

BOARD OF PUBLIC EDUCATION

CHAPTER 66

ADULT SECONDARY EDUCATION CREDENTIALS

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## Subchapter 1

## High School Equivalency (HSE)

10.66.101 REQUIREMENTS WHICH MUST BE MET IN ORDER TO RECEIVE HIGH SCHOOL EQUIVALENCY DIPLOMAS (REPEALED) (History: 20-2-114, 20-2-121, MCA; IMP, Sec. 20-2-121, 20-4-120, MCA; Eff. 9/13/71; ARM Pub. 11/26/77; AMD, 1982 MAR p. 382, Eff. 2/26/82; AMD, 1994 MAR p. 167, Eff. 1/28/94; AMD, 1997 MAR p. 46, Eff. 1/17/97; REP, 2013 MAR p. 412, Eff. 3/29/13.)

10.66.102 WAIVER OF AGE REQUIREMENT (REPEALED) (History: 20-2-114, MCA; IMP, 20-2-121, MCA; Eff. 9/13/71; ARM Pub. 11/26/77; AMD, 1994 MAR p. 167, Eff. 1/28/94; REP, 2013 MAR p. 412, Eff. 3/29/13.)

10.66.103 METHOD OF APPLYING (REPEALED) (History: 20-2-114, MCA; IMP, 20-2-121, MCA; Eff. 9/13/71; ARM Pub. 11/26/77; AMD, 1994 MAR p. 167, Eff. 1/28/94; REP, 2013 MAR p. 412, Eff. 3/29/13.)

10.66.104 FEES (REPEALED) (History: 20-2-114, MCA; IMP, 20-2-121, MCA; Eff. 9/13/71; ARM Pub. 11/26/77; AMD, 1988 MAR p. 1526, Eff. 7/15/88; AMD, 1994 MAR p. 167, Eff. 1/28/94; AMD, 2002 MAR p. 2188, Eff. 8/16/02; REP, 2013 MAR p. 412, Eff. 3/29/13.)

10.66.105 WAITING PERIOD FOR RETESTING (REPEALED) (History: 20-2-114, MCA; IMP, 20-2-121, MCA; Eff. 9/13/71; ARM Pub. 11/26/77; AMD, 1994 MAR p. 167, Eff. 1/28/94; REP, 2013 MAR p. 412, Eff. 3/29/13.)

10.66.106 ISSUANCE OF EQUIVALENCY DIPLOMAS (REPEALED) (History: 20-2-114, MCA; IMP, 20-2-121, MCA; Eff. 9/13/71; ARM Pub. 11/26/77; AMD, 1994 MAR p. 167, Eff. 1/28/94; REP, 2013 MAR p. 412, Eff. 3/29/13.)

10.66.107 OFFICIAL TRANSCRIPTS (REPEALED) (History: 20-2-114, MCA; IMP, 20-2-121, MCA; Eff. 9/13/71; ARM Pub. 11/26/77; AMD, 1994 MAR p. 167, Eff. 1/28/94; REP, 2013 MAR p. 412, Eff. 3/29/13.)

10.66.108 OFFICIAL GED TEST (REPEALED) (History: 20-2-114, MCA; IMP, 20-2-121, MCA; Eff. 9/13/71; ARM Pub. 11/26/77; AMD, 1994 MAR p. 167, Eff. 1/28/94; REP, 2013 MAR p. 412, Eff. 3/29/13.)

10.66.109 DEFINITIONS (REPEALED) (History: 20-2-114, MCA; IMP, 20-2-121, MCA; Eff. 9/13/71; ARM Pub. 11/26/77; AMD, 1994 MAR p. 167, Eff. 1/28/94; REP, 2013 MAR p. 412, Eff. 3/29/13.)

10.66.110 DEFINITIONS (1) For the purposes of this chapter, the following terms apply:

(a) "Alternative educational options" means a state-approved educational program designed to provide a secondary education outside a traditional high school setting (e.g., Job Corps, Youth Challenge).

(b) "Candidate" means a person applying to take a high school equivalency (HSE) test.

(c) "Chief education officer" means the principal or designated school official (e.g., guidance counselor).

(d) "High school equivalency diploma" means a diploma issued by the state to individuals passing a state-approved high school equivalency test.

(e) "High school equivalency test" means a test designed for individuals without a high school diploma to demonstrate the competencies of a high school graduate.

(f) "Regular school program" means an education program provided by a public, private, or home school for which credits towards graduation are earned.

(g) "School" means an education program provided by a public, private, or home school.

(h) "State HSE test administrator" means the person in the Office of Public Instruction (OPI) who administers the HSE program. (History: 20-2-114, 20-2-121, MCA; IMP, 20-2-131, MCA; NEW, 2013 MAR p. 412, Eff. 3/29/13.)

10.66.111 QUALIFICATIONS FOR CANDIDATE TO RECEIVE HIGH SCHOOL EQUIVALENCY DIPLOMAS (1) Candidates shall not be currently enrolled in school or have received an accredited high school diploma or high school equivalency credential.

(2) Candidates shall receive a high school equivalency (HSE) diploma when scores meet or exceed the minimum score requirement established by the Board of Public Education.

