



## ARM Chapter 55 Update

### **Summary:**

In September 2020, the Montana Board of Public Education agreed to open the rules for recommend changes to ARM 10, Chapter 55: Accreditation Standards. Starting in September 2020 to December 2021, the OPI researched the needs of our schools and how to better serve our students through updates to our accreditation standards. An [advisory task force](#) to the Superintendent began reviewing rules for crucial changes beginning January 11, 2022, and concluded their recommendations May 19, 2022. Proposed changes to the accreditation standards require that the State Superintendent establish an independent negotiated rulemaking committee (“Committee”) under [§ 20-7-101](#), MCA. Thus, State Superintendent Arntzen selected 21 members to serve on that Committee in accordance with [§ 20-7-101\(2\)](#), MCA. The Committee began on February 24, 2022 and finished on July 15, 2022. Detailed information about the members of the Committee, agendas, meeting minutes, and recordings can be found on the OPI website [here](#).

The following documents were sent to the Board of Public Education:

- [Economic Impact Survey Summary](#)
- [Final Chapter 55 Report](#)
- [Final Proposed Rules for Chapter 55](#)
- [Board of Public Education Notice](#)

### **BOARD OF PUBLIC EDUCATION TIMELINE: CHAPTER 55 RULES**

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|--|---------------------|
| ▪ Proposal notice to BPE for consideration                                       | August 15, 2022     |
| ▪ BPE approves rulemaking timeline   | Sept. 14-15, 2022   |
| ▪ BPE authorization to publish proposal notice, including public hearing date    | Sept. 14-15, 2022   |
| ▪ Proposal notice to SOS for publication in MAR                                  | September 27, 2022  |
| ▪ MAR publication of proposal notice   | October 7, 2022     |
| ▪ Public hearing date  | October 31, 2022    |
| ▪ Final public comment deadline  | November 4, 2022    |
| ▪ Draft Notice and Economic Impact Statement to Interim Committee                | Before Nov. 7, 2022 |
| ▪ Adoption notice to BPE for consideration/respond to comments                   | Nov 17-18, 2022     |
| ▪ Interim Committee Meeting  | December 7, 2022    |
| ▪ BPE authorization to publish adoption notice, including comments and responses | January 12-13, 2023 |
| ▪ Adoption notice to SOS for publication in MAR                                  | January, TBD 2023   |
| ▪ MAR publication of adoption notice   | January, TBD 2023   |
| ▪ Effective date of rules  | July 2023           |

### **Economic Impact Statement:**

As required by [§ 20-7-101\(1\)](#), MCA, the Montana Superintendent of Public Instruction, prepared an economic impact statement in consultation with the NRC under the provisions of [§ 2-4-405](#), MCA.

The Negotiated Rulemaking Committee (NRC), through consensus, determined that 14 rules should be surveyed, and the Superintendent determined that an additional rule should also be surveyed for a total of **15 rules**. Between June 20, 2022, and July 21, 2022, the OPI distributed three questionnaires to survey school personnel and stakeholders about the probability of economic impact due to 15 rule changes. Each survey questionnaire was emailed to 20,321 recipients through the OPI government delivery email system.



- On the first survey there were 652 respondents.
- On the second survey there were 128 respondents.
- On the third survey there were 277 respondents.

Even though the survey participants responses show that responders perceived that ARM 10.55.601(3), ARM 10.55.603(3), ARM 10.55.710, ARM 10.55.712, ARM 10.55.723, and ARM 10.55.803(1)(d), may have an economic impact, **the responses show no indication that the proposed rule changes would create a significant economic impact for districts and their schools.**

**Overview of NRC negotiations on Chapter 55 rules: # Of current individual rules: 58**

# Of new proposed rules: 5	# Of rules with no recommended changes: 14	# Of rules the NRC established consensus: (48 full consensus)	Unresolved rule that the NRC did not reach consensus: 1
10.55.608 Charter School Application  10.55.722: Family and Community Engagement  10.55.723: Mentorship and Induction  10.55.724: Evaluation 10.55.806: English Language Learners	10.55.713: Teacher Class size Middle and High School  10.55.715: Para-professional Qualifications and Supervision  10.55.719: Student Protection Procedures  10.55.720: Suicide Prevention and Response  10.55.805: Special Education  10.55.909: Student Records  10.55.910: Student Discipline Records  10.55.911: High School Transcripts  10.55.1201: Arts Program Delivery Standards	10.55.601: Accreditation Procedures 10.55.602: Definitions 10.55.603: Curriculum and Assessment 10.55.604: Variances to Standards 10.55.605: Categories of Accreditation 10.55.606: Accreditation Process 10.55.607: Internships 10.55.608: Charter School Application 10.55.701: Board of Trustees 10.55.702: Superintendent licensure & duties 10.55.703: Licensure and duties of Principals 10.55.704: Superintendent Assignment 10.55.705: Admin/Principals Assignment 10.55.706: Teacher Involvement 10.55.707: Teacher and Specialist Licensure 10.55.708: Teaching Assignments 10.55.709: Library Media Services, K-12 10.55.711: Class size and Teacher Load 10.55.712: Class size: Elementary 10.55.714: Professional Development 10.55.716: Substitute Teachers 10.55.717: Assignment of Persons Providing Instruction to Braille Students 10.55.718: Assignment of Persons Providing Sign Language Interpreting 10.55.721: Hazard and emergency plans 10.55.722: Family & community engagement 10.55.723: Mentorship and induction 10.55.724: Evaluation 10.55.801: School climate 10.55.802: Opportunity & Educational Equity 10.55.803: Learner Access 10.55.804: Gifted and Talented	10.55.710: Assignment of School Counseling Staff



