

**Wolf Point High School
Wolf Point, MT**

September 13-14th, 2012

BOARD OF PUBLIC EDUCATION

BOARD OF PUBLIC EDUCATION
MEETING AGENDA

September 13-14th, 2012
Wolf Point High School, Wolf Point, MT

Thursday September 13th, 2012

8:30 MACIE PRESENTATION

**9:30 DRUM PRESENTATION AND PLEDGE OF ALLEGIANCE BY WOLF
POINT HIGH SCHOOL STUDENTS**

CALL TO ORDER

- A. Roll Call**
- B. Statement of Public Participation**
- C. Welcome Visitors**

PUBLIC COMMENT

CONSENT AGENDA

- A. Correspondence**
- B. July 12 – 13th, 2012 Minutes**
- C. Financials**

ADOPT AGENDA

INFORMATION

❖ REPORTS – Patty Myers (Item 1)

Item 1 CHAIRPERSON’S REPORT
Patty Myers

- Set BPE Annual Calendar**
- BPE Committee Appointments**
- Review of BPE Goals**
- Discuss Legislative Committee Process**

BOARD OF PUBLIC EDUCATION APPEARANCES
Patty Myers

❖ **CSPAC LIASON – Sharon Carroll (Item 2)**

**Item 2 EXECUTIVE SECRETARY/CSPAC REPORT
Pete Donovan**

❖ **REPORTS – Patty Myers (Items 3-6)**

**Item 3 STATE SUPERINTENDENT’S REPORT
State Superintendent Denise Juneau**

**Item 4 COMMISSIONER OF HIGHER EDUCATION’S REPORT
Commissioner Clayton Christian**

**Item 5 GOVERNOR’S OFFICE REPORT
Dan Villa**

**Item 6 STUDENT REPRESENTATIVE’S REPORT
Charity Ratliff**

DISCUSSION

❖ **EXECUTIVE COMMITTEE – Patty Myers (Item 7)**

**Item 7 FEDERAL UPDATE
Nancy Coopersmith**

❖ **LICENSURE COMMITTEE – Sharon Carroll (Item 8)**

**Item 8 DENIAL HEARING OF ACADEMIC LICENSE BPE CASE #2012-05
Pete Donovan**

❖ **MSDB LIAISON – Patty Myers (Item 9)**

**Item 9 MSDB REPORT
Bernie Olson**

ACTION

PUBLIC COMMENT

The public will be afforded the opportunity to comment before the Board on every action item on the agenda prior to final Board action.

❖ **ACCREDITATION COMMITTEE Patty Myers – (Items 10-11)**

**Item 10 RECOMMENDATION OF APPROVAL OF ALTERNATIVE TO STANDARDS
REQUESTS
Dr. Linda Peterson**

Item 11 RECOMMENDATION OF APPROVAL/DISAPPROVAL OF 2012-13

CORRECTIVE ACTION PLANS
Dr. Linda Peterson

❖ **ASSESSMENT COMMITTEE Sharon Carroll – (Item 12)**

Item 12 **RECOMMENDATION OF APPROVAL OF NOTICE OF ADOPTION OF AMENDMENT PERTAINING TO ADMINISTRATIVE RULES OF MONTANA TITLE 10, CHAPTER 56 STUDENT ASSESSMENT**
Nancy Coopersmith, Pete Donovan

Friday September 14th, 2012
8:30 AM

ACTION

PUBLIC COMMENT

The public will be afforded the opportunity to comment before the Board on every action item on the agenda prior to final Board action.

❖ **ACCREDITATION COMMITTEE Patty Myers – (Item 13)**

Item 13 **RECOMMENDATION OF APPROVAL OF NOTICE OF ADOPTION OF AMENDMENT PERTAINING TO THE ADMINISTRATIVE RULES OF MONTANA TITLE 10, CHAPTER 55 STANDARDS OF ACCREDITATION**
Dr. Linda Peterson, Pete Donovan

PRELIMINARY AGENDA ITEMS – November 8-9, 2012

- MACIE Annual Report
- Assessment Update
- Federal Update
- Alternative to Standards Requests
- Accreditation Report
- Annual Renewal Unit Providers (List) - C
- Association Updates

The Montana Board of Public Education is a Renewal Unit Provider. Attending a Board of Public Education Meeting may qualify you to receive renewal units. One hour of contact time = 1 renewal unit up to 4 renewal units per day. Please complete the necessary information on the sign-in sheet if you are applying for renewal units.

MACIE PRESENTATION

**PLEDGE OF ALLEGIANCE BY WOLF POINT
STUDENTS**

EXECUTIVE SUMMARY

DATE: SEPTEMBER 2012

- PRESENTATION:** Montana Advisory Council on Indian Education (MACIE) Report
- PRESENTER:** Norma Bixby
Chair
Office of Public Instruction
- OVERVIEW:** Summary of significant issues that MACIE members have identified. Review of discussion of MACIE membership at the last meeting. The members reviewed the current constitution and bylaws. Recommendations to the state superintendent and Board of Public Education were approved in order to make changes to reflect what MACIE considers better representation. Presentation of overview of Ft. Peck PlaceNames project.
- REQUESTED DECISION(S):**
- OUTLYING ISSUE(S):**
- RECOMMENDATION(S):** Proposed changes in membership to current constitution and bylaws:
- * Remove the current position of MIEA Parent of the Year and Montana Association of Bilingual Education representatives;
 - * For the urban representatives, solicit representatives from the Indian education departments of the local school district, in place of the health clinics; and
 - * Consider the addition of a Class 7 representative, a tribal Head Start representative, and a tribal college representative to MACIE.

Summary of Significant Issues for MACIE Members

- Language development in early childhood programs and at home
- Closer collaboration with P-20 organizations
- Standardized PIR tool for Indian Education for All
- Resolution of jurisdictional issues between local, state and federal authority
- Community dissatisfaction with district policies and use of Title VII, Indian Education for All and Indian student achievement funding
- Teacher certification -- endorsement for native American studies/Indian Education for All based on integration model with Great Falls teachers
- IEFA and Common Core implementation
- Civil rights issues for Native students, e.g., participation in athletics, AP, music, alternative school enrollment, discipline, denial of cultural activities
- Indian coordinator position in districts - how to develop teacher support
- Implementation of cultural standards in Common Core
- Participation in MEA-MFT workshop presenters and keynotes
- Funding issue – how are districts spending the IEFA and Indian Gap achievement funding
- Bullying issues. Montana Commission on Civil Rights will focus on border town issues.
- Continued support from the Board of Public Education and the Office of Public Instruction for funding for Indian Education and All and Indian student achievement

Issues MACIE Members Would Like to Know More About

- Tribal education departments' work and how they interact with local school districts
- Funding issues (above)
- Dual enrollment agreements
- School improvement process regarding subgroups
- When ARM Chapter 55 goes into effect, what will be the assistance that OPI will provide?

MONTANA ADVISORY COUNCIL ON INDIAN EDUCATION

CONSTITUTION AND BYLAWS

PREAMBLE

| The Montana Advisory Council on Indian Education has been established in a previously successful government-to-government collaboration by the Board of Public Education and the Office of Public Instruction to act in an advisory role to them in matters affecting the education of American Indian students in Montana.

| The Montana Advisory Council on Indian Education shall advocate for greater cooperation among tribal, state and federal organizations, institutions, groups and agencies for the express purpose of promoting high-quality education and equitable educational opportunities for Montana's American Indian students.

ARTICLE 1

Name of Organization

| The name of the organization shall be the Montana Advisory Council on Indian Education.

ARTICLE II

Purpose

| The purpose of the Montana Advisory Council on Indian Education shall be:

1. Advise the Board of Public Education and the Superintendent of Public Instruction in educational matters affecting the education of American Indian students, including accreditation, certification and teacher training;
2. Promote equal educational opportunity and improve the quality of education provided American Indian students throughout the State of Montana;
3. Advocate for, monitor and evaluate the implementation of Article X, section 1(2) of the Montana Constitution for all educational agencies; and
4. Establish goals and measurable objectives to carry out the responsibilities of the Montana Advisory Council on Indian Education and present an annual report to the Board of Public Education and Office of Public Instruction.

ARTICLE III

Goals

The Goals of the Montana Advisory Council on Indian Education are:

1. Communication

Facilitate communication about Indian education among all stakeholders in Montana.

The Montana Advisory Council on Indian Education will ~~develop~~incorporate strategies of communication to seek to disseminate information concerning ~~allow~~ their respective constituents' ~~to provide input on their~~ needs and issues, and Members of the Montana Advisory Council on Indian Education ~~members~~ will be responsible for bringing these matters to Montana Advisory Council on Indian Education's attention for discussion and action. **MACIE members will also report back to their constituents on matters taken up at regular and special meetings.**

2. Success in Schools

Identify and disseminate research-based measurable criteria, both behavioral and academic, that indicate successful education for Montana's Indian children.

3. Evaluation

Montana's pre-K-~~1620~~ education system shall be continuously evaluated ~~on a continuing basis~~ to determine its effectiveness in meeting the needs of Montana's American Indian students and appropriate recommendations made to the Office of Public Instruction and Board of Public Education based on this evaluation process.

4. Data Analysis

Collect and analyze data to monitor accountability of educational agencies to address the needs of Indian education.

5. Leadership

~~Encourage and p~~Promote the active participation of Indian people, tribes and tribal organizations in the education process.

~~Encourage and p~~Promote Indian educational leadership in decision-making ~~positions~~ at all levels, including Indian Education for All, Certification Standards and Practices Advisory Council and other appropriate committees.

An annual review of these goals will be made by the Montana Advisory Council on Indian Education to determine progress.

6. Budget and Legislative Review and Monitoring

~~Prepare-Submit~~ budgetary recommendations, including recommendations for the biennial legislative budget request, to ~~be submitted to~~ the Office of Public Instruction and the Board of Public Education for programs that affect the Montana Advisory Council on Indian Education's goals and purposes.

Members of the Montana Advisory Council on Indian Education ~~are members are charged with the responsibility~~ to monitor and advocate legislation which potentially affects its constituency. Members are to ~~and~~ keep ~~its~~ their constituents apprised of issues and concerns. ~~to make appropriate recommendations.~~

BYLAWS OF MONTANA ADVISORY COUNCIL ON INDIAN EDUCATION

ARTICLE 1

Membership

The composition of the Montana Advisory Council on Indian Education shall consist of members who are representatives of Indian Education in the State of Montana. The membership shall be selected in consultation with Indian tribes, Indian organizations, major education organizations in which Indians participate and schools where American Indian students and adults attend.

Board of Public Education and the Superintendent of Public Instruction will jointly make appointments to the Montana Advisory Council on Indian Education.

NOTE: Participation on the Montana Advisory Council for Indian Education is voluntary and tribes and organizations invited to participate may decline.

Each of the eight Montana tribal councils shall be invited to select one representative to represent its tribe on this council. The Montana Advisory Council on Indian Education will seek participation by three urban Indian representatives from Great Falls, Billings and Missoula.

Other nominations will be sought from organizations that have been identified as playing a key role in the education of American Indians in Montana. These organizations are:

- Montana Education Association/Montana Federation of Teachers (MEA/~~MFT~~) Minority Indian Representative
- School Administrators of Montana (SAM)
- Indian Impact Schools of Montana (IISM) Board Representative
- Montana School Boards Association (MTSBA) Indian School Board Caucus Representative
- Montana Association for Bilingual Education (MABE) Board of Directors
- Montana Wyoming Indian Education Association (MWIEA) Board

- ~~Montana Wyoming Indian Education Association (MWIEA) Parent of the Year~~

Voting

The total voting membership will be eighteen and include:

- 8 – Tribal representatives from each Montana tribal council
- 3 – Urban Indian representatives
- 1 – Montana Education Association/Montana Federation of Teachers (MEA/~~MFT~~)
Minority Indian Representative
- 1 – School Administrators of Montana (SAM)
- 1 – Indian Impact Schools of Montana (IISM) Board Representative
- 1 – Montana School Boards Association (MTSBA) Indian School Board Caucus Representative
- 1 – Montana Association for Bilingual Education (MABE) Board of Directors
- 1 – Montana ~~Wyoming~~ Indian Education Association (MWIEA) Board
- ~~1 – Montana Wyoming Indian Education Association (MWIEA) Parent of the Year~~

Ex-officio members to the Montana Advisory Council on Indian Education shall be:

- Office of Public Instruction
- Board of Public Education
- Montana University System
- Bureau of Indian Affairs

ARTICLE 2

Officers

The officers of Advisory Council shall consist of a chairperson, vice-chairperson and secretary selected by the Council.

ARTICLE 3

Removal from the Council

Council members will automatically lose membership with two consecutive unexcused absences from regularly or specially called meetings without prior notice of absence as per Article 10, Section 3. A letter from the chairperson requesting the organization to name a new member will be sent to the sponsoring entity and absentee member.

ARTICLE 4

Amending the Constitution

An amendment to the Constitution and Bylaws may be adopted by a vote of no less than one-half (1/2) of the Council at a regular or special meeting. Advance notice of the agenda containing a proposal to amend shall be distributed to all Council members at least 15 days in advance of the meeting. All amendments shall be subject to review and approval by the Board of Public Education and the Office of Public Instruction.

ARTICLE 5

Rules of Order

Robert's Rules of Order Revised shall be used as a guideline on all procedural questions not otherwise specifically stated in the Constitution and Bylaws of the Council.

ARTICLE 6

Terms and Duties of Officers

- Section 1. Chairperson, vice-chairperson and secretary shall be elected from and by the Council at the summer meeting and shall serve for two years.
- Section 2. The chairperson shall preside at all meetings of the Council. The chairperson shall be an ex-officio member of all committees. The chairperson or designee will represent **and present reports for the** Montana Advisory Council on Indian Education at all Board of Public Education meetings and other meetings that are deemed important by the Council.
- Section 3. The vice-chairperson shall assume all duties of the chairperson in the chairperson's absence.
- Section 4. The secretary or designee shall edit all minutes of the Council meetings and shall provide proper notice of all meetings scheduled. Regular quarterly meetings shall receive 15 days notice. The secretary shall perform such other duties as prescribed by the Council.

ARTICLE 7

Terms of Members of Council

The membership of the Montana Advisory Council on Indian Education will consist of delegate members serving at the pleasure of their nominating tribe/organization until replaced by their sponsoring agency, or unless said member violates Article 3 of the Montana Advisory Council on Indian Education bylaws. Membership will be reaffirmed every five years.

Vacated positions will be reaffirmed or refilled by each entity/organization within a reasonable time period.

ARTICLE 8

Duties of Members

Members of the Montana Advisory Council on Indian Education ~~members~~ will be responsible for carrying out the purposes and goals of the Constitution. Members shall bring information to the Council ~~from their constituents for consideration. They will also~~ and report back to their constituents ~~regarding Council meetings.~~

The Office of Public Instruction ex-officio member will be a staff person to the MACIE and will assist the Council in their efforts to achieve their goals.

ARTICLE 9

Committees and Appointments

Each member will be assigned to an appropriate working committee. Special and/or ad hoc committees may be established as necessary. Standing committees shall consist of Budget/Legislative, Communications/Public Relations and Evaluation/Data.

The Executive Committee shall consist of the three officers and two members appointed by the Chairperson. The Executive Committee shall:

1. Call special/emergency meetings as deemed necessary;
2. Have the authority to make emergency decisions on behalf of the Council;
3. Seek reaffirmation of decisions from the Council; and
4. Report back to the Council.

ARTICLE 10

Meetings

Regular Advisory Council meetings shall be called quarterly. Special meetings may be called at the discretion of the Council, the Board of Public Education or the Office of Public Instruction in whatever form available.

| Section 1. A quorum for all Council meetings shall consist of ~~seven (7)~~ Six (6) voting members in attendance.

Section 2. A quorum for all Executive Committee meetings shall consist of three (3) members.

Section 3. Regular Council members will select an alternate representative to serve in their absence. Said alternates shall enjoy all the rights and privileges for the regular and special Council meetings. A response shall be returned prior to the meeting date to indicate whether the delegate, the alternate or no one will be representing the tribe/organization at the meetings.

| ~~Approved with Changes~~
~~April 6, 2002~~

CALL TO ORDER

- A. Roll Call**
- B. Statement of Public Participation**
- C. Welcome Visitors**

CONSENT AGENDA

Items may be pulled from Consent Agenda if
requested

- A. Correspondence**
- B. July 12-13th, 2012 Minutes**
- C. Financials**

CORRESPONDENCE



Board of Public Education

PO Box 200601
Helena, Montana 59620-0601
(406) 444-6576
www.bpe.mt.gov

BOARD MEMBERS

APPOINTED MEMBERS:

Patty Myers - Chair
Great Falls

Sharon Carroll - Vice Chair
Ekalaka

Erin Williams
Missoula

Lila Taylor
Busby

Bernie Olson
Lakeside

John Edwards
Billings

Doug Cordier
Columbia Falls

Charity Ratliff, Student Rep.
Hardin

EX OFFICIO MEMBERS:

Clayton Christian
Commissioner of
Higher Education

Denise Juneau,
Superintendent of
Public Instruction

Brian Schweitzer, Governor

EXECUTIVE SECRETARY:

Pete Donovan

July 31, 2012

Mr. Bill Sykes
2711 Shadow Point Cove West
Cordova, TN 38016

Dear Bill,

On behalf of the Board of Public Education, I would like to thank you for all your years of dedicated service to the MSDB. Your stewardship and advocacy for the MSDB over the recent decades have resulted in a myriad of positive improvements at the school during your tenure.

Thank you for your unwavering commitment to the students, families, staff, faculty and administration of the MSDB for all these years. The BPE wishes you and your family the very best.

Sincerely,

A handwritten signature in cursive script that reads "Patty Myers".

Patty Myers
Chair

June 20, 2012

Steve Gettel, Superintendent
Montana School for the Deaf and the Blind
3911 Central Avenue
Great Falls, MT 59405

Dear Steve,

This is to inform you I am resigning from my position as business manager effective September 30, 2012. My last day will be Friday, September 28th.

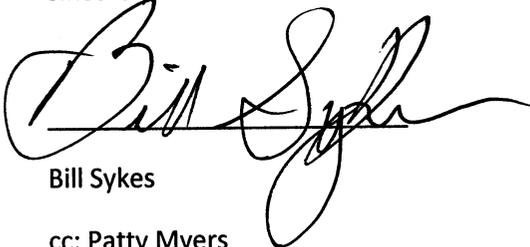
Thank you, Steve, for the many opportunities for professional and personal growth you have provided me. It has been an absolute pleasure working with you, staff at the school, foundation and BPE board members. It has been a hard decision to make as this is a very special place to work. I truly looked forward each and every day coming to work.

I am proud of the many accomplishments we have made in improving educational and social opportunities for students. When I look back we have had many successes with the legislature. The most notable success stories include bringing up salaries for professional staff, expansion of the Outreach Program, and securing funding for building projects. This success comes from building trust with the budget office and the legislature. Like you often say, "it's all about relationships". It is my sincere hope this positive trend continues.

Don't hesitate to contact me if I can be of assistance during the transition to hiring a new business manager. Ideally, I think it is in the schools' best interest if I can work with the new business manager during their first week of employment to go over the duties of my position. I am starting to compile a list.

Again, thank you, Steve.

Sincerely,

A handwritten signature in black ink, appearing to read "Bill Sykes", written over a horizontal line. The signature is fluid and cursive.

Bill Sykes

cc: Patty Myers

Susie McIntyre

MINUTES

BOARD OF PUBLIC EDUCATION
MEETING MINUTES

July 12 – 13th, 2012

**Room 152
Montana State Capitol Building
Helena, MT**

July 12th, 2012
3:00 PM

CALL TO ORDER

Chairperson Ms. Patty Myers called the meeting to order at 2:59 PM.

PUBLIC COMMENT

No public comment was made.

CONSENT AGENDA

Consent agenda approved as presented.

ADOPT AGENDA

Agenda changes were as follows: Item 17, MSDB Report moved to follow Item 8 followed by a closed Executive Session.

Ms. Sharon Carroll moved to adopt the agenda as presented. Mr. Bernie Olson seconded the motion. No discussion; motion passed unanimously.

Board members in attendance: Ms. Patty Myers – Chair, Ms. Sharon Carroll - Vice-Chair, Ms. Erin Williams, Ms. Lila Taylor, Mr. Doug Cordier, Mr. Bernie Olson, Mr. John Edwards, Ms. Charity Ratliff Student Representative. Board Staff present were Mr. Peter Donovan, Executive Director, Ms. Kris Stockton, Administrative Assistant. Ex-Officio members present included Superintendent Denise Juneau, and Associate Commissioner Mr. Tyler Trevor. Guests present included: Maggie Ratliff; Mr. Steve Gettel, Superintendent of MSDB; Ms. Nancy Coopersmith, OPI; Mr. Frank Podobnik, OPI; Mr. Kirk Miller, SAM; Ms. Ann Gilkey, OPI; Mr. Dennis Parman, OPI; Dr. Linda Peterson, OPI; Ms. Teri Wing, OPI; Mr. Jack Copps; Ms. Teresa Stroebe, BPS, Board of Trustees Chair; Mr. Terry Bouck, Billings Public Schools Superintendent.

INFORMATION – (Items are listed as presented)

❖ **EXECUTIVE COMMITTEE –Patty Myers**

Item 1 CHAIRPERSON’S REPORT - Patty Myers

Ms. Myers updated the Board on the recent work revising Mr. Donovan’s job description, retirement of Bill Sykes from MSDB, reviewed her recent travel schedule, and reminded Board members to update Ms. Stockton with their calendar items.

❖ **CSPAC LIASON – Sharon Carroll**

Item 2 EXECUTIVE SECRETARY/CSPAC REPORT – Pete Donovan

Mr. Donovan updated the Board on the CSPAC meeting, presented his list of meetings attended and thanked Ms. Myers and Ms. Carroll for their work in Helena in June. Mr. Donovan also discussed

upcoming legislation regarding education. Mr. Cordier asked how information on upcoming bills and legislation will be disseminated to the Board. It was discussed and decided this topic will be reviewed by Mr. Cordier and Mr. Olson and presented at the November Board meeting.

REPORTS

Item 3 State Superintendent Report – Ms. Denise Juneau

Superintendent Juneau reported on recent meetings and conferences she has attended statewide and regionally. Other items of interest reported on were the upcoming Graduation Matters Montana Summit in Helena, Summer 6 Reading Campaign, and a new hire at the OPI to handle implementation of the Montana Common Core.

Item 4 Commissioner of Higher Education Report – Tyler Trevor

Associate Commissioner for Planning and Analysis, Tyler Trevor gave the report from the Commissioner of Higher Education office. Mr. Trevor updated the Board on staffing in the OCHE office, departure of Associate Commissioner Dr. Sylvia Moore, new Gear Up Director Jan Lombardi and the new focus on student affordability and debt load. Mr. Trevor also reported on the new naming structure for the 2 year colleges.

Item 5 Governor’s Office Report

No one from the Governor’s Office was available to report

Item 6 Student Representative Report – Ms. Charity Ratliff

Ms. Ratliff updated the Board on new programs at Hardin High School for freshman mentoring and the Raising Student Voice and Participation (RSVP) program.

DISCUSSION

Item 7 MONTANA STATEWIDE DROPOUT AND GRADUATION REPORT – Andy Boehm

Mr. Andy Boehm from OPI presented the report to the Board. Mr. Boehm reviewed successes and failures, improvements in graduation rates, and a new system for calculating dropout and completion rates. The definition of “dropout rate” was defined at the request of Board member Cordier who also asked about tracking and how it is calculated. Mr. Bob Vogel asked how Job Corp students were calculated and Mr. Boehm answered questions regarding the Job Corp students, transfer students, and how they are calculated.

Item 8 SPECIAL EDUCATION ANNUAL REPORT – Frank Podobnik

Mr. Frank Podobnik introduced himself to the Board. Mr. Podobnik gave the Board an overview of the Special Education Unit at OPI, reporting requirements for AYP and Special Ed, integration and work with Graduation Matters. Mr. Podobnik noted a detailed report was contained in the Agenda Packet.

❖ MSDB LIAISON – Patty Myers

Item 17 MSDB REPORT – Steve Gettel

Mr. Gettel presented the MSDB Annual Report to the Board. Other items discussed were recruitment issues experienced by the school for teachers and the Outreach Coordinator, and the retirement of Bill Sykes effective September 28, 2012. Mr. Gettel presented a list of new policies for the Board to adopt.

Ms. Sharon Carroll moved to accept MSDB policy numbers 3226, 5229, 5226, 4226, 3420, 3300, and 3310. Ms. Erin Williams seconded the motion. No discussion. Motion passed with Board member Taylor dissenting.

Mr. Gettel presented to the Board an agreement between MSDB and the Montana High School

Association for volleyball for the next 3 years.

Ms. Erin Williams moved to approve the agreement between MSDB and MHSB for volleyball for the next 3 years. Mr. Doug Cordier seconded the motion. No discussion. Motion passed unanimously.

❖ EXECUTIVE SESSION - CLOSED

FRIDAY JULY 13TH, 2012
8:08 AM

❖ ACCREDITATION COMMITTEE – John Edwards

ACTION

PUBLIC COMMENT

The public will be afforded the opportunity to comment before the Board on every action item on the agenda prior to final Board action.

Item 9 RECOMMENDATION OF APPROVAL OF ALTERNATIVE TO STANDARDS REQUESTS – Terri Wing

Ms. Wing presented the list of Alternative to Standards Requests to the Board.

Mr. John Edwards moved to Approve the Recommendation of Alternative to Standards Requests. Ms. Carroll seconded the motion. No discussion. Motion passed unanimously.

Item 10 RECOMMENDATION OF APPROVAL/DISAPPROVAL OF THE CORRECTIVE ACTION PLAN OF THE BILLINGS PUBLIC SCHOOLS (BPS) – Terri Wing, Jack Copps, Terry Bouck BPS Superintendent, Teresa Stroebe BPS Board of Trustees Chair

Mr. Copps addressed the Board and reviewed the Action Plan. Mr. Bouck, new Superintendent of the Billings Public Schools introduced himself to the Board and discussed the issues before the BPS regarding increased enrollment in elementary schools and financial difficulties. Mr. Bouck passed out a packet to the Board containing the Action plan and other informational materials. Ms. Stroebe also addressed the Board and reviewed actions taken in the past and how the Billings Board of Trustees is working to address the issues to help make corrections. Questions were fielded from the Board.

Mr. John Edwards moved to Approve the Corrective Action Plan of the Billings School District. Ms. Lila Taylor seconded the motion. No discussion. Motion passed with Board member Olson dissenting.

Item 11 RECOMMENDATION OF APPROVAL/DISAPPROVAL OF 2012-13 CORRECTIVE ACTION PLANS – Teri Wing

Ms. Wing presented to the Board the corrective action plans from 2 schools and recommended disapproval of those plans since the schools have not changed their plans and continue to be in deficiency.

Mr. John Edwards moved to Disapprove the 2012-13 Corrective Action Plans. Mr. Bernie Olson seconded the motion. No discussion. Motion

passed unanimously.

Item 12 RECOMMENDATION OF APPROVAL OF THE LICENSURE ENDORSEMENT REQUIREMENTS RELATED TO TEACHING ASSIGNMENTS AND THE ACCREDITATION PROCEDURES AND STATUS CRITERIA – Teri Wing

Ms. Wing clarified this item for the Board. The licensure codes have been changed in some areas for clarification and the Accreditation Reference Guide has been updated to match new Chapter 55 Standards. Mr. Cordier asked if there is a licensure endorsement code for School Psychiatrists. Ms. Wing said she will find out and report back to the Board. Ms. Carroll asked if this is contingent upon adoption of the Chapter 55 Standards and Ms. Wing replied it is due to the proposed Chapter 55 changes.

Mr. John Edwards moved to approve the Licensure Endorsement Requirements Related to Teaching Assignments and the Accreditation Procedures and Status Criteria. Mr. Cordier seconded the motion.

Mr. Olson asked if these changes would have any effect on the Billings Public Schools issue. Mr. Dennis Parman answered that 6 schools would improve to regular accreditation and that proposed changes also provide districts with the ability to write variances to standards to meet the standards.

No further discussion. Motion passed unanimously.

Item 13 RECOMMENDATION OF APPROVAL/DISAPPROVAL OF THE NOTICE OF PUBLIC HEARING AND TIMELINE PERTAINING TO THE AMENDMENTS OF ADMINISTRATIVE RULES OF MONTANA AND TITLE 10, CHAPTER 55 STANDARDS OF ACCREDITATION – Dr. Linda Peterson

Dr. Peterson presented the Notice of Public Hearing and Timeline for the Chapter 55 changes and requested the Board's approval. Mr. Olson thanked OPI for their work. Ms. Carroll asked for clarification on 10.55.705 if there was a change to the rule or just language cleanup. Mr. Parman added it will simply change the way some schools need to report their school information.

Mr. John Edwards moved to approve the Notice of Public Hearing and Timeline Pertaining to the Amendments of Administrative Rules of Montana and Title 10, Chapter 55 Standards of Accreditation. Mr. Olson seconded the motion.

Ms. Myers clarified for the Board the approval of the motion is simply to adopt the timeline and the Notice of Public Hearing, and is not the approval of the proposed Standards.

No discussion. Motion passed unanimously.

Ms. Myers also expressed her appreciation to OPI for their facilitation and organization of all the meetings. Mr. Donovan asked Board members if any concerns or comments are received by BPE members from their communities to direct these individuals to the Public Hearing on August 20th to testify or to provide written comments.

❖ ASSESSMENT COMMITTEE – Sharon Carroll

Item 14 RECOMMENDATION OF APPROVAL/DISAPPROVAL OF THE NOTICE OF PUBLIC HEARING AND TIMELINE PERTAINING TO THE AMENDMENTS OF ADMINISTRATIVE RULES OF MONTANA TITLE 10, CHAPTER 56 STUDENT ASSESSMENT – Judy Snow

Ms. Snow presented to the Board the Notice of Public Hearing and Timeline for the Chapter 56

Assessment changes and requested the Board's approval.

Ms. Sharon Carroll moved to approve the Notice of Public Hearing and Timeline Pertaining to the Amendments of Administrative Rules of Montana Title 10, Chapter 56 Student Assessment. Mr. Bernie Olson seconded the motion. No discussion. Motion passed unanimously.

❖ **LICENSURE COMMITTEE – Sharon Carroll**

Item 15 RECOMMEND APPROVAL OF STATE EXIT REPORT AND REGULAR ACCREDITATION STATUS OF THE PROFESSIONAL EDUCATION UNIT AT CARROLL COLLEGE – Dr. Linda Peterson, Barbara Vail-Accreditation Review Team, Lynette Zuroff, Director of Teacher Education, Carroll College

Dr. Peterson recommended the Board to approve the Exit Report for Regular Accreditation Status of the Professional Education Unit at Carroll College. Dr. Peterson read a statement from Dr. Barbara Vail who was unable to attend, and Dr. Zuroff from Carroll College addressed the Board.

Ms. Sharon Carroll moved to approve the State Exit Report and Regular Accreditation Status of the Professional Education Unit at Carroll College. Mr. Doug Cordier seconded the motion. No discussion. Motion passed unanimously.

Item 16 RECOMMEND APPROVAL OF THE ACTION PLAN AS PRESENTED BY THE PROFESSIONAL EDUCATION UNIT AT MONTANA STATE UNIVERSITY-NORTHERN – Dr. Linda Peterson, Carol Reifschneider, MSU-N Acting Dean of Education, Arts and Sciences and Nursing

Dr. Peterson reviewed the action plan for MSU-Northern Professional Education Unit to correct deficiencies. Dr. Reifschneider discussed the development of the plan and the process used to create it. Dr. Peterson requested approval of the Action Plan.

Ms. Sharon Carroll moved to approve the Action Plan as Presented by the Professional Education Unit at Montana State University-Northern. Mr. Bernie Olson seconded the motion. No discussion. Motion passed unanimously.

❖ **EXECUTIVE SESSION (CLOSED)**

Item 18 EXECUTIVE SESSION – DISCUSS EXECUTIVE DIRECTOR SALARY (CLOSED) – Patty Myers

Meeting closed at 10:45. Meeting resumed at 11:42.

Ms. Erin Williams moved to set Executive Director salary at \$80,000/year. Mr. John Edwards seconded the motion.

The Executive Director's salary will backdate to July 1st, 2012.

Motion passed with Board member Taylor dissenting.

Meeting adjourned at 11:45 AM.

The Montana Board of Public Education is a Renewal Unit Provider. Attending a Board of Public Education Meeting may qualify you to receive renewal units. One hour of contact time = 1 renewal unit up to 8 renewal units per day. Please complete the necessary information on the sign-in sheet if you are applying for renewal units.

