

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, 10.57.114,)	PROPOSED AMENDMENT
10.57.215, 10.57.410, 10.57.411,)	
10.57.412, 10.57.414, 10.57.415,)	
10.57.418, 10.57.419, 10.57.420,)	
10.57.421, 10.57.424, 10.57.425,)	
10.57.427, 10.57.428, 10.57.431,)	
10.57.432, 10.57.434, 10.57.435, and)	
10.57.437 pertaining to Educator)	
Licensure Standards)	

TO: All Concerned Persons

1. On March 5, 2024, at 10:00 a.m., the Board of Public Education (board) will hold a public hearing in Room 152 of the Montana State Capitol in Helena, Montana, to consider the proposed amendment of the above-stated rules.

2. The board 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 no later than 5:00 p.m. on February 23, 2024, to advise us of the nature of the accommodation that you need. Please contact McCall Flynn, Executive Director, 46 N. Last Chance Gulch, Suite 2B, P.O. Box 200601, Helena, Montana, 59620-0601; telephone (406) 444-0300; or email bpe@mt.gov.

3. The rules as proposed to be amended provide as follows, deleted matter interlined, new matter underlined:

10.57.102 DEFINITIONS The following definitions apply to this chapter.

- (1) remains the same.
- (2) "Accredited specialist program" means:
 - (a) for school psychologists, a program for the preparation of specialists approved or accredited by:
 - (i) the National Association of School Psychologists (NASP); and or
 - (ii) a state board of public education or a state agency;
 - (b) for school counselors, a program for the preparation of specialists approved or accredited by:
 - (i) the Council for the Accreditation of Counseling and Related Education Programs (CACREP); or
 - (ii) a state board of public education or a state agency.
 - (3) and (4) remain the same.
 - (5) "Approved preparation program" means:
 - (a) An educator preparation program accredited by the National Council for the Accreditation of Teacher Education (NCATE) or the Council for the Accreditation

of Educator Preparation (CAEP), the Association for Advancing Quality in Educator Preparation (AAQEP), or the Montessori Accreditation Council for Teacher Education (MACTE). A MACTE educator preparation program is subject to the following restrictions:

- (i) Completion of a MACTE accredited program may only be used by an applicant for licensure who has also completed at least a bachelor's degree; and
- (ii) The resulting license granted to an applicant for licensure who has completed a MACTE accredited program shall be limited to early grades or middle grades licensure and only for the grade levels covered by the MACTE accredited program completed by the applicant; or
- (b) An educator preparation program at a ~~an~~ regionally institutionally accredited college or university approved or accredited by a state board of education or state education agency; or
- (c) An educator preparation program approved by a state board of education or state education agency that leads to licensure in the state of preparation.

(6) remains the same.

(7) "College credit" means credit received for completion of a course from a ~~an~~ regionally institutionally accredited college or university.

(8) "Course work GPA" means the weighted average of teacher education program course grades, weighted by credit hours, and calculated over the defined period of study at a ~~an~~ regionally institutionally accredited college or university. The weights reflect the relative contributions of teacher education program course requirements, including content area coursework, based on contact hours or credits earned. The weighted average is calculated as follows:

- (a) through (10) remain the same.

(11) "Institutionally accredited" means a college or university accredited by one of the following:

- (a) Higher Learning Commission;
- (b) Middle States Association of Schools and Colleges;
- (c) New England Association of Schools and Colleges;
- (d) Northwest Commission on Colleges and Universities;
- (e) Southern Association of Schools and Colleges; or
- (f) Western Association of Schools and Colleges.

(11) through (13) remain the same, but are renumbered (12) through (14).

(14) "Regionally accredited" means a college or university accredited by one of the following:

- (a) Higher Learning Commission;
- (b) Middle States Association of Schools and Colleges;
- (c) New England Association of Schools and Colleges;
- (d) Northwest Commission on Colleges and Universities;
- (e) Southern Association of Schools and Colleges; or
- (f) Western Association of Schools and Colleges.

(15) and (16) remain the same.

(17) "Unrestricted license" means a current renewable license that is not an emergency or provisional license.

(18) and (19) remain the same.