<p>10.55.1401: Math Program Delivery Standards</p> <p>10.55.1501: Science Program Delivery Standards</p> <p>10.55.1601: Social Studies Program Delivery Standards</p> <p>10.55.2201: Computer Science Program Delivery Standards</p> <p>10.55.2301: Technology Integration Program Standards</p>	<p>10.55.806: English Learners</p> <p>10.55.901: Basic Elementary Ed Program</p> <p>10.55.902: Basic Education Middle Program</p> <p>10.55.904: High School Program Offerings</p> <p>10.55.905: High School Graduation Requirements</p> <p>10.55.906: High School Credit</p> <p>10.55.907: Distance, online, and tech delivered learning</p> <p>10.55.908: School Facility</p> <p>10.55.1001: Program Standards</p> <p>10.55.1003: Program foundation standards</p> <p>10.55.1101: ELA Program Delivery Standards</p> <p>10.55.1301: Health &amp; PE Delivery Standards</p> <p>10.55.1302: Health enhancement participation</p> <p>10.55.1701: CTE Program Delivery Standards</p> <p>10.55.1801: Library and Media Information Program Delivery Standards</p> <p>10.55.1901: School Counselor Program Delivery Standards</p> <p>10.55.2101: World Language Delivery Standards</p>	
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## Alignment of Chapter 55 and Proficiency Based Learning Model

Chapter 55 Update	Rationale
<p><b>10.55.601</b>            Remodeling the Continuous School Improvement Plan to an <b>Integrated Action Plan</b>.</p> <p>To ensure a <b>learner-centered system</b> and establish a plan for continuous education improvement, the school district shall develop, implement, monitor, and evaluate an integrated action plan and make the plan publicly available.</p> <p>(h) a description of strategies for assessing student growth and proficiency of all content standards and content-specific learning progressions, pursuant to the requirements of ARM 10.55.603 and ARM 10.56.101;</p> <p>(l) a <b>description of a learning model(s) aligned to the graduate profile</b>; and</p> <p>To ensure <b>learner centered systems</b> and continuous educational improvement the Superintendent of Public Instruction shall provide guidance, resources, and evaluation to assist in the implementation of district</p>	<p>The Integrated Action Plan contains a <b>graduate profile</b>, which is a collective vision that articulates the community’s aspirations for all students.</p> <p>“There is a need to move from the limited definition of success for high school graduates from the past based on transcripts and seat time, to a future-focused profile of success based on demonstrated mastery of core knowledge and skills. The concept of graduate profiles is one approach that communities and state leaders have taken to collaboratively redefine student success from the limited definitions of the past, toward the future.”</p>



and school integrated action plans to improve teaching and learning outcomes for all students.

### 10.55.602

**“Graduate profile”** means a learner centered model(s) based on a shared vision of learner attributes that students should have when they graduate.

**“Integrated action plan”** means a district plan that ensures a **learner centered system** and continuous improvement that reflects local context and needs, is based on school level comprehensive needs assessment, incorporates stakeholder input and feedback, and aligns plans across required state and federal programs.

**“Learning model”** means the learning experiences student engage in and teachers facilitate that are aligned to the desired attributes of a graduate profile.

**“Learning progression”** means the specific performance expectations in each content area and grade-band from kindergarten through grade 12.

**“Measure”** means a way to assess the level of proficiency on a performance indicator aligned to the district graduate profile.

**“Personalized learning”** means to:

- (a) develop individualized pathways for career and postsecondary educational opportunities that honors individual interests, passions, strengths, needs, and culture;
- (b) support through relationships among teachers, family, peers, the business community, postsecondary education officials, and other community stakeholders;
- (c) embed community-based, experiential, online, and work-based learning opportunities; and
- (d) foster a learning environment that incorporates both face-to-face and virtual connections.

**“Proficiency-based learning”** means systems of instruction, assessment, and academic reporting that are based on students demonstrating that they have learned the knowledge and skills as outlined in the state content standards.