FINANCIALS

REPORT ID: MTGL0106-0
 BUS. UNIT: 51010 Board of Public Education
 FOR THE FY PERIOD: JULY 2013
 ORG: ALL - All Organization Rollup
 MGR NAME: MELOY, STEVE
 ELAPSED TIME YTD: 8%

ACCOUNT	FUND	PROG	ESTIMATE	RECOGNIZED	BALANCE
PART-B BUDGET REVENUE ACCOUNT SUMMARY	01100	2013	400.00		400.00
512030 Accommodations Tax			400.00		400.00
TOTAL FUND 01100 General Fund			400.00		400.00
TOTAL PROGRAM 2013			400.00		400.00
TOTAL PART-B BUDGET REVENUE ACCOUNT SUMMARY			400.00		400.00

PART-A ACTUAL EXPENSE ACCOUNT SUMMARY

ACCOUNT

FUND	CURRENT MONTH	CURRENT YEAR	CM PRIOR YR	PRIOR YEAR	ELAPSED TIME YTD:	8%
					CURR+PRIOR	
01100	297.69	297.69			297.69	
61101 Regular		297.69				
01100	21.42	21.42			21.42	
61401 FICA		21.42				
01100	32.98	32.98			32.98	
61403 Group Insurance		32.98				
01100	4.55	4.55			4.55	
61404 Workers Compensation Insur		4.55				
01100	1.33	1.33			1.33	
61410 State Unemployment Tax		1.33				
01100	29.33	29.33			29.33	
61411 Teachers Retirement		29.33				
TOTAL	89.61	89.61			89.61	
61400 Employee Benefits		89.61				
TOTAL	387.30	387.30			387.30	
61000 Personal Services		387.30				
62104 Insurance & Bonds		294.00			294.00	
62114A Workers' Comp Program Fees		57.00			57.00	
01100	98.38	98.38			98.38	
62148 SABHRS Administrative Costs		98.38				
01100	2,200.00	2,200.00			2,200.00	
62199 General		2,200.00				
TOTAL	2,649.38	2,649.38			2,649.38	
62100 Other Services		2,649.38				
62212 Photo & Reproduction		57.06			57.06	
01100	19.01	19.01			19.01	
62236 Ofc Supplies/Central Stores		19.01				
01100	109.01	109.01			109.01	
62280 Program Expense		109.01				
01100	185.08	185.08			185.08	
62200 Supplies & Materials		185.08				
TOTAL	684.66	684.66			684.66	
62304 Postage & Mailing		34.65			34.65	
01100	719.31	719.31			719.31	
62319 Cellular Phones		719.31				
TOTAL	2,131.16	2,131.16			2,131.16	
62489 Non-Employee In State Mileage		386.00			386.00	
01100	1,353.18	1,353.18			1,353.18	
62490 Non-Employee In State Meals		1,353.18				
01100	3,870.34	3,870.34			3,870.34	
62497 Non-Employee In-State Lodging		3,870.34				
01100	1,138.26	1,138.26			1,138.26	
62400 Travel		1,138.26				
TOTAL	55.00	55.00			55.00	
62528 Rent-Non Dept of Admin		55.00				
01100	62.00	62.00			62.00	
62768 Property Management Expenses		62.00				
01100	8,679.37	8,679.37			8,679.37	
62878 Parking Fees		8,679.37				
TOTAL	146.57	146.57			146.57	
69301 Principal - Leases		1.91			1.91	
01100	148.48	148.48			148.48	
69302 Interest - Leases		148.48				
01100	9,215.15	9,215.15			9,215.15	
69300 Capital Leases		9,215.15				
TOTAL	9,215.15	9,215.15			9,215.15	
FUND 01100 General Fund		9,215.15				
TOTAL	9,215.15	9,215.15			9,215.15	
PART-A ACTUAL EXPENSE ACCOUNT SUMMARY		9,215.15				
ACCOUNT						
61000 Personal Services		175,367.00			174,979.70	
62000 Operating Expenses		45,775.00			37,095.63	
69000 Debt Service		891.00			148.48	
TOTAL SUB-CLS 235H1 ADMINISTRATION		222,033.00			212,817.85	
TOTAL FUND 01100 General Fund		222,033.00			212,817.85	
PART-B BUDGET EXPENSE ACCOUNT SUMMARY						
ACCOUNT						
61000 Personal Services		175,367.00			387.30	
62000 Operating Expenses		45,775.00			8,679.37	
69000 Debt Service		891.00			148.48	
TOTAL SUB-CLS 235H1 ADMINISTRATION		222,033.00			9,215.15	
TOTAL FUND 01100 General Fund		222,033.00			9,215.15	
PART-A ACTUAL EXPENSE ACCOUNT SUMMARY		9,215.15				
ACCOUNT						
61000 Personal Services		175,367.00			174,979.70	
62000 Operating Expenses		45,775.00			37,095.63	
69000 Debt Service		891.00			148.48	
TOTAL SUB-CLS 235H1 ADMINISTRATION		222,033.00			212,817.85	
TOTAL FUND 01100 General Fund		222,033.00			212,817.85	

ENCUMBERED EXPENDED BALANCE %

PART-B BUDGET EXPENSE ACCOUNT SUMMARY		FUND	PROG	SUB-CLS	BUDGET	ENCUMBERED	EXPENDED	ELAPSED TIME YTD:
ACCOUNT		TOTAL PROGRAM 2013			222,033.00		9,215.15	%
TOTAL PART-B BUDGET EXPENSE ACCOUNT SUMMARY		222,033.00					212,817.85	4
PART-C CURR MONTH DETAIL EXPENSE TRANSACTIONS								
JRNAL-ACCNT	JRNAL-ID	DATE	JRNAL-LN	DESCRIPTION	AMOUNT	VCHR-ID	VENDOR NAME	
61101	PAY2376371	07/24/2012	000004	PPE 7/13/2012 LN1 FY2013	297.69			
61401	PAY2376371	07/24/2012	000007	PPE 7/13/2012 LN1 FY2013	21.42			
61403	PAY2376371	07/24/2012	000011	PPE 7/13/2012 LN1 FY2013	32.98			
61404	PAY2376371	07/24/2012	000014	PPE 7/13/2012 LN1 FY2013	4.55			
61410	PAY2376371	07/24/2012	000017	PPE 7/13/2012 LN1 FY2013	1.33			
61411	PAY2376371	07/24/2012	000020	PPE 7/13/2012 LN1 FY2013	29.33			
62104	0002367040	07/10/2012	000001	Insurance & Bonds	294.00			
62114A	0002366950	07/10/2012	000001	Workers' Comp Program Fees	57.00			
62148	0002376684	07/24/2012	000001	SABHRS Administrative Costs	98.38			
62199	0002376686	07/24/2012	000001	General	2,200.00			
62212	ACC2374724	07/19/2012	000007	Expense Distribution	36.80	00002653	TOPAC U S A INC	
62212	ACC2376983	07/25/2012	000008	Expense Distribution	10.13	00002655	USBANCORP EQUIPMENT FINANCE INC	
62212	ACC2393172	07/30/2012	000012	Expense Distribution	10.13	00002636	USBANCORP EQUIPMENT FINANCE INC	
TOTAL	62212	Photo & Reproduction			57.06			
62236	0002376677	07/24/2012	000001	Ofc Supplies/Central Stores	19.01			
62280	ACC2378136	07/26/2012	000004	Expense Distribution	17.67	00002656	ALBERTSONS INC	
62280	ACC2393172	07/30/2012	000014	Expense Distribution	35.17	00002637	BRESNAN COMMUNICATIONS LLC	
62280	ACC2393816	07/31/2012	000008	Expense Distribution	35.17	00002660	BRESNAN COMMUNICATIONS LLC	
62280	ACC2393816	07/31/2012	000010	Expense Distribution	21.00	00002658	LEHRKINDS INC	
TOTAL	62280	Program Expense			109.01			
62304	0002393323	07/31/2012	000001	Postage & Mailing	684.66			
62319	ACC2374724	07/19/2012	000010	Expense Distribution	34.65	00002654	PETER DONOVAN	
62489	ACC2374096	07/18/2012	000054	Expense Distribution	98.78	00002651	PATTY MYERS	
62489	ACC2374096	07/18/2012	000055	Expense Distribution	267.50	00002650	JOHN EDWARDS	
62489	ACC2374096	07/18/2012	000056	Expense Distribution	128.76	00002649	ERIN WILLIAMS	
62489	ACC2374096	07/18/2012	000057	Expense Distribution	508.38	00002648	SHARON CARROLL	
62489	ACC2374096	07/18/2012	000058	Expense Distribution	374.06	00002647	LILA V TAYLOR	
62489	ACC2374096	07/18/2012	000059	Expense Distribution	317.46	00002644	CHARITY RATLIFF	
62489	ACC2374096	07/18/2012	000061	Expense Distribution	213.12	00002646	BERNIE OLSON	
62489	ACC2374096	07/18/2012	000062	Expense Distribution	223.10	00002645	DOUGLAS CORDIER	

ACCNT	JRNL-ID	DATE	JRNL-LN	DESCRIPTION	AMOUNT	VCHR-ID	VENDOR NAME
TOTAL	62489		Non-Employee	In State Mileage	2,131.16		
62490	ACC2374096	07/18/2012	000068	Expense Distribution	46.00	00002651	PATTY MYERS
62490	ACC2374096	07/18/2012	000069	Expense Distribution	23.00	00002650	JOHN EDWARDS
62490	ACC2374096	07/18/2012	000070	Expense Distribution	40.00	00002649	ERIN WILLIAMS
62490	ACC2374096	07/18/2012	000071	Expense Distribution	69.00	00002648	SHARON CARROLL
62490	ACC2374096	07/18/2012	000072	Expense Distribution	52.00	00002647	LILA V TAYLOR
62490	ACC2374096	07/18/2012	000073	Expense Distribution	52.00	00002646	BERNIE OLSON
62490	ACC2374096	07/18/2012	000076	Expense Distribution	52.00	00002645	DOUGLAS CORDIER
62490	ACC2374096	07/18/2012	000077	Expense Distribution	52.00	00002644	CHARITY RATLIFF
TOTAL	62490		Non-Employee	In State Meals	386.00		
62497	ACC2374096	07/18/2012	000082	Expense Distribution	179.62	00002651	PATTY MYERS
62497	ACC2374096	07/18/2012	000083	Expense Distribution	83.00	00002650	JOHN EDWARDS
62497	ACC2374096	07/18/2012	000084	Expense Distribution	179.62	00002649	ERIN WILLIAMS
62497	ACC2374096	07/18/2012	000085	Expense Distribution	179.62	00002648	SHARON CARROLL
62497	ACC2374096	07/18/2012	000086	Expense Distribution	179.62	00002647	LILA V TAYLOR
62497	ACC2374096	07/18/2012	000087	Expense Distribution	179.62	00002646	BERNIE OLSON
62497	ACC2374096	07/18/2012	000088	Expense Distribution	192.46	00002644	CHARITY RATLIFF
62497	ACC2374096	07/18/2012	000091	Expense Distribution	179.62	00002645	DOUGLAS CORDIER
TOTAL	62497		Non-Employee	In-State Lodging	1,353.18		
62528	ACC2393172	07/30/2012	000016	Expense Distribution	560.72	00002635	DEEM INVESTMENTS LLC
62528	ACC2393816	07/31/2012	000011	Expense Distribution	577.54	00002659	DEEM INVESTMENTS LLC
TOTAL	62528		Rent-Non Dept of Admin		1,138.26		
62768	ACC2393172	07/30/2012	000018	Expense Distribution	55.00	00002636	USBANCORP EQUIPMENT FINANCE INC
62878	ACC2392663	07/28/2012	000004	Expense Distribution	62.00	00002657	HELENA CITY OF TREASURER
69301	ACC2376983	07/25/2012	000010	Expense Distribution	72.33	00002655	USBANCORP EQUIPMENT FINANCE INC
69301	ACC2393172	07/30/2012	000019	Expense Distribution	74.24	00002636	USBANCORP EQUIPMENT FINANCE INC
TOTAL	69301		Principal - Leases		146.57		
69302	ACC2376983	07/25/2012	000011	Expense Distribution	1.91	00002655	USBANCORP EQUIPMENT FINANCE INC
TOTAL	PART-C		CURR MONTH DETAIL	EXPENSE TRANSACTIONS	9,215.15		

PART-A ACTUAL EXPENSE ACCOUNT SUMMARY

FUND	CURRENT MONTH	CURRENT YEAR	CM PRIOR YR	PRIOR YEAR	ELAPSED TIME YTD:	%
02122	1,339.04	1,339.04			CURR+PRIOR	8%
61101 Regular	1,339.04	1,339.04				
61401 FICA	98.96	98.96				98.96
61402 Retirement - Other	96.01	96.01				96.01
61403 Group Insurance	366.50	366.50				366.50
61404 Workers Compensation Insur	20.49	20.49				20.49
61410 State Unemployment Tax	6.03	6.03				6.03
TOTAL 61400 Employee Benefits	587.99	587.99				587.99

TOTAL 61000 Personal Services 1,927.03 1,927.03

TOTAL FUND 02122 Advisory Council 1,927.03 1,927.03

TOTAL PART-A ACTUAL EXPENSE ACCOUNT SUMMARY 1,927.03 1,927.03

PART-B BUDGET EXPENSE ACCOUNT SUMMARY

FUND	PROG	SUB-CLS	BUDGET	ENCUMBERED	EXPENDED	BALANCE	%
02122	2013	235H1	113,320.00		1,927.03	111,392.97	2
61000 Personal Services			113,320.00		1,927.03	111,392.97	2
TOTAL SUB-CLS 235H1 ADMINISTRATION			113,320.00		1,927.03	111,392.97	2
TOTAL FUND 02122 Advisory Council			113,320.00		1,927.03	111,392.97	2

TOTAL PROGRAM 2013 113,320.00 1,927.03

TOTAL PART-B BUDGET EXPENSE ACCOUNT SUMMARY 113,320.00 1,927.03

PART-C CURR MONTH DETAIL EXPENSE TRANSACTIONS

ACCNT	JRNL-ID	DATE	JRNL-LN	DESCRIPTION	AMOUNT	VCHR-ID	VENDOR NAME
61101	PAY2376371	07/24/2012	000005	PPE 7/13/2012 LN1 FY2013	1,339.04		
61401	PAY2376371	07/24/2012	000008	PPE 7/13/2012 LN1 FY2013	98.96		
61402	PAY2376371	07/24/2012	000010	PPE 7/13/2012 LN1 FY2013	96.01		
61403	PAY2376371	07/24/2012	000012	PPE 7/13/2012 LN1 FY2013	366.50		
61404	PAY2376371	07/24/2012	000015	PPE 7/13/2012 LN1 FY2013	20.49		
61410	PAY2376371	07/24/2012	000018	PPE 7/13/2012 LN1 FY2013	6.03		

TOTAL PART-C CURR MONTH DETAIL EXPENSE TRANSACTIONS 1,927.03

PART-A ACTUAL EXPENSE ACCOUNT SUMMARY		CURRENT MONTH	CURRENT YEAR	CM PRIOR YR	PRIOR YEAR	ELAPSED TIME YTD:	8%	
ACCOUNT	FUND					CURR+PRIOR		
61101 Regular	02219	3,010.00	3,010.00			3,010.00		
61301 Per Diem	02219	650.00	650.00			650.00		
61401 FICA	02219	216.53	216.53			216.53		
61403 Group Insurance	02219	333.52	333.52			333.52		
61404 Workers Compensation Insur	02219	46.06	46.06			46.06		
61410 State Unemployment Tax	02219	13.55	13.55			13.55		
61411 Teachers Retirement	02219	296.48	296.48			296.48		
TOTAL 61400 Employee Benefits		906.14	906.14			906.14		
TOTAL 61000 Personal Services		4,566.14	4,566.14			4,566.14		
62104 Insurance & Bonds	02219	294.00	294.00			294.00		
62114A Workers' Comp Program Fees	02219	57.00	57.00			57.00		
62148 SABHRS Administrative Costs	02219	98.37	98.37			98.37		
TOTAL 62100 Other Services		449.37	449.37			449.37		
62212 Photo & Reproduction	02219	57.05	57.05			57.05		
62236 Ofc Supplies/Central Stores	02219	19.00	19.00			19.00		
62241 Office Sup/Minor Equip-NonStat	02219	13.75	13.75			13.75		
62280 Program Expense	02219	109.01	109.01			109.01		
TOTAL 62200 Supplies & Materials		198.81	198.81			198.81		
62304 Postage & Mailing	02219	684.66	684.66			684.66		
62319 Cellular Phones	02219	34.65	34.65			34.65		
TOTAL 62300 Communications		719.31	719.31			719.31		
62489 Non-Employee In State Mileage	02219	1,157.71	1,157.71			1,157.71		
62490 Non-Employee In State Meals	02219	193.00	193.00			193.00		
62497 Non-Employee In-State Lodging	02219	449.05	449.05			449.05		
TOTAL 62400 Travel		1,799.76	1,799.76			1,799.76		
62528 Rent-Non Dept of Admin	02219	1,138.24	1,138.24			1,138.24		
62768 Property Management Expenses	02219	54.99	54.99			54.99		
62878 Parking Fees	02219	62.00	62.00			62.00		
TOTAL 62000 Operating Expenses		4,422.48	4,422.48			4,422.48		
69301 Principal - Leases	02219	146.55	146.55			146.55		
69302 Interest - Leases	02219	1.91	1.91			1.91		
TOTAL 69300 Capital Leases		148.46	148.46			148.46		
TOTAL FUND 02219 Research Fund		9,137.08	9,137.08			9,137.08		
TOTAL PART-A ACTUAL EXPENSE ACCOUNT SUMMARY		9,137.08	9,137.08			9,137.08		
PART-B BUDGET EXPENSE ACCOUNT SUMMARY		FUND	PROG	SUB-CLS	BUDGET	ENCUMBERED	EXPENDED	%
61000 Personal Services	02219	2013	235H1		12,000.00		4,566.14	38
62000 Operating Expenses	02219	2013	235H1		62,111.00		4,422.48	7
69000 Debt Service	02219	2013	235H1		891.00		148.46	17
TOTAL SUB-CLS 235H1 ADMINISTRATION					75,002.00		9,137.08	12
TOTAL FUND 02219 Research Fund					75,002.00		9,137.08	12

PART-B BUDGET EXPENSE ACCOUNT SUMMARY	FUND	PROG	SUB-CLS	BUDGET	ENCUMBERED	EXPENDED	ELAPSED TIME YTD:	8%
ACCOUNT				75,002.00		9,137.08	BALANCE	%
TOTAL PROGRAM 2013							65,864.92	12
TOTAL PART-B BUDGET EXPENSE ACCOUNT SUMMARY				75,002.00		9,137.08	65,864.92	12

PART-C	CURR MONTH	DETAIL	EXPENSE	TRANSACTIONS	AMOUNT	VCHR-ID	VENDOR NAME
ACCNT	JRNL-ID	DATE	JRNL-LN	DESCRIPTION			
61101	PAY2376371	07/24/2012	000006	PPE 7/13/2012 LN1 FY2013	3,010.00		
61301	ACC2374096	07/18/2012	000048	Expense Distribution	150.00	00002651	PATTY MYERS
61301	ACC2374096	07/18/2012	000049	Expense Distribution	50.00	00002650	JOHN EDWARDS
61301	ACC2374096	07/18/2012	000050	Expense Distribution	100.00	00002649	ERIN WILLIAMS
61301	ACC2374096	07/18/2012	000051	Expense Distribution	150.00	00002647	LILA V TAYLOR
61301	ACC2374096	07/18/2012	000052	Expense Distribution	150.00	00002646	BERNIE OLSON
61301	ACC2374096	07/18/2012	000053	Expense Distribution	50.00	00002641	DONALD K REED
TOTAL	61301	Per Diem			650.00		
61401	PAY2376371	07/24/2012	000009	PPE 7/13/2012 LN1 FY2013	216.53		
61403	PAY2376371	07/24/2012	000013	PPE 7/13/2012 LN1 FY2013	333.52		
61404	PAY2376371	07/24/2012	000016	PPE 7/13/2012 LN1 FY2013	46.06		
61410	PAY2376371	07/24/2012	000019	PPE 7/13/2012 LN1 FY2013	13.55		
61411	PAY2376371	07/24/2012	000021	PPE 7/13/2012 LN1 FY2013	296.48		
62104	0002367040	07/10/2012	000002	Insurance & Bonds	294.00		
62114A	0002366950	07/10/2012	000002	Workers' Comp Program Fees	57.00		
62148	0002376684	07/24/2012	000002	SABHRS Administrative Costs	98.37		
62212	ACC2374724	07/19/2012	000006	Expense Distribution	36.79	00002653	TOPAC U S A INC
62212	ACC2376983	07/25/2012	000007	Expense Distribution	10.13	00002655	USBANCORP EQUIPMENT FINANCE INC
62212	ACC2393172	07/30/2012	000011	Expense Distribution	10.13	00002636	USBANCORP EQUIPMENT FINANCE INC
TOTAL	62212	Photo & Reproduction			57.05		
62236	0002376677	07/24/2012	000002	Ofc Supplies/Central Stores	19.00		
62241	ACC2374724	07/19/2012	000008	Expense Distribution	13.75	00002652	HELENA STAMP WORKS & ENGRAVING LLC
62280	ACC2378136	07/26/2012	000003	Expense Distribution	17.67	00002656	ALBERTSONS INC
62280	ACC2393172	07/30/2012	000013	Expense Distribution	35.17	00002637	BRESNAN COMMUNICATIONS LLC
62280	ACC2393816	07/31/2012	000007	Expense Distribution	35.17	00002660	BRESNAN COMMUNICATIONS LLC
62280	ACC2393816	07/31/2012	000009	Expense Distribution	21.00	00002658	LEHRKINDS INC
TOTAL	62280	Program Expense			109.01		
62304	0002393323	07/31/2012	000002	Postage & Mailing	684.66		
62319	ACC2374724	07/19/2012	000009	Expense Distribution	34.65	00002654	PETER DONOVAN

PART-C CURR MONTH DETAIL EXPENSE TRANSACTIONS
 ELAPSED TIME YTD: 8%

ACCNT	JRNL-ID	DATE	JRNL-LN	DESCRIPTION	AMOUNT	VCHR-ID	VENDOR NAME
62489	ACC2374096	07/18/2012	000060	Expense Distribution	200.90	00002643	CYNTHIA G ODELL
62489	ACC2374096	07/18/2012	000063	Expense Distribution	267.50	00002641	DONALD K REED
62489	ACC2374096	07/18/2012	000064	Expense Distribution	213.12	00002640	SHARON APPELEGATE
62489	ACC2374096	07/18/2012	000065	Expense Distribution	248.64	00002639	PATTY MUIR
62489	ACC2374096	07/18/2012	000066	Expense Distribution	98.79	00002638	TAMMY LACEY
62489	ACC2374096	07/18/2012	000067	Expense Distribution	128.76	00002642	JANICE BISHOP
TOTAL	62489	Non-Employee In State Mileage			1,157.71		
62490	ACC2374096	07/18/2012	000074	Expense Distribution	35.00	00002643	CYNTHIA G ODELL
62490	ACC2374096	07/18/2012	000075	Expense Distribution	35.00	00002642	JANICE BISHOP
62490	ACC2374096	07/18/2012	000078	Expense Distribution	35.00	00002640	SHARON APPELEGATE
62490	ACC2374096	07/18/2012	000079	Expense Distribution	35.00	00002639	PATTY MUIR
62490	ACC2374096	07/18/2012	000080	Expense Distribution	18.00	00002638	TAMMY LACEY
62490	ACC2374096	07/18/2012	000081	Expense Distribution	35.00	00002641	DONALD K REED
TOTAL	62490	Non-Employee In State Meals			193.00		
62497	ACC2374096	07/18/2012	000089	Expense Distribution	89.81	00002643	CYNTHIA G ODELL
62497	ACC2374096	07/18/2012	000090	Expense Distribution	89.81	00002642	JANICE BISHOP
62497	ACC2374096	07/18/2012	000092	Expense Distribution	89.81	00002640	SHARON APPELEGATE
62497	ACC2374096	07/18/2012	000093	Expense Distribution	89.81	00002639	PATTY MUIR
62497	ACC2374096	07/18/2012	000094	Expense Distribution	89.81	00002641	DONALD K REED
TOTAL	62497	Non-Employee In-State Lodging			449.05		
62528	ACC2393172	07/30/2012	000015	Expense Distribution	560.71	00002635	DEEM INVESTMENTS LLC
62528	ACC2393816	07/31/2012	000012	Expense Distribution	577.53	00002659	DEEM INVESTMENTS LLC
TOTAL	62528	Rent-Non Dept of Admin			1,138.24		
62768	ACC2393172	07/30/2012	000017	Expense Distribution	54.99	00002636	USBANCORP EQUIPMENT FINANCE INC
62878	ACC2392663	07/28/2012	000003	Expense Distribution	62.00	00002657	HELENA CITY OF TREASURER
69301	ACC2376983	07/25/2012	000009	Expense Distribution	72.32	00002655	USBANCORP EQUIPMENT FINANCE INC
69301	ACC2393172	07/30/2012	000020	Expense Distribution	74.23	00002636	USBANCORP EQUIPMENT FINANCE INC
TOTAL	69301	Principal - Leases			146.55		
69302	ACC2376983	07/25/2012	000012	Expense Distribution	1.91	00002655	USBANCORP EQUIPMENT FINANCE INC
TOTAL	PART-C	CURR MONTH DETAIL EXPENSE TRANSACTIONS			9,137.08		

INFORMATION

❖ REPORTS - Patty Myers (Item 1)

ITEM 1

CHAIRPERSON'S REPORT

Patty Myers

- **Set BPE Annual Calendar**
- **BPE Committee Appointments**
- **Review of BPE Goals**
- **Discuss Legislative Committee Process**

BOARD OF PUBLIC EDUCATION
APPEARANCES

2013-2014 SCHEDULE

2013

January 17-18, 2013 (1 day conference call)	Helena, MT
March 14-15, 2013	Helena, MT
May 9-10, 2013	Great Falls, MT
July 17-19, 2013	Helena, MT
September 12-13, 2013	TBD
November 14-15, 2013 (1 day?)	Helena, MT

2014

January 16-17 th , 2014 (1 day conference call)	Helena, MT
March 13-14, 2014	Helena, MT
May 8-9 th , 2014	Great Falls, MT
July 16-18, 2014	Helena, MT
September 11-12, 2014	TBD
November 13-14 th , 2014	Helena, MT

Board of Public Education
Committee Assignments
2012-2013

STANDING COMMITTEES

Executive Committee

Patty Myers, Chair
Sharon Carroll, Vice Chair
Peter Donovan

Accreditation Committee

John Edwards, Chair
Bernie Olson, Member
Erin Williams, Member
Lila Taylor, Member
Patty Myers, Ex-Officio Member

Licensure Committee

Sharon Carroll, Chair
Lila Taylor, Member
Patty Myers, Ex-Officio Member

MSDB Committee

Patty Myers, Chair
Bernie Olson, Member
Sharon Carroll, Member
Lila Taylor, Member

Legislative Committee

Bernie Olson, Chair
Doug Cordier, Member
Lila Taylor, Member
Charity Ratliff, Member
Patty Myers, Ex-Officio Member

Assessment Committee

Sharon Carroll, Chair
Patty Myers, Ex-Officio Member

ADVISORY GROUP LIAISONS

Sharon Carroll, CSPAC
Doug Cordier, MACIE
Patty Myers, MSDB Foundation

Indian Education for All

Doug Cordier
Patty Myers, Ex-Officio Member

Distance Learning/Montana Digital Academy

Patty Myers, Chair

LEGISLATIVE COMMITTEE

Education and Local Government
Interim K-12 Subcommittee

Patty Myers
Sharon Carroll
Peter Donovan

BPE MISSION STATEMENT AND GOALS

Mission Statement: The Montana Constitution created and empowered the Board of Public Education to supervise, serve, maintain, and strengthen Montana's system of free quality public elementary and secondary schools. .

GOALS:

Goal 1: Promote a safe learning environment.

Goal 2: Evaluate the Board's accreditation standards to ensure they are contemporary and effective to improve quality education for all Montana students.

Goal 3: Provoke quality teaching and administration in an era of change in 21st century learning.

Goal 4: To be proactive in exercising the Board's constitutional and statutory authority to improve schools.

Goal 5: Foster necessary educational **innovation** to prepare all Montana student's for work, post-secondary education, and civic life.

Goal 6: Recognize and fulfill the Board's statutory obligation to the School for the Deaf and Blind.

❖ CSPAC LIAISON (Item 2)
Sharon Carroll

ITEM 2

EXECUTIVE SECRETARY/CSPAC REPORT

Peter Donovan

Meetings Attended by Peter Donovan
05/12/12 to 09/13/12

July

1. Board of Public Education, Helena 07/12,13/12
2. Dept. of Administration, Linda Davis 07/18/12
RE: New BPE/CSPAC Admin. Asst. Position
3. Graduation Matters Summit 07/23,24/12
4. Conference Call, Patty Myers, Steve Gettel 07/25/12
RE: MSDB Update
5. Rene Dubay and Steve York 07/27/12
RE: Financial Literacy Initiative
6. Conference Call on Financial Literacy Initiative 07/30/12

August

7. Milken Award Screening Committee, OPI 08/01/12
8. Montana Digital Academy Board, Conference Call 08/17/12
9. BPE Hearing on Chapter 55 ARM rules 08/20/12
10. BPE Hearing on Chapter 56 ARM rules on Assessment 08/21/12
11. Preparation of Chapter 55 Notice of Adoption/Amend. 08/23/12
12. Preparation of Chapter 55 Notice of Adoption/Amend. 08/24/12
13. Preparation of Chapter 55 Notice of Adoption/Amend. 08/27/12
14. Agency Legal Services, Review of Chapter 55 08/28/12
15. MSDB Committee Meeting 08/29/12
16. Preparation of Chapter 55 Notice of Adoption/Amend. 08/30/12
17. Ross Johnson, LFD, School Transportation Study 08/31/12

September

18. School Staffing Project, Leadership Team 09/04/12
19. Board of Public Education, Wolf Point 09/13,14/12

❖ **REPORTS – Patty Myers (Items 3-6)**

ITEM 3

STATE SUPERINTENDENT'S REPORT

State Superintendent Denise Juneau

ITEM 4

**COMMISSIONER OF HIGHER
EDUCATION'S REPORT**

Commissioner Clayton Christian

ITEM 5

GOVERNOR'S OFFICE REPORT

Dan Villa

ITEM 6

STUDENT REPRESENTATIVE REPORT

Charity Ratliff



EXECUTIVE COMMITTEE
Patty Myers – Item 7

ITEM 7

FEDERAL UPDATE

Nancy Coopersmith

EXECUTIVE SUMMARY

DATE: SEPTEMBER 2012

PRESENTATION: Federal Update

PRESENTER: Nancy Coopersmith
Assistant Superintendent
Office of Public Instruction

OVERVIEW: This report includes the results of the 2012 determinations for Montana schools and districts of Adequate Yearly Progress (AYP) as required by the Elementary and Secondary Education Act (ESEA). States accepting funding under programs in the ESEA must determine AYP for all schools and districts in the state. In addition, the information to be presented will include the federal budget process, including the possible sequestration of funding for some federal education programs and preliminary guidance concerning the sequestration process from the U.S. Department of Education.

REQUESTED DECISION(S): None

OUTLYING ISSUE(S): None

RECOMMENDATION(S): There are no recommendations. This is an informational update.

FOR IMMEDIATE RELEASE

August 3, 2012

Contact: Allyson Hagen, (406) 444-3160, ahagen2@mt.gov

**Adequate Yearly Progress Report Released on Montana Schools
Test Scores Demonstrate Growth and Improved Student Achievement**

HELENA - Superintendent of Public Instruction Denise Juneau today released the tenth annual Adequate Yearly Progress report (AYP) to comply with the federal No Child Left Behind Act of 2001 (NCLB). A large majority of Montana's public schools met the federal education requirements for yearly progress, the highest in a five-year period, despite continual increases in testing goals. The report shows 608 (74.1 percent) of Montana's 820 public schools currently meet the requirements of the federal law.

Juneau also released data that shows consistent improvement in student test scores over time. The current testing goals are 89.6 percent of students scoring proficient or above for Reading and 80 percent of students scoring proficient or above for Math. Last year's Annual Measurable Objectives (AMOs) for were 84.4 percent in Reading and 70 percent in Math. The AYP graduation rate goal is currently 85 percent.

"We have high expectations for our public schools in Montana, and our students and teachers have been working very hard to improve test scores in reading, math and science. Their efforts are demonstrated by the continued progress in academic performance statewide." Juneau stated.

Percentage of Students at or above "proficient" in Reading and Math 2005-2012		
	Reading	Math
2005-2006	78	61
2006-2007	81	63
2007-2008	81	63
2008-2009	82	64
2009-2010	84	67
2010-2011	85	68
2011-2012	86	68

[Source: Montana Criterion-Referenced Test (CRT) Scores, MontCAS]

Schools are required to meet 41 benchmarks on the state test to meet AYP under the federal NCLB. A school's adequate yearly progress is calculated based on test participation, academic achievement, the graduation rate and other statistics. Every few years, the percentage of students who must achieve proficiency on state tests increases to get closer to the 2014 deadline of 100 percent proficiency for all students.

Montana continues to outperform the nation on measurements of student achievement. According to the 2011 'Nation's Report Card', only one state scored higher than Montana eighth graders in math and no states scored higher in reading. In grade four math, only seven states scored higher than Montana and in grade four Reading only five states scored higher. In the latest science report card, Montana's eighth graders shared the highest score in the nation with just three other states and our fourth graders ranked second-highest.

--more--

During the 2010-2011 school year, Montana's graduation rate increased from 80.2% to 82.2%. The national graduation rate is 75.5%.

"While we wait for long-overdue action by Congress to reauthorize No Child Left Behind, I am working with the public school community to improve education in Montana in a way that matters for our students and prepares them for college and careers. Montana's educators continue to rise to the challenge to improve student achievement and ensure our students are prepared for the jobs of today and tomorrow."

Superintendent Juneau pointed to the following reform efforts currently underway in Montana:

- Improving graduation rates through Graduation Matters Montana, a statewide initiative engaging schools, communities, businesses and families in a focused effort to ensure students graduate prepared for college and the workforce.
- Implementing the Common Core State Standards in English Language Arts and Mathematics. These standards are higher and clearer than our current standards, aligned with college and workforce expectations and designed to ensure our students are learning the skills they need to be competitive in a global economy.
- Unprecedented collaborating in three communities to turn around the state's lowest-performing schools, which resulted in increases in the average CRT scores of all participating high schools in Reading, Math and Science.
- Updating the Montana accreditation standards to make them more performance-based and giving schools the flexibility they need to focus on student achievement.
- Through Montana's GEAR UP grant, providing the ACT to every public school junior at no cost to their families starting in the 2012-2013 school year.
- Rolling out a new data warehouse to improve transparency and access to education data for parents and the public and allowing more individualized instruction and support services for students by teachers and administrators.

"We continue to celebrate our great educational outcomes in Montana as well as confront our challenges," said Juneau. "Montana schools and students continue to outperform the nation. Where reform is necessary, we work in collaboration with Montana teachers and administrators to find a local solution that fits our rural communities."

The "Adequate Yearly Progress" status of each Montana school and district is summarized on the Office of Public Instruction's Web site at: <http://opi.mt.gov/AYP>.

