

BEFORE THE BOARD OF PUBLIC EDUCATION  
OF THE STATE OF MONTANA

In the matter of the amendment of ) NOTICE OF PUBLIC HEARING ON  
ARM 10.57.102, 10.57.216, ) PROPOSED AMENDMENT  
10.57.410 through 10.57.417, )  
10.57.424, 10.57.428 through )  
10.57.430, 10.57.433, and 10.57.437 )  
pertaining to educator licensure )

TO: All Concerned Persons

1. On July 8, 2015, at 10:30 a.m., the Board of Public Education will hold a public hearing in the Superintendent's conference room at the Office of Public Instruction, 1227 11th Avenue, Helena, Montana, to consider the proposed amendment of the above-stated rules.

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 July 6, 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 rules as proposed to be amended provide as follows, new matter underlined, deleted matter interlined:

10.57.102 DEFINITIONS The following definitions apply to this chapter.

(1) through (8)(d) remain the same.

(e) K-12 (~~content-specific~~ as delineated in ARM 10.57.412); and

(f) through (12) remain the same.

(13) "Year of administrative experience" means employment at any level within a state accredited ~~K~~ P-12 school system, or in an educational institution specified in 20-9-707, MCA, as a licensed administrator of at least .5 full-time employee (FTE) for at least 1080 hours or 180 school days or a 1.0 FTE for at least 540 hours or 90 school days. Experience gained prior to eligibility for initial licensure is not considered. Experience as a County Superintendent may be considered as "administrative" experience with evidence of the following:

(a) and (b) remain the same.

(14) "Year of teaching experience" means employment at any level within a state accredited ~~K~~ P-12 school system, or in an educational institution specified in 20-9-707, MCA, as licensed instructional staff of at least .5 FTE during a school fiscal year for at least 1080 hours or 180 school days or a 1.0 FTE for at least 540 hours or 90 school days. Experience gained prior to eligibility for initial licensure is not considered.

AUTH: 20-4-102, MCA  
IMP: 20-4-106, MCA

10.57.216 APPROVED RENEWAL ACTIVITY (1) Organizations wishing to offer professional development activities for the award of renewal units must receive approval from the Superintendent of Public Instruction prior to offering activities. Status as a an approved provider will be renewed July 1 of each year continue as long as the provider is in compliance with (2).

(2) through (2)(b) remain the same.

(c) annually report the activities offered to the Superintendent of Public Instruction;

~~(d) be prepared to submit to an audit of records conducted by the Superintendent of Public Instruction, including:~~

(i) and (ii) remain the same.

(iii) program schedule, name, and number of participants; and

~~(e) (d)~~ maintain records of all professional development activities for which renewal unit awards are made for one five years following the date of completion of the annual reporting requirement.

(3) remains the same.

AUTH: 20-4-102, MCA  
IMP: 20-4-108, MCA

10.57.410 CLASS 2 STANDARD TEACHER'S LICENSE (1) through (2)(a) remain the same.

(b) completion of an accredited professional educator preparation program ~~which included~~ including appropriate supervised teaching experience as the terms are defined in ARM 10.57.102; and

(c) remains the same.

(3) If the educator preparation program completed by the applicant is not in Montana, upon initial application of a Class 1, Class 2, or Class 3, the applicant must provide proof of a passing score on the PRAXIS II applicable to the requested endorsement as required by the Montana educator preparation programs.

(3) remains the same but is renumbered (4).

~~(4) (5)~~ A lapsed Class 2 standard teacher's license may be reinstated by earning 60 renewal units during the five-year period preceding the validation date of application for the new license.

AUTH: 20-2-121, 20-4-102, MCA  
IMP: 20-4-102, 20-4-103, 20-4-106, 20-4-108, MCA

10.57.411 CLASS 1 PROFESSIONAL TEACHER'S LICENSE (1) through (3) remain the same.

(4) A lapsed Class 1 professional teacher's license may be reinstated by earning 60 renewal units during the five-year period preceding the ~~validation~~ date of application for the new license.