**“Proficient”** means that a student demonstrated a high level of knowledge and skills that are expected to be learned signaling that a student is well prepared to progress on the learning continuum aligned to the content standards, learning progressions, and necessary readiness skills.



<p><b>“Work-based learning”</b> means sustained interactions with industry or community professionals in workplace settings, to the extent practicable, or simulated environments at an educational institution that foster in- depth, firsthand engagement with the tasks of a given career field, that are aligned to curriculum and instruction.</p>	
<p><b>10.55.603</b>                  Local school districts shall develop and implement a <b>proficiency-based learning model</b> that includes curriculum aligned to all content standards and appropriate learning progressions.</p> <p>School districts shall assess all <b>students’ progression, growth, and proficiency of content standards and content-specific grade-band learning progressions</b> in each program area as aligned with ARM 10.55.603(5). The district shall use <b>multiple measures</b>, including state-level achievement information obtained by administration of assessments pursuant to ARM 10.56.101 to examine the learning program and measure its effectiveness.</p> <p>The school district shall develop and implement an <b>assessment plan</b> that supports progression, growth and proficiency, promotes demonstrations of student learnings, and measures student progress ensuring alignment to the local curriculum in all program areas pursuant to ARM 10.56.101.</p> <p>(a) The assessment plan shall be included in the integrated action plan pursuant to ARM 10.55.601 and be in place within two years following the development of local curriculum.</p> <p>(b) School districts shall use appropriate multiple measures and methods, including state-level achievement information obtained by administration of assessments pursuant to the requirements of ARM 10.56.101, to assess student growth and proficiency of content standards and content-specific grade-band learning progressions in all program areas.</p> <p>(c) The Superintendent of Public Instruction shall develop criteria and procedures for the selection of appropriate multiple measures and methods to be used to assess student growth and proficiency of content standards and appropriate content- specific grade-band learning progressions in all program areas.</p> <p>(d) The Superintendent of Public Instruction shall provide technical assistance to districts to meet the criteria and procedures in (5)(c).</p>	<p>Encouraging <b>multiple measures</b> determined at the local level to assess student learning progression, growth, and proficiency.</p> <p>“As education systems move away from seat-time as the basis for awarding credits and degrees, to systems based on mastery, assessment literacy becomes critical for educators to rigorously ensure comparability across learning environments and different types of evidence of student work.”</p>
<p><b>10.55.701</b>                  Each school district shall make available to the staff and public: (a) <b>integrated action plan that includes a graduate profile</b> as outlined in ARM 10.55.601;</p>	



<p>The local board of trustees shall develop, with stakeholder input, a district mission and vision that aligns to the district <b>graduate profile</b>.</p> <p>(5) The local board of trustees with meaningful stakeholder involvement shall establish and implement policies that:</p> <ul style="list-style-type: none"> <li>(a) provide for the safety and well-being of all students;</li> <li>(b) <b>emphasize student learning and each student’s growth;</b></li> <li>(c) <b>allow for personalized and proficiency-based learning models;</b></li> </ul> <p>and</p> <p>(d) other policies for the effective operation of the school district.</p>	
<p><b>10.55.703</b>          The principal shall carry out the district's policies and procedures, provide instructional leadership that allows for personalized and proficiency-based learning models, engage in strategic planning and school improvement, intentionally engage families and community members, ensure a positive school climate, and be responsible for the effective day-to-day operation of the school, the management of finances, materials, and human resources to maximize student learning outcomes.</p>	<p>Expanding the <b>role of the principal</b> to include personalized and proficiency-based learning, and strategic planning with community and family involvement to maximize student learning.</p>
<p><b>10.55.714</b>          Professional development: (a) shall be <b>aligned with the district graduate profile and educational goals</b> outlined in the district integrated action plan described in ARM 10.55.601;</p>	<p>Aligning professional development to the comprehensive district strategies that improve learner outcomes is vital to each student developing their full educational potential.</p>
<p><b>10.55.722</b>          The local board of trustees shall implement a comprehensive family and community engagement plan that:</p> <ul style="list-style-type: none"> <li>(a) is aligned to the district <b>integrated action plan</b> required in ARM 10.55.601;</li> </ul>	
<p><b>10.55.801</b>          Encourage students to take responsibility for their education, including preparing for and participating in class and school activities, taking full advantage of learning services provided, helping design their educational goals, and conducting themselves respectfully and appropriately;</p>	<p>Added an assessment component to <b>school climate</b>, to ensure that schools make improvements where necessary because there is a correlation between school climate and student outcomes.</p>
<p><b>10.55.803</b>          Equal opportunity to learn is a primary consideration of all program areas, at all levels. In order to integrate this concept throughout the education program, the local board of trustees shall develop and implement processes that ensure each learner has access to the following:</p> <ul style="list-style-type: none"> <li>(a) high quality instruction provided by a qualified educator that meets each of the following criteria:</li> </ul>	<p>Updating <b>learner access</b> language to focus on what learners need that ensures learner safety, growth, wellbeing, and learning outcomes.</p>



