



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](#).

Next Steps:

Education Advocates Q&A Session for Chapter 55 Recommendations

Wednesday, August 24th, 2022, 9:30-10:30am

Join Zoom Meeting

<https://mt-gov.zoom.us/j/88407082381?pwd=YW4rSW1lanE3MGF3d0lOcHkrY2tldz09>

Meeting ID: 884 0708 2381

Password: 767193

Dial by Telephone

+1 646 558 8656

Meeting ID: 884 0708 2381

Password: 767193

Find your local number: <https://mt-gov.zoom.us/u/kcigGp4NJI>

District Personnel Q&A Session for Chapter 55 Recommendations

Wednesday, August 24th, 2022, 4:30-5:30pm

Join Zoom Meeting

<https://mt-gov.zoom.us/j/87808283309?pwd=aXgxYUU4ZGZJOHk3MjNITVVVSU3lQdz09>

Meeting ID: 878 0828 3309

Password: 024959

Dial by Telephone

+1 646 558 8656

Meeting ID: 878 0828 3309

Password: 024959

Find your local number: <https://mt-gov.zoom.us/u/kdUq6eXgBs>

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](#)



DRAFT BOARD OF PUBLIC EDUCATION TIMELINE: PROPOSED CHAPTER 55 RULES

▪ Proposal notice to BPE for consideration	August 15, 2022
▪ Education Advocates	August 16, 2022
▪ Meeting with Lieutenant Governor	August 18, 2022
▪ Education Advocates Q&A Session	August 24, 2022
▪ District Personnel Q&A Session	August 24, 2022
▪ BPE approves rulemaking timeline	Sept. 14-15, 2022
▪ <i>BPE authorization to publish proposal notice, including public hearing date</i>	<i>Sept. 14-15, 2022</i>
▪ <i>Proposal notice to SOS for publication in MAR</i>	<i>September 27, 2022</i>
▪ <i>MAR publication of proposal notice</i>	<i>October 7, 2022</i>
▪ <i>Public hearing date</i>	<i>Oct./Nov. TBD, 2022</i>
▪ <i>Final public comment deadline</i>	<i>November 4, 2022</i>
▪ <i>Draft Notice and Economic Impact Statement to Interim Committee</i>	<i>Before Nov. 7, 2022</i>
▪ <i>Adoption notice to BPE for consideration/respond to comments</i>	<i>Nov 17-18, 2022</i>
▪ <i>Interim Committee Meeting</i>	<i>December 7, 2022</i>
▪ <i>BPE authorization to publish adoption notice, including comments and responses</i>	<i>January 12-13, 2022</i>
▪ <i>Adoption notice to SOS for publication in MAR</i>	<i>January 2023</i>
▪ <i>MAR publication of adoption notice</i>	<i>January 2023</i>
▪ Effective date of rules	July 2023

The Board of Public Education may revise the above italicized dates, based on the requirements of the Montana Administrative Procedure Act and the Negotiated Rulemaking statutes

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.**



It is important to note that the proposed rule changes for 10.55.601(3) would require local school districts to create and submit an **integrated action plan** and continue to implement a **mentorship and induction program** (10.55.723) that currently is outlined as a policy under 10.55.701.

Within 10.55.603(3), the proposed rule expanded the requirement for districts to assess student attainment of content standards from assessment results pursuant to ARM 10.56.101 to **multiple measures, which provides more opportunities and ways for schools to measure student proficiency of content standards**. Thus, the decision regarding how many resources, fiscal or otherwise, to allocate toward these above rules is left to the discretion of local school trustees.

ARM 10.55.710 expanded those who can support the **school counseling program** that is required to have a licensed school counselor. However, school counselor ratios were not included. The NRC did not reach consensus on this rule. The Superintendent of Public Instruction directed the inclusion on the economic impact survey. The responses show no indication that the proposed rule changes would create a significant economic impact for districts and their schools.

Finally, the proposed rule for **class size overload** in 10.55.712 has embedded more flexibility for local school board of trustees to determine how to address overload compared to the current requirement to staff mandatory instructional aides for specified hours.

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	10.55.601: 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	10.55.710: Assignment of School Counseling Staff



<p>10.55.910: Student Discipline Records</p> <p>10.55.911: High School Transcripts</p> <p>10.55.1201: Arts Program Delivery Standards</p> <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>10.55.718: Assignment of Persons Providing Sign Language Interpreting</p> <p>10.55.721: Hazard and emergency plans</p> <p>10.55.722: Family & community engagement</p> <p>10.55.723: Mentorship and induction</p> <p>10.55.724: Evaluation</p> <p>10.55.801: School climate</p> <p>10.55.802: Opportunity & Educational Equity</p> <p>10.55.803: Learner Access</p> <p>10.55.804: Gifted and Talented</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 & 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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Conceptual Changes within the Superintendent’s Recommendations

ARM 55, Subchapter 6, General Provisions

- Remodeling the Continuous School Improvement Plan to an Integrated Action Plan. The **Integrated Action Plan** integrates and aligns all plans (including the local board of trustees’ strategic plan) that a district and schools are required to complete and provides an opportunity for a district to strategically utilize local, state, and federal resources in a cohesive, unified manner that leads to continuous improvement and positively impacts student learning outcomes.
- The Integrated Action Plan contains a **graduate profile**, which is a collective vision that articulates the community’s aspirations for all students.
- Shifting from an input system to an **outcome-based model** because inputs provide helpful criteria and indicate critical success factors in instructional design and managing programs—but they don’t tell us what works and is effective based on outcomes.