AUTH: Mont. Const. Art. X, sec. 9, 20-4-102, MCA
IMP: Mont. Const. Art. X, sec. 9, 20-4-106, MCA

10.57.114 INTERNSHIPS (1) and (2) remain the same.

(3) If entering into internship agreements,:

(a) the accredited Montana educator preparation program must report each enrolled intern to the Superintendent of Public Instruction no later than November 15 of each year; and

(b) the district must approve internship applications.

(i) Superintendent applications must be approved by the district board chair or county superintendent.

(ii) All other internship applications must be approved by the district superintendent.

(4) through (7) remain the same.

AUTH: Mont. Const. Art. X, sec. 9, 20-2-114, 20-2-121, 20-7-101, MCA

IMP: Mont. Const. Art. X, sec. 9, 20-2-121, 20-3-106, 20-7-101, MCA

10.57.215 PROFESSIONAL DEVELOPMENT AND RENEWAL REQUIREMENTS (1) through (3) remain the same.

(4) Activities acceptable to renew or obtain licenses are professional development, training, workshops, or coursework consistent with P-12 public school curriculum and may include:

(a) credits earned from a an regionally institutionally accredited college or university;

(b) through (5) remain the same.

AUTH: Mont. Const. Art. X, sec. 9, 20-2-121, 20-4-102, MCA

IMP: Mont. Const. Art. X, sec. 9, 20-4-102, 20-4-108, MCA

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

(3) To obtain a Class 2 standard teacher's license an applicant must submit verification of all of the following:

(a) a bachelor's or master's degree from a an regionally institutionally accredited college or university, or a completed evaluation of foreign transcripts that demonstrates equivalency to a bachelor's degree through a National Association of Credential Evaluation Services (NACES) agency;

(b) through (5) remain the same.

AUTH: Mont. Const. Art. X, sec. 9, 20-2-121, 20-4-102, MCA

IMP: Mont. Const. Art. X, sec. 9, 20-4-102, 20-4-103, 20-4-106, 20-4-108, MCA

10.57.411 CLASS 1 PROFESSIONAL TEACHER'S LICENSE (1) through (2)(b) remain the same.

(c) a master's degree in education or an endorsable teaching area(s) from a ~~an~~ regionally institutionally accredited college or university or certification by the National Board for Professional Teaching Standards.

(3) and (4) remain the same.

AUTH: Mont. Const. Art. X, sec. 9, 20-4-102, MCA

IMP: Mont. Const. Art. X, sec. 9, 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 education, chemistry, communication, computer science, early childhood (P-3), earth science, economics, elementary education (K-8), English, English as a second language K-12, family and consumer sciences, geography, health, health and physical education K-12, history, industrial trades and technology education, journalism, library K-12, 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, special education P-12 hearing impairment, special education P-12 vision impairment, theater, traffic education, and world languages K-12.

(3) and (4) remain the same.

(5) To obtain an early childhood (P-3), elementary (K-8), middle grades (4-8 content-specific), secondary (5-12 content-specific), K-12, or P-12 (special education) endorsement, an applicant must provide verification of completion of an approved educator preparation program at the grade level(s) identified by the program, including supervised teaching experience or a waiver of this requirement if the applicant has previously had supervised teaching experience.

(6) through (8) remain the same.

AUTH: Mont. Const. Art. X, sec. 9, 20-4-102, MCA

IMP: Mont. Const. Art. X, sec. 9, 20-4-106, 20-4-108, MCA

10.57.414 CLASS 3 ADMINISTRATIVE LICENSE - SUPERINTENDENT ENDORSEMENT (1) remains the same.

(a) an education specialist, master's, or doctoral degree from a ~~an~~ regionally institutionally accredited college or university in education, or education leadership, or a P-12 education related area of study;

(b) remains the same.

(c) completion of ~~courses~~ coursework covering Montana School Finance, Montana School Law, and Montana Collective Bargaining and Employment Law. In order to qualify, such ~~courses~~ coursework must have been provided either by:

(i) through (g) remain the same.

AUTH: Mont. Const. Art. X, sec. 9, 20-4-102, MCA

IMP: Mont. Const. Art. X, sec. 9, 20-4-106, 20-4-108, MCA

10.57.415 CLASS 3 ADMINISTRATIVE LICENSE - PRINCIPAL ENDORSEMENTS (1) remains the same.

- (a) a minimum of three years of teaching or school counseling experience with a ~~standard, unrestricted~~ license as defined in ARM 10.57.102(19) at the level of the requested endorsement;
- (b) a an education specialist, master's degree from a an regionally institutionally accredited college or university in education, or education leadership, or a P-12 education related area of study;
- (c) remains the same.
- (d) completion of three semester credits of a college courses in school law, including special education law; and
- (e) remains the same.