###

Montana Office of Public Instruction									
Summary of 2012 Final AYP Determinations									
Current as of July 20, 2012									
	Total	% of Total	% in Each Process	# Tested	% of Total Tested in the State	% of Tested in Process	# Enrolled (Test Window) Public Schools Only	% of Total PreK-12 Enrollment in the State (Test Window)	% of Enrollment in Process
All Schools	820			70,796			139,805		
Made AYP	608	74.1%	---	35,541	50.2%	---	68,412	48.9%	---
Made AYP Not in Improvement	569	69.4%	---	29,615	41.8%	---	56,951	40.7%	---
Holding at Improvement Year 1	16	2.0%	---	2,019	2.9%	---	3,172	2.3%	---
Holding at Improvement Year 2	13	1.6%	---	1,694	2.4%	---	3,812	2.7%	---
Holding at Improvement Year 3	3	0.4%	---	928	1.3%	---	1,808	1.3%	---
Holding at Corrective Action Year 1	4	0.5%	---	1,020	1.4%	---	1,802	1.3%	---
Holding at Restructuring Year 3	1	0.1%	---	56	0.1%	---	328	0.2%	---
Holding at Restructuring Year 4	1	0.1%	---	116	0.2%	---	123	0.1%	---
Holding at Restructuring Year 5	1	0.1%	---	93	0.1%	---	416	0.3%	---
Did Not Make AYP	212	25.9%		35,255	49.8%		71,393	51.1%	
1st Year did not make AYP (Watch List)	45	5.5%	---	5,099	7.2%	---	9,650	6.9%	---
1st Year Identified for Improvement	27	3.3%	---	4,541	6.4%	---	7,254	5.2%	---
2nd Year Identified for Improvement	23	2.8%	---	3,486	4.9%	---	7,259	5.2%	---
3rd Year Identified for Improvement	3	0.4%	---	897	1.3%	---	1,837	1.3%	---
4th Year Identified for Improvement	4	0.5%	---	1,732	2.4%	---	4,633	3.3%	---
5th Year Identified for Improvement	3	0.4%	---	1,165	1.6%	---	3,271	2.3%	---
6th Year Identified for Improvement	2	0.2%	---	1,688	2.4%	---	1,747	1.2%	---
Identified for Corrective Action	25	3.0%	---	4,548	6.4%	---	8,474	6.1%	---
1st Year Identified for Restructuring	24	2.9%	---	3,066	4.3%	---	7,894	5.6%	---
2nd Year Identified for Restructuring	10	1.2%	---	2,666	3.8%	---	7,345	5.3%	---
3rd Year Identified for Restructuring	8	1.0%	---	2,373	3.4%	---	5,157	3.7%	---
4th Year Identified for Restructuring	5	0.6%	---	1,454	2.1%	---	1,996	1.4%	---
5th Year Identified for Restructuring	1	0.1%	---	125	0.2%	---	343	0.2%	---
6th Year Identified for Restructuring	2	0.2%	---	505	0.7%	---	525	0.4%	---
8th Year Identified for Restructuring	2	0.2%	---	177	0.3%	---	488	0.3%	---
9th Year identified for Restructuring	16	2.0%	---	618	0.9%	---	1,603	1.1%	---
10th Year identified for Restructuring	12	1.5%	---	1,115	1.6%	---	1,917	1.4%	---
Total Identified for Improvement	205	25.0%	---	35,989	50.8%	---	72,788	52.1%	---
Evaluated using SSAP	428	52.2%		12,542	17.7%		27,182	19.4%	
Made AYP Not in Improvement	376	45.9%	87.9%	11,134	15.7%	88.8%	22,389	16.0%	82.4%
Holding at Improvement Year 1	5	0.6%	1.2%	29	0.0%	0.2%	127	0.1%	0.5%
Holding at Improvement Year 2	3	0.4%	0.7%	257	0.4%	2.0%	1,042	0.7%	3.8%
Did Not Make AYP	44	5.4%	10.3%	1,122	1.6%	8.9%	3,624	2.6%	13.3%
1st Year did not make AYP (Watch List)	12	1.5%	2.8%	284	0.4%	2.3%	806	0.6%	3.0%
1st Year Identified for Improvement	6	0.7%	1.4%	158	0.2%	1.3%	496	0.4%	1.8%
2nd Year Identified for Improvement	6	0.7%	1.4%	198	0.3%	1.6%	729	0.5%	2.7%
Identified for Corrective Action	2	0.2%	0.5%	29	0.0%	0.2%	97	0.1%	0.4%
1st Year Identified for Restructuring	17	2.1%	3.4%	1,748	2.4%	13.4%	5,511	4.0%	16.1%
2nd Year Identified for Restructuring	17	2.1%	3.4%	1,748	2.4%	13.4%	5,511	4.0%	16.1%
3rd Year Identified for Restructuring	17	2.1%	3.4%	1,748	2.4%	13.4%	5,511	4.0%	16.1%
4th Year Identified for Restructuring	17	2.1%	3.4%	1,748	2.4%	13.4%	5,511	4.0%	16.1%
5th Year Identified for Restructuring	17	2.1%	3.4%	1,748	2.4%	13.4%	5,511	4.0%	16.1%
6th Year Identified for Restructuring	17	2.1%	3.4%	1,748	2.4%	13.4%	5,511	4.0%	16.1%
7th Year Identified for Restructuring	17	2.1%	3.4%	1,748	2.4%	13.4%	5,511	4.0%	16.1%
8th Year Identified for Restructuring	17	2.1%	3.4%	1,748	2.4%	13.4%	5,511	4.0%	16.1%
9th Year Identified for Restructuring	17	2.1%	3.4%	1,748	2.4%	13.4%	5,511	4.0%	16.1%
10th Year Identified for Restructuring	17	2.1%	3.4%	1,748	2.4%	13.4%	5,511	4.0%	16.1%
Identified for Corrective Action	2	0.2%	0.5%	29	0.0%	0.2%	97	0.1%	0.4%
Total Identified for Improvement	205	25.0%	---	35,989	50.8%	---	72,788	52.1%	---

Montana Office of Public Instruction									
Summary of 2012 Final AYP Determinations									
Current as of July 20, 2012									
	Total	% of Total	% in Each Process	# Tested	% of Total Tested in the State	% of Tested in Process	# Enrolled (Test Window) Public Schools Only	% of Total PreK-12 Enrollment in the State (Test Window)	% of Enrollment in Process
2nd Year Identified for Restructuring	1	0.1%	0.2%	69	0.1%	0.6%	340	0.2%	1.3%
3rd Year Identified for Restructuring	2	0.2%	0.5%	44	0.1%	0.4%	104	0.1%	0.4%
8th Year Identified for Restructuring	1	0.1%	0.2%	26	0.0%	0.2%	136	0.1%	0.5%
9th Year identified for Restructuring	6	0.7%	1.4%	84	0.1%	0.7%	320	0.2%	1.2%
10th Year identified for Restructuring	5	0.6%	1.2%	56	0.1%	0.4%	157	0.1%	0.6%
Total Identified for Improvement	49	6.0%	11.4%	1151	1.6%	9.2%	3751	2.7%	13.8%

Montana Office of Public Instruction									
Summary of 2012 Final AYP Determinations									
Current as of July 20, 2012									
	Total	% of Total	% in Each Process	# Tested	% of Total Tested in the State	% of Tested in Process	# Enrolled (Test Window) Public Schools Only	% of Total PreK-12 Enrollment in the State (Test Window)	% of Enrollment in Process
Evaluated using FeederSchools Process	15	1.8%		0	0.0%	---	3,819	2.7%	
Made AYP Not in Improvement	4	0.5%	26.7%	0	0.0%	---	728	0.5%	19.1%
Holding at Improvement Year 2	1	0.1%	6.7%	0	0.0%	---	228	0.2%	6.0%
Did Not Make AYP	10	1.2%	66.7%	0	0.0%	---	2,863	2.0%	75.0%
1st Year did not make AYP (Watch List)	2	0.2%	13.3%	0	0.0%	---	643	0.5%	16.8%
2nd Year Identified for Improvement	1	0.1%	6.7%	0	0.0%	---	295	0.2%	7.7%
Identified for Corrective Action	2	0.2%	13.3%	0	0.0%	---	660	0.5%	17.3%
1st Year Identified for Restructuring	2	0.2%	13.3%	0	0.0%	---	587	0.4%	15.4%
4th Year Identified for Restructuring	1	0.1%	6.7%	0	0.0%	---	319	0.2%	8.4%
9th Year Identified for Restructuring	2	0.2%	13.3%	0	0.0%	---	359	0.3%	9.4%
Total Identified for Improvement	9	1.1%	60.0%	0	0.0%	---	2448	1.8%	64.1%
Evaluated using Calculated Process	375	45.7%		58,149	82.1%		108,366	77.5%	
Made AYP	218	26.6%	58.1%	24,110	34.1%		43,868	31.4%	40.5%
Made AYP Not in Improvement	188	22.9%	50.1%	18,470	26.1%	31.8%	33,804	24.2%	31.2%
Holding at Improvement Year 1	11	1.3%	2.9%	1,990	2.8%	3.4%	3,045	2.2%	2.8%
Holding at Improvement Year 2	9	1.1%	2.4%	1,437	2.0%	2.5%	2,542	1.8%	2.3%
Holding at Improvement Year 3	3	0.4%	0.8%	928	1.3%	1.6%	1,808	1.3%	1.7%
Holding at Corrective Action Year 1	4	0.5%	1.1%	1,020	1.4%	1.8%	1,802	1.3%	1.7%
Holding at Restructuring Year 3	1	0.1%	0.3%	56	0.1%	0.1%	328	0.2%	0.3%
Holding at Restructuring Year 4	1	0.1%	0.3%	116	0.2%	0.2%	123	0.1%	0.1%
Holding at Restructuring Year 5	1	0.1%	0.3%	93	0.1%	0.2%	416	0.3%	0.4%
Did Not Make AYP	157	19.3%	42.1%	34,132	48.2%	58.7%	64,914	46.4%	59.9%
1st Year did not make AYP (Watch List)	32	3.9%	8.5%	4,826	6.8%	8.3%	8,231	5.9%	7.6%
1st Year Identified for Improvement	21	2.6%	5.6%	4,383	6.2%	7.5%	6,758	4.8%	6.2%
2nd Year Identified for Improvement	16	2.0%	4.3%	3,288	4.6%	5.7%	6,235	4.5%	5.8%
3rd Year Identified for Improvement	2	0.2%	0.5%	885	1.3%	1.5%	1,815	1.3%	1.7%
4th Year Identified for Improvement	4	0.5%	1.1%	1,732	2.4%	3.0%	4,633	3.3%	4.3%
5th Year Identified for Improvement	3	0.4%	0.8%	1,165	1.6%	2.0%	3,271	2.3%	3.0%
6th Year Identified for Improvement	2	0.2%	0.5%	1,688	2.4%	2.9%	1,747	1.2%	1.6%
Identified for Corrective Action	21	2.6%	5.6%	4,519	6.4%	7.8%	7,717	5.5%	7.1%
1st Year Identified for Restructuring	19	2.3%	5.1%	2,892	4.1%	5.0%	6,868	4.9%	6.3%
2nd Year Identified for Restructuring	9	1.1%	2.4%	2,597	3.7%	4.5%	7,005	5.0%	6.5%
3rd Year Identified for Restructuring	6	0.7%	1.6%	2,329	3.3%	4.0%	5,053	3.6%	4.7%
4th Year Identified for Restructuring	4	0.5%	1.1%	1,454	2.1%	2.5%	1,677	1.2%	1.5%
5th Year Identified for Restructuring	1	0.1%	0.3%	125	0.2%	0.2%	343	0.2%	0.3%
6th Year Identified for Restructuring	2	0.2%	0.5%	505	0.7%	0.9%	525	0.4%	0.5%
8th Year Identified for Restructuring	1	0.1%	0.3%	151	0.2%	0.3%	352	0.3%	0.3%
9th Year identified for Restructuring	8	1.0%	2.1%	534	0.8%	0.9%	924	0.7%	0.9%
Total Identified for Restructuring	10	0.9%	1.9%	1,059	1.5%	1.8%	1,760	1.3%	1.6%

Montana Office of Public Instruction									
Summary of 2012 Final AYP Determinations									
Current as of July 20, 2012									
	Total	% of Total	% in Each Process	# Tested	% of Total Tested in the State	% of Tested in Process	# Enrolled (Test Window) Public Schools Only	% of Total PreK-12 Enrollment in the State (Test Window)	% of Enrollment in Process
Total Identified for Improvement	155	18.9%	41.3%	34853	49.2%	59.9%	66331	47.4%	61.2%

Montana Office of Public Instruction									
Summary of 2012 Final AYP Determinations									
Current as of July 20, 2012									
	Total	% of Total	% in Each Process	# Tested	% of Total Tested in the State	% of Tested in Process	# Enrolled (Test Window) Public Schools Only	% of Total PreK-12 Enrollment in the State (Test Window)	% of Enrollment in Process
All Districts	414			71,112			139,805		
Made AYP	287	69.3%	---	16,192	22.8%	---	31,812	22.8%	---
Made AYP Not in Improvement	270	65.2%	---	13,240	18.6%	---	25,364	18.1%	---
Holding at Improvement Year 1	4	1.0%	---	290	0.4%	---	624	0.4%	---
Holding at Improvement Year 2	5	1.2%	---	517	0.7%	---	1,185	0.8%	---
Holding at Improvement Year 3	1	0.2%	---	196	0.3%	---	790	0.6%	---
Holding at Corrective Action Year 1	5	1.2%	---	1,640	2.3%	---	3,095	2.2%	---
Holding at Corrective Action Year 2	1	0.2%	---	216	0.3%	---	338	0.2%	---
Holding at corrective Action Year 6	1	0.2%	---	93	0.1%	---	416	0.3%	---
Did Not Make AYP	127	30.7%	---	54,920	77.2%	---	107,993	77.2%	---
1st Year did not make AYP (Watch List)	18	4.3%	---	1,937	2.7%	---	4,030	2.9%	---
1st Year Identified for Improvement	12	2.9%	---	4,304	6.1%	---	7,671	5.5%	---
2nd Year Identified for Improvement	14	3.4%	---	3,667	5.2%	---	7,048	5.0%	---
3rd Year Identified for Improvement	1	0.2%	---	12	0.0%	---	22	0.0%	---
1st Year Identified for Corrective Action	15	3.6%	---	4,251	6.0%	---	8,569	6.1%	---
2nd Year Identified for Corrective Action	21	5.1%	---	8,005	11.3%	---	15,889	11.4%	---
3rd Year Identified for Corrective Action	7	1.7%	---	2,087	2.9%	---	4,727	3.4%	---
4th Year Identified for Corrective Action	5	1.2%	---	3,304	4.6%	---	9,314	6.7%	---
5th Year Identified for Corrective Action	3	0.7%	---	3,765	5.3%	---	6,350	4.5%	---
6th Year Identified for Corrective Action	10	2.4%	---	20,231	28.4%	---	37,649	26.9%	---
7th Year Identified for Corrective Action	1	0.2%	---	745	1.0%	---	1,257	0.9%	---
9th Year Identified for Corrective Action	4	1.0%	---	359	0.5%	---	729	0.5%	---
10th Year Identified for Corrective Action	7	1.7%	---	525	0.7%	---	1,216	0.9%	---
11th Year Identified for Corrective Action	9	2.2%	---	1,728	2.4%	---	3,522	2.5%	---
Total Identified for Improvement	125	30.2%	---	52,983	74.5%	---	103,963	74.4%	---
Evaluated using SSAP	217	52.4%		7,034	9.9%		15,719	11.2%	
Made AYP Not in Improvement	188	45.4%	86.6%	5,925	8.3%	84.2%	11,751	8.4%	74.8%
Holding at Improvement Year 1	2	0.5%	0.9%	212	0.3%	3.0%	430	0.3%	2.7%
Holding at Improvement Year 2	2	0.5%	0.9%	146	0.2%	2.1%	583	0.4%	3.7%
Did Not Make AYP	27	6.5%	12.4%	963	1.4%	13.7%	3,385	2.4%	21.5%
1st Year did not make AYP (Watch List)	6	1.4%	2.8%	133	0.2%	1.9%	544	0.4%	3.5%
1st Year Identified for Improvement	2	0.5%	0.9%	76	0.1%	1.1%	351	0.3%	2.2%
2nd Year Identified for Improvement	7	1.7%	3.2%	436	0.6%	6.2%	1,271	0.9%	8.1%
3rd Year Identified for Improvement	1	0.2%	0.5%	12	0.0%	0.2%	22	0.0%	0.1%
1st Year Identified for Corrective Action	1	0.2%	0.5%	17	0.0%	0.2%	85	0.1%	0.5%
2nd Year Identified for Corrective Action	2	0.5%	0.9%	103	0.1%	1.5%	277	0.2%	1.8%
3rd Year Identified for Corrective Action	1	0.2%	0.5%	69	0.1%	1.0%	340	0.2%	2.2%
9th Year Identified for Corrective Action	1	0.2%	0.5%	26	0.0%	0.4%	136	0.1%	0.9%
10th Year Identified for Corrective Action	4	1.0%	1.8%	78	0.1%	1.1%	302	0.2%	1.9%
11th Year Identified for Corrective Action	2	0.5%	0.9%	13	0.0%	0.2%	57	0.0%	0.4%

Montana Office of Public Instruction									
Summary of 2012 Final AYP Determinations									
Current as of July 20, 2012									
	Total	% of Total	% in Each Process	# Tested	% of Total Tested in the State	% of Tested in Process	# Enrolled (Test Window) Public Schools Only	% of Total PreK-12 Enrollment in the State (Test Window)	% of Enrollment in Process
Total Identified for Improvement	21	5.1%	9.7%	830	1.2%	11.8%	2,841	2.0%	18.1%

Montana Office of Public Instruction									
Summary of 2012 Final AYP Determinations									
Current as of July 20, 2012									
	Total	% of Total	% in Each Process	# Tested	% of Total Tested in the State	% of Tested in Process	# Enrolled (Test Window) Public Schools Only	% of Total PreK-12 Enrollment in the State (Test Window)	% of Enrollment in Process
Evaluated using Calculated Process	195	47.1%	100.0%	63,865	89.8%	100.0%	123,656	88.4%	100.0%
Made AYP	95	22.9%	48.7%	9,909	13.9%	15.5%	19,048	13.6%	15.4%
Made AYP Not in Improvement	82	19.8%	42.1%	7,315	10.3%	11.5%	13,613	9.7%	11.0%
Holding at Improvement Year 1	2	0.5%	1.0%	78	0.1%	0.1%	194	0.1%	0.2%
Holding at Improvement Year 2	3	0.7%	1.5%	371	0.5%	0.6%	602	0.4%	0.5%
Holding at Improvement Year 3	1	0.2%	0.5%	196	0.3%	0.3%	790	0.6%	0.6%
Holding at Corrective Action Year 1	5	1.2%	2.6%	1,640	2.3%	2.6%	3,095	2.2%	2.5%
Holding at Corrective Action Year 2	1	0.2%	0.5%	216	0.3%	0.3%	338	0.2%	0.3%
Holding at corrective Action Year 6	1	0.2%	0.5%	93	0.1%	0.1%	416	0.3%	0.3%
Did Not Make AYP	100	24.2%	51.3%	53,956	75.9%	84.5%	104,608	74.8%	84.6%
1st Year did not make AYP (Watch List)	12	2.9%	6.2%	1,804	2.5%	2.8%	3,486	2.5%	2.8%
1st Year Identified for Improvement	10	2.4%	5.1%	4,228	5.9%	6.6%	7,320	5.2%	5.9%
2nd Year Identified for Improvement	7	1.7%	3.6%	3,231	4.5%	5.1%	5,777	4.1%	4.7%
1st Year Identified for Corrective Action	14	3.4%	7.2%	4,234	6.0%	6.6%	8,484	6.1%	6.9%
2nd Year Identified for Corrective Action	19	4.6%	9.7%	7,902	11.1%	12.4%	15,612	11.2%	12.6%
3rd Year Identified for Corrective Action	6	1.4%	3.1%	2,018	2.8%	3.2%	4,387	3.1%	3.5%
4th Year Identified for Corrective Action	5	1.2%	2.6%	3,304	4.6%	5.2%	9,314	6.7%	7.5%
5th Year Identified for Corrective Action	3	0.7%	1.5%	3,765	5.3%	5.9%	6,350	4.5%	5.1%
6th Year Identified for Corrective Action	10	2.4%	5.1%	20,231	28.4%	31.7%	37,649	26.9%	30.4%
7th Year Identified for Corrective Action	1	0.2%	0.5%	745	1.0%	1.2%	1,257	0.9%	1.0%
9th Year Identified for Corrective Action	3	0.7%	1.5%	333	0.5%	0.5%	593	0.4%	0.5%
10th Year Identified for Corrective Action	3	0.7%	1.5%	447	0.6%	0.7%	914	0.7%	0.7%
11th Year Identified for Corrective Action	7	1.7%	3.6%	1,714	2.4%	2.7%	3,465	2.5%	2.8%
Total Identified for Improvement	101	24.4%	51.8%	54,746	77.0%	85.7%	106,557	76.2%	86.2%

SEQUESTRATION CHEAT SHEET

What is Sequestration?

Generally, in U.S. law, sequestration is a procedure by which an automatic spending cut is triggered, first initiated in a federal budget in 1985 by the Gramm-Rudman-Hollings Balanced Budget Act. There have been 5 times in previous history where a sequestration has been triggered, three under deficit targets set by the Gramm-Rudman-Hollings Act and two under other statutory discretionary spending caps.

In current discussion, “sequestration” or “the sequester” is a term used to describe the automatic budget cuts passed into law under the Budget Control Act (BCA) in August 2011. The Budget Control Act contained new agreements on spending levels and the debt ceiling, and created a Congressional Debt Supercommittee (formally known as the Joint Congressional Committee on Deficit Reduction). This Supercommittee, made up of specially appointed members from both the House and Senate on both sides of the aisle, was instructed to cut at least \$1.5 trillion from the federal budget. If the Supercommittee failed to present an agreement containing cuts of at least \$1.2 trillion over the next ten years, the BCA triggered automatic cuts. The Supercommittee met a number of times but ultimately failed to come to any agreement, citing irreconcilable differences over the issue of whether to reduce federal debt by increasing taxes (raising revenues), or reducing spending.

The automatic cuts were designed to make up for the total amount below \$1.2 trillion that the Supercommittee failed to cut. Since the Supercommittee recessed permanently in November of 2011 without coming to any agreement, the sequestration cuts are set at \$1.2 trillion, spread between January 2013 and October 2021.

How Does Sequestration Work?

The final amount of sequestration program cuts is calculated through a number of steps:

- (1) **Calculate the total adjusted amount of deficit reduction needed.** Though the ultimate amount of the reduction will be \$1.2 trillion, this includes both cuts in spending and savings on interest on the national debt as treasury expenditures will be lower. This interest savings is estimated at 18% of the total, leaving us with a deficit reduction target of \$984 billion.
- (2) **Divide the remainder by year.** The \$984 billion is divided evenly among the years over which the cut is to take place (2013 – 2021). This leaves about \$109 billion per year.
- (3) **Take this number and divide evenly between defense (“function 050”) and non-defense (“function 500”) spending** – about \$54.5 billion each.
- (4) **Remove exempt programs (see below) from the calculation.**
 - a. Mandatory spending (entitlements and similar benefits) is exempt or limited to specific cuts (e.g. cuts to Medicare are limited to 2%)
 - b. There are specific cuts to non-defense discretionary spending for implementation of the Patient Protection and Affordable Care Act (PPACA) and more.

- (5) **In fiscal year (FY) 2013, apply the remaining dollar number in equal percentage cuts across the board.**
- (6) **In other years, lower the discretionary spending caps** (known as 302(b) caps, these are the total amount that each account is allowed, and the total number each appropriations subcommittee is given to work with) **by the sequester amount.** The lowering of the caps allows the cuts to be distributed by appropriators on a program-by-program basis rather than across the board.
- (7) **If in any future year the caps are broken** (if spending bills are passed that go above that limit), **automatic across the board cuts are once again triggered.**

What programs are exempt?*

There is a long list of programs that are exempt from sequestration, which fall into several definable categories. Most arise from pension and other entitlements or obligations (e.g. Social Security benefits, railroad retirement benefits, all Department of Veterans Affairs program, and payments to all pension and special compensation programs operated by the federal government). Some exemptions are purely fiscal in nature (no reduction of payments for interest on national debt, no reduction to refundable income tax credits). Many 1930's-era social and economic stability programs are exempt (Farm Credit System Administration and crop insurance, the FDIC Deposit Insurance Fund).

In addition, there are a large number of "low-income assistance" programs that are exempt from cuts under Title II of the U.S. Code. These include:

- ACG/SMART Grants
- Child Care entitlement grants to States
- All Child Nutrition program (except special milk programs)
- Children's Health Insurance Program (CHIP)
- Commodity Supplemental Food Program
- Some Pell grants, for the first year of cuts only
- Medicaid
- Supplemental Nutrition Assistance Program (SNAP)
- Supplemental Security Income Program (SSI)
- Temporary Assistance for Needy Families (TANF)

*This is not a complete list. The full list of exemptions to sequestration, including account numbers, is available [at 2 U.S.C. 905](#).

How much money does sequestration cut?

The total amount of cuts under sequestration is defined as a dollar amount which must be applied to each year's appropriation, regardless of how much money is actually appropriated in that year. Exempt mandatory spending, including entitlements, also varies in cost from year to year, and as yet it is not clear what appropriations for these programs will be several years down the road. Reductions in

funding to programs and States may also interact with funding formulas and hold harmless provisions in unanticipated ways. Because there are so many variables dependent on politics and Congressional action, it is difficult to determine the exact cut to each program. In addition, decisions made by appropriators in future years (when sequestration is not realized as an across-the-board cut) may change the fate of specific programs.

The non-partisan Congressional Budget Office (CBO) estimates that for FY 2013 the cut will be between 5.5 and 7.8% based on current funding levels, representing a cut of up to \$3.5 billion for education programs. The Center for Budget and Policy Priorities (CBPP) has presented a worst-case scenario of 9.1% (\$4.1 billion) in cuts assuming that FY 2013 funding levels are the same as FY 2012.

At a rate of 9.1%, cuts could amount to \$1.3 billion in cuts to Title I, \$225 million to Title II, \$1.1 billion to IDEA Part B, and \$158 million to Career Tech and Adult Education.

When will sequestration go into effect?

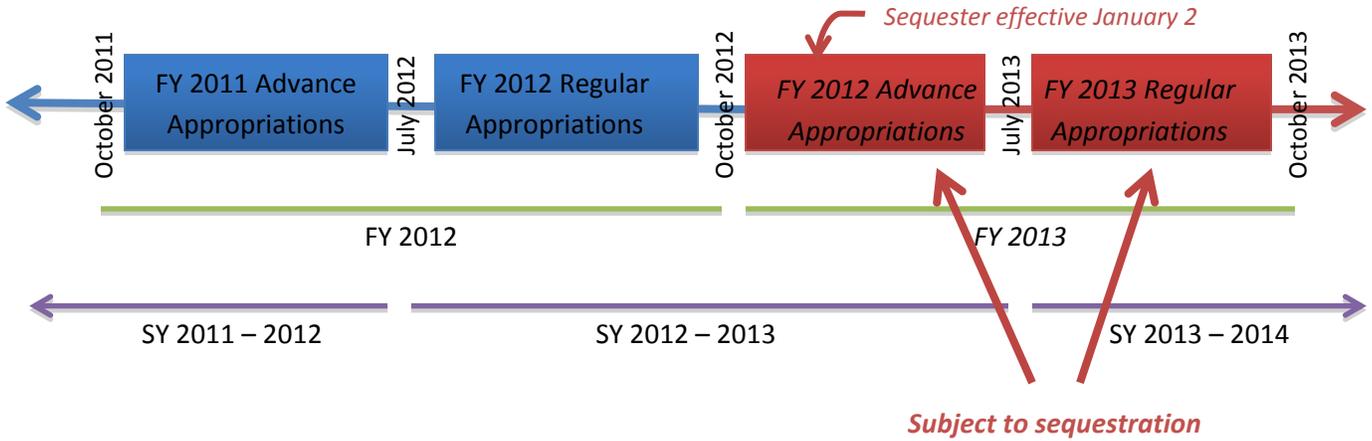
The President is required to issue a sequestration order, which will have immediate effect, no later than January 2, 2013. Though the legislative language in the BCA is not clear on this point, it is expected that the sequestration order will apply to all funds appropriated for FY 2013, as well as all unobligated funds for advance-funded programs appropriated in FY 2012 but available for obligation as of October 1, 2012 (FY 2013). Advance funding is a term used to describe funds appropriated in the budget bill for one budget year that will not be made available until a subsequent fiscal year (in the case of Title I, FY 2012 advance appropriations are made available at the beginning of the next school year – October 1, 2012; which also is the first day of FY 2013). This means that sequestration will affect all education programs where funding is made available on or after January 2, 2013 (i.e. funds available to grantees as of July 1, 2013). Sequestration will also likely affect funding for the five major education programs which receive FY 2012 advance funding: ESEA Title I and II, Impact Aid, IDEA Part B, and CTE State Grants.

How can sequestration be avoided?

Because sequestration was put into place by an act of Congress, another act of Congress is required to undo the trigger. This can be an independent item of legislation or a budget bill which explicitly replaces sequestration. Just passing another budget bill, however, will not erase sequestration as the cuts are meant to be applied to funding levels set during regular appropriations in FY 2013, or incorporated into the appropriations process from FY 2014 – 2021.

Sequestration was originally intended to be a threat – an unimaginable worst-case scenario that would force the parties to negotiate realistically. President Obama and Speaker of the House John Boehner (R-OH) have said that they will not allow Congress to circumvent this measure of accountability, but growing pressure from advocates and industry – especially the defense industry – may force them to change their minds.

Appropriations Years Subject to Sequestration (by date of availability of funds)



FY 2011 Advance Appropriations became available at the beginning of FY 2012 (October 1, 2011)
 FY 2012 Regular Appropriations will become available during FY 2012 (July 1, 2012)
FY 2012 Advance Appropriations will become available at the beginning of FY 2013 (October 1, 2012)
→ Unobligated balances may be subject to sequestration as of January 2, 2013
FY 2013 Regular Appropriations will become available during FY 2013 (July 1, 2013)
→ All balances will be subject to sequestration regardless of obligation

Program Years Subject to Sequestration (in billions of dollars)

Program	2011 Advance	2012 Regular	2012 Advance	2013 Regular	2013 Advance
Title I	10.8	3.7	10.8	?	?
IDEA	8.6	2.3	9.3	?	?
Perkins/CTE	.8	.3	.8	?	?
Title II	1.7	.8	1.7	?	?

FY 2012 Advance Appropriations (billed as FY 2012 but available at the start of FY 2013) will likely be subject to sequestration if unobligated as of January 2, 2013.
FY 2013 Regular appropriations and all subsequent appropriations are subject to sequestration regardless of the date of obligation.

***Note: the applicability of sequestration to FY 2012 Advance Appropriations has not been confirmed by federal agencies.**



UNITED STATES DEPARTMENT OF EDUCATION

THE DEPUTY SECRETARY

July 20, 2012

Memorandum to: Chief State School Officers

From: Anthony W. Miller /s/
Deputy Secretary
U.S. Department of Education

Subject: Clarification of Sequester Impact on Four Accounts with Advance Funding

The Budget Control Act (BCA) of 2011 established a Joint Select Committee in Congress charged with the task of developing a proposal to achieve at least \$1.2 trillion in deficit reduction. Unfortunately, last November, the Joint Committee announced that it could not reach agreement on a deficit reduction plan. This failure triggered enforcement via automatic funding cuts, called sequestration, for fiscal year 2013, unless Congress prevents this from taking place by sending the President a balanced deficit reduction plan that does away with sequestration before it goes into effect on January 2, 2013.

Many of you have asked technical questions about how the Department of Education would implement the BCA sequestration in our four appropriations accounts that receive fiscal year 2013 budgetary resources from both 2012 advance appropriations and 2013 regular appropriations. The 2012 advance appropriations become available in October 2012 for school year 2012-13. The 2013 regular appropriations become available in July 2013 for school year 2013-14. Most of the funds in the four accounts with advance appropriations—Education for the Disadvantaged (Title I, ESEA), School Improvement Programs (Title II, ESEA), Special Education (IDEA Part B), and Career, Technical, and Adult Education—get distributed by formula to States and then to local school districts or other entities.

If Congress does not act to avoid sequestration, and assuming the 2013 appropriations for these four accounts are structured similarly to past appropriations (which they are under the pending House and Senate appropriations bills), the Department will take the sequester from funds that would become available in July 2013 for school year 2013-14, *not* from the 2012 advance appropriations available in October 2012. The amount of the reduction will be calculated by applying the sequester percentage (to be determined by the Office of Management and Budget) to the fiscal year 2013 budgetary resources from both the 2012 advance appropriations and the 2013 regular appropriations that are available for the four accounts. The calculated sequester amount will then get subtracted from the July 2013 funding. The net effect will be to cut the funding level for the programs in the four accounts with advance funding by the same percentage as all other programs, projects, and activities.

It has come to our attention that some States may have urged school districts to hold back on spending for the 2012-13 school year because of the possibility of sequestration. Assuming Congress enacts a 2013 appropriations bill that is structured similarly to the pending House or Senate bills—a reasonable assumption based on past practice—there is no reason to believe that a sequestration would affect funding for the 2012-13 school year.

While a large sequestration of education appropriations would decrease funding for schools and students across the country, the potential for sequestration should not upset planning and hiring decisions for the

immediately upcoming 2012-13 school year. Federal funds have already been appropriated and will be provided for this school year, through grants made in July 2012 and advance funds that will be obligated in October 2012.

Most other Department elementary and secondary programs award funds late in the fiscal year for the following school year, either through a formula or following a competition for discretionary grants, so the impact of the BCA on these programs will not be felt until the 2013-14 school year as well. However, the major exception where the BCA sequester could reduce funds for the 2012-13 school year is the \$1.2 billion Impact Aid program. Impact Aid provides funds to some 1,192 school districts serving about 949,000 students. About 52,000 of those students are in districts that rely heavily on Impact Aid for a large share of their funds. These districts could experience more significant short-term funding problems due to sequestration than other districts.

Although most of the harm from the sequestration would not be felt in education programs until the 2013-14 school year, the damage from across-the-board cuts in that year would be severe. The Administration has submitted a balanced plan to Congress to avoid a sequestration, and continues to urge Congress to act on that policy. The sequestration was not meant to be implemented; it was meant to drive Congress to enact a balanced deficit reduction plan through the threat of destructive cuts. Time remains for Members of Congress to produce such a balanced plan, and we urge Congress to do so. Secretary Duncan will be testifying on July 25th before the Senate Appropriations Subcommittee on Labor, Health and Human Services, Education, and Related Agencies on the potential harmful impact of sequestration on schools, teachers, and students and will be urging Congress to take action to avoid the deep and indiscriminate cuts in education and other Federal programs that sequestration would entail. However, while we wait for Congressional action, based upon past practice in appropriations, there is little reason to delay hiring for school year 2012-13 due to the threat of sequestration.



LICENSURE COMMITTEE
Sharon Carroll- Item (8)

ITEM 8

DENIAL HEARING OF ACADEMIC
LICENSE BPE CASE #2012-05

Pete Donovan

❖
❖ MSDB LIAISON
Patty Myers (Item 9)

ITEM 9

MSDB REPORT

Bernie Olson

❖ ACCREDITATION COMMITTEE
Patty Myers (Items 10-11)

ITEM 10

RECOMMENDATION OF APPROVAL OF
ALTERNATIVE TO STANDARDS
REQUESTS

Linda Peterson

EXECUTIVE SUMMARY

DATE: SEPTEMBER 2012

- PRESENTATION:** Alternative to Standards Requests
- PRESENTER:** Linda Peterson
Accreditation Division Administrator
Office of Public Instruction
- OVERVIEW:** This presentation provides to the Board of Public Education the report of approval of Alternative to Standards requests. The state superintendent recommends approval of the report as presented. The report is attached.
- REQUESTED DECISION(S):** Action
- OUTLYING ISSUE(S):**
- RECOMMENDATION(S):** Approve the recommendations of state Superintendent Denise Juneau of the Report of Initial Alternative to Standards requests.



Alternative Standard Requests – Recommendations

September 2012

The following three alternative to standard requests have been received and evaluated in accordance with Administrative Rules of Montana (ARM) 10.55.604.

Approvals

The following applications have been submitted by small schools using the **Montana Small Schools Alliance (MSSA) model** for this alternative to standard. The necessary letters of agreement with MSSA were provided. This model provides for measurable objectives and corresponding formative assessments. The district has also provided the necessary mission statements, description of the alternative and summative measures to be used.

