Content Standards 1-5, the word "must" is stricken and the rule will now read "English language learners communicate information, ideas, and concepts" rather than ELLs "must communicate information, ideas, and concepts". The amendments would align the ARMs with the 2020 WIDA English Language Development Framework.

MAR Notice No.	<a href="#">10-57-289 – Educator Licensure Standards</a>
Status	UNDER CONSIDERATION FOR ADOPTION
Public Hearing Date	March 5 at 10am
Public Comment Period	CLOSED: as of 5pm on March 8
Summary of Proposed Changes	<p>The Board has proposed amendments to Educator Licensure Standards. In the definitions section and throughout the chapter, the term "regionally accredited" is replaced with "institutionally accredited," which retains the same meaning as the former term. The definition of "accredited specialist programs" for school psychologists is amended to include a program for the preparation of specialists approved by a state board of public education or a state agency, to mirror the existing definition that applies to programs for school counselors.</p> <p>For Montana educator preparation program internships, the district must approve the internship applications, by the school board chair or county superintendent for superintendent internships and by the district superintendent for all other internships.</p> <p>For Class 2 standard teacher licenses, the rule is amended to include proof of a master's degree or a completed evaluation of foreign transcripts by a National Association of Credential Evaluation Services agency that demonstrates equivalency to a bachelor's</p>

	<p>degree. The amendments also strike school counseling (K-12) from the list of class 1 and 2 endorsement areas (as well as the Class 5 provisional license endorsement areas) and clarifies that middle grades (4-8) endorsement must be content-specific when providing the appropriate verification.</p> <p>For Class 3 administrative licenses, for both superintendents and principals, the required credential is amended to include an education specialist, master's degree, or doctoral degree in a P-12 education related area of study. The same amendments are also made to the Class 5 provisional superintendent and principal licenses.</p> <p>For Class 4 career and technical education licenses, the area of traffic education is being added to the list of endorsements.</p> <p>Under Class 5 provisional licenses, the amendments would allow the Superintendent to grant a Class 5B or Class 5C provisional licensee an extension pursuant to the unusual cases rule, subject to a showing of extreme hardship or other circumstances beyond the licensee's control that prevented completion of the agreed-on plan of study. For Class 5 provisional specialist licenses, the applicant who has not yet attained a degree must verify their enrollment in an approved specialist program and file a plan to obtain the appropriately endorsed Class 6 specialist license within 3 years of receiving the provisional license.</p> <p>The Class 6 school psychologist specialist license is revised for applicants who have not earned a specialist level school psychology degree; in addition to a master's degree or higher in school psychology, the applicant must provide a recommendation from an approved specialist program that included a 600-hour internship in a P-12 setting. This is a change from the current rule, which requires a recommendation from a National Association of School Psychologists-accredited program attesting to the applicant's qualifications being equivalent to NASP training standards, including a 1200 hour internship with 600 of those hours in a P-12 setting.</p> <p>Finally, for Class 8 dual credit postsecondary faculty licenses, the former requirement for applications to be reviewed by the Certification Standards and Practices Advisory Council and recommended for licensure to the Superintendent will be stricken, as CSPAC was repealed in HB 231 (2023).</p>
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MAR Notice No.	<a href="#">10-63-270 – Early Childhood Education Standards</a>
Status	UNDER CONSIDERATION FOR ADOPTION
Public Hearing Date	March 5 at 9:30 am
Public Comment Period	CLOSED: as of 5pm on March 8
Summary of Proposed Changes	<p>The Board's Early Literacy Advisory Council has recommended changes throughout the former preschool education standards chapter. The new chapter heading will be "early childhood education standards", and a main focus of the amendments is to distinguish preschool programs (PPs) from early literacy targeted intervention programs (ELTIPs), under that umbrella of early childhood education standards.</p> <p>The amendments identify 4 developmental domains that apply to both PPs and ELTIPs: language, social and emotional, physical, and cognitive. The rules provide early learning</p>

	<p>content standards aligned to the K-12 content standards; the English language arts and literacy content standards apply to PPs and ELTIPs, while the creative arts, math and numeracy, science, social studies, and technology standards only apply to PPs.</p> <p>Teacher qualifications are amended to clarify that a teacher with an early childhood (P-3) endorsement is qualified to teach in an accredited PP, while in the classroom-based and jumpstart ELTIPs, a teacher may have either an early childhood (P-3) or an elementary (K-8) endorsement, though teachers with an elementary endorsement are encouraged to pursue professional development tailored to the early literacy targeted interventions.</p> <p>The Board also proposes repealing ARM 10.63.108 Aggregate Hours, which authorized trustees to designate a preschool program as either half-time or full-time, with a minimum of 540 hours, excluding nap time and daily transportation.</p>
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**MONTANA STATE LIBRARY**

MAR Notice No.	<a href="#">10-102-2302 – Updating Rules to Comply with Legislation</a>
Status	PROPOSED
Public Hearing Date	None Contemplated
Public Comment Period	CLOSED: as of 5pm on March 8
Summary of Proposed Changes	<p>The Committee has already heard information about the rule changes proposed by the State Library Commission through MAR Notice No. 10-102-2301. However, the text of the proposed rules, rather than the final rules, was inadvertently published as the final adoption notice. Therefore, the Commission is redoing its rulemaking regarding the rules that were amended by the Commission prior to adoption. The text of this proposal notice contains the text of the 4 rules that were affected.</p> <p>ARM 10.102.1158 contains a new reference to 22-1-301, MCA for a definition of "public library" and specifies that all libraries must comply with the standards set forth in ARM. Several places throughout the rule add a reference to "public library" or "public library board", to differentiate from accredited tribal college libraries.</p> <p>ARM 10.102.4002 updates the definition of "public library" and again points to 22-1-301, MCA.</p> <p>ARM 10-102-9102 revises the definition of "state agency" to include "without limitation, the university" and removes a reference to university system defined in 2-15-102, MCA.</p> <p>Finally, ARM 10.102.9105 clarifies that only grant applications that comply with the applicable grant procedures will be considered for funding.</p>