AUTH: Mont. Const. Art. X, sec. 9, 20-4-102, MCA

IMP: Mont. Const. Art. X, sec. 9, 20-4-106, 20-4-108, MCA

10.57.418 CLASS 3 ADMINISTRATIVE LICENSE - SUPERVISOR ENDORSEMENT (1) and (1)(a) remain the same.

- (b) completion of a master's degree in the area requested for endorsement at a an regionally institutionally accredited college or university;
- (c) through (f) remain the same.

AUTH: Mont. Const. Art. X, sec. 9, 20-4-102, MCA

IMP: Mont. Const. Art. X, sec. 9, 20-4-106, 20-4-108, MCA

10.57.419 CLASS 3 ADMINISTRATIVE LICENSE - SPECIAL EDUCATION SUPERVISOR ENDORSEMENT (1) remains the same.

- (a) completion, at a an regionally institutionally accredited college or university, of a master's degree in special education or a master's degree in the following special education-related service fields: school psychologist, speech-language pathologist, audiologist, physical therapist, occupational therapist, registered nurse, clinical social worker, or clinical professional counselor;
- (b) through (g) remain the same.

AUTH: Mont. Const. Art. X, sec. 9, 20-4-102, MCA

IMP: Mont. Const. Art. X, sec. 9, 20-4-106, 20-4-108, MCA

10.57.420 CLASS 4 CAREER AND TECHNICAL EDUCATION LICENSE

- (1) through (2)(a) remain the same.
- (b) A Class 4B license issued to individuals with a certificate of completion from an apprenticeship program or associate or bachelor's degree from a an regionally institutionally accredited college or university, but who do not hold a valid Montana teaching license with the appropriate career and technical education endorsement; and
- (c) through (5) remain the same.

AUTH: Mont. Const. Art. X, sec. 9, 20-4-102, MCA

IMP: Mont. Const. Art. X, sec. 9, 20-4-106, 20-4-108, MCA

10.57.421 CLASS 4 ENDORSEMENTS (1) Recognized occupations eligible for a Class 4 license shall be evaluated on an annual basis by the Superintendent of Public Instruction. Appropriate career and technical education areas acceptable for endorsement on the Class 4 license include but are not limited to the following: agriculture business, agriculture mechanics, auto body, automotive technology, aviation, building maintenance, building trades, business marketing, computer coding, computer information systems, culinary arts, diesel mechanics, drafting, electronics, emergency medical technician (EMT), engineering, fire and disaster services, graphic arts, health science education, heavy equipment operations, horticulture, industrial mechanics, livestock production, machining, metals, plant and soil sciences, Reserve Officer Training Corps (ROTC) instruction, small engines, stagecraft, teacher education, traffic education, videography, and welding.

(2) through (4)(g) remain the same.

(h) For traffic education:

(i) meet the requirements of ARM 10.13.310; or

(5)(ii) A Class 4A, 4B, or 4C career and technical education license may be approved to teach traffic education if the license meets the requirements of ARM 10.13.310.

(6) remains the same but is renumbered (5).

AUTH: Mont. Const. Art. X, sec. 9, 20-4-102, MCA

IMP: Mont. Const. Art. X, sec. 9, 20-4-106, 20-4-108, MCA

10.57.424 CLASS 5 PROVISIONAL LICENSE (1) through (3) remain the same.

(4) A Class 5B provisional license is valid for a term of three years, is not renewable, and may not be reinstated. A Class 5B provisional license will be issued to those individuals who hold a bachelor's degree from a an regionally institutionally accredited college or university but have not completed an approved educator preparation program.

(a) through (6) remain the same.

(a) a bachelor's degree from a an regionally institutionally accredited college or university; and

(b) through (7) remain the same.

(8) Extension may be granted to a Class 5B or 5C provisional license at the discretion of the Superintendent of Public Instruction as authorized in ARM 10.57.109. Requests for extension must be submitted by the licensee and supported by the accredited educator preparation program. A request for extension must demonstrate evidence of extreme hardship or other circumstances beyond the control of the licensee which prevented timely completion of the agreed upon plan of study.