(3) Candidates must physically reside in Montana and have a Montana mailing address, or claim Montana as their state of residence if tested at a military installation or in a federal correctional institution.

(4) Candidates must be at least 19 years of age. (History: 20-2-114, 20-2-121, MCA; IMP, 20-2-131, MCA; NEW, 2013 MAR p. 412, Eff. 3/29/13.)

10.66.112 QUALIFICATIONS - EXCEPTIONS (1) Candidates 17 and 18 years of age are eligible to test and receive HSE diplomas provided the candidate:

(a) submits to the HSE testing center prior to testing, an original, official school document that clearly identifies the candidate by name, date of birth, and provides the last school enrollment date and signed by the chief education officer verifying that the candidate has been advised of in-school and alternative educational options; or

(b) resides in a Montana-based job corps center, correctional facility, state-authorized group home, or treatment center and submits a written referral from the facility director or authorized agent (e.g., probation officer); and

(c) is no longer enrolled in a regular high school program for credit.

(2) Candidates with no previous high school enrollment are required to provide documentation from a chief education officer or the county superintendent of the county in which the candidate currently resides, documenting the candidate has not enrolled in school and has been advised of in-school and alternative education options. (History: 20-2-114, 20-2-121, MCA; IMP, 20-2-131, MCA; NEW, 2013 MAR p. 412, Eff. 3/29/13.)

10.66.113 AGE REQUIREMENT - WAIVER (1) A 16-year old candidate may receive a waiver of the age requirement if documentation is submitted and approved by the state HSE test administrator (ARM 10.66.111), as follows:

(a) a completed, signed, and notarized 16-year old age waiver application form providing school status as required under ARM 10.66.112 and notarized permission from the candidate's parent or legal guardian;

(b) a statement from an OPI adult basic education program stating the candidate has successfully completed HSE preparation classes or has attained pre-test scores indicating a likelihood that the candidate will pass the official HSE test; and

(c) a letter on official letterhead stationery from an employer or continuing education training program indicating that acceptance of the candidate is based upon successful completion of the HSE test.

(2) A candidate 16 years of age who resides in a Montana-based job corps center, correctional facility, state-authorized group home, or treatment center may receive a waiver of the age requirement if the candidate submits a written referral from the facility director or authorized agent (e.g., probation officer) and is no longer enrolled in a regular high school program for credit.

(3) Candidates with no previous high school enrollment are required to provide documentation from a chief education officer or the county superintendent of the county in which the candidate currently resides, documenting the candidate has not enrolled in school and has been advised of in-school and alternative education options. (History: 20-2-114, 20-2-121, MCA; IMP, 20-2-131, MCA; NEW, 2013 MAR p. 412, Eff. 3/29/13.)

10.66.114 REQUIREMENTS FOR TESTING (1) The following items must be submitted to an official HSE testing center prior to testing:

(a) picture identification issued by tribal, state, or federal authorities;

(b) appropriate documentation pursuant to ARM 10.66.112 or ARM

10.66.113 if under the age of 19; and

(c) proof of Montana residency. (History: 20-2-114, 20-2-121, MCA; IMP, 20-2-131, MCA; NEW, 2013 MAR p. 412, Eff. 3/29/13.)

10.66.115 FEES (1) Upon advice and consent of the Board of Public Education, the Superintendent of Public Instruction shall establish a schedule of fees that may be charged for the administration of the HSE test. The schedule of fees shall be commensurate with the testing program centers' actual costs related to the HSE test. The Superintendent of Public Instruction shall report annually to the Board of Public Education the status of all fees associated with the HSE test. (History: 20-2-114, 20-2-121, MCA; IMP, 20-2-131, MCA; NEW, 2013 MAR p. 412, Eff. 3/29/13.)

10.66.116 RETESTING (1) Retests must be administered in a test form not previously taken by the examinee and in compliance with the testing service requirements.

(2) Candidates who previously received a Montana high school equivalency credential may retest if higher scores are required for employment or admission to a postsecondary institution. Retesting for this purpose requires prior approval from the state HSE administrator in the Office of Public Instruction. Candidates shall show proof that retesting is necessary by presenting a written request on official letterhead stationery signed by the agent requiring higher scores, stating the reason the higher scores are necessary. (History: 20-2-114, 20-2-121, MCA; IMP, 20-2-131, MCA; NEW, 2013 MAR p. 412, Eff. 3/29/13.)

10.66.117 ISSUANCE OF EQUIVALENCY DIPLOMAS AND OFFICIAL TRANSCRIPTS (1) All HSE diplomas are issued by the Superintendent of Public Instruction. Official transcripts and diplomas will be awarded to those who successfully complete the HSE test. Candidates will have access to test results through an official database. The Office of Public Instruction will maintain HSE records permanently. HSE records may be obtained by contacting the state HSE administrator at the Office of Public Instruction, P.O. Box 202501, Helena, Montana 59620-2501.

(2) HSE test transcripts are accepted as official only when reported to the state HSE administrator by official HSE testing centers or by a scoring service recognized by the HSE administrator. (History: 20-2-114, 20-2-121, MCA; IMP, 20-2-131, MCA; NEW, 2013 MAR p. 412, Eff. 3/29/13.)