Park County

Shields Valley School District	
Shields Valley Elementary & High School	Initial applications. Enrollment: 92 EL, 39 7/8, 75 HS
10.55.709 Library Media	Required: Under 126 students- contract for services
10.55.1801 Library Media Program Delivery Standards	

Roosevelt County

Brockton School District	
Brockton Elementary & High School	Initial applications; Enrollment: 52 K6, 11
7/8, 34 HS	
10.55.709 Library Media	
10.55.1801 Library Media Program Delivery Standards	Required: Under 126 students- contract for services
10.55.710 School Counseling	
10.55.1901 School Counseling Program Delivery Standards	Required: Fraction or contract for services

Silver Bow County

Ramsay Elementary District	
Ramsay Elementary School	Initial application; Enrollment: 102-K6, 25-7/8
10.55.709 Library Media	
10.55.1801 Library Media Program Delivery Standards	Required: Under 126 students- contract for services
10.55.710 School Counseling	
10.55.1901 School Counseling Program Delivery Standards	Required: Fraction or contract for services

ITEM 11

RECOMMENDATION OF
APPROVAL/DISAPPROVAL OF 2012-13
CORRECTIVE ACTION PLANS

Linda Peterson

EXECUTIVE SUMMARY

DATE: SEPTEMBER 2012

- PRESENTATION:** Recommendation of Approval/Disapproval of the 2012-13 Corrective Plans
- PRESENTER:** Linda Peterson
Accreditation Division Administrator
Office of Public Instruction
- OVERVIEW:** Schools in Advice or Deficiency status, or who have misassigned teachers, were required to submit Corrective Plans to the Accreditation Division by June 1, 2012. Corrective Plans must describe the steps taken to remove the deviation for the current year or for 2012-13. This report includes a spreadsheet describing the Corrective Plans which indicate how the deviation was corrected or will be corrected for the 2012-13 school year.
- REQUESTED DECISION(S):** Action
- OUTLYING ISSUE(S):** None
- RECOMMENDATION(S):** State Superintendent Denise Juneau recommends that the Board of Public Education approve Corrective Plans for districts identified in the report, including those from six schools that were disapproved at the July Board of Public Education meeting.

Accreditation Report to the Board of Public Education (BPE) on 2012-13 Corrective Plans

Corrective Plans Recommended for Approval

The attached spreadsheet includes the plans for schools that were required to submit a Corrective Plan. All of these plans are recommended for approval.

Recommendation for Approval of Corrective Plans Previously Disapproved by the BPE in July 2012

The Corrective Plans for the following schools were disapproved by the Board of Public Education (BPE) at the July 2012 meeting. Since that time all seven schools have resubmitted plans that will effectively remove the deviations for 2012-13. In all cases endorsement deviations will be corrected through enrollment in an approved internship. These schools are included in the recommendations for approval.

- Belgrade Middle School. *Regular with Minor Deviation. 10.55.708. Teacher assignments. 1st occurrence.*
- Centerville 7/8. *Regular with Minor Deviation. 10.55.708, Teacher assignments, 2nd occurrence.*
Centerville High School. *Advice. 10.55.708, Teacher assignments, 2nd occurrence.*
- Charlo High School. *Regular with Minor Deviation. 10.55.708. Teacher assignment. 2nd occurrence.*
- Geysers School, Geysers 7/8 and High School. *Advice. 10.55.709. Library endorsement deviation, second occurrence.*
- Hays-Lodge Pole High School. *Regular with Minor Deviation. 10.55.708. Teacher assignments. 1st occurrence.*
- Troy School District- Troy High School, *Regular with Minor Deviation, Misassigned teacher (2nd), insufficient Library Media FTE (1st), Class size (2nd)*

Districts that Have Not Submitted Corrective Plans

Of the 15 school districts that did not submit a required plan for their school(s) by June 1, 2012, only three districts and one non-public school have not submitted a plan by the extended deadline of August 20, 2012. These schools will be recommended for DEFICIENCY status for the 2012-13 school year at the March 2013 BPE meeting for failure to submit a required report.

- Heart Butte School District
 - Heart Butte Elementary- *Advice. Required reporting (CSIP 1st); Class size- 2 primary grade classes (2nd)*
 - Heart Butte 7-8- *Advice- Required reporting (CSIP 1st)*
 - Heart Butte High School- *Advice- Required reporting (CSIP 1st)*
- Rosebud School District- Rosebud High School, *Regular with Minor Deviations, Misassigned teacher (1st).*

Corrective Plans - Recommend Approval
Office of Public Instruction, Denise Juneau, Superintendent
September 2012

- Teacher with Class 4 CTE in Computer Systems is teaching Computer Applications (Business).
- Lustre Christian High School- *Regular with Minor Deviations*, Three misassigned teachers- two (1st) and one (2nd).
 - 5-12 English licensed teacher teaching PE/Health;
 - K-12 Music licensed teacher teaching Math;
 - 5-12 licensed teacher in Social Studies teaching Music.
- Livingston Public Schools- Park High School, *Advice*, two misassigned teachers (1st), Library FTE (1st).
 - 5-12 licensed teacher in PE/Health and P12 Special Education teaching Special Education Reading/Language Arts;
 - P-12 licensed Special Education teacher without content license teaching Special Education Reading and Math;
 - Library FTE requirement not met- 1.0 FTE for 513 students.

**2012-13 Corrective Plans Recommended for Approval
Board of Public Education- September 2012**

District	School	Accreditation Status	Standard	Deviation		Corrective Plan Resolution
Absarokee Public Schools	Absarokee School	ADVICE	10.55.709	Librarian FTE - Requirements not met	1	Contracted with MSSA
Billings Public Schools	Alkali Creek School	ADVICE	10.55.712	Student Load >20 for Grades PK-2	3	District is adding 8 FTE teachers and 14 .5FTE para-educators to the district
Arlee Public Schools	Arlee High School	ADVICE	10.55.708	Assignment Deviations	1	Teacher has entered an internship.
Arlee Public Schools	Arlee High School	ADVICE	10.55.713	Student Load >30 for Grades 9,10,11,12	3	School adding another section of History.
Billings Public Schools	Arrowhead School	DEFICIENCY	10.55.709	Librarian FTE - Requirements not met	1	Drop in school population- no additional FTE needed for 2012-13
Billings Public Schools	Arrowhead School	DEFICIENCY	10.55.710	Counselor FTE - Requirements not met	1	Added .1 FTE Counselor
Billings Public Schools	Arrowhead School	DEFICIENCY	10.55.712	Student Load >20 for Grades PK-2	4	District is adding 8 FTE teachers and 14 .5FTE para-educators to the district
Auchard Creek Elementary	Auchard Creek School	REGULAR WITH MINOR DEVIATION	10.55.710	Counselor Assignment Deviations	1	Teacher has received his endorsement in counseling.
Augusta Public Schools	Augusta 7-8	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	1	Augusta school will not schedule any teacher for a class that they are not endorsed in. At least one teacher will enroll in an internship
Augusta Public Schools	Augusta Elementary School	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	1	See above
Augusta Public Schools	Augusta High School	DEFICIENCY	10.55.708	Assignment Deviations	2	See above
Augusta Public Schools	Augusta High School	DEFICIENCY	10.55.708	Assignment Deviations	4	See above
Augusta Public Schools	Augusta High School	DEFICIENCY	10.55.708	Assignment Deviations	4	See above
Augusta Public Schools	Augusta High School	DEFICIENCY	10.55.708	Assignment Deviations	1	See above
Augusta Public Schools	Augusta High School	DEFICIENCY	10.55.708	Assignment Deviations	4	See above
Billings Public Schools	Beartooth School	ADVICE	10.55.710	Counselor FTE - Requirements not met	1	District will add .2FTE counselor
Billings Public Schools	Beartooth School	ADVICE	10.55.712	Student Load >20 for Grades PK-2	3	District is adding 8 FTE teachers and 14 .5FTE para-educators to the district

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Belfry K-12 Schools	Belfry 7-8	REGULAR WITH MINOR DEVIATION	10.55.709	Assignment Deviations	1	Teacher has received her endorsement in Library Media.
Belgrade Public Schools	Belgrade High School	DEFICIENCY	10.55.708	Assignment Deviations	1	Teacher entered internship
Belgrade Public Schools	Belgrade High School	DEFICIENCY	10.55.710	Counselor Assignment Deviations	1	License issued 11/2011
Belgrade Public Schools	Belgrade Intermediate	DEFICIENCY	10.55.705	Principal FTE - Requirements not met	1	Additional administrator was hired after ADC this year.
Belgrade Public Schools	Belgrade Intermediate	DEFICIENCY	10.55.709	Librarian FTE - Requirements not met	4	District has submitted an application for an alternative to standard using additional para-professional FTE.
Belgrade Public Schools	Belgrade Middle School	REGULAR WITH MINOR DEVIATION	10.55.708	Inappropriate endorsement	1	Teacher entered internship
Billings Public Schools	Bench School	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	1	SPED teacher turned in HOUSSE.
Big Sandy Public Schools	Big Sandy High School	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	1	PE teacher without endorsement. District will reassign him within his endorsement.
Billings Public Schools	Big Sky Elementary	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	1	SPED teacher turned in HOUSSE.
Billings Public Schools	Big Sky Elementary	REGULAR WITH MINOR DEVIATION	10.55.710	Counselor FTE - Requirements not met	1	District will add .2FTE counselor.
Billings Public Schools	Big Sky Elementary	REGULAR WITH MINOR DEVIATION	10.55.712	Student Load >20 for Grades PK-2	2	District is adding 8 FTE teachers and 14 .5FTE para-educators to the district
Missoula Co Public Schls	Big Sky High School	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	1	SPED teacher turned in HOUSSE.
Billings Public Schools	Billings Sr High School	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	1	SPED teachers turned in HOUSSE.
Bonner Elementary	Bonner 7-8	REGULAR WITH MINOR DEVIATION	10.55.709	Library Assignment Deviations	1	Teacher has completed her Library Media endorsement,
Bonner Elementary	Bonner School	REGULAR WITH MINOR DEVIATION	10.55.709	Library Assignment Deviations	1	Teacher has completed her Library Media endorsement,
Boulder Elementary	Boulder Elementary School	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	1	SPED teacher turned in HOUSSE.
Boulder Elementary	Boulder Elementary School	REGULAR WITH MINOR DEVIATION	10.55.712	Student Load >20 for Grades PK-2	1	Paraprofessional assigned to this class.
Billings Public Schools	Boulder School	DEFICIENCY	10.55.710	Counselor FTE - Requirements not met	4	District to add .25 FTE counselor.
Box Elder Public Schools	Box Elder 7-8	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	1	Teacher has left this position.

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Box Elder Public Schools	Box Elder High School	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	1	Teacher has left this position.
Box Elder Public Schools	Box Elder School	DEFICIENCY	10.55.707	Assignment Deviations	1	Teacher has obtained appropriate license.
Broadus Public Schools	Broadus 7-8	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	2	Teacher will be reassigned within endorsement area.
Broadus Public Schools	Broadus School	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	2	Enrolled in K-12 Reading endorsement program.
Helena Public Schools	Broadwater School	ADVICE	10.55.712	Student Load >20 for Grades PK-2	3	Paraprofessionals will be assigned for class overloads. Primary students will be bused to west side schools.
Browning Public Schools	Browning High School	DEFICIENCY	10.55.707	Assignment Deviations	1	The district will advertise for an endorsed music teacher.
Butte Central High School	Butte Central High School	DEFICIENCY	10.55.707	Assignment Deviations	2	Teacher no longer employed
Butte Central High School	Butte Central High School	DEFICIENCY	10.55.707	Assignment Deviations	2	Teacher no longer employed
Butte Central High School	Butte Central High School	DEFICIENCY	10.55.707	Assignment Deviations	2	Teacher no longer employed
Great Falls Public Schls	C M Russell High School	ADVICE	10.55.709	Librarian FTE - Requirements not met	2	Full FTE built into 2012-13 budget
Helena Public Schools	Capital High School	ADVICE	10.55.708	Assignment Deviations	1	Teacher will be reassigned.
Helena Public Schools	Capital High School	ADVICE	10.55.713	Student Load >30 for Grades 9,10,11,12	3	Classes will not exceed 30 students.
Centerville Public Schls	Centerville 7-8	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	2	To be corrected by fall 2013
Centerville Public Schls	Centerville High School	ADVICE	10.55.708	Assignment Deviations	2	To be corrected by fall 2014.
Centerville Public Schls	Centerville High School	ADVICE	10.55.708	Assignment Deviations	3	
Helena Public Schools	Central School	ADVICE	10.55.712	Student Load >20 for Grades PK-2	3	New students will be moved to Jefferson or Bryant.
Charlo Public Schools	Charlo High School	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	2	Teacher will enter internship
Chinook Public Schools	Chinook High School	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	1	Properly endorsed teacher will be assigned for the next school year.
Circle Public Schools	Circle High School	DEFICIENCY	10.55.707	Assignment Deviations	1	A properly endorsed teacher will be hired.
Circle Public Schools	Circle High School	DEFICIENCY	10.55.709	Library Assignment Deviations	1	District submitted an application for an alternative to standard.

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Cleveland-Lone Tree Elem	Cleveland School	DEFICIENCY	10.55.709	Librarian FTE - Requirements not met	2	Librarian hired last year.
Cleveland-Lone Tree Elem	Cleveland School	DEFICIENCY	10.55.710	Counselor FTE - Requirements not met	1	Counselor hired last year.
Colstrip Public Schools	Colstrip High School	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	1	Cited SPED teacher is only assigned to the pre-school.
Colstrip Public Schools	Colstrip High School	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	1	Teachers qualify under HOUSSE
Columbia Falls Pub Schls	Columbia Falls Grade 6	ADVICE	10.55.709	Librarian FTE - Requirements not met	1	Grade 6 is now part of the middle school-corrected in Central.
Kalispell Public Schools	Cornelius Hedges School	ADVICE	10.55.709	Librarian FTE - Requirements not met	2	District has added Library FTE.
Kalispell Public Schools	Cornelius Hedges School	ADVICE	10.55.710	Counselor FTE - Requirements not met	2	District will add to counselor FTE
Kalispell Public Schools	Cornelius Hedges School	ADVICE	10.55.712	Student Load >20 for Grades PK-2	1	District has added 4FTE teachers across the district as well as instructional aide time. District is also proposing that 8 additional primary classrooms be built by fall 2013.
Cottonwood Elementary	Cottonwood School	ADVICE	10.55.710	Counselor FTE - Requirements not met	1	District has advertised for a licensed counselor to fill this position for 2012-13.
Cottonwood Elementary	Cottonwood School	DEFICIENCY	10.55.707	Assignment Deviations	1	District has advertised for a licensed counselor to fill this position for 2012-13.
Hardin Public Schools	Crow Agency School	ADVICE	10.55.709	10.55.709	2	Librarian will complete endorsement this summer.
Miles City Public Schools	Custer Co District High	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	1	Teacher will not be assigned to teach Physical Science for 2012-13.
Cut Bank Public Schools	Cut Bank 7-8	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	1	Teacher resigned- district will hire endorsed teacher.
Cut Bank Public Schools	Cut Bank High School	DEFICIENCY	10.55.708	Assignment Deviations	5	Teacher resigned- district will hire endorsed teacher.
Cut Bank Public Schools	Cut Bank High School	DEFICIENCY	10.55.708	Teacher Assignment	5	Teacher was incorrectly reported as sole provider and is not.
4 Upper West Shore Elem	Dayton School	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	1	Teacher will enroll in an internship.

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Deer Park Elementary	Deer Park School	ADVICE	10.55.709	Librarian FTE - Requirements not met	1	School will apply for an alternative to standard.
Denton Public Schools	Denton 7-8	ADVICE	10.55.708	Assignment Deviations	2	Mr. Smith will not be teaching keyboarding for the 2012-13 school year.
Denton Public Schools	Denton 7-8	ADVICE	10.55.710	Counselor FTE - Requirements not met	1	School contracted during 2011-12 for a licensed counselor twice/week. Will do the same for 2012-13
Denton Public Schools	Denton High School	DEFICIENCY	10.55.707	Assignment Deviations	1	Teacher has renewed her license.
Denton Public Schools	Denton High School	DEFICIENCY	10.55.708	Assignment Deviations	2	Teacher with a 4B license is teaching accounting and computer applications. He cannot enroll in an internship because he does not have a BA. Will complete his BA in business spring 2013.
Dodson Public Schools	Dodson 6-8	DEFICIENCY	10.55.709	Librarian FTE - Requirements not met	2	Library media FTE will be increased.
Dodson Public Schools	Dodson 6-8	DEFICIENCY	10.55.710	Counselor FTE - Requirements not met	3	The district has written an alternative to standard with the MSSA.
Dodson Public Schools	Dodson High School	ADVICE	10.55.710	Assignment Deviations	2	Library media specialist has enrolled in an internship.
Dutton/Brady K-12 Schools	Dutton/Brady High School	DEFICIENCY	10.55.707	Non-licensed teacher	2	District has advertised for a licensed teacher. If not found will not teacher FCS
Dutton/Brady K-12 Schools	Dutton/Brady Middle School	DEFICIENCY	10.55.707	Assignment Deviations	2	District has advertised for a licensed teacher. If not found will not teacher FCS
Deer Lodge Elementary	E F Duvall 7-8	ADVICE	10.55.709	Librarian FTE - Requirements not met	2	District will move a teacher into this position and she will enroll in an internship.
Kalispell Public Schools	Edgerton School	ADVICE	10.55.709	Librarian FTE - Requirements not met	2	District has added library FTE bringing the school into compliance.
Ekalaka Public Schools	Ekalaka 7-8	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	1	District will move a licensed Art teacher into this position.
Elder Grove Elementary	Elder Grove School	ADVICE	10.55.709	Librarian FTE - Requirements not met	2	District will submit an alternative to standard application.

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Elder Grove Elementary	Elder Grove School	ADVICE	10.55.710	Counselor FTE - Requirements not met	2	Counselor has been moved to 1.0 FTE.
Kalispell Public Schools	Elrod School	ADVICE	10.55.709	Library FTE	2	District has added FTE to library bringing it to 1.0 FTE.
Kalispell Public Schools	Elrod School	ADVICE	10.55.712	Student Load >20 for Grades PK-2	2	District has added 4FTE teachers across the district as well as instructional aide time. District is also proposing that 8 additional primary classrooms be built by fall 2013.
Elysian Elementary	Elysian School	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	1	Teacher will teach only music and study hall for 2012-13.
Elysian Elementary	Elysian School	REGULAR WITH MINOR DEVIATION	10.55.712	Student Load >20 for Grades PK-2	2	A second kindergarten teacher has been hired.
Elysian Elementary	Elysian School	REGULAR WITH MINOR DEVIATION	10.55.712	Student Load >20 for Grades PK-2	2	A .5FTE combo teacher has been hired.
Ennis K-12 Schools	Ennis 7-8	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	1	Math teacher will complete her endorsement 2012-13.
Ennis K-12 Schools	Ennis 7-8	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	2	Teacher will not be scheduled to teach physics for 2012-13.
Ennis K-12 Schools	Ennis 7-8	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	2	SPED teacher needs to send us HOUSSSE
Ennis K-12 Schools	Ennis High School	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	1	Math teacher will complete her endorsement 2012-13.
Ennis K-12 Schools	Ennis High School	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	2	Teacher will not be scheduled to teach physics for 2012-13.
Ennis K-12 Schools	Ennis High School	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	1	SPED teacher needs to send us HOUSSSE
Fairfield Public Schools	Fairfield High School	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	1	District will hire an endorsed teacher for 2012-13.
Ulm Elementary	Fairhaven Colony	ADVICE	10.55.709	Assignment Deviations	2	District applied for an alternative to standard through MSSA.
Kalispell Public Schools	Flathead High School	ADVICE	10.55.713	Student Load >30 for Grades 9,10,11,12	3	15 classes over load. The district has added 3.6 additional FTE.
Florence-Carlton K-12 Schls	Florence-Carlton 7-8	DEFICIENCY	10.55.708	Assignment Deviations	1	Teacher works with profoundly disabled students- does not need a content area.
Florence-Carlton K-12 Schls	Florence-Carlton 7-8	DEFICIENCY	10.55.709	Librarian FTE - Requirements not met	2	Will have 1.0 FTE to serve 402 7-12 students.

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Florence-Carlton K-12 Schls	Florence-Carlton El Schl	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	1	SPED only license- works with profoundly disabled students.
Florence-Carlton K-12 Schls	Florence-Carlton HS	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	1	SPED only license- works with profoundly disabled students.
Florence-Carlton K-12 Schls	Florence-Carlton HS	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	1	SPED only license- works with profoundly disabled students.
Florence-Carlton K-12 Schls	Florence-Carlton HS	REGULAR WITH MINOR DEVIATION	10.55.710	Counselor FTE - Requirements not met	1	for 2012-13 district will have 1.5 FTE counselor for 402 students.
Sun River Valley Pub Schls	Fort Shaw Elem School	DEFICIENCY	10.55.707	Assignment Deviations	1	Teacher has obtained a Class 5 license.
Hardin Public Schools	Fort Smith School	ADVICE	10.55.709	10.55.709	2	Librarian will have license by the end of the summer.
Helena Public Schools	Four Georgians School	DEFICIENCY	10.55.712	Student Load >20 for Grades PK-2	7	3 classes over load. Primary classrooms will receive paraeducator support at 1.5 hours/student overload.
Frazer Public Schools	Frazer 7-8	DEFICIENCY	10.55.709	Library Assignment Deviations	3	The librarian at all 3 schools retired. District will recruit an endorsed library media specialist.
Laurel Public Schools	Fred W Graff School	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	1	Teacher has retired and the district will recruit a properly endorsed teacher.
Laurel Public Schools	Fred W Graff School	REGULAR WITH MINOR DEVIATION	10.55.709	Librarian FTE - Requirements not met	1	School has an approved alternative to standards.
Froid Public Schools	Froid High School	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	1	Teacher will enroll in a math internship.
Fromberg Public Schools	Fromberg 7-8	ADVICE	10.55.710	Assignment Deviations	2	Teacher will complete MA school counseling at end of June.
Fromberg Public Schools	Fromberg High School	ADVICE	10.55.708	Assignment Deviations	1	Multi-media development- Teacher will enter internship..
Fromberg Public Schools	Fromberg High School	ADVICE	10.55.710	Assignment Deviations	2	Teacher will complete MA school counseling at end of June.
Fromberg Public Schools	Fromberg School	ADVICE	10.55.710	Assignment Deviations	2	Teacher will complete MA school counseling at end of June.
Frontier Elementary	Frontier 7-8	DEFICIENCY	10.55.707	Assignment Deviations	1	Teacher will be assigned as paraprofessional to assist in SPED
Frontier Elementary	Frontier 7-8	DEFICIENCY	10.55.708	Assignment Deviations	2	Teacher has entered an internship at MSU.
Gardiner Public Schools	Gardiner School	DEFICIENCY	10.55.705	Assignment Deviations	2	Principal has obtained administrative Class 3 license.

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Lewistown Public Schools	Garfield School	DEFICIENCY	10.55.704	Superintendent FTE - Requirements not met	1	Another staff member will be on record for the zero period that the superintendent supervised.
Lewistown Public Schools	Garfield School	DEFICIENCY	10.55.709	Librarian FTE - Requirements not met	8	The district will hire an additional .5FTE Librarian.
Geysers Public Schools	Geysers 7-8	ADVICE	10.55.709	Librarian FTE - Requirements not met	2	Teacher will be a deviation again in 2012-13 until she completes her endorsement in 2013.
Geysers Public Schools	Geysers High School	ADVICE	10.55.708	Assignment Deviations	1	SPED teacher enrolled in internship.
Geysers Public Schools	Geysers High School	ADVICE	10.55.709	Assignment Deviations	2	Teacher will enter an internship
Geysers Public Schools	Geysers School	ADVICE	10.55.709	Library Assignment Deviations	2	Teacher will enter an internship
Glasgow K-12 Schools	Glasgow 7-8	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	1	Teacher will enter an internship
Glasgow K-12 Schools	Glasgow High School	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	1	SPED teacher teaching English- will only teach SPED classes in 2012-14
Glasgow K-12 Schools	Glasgow High School	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	1	Teacher not assigned to this class for 2012-13
Grass Range Public Schls	Grass Range High School	ADVICE	10.55.708	Assignment Deviations	3	District will drop Music and offer Art by a K-12 endorsed Art teacher.
Great Falls Public Schls	Great Falls High School	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	1	Teacher not assigned to this class for 2012-13
Great Falls Public Schls	Great Falls High School	REGULAR WITH MINOR DEVIATION	10.55.709	Librarian FTE - Requirements not met	1	Full FTE in budget for 2012-13
Hamilton K-12 Schools	Hamilton High School	DEFICIENCY	10.55.707	Assignment Deviations	1	Teacher who had just retired and let license expire filled in for a teacher who quit- district hired a licensed teacher in January.
Harlowton Public Schools	Harlowton High School	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	1	Internship
Harrison K-12 Schools	Harrison High School	DEFICIENCY	10.55.707	Assignment Deviations	1	Math teacher will complete requirements for his license this summer.
Hays-Lodge Pole K-12 Schls	Hays-Lodge Pole High Sch	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	1	K-8 licensed teacher teaching HS English- Plan does not specify how deviation will be corrected for the 2012-13 school year.

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Belgrade Public Schools	Heck/Quaw Elementary	DEFICIENCY	10.55.705	Principal FTE - Requirements not met	1	Corrected in November 2011.
Belgrade Public Schools	Heck/Quaw Elementary	DEFICIENCY	10.55.708	Assignment Deviations	1	Corrected through HOUSSE
Belgrade Public Schools	Heck/Quaw Elementary	DEFICIENCY	10.55.709	Librarian FTE - Requirements not met	4	Submitted an alternative to standards request.
Belgrade Public Schools	Heck/Quaw Elementary	DEFICIENCY	10.55.712	Student Load >20 for Grades PK-2	3	11 classes over load. Facility issues. Building a new school by 2013. Will employ paraprofessionals in overload classes.
Helena Public Schools	Helena High School	DEFICIENCY	10.55.708	Assignment Deviations	1	The teacher will be reassigned within her endorsements.
Helena Public Schools	Helena High School	DEFICIENCY	10.55.708	Assignment Deviations	2	Teacher to be reassigned
Helena Public Schools	Helena High School	DEFICIENCY	10.55.713	Student Load >30 for Grades 9,10,11,12	4	9 class overloads. District states that the deviation will be corrected. No specific plan is given.
Billings Public Schools	Highland School	DEFICIENCY	10.55.709	Librarian FTE - Requirements not met	3	District will add .2FTE librarian.
Billings Public Schools	Highland School	DEFICIENCY	10.55.710	Counselor FTE - Requirements not met	7	District will add .4FTE counselor.
Billings Public Schools	Highland School	DEFICIENCY	10.55.712	Student Load >20 for Grades PK-2	2	District is adding 8 FTE teachers and 14 .5FTE para-educators to the district
Hinsdale Public Schools	Hinsdale 7-8	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	1	Teacher is entering an internship at MSU Havre.
Hinsdale Public Schools	Hinsdale 7-8	REGULAR WITH MINOR DEVIATION	10.55.709	Counselor Assignment Deviations	1	Teacher will complete his Library Media endorsement summer 2012.
Hinsdale Public Schools	Hinsdale High School	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	1	Teacher is entering an internship at MSU Havre.
Hinsdale Public Schools	Hinsdale High School	REGULAR WITH MINOR DEVIATION	10.55.710	Assignment Deviations	1	Teacher was miscoded as counseling.
Hinsdale Public Schools	Hinsdale School	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	1	Teacher will complete his Library Media endorsement summer 2012.
Hinsdale Public Schools	Hinsdale School	REGULAR WITH MINOR DEVIATION	10.55.710	Counselor Assignment Deviations	1	Teacher was miscoded as counseling.
Hot Springs Public Schls	Hot Springs High School	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	1	Teacher is entering an internship at MSU Havre.
Huntley Project K-12 Schls	Huntley Project 7-8	DEFICIENCY	10.55.707	Assignment Deviations	1	Endorsed teacher will be assigned to teach this class.

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Huntley Project K-12 Schls	Huntley Project 7-8	DEFICIENCY	10.55.708	Assignment Deviations	2	Endorsed teacher will be assigned to teach this class.
Huntley Project K-12 Schls	Huntley Project High Schl	DEFICIENCY	10.55.707	Assignment Deviations	1	Endorsed teacher will be assigned to teach this class.
Huntley Project K-12 Schls	Huntley Project High Schl	DEFICIENCY	10.55.708	Assignment Deviations	1	Endorsed teacher will be assigned to teach this class.
Huntley Project K-12 Schls	Huntley Project High Schl	DEFICIENCY	10.55.708	Assignment Deviations	1	Endorsed teacher will be assigned to teach this class.
Hysham K-12 Schools	Hysham High School	ADVICE	10.55.709	Librarian FTE - Requirements not met	1	Teacher will enroll in internship program.
Helena Public Schools	Jim Darcy School	DEFICIENCY	10.55.712	Student Load >20 for Grades PK-2	5	6 classes over load. All were given appropriate assignment of paraprofessionals this year and will be assigned again for 2012-13.
Joliet Public Schools	Joliet School	ADVICE	10.55.704	Superintendent FTE - Requirements not met	1	Administration will be restructured to provide .75 superintendent and .25 principal
Joliet Public Schools	Joliet School	ADVICE	10.55.709	Librarian FTE - Requirements not met	2	The school will restructure library time so that the school will have .5FTE librarian.
Helena Public Schools	Kessler Elementary School	DEFICIENCY	10.55.712	Student Load >20 for Grades PK-2	4	5 classes over load. All were given appropriate assignment of paraprofessionals this year and will be assigned again for 2012-13.
Whitefish Public Schools	L A Muldown School	DEFICIENCY	10.55.705	Principal FTE - Requirements not met	9	1.0 FTE principal will be added.
Whitefish Public Schools	L A Muldown School	DEFICIENCY	10.55.709	Librarian FTE - Requirements not met	1	Teacher with Library Media endorsement will be moved to 1.0FTE librarian.
Lambert Public Schools	Lambert 7-8	DEFICIENCY	10.55.707	Assignment Deviations	1	Teacher received his license after the Dec. 1 deadline in 2012-13.
Lambert Public Schools	Lambert High School	DEFICIENCY	10.55.707	Assignment Deviations	1	Teacher received his license after the Dec. 1 deadline in 2012-13.
Lame Deer Public Schools	Lame Deer 7-8	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	1	Teacher will enter an internship.
Lame Deer Public Schools	Lame Deer 7-8	REGULAR WITH MINOR DEVIATION	10.55.709	Library Assignment Deviations	1	Teacher will qualify through HOUSSSE.
Lame Deer Public Schools	Lame Deer High School	REGULAR WITH MINOR DEVIATION	10.55.709	Library Assignment Deviations	1	Teacher received his license after the Dec. 1 deadline in 2012-13.
10 LaMotte Elementary	LaMotte School	ADVICE	10.55.709		2	District will apply for an alternative to standard through the MSSA.

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Prepared by the Office of Public Instruction, Denise Juneau, Superintendent

2012-13 Corrective Plans Recommended for Approval

Laurel Public Schools	Laurel High School	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	1	Teacher retired and a properly endorsed teacher will be hired.
Laurel Public Schools	Laurel High School	REGULAR WITH MINOR DEVIATION	10.55.709	Librarian FTE - Requirements not met	1	An alternative to standard was approved by the BPS.
Laurel Public Schools	Laurel Middle School	ADVICE	10.55.709	Librarian FTE - Requirements not met	2	An alternative to standard was approved by the BPS.
Lavina K-12 Schools	Lavina High School	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	1	Teacher will enter an internship.
Lavina K-12 Schools	Lavina High School	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	1	Teacher will enter an internship.
Billings Public Schools	Lewis & Clark 7-8	DEFICIENCY	10.55.707	Assignment Deviations	1	Teacher has added the endorsement.
Billings Public Schools	Lewis & Clark 7-8	DEFICIENCY	10.55.709	Librarian FTE - Requirements not met	5	District will add .5FTE librarian.
Lewistown Public Schools	Lewis & Clark School	DEFICIENCY	10.55.704	Superintendent FTE - Requirements not met	1	Data entry error.
Lewistown Public Schools	Lewis & Clark School	DEFICIENCY	10.55.709	Librarian FTE - Requirements not met	8	District will hire an additional .5FTE librarian.
Lewistown Public Schools	Lewistown 7-8	DEFICIENCY	10.55.704	Superintendent FTE - Requirements not met	1	Data entry error.
Lewistown Public Schools	Lewistown 7-8	DEFICIENCY	10.55.709	Librarian FTE - Requirements not met	8	District will hire an additional .5FTE librarian.
Lima K-12 Schools	Lima High School	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	1	Teacher is pursuing Economics endorsement. Class will not be offered until his endorsement is completed.
Lima K-12 Schools	Lima High School	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	1	This class will not be offered until a properly endorsed teacher is hired.
Lima K-12 Schools	Lima High School	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	1	Teacher will enter an internship.
Lodge Grass Public Schls	Lodge Grass 7-8	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	2	Teacher has obtained a class 5 license until 2014.
Lodge Grass Public Schls	Lodge Grass High School	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	2	Teacher has obtained a class 5 license until 2014.
Lodge Grass Public Schls	Lodge Grass School	DEFICIENCY	10.55.707	Assignment Deviations	1	Teacher has obtained a class 5 license until 2014.

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Prepared by the Office of Public Instruction, Denise Juneau, Superintendent

2012-13 Corrective Plans Recommended for Approval

Lone Rock Elementary	Lone Rock 7-8	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	1	Edward Bernosky will teach in his endorsed area- 7th grade English.
Lone Rock Elementary	Lone Rock 7-8	REGULAR WITH MINOR DEVIATION	10.55.713	Student Load >30 for Grades 5,6,7,8	1	Classes will be adjusted to be at 30 or below.
Lone Rock Elementary	Lone Rock 7-8	REGULAR WITH MINOR DEVIATION	10.55.713	Student Load >30 for Grades 5,6,7,8	1	Classes will be adjusted to be at 30 or below.
Loyola-Sacred Heart High	Loyola-Sacred Heart H S	DEFICIENCY	10.55.707	Assignment Deviations	1	Teacher has reinstated his license.
Lustre Elementary	Lustre School	DEFICIENCY	10.55.708	Assignment Deviations	2	Teacher is working on elementary endorsement through MSU billings
Malmborg Elementary	Malmborg School	ADVICE	10.55.709	Librarian FTE - Requirements not met	1	Will hire an endorsed librarian.
Manhattan Christian High	Manhattan Christian H S	DEFICIENCY	10.55.707	Assignment Deviations	2	Music teacher is enrolled for classes at MSU and will apply for a Class 5 license.
Manhattan Christian High	Manhattan Christian H S	DEFICIENCY	10.55.708	Assignment Deviations	3	Teacher has enrolled in an internship.
Billings Public Schools	McKinley School	DEFICIENCY	10.55.712	Student Load >20 for Grades PK-2	4	District is adding 8 FTE teachers and 14 .5FTE para-educators to the district
Billings Public Schools	Meadowlark School	DEFICIENCY	10.55.707	Assignment Deviations	1	Teacher has reinstated h is license.
Billings Public Schools	Meadowlark School	DEFICIENCY	10.55.710	Counselor FTE - Requirements not met	7	District will add .2FTE counselor.
Billings Public Schools	Meadowlark School	DEFICIENCY	10.55.712	Student Load >20 for Grades PK-2	1	District is adding 8 FTE teachers and 14 .5FTE para-educators to the district
Melstone Public Schools	Melstone 7-8	REGULAR WITH MINOR DEVIATION	10.55.710	Counselor Assignment Deviations	1	Counselor is currently taking classes toward his counseling endorsement. The district has been advised to arrange an internship.
Melstone Public Schools	Melstone High School	REGULAR WITH MINOR DEVIATION	10.55.710	Assignment Deviations	1	Counselor is currently taking classes toward his counseling endorsement. The district has been advised to arrange an internship.
Melstone Public Schools	Melstone School	REGULAR WITH MINOR DEVIATION	10.55.710	Counselor Assignment Deviations	1	Counselor is currently taking classes toward his counseling endorsement. The district has been advised to arrange an internship.
Billings Public Schools	Miles Avenue School	ADVICE	10.55.709	Librarian FTE - Requirements not met	1	District will add .2FTE librarian.