AUTH: Mont. Const. Art. X, sec. 9, 20-4-102, MCA

IMP: Mont. Const. Art. X, sec. 9, 20-4-106, 20-4-108, MCA

10.57.425 CLASS 5 PROVISIONAL LICENSE – ENDORSEMENTS

(1) remains the same.

(2) Areas approved for endorsement on Class 5 provisional license include the following: agriculture, art K-12, biology, business education, chemistry, communication, computer science, early childhood (P-3), earth science, economics, elementary education (K-8), English, English as a second language K-12, family and consumer sciences, geography, health, health and physical education K-12, history, industrial trades and technology education, journalism, library K-12, 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, special education P-12 hearing impairment, special education P-12 vision impairment, theater, traffic education, and world languages K-12.

(3) remains the same.

(4) To obtain an early childhood (P-3), elementary (K-8), middle grades (4-8 content-specific), secondary (5-12 content-specific), K-12 (as delineated in ARM 10.57.412), or P-12 (special education and school psychologist) endorsement, an applicant must provide verification of:

- (a) a bachelor's degree from a an regionally institutionally accredited college or university; and
- (b) remains the same.

AUTH: Mont. Const. Art. X, sec. 9, 20-4-102, MCA

IMP: Mont. Const. Art. X, sec. 9, 20-4-106, 20-4-108, MCA

10.57.427 CLASS 5 PROVISIONAL LICENSE – SUPERINTENDENT ENDORSEMENT (1) remains the same.

(a) a an education specialist, master's, or doctoral degree from a an regionally institutionally accredited college or university in education, or education leadership, or a P-12 education related area of study;

(b) through (e) remain the same.

(f) for those applicants who have not completed the courses coursework covering Montana School Finance, Montana School Law, and Montana Collective Bargaining and Employment Law, in order to qualify, such courses coursework must have been provided either by:

(i) through (2) remain the same.

AUTH: Mont. Const. Art. X, sec. 9, 20-4-102, MCA

IMP: Mont. Const. Art. X, sec. 9, 20-4-106, 20-4-108, MCA

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

(a) a an education specialist, master's degree from a an regionally institutionally accredited college or university in education, or education leadership, or a P-12 education related area of study;

(b) through (2) remain the same.

AUTH: Mont. Const. Art. X, sec. 9, 20-4-102, MCA

IMP: Mont. Const. Art. X, sec. 9, 20-4-106, 20-4-108, MCA

10.57.431 CLASS 5 PROVISIONAL LICENSE – SUPERVISOR ENDORSEMENT (1) remains the same.

(a) a master's degree from a an regionally institutionally accredited college or university in the area requested for supervisory endorsement; and
(b) and (c) remain the same.

AUTH: Mont. Const. Art. X, sec. 9, 20-4-102, MCA

IMP: Mont. Const. Art. X, sec. 9, 20-4-106, 20-4-108, MCA

10.57.432 CLASS 5 PROVISIONAL LICENSE – SPECIALIST ENDORSEMENT (1) remains the same.

(a) verification of a master's degree or greater in school psychology or related field from a an regionally institutionally accredited college or university; and or
(b) ~~for those applicants who have not completed an approved specialist preparation program, verification from an approved specialist program, of being within four course deficiencies of completing full requirements as outlined in ARM 10.57.434. verification from the approved specialist program of current enrollment and must sign and file with the Superintendent of Public Instruction a plan of professional intent and evidence of enrollment leading, within three years of the date of validity of the provisional license, to an appropriately endorsed Class 6 license as provided in ARM 10.57.434.~~

(2) remains the same.