AUTH: 20-4-102, MCA  
IMP: 20-4-106, 20-4-108, MCA

10.57.412 CLASS 1 AND 2 ENDORSEMENTS (1) remains the same.

(2) Areas approved for endorsement on Class 1 and 2 licenses include the following: agriculture, art K-12, biology, business and information technology education, chemistry, communication, computer science K-12, early childhood (age 3 to grade 3), earth science, economics, elementary education (K-8), English, English as a second language K-12, family and consumer sciences, geography, health, health enhancement K-12, history, industrial trades and technology education, journalism, library K-12, marketing, mathematics, middle grades (4-8), music K-12, ~~physical education K-12~~, physics, political science, psychology, reading K-12, school counseling K-12, science (broadfield), social studies (broadfield), sociology, special education P-12, theater, ~~trades and industry~~, traffic education K-12, and world languages K-12.

(3) through (5) remain the same.

(a) completion of an NCATE or CAEP accredited professional educator preparation program at the grade level(s) identified by the program, including supervised teaching experience; ~~and or~~

(b) and (i) remain the same.

(ii) 40 semester credits in an extended major; and

(iii) supervised teaching experience.

(6) through (9) remain the same.

AUTH: 20-4-102, MCA  
IMP: 20-4-106, 20-4-108, MCA

10.57.413 CLASS 3 ADMINISTRATIVE LICENSE (1) through (4) remain the same.

(5) A lapsed Class 3 administrative license may be reinstated by showing verification of 60 renewal units earned during the five-year period preceding the ~~validation~~ date of application for the new license.

AUTH: 20-4-102, MCA  
IMP: 20-4-106, 20-4-108, MCA

10.57.414 CLASS 3 ADMINISTRATIVE LICENSE – SUPERINTENDENT ENDORSEMENT (1) through (1)(d) remain the same.

(e) licensure and endorsement as a ~~P-12~~ principal (P-12); and

(f) and (2) remain the same.

AUTH: 20-4-102, MCA  
IMP: 20-4-106, 20-4-108, MCA

10.57.415 CLASS 3 ADMINISTRATIVE LICENSE – ELEMENTARY PRINCIPAL ENDORSEMENT (1) through (1)(c) remain the same.

(d) completion of three semester credits of college ~~coursework~~ courses in both Montana school law and special education law; and  
(e) remains the same.

AUTH: 20-4-102, MCA  
IMP: 20-4-106, 20-4-108, MCA

10.57.416 CLASS 3 ADMINISTRATIVE LICENSE – SECONDARY PRINCIPAL ENDORSEMENT (1) through (1)(c) remain the same.

(d) completion of three semester credits of college ~~coursework~~ in courses in both Montana school law and special education law; and  
(e) remains the same.

AUTH: 20-4-102, MCA  
IMP: 20-4-106, 20-4-108, MCA

10.57.417 CLASS 3 ADMINISTRATIVE LICENSE – K-12 PRINCIPAL ENDORSEMENT (1) through (1)(c) remain the same.

(d) completion of three semester credits of ~~college coursework~~ in college courses in both Montana school law and special education law; and  
(e) remains the same.

AUTH: 20-4-102, MCA  
IMP: 20-4-106, 20-4-108, MCA

10.57.424 CLASS 5 PROVISIONAL LICENSE (1) and (2) remain the same.

(3) An applicant for a Class 5 provisional license who has graduated from an educator preparation program outside of Montana and does not meet the testing requirements of ARM 10.57.410(3), must provide a current Montana address or job offer from an accredited or state-funded P-12 school in Montana.

(3) and (4) remain the same but are renumbered (4) and (5).

AUTH: 20-4-102, MCA  
IMP: 20-4-106, 20-4-108, MCA

10.57.428 CLASS 5 PROVISIONAL LICENSE – ELEMENTARY PRINCIPAL ENDORSEMENT (1) remains the same.

(2) Applicants required to complete coursework other than Montana school law and special education law must also submit written evidence of enrollment in an accredited professional educator preparation program leading to the elementary principal endorsement ~~and enrollment in the Board of Public Education approved internship program as outlined in ARM 10.55.607.~~

AUTH: 20-4-102, MCA  
IMP: 20-4-106, 20-4-108, MCA

10.57.429 CLASS 5 PROVISIONAL LICENSE – SECONDARY PRINCIPAL ENDORSEMENT (1) remains the same.

(2) Applicants required to complete coursework other than Montana school law and special education law must also submit written evidence of enrollment in an accredited professional educator preparation program leading to the secondary principal endorsement and enrollment in the Board of Public Education approved internship program as outlined in ARM 10.55.607.

