

BEFORE THE BOARD OF PUBLIC EDUCATION  
OF THE STATE OF MONTANA

In the matter of the amendment of ) NOTICE OF PUBLIC HEARING ON  
ARM 10.63.108 pertaining to ) PROPOSED AMENDMENT  
preschool hours )

TO: All Concerned Persons

1. On June 24, 2015, at 10:30 a.m., the Board of Public Education will hold a public hearing in the Office of Public Instruction second floor conference room at 1227 11th Avenue, Helena, Montana, to consider the proposed amendment of the above-stated rule.

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 p.m. on June 23, 2015, to advise us of the nature of the accommodation that you need. Please contact Peter Donovan, Executive Secretary, 46 North Last Chance Gulch, P.O. Box 200601, Helena, Montana, 59620-0601; telephone (406) 444-0302; fax (406) 444-0847; or e-mail pdonovan@mt.gov.

3. The rule as proposed to be amended provides as follows, new material underlined, deleted material interlined:

10.63.108 AGGREGATE HOURS (1) Trustees may designate the preschool program as either a half-time or full-time program with a minimum of ~~720~~ 540 hours. Outdoor play, snack, and meal time are included in the aggregate hours. Nap time and daily transportation to and from the classroom do not count as part of the ~~720~~ 540-hour preschool program hours.

(2) The trustees of a school district shall set the number of days in the school term, the length of the school day, and the number of school days in a week.

AUTH: 20-7-101, MCA

IMP: 20-7-117, MCA

4. Statement of Reasonable Necessity: The Board of Public Education finds that it is reasonable and necessary to amend this rule because the reference to 720 hours was an error. The correct number of hours is 540 hours which is half time.

5. The board intends to amend this rule effective July 29, 2015.

6. Concerned persons may submit their data, views, or arguments either orally or in writing at the hearing. Written data, views, or arguments may also be submitted to: Peter Donovan, Executive Secretary, 46 North Last Chance Gulch, P.O. Box 200601, Helena, Montana, 59620-0601; telephone (406) 444-0302; fax

(406) 444-0847; or e-mail pdonovan@mt.gov and must be received no later than 5:00 p.m., June 29, 2015.

7. Peter Donovan has been designated to preside over and conduct this hearing.

8. The board maintains a list of interested persons who wish to receive notices of rulemaking actions proposed by the board. 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 6 above or may be made by completing a request form at any rules hearing held by the board.

9. An electronic copy of this proposal notice is available through the Secretary of State's web site at <http://sos.mt.gov/ARM/Register>. The Secretary of State strives to make the electronic copy of the notice conform to the official version of the notice, as printed in the Montana Administrative Register, but advises all concerned persons that in the event of a discrepancy between the official printed text of the notice and the electronic version of the notice, only the official printed text will be considered. In addition, although the Secretary of State works to keep its web site accessible at all times, concerned persons should be aware that the web site may be unavailable during some periods, due to system maintenance or technical problems.

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 has determined that the amendment of the above-referenced rule will not significantly and directly impact small businesses.

/s/ Peter Donovan  
Peter Donovan  
Rule Reviewer

/s/ Sharon Carroll  
Sharon Carroll  
Board Chair  
Board of Public Education

Certified to the Secretary of State May 18, 2015.