- Emphasizing a **proficiency-based** learner model within the curriculum and assessment section.
- Encouraging **multiple measures** determined at the local level to assess student learning progression, growth, and proficiency.
- Redefining categories of accreditation from 5 to 3 categories: **Accreditation with distinction**, accreditation, and accreditation with probation. Raising the bar for accreditation to include a rating for exceeding expectations.
- Separated **charter school application** from variance to standards rule to make a new rule and updated the language to focus on student performance outcomes.
- Transferring internships to Chapter 57: Licensure, where it better fits with educator certificate requirements.
- Modernizing and aligning all definitions to align with recommended rule changes.

ARM 55, Subchapter 7, Leadership

- Elevating meaningful **family and community engagement** as a partnership between school communities and families based on best practices and principles that keep the focus on the learner and core beliefs about engagement.
- Recommending a new rule for **mentorship and induction**, while updating the model based on research models and best practices.
- Expanding the **role of the principal** to include personalized and proficiency-based learning, and strategic planning with community and family involvement to maximize student learning.
- Empowering local school districts to determine **leadership staffing** (principals and superintendents) per school and instructional program. Through **local control** districts can strategically assign leadership staff to programs while ensuring the needs of students are met.
- Adjusting the determination of staffing for licensed and endorsed library media and counseling program services to **local district discretion**. Districts are best suited to allocate staff appropriately to meet the needs of students through program services.
- Removing duplicate language that is embedded throughout the chapter and streamlining the local board of trustees' policies and procedures to require school districts to comply with all local, state, and federal laws and regulations, while prioritizing policies for **safety, student learning, and community engagement**.
- Prioritizing instructional responsibilities of teachers and providing flexibility for local school districts to determine the resources needed when elementary classrooms are overloaded.
- Aligning professional development to the comprehensive district strategies that improve learner outcomes is vital to each student developing their full educational potential.
- Updating and aligning specialized programs (braille and sign language instruction) to Chapter 57 certification requirements.

ARM 55, Subchapter 8, Educational Opportunity

- Added an assessment component to **school climate**, to ensure that schools make improvements where necessary because there is a correlation between school climate and student outcomes.



- Updating **learner access** language to focus on what learners need that ensures learner safety, growth, wellbeing, and learning outcomes.
- Adding the need to appropriately assess and supply technology for each student
- Added a new rule for **English Language Learners** that aligns to existing federal requirements.

ARM 55, Subchapter 9, Academic Requirements

- Enhancing High School program offerings and graduation requirements to include **Civics/Government** and **Economic or Financial Literacy**. Both recommended changes would be within the existing required 20 credits not additional to. Flexibility has been built in to allow local school districts to determine if they would provide Economic or Financial Literacy within Social Studies, Mathematics, or CTE courses.
- 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.
- Expanding grade-level learning progressions to **grade-band** based on proficiency-based learning models.
- Including the constitutional mandate for **IEFA** within basic education programs requirements for Elementary, Middle, and High School.
- Adding state to federal accessibility standards for facilities.

ARM 55, Subchapter 10, Program Area Standards:

- Updating Program Area standards to current content standards. Ex. Communicating Arts Program to English Language Arts and Literacy, removing Vocational from Career and Vocational Technical Education, and retitling Health Enhancement to Health and Physical Education.
- Aligning the counseling program delivery standards to current national program standards.

Negotiated Rule Making Committee Members:

Adrea Lawrence - University of Montana, Dean of College of Education

Chris Olszewski - Billings Public Schools, Curriculum Director

Christina Weekin - Alberton Public Schools, Teacher

Corey Barron - Lodge Grass Schools, Principal, Tribal Representative

Craig Mueller - Havre Public Schools, District Superintendent

Curtis Smeby - Havre Public Schools, Trustee

Julie Murgel - Office of Public Instruction, Chief Operating Officer

Kelly Dey - Sidney Public Schools, Trustee

Kitty Logan - Swan Valley School, Trustee

Krystal Zentner - Bridger MT, Parent

Lisa Petersen - Westby K-12 Schools, Teacher



- Michele Paine - Flathead High School, Principal
- Patti Drake - Whitehall School District, District Clerk/Business Manager
- Renee Schoening - MT School Counselor Association, Executive Director
- Rhonda Long - Fergus County, County Superintendent
- Ruth Uecker - Great Falls Public Schools, Assistant Superintendent K-6
- Sharyl Allen - Office of Public Instruction, Deputy Superintendent
- Stephen Schreiberis - Glendive Public Schools, District Superintendent
- Sue Corrigan - Montana School Board Association, Kalispell Municipal Director
- Susan Lake - Montana Taxpayer
- Tara Hubing - Circle Schools K-12, Teacher
- McCall Flynn - Board of Public Education, Executive Director - Ex-Officio Member

Geographic Representation of Committee Members