2012-13 Corrective Plans Recommended for Approval

Billings Public Schools	Miles Avenue School	ADVICE	10.55.712	Student Load >20 for Grades PK-2	3	District is adding 8 FTE teachers and 14 .5FTE para-educators to the district
Moore Public Schools	Moore High School	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	1	Teacher will enroll in an internship.
Billings Public Schools	Newman School	DEFICIENCY	10.55.709	Librarian FTE - Requirements not met	4	District will add .2 FTE librarian.
Billings Public Schools	Newman School	DEFICIENCY	10.55.712	Student Load >20 for Grades PK-2	1	District is adding 8 FTE teachers and 14 .5FTE para-educators to the district
North Cheyenne Trib Schools	Northern Cheyenne Trib HS	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	1	Teachers will be reassigned
North Cheyenne Trib Schools	Northern Cheyenne Trib HS	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	1	Teachers will be reassigned
Opheim K-12 Schools	Opheim 7-8	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	2	Teacher now has an appropriate license.
Opheim K-12 Schools	Opheim High School	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	2	Teacher now has an appropriate license.
Billings Public Schools	Orchard School	ADVICE	10.55.710	Counselor FTE - Requirements not met	1	District will ad .25 FTE counselor. .2 for 2012-13 and .05 for 2013-14
Billings Public Schools	Orchard School	ADVICE	10.55.712	Student Load >20 for Grades PK-2	3	District is adding 8 FTE teachers and 14 .5FTE para-educators to the district
Paradise Elementary	Paradise School	ADVICE	10.55.708	Assignment Deviations	2	The improperly endorsed teacher will not be returning for the 2012-13 school year.
Paradise Elementary	Paradise School	ADVICE	10.55.708	Assignment Deviations	2	The improperly endorsed teacher will not be returning for the 2012-13 school year.
Colstrip Public Schools	Pine Butte Elementary Sch	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	1	Teacher is sole provider in the pre-school.
Colstrip Public Schools	Pine Butte Elementary Sch	REGULAR WITH MINOR DEVIATION	10.55.709	Librarian FTE - Requirements not met	1	Data entry error.
Dept of Corrections-Youth	Pine Hills Youth Corr Facil EI	ADVICE	10.55.710	Counselor FTE - Requirements not met	1	Pine Hills has hired a licensed counselor.
Dept of Corrections-Youth	Pine Hills Youth Corr Facil HS	ADVICE	10.55.710	Counselor FTE - Requirements not met	1	Pine Hills has hired a licensed counselor.
Pryor Public Schools	Plenty Coups High School	ADVICE	10.55.709	Librarian FTE - Requirements not met	1	Library media specialist hired

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Polson Public Schools	Polson High School	ADVICE	10.55.709	Librarian FTE - Requirements not met	2	High School has an approved Alternative to Standard.
Billings Public Schools	Poly Drive School	DEFICIENCY	10.55.710	Counselor FTE - Requirements not met	7	District will add .4FTE counselor.
Billings Public Schools	Poly Drive School	DEFICIENCY	10.55.712	Student Load >20 for Grades PK-2	2	District is adding 8 FTE teachers and 14 .5FTE para-educators to the district
Billings Public Schools	Ponderosa School	ADVICE	10.55.712	Student Load >20 for Grades PK-2	3	District is adding 8 FTE teachers and 14 .5FTE para-educators to the district
Poplar Public Schools	Poplar High School	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	1	Bergren- non-renewed contract.
Poplar Public Schools	Poplar High School	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	1	Teach will complete endorsement prior to the start of school 2012-13.
Powell County High School	Powell County High School	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	1	Jessica Anderson will complete Broadfield SS prior to the start of school 2012-13.
Vida Elementary	Prairie Elk Colony School	ADVICE	10.55.709	Librarian FTE - Requirements not met	1	District has submitted an application for an alternative using the MSSA model.
Pryor Public Schools	Pryor 7-8	ADVICE	10.55.709	Librarian FTE - Requirements not met	1	District has hired a licensed Librarian for the 2012-13 school year.
Pryor Public Schools	Pryor Elem School	ADVICE	10.55.709	Librarian FTE - Requirements not met	1	District has hired a licensed Librarian for the 2012-13 school year.
Glasgow K-12 Schools	R L Irle School	ADVICE	10.55.709	Librarian FTE - Requirements not met	2	District has hired a licensed Librarian for the 2012-13 school year.
Rapelje Public Schools	Rapelje High School	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	2	Teacher has completed Broadfield Science endorsement.
Circle Public Schools	Redwater 7-8	REGULAR WITH MINOR DEVIATION	10.55.709	Library Assignment Deviations	1	District has applied for an alternative to standard using the MSSA model.
Circle Public Schools	Redwater School	ADVICE	10.55.709	Librarian FTE - Requirements not met	1	District has applied for an alternative to standard using the MSSA model.
Belgrade Public Schools	Ridge View Elementary	DEFICIENCY	10.55.709	Librarian FTE - Requirements not met	3	3rd year- 12 classes over load. District has hired 3 paraeducators to work in classrooms with over loads.
Rocky Boy Public Schools	Rocky Boy 7-8	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	1	Teacher will qualify through Housse

2012-13 Corrective Plans Recommended for Approval

Rocky Boy Public Schools	Rocky Boy High School	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	1	Teacher will qualify through Housse
Billings Public Schools	Rose Park School	ADVICE	10.55.710	Counselor FTE - Requirements not met	2	District will add .4FTE counselor.
Ross Elementary	Ross School	ADVICE	10.55.708	Assignment Deviations	1	District will hire an appropriately endorsed teacher.
Helena Public Schools	Rossiter School	DEFICIENCY	10.55.712	Student Load >20 for Grades PK-2	6	9 class overloads. District will assign appropriate number of paraeducators to overload classes.
Roy K-12 Schools	Roy 7-8	DEFICIENCY	10.55.709	Librarian FTE - Requirements not met	2	Roy has submitted an application for an alternative standard using the MSSA model.
Roy K-12 Schools	Roy High School	DEFICIENCY	10.55.709	Librarian FTE - Requirements not met	2	Roy has submitted an application for an alternative standard using the MSSA model.
Roy K-12 Schools	Roy School	DEFICIENCY	10.55.709	Librarian FTE - Requirements not met	2	Roy has submitted an application for an alternative standard using the MSSA model.
Billings Public Schools	Sandstone School	DEFICIENCY	10.55.710	Counselor FTE - Requirements not met	3	District will add .2FTE counselor.
Billings Public Schools	Sandstone School	DEFICIENCY	10.55.712	Student Load >20 for Grades PK-2	2	District is adding 8 FTE teachers and 14 .5FTE para-educators to the district
Shepherd Public Schools	Shepherd 7-8	ADVICE	10.55.709	Librarian FTE - Requirements not met	2	With fewer than 500 students the district will use the 1.0 FTE librarian for both schools.
Shepherd Public Schools	Shepherd High School	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	1	Elementary teacher will teach only in the elementary 2012-13.
Shepherd Public Schools	Shepherd High School	REGULAR WITH MINOR DEVIATION	10.55.713	Student Load >30 for Grades 9,10,11,12	1	No overloads will occur.
Shields Valley Pub Schls	Shields Valley 7-8	ADVICE	10.55.708	Assignment Deviations	1	District will submit an application for an alternative to standards to use the MSSA model.
Shields Valley Pub Schls	Shields Valley 7-8	ADVICE	10.55.709	Librarian FTE - Requirements not met	1	District will submit an application for an alternative to standards to use the MSSA model.
Shields Valley Pub Schls	Shields Valley Elementary	ADVICE	10.55.709	Librarian FTE - Requirements not met	1	District will submit an application for an alternative to standards to use the MSSA model.

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Shields Valley Pub Schls	Shields Valley High Schl	DEFICIENCY	10.55.708	Assignment Deviations	4	District will submit an application for an alternative to standards to use the MSSA model.
Shields Valley Pub Schls	Shields Valley High Schl	DEFICIENCY	10.55.709	Librarian FTE - Requirements not met	1	District will submit an application for an alternative to standards to use the MSSA model.
Sidney Public Schools	Sidney Elementary	REGULAR WITH MINOR DEVIATION	10.55.705	Principal FTE - Requirements not met	1	This was a data entry error. Sidney had the required number of administrative FTE.
Sidney Public Schools	Sidney Elementary	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	1	This is a deviation generated by a pre-school teacher.
Sidney Public Schools	Sidney Elementary	REGULAR WITH MINOR DEVIATION	10.55.709	Librarian FTE - Requirements not met	1	District will add additional library FTE.
Sidney Public Schools	Sidney Elementary	REGULAR WITH MINOR DEVIATION	10.55.710	Counselor FTE - Requirements not met	1	District will add .5 counselor FTE.
Sidney Public Schools	Sidney Elementary	REGULAR WITH MINOR DEVIATION	10.55.712	Student Load >20 for Grades PK-2	1	4 class overloads. Paraprofessional were assigned as per standards and will be again for the 2012-13 school year.
Sidney Public Schools	Sidney Middle School	DEFICIENCY	10.55.709	Librarian FTE - Requirements not met	3	District will add additional library FTE.
Sun River Valley Pub Schls	Simms High School	DEFICIENCY	10.55.707	Assignment Deviations	1	Teacher has renewed her license.
Sun River Valley Pub Schls	Simms High School	DEFICIENCY	10.55.707	Assignment Deviations	1	Teacher has obtained a Class 5 license.
Billings Public Schools	Skyview High School	DEFICIENCY	10.55.707	Assignment Deviations	1	HOUSSE qualifications have been sent to OPI.
Livingston Public Schools	Sleeping Giant Middle Sch	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	1	District has hired a properly endorsed teacher
St Labre Schools	St Labre High School	ADVICE	10.55.708	Assignment Deviations	3	District has hired a properly endorsed teacher
St Regis K-12 Schools	St Regis High School	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	1	Error- SPED teacher not sole provider
St Regis K-12 Schools	St Regis High School	REGULAR WITH MINOR DEVIATION	10.55.710	Counselor Assignment Deviations	1	Counselor on leave will return
St Regis K-12 Schools	St Regis School	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	2	Teacher left during the 2011-12 school year.
Stevensville Public Schls	Stevensville 7-8	DEFICIENCY	10.55.710	Counselor FTE - Requirements not met	4	Will add FTE

2012-13 Corrective Plans Recommended for Approval

Stevensville Public Schls	Stevensville High School	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	1	Teacher will be reassigned
Stevensville Public Schls	Stevensville High School	REGULAR WITH MINOR DEVIATION	10.55.709	Librarian FTE - Requirements not met	1	Will add FTE
Stevensville Public Schls	Stevensville K-6	DEFICIENCY	10.55.710	Counselor FTE - Requirements not met	4	Will add FTE
Sun River Valley Pub Schls	Sun River Middle School	DEFICIENCY	10.55.707	Assignment Deviations	1	Teacher now has a Class 2 license
Sunburst K-12 Schools	Sunburst High School	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	2	Teacher now has endorsement
Swan River Elementary	Swan River 7-8	DEFICIENCY	10.55.707	Assignment Deviations	1	Assignment will be given to a licensed and endorsed teacher for Social Studies
Swan River Elementary	Swan River 7-8	DEFICIENCY	10.55.708	Assignment Deviations	3	Assignment will be given to a licensed and endorsed teacher
Swan River Elementary	Swan River 7-8	DEFICIENCY	10.55.710	Counselor FTE - Requirements not met	3	Will add FTE
Terry K-12 Schools	Terry High School	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	1	Teacher has resigned. School will hire an endorsed HPE teacher
Terry K-12 Schools	Terry High School	REGULAR WITH MINOR DEVIATION	10.55.709	Library Assignment Deviations	1	Teacher has acquired Library endorsement
Terry K-12 Schools	Terry Middle School	REGULAR WITH MINOR DEVIATION	10.55.709	Library Assignment Deviations	1	Teacher has acquired Library endorsement
Terry K-12 Schools	Terry School	REGULAR WITH MINOR DEVIATION	10.55.709	Assignment Deviations	1	Teacher has resigned. School will hire an endorsed HPE teacher
Thompson Falls Pub Schls	Thompson Falls Elem Schl	ADVICE	10.55.708	Assignment Deviations	1	Teacher will get into an internship
Three Forks Public Schls	Three Forks Elem School	ADVICE	10.55.705	Principal FTE - Requirements not met	2	Will add Admin. FTE
Three Forks Public Schls	Three Forks Elem School	ADVICE	10.55.712	Student Load >20 for Grades PK-2	2	When 2nd grade moves to 3rd grade they will be in compliance
Three Forks Public Schls	Three Forks Elem School	ADVICE	10.55.712	Student Load >20 for Grades PK-2	2	Hired an aide for class overloads. When 2nd grade moves to 3rd grade they will be in compliance
Three Forks Public Schls	Three Forks High School	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	2	Teacher will not be teaching next year. An endorsed teacher has been hired.
Three Forks Public Schls	Three Forks High School	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	2	Teacher will not be teaching next year. An endorsed teacher has been hired.

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Three Forks Public Schls	Three Forks High School	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	1	Teacher will not be teaching next year. An endorsed teacher has been hired.
Troy School District	Troy HS	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	2	Teacher works with a special population of severe achievement deficits and teaches a K-8 curriculum.
Troy School District	Troy HS	REGULAR WITH MINOR DEVIATION	10.55.709	Library FTE	1	School will apply for an alternative to standard.
Troy School District	Troy HS	REGULAR WITH MINOR DEVIATION	10.55.712	Student overload	2	School will apply for an alternative to standard.
Ulm Elementary	Ulm 7-8	ADVICE	10.55.709	Assignment Deviations	2	Have MSSA alternative to standard for library
Ulm Elementary	Ulm School	ADVICE	10.55.709	Assignment Deviations	2	Have MSSA alternative to standard for library
Valier Public Schools	Valier High School	DEFICIENCY	10.55.707	Assignment Deviations	1	Have MSSA alternative to standard for library
Valley View Elementary	Valley View School	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	1	Teacher enrolled in an Internship
Vida Elementary	Vida School	ADVICE	10.55.709	Librarian FTE - Requirements not met	1	Has an approved alternative to standard
Billings Public Schools	Washington School	DEFICIENCY	10.55.709	Librarian FTE - Requirements not met	1	District is adding library FTE
Billings Public Schools	Washington School	DEFICIENCY	10.55.712	Student Load >20 for Grades PK-2	5	District is adding 8 FTE teachers and 14 .5FTE para-educators to the district
West Glacier Elementary	West Glacier School	ADVICE	10.55.710	Counselor FTE - Requirements not met	1	Has an approved alternative to standard
West Valley Elementary	West Valley School	DEFICIENCY	10.55.705	Principal FTE - Requirements not met	4	District has added administrative FTE
Westby K-12 Schools	Westby High School	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	1	HOUSSE qualifications have been sent to OPI.
White Sul Spgs Pub Schls	White Sulphur Springs 7-8	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	2	Music teacher is in the process of obtaining a Class 2 license
White Sul Spgs Pub Schls	White Sulphur Springs El	ADVICE	10.55.708	Assignment Deviations	3	Music teacher is in the process of obtaining a Class 2 license
White Sul Spgs Pub Schls	White Sulphur Springs HS	DEFICIENCY	10.55.708	Assignment Deviations	4	Music teacher is in the process of obtaining a Class 2 license
Whitefish Public Schools	Whitefish Middle 5-8	DEFICIENCY	10.55.709	Librarian FTE - Requirements not met	6	District has added library FTE

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Whitehall Public Schools	Whitehall 7-8	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	1	Teacher will be reassigned and an endorsed teacher will teach art.
Whitehall Public Schools	Whitehall 7-8	REGULAR WITH MINOR DEVIATION	10.55.709	Library Assignment Deviations	1	District will add library FTE
Whitehall Public Schools	Whitehall Elementary	REGULAR WITH MINOR DEVIATION	10.55.709	Library Assignment Deviations	1	District will add library FTE
Whitehall Public Schools	Whitehall High School	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	1	Teacher will be reassigned and an endorsed teacher will teach art.
Whitehall Public Schools	Whitehall High School	REGULAR WITH MINOR DEVIATION	10.55.709	Librarian FTE - Requirements not met	1	District will add library FTE
Billings Public Schools	Will James 7-8	DEFICIENCY	10.55.709	Librarian FTE - Requirements not met	5	District will add library FTE
Winnett K-12 Schools	Winnett High School	REGULAR WITH MINOR DEVIATION	10.55.708	Assignment Deviations	1	Teacher has enrolled in an internship.
Wyola Elementary	Wyola 7-8	DEFICIENCY	10.55.710	Counselor FTE - Requirements not met	2	District has advertised for a counselor.
Wyola Elementary	Wyola School	DEFICIENCY	10.55.710	Counselor FTE - Requirements not met	2	District has advertised for a counselor.

❖ ASSESSMENT COMMITTEE
Sharon Carroll (Item 12)

ITEM 12

RECOMMENDATION OF APPROVAL OF
NOTICE OF ADOPTION OF AMENDMENT
PERTAINING TO ADMINISTRATIVE RULES
OF MONTANA, CHAPTER 56 STUDENT
ASSESSMENT

Nancy Coopersmith
Pete Donovan

EXECUTIVE SUMMARY

DATE: SEPTEMBER 2012

- PRESENTATION:** Notice of Amendment of Administrative Rules of Montana (ARM) 10.56.101 Student Assessment
- PRESENTER:** Nancy Coopersmith, Assistant Superintendent
Office of Public Instruction
- Peter Donovan, Executive Secretary
Board of Public Education
- OVERVIEW:** The Office of Public Instruction will present to the Montana Board of Public Education the Notice of Amendment of ARM 10.56.101 Student Assessment.
- At the July BPE meeting the BPE approved the superintendent's recommendation to adopt the Notice of Public Hearing.
 - On August 21, 2012, the BPE conducted a public hearing. No comments of testimony were received.
- REQUESTED DECISION(S):** Action
- OUTLYING ISSUE(S):** None
- RECOMMENDATION(S):** The state superintendent recommends adoption of the Notice of Amendment of ARM 10.56.101 Student Assessment.

BEFORE THE BOARD OF PUBLIC EDUCATION
OF THE STATE OF MONTANA

In the matter of the amendment of) NOTICE OF PUBLIC HEARING ON
ARM 10.56.101 relating to) PROPOSED AMENDMENT
assessment)

TO: All Concerned Persons

1. On August 21, 2012 at 9:00 a.m., the Board of Public Education will hold a public hearing in the Superintendent's conference room at 1227 11th Avenue, Helena Montana, to consider the proposed amendment of the above-stated rule.

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 no later than 5:00 p.m. on August 7, 2012 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 rule as proposed to be amended provides as follows, new matter underlined, deleted matter interlined:

10.56.101 STUDENT ASSESSMENT (1) By the authority of 20-2-121(12), MCA and ARM 10.55.603, the Board of Public Education adopts rules for state-level assessment in the public schools and those private schools seeking accreditation.

(2) The board recognizes that the primary purpose of assessment is to serve learning. ~~Classroom assessment is the primary means through which assessment impacts instruction and learning for individuals. State-level and large-scale assessment affect learning through assisting policy decisions and assuring program quality for all students. To meet both classroom and state-level needs, state-level assessments will provide information about the proficiency level of student achievement relative to established content standards, as well as the status of Montana's schools in relation to other groups of students, states, and nations. The school and district responsibilities for assessment are identified in ARM 10.55.603.~~ A balanced assessment system including formative, interim, and summative assessments aligned to state content standards will provide an integrated approach to meeting both classroom learning needs and school and state level information needs. A balanced assessment system is structured to continuously improve teaching and learning and to inform education policy.

(3) In order to obtain state-level achievement information, all accredited schools shall annually administer a single system of state-level assessments approved by the board. The following state-level assessments shall be administered according to standardized procedures. Districts and schools shall ensure that all test administrators are trained in and follow those procedures.

(a) State-level assessments shall aligned to Montana content standards (phase 1) and the Montana common core standards (phase 2) shall be administered to all students in grades four, eight and eleven in reading, communication arts, mathematics, science, and social studies. For planning purposes, state-level assessments shall be given during a week in the spring of the year, identified by the Office of Public Instruction a year prior to the assessment date. as specified below for each phase.

(i) Phase 1 – school years 2012-2013 and 2013-2014, the assessments shall be:

- (A) aligned to Montana content standards;
- (B) administered to grades 3-8 and 10 in math and reading;
- (C) administered to grades 4, 8, and 10 in science; and
- (D) administered in the spring of the year.

(ii) Phase 2 – beginning in school year 2014-2015, the assessments shall be:

- (A) aligned to Montana common core standards;
- (B) administered to grades 3-8 and 11 in math and English language arts;
- (C) aligned to Montana content standards for science and administered in grades 4, 8, and 10; and
- (D) administered in the spring of the year.

(b) All-state State-level assessments results shall be provided to the Office of Public Instruction and school districts in a format specified by the Office of Public Instruction and approved by the Board of Public Education aligned to Montana English language proficiency standards shall be administered to all students identified as Limited English Proficient (LEP) in grades K-12. These assessments shall be administered mid-school year.

(c) Beginning in the 2012-13 school year, the ACT Plus Writing college readiness test shall be offered to all eleventh grade public school students in their high schools on a school day without charge to the students or schools. Students may participate without accommodations, with ACT-approved accommodations, or with state-allowed accommodations. The testing window for the ACT Plus Writing will be in April and May of each year. All eleventh grade students will take the test unless:

- (i) a parent or guardian requests in writing that the student not participate; or
- (ii) a student, 18 or older, requests in writing to not participate.

(d) The obligation for funding the assessments identified in (3)(a), (b), and (c) is an obligation of the state. This section may not be construed to require a school district to provide these assessments if the state does not have a current contract with test vendors for provision of these assessments to Montana school districts.

(4) State-level assessment results are a part of each student's permanent records as described in ARM 10.55.909.

(5) The Office Superintendent of Public Instruction shall provide a report of the results to the board, and the Legislature, and the public. Schools are encouraged to compare their results with the state results and share state-level assessment information with parents and local communities.

(6) The Superintendent of Public Instruction is authorized to make available the reported student assessment data in compliance with confidentiality requirements of federal and state law. State-level assessment results released to

the public shall be accompanied by a clear statement of the purposes of the assessments, subject areas assessed, level of measurement of the content standards, and the percent of students who participated in the assessments. ~~The release shall include additional information to provide a fair and useful context for assessment reporting (e.g., dropout rates, mobility rates, poverty levels, district size) that will assist districts to examine their educational programs to assure effectiveness.~~ The Superintendent of Public Instruction will ensure transparency and public availability of public school performance data and reporting as outlined in 20-7-104, MCA.

(7) All students shall participate in the state-level assessments, except as provided in (3)(d). ~~Students with disabilities or limited English proficiency (LEP) shall participate using the approved assessments, unless it is determined that a student's progress toward the content standards cannot be adequately measured with the approved assessments even when provided accommodations.~~

(a) For a students with disabilities, the student's individualized education program (IEP) teams ~~have~~ has the authority to specify accommodations to be provided, as defined in (8), for participation by the student in the state-level assessment.

(i) When an IEP team determines that an accommodation for a student's disability would still not allow for adequate measurement of the student's progress toward the content standards, the IEP team may waive using the approved state-level assessments by providing alternate assessments that are appropriate to determine the student's progress toward the content standards.

(b) For a students who ~~have~~ has been identified by a team of educators through the district's process as LEP, ~~those teams have the authority to specify accommodations to~~ may be provided, as defined in (8), for participation by the student in the state-level assessment.

(i) When the ~~team of educators~~ result of the district's process indicates ~~determines~~ that an accommodation for an LEP student who has had fewer than three years of instruction in English would still not allow for adequate measurement of the student's progress toward the content standards, the team of educators may waive using the approved state-level assessments by providing alternate assessments that are appropriate to determine the student's progress toward the content standards.

~~(c) The Office of Public Instruction shall provide guidance to schools concerning alternate state-level assessments.~~

(8) Accommodations allow a students to demonstrate competence in subject matter so that state-level assessment results accurately reflect the student's' achievement levels rather than limited English language development or impaired sensory or manual skills, except where those skills are the factors which the assessment purports to measure.

(a) Accommodations for state-level assessment purposes ~~is~~ are defined as modifications of the test administration procedures similar to those used to support and accommodate assess the student in the instructional setting.

(b) Accommodations may include, but are not limited to extended time, small group administration, facilitator reading directions, native language support, student responding orally, or using required assistive technology. Accommodations vary for

the state required tests under (3)(a) through (c) and are dependent on the knowledge and skills being measured. Test-specific accommodations are detailed in test administration manuals.

(c) The Office Superintendent of Public Instruction shall provide guidance to schools concerning appropriate accommodations.

AUTH: 20-2-121, MCA

IMP: 20-2-121, 20-7-402, MCA

4. REASON: The Board of Public Education has determined that it is reasonable and necessary to amend the above rule because Federal testing requirements have changed to require tests aligned to state content standards. Montana is in the process of adopting common core standards in core subjects. As the current content standards are replaced with common core standards the tests will be replaced with new tests aligned to the common core standards. Federal testing requirements have also changed requiring tests aligned to the Montana English language proficiency standards for students with Limited English Proficiency (LEP).

The Montana Office of the Commissioner of Higher Education was awarded a seven year grant for all public high schools to offer the ACT Plus Writing college readiness assessment to all eleventh grade students free of charge. The amendments to this rule require all schools to offer the ACT Plus Writing as an accreditation requirement.

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 and must be received no later than 5:00 p.m., August 23, 2012.

6. Peter Donovan, Executive Secretary for the Board of Public Education has been designated to preside over and conduct this hearing.

7. The Board of Public Education maintains a list of interested persons who wish to receive notices of rulemaking actions proposed by this 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.

/s/ Peter Donovan
Peter Donovan
Rule Reviewer

/s/ Patty Myers
Patty Myers, Chair
Board of Public Education

Certified to the Secretary of State July 16, 2012.

BEFORE THE BOARD OF PUBLIC EDUCATION
OF THE STATE OF MONTANA

In the matter of the amendment of) NOTICE OF AMENDMENT
ARM 10.56.101 relating to)
assessment)

TO: All Concerned Persons

1. On July 26, 2012, the Board of Public Education published MAR Notice No. 10-56-263 pertaining to the public hearing on the proposed amendment of the above-stated rule at page 1440 of the 2012 Montana Administrative Register, Issue Number 14.

2. The board has amended the above-stated rule as proposed.

3. No comments or testimony were received.

Peter Donovan
Rule Reviewer

Patty Myers, Chair
Board of Public Education

Certified to the Secretary of State October 1, 2012.

BEFORE THE BOARD OF PUBLIC EDUCATION
OF THE STATE OF MONTANA

(1) I, Patty Myers, Chair of the Board of Public Education of the State of Montana, by virtue of and pursuant to the authority vested in me by 20-2-114 and 20-2-121, MCA, adopt the annexed rule, to wit:

AMEND:

ARM STUDENT ASSESSMENT

as a permanent rule of the board.

(2) This order, after first being recorded in the order register of the Board of Public Education, shall be forwarded to the Secretary of State for filing.

Approved and Adopted September ____, 2012
Certified to the Secretary of State, October 1, 2012

Patty Myers, Chair
Board of Public Education

❖ ACCREDITATION COMMITTEE
PATTY MYERS (Item 13)

ITEM 13

RECOMMENDATION OF APPROVAL OF
NOTICE OF ADOPTION OF AMENDMENT
PERTAINING TO ADMINISTRATIVE RULES
OF MONTANA TITLE 10, CHAPTER 55
STANDARDS OF ACCREDITATION

Linda Peterson
Pete Donovan

EXECUTIVE SUMMARY

DATE: SEPTEMBER 2012

PRESENTATION: Recommendation of Approval of Notice of Adoption and Amendment of Administrative Rules of Montana (ARM) Title 10, Chapter 55 Standards of Accreditation

PRESENTER: Peter Donovan, Executive Secretary
Board of Public Education

Linda Vrooman Peterson, Administrator
Accreditation and Educator Preparation Division
Office of Public Instruction

OVERVIEW: This presentation provides to the Board of Public Education (BPE) the Notice of Adoption and Amendment of ARM Title 10, Chapter 55 Standards of Accreditation. The Notice of Adoption and Amendment includes public comments and responses. State Superintendent Juneau recommends approval of the Notice of Adoption and Amendment of the Standards of Accreditation as presented.

REQUESTED DECISION(S): Action

OUTLYING ISSUE(S):

RECOMMENDATION(S): Approve Notice of Adoption and Amendment: Adoption of New Rule I and New Rule II and the amendment of ARM 10.55.601 through 10.55.606, 10.55.701 through 10.55.711, 10.55.713 through 10.55.717, 10.55.801 through 10.55.805, 10.55.901 and 10.55.902, 10.55.904 through 10.55.910, 10.55.1001, and 10.55.1003 relating to accreditation standards and direct the publication of the Notice of Adoption and Amendment.

BEFORE THE BOARD OF PUBLIC EDUCATION
OF THE STATE OF MONTANA

In the matter of the amendment of)	NOTICE OF PUBLIC HEARING ON
ARM 10.55.601 through 10.55.606,)	PROPOSED AMENDMENT
10.55.701 through 10.55.718,)	
10.55.801 through 10.55.805,)	
10.55.901 through 10.55.910, and)	
10.55.1001 through 10.55.1003)	
relating to accreditation standards)	

TO: All Concerned Persons

1. On August 20, 2012 at 1:30 p.m. the Board of Public Education will hold a public hearing in the OPI conference room at 1300 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 no later than 5:00 p.m. on August 6, 2012, 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 adopted provide as follows:

NEW RULE I INTERNSHIPS (1) Internships are defined in ARM 10.55.602.

(2) As part of an internship agreement, the parties must agree to the following:

(a) the intern will complete the requirements for the appropriate endorsement within three years;

(b) the school district will provide local supervision and support of the intern; and

(c) the accredited educator preparation program will approve the coursework and provide support and periodic supervision.

(3) If entering into internship agreements, 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.

(4) For each intern a district desires to have deemed appropriately assigned, the school district must report to the Superintendent during the annual data collection, at the beginning of years two and three of each internship agreement, the intern's yearly progress toward completion of the program of study.

(5) An intern may be considered appropriately assigned for up to three years while enrolled in and making progress toward completion of a Montana accredited educator preparation program. Extension may be granted at the discretion of the

Superintendent of Public Instruction as authorized in ARM 10.57.109. Requests for extension must be submitted by the intern and supported by the accredited educator preparation program and the school district. A request for extension must demonstrate evidence of extreme hardship or other circumstances beyond the control of the intern which prevented timely completion of the agreed upon plan of study.

(6) If an intern fails to show sufficient and satisfactory annual progress in the plan of study toward completion of a Montana accredited educator preparation program, the Superintendent of Public Instruction may consider that intern inappropriately assigned.

(7) An emergency authorization of employed granted by the Superintendent of Public Instruction pursuant to 20-4-111, MCA is not a license; it is granted to a district which, under emergency conditions, cannot secure the services of an appropriately licensed and endorsed teacher or principal. A person authorized under 20-4-111, MCA is not eligible for an internship.

AUTH: 20-2-121, MCA

IMP: 20-2-121, MCA

NEW RULE II STUDENT PROTECTION PROCEDURES (1) A local board of trustees shall adopt a policy designed to deter persistent threatening, insulting, or demeaning gestures or physical conduct, including an intentional written, verbal, or electronic communication or threat directed against a student or students regardless of the underlying reason for such conduct, that:

(a) causes a student physical or emotional harm, damages a student's property, or places a reasonable fear of harm to the student or the student's property;

(b) substantially and materially interferes with access to an educational opportunity or benefit; or

(c) substantially and materially disrupts the orderly operation of the school.

(2) Behavior prohibited under (1) includes retaliation against a victim or witness who reports behavior prohibited under (1).

(3) "Persistent" as used in this rule can consist of repeated acts against a single student or isolated acts directed against a number of different students.

(4) The behavior prohibited in (1) includes but is not limited to conduct:

(a) in a classroom or other location on school premises;

(b) during any school-sponsored program, activity, or function where the school is responsible for the student including when the student is traveling to and from school or on a school bus or other school-related vehicle; or

(c) through the use of electronic communication, as defined in 45-8-213, MCA, that substantially and materially disrupts the orderly operation of the school or any school-sponsored program, activity, or function where the school is responsible for the student.

(5) Each local board of trustees has discretion and control over the development of its policies and procedures regarding behavior prohibited under (1), but each district's policies and procedures must include at a minimum:

(a) a prohibition on the behavior specified in (1), regardless of the underlying

reason or reasons the student has engaged in such behavior;

(b) a procedure for reporting and documenting reported acts of behavior prohibited under (1);

(c) a procedure for investigation of all reports of behavior prohibited under (1)(a) that includes an identification of the persons responsible for the investigation and response;

(d) a procedure for determining whether the reported act is subject to the jurisdiction of the school district or another public agency, including law enforcement, and a procedure for referral to the necessary persons or entity with appropriate jurisdiction;

(e) a procedure for prompt notification, as defined in the district policy, of the alleged victim and the alleged perpetrator, or the parents or guardian of such students when the students are minors;

(f) a procedure to protect any alleged victim of behavior prohibited under (1)(a) from further incidents of such behavior;

(g) a disciplinary procedure establishing the consequences for students found to have committed behavior prohibited under (1); and

(h) a procedure for the use of appropriate intervention and remediation for victims and perpetrators.

AUTH: 20-2-121, MCA

IMP: 20-2-121, MCA

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

10.55.601 ACCREDITATION STANDARDS: PROCEDURES (1) The Board of Public Education adopts standards of accreditation upon the recommendation of the ~~State~~ Superintendent of Public Instruction.

(2) The ~~board~~ Board of Public Education and the ~~Office~~ Superintendent of Public Instruction establish procedures and schedules for reviewing the accreditation status of each school.

(3) To ensure continuous education improvement, the school district and each of its schools shall develop, implement, and evaluate, ~~and revise a five-year comprehensive education~~ continuous school improvement plans and make the plans publically available. These plans shall be reviewed on a yearly basis to reflect a continuous improvement process.