AUTH: 20-4-102, MCA  
IMP: 20-4-106, 20-4-108, MCA

10.57.430 CLASS 5 PROVISIONAL LICENSE – K-12 PRINCIPAL ENDORSEMENT (1) remains the same.

(2) Applicants required to complete coursework other than Montana school law and special education law must also submit written evidence of enrollment in an accredited professional educator preparation program leading to the K-12 principal endorsement and enrollment in the Board of Public Education approved internship program as outlined in ARM 10.55.607.

AUTH: 20-4-102, MCA  
IMP: 20-4-106, 20-4-108, MCA

10.57.433 CLASS 6 SPECIALIST LICENSE (1) through (4) remain the same.

(5) A lapsed Class 6 specialist license may be reinstated by showing verification of 60 renewal units earned during the five-year period preceding the validation date of application for the new license.

AUTH: 20-4-102, MCA  
IMP: 20-4-106, 20-4-108, MCA

10.57.437 CLASS 8 DUAL CREDIT POSTSECONDARY FACULTY LICENSE (1) A faculty member of a college or university is required to hold a Class 8 dual credit license, unless already licensed or eligible for licensure as a Class 1, 2, or 4 and properly endorsed, whenever a faculty member is teaching a dual credit course at the college or university for which one or more students will earn both high school and college credit.

(2) through (4) remain the same.

(5) A Class 8 dual credit postsecondary faculty license shall be renewed pursuant to the requirements of ARM 10.57.215. may be consecutively reissued upon submission and approval of an application for renewal. An educator with a lapsed Class 8 license must submit a new application.

(6) remains the same.

AUTH: 20-4-102, MCA  
IMP: 20-4-106, 20-4-108, MCA

4. Statement of Reasonable Necessity: ARM Title 10, chapter 57 rules were comprehensively amended in December 2014. There were errors and omissions in those amendments discovered during initial implementation of the amended rules which are addressed in these amendments.

Clarifications are necessary in the definitions in ARM 10.57.102 of "Endorsement," "Year of administrative experience," and "Year of teaching experience."

In ARM 10.57.216, the requirements for renewal activity providers is corrected for consistency with current practice, and to assist with documentation of renewal activity attendance.

The Class 2 license requirements of ARM 10.57.410 and ARM 10.57.424 are amended to reflect the persistent problem of out-of-state applicants having no requirement to pass any content knowledge tests prior to obtaining a recommendation for licensure from the applicant's educator preparation program.

Several rules (ARM 10.57.410, 10.57.411, 10.57.413, and 10.57.433) are amended to clarify the relevant date for renewing lapsed licenses so as to not unnecessarily hinder the appropriate licensure of educators.

Several inadvertently omitted endorsement areas are included in ARM 10.57.412.

The student teaching requirement in ARM 10.57.412 was mistakenly deleted in the prior amendments.

ARM 10.57.415, 10.57.416, 10.57.417, 10.57.428, 10.57.429, and 10.57.430 are amended to make the requirement for principals to have a course in special education law consistent with the requirement in ARM Title 10, chapter 58 that educator preparation programs include this course in principal preparation programs.

The rule on Class 8 dual credit licenses is amended to clarify that those teachers must teach at the postsecondary school, and provides for the correct renewal process for Class 8 licenses.

5. 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](mailto:pdonovan@mt.gov) and must be received no later than 5:00 p.m., July 9, 2015.

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

7. 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 5 above or may be made by completing a request form at any rules hearing held by the board.

8. 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.

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

10. With regard to the requirements of 2-4-111, MCA, the board has determined that the amendment of the above-referenced rules 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 June 1, 2015.