1. students are engaged in authentic learning experiences that tie to their interests;
2. students are all included in activities and given equal opportunity;
3. uses formative and interim assessments to guide instruction;
4. supports student metacognition, self-assessment, and reflection; and
5. provides opportunities for individual self-direction and decision making;
  
6. encourage students to take responsibility for their education, including preparing for and participating in class and school activities, taking full advantage of learning services provided, helping design their educational goals, and conducting themselves respectfully and appropriately;
7. provides opportunities for individual self-direction and decision making;

(b) rigorous learning activities that are complex, engaging, can be accessed by all learners, and match student interests;

(c) standards aligned curriculum and instructional materials that are place based, culturally diverse, honor differences among learners, reflect authentic historical and contemporary portrayals of American Indians, and include opportunity for choice and voice;

(d) technology hardware and software appropriate to support individual student learning;

(e) time for learning that includes opportunities for multiple modalities, collaboration in a variety of configurations, and student discussion;

(f) supportive learning environment that provides a safe physical space for learning, furniture and other fixtures that provide adequate space for students to fully engage in learning activities, is accessible to all learners, regardless of physical limitations; and

(g) other resources, such as after school programming, tutoring, paraprofessionals, counselors, librarians and libraries, and support staff.

**10.55.905**

As a minimum, a school district's requirements for graduation shall include a total of 20 units of study that the content standards and content-specific grade-band learning progressions. Students may demonstrate achievement through a **flexible system of pupil-centered learning**.

In order for students to graduate, they must meet the content and performance standards. The following 13 units shall be part of the 20 units. **The required units may be satisfied by an equivalent course that meets the district's curriculum and assessment**

Highlighting a **proficiency-based model** and existing flexibility for high school graduation units to be earned with an **equivalent course** that meets the district's curriculum and assessment requirements.



**requirements, which are aligned with each of the content standards:**

A student who is unable to attend class for the required amount of time may be given fractional credit for partial completion of a course, with the local board of trustees' permission.

The local board of trustees may waive specific course requirements based on individual student needs and performance levels. Waiver requests shall also be considered with respect to age, maturity, interest, and aspirations of the students and shall be in consultation with the parents or guardians.

With the permission of the local board of trustees, a student may be given credit for a course satisfactorily completed in a period of time shorter or longer than normally required and, provided that the course meets the district's curriculum and assessment requirements, which are aligned with the content standards stated in the education program. Examples of acceptable course work include those delivered through correspondence, extension, and distance learning courses, adult education, summer school, work study, specially designed courses, and challenges to current courses. Acceptable programs must be consistent with the local board of trustees' policy.

Expanding grade-level learning progressions to **grade-band** based on proficiency-based learning models.

Our curricular, assessment and accountability systems, along with our expectation-setting mechanisms, still operate on the assumption that standards for a given grade level are the appropriate content for all students at that grade level.

“The grade bands **provide support for teachers in planning for, teaching, and assessing student learning at various points along the continuum.** Grade bands recognize that learning develops over time and across multiple contexts. Grade levels provide a way to look at learning in shorter periods of time.”

“Teachers and students maintain consistent focus on enacting practices in rich learning experiences and, over time and across contexts, on how learners’ use of these grows, deepens, and transforms. Sets of grade band descriptors provide an illustration of how learners in a grade band might take up these practices within rich learning experiences.”



### **10.55.710 ASSIGNMENT OF SCHOOL COUNSELING STAFF**

(1) Each school must have a school counseling program for K-12 students aligned to delivery standards in ARM 10.55.1901 and national counselor and student standards. The school system will assess the need for student supports that result in the knowledge, skills, and dispositions students need to: (a) address mental health, safety, and well-being; (b) achieve academic success and college and career readiness; and (c) develop the mindsets and behaviors as identified in the national school counseling standards.

(2) Based on the needs of the district in concert with national and state standards the superintendent must recommend to the local board of trustees the assignment of counseling staff based on the capacity of individual counselors to provide school counseling programming and services by: (a) employing licensed school counselor(s) or Class 6 specialist(s); or (b) contracting licensed school counselor(s) or Class 6 specialist(s); or (c) utilizing a consortium, multidistrict agreement, or interlocal cooperative to secure these services; or (d) utilizing any other cooperative method that is authorized to secure these services.

(3) Based on the student need and school population(s) the district superintendent must recommend to the local board of trustees, the assignment of additional degreed, licensed, or credentialed staff (e.g., school counselors, school psychologists, career advisors, licensed clinical social workers, licensed professional counselors, behaviorists, other mental health professionals, and/or other resources) that supports the staffing levels based on evidence-based research and national counseling standards.