(a) ~~This~~ Each plan shall include:

(i) a school district level education profile ~~as described in guidance provided periodically by the Office of Public Instruction;~~

(ii) the school district's educational goals ~~in accordance with~~ pursuant to the requirements of ARM 10.55.701;

(iii) a description of planned progress toward implementing all content, ~~performance~~, and program area standards, in accordance with the schedule in ARM 10.55.603;

(iv) a description of strategies for assessing student progress toward meeting all content ~~and performance~~ standards, ~~in accordance with~~ pursuant to the

requirements of ARM 10.55.603 and ARM 10.56.101; and

(v) remains the same.

~~(b) By May 1, 2003, the district~~ The local board of trustees shall file report and submit their adopted five-year comprehensive education continuous school improvement plan with the Office Superintendent of Public Instruction and make their plan available to employees and the public.

~~(c) The Office Superintendent of Public Instruction shall develop and implement procedures necessary to monitor and evaluate the effectiveness of the implementation of the continuous improvement plan of each school district's comprehensive education plan and its schools.~~

~~(4) To ensure continuous educational improvement and to meet the identified needs of students in every school, every school in the district shall develop and have on file in the district office a comprehensive education plan.~~

~~(5) To ensure continuous educational improvement, the Office Superintendent of Public Instruction shall provide guidance, resources, and evaluation to assist in the implementation of district and school plans to improve teaching and learning for all students.~~

~~(6) School districts are required to maintain present programs that meet current standards until such standards are superseded. The content and performance standards will supersede model learner goals according to the following schedule:~~

~~(a) Reading -- November 1998;~~

~~(b) Mathematics -- November 1998;~~

~~(c) Science -- October 1999;~~

~~(d) Technology -- October 1999;~~

~~(e) Health enhancement -- October 1999;~~

~~(f) Communication arts aligned to the reading content and performance standards -- October 1999;~~

~~(g) World languages -- October 1999;~~

~~(h) Social studies -- October 2000;~~

~~(i) Arts -- October 2000;~~

~~(j) Library media -- October 2000;~~

~~(k) Workplace competencies -- October 2000;~~

~~(l) Vocational/technical education -- October 2001.~~

~~(7) On or before July 1, 2004, a school district shall align its curriculum to the state content and performance standards and program area standards as adopted by the Board of Public Education. A school district shall maintain programs to align with the state's schedule for revising standards.~~

AUTH: 20-2-114, MCA

IMP: 20-2-121, 20-3-106, 20-7-101, MCA

10.55.602 DEFINITIONS For the purposes of this chapter, the following terms apply:

(1) "Accreditation" means certification by the Board of Public Education that a school meets the adopted standards of the Board of Public Education for a specified school year.

(1) remains the same but is renumbered (2).

(3) "Assurance standards" means the minimal standards of a quality education program comprised of the following subchapters:

(a) Subchapter 6, General Provisions, ARM 10-55-601 through (NEW RULE I);

(b) Subchapter 7, School Leadership, ARM 10.55.701 through (NEW RULE II);

(c) Subchapter 8, Academic Requirements, ARM 10.55.801 through 10.55.805;

(d) Subchapter 9, Educational Opportunity, ARM 10.55.901 through 10.55.910; and

(e) Subchapter 10, Program Area Standards, ARM 10.55.1001 through 10.55.1003.

~~(2)~~ (4) "Asynchronous" means not occurring at the same time.

"Asynchronous" refers to content, instruction, and communication between participants (i.e.g., students and teachers) that occurs at different times, the period of which may vary by circumstance, (e.g., e-mail, threaded discussions, homework, message boards).

(5) "At-risk student" means any student who is affected by environmental conditions that negatively impact the student's educational performance or threaten a student's likelihood of promotion or graduation, 20-1-101(4), MCA.

~~(3) "Benchmark" means expectations for a student's knowledge, skills, and abilities along a developmental continuum in each content area. That continuum is focused at three points: the end of grade 4, the end of grade 8, and upon graduation (grade 12).~~

~~(4) "Certification" means licensure of an educator/specialist, as issued by the state of Montana, based on completion of an approved teacher, administrator, or specialist program of an accredited college/university. Certification includes grade level(s), endorsement(s), and classification.~~

(6) "Class 8 license" means an educator license as defined in ARM 10.57.102.

~~(5)~~ (7) "Combined elementary-high school district" means an elementary district and a high school district, which are combined into a single school system for district administration purposes. This may include school systems formed under governing joint boards of trustees depending on the programs and services agreed to by the participating local boards of trustees, including districts designated as "K-12 districts" pursuant to 20-6-701, MCA. Most town school districts in Montana would fit this category, i.e., Helena, Hamilton, Whitehall.

~~(6)~~ (8) "Content standard" means what all students should know, understand, and be able to do in a specific content area, such as reading, mathematics, or social studies.

(9) "Corrective plan" means a systematic procedure and timeline for resolving deviations from regular accreditation status.

(7) remains the same but is renumbered (10)

(11) "Digital content provider" means an entity, organization, or individual registered pursuant to ARM 10.55.907 offering K-12 educational content for distance, online, and technology delivered programs and courses.

~~(8)~~ (13) "Distance learning" means instruction in which students and teachers are separated by time and/or location with synchronous or asynchronous content, instruction, and communication between student and teacher (e.g., correspondence courses, online learning, videoconferencing, streaming video). This instruction may consist of learning opportunities provided through online (Internet based) and other emerging technologies.

(14) "Dual enrollment/dual credit" means opportunities for high school students to be enrolled in high school and postsecondary courses at the same time. There are three categories of such opportunities:

(a) "College credit only" means students receive college credit for courses taken from a postsecondary institution but do not receive high school credit. Students may or may not be taking these courses during the school day.

(b) "Dual credit" means students receive both college credit and high school credit for courses taken from a postsecondary institution. Students may or may not be taking these courses during the school day. The faculty member must have an appropriate K-12 license and endorsement in the subject taught or a Class 8 license.

(c) "Concurrent enrollment" means the district offers these courses during the school day and they are taught by district high school faculty who have been approved by the post-secondary institution to teach these college level courses. Students receive both high school and college credit for the completed course.

(9) remains the same but is renumbered (15).

(16) "Facilitator" means the individual assigned to monitor distance, online, and technology delivered learning programs pursuant to ARM 10.55.907. The facilitator may be an instructional paraprofessional as long as there is a licensed teacher providing the instruction.

(10) remains the same but is renumbered (17).

(18) "Indian Education for All" means the constitutionally declared policy of this state to recognize the distinct and unique cultural heritage of American Indians and to be committed in its educational goals to the preservation of their cultural heritage. Implementation of these requirements ensures:

(a) every Montanan, Indian or non-Indian, is encouraged to learn about the distinct heritage and contributions of Montana tribal groups and governments in a culturally responsive manner; and

(b) every educational agency shall work cooperatively with Montana tribes to provide means by which school personnel will gain an understanding of and appreciation for American Indian people.

(19) "Instructional paraprofessional" means school or district personnel whose positions are instructional in nature and who work under the direct supervision of licensed school personnel. The supervising licensed school personnel are responsible for:

(a) the design, implementation, and assessment of learner progress; and

(b) the evaluation of the effectiveness of learning programs and related services for children.

(20) "Intensive assistance" means a required process for schools in continuous or serious deficiency accreditation status. Such schools have failed to develop or implement an approved corrective plan to remedy accreditation deviations within the designated timeline.

(21) "Internship" means an agreement among a fully licensed Class 1, 2, or 3 educator, the school district, and a Montana accredited educator preparation program as provided in (NEW RULE I).

(22) "K-12 district" means an elementary district, with the same district boundaries as a high school district, which has been attached to that high school district. The high school district remains an organized district and the elementary district is an inactive district pursuant to 20-6-701(1) and (2), MCA.

(23) "Learning progression" means the specific performance expectations in each content area at each grade level from kindergarten through grade 12.

(24) "Licensure" means certification of an educator/specialist as issued by the state of Montana, based on completion of an approved educator preparation program. Licensure indicates grade level(s), endorsement(s), and classification.

(25) "Literacy" means learning to read, write, speak, listen, and use language effectively.

(11) "Part-time" means not less than six hours in a school week.

(12) "Performance standard" means the specific expectations for performance in each content area at each of the three benchmarks. Performance standards define the quality of performance and describe the performance to be demonstrated.

(26) "Middle grades" means grades 4 through 9.

(27) "Minimum aggregate hours" means the minimum hours of pupil instruction that must be conducted during the school fiscal year in accordance with 20-1-301, MCA and includes passing time between classes. Minimum aggregate hours does not include lunch time and periods of unstructured recess, 20-1-101, MCA.

(28) "Misassignment" means a licensed educator/specialist teaching outside their endorsed teaching area(s) and/or level (elementary K-8 and secondary 5-12).

(29) "Nonaccredited status" means previously accredited school which failed to meet the requirements of intensive assistance and is out of compliance with the Board of Public Education standards of accreditation.

(30) "Nonlicensed" means a person who does not hold a current Montana educator license, except for a person for whom an emergency authorization of employment has been issued under the provisions of 20-4-111, MCA.

(31) "Online learning" means educational activity in which instruction and content are delivered primarily via the internet and through emerging technologies. Online learning is a form of distance learning.

(32) "Principal" means a person who holds a valid Montana Class 3 educator license with an applicable principal endorsement and who is employed by a district as a principal, or who is enrolled in a Board of Public Education approved principal internship program under (NEW RULE I).

(13) (33) "Program area standards" means the subject matter Montana school districts are required to offer and the strategies and proven practices used to instruct. The program area standards include: ~~communication~~ English language arts, arts, health enhancement, mathematics, science, social studies, career and vocational/technical education, technology, workplace competencies, library media, world languages, and school counseling.

(14) (34) "Program delivery standards" means the conditions, and practices

~~and resources~~ school districts are required to provide for all ensuring that every student to have is afforded educational opportunities to learn, develop, and demonstrate learning to achievement in content and performance standards and content specific grade-level learning progressions.

(35) "Pupil instruction day" means a school day when organized instruction is conducted with students under the supervision of a teacher.

(36) "Pupil instruction-related (PIR) day" means days of teacher activities devoted to improving the quality of instruction. The activities may include, but are not limited to: in-service training, attending state meetings of teacher organizations, and conducting parent conferences.

~~(15) "Online learning" means education activity in which instruction and content are delivered primarily via the internet. Online learning is a form of distance learning.~~

(37) "School" means, for accreditation purposes, an educational program and grade assignments designated by the local board of trustees in one of the following categories:

(a) an elementary school, which offers any combination of kindergarten through eighth grade;

(b) a seventh and eighth grade school, which comprises the basic education program for grades 7 and 8 that may be funded at the high school rate pursuant to 20-9-396, MCA;

(c) a junior high school, which offers the basic education program for grades 7 through 9;

(d) a middle school, which offers education programs for grades 4 through 8 or any combination thereof; and

(e) a high school, which offers the educational programs for grades 9 through 12 or grades 10 through 12 when operating in conjunction with a junior high school.

~~(16)~~ (38) "School administrator" means a person who is a part of the school's administrative or supervisory staff and who holds a eClass 3 license and is appropriately endorsed, or who is enrolled in a Board of Public Education approved administrator internship program under ARM 10.55.702 through 10.55.705 (NEW RULE I).

(39) "School district" means the territory, regardless of county boundaries, organized under the provisions of Title 20, MCA to provide public educational services under the jurisdiction of the local board of trustees. A high school district may encompass all or parts of the territory of one or more elementary districts. A school district may also exist as the result of the formation of a joint board of trustees as provided by 20-3-361, MCA. "School district" shall refer to all state funded special purpose schools that are accredited under this chapter.

(40) "School system" means the administrative unit of a district or combination of districts. In Montana, types of school systems are as follows:

(a) "combined elementary-high school district" means an elementary district and a high school district which are combined into a single school system for district administration purposes. This may include school systems formed under the statute governing joint boards of trustees depending on the programs and services agreed to by the participating local boards of trustees.

(b) "independent high school district" means a district organized for the

purpose of providing public education for all or any combination of grades 9 through 12; and

(c) "independent elementary school district" means a district organized for the purpose of providing public education for all or any combination of grades kindergarten through grade 8.

(41) "Specialist" means a person with a Class 6 Specialist license in a nonteaching role of school psychologist or school counselor

(42) "Student performance standards" means minimal standards of a quality education, which measures student performance on annual state level summative assessments and graduation rates used to determine the accreditation status of a school.

(43) "Superintendent" means a person who holds a valid Montana Class 3 educator license, with an applicable superintendent's endorsement and who is employed by a district as a district superintendent, or who is enrolled in a Board of Public Education approved superintendent internship program under (NEW RULE 1).

(17) (44) "Synchronous" means occurring at the same time. "Synchronous" refers to content, instruction, and communication between participants (i.e.g., students and teachers) that occurs at the same time even though they may be in different physical locations. For example, instruction in which students and teachers are online at the same time so that a question can be immediately answered (e.g., telephone calls, face-to-face meetings, physical classrooms, chat rooms, and videoconferencing).

(45) "Teacher" means a person, except a district superintendent, who holds a valid Montana educator license issued by the Superintendent of Public Instruction under the policies adopted by the Board of Public Education and who is employed by a district as a member of its instructional, supervisory, or administrative staff. This definition of a teacher includes a person for whom an emergency authorization of employment has been issued under the provisions of 20-4-111, MCA.

(18) remains the same but is renumbered (46).

(47) "Variance to standard" means an alternate approach to meeting or exceeding the minimum standards.

AUTH: 20-2-114, MCA

IMP: 20-1-101, 20-1-501, 20-2-121, 20-3-106, 20-7-101, MCA

10.55.603 CURRICULUM AND ASSESSMENT (1) Local school districts shall incorporate ~~ensure their curriculum is aligned to all content and performance standards and the appropriate learning progression for each grade level into their curriculum, implementing them sequentially and developmentally.~~

(2) School districts shall maintain their programs consistent with the state's schedule for revising standards.

(3) School districts shall assess the progress of all students toward achieving content and performance standards and content specific grade-level learning progressions in all each program areas. Assessment of all students shall be used. The district shall use assessment results, including state-level achievement information obtained by administration of assessments pursuant to ARM 10.56.101

to examine the educational program and measure its effectiveness based on the content and performance standards.

(a) and (b) remain the same.

~~(2)~~ (4) For content and performance standards in all program areas in accordance with pursuant to the requirements of ARM 10.55.602~~(8)~~, school districts shall:

(a) establish curriculum and assessment development processes as a cooperative effort of personnel ~~certified~~ licensed and endorsed in the program area and trustees, administrators, other teachers, students, specialists, parents, community, and, when appropriate, tribal representatives and state resource people;

(b) review curricula at ~~intervals not exceeding~~ least every five years or consistent with the state's standards revision schedule, and modify, as needed, to meet educational goals of the ~~five-year comprehensive education~~ continuous school improvement plan in accordance with pursuant to ARM 10.55.601;

(c) review materials and resources necessary for implementation of the curriculum and assessment at least every five years, ~~review and select materials and resources necessary for implementation of the curriculum and assessment~~ or consistent with the state's standards revision schedule that are consistent with the goals of the ~~five-year comprehensive education~~ continuous school improvement plan; and

(d) review curricula and instructional materials and resources to ensure the inclusion of the distinct and unique cultural heritage, and contemporary portrayal of the American Indians.

~~(3)~~ (5) The school district shall develop and implement its assessment plan used to measure student progress ensuring alignment to the local curriculum in all program areas.

~~(a)~~ School district The assessment plans shall be included in the comprehensive education continuous school improvement plan and be in place within two years following the development of local curriculum.

~~(a)~~ (b) School districts shall use ~~effective and~~ 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 progress in achieving content and performance standards and content specific grade-level learning progressions in all program areas.

~~(b)~~ (c) Utilizing input from representatives of accredited schools, the Office The Superintendent of Public Instruction shall develop criteria and procedures for the selection of effective and appropriate multiple measures and methods to be used to assess student progress in reading and mathematics in grades 4, 8 and 11 achieving content and appropriate content specific grade-level learning progressions in all program areas.

~~(e)~~ (d) The Office Superintendent of Public Instruction shall provide technical assistance to districts to meet the criteria and procedures in ~~(3)(b c)~~.

~~(d)~~ Not later than the school year immediately following the completion of written sequential curricula aligned with the content and performance standards in a program area in accordance with ARM 10.55.601(6), the school district shall begin the development of a student assessment process for that program area. The assessment process must be in place two years following the development of written

curriculum.

~~(4) In addition to the school-by-school reporting of norm-referenced testing results in accordance with ARM 10.56.101, districts shall annually report to the Office of Public Instruction the school level results of measures for the standards that are not adequately assessed by the norm-referenced tests in reading and mathematics at grades 4, 8 and 11.~~

~~(a) Utilizing input from representatives of accredited schools, the Office of Public Instruction will identify the additional standards in reading and mathematics that are to be assessed with other measures.~~

~~(b) The measures used to report to the Office of Public Instruction shall be included within the district assessment plan in accordance with ARM 10.55.601.~~

~~(c) The criteria and procedures set forth in (3)(b) shall be used by the Office of Public Instruction in an approval process to assure the quality of the other measures that will be used to assess and report progress in reading and mathematics at grades 4, 8 and 11.~~

AUTH: 20-2-114, 20-2-121, MCA

IMP: 20-2-121, 20-3-106, 20-7-101, MCA

10.55.604 VARIANCES TO STANDARDS (1) A school district local board of trustees may apply to the Board of Public Education through the Superintendent of Public Instruction to implement an alternative a variance to a standard or a section of standards, excluding standards stating statutory criteria, standards pertaining to teacher educator licensure or endorsement, and content and performance standards as defined by the Board of Public Education and provided in guidance from the Superintendent of Public Instruction.

(a) In its application, the school district local board of trustees shall provide evidence establishing describe how and why its proposed variance would be that its alternative is workable, and educationally sound, and designed to meet or exceed results under established standards and, where applicable, aligned with program in comparison to the intent of the standard(s) that would be waived, and shall establish that the goals of the alternative will meet or exceed the results under the current standard(s) ARM 10.55.1101 through 10.55.1901.

(b) In its application, the school district shall submit a statement of mission and objectives, and identify formative and summative measures to be used to evaluate the effectiveness of the alternative. An application for variance to standards to take effect at the beginning of the academic year is due in writing to the Superintendent of Public Instruction no later than the first Monday in March. An application for variance to standards to take effect the second semester of the academic year is due in writing to the Superintendent of Public Instruction no later than the first Monday in July.

(c) Upon appropriate application, the Board of Public Education shall approve or deny the proposed alternative. The Superintendent of Public Instruction shall refer applications to a review board appointed and facilitated by the Superintendent of Public Instruction. The review board shall provide its recommendations to the Superintendent of Public Instruction

(d) If the board denies the proposed alternative, it shall state in writing why it

~~has done so. The Superintendent of Public Instruction shall provide the Board of Public Education with a recommendation for approval, modification, or rejection of the review board's recommendation.~~

~~(e) If the board approves the proposed alternative, its initial approval shall be for two years~~

~~(f) During the second year of the initial approval, the Board of Public Education, through the Office of Public Instruction, shall direct an on-site evaluation of the alternative.~~

~~(g) If the board finds the alternative is workable and educationally sound in comparison to how the waived standard(s) previously worked in the district, the board shall renew the alternative for five years.~~

~~(h) Subject to on-site evaluations every five years, the board may continue to renew the alternative.~~

~~(i) A school district may discontinue an approved alternative at any time. If it does so, it shall promptly notify the Board of Public Education in writing.~~

(2) The Board of Public Education shall approve or deny proposed variances to standards.

(3) If the Board of Public Education approves a proposed variance to standards, it shall initially do so for no more than two years pending ongoing review of the implementation by the Superintendent of Public Instruction.

(4) Following the second year of implementation of a variance to standards, the school district shall provide evidence to the Superintendent of Public Instruction that the methods selected by the district to implement, meet, or exceed results that could have been achieved under established standards.

(5) If the Superintendent of Public Instruction finds the variance is workable and educationally sound, the Superintendent shall report findings and recommend continued approval to the Board of Public Education.

(6) If the Board of Public Education concurs with the Superintendent's recommendation, it may renew the variance for no more than three years.

(7) The Board of Public Education may subsequently renew the variance for up to three year intervals provided the district continues to show how the variance meets or exceeds established standards.

(8) If the Superintendent of Public Instruction finds the alternative is not working as intended or does not meet or exceed results that could be achieved under established standards, the Superintendent shall recommend to the Board of Public Education that the variance be revoked.

(9) If the Board of Public Education accepts the Superintendent's recommendation to revoke a variance, the board's decision is final.

(10) A school district may discontinue an approved variance at any time. If it does so, it shall promptly notify the Superintendent of Public Instruction in writing.

(2) through (2)(e) remains the same but are renumbered (11) through (11)(e).

AUTH: 20-2-114, MCA

IMP: 20-2-121, 20-3-106, 20-7-101, MCA

10.55.605 CATEGORIES OF ACCREDITATION (1) Regular accreditation means the school has: met the assurance standards and student performance

standards as defined in ARM 10.55.606 and the Licensure Endorsement Requirements Related to Teaching Assignments, adopted by the Board of Public Education July 2012, a copy of which may be found at: <http://www.opi.mt.gov/pdf/Accred/Ch55/Appendices.pdf> (Appendix A).

~~(a) its program aligned to the content and performance standards and program area standards;~~

~~(b) certified staff that is appropriately assigned, and fully utilized;~~

~~(c) school programs and resources that are adequate;~~

~~(d) facilities that meet appropriate standards; and~~

~~(e) school trustees, staff, parents, and community that work together to provide a quality education.~~

~~(2) When the school meets the rRegular accreditation standards with minor deviations, these deviations are noted on the annual accreditation status letter as minor citations when considering the school program in its entirety means the school does not meet all the requirements and standards required in (1) and delineated in the Accreditation Procedures and Status Criteria, adopted by the Board of Public Education July 2012, a copy of which may be found at: <http://www.opi.mt.gov/pdf/Accred/Ch55/Appendices.pdf> (Appendix B).~~

~~(3) A school, with regular accreditation with level 2 deviation(s) in student performance standards, as defined in ARM 10.55.606, or regular accreditation with minor deviations at level 2 in either assurance or student performance standards, shall remedy all deviations within three years or will be reassigned to a lower category of accreditation.~~

~~(3) (4) Accreditation with advice means the school exhibits serious and/or numerous deviations from the standards. The school must submit an improvement plan developed by trustees, administrators, teachers, parents, and the community, to the Office of Public Instruction.~~

~~(4) (5) Deficiency a Accreditation with assistance deficiency means that the school ~~has been~~ is on advice status for two years, has not complied with the required corrective plan, and continues to have serious and/or numerous deviations, or has substantially increased the seriousness of deviations over the previous year.~~

~~(6) For a district with a school on advice or in deficiency status, the district administrator and the chair of the local board of trustees shall submit to the Superintendent of Public Instruction, a corrective plan, including a systematic procedure and timeline for resolving the deviations noted.~~

~~(a) (7) A school will be immediately accredited with deficiency if:~~

~~(i) (a) the school employs as a teacher an individual who does not have a Montana teaching certificate license; or~~

~~(ii) (b) the school has a facility that creates an unhealthy environment with safety and health hazards; or,~~

~~(iii) the school provides an inadequate learning environment.~~

~~(b) The school administrator and the chair of the board of trustees will submit and/or come before the Board of Public Education with an improvement plan and a systematic procedure for correcting the deviations noted. The Office of Public Instruction will facilitate assistance to enable the school to accomplish the goals of the improvement plan and to correct the deviations.~~

~~(8) A school with deficiency status failing to comply with the required~~

corrective plan shall be placed into the intensive assistance process as defined in the Accreditation Procedures and Status Criteria, adopted by the Board of Public Education July 2012, a copy of which may be found at: <http://www.opi.mt.gov/pdf/Accred/Ch55/Appendices.pdf> (Appendix B).

~~(5)~~ (9) Nonaccredited status means that a school on deficiency status fails to document that it has met its improvement plan meet the requirements of intensive assistance and is out of compliance with the Board of Public Education standards of accreditation.

(6) remains the same but is renumbered (10).

AUTH: 20-2-114, MCA

IMP: 20-2-121, 20-3-106, 20-7-101, MCA

10.55.606 PERFORMANCE-BASED ACCREDITATION PROCESS

~~(1) Performance-based accreditation gives a school district the option of obtaining, for one or more of its schools, accreditation through a process that involves self-evaluation, peer-review and on-site visitations. This method allows a school to meet accreditation standards by showing through its students' work that it provides a quality education. The school improvement plan serves as a basis for assessment of school effectiveness and an impetus for mobilizing improvement efforts. The categories of accreditation of a school shall be determined by using two sets of standards:~~

~~(a) assurance standards; and~~

~~(b) student performance standards.~~

~~(2) After engaging in a sustained school improvement effort, a school district, on behalf of one or more of its schools, may apply to the Superintendent of Public Instruction for performance-based accreditation. The Board of Public Education makes the final decision on whether a school is accredited through the performance-based accreditation process. The school improvement process shall incorporate the following six steps or their equivalent: Assurance standards are comprised of the following subchapters in Title 10, Chapter 55, Administrative Rules of Montana:~~

~~(a) development of a student/community profile Subchapter 6, General Provisions, ARM 10.55.601 through (NEW RULE I);~~

~~(b) development of a school mission and goals that reflect a locally derived philosophy of education Subchapter 7, School Leadership, ARM 10.55.701 through (NEW RULE II);~~

~~(c) identification of desired learner results based on the content and performance standards Subchapter 8, Academic Requirements, ARM 10.55.801 through 10.55.805;~~

~~(d) analysis of instructional and organizational effectiveness Subchapter 9, Educational Opportunity, ARM 10.55.901 through 10.55.910; and~~

~~(e) development and implementation of a school improvement plan; and Subchapter 10, Program Area Standards, ARM 10.55.1001 through 10.55.1003.~~

~~(f) monitoring through self-assessment and visits by peers or teams.~~

~~(3) To be granted performance-based accreditation, a school must: Student performance standards are comprised of student performance measures for each grade as follows:~~

~~(a) engage in a continuous schoolwide improvement process Math and reading average scale score range for all students grades 3-8 and 10 and science average scale score range for all students grades 4, 8, and 10:~~

~~(i) Level 1 = 300-250;~~

~~(ii) Level 2 = 249-220;~~

~~(iii) Level 3 = 219-210;~~

~~(iv) Level 4 = 209-200; and~~

~~(b) host at least two visitations, chaired by a person trained or experienced in the process to seek feedback and validate the school improvement process For high schools, graduate rate range:~~

~~(i) Level 1 = 100.0%-75.0%;~~

~~(ii) Level 2 = 74.9%-60.0%;~~

~~(iii) Level 3 = 59.9%-55.0%;~~

~~(iv) Level 4 = 54.9%-0.0%.~~

~~(c) notify the Superintendent of Public Instruction of the visitation dates and team members. A member of the staff of the Office of Public Instruction shall be invited to be a member of the visitation team;~~

~~(d) submit reports of the visitation to the Superintendent of Public Instruction; and~~

~~(e) apply to the Superintendent of Public Instruction for performance-based accreditation by providing documentation of school improvement, including, but not limited to:~~

~~(i) visitation reports;~~

~~(ii) a school improvement plan;~~

~~(iii) evidence of attainment or significant progress toward attainment of the school improvement plan goals; and~~

~~(iv) a recommendation from the visitation team that the Board of Public Education grant performance-based accreditation.~~

~~(4) After a review in which the school demonstrates successful attainment or significant progress toward achieving the desired learner results, the school may be granted performance-based accreditation for up to six years. The school is subject to peer or team reviews at least every three years. The review shall establish that: For schools with any combination of grades K-2, only the assurance standards will be used to determine accreditation status.~~

~~(a) the integrity of the school improvement process is maintained;~~

~~(b) the school is making informed, data-driven decisions;~~

~~(c) the process is school-based;~~

~~(d) all steps of the school improvement process are connected and inform one another;~~

~~(e) committees work collaboratively within and among one another;~~

~~(f) the school implements each step appropriately; and~~

~~(g) student learning is central to the entire process, with improvement demonstrated in desired learner results, based on content and performance standards.~~

~~(5) A school district, on behalf of one or more of its accredited schools electing this process, may petition the Superintendent of Public Instruction to recommend that the Board of Public Education waive existing standards that~~

~~interfere with the school improvement plan, excluding standards stating a statutory requirement, standards pertaining to teacher certification and content and performance standards as defined by the Board of Public Education. There shall be four levels for assurance standards and student performance standards used to determine accreditation status, as described in the Accreditation Procedures and Status Criteria, adopted by the Board of Public Education July 2012, a copy of which may be found at: <http://www.opi.mt.gov/pdf/Accred/Ch55/Appendices.pdf> (Appendix B). The highest level is 1 and the lowest level is 4.~~

(6) A school shall be classified as regularly accredited by using the combined results of the assurance standards and student performance standards as follows:

(a) Level 1 for all assurance standards and Level 1 or 2 for student performance standards; or

(b) Level 1 or 2 for all assurance standards and all Level 1 for student performance standards.

(7) A school shall be classified as regularly accredited with minor deviation by using the combined results of the assurance standards and student performance standards with Level 2 in any category in both sets of standards.

(8) A school shall be classified as accredited with advice by using the combined results of the assurance standards and student performance standards with Level 3 in any category in either set of standards.

(9) A school shall be classified as accredited with deficiency by using the combined results of the assurance standards and student performance standards with level 4 in any category in either set of standards.

AUTH: 20-2-114, MCA

IMP: 20-2-121, MCA

10.55.701 BOARD OF TRUSTEES (1) The local board of trustees shall ensure that the school district complies with all local, state, and federal laws and regulations.

~~(2) The board of trustees shall provide in each school building at least one copy of the accreditation standards for staff and public review.~~

~~(3) Each school district shall have in writing and~~ make available to the staff and public:

~~(a) a comprehensive philosophy of education;~~

~~(b) goals that reflect the district's philosophy~~ strategic plan of education;

~~(c) sequential curricula~~ curriculum for each program area that aligns to the content and performance standards, ~~and the district's educational goals~~ specific grade-level learning progressions, and program area standards;

~~(d) (c) policies establishing student assessment procedures that ensure evaluation of the school's curricula~~ district's curriculum and student learning. These procedures shall specify how and when data are to be collected, analyzed, and reported;

~~(e) (d) policies that delineate the responsibilities of the local board of trustees, superintendent, and personnel employed by the school district. The local board of trustees shall review these policies on a regular basis and make them available to employees and the public;~~

(f) remains the same but is renumbered (e).

~~(g) (f) a policy that is designed to~~ policies addressing bullying, hazing, intimidation, and harassment of students and school personnel and meeting the requirements in (NEW RULE II);

(h) through (m) remain the same but are renumbered (g) through (l).

~~(n) (m) a parent involvement policy that encourages~~ comprehensive family engagement policy aligned to meet the following goals:

(i) ~~regular, two-way and meaningful communication between home and school~~ families actively participate in the life of the school and feel welcomed, valued, and connected to each other, to school staff, and to what students are learning and doing in class;

(ii) ~~promotion and support of parenting skills families and school staff engage~~ in regular, two-way meaningful communication about student learning.;

(iii) ~~that parents play an integral role in assisting student learning~~ families and school staff continuously collaborate to support student learning and healthy development both at home and at school and have regular opportunities to strengthen their knowledge and skills to do so effectively;

(iv) ~~that parents are welcome in the school, and that their support and assistance are sought~~ families are empowered to be advocates for their own and other children, to ensure that students are treated equitably and have access to learning opportunities that will support their success;

(v) ~~parents as full partners in the decisions that affect children and families~~ and school staff partner in decisions that affect children and families and together inform, influence, and create policies, practices, and programs; and

(vi) ~~community resources be used to strengthen schools, families, and student learning~~ families and school staff collaborate with members of the community to connect students, families, and staff to expand learning opportunities, community services, and civic participation;

~~(o) (n) a policy that incorporates~~ incorporating the distinct and unique cultural heritage of American Indians, ensuring integration of the history and contemporary portrayals of Indians, and that is aligned with district educational goals; and

~~(p) (o) a policy addressing distance, online, and technology delivered~~ learning as defined in ARM 10.55.602;

(p) a policy that defines a significant writing program; and

(q) a policy that addresses student health issues that arise in the school setting.

~~(4) (3) The local board of trustees shall have valid, written contracts with all regularly employed certified~~ licensed administrative, supervisory, and teaching personnel.

~~(5) (4) The local board of trustees shall have written policies and procedures for regular and periodic evaluation of all regularly employed certified administrative, supervisory, and teaching personnel. The individual evaluated shall have access to a written copy of the evaluation instrument, the opportunity to respond in writing to the completed evaluation, and access to his/ or her files. Personnel files shall be confidential.~~

(a) The evaluation system for licensed teachers used by a school district shall include an assessment of the extent to which the teacher:

(i) understands how learners grow and develop, recognizing that patterns of learning and development vary individually within and across cognitive, linguistic, social, emotional, and physical areas, and designs and implements developmentally appropriate and challenging learning experiences;

(ii) uses understanding of individual differences and diverse cultures and communities, including American Indians and tribes in Montana, to ensure inclusive environments that enable each learner to meet high standards;

(iii) works with others to create environments that support individual and collaborative learning and that encourage positive social interaction, active engagement in learning, and self-motivation;

(iv) understands the central concepts, tools of inquiry, and structures of the discipline(s) he or she teaches and creates learning experiences that make the discipline accessible and meaningful for learners to assure mastery of the content;

(v) understands how to connect concepts and use differing perspectives to engage learners in critical thinking, creativity, and collaborative problem solving related to authentic local and global issues;

(vi) understands and uses multiple methods of assessment to engage learners in their own growth, to monitor learner progress, and to guide the teacher's and learner's decision making;

(vii) plans instruction that supports every student in meeting rigorous learning goals by drawing upon knowledge of content areas, curriculum, cross-disciplinary skills, and pedagogy, as well as knowledge of learners and the community context;

(viii) understands and uses a variety of instructional strategies to encourage learners to develop deep understanding of content areas and their connections, and to build skills to apply knowledge in meaningful ways;

(ix) engages in ongoing professional learning and uses evidence to continually evaluate his or her practice, particularly in the effects of his or her choices and actions on others (learners, families, other professionals, and the community), and adapts practice to meet the needs of each learner;

(x) seeks appropriate leadership roles and opportunities to take responsibility for student learning, to collaborate with learners, families, colleagues, other school professionals, and community members to ensure learner growth, and to advance the profession; and

(xi) demonstrates understanding of and ability to integrate history, cultural heritage, and contemporary status of American Indians and tribes in Montana.