10.66.118 OFFICIAL HSE TEST CENTERS (1) Official HSE test centers may be established as needed with the approval and inspection by the state HSE administrator.

(2) Each Montana HSE test center must meet the requirements, policies, and procedures as proscribed by their individual testing company.

(3) Following approval by the state HSE administrator, the HSE test center's contact information will be posted on the Office of Public Instruction HSE web site. (History: 20-2-114, 20-2-121, MCA; IMP, 20-2-131, MCA; NEW, 2013 MAR p. 412, Eff. 3/29/13.)

## Subchapter 2

## External Diploma Program

10.66.201 OPERATIONS (1) Any Montana school district, community college or publicly-supported Montana-based educational institution (job corps) may enter into a contract with the American council on education to operate the external diploma program.

(2) Programs approved by the American Council on Education may use funds from the adult education mill levy (section 20-7-705), county literacy will levy in mill (section 20-7-714), federal funds from the National Literacy Act (P.L. 102-73) and other appropriate federal funds to support the external diploma program.

(3) Fees may be charged to participants for the cost of material and/or other operational costs. (History: 20-2-121, 20-7-131, MCA; IMP, 20-2-121, MCA; NEW, 1983 MAR p. 1249, Eff. 10/1/83; AMD, 1992 MAR p. 1476, Eff. 7/27/92.)

10.66.202 ELIGIBILITY (1) The candidates must be residents of the state of Montana who have attained their 21st birthday.

(a) A person is a resident of the state if any of the following conditions are met:

- (i) Has resided in the state for 30 consecutive days prior to enrollment;
- (ii) Shows evidence of having paid property or income taxes for the current or the immediate prior year.

(b) Proof of age consists of birth certificate or equally authentic documentation.

(2) Persons 19 or 20 years of age may receive a waiver of the age requirement for exceptional circumstances. The applicant for the waiver must submit letter(s) of verification from potential employer or employer including military recruiter should state the need of the external diploma for the purpose of employment and/or promotion. The needs of the educational institutions including educational scholarship or grant donors should cite the requirements of a high school equivalency. (History: 20-2-121, 20-7-131, MCA; IMP, 20-2-121, MCA; NEW, 1983 MAR p. 1249, Eff. 10/1/83; AMD, 1992 MAR p. 1476, Eff. 7/27/92.)

10.66.203 ENROLLMENT (1) Each individual enrolling in the external diploma program will be evaluated by program staff in accordance with standards and procedures established by the American Council on Education. (History: 20-2-121, 20-7-131, MCA; IMP, 20-2-121, MCA; NEW, 1983 MAR p. 1249, Eff. 10/1/83; AMD, 1992 MAR p. 1476, Eff. 7/17/92.)



10.66.204 AGREEMENT (1) Each candidate must have completed an individual education program agreement between the candidate and an authorized external diploma program center, delineating areas of concern for skill development, level of achievement, and a timeline for completion of the program. (History: 20-2-121, 20-7-131, MCA; IMP, 20-2-121, MCA; NEW, 1983 MAR p. 1249, Eff. 10/1/83.)

10.66.205 RECORDS (1) An active file for each enrollee in the external diploma program will be maintained at the center. The individual education program, initial evaluation results and documentation of progress in the program will be retained in this file together with correspondence or other information pertinent to the individual and the external diploma program progress.

(2) Upon successful completion of the external diploma program, and in accordance with the American Council on Education, an individual's permanent file will be established and maintained by the program.

(3) The Office of Public Instruction will maintain individual external diploma records file prior to 1992. Verifiable requests for copies of the records will be served. (History: 20-2-121, 20-7-131, MCA; IMP, 20-2-121, MCA; NEW, 1983 MAR p. 1249, Eff. 10/1/83; AMD, 1992 MAR p. 1476, Eff. 7/17/92.)

10.66.206 NON-COMPLETION OF PROGRAM (1) If an individual fails to complete the requirements within the provisions of the individual education program agreement, a new agreement may be negotiated between the individual and the external diploma center. Once an agreement is established, however, only the timelines should be considered for renegotiation unless extreme and unusual circumstances prevail, and documentation of those circumstances is provided to the center.

(2) If an individual withdraws from the program without notifying the external diploma program center after the expiration of the individual program agreement, the center must maintain the individual's active file for five years. Upon expiration of this waiting period, the program will destroy all records. (History: 20-2-121, 20-7-131, MCA; IMP, 20-2-121, MCA; NEW, 1983 MAR p. 1249, Eff. 10/1/83; AMD, 1992 MAR p. 1476, Eff. 7/17/92.)

10.66.207 ANNUAL REPORT (1) Approved programs will send the executive secretary of the Board of Public Education a summary count of the number of external diplomas awarded during the calendar year. Reports are to be sent prior to February 28 of the previous year date. (History: 20-2-121, 20-7-131, MCA; IMP, 20-2-121, MCA; NEW, 1983 MAR p. 1249, Eff. 10/1/83; AMD, 1992 MAR p. 1476, Eff. 7/17/92.)