(a) verification of a bachelor's degree from an institutionally accredited college or university; and or

~~(b) verification from the approved specialist program, of being within four course deficiencies of completing full requirements as outlined in ARM 10.57.435. verification from the approved specialist program of current enrollment and must sign and file with the Superintendent of Public Instruction a plan of professional intent and evidence of enrollment leading, within three years of the date of validity of the provisional license, to an appropriately endorsed Class 6 license as provided in ARM 10.57.435.~~

AUTH: Mont. Const. Art. X, sec. 9, 20-4-102, MCA

IMP: Mont. Const. Art. X, sec. 9, 20-4-106, 20-4-108, MCA

10.57.434 CLASS 6 SPECIALIST LICENSE – SCHOOL PSYCHOLOGIST

(1) To obtain a Class 6 specialist license with a school psychologist endorsement an applicant must provide verification of one of the following:

(a) through (c) remain the same.
(i) a master's degree or higher in school psychology or a related field from a an regionally institutionally accredited college or university; and
(ii) recommendation from a NASP accredited an approved specialist program defined in ARM 10.57.102, attesting to the applicant's qualifications being equivalent

~~to NASP training standards, which included a 1200-hour internship experience of which 600 hours were in a P-12 school setting an internship in a P-12 school setting of 600 hours.~~

AUTH: Mont. Const. Art. X, sec. 9, 20-4-102, MCA

IMP: Mont. Const. Art. X, sec. 9, 20-4-106, 20-4-108, MCA

10.57.435 CLASS 6 SPECIALIST LICENSE – SCHOOL COUNSELOR

- (1) remains the same.
 - (a) a master's degree from a ~~an~~ regionally institutionally college or university; and
 - (b) and (c) remain the same.
 - (i) a master's degree in school counseling from a ~~an~~ regionally institutionally accredited college or university; and
 - (ii) remains the same.

AUTH: Mont. Const. Art. X, sec. 9, 20-4-102, MCA

IMP: Mont. Const. Art. X, sec. 9, 20-4-106, 20-4-108, MCA

10.57.437 CLASS 8 DUAL CREDIT POSTSECONDARY FACULTY LICENSE (1) through (3) remain the same.

- (a) verification of faculty employment from the Chief Academic Officer or an appropriate official of the employing ~~regionally~~ institutionally accredited college or university;
- (b) remains the same.
- (c) recommendation from the Chief Academic Officer from a ~~an~~ regionally institutionally accredited college or university verifying the applicant plans to teach in a subject covered by the K-12 endorsement areas in ARM 10.57.438, and will teach a subject in which the applicant has a major or minor; and
- (d) remains the same.
- (4) ~~Class 8 dual credit license applications will be reviewed by the Certification Standards and Practices Advisory Council for recommendation regarding issuance of the license by the Superintendent of Public Instruction. Denial of an application for licensure shall be appealable to the Board of Public Education pursuant to ARM 10.57.607.~~
- (5) remains the same but is renumbered (4).
- (6)(5) A Class 8 license shall not be valid unless the licensee is in an employment relationship with a ~~an~~ regionally institutionally accredited college or university.

AUTH: Mont. Const. Art. X, sec. 9, 20-4-102, MCA

IMP: Mont. Const. Art. X, sec. 9, 20-4-106, 20-4-108, MCA

REASON: The board proposes to update the current Educator Licensure Standards in ARM Title 10, chapter 57, based on a review by the Office of Public Instruction and P-20 education stakeholders. The proposed amended rules are necessary to provide clarification and required modifications, based on research-based practice

and improvements in Montana and the nation. Proposed revisions include, but are not limited to, updated definitions, changes to the internship requirements, an addition of content-specific middle school endorsements, an increased flexibility for educator preparation programs, a new traffic education endorsement, and updated requirements for school psychologists and school counselors.

4. Concerned persons may submit their data, views, or arguments concerning the proposed action in writing to: McCall Flynn, Executive Director, Board of Public Education, 46 N. Last Chance Gulch, Suite 2B, P.O. Box 200601, Helena, Montana, 59620; telephone (406) 444-0300; or email bpe@mt.gov, and must be received no later than 5:00 p.m., March 8, 2024.

5. McCall Flynn, executive director of the Board of Public Education, has been designated to preside over and conduct this hearing.

6. 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, email, 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 email unless a mailing preference is noted in the request. Written requests may be mailed or delivered to the contact person in paragraph 4 or may be made by completing a request form at any rules hearing held by the board.

7. An electronic copy of this proposal notice is available through the Secretary of State's website at <http://sosmt.gov/ARM/Register>.

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

9. 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/ McCall Flynn
McCall Flynn
Executive Director
Board of Public Education

/s/ Tim Tharp
Tim Tharp
Chair
Board of Public Education

Certified to the Secretary of State January 30, 2024.