(b) The evaluation system for licensed administrators used by a school district shall include an assessment of the extent to which the administrator:

(i) facilitates the development, articulation, implementation, and stewardship of a school or district vision of teaching and learning supported by the school community in order to promote the success of all students;

(ii) promotes a positive school culture, provides an effective instructional program, applies best practice to student learning, and designs comprehensive professional growth plans for staff in order to promote the success of all students;

(iii) manages the organization, operations, and resources in a way that promotes a safe, efficient, and effective learning environment in order to promote the success of all students;

(iv) collaborates with faculty, families, and other community members,

responds to diverse community interests and needs, including American Indian communities in Montana, and mobilizes community resources in order to promote the success of all students;

(v) acts with integrity, fairness, and in an ethical manner in order to promote the success of all students; and

(vi) understands, responds to, and ethically influences the larger political, social, economic, legal, and cultural context in order to promote the success of all students.

~~(6)~~ (5) The local board of trustees shall:

(a) establish conditions that contribute to a positive school climate and morale by encouraging cooperative and harmonious relationships among the staff members, students, parents, and community. which:

(i) keep parents/guardians up to date on students' progress;

(ii) engage in a continuous school improvement process; and

(b) establish mentoring and induction programs to assist licensed staff in meeting teaching standards as defined in ARM 10.55.701(4)(a) and (b).

~~(7) To enhance a positive learning environment, the board of trustees shall:~~

~~(a) establish a system to keep parents/guardians up to date on students' progress; and~~

~~(b) use technology and equipment to facilitate management and instruction.~~

~~(8) To ensure continuous education improvement, the district shall engage in a continuous school improvement process.~~

AUTH: 20-2-114, MCA

IMP: 20-2-121, MCA

10.55.702 LICENSURE AND DUTIES OF DISTRICT ADMINISTRATOR - DISTRICT SUPERINTENDENT (1) The district superintendent shall be:

(a) appropriately licensed and endorsed in accordance with state statutes and Board of Public Education rules; or

(b) considered appropriately assigned if the superintendent is enrolled in a Board of Public Education approved administrator/district superintendent an internship program as defined ~~below:~~ in ARM 10.55.602 and meets the requirements of (NEW RULE I).

~~(i) the intern must be enrolled in an approved administrator/district superintendent training program with the state of Montana;~~

~~(ii) the intern must have completed the principal endorsement requirements or be simultaneously enrolled in an administrator/principal internship program;~~

~~(iii) the intern must file an application with the Board of Public Education prior to placement within the local school districts in the state of Montana; and~~

~~(iv) at each assigned school district, the intern must annually receive an on-site visit by an appointed faculty member of the approved internship program.~~

(2) A superintendent intern shall be supervised throughout the year by a licensed and endorsed superintendent contracted by the district, including participation in, and review of, and written concurrence in all performance evaluations of licensed staff completed by the intern;

~~(2) In cases where the intern is the only administrator hired by the district, the~~

~~district shall contract with a properly licensed and endorsed administrator for annual and periodic supervision of the practice of the intern throughout the school year. Such supervision shall include participation in, review of, and written concurrence in all performance evaluations of licensed staff completed by the intern.~~

(3) remains the same.

AUTH: 20-2-114, MCA

IMP: 20-2-121, MCA

10.55.703 LICENSURE AND DUTIES OF SCHOOL PRINCIPAL (1) The school principal shall:

(a) be appropriately licensed and endorsed in accordance with state statutes and Board of Public Education rules; or

(b) be considered appropriately assigned if the principal is enrolled in an internship as defined in ARM 10.55.602 and meets the requirements of (NEW RULE I). Board of Public Education approved administrator/principal internship program as defined below:

~~(i) the intern must be enrolled in an approved administrator/principal training program within the state of Montana;~~

~~(ii) the intern must file an application with the Board of Public Education prior to placement within a school district in the state of Montana;~~

~~(iii) at each assigned school, the intern must annually receive an on-site visit by an appointed faculty member of the approved internship program;~~

~~(iv) at each assigned school, the intern shall receive an appropriate level of supervision by a properly licensed and endorsed administrator hired by the district. Such supervision shall include participation in, review of, and written concurrence in all performance evaluations of licensed staff completed by the intern. In cases where the intern is the only administrator hired by the district, the district shall contract with a properly licensed and endorsed administrator for annual and periodic supervision of the practice of the intern throughout the school year.~~

~~(c) have a license endorsed at the level assigned as a principal, except where one individual serves as the single administrator for the entire district under ARM 10.55.705(1)(a) or (b), where the superintendent may hold either a high school or elementary principal endorsement. No individual may be assigned a total of more than 100% full-time equivalent (FTE);~~

~~(d) consider ways to:~~

~~(i) provide instructional leadership;~~

~~(ii) exercise vision in defining and accomplishing the school's mission;~~

~~(iii) encourage teachers to have high expectations for student achievement;~~

~~(iv) stress the importance of parents' and students' roles in academic success;~~

~~(e) involve staff and others in decision making and in setting, accomplishing, and assessing educational goals;~~

~~(f) carry out the district's policies and procedures;~~

~~(g) be responsible for the effective day-to-day operation of the school, including the management of finances, materials, and human resources.~~

(2) Supervision of the principal intern shall be provided throughout the year

by the district superintendent, county superintendent, or in the absence of either, a licensed and endorsed superintendent contracted by the district. Such supervision shall include participation in, and review of, and written concurrence in all performance evaluations of licensed staff completed by the intern.

(3) The principal shall carry out the district's policies and procedures, provide instructional leadership, and be responsible for the effective day-to-day operation of the school, including the management of finances, materials, and human resources.

AUTH: 20-2-114, MCA

IMP: 20-2-121, MCA

10.55.704 ADMINISTRATIVE PERSONNEL: ASSIGNMENT OF DISTRICT SUPERINTENDENTS (1) A district superintendent for a combined elementary-high school district or a county high school district or an independent elementary school district. The assignment of licensed superintendents for all configurations of school systems shall be based upon full-time equivalency (FTE) and shall be assigned as follows:

(a) full or part-time district superintendent and at least a half-time school administrator/principal as defined in ARM 10.55.705(1)(a) or (b) shall be employed for an independent elementary district with fewer than 18 full-time equivalent (FTE) licensed staff, or the district shall utilize the services of the county superintendent to fulfill the duties of the district superintendent. One individual may serve as both district superintendent and part-time school administrator/principal as defined in ARM 10.55.705(1)(a) or (b). A superintendent serving under this subsection shall devote full time to administration and supervision not to exceed a total assignment of 100% FTE. School systems with 14 or fewer FTE licensed staff and without a licensed superintendent employed may use a supervising teacher and the services of the office of the county superintendent to satisfy administrator requirements;

(b) A full or part-time district superintendent and at least a half-time school administrator/principal shall be employed for a combined elementary-high school district or a county high school district with fewer than 30 FTE licensed staff. A full or part-time district superintendent and at least a half-time school administrator/principal shall be employed for an independent elementary district with more than 18 but fewer than 30 FTE licensed staff. One administrator may serve as both superintendent and part-time school administrator/principal as defined in ARM 10.55.705 (1)(a) or (b). A superintendent serving under this subsection shall devote full time to administration and supervision not to exceed a total assignment of 100% FTE. School systems with more than 14 and fewer than 18 FTE licensed staff shall employ a part-time, at a minimum of .10 FTE, licensed superintendent. One individual may serve as both superintendent and principal as defined in ARM 10.55.705(2)(a) or (2)(b);

(c) A full-time (one FTE) district superintendent shall be employed for any district with 30 or more FTE licensed staff or 551 or more students. School systems with more than 18 and fewer than 31 FTE licensed staff shall employ a half-time (.50 FTE) licensed superintendent. One administrator may serve as both superintendent and principal as defined in ARM 10.55.705(2)(a) or (2)(b);

(d) school systems with 31 or more FTE licensed staff shall employ a full-

time (1.0 FTE) licensed superintendent who shall devote full time to administration and supervision not to exceed a total assignment of 1.0 FTE.

(e) No individual superintendent assigned pursuant to the ratios in (1) above may be assigned as more than 1.0 FTE.

(2) A combined elementary high school district, or a county high school district, or an independent elementary school district School systems with 100 or more FTE licensed staff shall employ a full-time curriculum coordinator to supervise the educational program and alignment of standards, assessment, curriculum, instruction, and instructional materials. The curriculum coordinator shall hold a eClass 3 administrative license. Those districts with less fewer than 100 FTE licensed staff and no full-time curriculum coordinator shall employ the services of a regional curriculum consortium, multidistrict collaborative, or interlocal cooperative, or a part-time, designated curriculum coordinator.

AUTH: 20-2-114, MCA

IMP: 20-2-121, MCA

10.55.705 ADMINISTRATIVE PERSONNEL: ASSIGNMENT OF SCHOOL ADMINISTRATORS/PRINCIPALS (1) School districts shall employ appropriately endorsed school administrators/principals as follows: systems with nine or fewer FTE licensed staff and without a licensed superintendent may use a supervising teacher and the services of the office of the county superintendent to satisfy principal requirements.

(2) The assignment of licensed principals shall be based upon student enrollment and prorated as applicable. Principal assignments are as follows:

(a) for schools in third class elementary districts without a licensed administrator under contract, a supervising teacher and county superintendent will be accepted in satisfaction of administrator requirements for up to eight full-time equivalent (FTE) licensed staff; 0.25 FTE licensed principal shall be assigned to schools with enrollments of 125 to fewer than 175 students;

(b) for schools in districts with an assigned licensed administrator under contract, the following staffing requirements shall apply: 0.50 FTE licensed principal shall be assigned to schools with enrollments of 175 to fewer than 250 students;

(c) 1.0 FTE licensed principal shall be assigned to schools with enrollments of 250 to fewer than 550 students;

(d) 2 FTE licensed principals shall be assigned to schools with enrollments of 550 to fewer than 1050 students;

(e) 3 FTE licensed principals shall be assigned to schools with enrollments of 1050 to fewer than 1550 students;

(f) 4 FTE licensed principals shall be assigned to schools with enrollments of 1550 to fewer than 2050 students;

(g) 5 FTE licensed principals shall be assigned to schools with enrollments of 2050 or more students.

(3) No individual principal assigned pursuant to the ratios in (2) above may be assigned as more than 1.0 FTE.

(i) .5 FTE principal for schools with more than eight and less than 18 FTE licensed staff. A district may satisfy the FTE requirements of this subsection for a

~~school under this circumstance by prorating the assignment of building administrators in other buildings of the district, so long as the number of licensed FTE staff for whom each administrator is responsible is not more than 29 and so long as the number of students for whom each administrator is responsible is not more than 550;~~

~~(ii) one FTE principal for schools with 18-29 FTE licensed staff or 250-550 students;~~

~~(iii) two FTE administrators/principals for schools with 551-1050 students;~~

~~(iv) three FTE administrators/principals for schools with 1051-1550 students;~~

~~(v) four FTE administrators/principals for schools with 1551-2050 students;~~

and

~~(vi) five FTE administrators/principals for schools with 2051 or more students.~~

~~(2) (4) In a schools that requires two or more FTE administrators/principals, at least one individual shall be appropriately endorsed as principal. At least a second administrator shall have an administrative endorsement(s) at the appropriate level(s) and in the area(s) that accurately reflects the administrator's supervisory responsibilities. For example, a school may assign a properly licensed and endorsed curriculum coordinators to supervise the appropriate instructional programs. No individual administrator assigned pursuant to the ratios in ARM 10.55.705(2) may be assigned as more than 1.0 FTE.~~

~~(3) In schools with at least three FTE school administrators who are administratively endorsed, release time of department coordinators or chairpersons may be counted toward additional school administration. Department coordinators or chairpersons counted toward school administration may observe and supervise but shall not formally evaluate classroom instruction.~~

AUTH: 20-2-114, MCA

IMP: 20-2-121, MCA

10.55.706 TEACHER INVOLVEMENT (1) Teachers should use their professional judgment to deliver high-quality instruction to all students based on individual need.

(2) Teachers shall be involved in curriculum development and student assessments and in the promotion of a school climate that enhances student learning, achievement, and well-being.

AUTH: 20-2-114, MCA

IMP: 20-2-121, MCA

10.55.707 TEACHER AND SPECIALIST LICENSURE (1) Teachers and specialists shall hold Montana teaching licenses. be:

(a) appropriately licensed and endorsed in accordance with state statutes and Board of Public Education rules; or

(b) considered appropriately assigned if enrolled in an internship as defined in ARM 10.55.602 and meet the requirements of (NEW RULE I).

(2) The school district shall arrange for a licensed and endorsed teacher in the content area to provide periodic support to the intern.

(3) School psychologists shall be licensed under ARM 10.57.432(1) or 10.57.433 and 10.57.434, or considered appropriately assigned if they are enrolled in an internship as defined in ARM 10.55.602 and meet the requirements of (NEW RULE I).

(4) School counselors shall be:

(a) licensed under ARM 10.57.432(2) or 10.57.433 and 10.57.435, or

(b) considered appropriately assigned if they hold a Class 1 or 2 license and are enrolled in an internship as defined in ARM 10.55.602 and meet the requirements of (NEW RULE I).

~~(2) An emergency authorization of employment is not a valid license; it is granted to a district which, under emergency conditions, cannot secure the services of a licensed teacher.~~

~~(3) All school psychologists must be licensed with a class 6 specialist license.~~

~~(4) Licensed teachers and school counselors who are enrolled in Board of Public Education approved internship programs according to the following provisions shall be considered appropriately assigned when teaching or serving in the internship area.~~

~~(a) Only an accredited educator preparation institution located within the boundaries of the state of Montana shall be eligible to operate an approved endorsement area internship program.~~

~~(b) Only a currently licensed Montana teacher enrolled in an approved endorsement area internship program shall be considered appropriately assigned when teaching or serving in the endorsement area within three years following the date of initial enrollment.~~

~~(c) An educator preparation program shall obtain approval of the Board of Public Education prior to placing interns in positions in local school districts in the state of Montana. In order to gain approval, the program must:~~

~~(i) file an application with the Board of Public Education;~~

~~(ii) include a model plan for preparation of interns prior to placement that shall include, at a minimum, completion of or enrollment in six semester credits of study in the endorsement field the teacher is pursuing;~~

~~(iii) appoint a faculty member responsible for ensuring compliance with all program requirements by interns enrolled in the program, which shall include, as a minimum, an on-site visit to each school district in which an intern is placed at least once during the term of the internship.~~

~~(d) All interns placed in a school district shall receive an appropriate level of periodic supervision and training by a licensed teacher who is currently endorsed in the intern's prospective endorsement area.~~

~~(5) All personnel whose qualifications are not outlined in the certification standards ARM Chapter 57 must have a license issued by the appropriate state or federal licensing agent or national registry if required by the existing rules and regulations.~~

AUTH: 20-2-114, MCA

IMP: 20-2-121, MCA;

10.55.708 TEACHING ASSIGNMENTS (1) Teachers shall be assigned at

the levels and in the subjects for which ~~their certificates~~ they are licensed and endorsed. ~~Exceptions are: unless they are enrolled in an internship as defined in ARM 10.55.602 and meet the requirements of (NEW RULE I);~~

~~(a) individuals serving in internship positions approved by the Board of Public Education~~

~~(b) (2) Teachers assigned in grade 5 or 6 in the departmentalized classroom or middle school, who hold a 5-12 secondary certificate license, must be endorsed in the subjects they are teaching. A 5-12 certificate license will not cover a grade 5 or 6 assignment in a self-contained K-8 classroom;~~

~~(c) (3) Clarifications of teaching assignments in grades 5 through 12 departmentalized settings are published in the Licensure Endorsement Requirements Related to Teaching Assignments, adopted by the Board of Public education July 2012, a copy of which may be found at: : <http://www.opi.mt.gov/pdf/Accred/Ch55/Appendices.pdf> (Appendix A). Appendix A of the "Montana School Accreditation Standards and Procedures Manual" adopted November 2000.~~

~~(2) (4) Certification Licensure at the elementary level entitles the holder to teach in grades K through 8.~~

~~(3) remains the same but is renumbered (5).~~

AUTH: 20-2-114, MCA

IMP: 20-2-121, MCA

10.55.709 LIBRARY MEDIA SERVICES, K-12 (1) The school library shall be housed in a central location, and each school shall have a ~~full-time or part-time certified school licensed and endorsed~~ library media specialist with a ~~K-12 library media endorsement~~ at the following ratio:

~~(a) through (f) remain the same.~~

~~(2) Schools or districts of fewer than 125 students shall employ or contract with a certified, licensed and endorsed school library media specialist, or seek alternative ways to provide library media services, using certified personnel. For example, they may contract for services or receive services from a regional, certified library media specialist provided through joint efforts of adjacent districts and/or counties. If a district has fewer than 125 students, the district may utilize a consortium, multidistrict agreement, or interlocal cooperative to secure these services.~~

~~(a) Alternative services shall include:~~

~~(i) instruction in library media skills;~~

~~(ii) administration of a library media program that meets the district's instructional goals;~~

~~(iii) collection, development and management;~~

~~(iv) reader assistance;~~

~~(v) library media collection management; and~~

~~(vi) inservice in the use of new resources and equipment.~~

AUTH: 20-2-114, MCA

IMP: 20-2-121, MCA

10.55.710 ASSIGNMENT OF SCHOOL COUNSELING STAFF (1) and (2) remain the same.

(3) ~~Schools and/or Districts~~ with fewer than 125 students shall: may

(a) employ or contract with a licensed, endorsed school counselor or eClass 6 specialist; or utilize a consortium, multidistrict agreement, or interlocal cooperative to secure these services.

(b) ~~seek alternative ways to provide counseling services and meet the required school counseling program goals using licensed personnel. For example, they may contract for services or receive services from a licensed school counselor or class 6 specialist provided through joint efforts of adjacent districts and/or counties.~~

(i) ~~When a school district uses alternatives to meet this standard, it shall submit a description of the alternatives to the Superintendent of Public Instruction and seek approval from the Board of Public Education.~~

AUTH: 20-2-114, MCA

IMP: 20-2-121, MCA

10.55.711 GENERAL: CLASS SIZE AND TEACHER LOAD (1) These standards do not require a minimum class size at any grade level or for any subject offered. One ~~pupil~~ student may be considered a class.

AUTH: 20-2-114, MCA

IMP: 20-2-121, MCA

10.55.713 TEACHER LOAD AND CLASS SIZE: HIGH SCHOOL, JUNIOR HIGH, MIDDLE SCHOOL, AND GRADES 7 AND 8 BUDGETED FUNDED AT HIGH SCHOOL RATES (1) ~~In addition to the school administrator, the school shall employ a sufficient number of certified FTEs to allow for varying instructional patterns including, but not limited to teaming, core curriculum and departmentalization. Each program offered shall have properly~~ be staffed by appropriately licensed and endorsed FTE(s) educators.

(2) and (2)(a) remain the same.

(b) Laboratory/studio, e.g., science, art, PE, career and technical education, class size shall be limited for safety purposes. The number of students shall be determined through consultation with the teacher, considering the number, size, and use of laboratory stations.

(3) through (4) remain the same.

AUTH: 20-2-114, MCA

IMP: 20-2-121, MCA;

10.55.714 PROFESSIONAL DEVELOPMENT (1) ~~By definition,~~ Professional development:

(a) shall be aligned with district educational goals and objectives;

(a) (b) ~~focuses on teachers as central to student learning, yet~~ and includes all other members of the school community;

(b) through (j) remain the same but are renumbered (c) through (k).

~~(k)~~ (l) is evaluated ultimately on the basis of its impact of professional development on teacher effectiveness and student learning, and the results of this assessment guides subsequent professional development efforts.

(2) Teachers and specialists shall annually complete professional development pursuant to the requirements of 20-1-304 and 20-4-304, MCA, including a minimum of three pupil instruction related (PIR) days dedicated exclusively to professional development.

(a) through (c) remain the same.

(3) ~~School district~~ The local board of trustees shall establish an advisory committee to evaluate the school district's current school year professional development plan; and develop and recommend a plan for the subsequent school year.

(a) remains the same.

(b) Each school year, ~~school district~~ the local board of trustees shall adopt a professional development plan for the subsequent school year based on the recommendation of the advisory committee.

(c) The plan recommended by the advisory committee and adopted by the ~~school district~~ local board of trustees shall outline how, when, and from whom teachers and specialists shall meet their professional development PIR day expectations.

(d) ~~Although the advisory committee's recommendation is advisory, t~~The plan adopted by the ~~school district~~ local board of trustees must take into consideration the advisory committee's recommendations and include two professional development PIR days in October during which schools must close in order to permit teachers and specialists to attend the annual professional development meetings of state professional associations.

(e) through (g) remain the same.

(h) ~~School district~~ The local board of trustees shall ~~file their adopted professional development plan with the Office of Public Instruction and make their plan available to employees and the public.~~

AUTH: 20-2-114, MCA

IMP: 20-2-121, MCA

10.55.715 INSTRUCTIONAL AIDES PARAPROFESSIONALS: QUALIFICATIONS AND SUPERVISION (1) Instructional aides ~~need not be certified; however, the following supervision is required:~~ paraprofessionals

~~(a) Instructional aides assigned due to classroom size or diversity shall be under the direct supervision of a certified licensed teacher. This means that the aide shall be supervised by a certified teacher who is responsible for instruction and assessment of students. The supervising teacher shall be available while the aide instructional paraprofessional is fulfilling his/ or her responsibilities and shall not be simultaneously assigned to another teaching duty or preparation time.~~

(b) Instructional aides paraprofessionals assigned to assist students with special education needs shall be under the supervision of the teacher or other professional designated as primarily responsible for instructional planning for the

student. The designated professional has the responsibility to provide regularly scheduled communication and direction to the instructional aide paraprofessional and not to delegate any activity to the instructional aide paraprofessional that requires professional skill, knowledge, and judgment.

(c) Instructional aides paraprofessionals assigned to assist students in gaining specialized knowledge not generally available from a properly endorsed teacher shall be supervised by a teacher ~~certified~~ licensed at the proper level. The supervising teacher is responsible for instruction and assessment of students and shall not be simultaneously assigned to another teaching duty or preparation time.

AUTH: 20-2-114, MCA

IMP: 20-2-121, MCA

10.55.716 SUBSTITUTE TEACHERS (1) remains the same.

(a) In cases where a regular, licensed teacher under contract is temporarily unable, by reason of illness or for other reasons approved by the ~~school district~~ local board of trustees, to fulfill the teacher's duties, substitute teachers may be employed to carry on the duties of that teacher's position for a period not to exceed 35 consecutive teaching days. Such substitutes need not hold a current license, but preference shall be given to those substitutes who are properly licensed.

(b) If the absence of the regular, licensed or authorized teacher continues for more than 35 consecutive teaching days, the substitute may be placed under contract if licensed or the local board of trustees shall place a licensed teacher under contract. If the local board of trustees makes a written declaration to the Superintendent of Public Instruction that no licensed teacher is available, the district shall pursue the employment of a teacher authorized under the provisions of ARM 10.57.107.

(2) Any nonlicensed substitute teacher shall complete a minimum of three hours of training, as approved by the ~~school district~~ local board of trustees.

(3) through (4)(b) remain the same.

(c) The district shall may accept the report of a previous fingerprint-based background check if it is submitted by a Montana university or college for a student currently or formerly enrolled in an accredited Montana professional educator program or from a public or nonpublic state accredited school that previously employed the substitute. The report shall not be accepted if it was completed more than two years prior to the date of submission.

(d) remains the same.

(5) Sections (2), (3), and (4) may be waived by the local board of trustees in whole or in part, if the nonlicensed substitute has previous teaching or substitute teaching experience in an Montana accredited public school ~~in Montana~~ prior to November 28, 2002 and who has continued to substitute yearly thereafter.

AUTH: 20-4-102, MCA

IMP: 20-4-102, MCA

10.55.717 ASSIGNMENT OF PERSONS PROVIDING INSTRUCTION TO BRAILLE STUDENTS (1) No ~~certified~~ licensed or classified employee of a school

district, cooperative, or any contracted service provider shall be assigned to provide instruction of Braille to a student or produce Braille materials who has not demonstrated competency in "contracted" (grade two) standard literary Braille code by:

(a) through (7) remain the same.

AUTH: 20-2-114, MCA

IMP: 20-1-121, 20-7-475, MCA

10.55.801 SCHOOL CLIMATE (1) The local board of trustees shall:
~~(a) encourage cooperative and harmonious relationships among staff, students, parents, trustees, and community;~~
~~(b) determine whether or not its staff turnover is excessive and, if it is, the reasons why;~~
~~(c) create teaching and learning conditions that meet the district's educational goals and attract and maintain a quality staff;~~
(d) remains the same but is renumbered (a).
(b) create teaching and learning conditions that meet the district's educational goals and recruit and maintain a quality staff;
(e) and (f) remain the same but are renumbered (c) and (d).
~~(g) (e) inform students, parents, families, and guardians of the school's expectations and of students' rights and responsibilities;~~
(h) remains the same but is renumbered (f).
~~(i) (g) encourage the active involvement of parents, families, and guardians in their children's education and in their school; and~~
~~(j) (h) provide opportunities for parents, families, guardians, educators, and members of the community to take active roles in developing and reviewing district and school educational goals.~~

AUTH: 20-2-114, MCA

IMP: 20-2-121, MCA

10.55.802 OPPORTUNITY AND EDUCATIONAL EQUITY (1) It is the purpose of the accreditation standards to guarantee equality of educational opportunity and to respect the dignity of every to each person regardless of race, color, sex, race, marital status, national origin, or physical or mental disability culture, social origin or condition, or political or religious ideas, with prejudice toward none. This includes programs, facilities, ~~textbooks~~ educational materials, curriculum, counseling, library services, and extracurricular activities.

AUTH: Montana Constitution, Article II, Section 4, 20-2-114, MCA

IMP: Montana Constitution, Article II, Section 4, 20-2-121, MCA;

10.55.803 LEARNER ACCESS (1) 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 for assessing the educational needs of its students.

(2) In ~~developing curricula~~ implementing curriculum in all program areas, the local board of trustees shall:

(a) provide learning experiences matched to students' interests, readiness, and learning styles;

(b) ~~take into account~~ recognize individual and cultural diversity and differences among learners, including American Indians. Cultural and language differences should be viewed as valuable and enriching resources and should take into account the unique needs of American Indian students and other minority groups;

(c) ~~develop an understanding of the~~ ensure integration of the history, values contemporary portrayals, and contributions of Montana's American Indians, with an emphasis on Montana Indians, across all content areas for all students;

(d) provide learning resources that are relevant, culturally ~~relevant,~~ inclusive, and current;

(e) remains the same.

(f) provide equal access to learning resources, ~~including technology;~~

(g) provide instructional materials ~~which are sequential and compatible with previous and future offerings~~ that support the adopted curricula; and

(h) provide books and materials that reflect authentic historical and contemporary portrayals of American Indians; ~~and.~~

(i) (3) The local board of trustees shall identify, using ~~the school's own~~ appropriate criteria, students who may be at risk or in need of special services.

AUTH: 20-2-114, MCA

IMP: 20-2-121, MCA

10.55.804 GIFTED AND TALENTED (1) ~~Schools~~ Districts shall provide educational services to gifted and talented students that are commensurate to their needs, and foster a positive self-image.

(2) Each ~~school~~ district shall comply with all federal and state laws and regulations addressing gifted education.

(3) Each ~~school~~ district shall provide structured support and assistance to teachers in identifying and meeting the diverse student needs of gifted and talented students, and shall provide a framework for considering a full range of alternatives for addressing student needs.

AUTH: 20-2-114, MCA

IMP: 20-2-121, MCA

10.55.805 SPECIAL EDUCATION (1) Each ~~school~~ district shall ~~comply with all federal and state laws and regulations addressing~~ provide educational programs and services to students eligible to receive special education services as identified under IDEA.

(2) Each ~~school~~ district shall ~~provide structured support and assistance to regular education teachers in identifying and meeting diverse student needs, and shall provide a framework for considering a full range of alternatives for addressing student needs~~ comply with all federal and state laws and regulations addressing

special education.

~~(3) Students with disabilities shall be given opportunities to become confident, dignified, and self-sufficient members of society. Each district shall provide structured support and assistance to regular education teachers in identifying and meeting the diverse needs of students receiving special education services.~~

(4) A student eligible to receive special education services as identified under IDEA and who has successfully completed the goals identified on an individualized education program for high school completion shall be awarded a diploma.

AUTH: 20-2-114, MCA

IMP: 20-2-121, MCA

10.55.901 BASIC EDUCATION PROGRAM: ELEMENTARY (1) An elementary school shall have an education program aligned to the program area standards that enables students to meet the content ~~and performance standards and~~ content specific grade-level learning progressions.

AUTH: 20-2-114, MCA

IMP: 20-2-121, 20-3-106, 20-7-101, MCA

10.55.902 BASIC EDUCATION PROGRAM: MIDDLE GRADES (1) A school with middle grades must have an education program aligned to the program area standards that enables all students to meet the content ~~and performance standards and~~ content specific grade-level learning progressions.

~~(2) In order to receive funding at the high school rate for Grades 7 and 8, the grade program that~~ The Board of Public Education, upon recommendation of the Superintendent of Public Instruction, may approve a 7 and 8, the grade program that must follow either the middle school philosophy and components described in (3) or the departmentalized philosophy and components ~~(often seen in junior high settings)~~ described in (4).

~~(3) An officially recognized middle school must be approved by the~~ The Board of Public Education, upon recommendation of the Superintendent of Public Instruction, may approve a middle school program that:

~~(a) A middle school specifically addresses the unique nature of middle-grade children by focusing on their intellectual, social, emotional, and physical development. To put such philosophy into practice, a middle school must have flexibility to:~~

~~(i) through (iii) remain the same.~~

~~(b) incorporates~~ Critical and creative thinking, career awareness, lifelong learning, and safety; must be incorporated in the school program.

~~(c) incorporates instruction in reading literacy and writing literacy into all required and elective program areas as required in the Montana Common Core Standards, ARM Title 10, chapter 53.~~

~~(d) includes, at a minimum, the following program areas, shall be required of all students yearly:~~

~~(i) communication English language arts including, but not limited to literature, reading, writing, speaking and listening, media literacy;~~

(ii) mathematics including, but not limited to written and mental computation and problem solving;

(iii) through (v) remain the same.

~~(d)~~ (e) At a minimum, the middle school curriculum shall maintain in balance the following required program areas:

(i) and (ii) remain the same.

(iii) ~~vocational career and~~ technical education courses or pathways such as agriculture, business education, family and consumer sciences, health occupations, and industrial arts technology education, and marketing; and

(iv) remains the same.

~~(e)~~ (f) offers as electives to all students ~~E~~exploratory courses such as creative writing, dance, drama, financial education, photography, and leadership shall be offered as electives to all students.

(4) A junior high (grades 7-9) or 7-8 school for middle grades must offer an educational program, aligned to the program area standards, that enables all students to meet the content and performance standards and content specific grade-level progressions. ~~The educational program shall be designed to familiarize students with the high school setting and provide content-specific instruction.~~

(a) Instruction in reading literacy and writing literacy shall be incorporated into all required and elective program areas as required in the Montana Common Core Standards, ARM Title 10, Chapter 53.

~~(a)~~ (b) All students shall complete the following program areas each year:

(i) ~~communication arts~~ English language arts--1 unit;

(ii) through (v) remain the same.

(b) remains the same but is renumbered (c).

(i) and (ii) remain the same.

(iii) ~~vocational career and~~ technical education--1/2 unit; and

(iv) world languages and cultures--1/2 unit.

~~(c)~~ (d) A unit is defined as the equivalent of at least ~~225~~ 8100 minutes per week for one school year.

(d) remains the same but is renumbered (e).

AUTH: 20-2-114, MCA

IMP: 20-2-121, 20-3-106, 20-7-101, MCA

10.55.904 BASIC EDUCATION PROGRAM OFFERINGS: HIGH SCHOOL

(1) The basic education program, aligned to the program area standards, for grades 9 through 12 shall be at least 20 units of coursework that enable all students to meet the content and performance standards and content specific grade-level learning progressions.

(2) Instruction in reading literacy and writing literacy shall be incorporated into all required and elective program areas as required in the Montana Common Core Standards, ARM Title 10, chapter 53.

~~(2)~~ (3) Minimum offerings shall include at least the following:

(a) through (d) remain the same.

(e) 2 units of ~~vocational~~ career and technical education;

(f) through (i) remain the same.

AUTH: 20-2-114, MCA

IMP: 20-2-121, 20-3-106, 20-7-101, MCA

10.55.905 GRADUATION REQUIREMENTS (1) As a minimum, a school district's requirements for graduation shall include a total of 20 units of study that enable all students to meet the content and performance standards and content specific grade-level learning progressions.

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

(f) 1 unit of arts; and

(g) 1 unit of ~~vocational~~ career and technical education.

(3) and (4) remain the same.

AUTH: 20-2-114, MCA

IMP: 20-2-121, 20-3-106, 20-7-101, MCA

10.55.906 HIGH SCHOOL CREDIT (1) A high school shall require a minimum of 20 units of credit for graduation, including ninth grade units. ~~A unit of credit shall be given for satisfactory completion of a full unit course.~~

(a) A unit of credit is defined as the equivalent of at least ~~225~~ 8100 minutes ~~per week~~ for one year.

(b) remains the same.

(2) 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 ~~administrator's~~ board of trustee's permission.

(3) ~~Each governing authority~~ 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.

(4) With the permission of the ~~school district~~ 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 ~~and performance~~ standards stated in the education program. Examples of ~~possible~~ acceptable course work include those delivered through correspondence, ~~and extension courses,~~ and distance learning courses, adult education, summer school, work study, specially designed courses, and challenges to current courses. ~~Any acceptable programs~~ must be consistent with the local board of trustees' policy.

(a) ~~Any~~ Montana high schools shall accept such units of credit taken with the approval of the accredited Montana high school in which the student was then enrolled and which appear on the student's official transcript.

AUTH: 20-2-114, MCA

IMP: 20-2-121, 20-3-106, 20-7-101, MCA

10.55.907 DISTANCE, ONLINE, AND TECHNOLOGY DELIVERED LEARNING (1) through (2)(a) remain the same.

(b) Distance, online, and technology delivered learning programs and/or courses shall ~~meet the learner expectations adopted by the school district and~~ at a minimum be aligned with state content and performance standards and content specific grade-level learning progressions.

(c) ~~A~~ Annually, by the first Monday in June, a school district shall provide a report to the Superintendent of Public Instruction documenting ~~how it is meeting the needs of students under the accreditation standards who are taking a majority of courses during each grading period via distance, online, and/or technology delivered programs all distance, online and technology delivered courses, student enrollments, and the digital content providers.~~

(3) and (3)(a) remain the same.

~~(i) The provisions of (3) and (3)(a) shall not be effective until July 1, 2009.~~

(b) and (c) remain the same.

(d) The school district must ensure that the distance, online, and technology delivered learning facilitators receive in-service training on technology delivered instruction pertaining to:

~~(i) the course organization;~~

~~(ii) classroom management;~~

~~(iii) technical aspects of the delivery method;~~

~~(iv) strategies for use of distance learning;~~

~~(v) monitoring of student testing;~~

~~(vi) and securing other services as needed.~~

(4) remains the same.

(5) ~~All providers or coordinating entities of distance, online, and technology delivered learning programs shall annually, no later than October 1:~~ Digital content providers serving Montana schools accredited by the Board of Public Education shall:

(a) annually, by the first Monday in August, register with the Office of Public Instruction;

(b) annually, by the first Monday in June, identify all the Montana school districts to whom they are providing distance, online, and technology delivered programs and/or courses served in the current school year by the digital content provider, including the courses and student enrollments for each school district served; and

(c) document the professional qualifications, including Montana teacher licensure and endorsement, of their teachers of distance, online, and technology delivered programs and/or courses; by providing names and credentials of other licensing entities, when not licensed and endorsed in Montana.

~~(d) provide the course description including the content and delivery model for each distance, online, and technology delivered program and/or course provided to Montana schools; and~~

~~(e) demonstrate that the students they serve have ongoing contact with their teachers of distance, online, and technology delivered learning programs and/or courses.~~

AUTH: 20-2-114, MCA

IMP: 20-2-121, 20-3-106, 20-7-101, MCA

MAR Notice No. 10-55-261

10.55.908 SCHOOL FACILITIES (1) School facilities shall be constructed, maintained, and supervised in accordance with all applicable local, state, and ~~national~~ federal codes, regulations, and laws.

(2) School facilities shall be of sufficient size and arrangement to meet all programs' educational goals.

(3) The local board of trustees shall provide for educational facilities which are ~~pleasant~~ functional and ~~reasonably~~ safe for the conduct of the educational and extracurricular activities of students, and which will meet federal accessibility standards.

(4) The school shall provide the necessary equipment for ~~emergency nursing care and~~ first aid.

(5) When the local board of trustees considers major remodeling or building a facility, it shall seek facility expertise in all affected program areas as well as comments from faculty, students, and community.

(6) The local board of trustees shall have ~~in-writing~~ a written policy that defines the use of school facilities and resources.

AUTH: 20-2-114, MCA

IMP: 20-2-121, MCA

10.55.909 STUDENT RECORDS (1) remains the same.

(2) The local board of trustees shall establish policies and procedures for the use and transfer of student records that are in compliance with 20-1-213, MCA, and state and federal laws governing individual privacy. All educational records collected and maintained by a school shall be kept in a confidential manner according to the implementing regulations of the Family Educational Rights and Privacy Act (FERPA) at 34 CFR part 99.

(3) The local board of trustees shall develop a process for destruction of records pursuant to 20-1-213, MCA, including nonpermanent student records. Nonpermanent student records are records retained in a central file maintained by the school containing a student's cumulative educational records, which are not retained as a student's permanent record detailed in (1).

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

AUTH: 20-1-213, 20-2-114, MCA

IMP: 20-2-121, MCA

10.55.910 STUDENT DISCIPLINE RECORDS (1) Each school shall maintain a record of any disciplinary action that is educationally related, with explanation, taken against the student. When a local board of trustees takes disciplinary action against a student, the board must take minutes of the action taken, with detailed explanation, even if the disciplinary action is decided during a closed session. For the purpose of this rule, a disciplinary action that is educationally related is an action that results in the expulsion or out-of-school suspension of the student. This record must be maintained/destroyed consistent with Montana Local Government Records Schedule 7, and is subject to transfer to a local educational agency, or accredited school, or pursuant to 10-1-213(4), MCA.

~~Upon request, a copy of this record shall be sent to a nonpublic school pursuant to 20-1-213(7), MCA, and the No Child Left Behind Act, 20 USC 6301.~~

AUTH: 20-2-114, MCA

IMP: 20-1-213, 20-2-121, MCA

10.55.1001 DISTRICT'S RESPONSIBILITIES FOR PROGRAM DELIVERY STANDARDS (1) ~~It is the school district's local board of trustees' responsibility to incorporate~~ ensure the district's curricula align with the state content and performance standards into its curriculum, implementing them sequentially and content specific grade-level learning progressions.

AUTH: 20-2-114, MCA

IMP: 20-2-121, 20-3-106, 20-7-101, MCA

10.55.1003 PROGRAM FOUNDATION STANDARDS (1) remains the same. (2) ~~Program foundation standards are the common conditions, and practices, and resources that cross~~ will be evident in all programs within a school system to ensure that all students have educational opportunity to learn, develop, and demonstrate learning ~~to in the content and performance standards and content specific grade-level learning progressions.~~ All programs shall follow the content and performance standards in the accreditation rules of Montana. ~~In addition, all programs shall work to~~ The local board of trustees shall:

(a) meet the following conditions:

(i) ~~incorporate in curricular programs the distinct and unique cultural heritage of American Indians~~ ensure integration of the history, contemporary portrayals, and contributions of American Indians, with an emphasis on Montana Indians, for all students, across all content areas;

(ii) ~~provide effective health enhancement instruction to all grades and to provide such instruction on a daily basis as part of the basic elementary education program;~~

(iii) ~~provide physically, emotionally, and educationally safe and supportive learning and working environments, including environments free from bullying, intimidation and harassment;~~

(iv) (ii) ensure an educational climate that promotes academic freedom and respect for diversity (e.g., gender, race, ethnicity, economic status, native language, disability, special gift and talent) with prejudice toward none;

(v) (iii) maintain high expectations for student performance, and behavior, and challenge every student at his/her level of need that stimulates a desire for lifelong learning; and

(vi) (iv) encourage collaboration among school personnel to plan, assess, and support instruction; and

(vii) ~~build school calendars and schedules based upon instructional needs.~~

(b) include the following practices:

(i) ~~align local curricula with the Montana content and performance standards;~~

(ii) offer engaging and relevant experiences that enable students to develop effective communication skills for fulfillment in their personal lives, workplaces, and

communities;

(iii) teach ethical behavior, including use of technology (social media) and the implications of one's choices;

(iv) remains the same but is renumbered (iii).

~~(iv) encourage the use of the inquiry process and the application of multiple thinking, decision-making, and problem-solving skills~~ challenge students to think creatively and critically, and use the inquiry process to solve problems and make informed decisions;

~~(vi) emphasize common unifying themes or principles that build on students' prior experiences~~ encourage interdisciplinary instruction;

~~(vii) provide learning experiences that connect the disciplines and transfer learning from one context to another~~ use relevant data to inform decision making, modify instruction, and increase student learning; and

~~(viii) integrate information literacy skills, technology tools, and workplace competencies to support learning in all curricular areas;~~ and

~~(c) provide the following resources:~~

~~(i) access to regional, community, and school-based resources for teaching and learning;~~

~~(ii) qualified staff necessary to support the instructional process, including elementary teachers (00 endorsement) with at least ten semester credits in assigned subject areas when teaching departmentalized grades 5-8;~~

~~(viii) provide equitable access to all facilities, technology, equipment, materials, and services necessary to support the instructional process;~~

~~(iv) time for professional development that supports learning for all;~~

~~(v) a well-conceived mentoring program for teachers in the first three years of teaching; and~~

~~(vi) access to a variety of current technologies and information resources (e.g., libraries, databases, computer networks, videos).~~

AUTH: 20-2-114, MCA

IMP: 20-2-121, 20-3-106, 20-7-101, MCA

5. The effective date of the rules being adopted and the amendments to the rules in Chapter 55 is July 1, 2013.

6. REASON: By authority of 20-7-101, MCA Standards of Accreditation for all schools are adopted by the Board of Public Education upon the recommendation of the Superintendent of Public Instruction. The board considers recommendations for revision of the policies at any time it deems necessary and conducts a comprehensive review of standards of accreditation policies on a regular cycle to ensure that such policies are meeting the needs of the state. The last comprehensive review of these standards was completed in 2000.

The Board of Public Education and the Office of Public Instruction facilitated the comprehensive review process to amend Chapter 55, Standards of Accreditation, with input from a joint task force comprised of education stakeholders appointed by the board and the superintendent.

MAR Notice No. 10-55-261

To implement the work of the task force as recommended by the superintendent to the board, the new rules address the requirements for internships and specify policy requirements related to student protection. The task force also concluded that it was necessary to include comprehensive amendments to existing rules to clarify language and process; clarify and add necessary definitions; clarify and amend school district policy requirements; add and define student performance and provide transparency to the accreditation process; address the process for application for variance to accreditation standards; clarify the categories of accreditation and the consequences for deficiencies; delineate the procedures used by the Office of Public Instruction when reviewing accreditation status, program and assurance standards; specify requirements and deadlines for distant and online learning; clarify student records requirements; and update program foundation standards. Other amendments are made for consistency with other Board of Public Education rules.

7. 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 and must be received no later than 5:00 p.m., August 23, 2012.

8. Peter Donovan, Executive Secretary for the Board of Public Education has been designated to preside over and conduct this hearing.

9. The Board of Public Education maintains a list of interested persons who wish to receive notices of rulemaking actions proposed by this 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.

10. 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.

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

Peter Donovan
Rule Reviewer

Patty Myers, Chair
Board of Public Education

Certified to the Secretary of State July 16, 2012.

TIMELINE
Standards of Accreditation Rules – Chapter 55
July 13, 2012

- Introduced to BPE May meeting
- Proposed notice to BPE July meeting
- Proposed notice to SOS for notice in MAR July 16, 2012
- MAR publication out July 26, 2012
- Hearing date August 20, 2012
- Final Public Input deadline August 23, 2012
- Adoption Notice to BPE September meeting
- Adoption notice to SOS for notice in MAR October 1, 2012
- MAR publication out..... October 10, 2012
- Effective Date of Rules July 1, 2013

CHAPTER 55 AS PROPOSED BY MAR NOTICE NO. 10-55-262

This document contains Title 10, Chapter 55 Administrative Rules of Montana as proposed by the Board of Public Education in a Notice of Public Hearing on Proposed Adoption and Amendment published July 26, 2012 in the Montana Administrative Register. These rules appear as proposed without interlining and underlining.

This is the version of the rules the Board of Public Education will start with in making amendments prior to adoption.

10.55.601 ACCREDITATION STANDARDS: PROCEDURES (1) The Board of Public Education adopts standards of accreditation upon the recommendation of the Superintendent of Public Instruction.

(2) The Board of Public Education and the Superintendent of Public Instruction establish procedures and schedules for reviewing the accreditation status of each school.

(3) To ensure continuous education improvement, the school district and each of its schools shall develop, implement, and evaluate continuous school improvement plans and make the plans publically available. These plans shall be reviewed on a yearly basis to reflect a continuous improvement process.

(a) Each plan shall include:

(i) a school district level education profile;

(ii) the school district's educational goals pursuant to the requirements of ARM 10.55.701;

(iii) a description of planned progress toward implementing all content and program area standards, in accordance with the schedule in ARM 10.55.603;

(iv) a description of strategies for assessing student progress toward meeting all content standards, pursuant to the requirements of ARM 10.55.603 and ARM 10.56.101; and

(v) remains the same.

(b) The local board of trustees shall report and submit their adopted continuous school improvement plan with the Superintendent of Public Instruction.

(c) The Superintendent of Public Instruction shall develop and implement procedures necessary to monitor and evaluate the effectiveness of the implementation of the continuous improvement plan of each school district and its schools.

(4) To ensure continuous educational improvement, the Superintendent of Public Instruction shall provide guidance, resources, and evaluation to assist in the implementation of district and school plans to improve teaching and learning for all students.

AUTH: 20-2-114, MCA

IMP: 20-2-121, 20-3-106, 20-7-101, MCA

10.55.602 DEFINITIONS For the purposes of this chapter, the following terms apply:

(1) "Accreditation" means certification by the Board of Public Education that a school meets the adopted standards of the Board of Public Education for a specified school year.

(1) remains the same but is renumbered (2).

(3) "Assurance standards" means the minimal standards of a quality education program comprised of the following subchapters:

(a) Subchapter 6, General Provisions, ARM 10.55.601 through 10.55.607;

(b) Subchapter 7, School Leadership, ARM 10.55.701 through 10.55.719;

(c) Subchapter 8, Academic Requirements, ARM 10.55.801 through 10.55.805;

(d) Subchapter 9, Educational Opportunity, ARM 10.55.901 through 10.55.910; and

(e) Subchapter 10, Program Area Standards, ARM 10.55.1001 through 10.55.1003.

(4) "Asynchronous" means not occurring at the same time. "Asynchronous" refers to instruction and communication between participants (i.e., students and teachers) that occurs at different times.

(5) "At-risk student" means any student who is affected by environmental conditions that negatively impact the student's educational performance or threaten a student's likelihood of promotion or graduation, as defined in 20-1-101(4), MCA.

(6) "Class 8 license" means an educator license as defined in ARM 10.57.102.

(7) "Combined elementary-high school district" means an elementary district and a high school district, which are combined into a single school system for district administration purposes. This may include school systems formed under governing joint boards of trustees depending on the programs and services agreed to by the participating local boards of trustees.

(8) "Content standard" means what all students should know, understand, and be able to do in a specific content area.

(9) "Corrective plan" means a systematic procedure and timeline for resolving deviations from regular accreditation status.

(7) remains the same but is renumbered (10).

(11) "Digital content provider" means an entity, organization, or individual registered pursuant to ARM 10.55.907 offering K-12 educational content for distance, online, and technology-delivered programs and courses.

(12) "Distance learning" means instruction in which students and teachers are separated by time and/or location with synchronous or asynchronous content, instruction, and communication between student and teacher. This instruction may consist of learning opportunities provided through online (Internet-based) and other emerging technologies.

(13) "Dual enrollment/dual credit" means opportunities for high school students to be enrolled in high school and postsecondary courses at the same time. There are three categories of such opportunities:

(a) "College credit only" means students receive college credit for courses taken from a postsecondary institution but do not receive high school credit. Students may or may not be taking these courses during the school day.

(b) "Dual credit" means students receive both college credit and high school credit for courses taken from a postsecondary institution. Students may or may not be taking these courses during the school day. The faculty member must have an appropriate K-12 license and endorsement in the subject taught or a Class 8 license.

(c) "Concurrent enrollment" means the district offers these courses during the school day and they are taught by district high school faculty who have been approved by the post-secondary institution to teach these college level courses. Students receive both high school and college credit for the completed course.

(9) remains the same but is renumbered (14).

(15) "Facilitator" means the individual assigned to monitor distance, online, and technology-delivered learning programs pursuant to ARM 10.55.907. The facilitator may be an instructional paraprofessional as long as there is a licensed teacher providing the instruction.

(10) remains the same but is renumbered (16).

(17) "Indian Education for All" means the constitutionally declared policy of this state to recognize the distinct and unique cultural heritage of American Indians and to be committed in its educational goals to the preservation of their cultural heritage. Implementation of these requirements ensures:

(a) every Montanan, Indian or non-Indian, is encouraged to learn about the distinct heritage and contributions of Montana tribal groups and governments in a culturally responsive manner; and

(b) every educational agency shall work cooperatively with Montana tribes to provide means by which school personnel will gain an understanding of and appreciation for American Indian people.

(18) "Instructional paraprofessional" means school or district personnel whose positions are instructional in nature and who work under the direct supervision of licensed school personnel. The supervising licensed school personnel are responsible for:

(a) the design, implementation, and assessment of learner progress; and

(b) the evaluation of the effectiveness of learning programs and related services for children.

(19) "Intensive assistance" means a required process for schools in continuous or serious deficiency accreditation status. Such schools have failed to develop or implement an approved corrective plan to remedy accreditation deviations within the designated timeline.

(20) "Internship" means an agreement among a fully licensed Class 1, 2, or 3 educator, the school district, and a Montana accredited educator preparation program as provided in ARM 10.55.607.

(21) "K-12 district" means an elementary district, with the same district boundaries as a high school district, which has been attached to that high school district. The high school district remains an organized district and the elementary district is an inactive district pursuant to 20-6-701(1) and (2), MCA.

(22) "Learning progression" means the specific performance expectations in each content area at each grade level from kindergarten through grade 12.

(23) "Licensure" means certification of an educator/specialist as issued by the state of Montana, based on completion of an approved educator preparation program. Licensure indicates grade level(s), endorsement(s), and classification.

(24) "Literacy" means learning to read, write, speak, listen, and use language

effectively.

(25) "Middle grades" means grades 4 through 9.

(26) "Minimum aggregate hours" means the minimum hours of pupil instruction that must be conducted during the school fiscal year in accordance with 20-1-301, MCA and includes passing time between classes. Minimum aggregate hours does not include lunch time and periods of unstructured recess, as defined in 20-1-101, MCA.

(27) "Misassignment" means a licensed educator/specialist teaching outside their endorsed teaching area(s) and/or level (elementary K-8 and secondary 5-12).

(28) "Nonaccredited status" means previously accredited school which failed to meet the requirements of intensive assistance and is out of compliance with the Board of Public Education standards of accreditation.

(29) "Nonlicensed" means a person who does not hold a current Montana educator license, except for a person for whom an emergency authorization of employment has been issued under the provisions of 20-4-111, MCA.

(30) "Online learning" means educational activity in which instruction and content are delivered primarily via the Internet and through emerging technologies. Online learning is a form of distance learning.

(31) "Principal" means a person who holds a valid Montana Class 3 educator license with an applicable principal endorsement and who is employed by a district as a principal, or who is enrolled in a Board of Public Education approved principal internship program under ARM10.55.607.

(32) "Program area standards" means the subject matter Montana school districts are required to offer and the strategies and proven practices used to instruct. The program area standards include: English language arts, arts, health enhancement, mathematics, science, social studies, career and technical education, technology, workplace competencies, library media, world languages, and school counseling.

(33) "Program delivery standards" means the conditions and practices school districts are required to provide ensuring that every student is afforded educational opportunities to learn, develop, and demonstrate achievement in content standards and content-specific grade-level learning progressions.

(34) "Pupil instruction day" means a school day when organized instruction is conducted with students under the supervision of a teacher.

(35) "Pupil instruction-related (PIR) day" means days of teacher activities devoted to improving the quality of instruction. The activities may include, but are not limited to: in-service training, attending state meetings of teacher organizations, and conducting parent conferences.

(36) "School" means, for accreditation purposes, an educational program and grade assignments designated by the local board of trustees in one of the following categories:

(a) an elementary school, which offers any combination of kindergarten through eighth grade;

(b) a seventh and eighth grade school, which comprises the basic education program for grades 7 and 8 that may be funded at the high school rate pursuant to 20-9-396, MCA;

(c) a junior high school, which offers the basic education program for grades 7 through 9;

(d) a middle school, which offers education programs for grades 4 through 8 or any combination thereof; and

(e) a high school, which offers the educational programs for grades 9 through 12 or grades 10 through 12 when operating in conjunction with a junior high school.

(37) "School administrator" means a person who is a part of the school's administrative or supervisory staff and who holds a Class 3 license and is appropriately endorsed, or who is enrolled in a Board of Public Education approved administrator internship program under ARM 10.55.607.

(38) "School district" means the territory, regardless of county boundaries, organized under the provisions of Title 20, MCA to provide public educational services under the jurisdiction of the local board of trustees. A high school district may encompass all or parts of the territory of one or more elementary districts. A school district may also exist as the result of the formation of a joint board of trustees as provided by 20-3-361, MCA. "School district" shall refer to all state-funded special purpose schools that are accredited under this chapter.

(39) "School system" means the administrative unit of a district or combination of districts. In Montana, types of school systems are as follows:

(a) "combined elementary-high school district" means an elementary district and a high school district which are combined into a single school system for district administration purposes. This may include school systems formed under the statute governing joint boards of trustees depending on the programs and services agreed to by the participating local boards of trustees.

(b) "independent high school district" means a district organized for the purpose of providing public education for all or any combination of grades 9 through 12; and

(c) "independent elementary school district" means a district organized for the purpose of providing public education for all or any combination of grades kindergarten through grade 8.

(40) "Specialist" means a person with a Class 6 Specialist license in a nonteaching role of school psychologist or school counselor

(41) "Student performance standards" means minimal standards of a quality education, which measures student performance on annual state level summative assessments and graduation rates used to determine the accreditation status of a school.

(42) "Superintendent" means a person who holds a valid Montana Class 3 educator license, with an applicable superintendent's endorsement and who is employed by a district as a district superintendent, or who is enrolled in a Board of Public Education approved superintendent internship program under ARM 10.55.607.

(43) "Synchronous" means occurring at the same time. "Synchronous" refers to instruction and communication between participants (i.e., students and teachers) that occurs at the same time even though they may be in different physical locations. For example, instruction in which students and teachers are online at the same time so that a question can be immediately answered (e.g., telephone calls, face-to-face meetings, physical classrooms, chat rooms, and videoconferencing).

(44) "Teacher" means a person, except a district superintendent, who holds a valid Montana educator license issued by the Superintendent of Public Instruction under the policies adopted by the Board of Public Education and who is employed

by a district as a member of its instructional, supervisory, or administrative staff. This definition of a teacher includes a person for whom an emergency authorization of employment has been issued under the provisions of 20-4-111, MCA.

(18) remains the same but is renumbered (45).

(46) "Variance to standard" means an alternate approach to meeting or exceeding the minimum standards.

AUTH: 20-2-114, MCA

IMP: 20-1-101, 20-1-501, 20-2-121, 20-3-106, 20-7-101, MCA

10.55.603 CURRICULUM AND ASSESSMENT (1) Local school districts shall ensure their curriculum is aligned to all content standards and the appropriate learning progression for each grade level.

(2) School districts shall maintain their programs consistent with the state's schedule for revising standards.

(3) School districts shall assess the progress of all students toward achieving content standards and content-specific grade-level learning progressions in each program areas. The district shall use assessment results, including state-level achievement information obtained by administration of assessments pursuant to ARM 10.56.101 to examine the educational program and measure its effectiveness.

(a) and (b) remain the same.

(4) For content standards in all program areas pursuant to the requirements of ARM 10.55.602, school districts shall:

(a) establish curriculum and assessment development processes as a cooperative effort of personnel licensed and endorsed in the program area and trustees, administrators, other teachers, students, specialists, parents, community, and, when appropriate, tribal representatives and state resource people;

(b) review curricula at least every five years or consistent with the state's standards revision schedule, and modify, as needed, to meet educational goals of the continuous school improvement plan pursuant to ARM 10.55.601;

(c) review materials and resources necessary for implementation of the curriculum and assessment at least every five years, or consistent with the state's standards revision schedule that are consistent with the goals of the continuous school improvement plan; and

(d) review curricula and instructional materials and resources to ensure the inclusion of the distinct and unique cultural heritage and contemporary portrayal of American Indians.

(5) The school district shall develop and implement its assessment plan used to measure student progress ensuring alignment to the local curriculum in all program areas.

(a) The assessment plans shall be included in the continuous school improvement plan and be in place within two years following the development of local curriculum.

(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 progress in achieving content standards and content-specific grade-level learning progressions in all program areas.

(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 progress in achieving content and appropriate content-specific grade-level learning progressions in all program areas.

(d) The Superintendent of Public Instruction shall provide technical assistance to districts to meet the criteria and procedures in (3)(c).

AUTH: 20-2-114, 20-2-121, MCA

IMP: 20-2-121, 20-3-106, 20-7-101, MCA

10.55.604 VARIANCES TO STANDARDS (1) A local board of trustees may apply to the Board of Public Education through the Superintendent of Public Instruction to implement a variance to a standard or a section of standards, excluding standards stating statutory criteria, standards pertaining to educator licensure or endorsement, and content standards as defined by the Board of Public Education and provided in guidance from the Superintendent of Public Instruction.

(a) In its application, the local board of trustees shall describe how and why its proposed variance would be workable, educationally sound, and designed to meet or exceed results under established standards and, where applicable, aligned with program standards under ARM 10.55.1101 through 10.55.1901.

(b) An application for variance to standards to take effect at the beginning of the academic year is due in writing to the Superintendent of Public Instruction no later than the first Monday in March. An application for variance to standards to take effect the second semester of the academic year is due in writing to the Superintendent of Public Instruction no later than the first Monday in July.

(c) The Superintendent of Public Instruction shall refer applications to a review board appointed and facilitated by the Superintendent of Public Instruction. The review board shall provide its recommendations to the Superintendent of Public Instruction.

(d) The Superintendent of Public Instruction shall provide the Board of Public Education with a recommendation for approval, modification, or rejection of the review board's recommendation.

(2) The Board of Public Education shall approve or deny proposed variances to standards.

(3) If the Board of Public Education approves a proposed variance to standards, it shall initially do so for no more than two years pending ongoing review of the implementation by the Superintendent of Public Instruction.

(4) Following the second year of implementation of a variance to standards, the school district shall provide evidence to the Superintendent of Public Instruction that the methods selected by the district implement, meet, or exceed results that could have been achieved under established standards.

(5) If the Superintendent of Public Instruction finds the variance is workable and educationally sound, the Superintendent shall report findings and recommend continued approval to the Board of Public Education.

(6) If the Board of Public Education concurs with the Superintendent's recommendation, it may renew the variance for no more than three years.

(7) The Board of Public Education may subsequently renew the variance for up to three-year intervals provided the district continues to show how the variance

meets or exceeds established standards.

(8) If the Superintendent of Public Instruction finds the alternative is not working as intended or does not meet or exceed results that could be achieved under established standards, the superintendent shall recommend to the Board of Public Education that the variance be revoked.

(9) If the Board of Public Education accepts the superintendent's recommendation to revoke a variance, the board's decision is final.

(10) A school district may discontinue an approved variance at any time. If it does so, it shall promptly notify the Superintendent of Public Instruction in writing.

(2) through (2)(e) remain the same but are renumbered (11) through (11)(e).

AUTH: 20-2-114, MCA

IMP: 20-2-121, 20-3-106, 20-7-101, MCA

10.55.605 CATEGORIES OF ACCREDITATION (1) Regular accreditation means the school has met the assurance standards and student performance standards as defined in ARM 10.55.606 and the Licensure Endorsement Requirements Related to Teaching Assignments, adopted by the Board of Public Education July 2012, a copy of which may be found at: <http://www.opi.mt.gov/pdf/Accred/Ch55/Appendices.pdf> (Appendix A).

(2) Regular accreditation with minor deviations means the school does not meet all the requirements and standards required in (1) and delineated in the Accreditation Procedures and Status Criteria, adopted by the Board of Public Education July 2012, a copy of which may be found at: <http://www.opi.mt.gov/pdf/Accred/Ch55/Appendices.pdf> (Appendix B).

(3) A school with regular accreditation with level 2 deviation(s) in student performance standards, as defined in ARM 10.55.606, or regular accreditation with minor deviations at level 2 in either assurance or student performance standards, shall remedy all deviations within three years or will be reassigned to a lower category of accreditation.

(4) Accreditation with advice means the school exhibits serious and/or numerous deviations from the standards.

(5) Accreditation with deficiency means that the school is on advice status for two years, has not complied with the required corrective plan, and continues to have serious and/or numerous deviations, or has substantially increased the seriousness of deviations over the previous year.

(6) For a district with a school on advice or in deficiency status, the district administrator and the chair of the local board of trustees shall submit to the Superintendent of Public Instruction a corrective plan, including a systematic procedure and timeline for resolving the deviations noted.

(7) A school will be immediately accredited with deficiency if:

(a) the school employs a teacher who does not have a Montana teaching license; or

(b) the school has a facility that creates an unhealthy environment with safety and health hazards.

(8) A school with deficiency status failing to comply with the required corrective plan shall be placed into the intensive assistance process as defined in the Accreditation Procedures and Status Criteria, adopted by the Board of Public

Education July 2012, a copy of which may be found at: <http://www.opi.mt.gov/pdf/Accred/Ch55/Appendices.pdf> (Appendix B).

(9) Nonaccredited status means that a school on deficiency status fails to meet the requirements of intensive assistance and is out of compliance with the Board of Public Education standards of accreditation.

(6) remains the same but is renumbered (10).

AUTH: 20-2-114, MCA

IMP: 20-2-121, 20-3-106, 20-7-101, MCA

10.55.606 ACCREDITATION PROCESS (1) The categories of accreditation of a school shall be determined by using two sets of standards:

- (a) assurance standards; and
- (b) student performance standards.

(2) Assurance standards are comprised of the following subchapters in ARM Title 10, chapter 55:

- (a) Subchapter 6, General Provisions, ARM 10.55.601 through 10.55.607;
- (b) Subchapter 7, School Leadership, ARM 10.55.701 through 10.55.719;
- (c) Subchapter 8, Academic Requirements, ARM 10.55.801 through 10.55.805;
- (d) Subchapter 9, Educational Opportunity, ARM 10.55.901 through 10.55.910; and
- (e) Subchapter 10, Program Area Standards, ARM 10.55.1001 through 10.55.1003.

(3) Student performance standards are comprised of student performance measures for each grade as follows:

(a) Math and reading average scale score range for all students grades 3-8 and 10 and science average scale score range for all students grades 4, 8, and 10:

- (i) Level 1 = 300-250;
- (ii) Level 2 = 249-220;
- (iii) Level 3 = 219-210;
- (iv) Level 4 = 209-200; and

(b) For high schools, graduate rate range:

- (i) Level 1 = 100.0%-75.0%;
- (ii) Level 2 = 74.9%-60.0%;
- (iii) Level 3 = 59.9%-55.0%;
- (iv) Level 4 = 54.9%-0.0%.

(4) For schools with any combination of grades K-2, only the assurance standards will be used to determine accreditation status.

(5) There shall be four levels for assurance standards and student performance standards used to determine accreditation status, as described in the Accreditation Procedures and Status Criteria, adopted by the Board of Public Education July 2012, a copy of which may be found at:

<http://www.opi.mt.gov/pdf/Accred/Ch55/Appendices.pdf> (Appendix B). The highest level is 1 and the lowest level is 4.

(6) A school shall be classified as regularly accredited by using the combined results of the assurance standards and student performance standards as follows:

- (a) level 1 for all assurance standards and level 1 or 2 for student

performance standards; or

(b) level 1 or 2 for all assurance standards and level 1 for student performance standards.

(7) A school shall be classified as regularly accredited with minor deviation by using the combined results of the assurance standards and student performance standards with level 2 in any category in both sets of standards.

(8) A school shall be classified as accredited with advice by using the combined results of the assurance standards and student performance standards with level 3 in any category in either set of standards.

(9) A school shall be classified as accredited with deficiency by using the combined results of the assurance standards and student performance standards with level 4 in any category in either set of standards.

AUTH: 20-2-114, MCA

IMP: 20-2-121, MCA

10.55.607 INTERNSHIPS (1) Internships are defined in ARM 10.55.602.

(2) As part of an internship agreement, the parties must agree to the following:

(a) the intern will complete the requirements for the appropriate endorsement within three years;

(b) the school district will provide local supervision and support of the intern; and

(c) the accredited educator preparation program will approve the coursework and provide support and periodic supervision.

(3) If entering into internship agreements, 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.

(4) For each intern a district desires to have deemed appropriately assigned, the school district must report to the superintendent during the annual data collection, at the beginning of years two and three of each internship agreement, the intern's yearly progress toward completion of the program of study.

(5) An intern may be considered appropriately assigned for up to three years while enrolled in and making progress toward completion of a Montana accredited educator preparation program. Extension may be granted at the discretion of the Superintendent of Public Instruction as authorized in ARM 10.57.109. Requests for extension must be submitted by the intern and supported by the accredited educator preparation program and the school district. A request for extension must demonstrate evidence of extreme hardship or other circumstances beyond the control of the intern which prevented timely completion of the agreed upon plan of study.

(6) If an intern fails to show sufficient and satisfactory annual progress in the plan of study toward completion of a Montana accredited educator preparation program, the Superintendent of Public Instruction may consider that intern inappropriately assigned.

(7) An emergency authorization of employment granted by the Superintendent of Public Instruction pursuant to 20-4-111, MCA is not a license; it is granted to a district which, under emergency conditions, cannot secure the services

of an appropriately licensed and endorsed teacher or principal. A person authorized under 20-4-111, MCA is not eligible for an internship.

AUTH: 20-2-121, MCA

IMP: 20-2-121, MCA

10.55.701 BOARD OF TRUSTEES (1) The local board of trustees shall ensure that the school district complies with all local, state, and federal laws and regulations.

(2) Each school district shall make available to the staff and public:

(a) goals that reflect the district's strategic plan of education;

(b) sequential curriculum for each program area that aligns to the content standards, specific grade-level learning progressions, and program area standards;

(c) policies establishing student assessment procedures that ensure evaluation of the district's curriculum and student learning. These procedures shall specify how and when data are to be collected, analyzed, and reported;

(d) policies that delineate the responsibilities of the local board of trustees, superintendent, and personnel employed by the school district. The local board of trustees shall review these policies on a regular basis;

(f) remains the same but is renumbered (e).

(f) policies addressing bullying, hazing, intimidation, and harassment of students and meeting the requirements in 10.55.719;

(h) through (m) remain the same but are renumbered (g) through (l).

(m) a comprehensive family engagement policy aligned to meet the following goals:

(i) families actively participate in the life of the school and feel welcomed, valued, and connected to each other, to school staff, and to what students are learning and doing in class;

(ii) families and school staff engage in regular, two-way meaningful communication about student learning;

(iii) families and school staff continuously collaborate to support student learning and healthy development both at home and at school and have regular opportunities to strengthen their knowledge and skills to do so effectively;

(iv) families are empowered to be advocates for their own and other children, to ensure that students are treated equitably and have access to learning opportunities that will support their success;

(v) families and school staff partner in decisions that affect children and families and together inform, influence, and create policies, practices, and programs; and

(vi) families and school staff collaborate with members of the community to connect students, families, and staff to expand learning opportunities, community services, and civic participation;

(n) a policy incorporating the distinct and unique cultural heritage of American Indians, ensuring integration of the history and contemporary portrayals of Indians, and that is aligned with district goals;

(o) a policy addressing distance, online, and technology delivered learning as defined in ARM 10.55.602;

(p) a policy that defines a significant writing program; and
(q) a policy that addresses student health issues that arise in the school setting.

(3) The local board of trustees shall have valid, written contracts with all regularly employed licensed administrative, supervisory, and teaching personnel.

(4) The local board of trustees shall have written policies and procedures for regular and periodic evaluation of all regularly employed personnel. The individual evaluated shall have access to a copy of the evaluation instrument, the opportunity to respond in writing to the completed evaluation, and access to his or her files. Personnel files shall be confidential.

(a) The evaluation system for licensed teachers used by a school district shall include an assessment of the extent to which the teacher:

(i) understands how learners grow and develop, recognizing that patterns of learning and development vary individually within and across cognitive, linguistic, social, emotional, and physical areas, and designs and implements developmentally appropriate and challenging learning experiences;

(ii) uses understanding of individual differences and diverse cultures and communities, including American Indians and tribes in Montana, to ensure inclusive environments that enable each learner to meet high standards;

(iii) works with others to create environments that support individual and collaborative learning and that encourage positive social interaction, active engagement in learning, and self-motivation;

(iv) understands the central concepts, tools of inquiry, and structures of the discipline(s) he or she teaches and creates learning experiences that make the discipline accessible and meaningful for learners to assure mastery of the content;

(v) understands how to connect concepts and use differing perspectives to engage learners in critical thinking, creativity, and collaborative problem solving related to authentic local and global issues;

(vi) understands and uses multiple methods of assessment to engage learners in their own growth, to monitor learner progress, and to guide the teacher's and learner's decision-making;

(vii) plans instruction that supports every student in meeting rigorous learning goals by drawing upon knowledge of content areas, curriculum, cross-disciplinary skills, and pedagogy, as well as knowledge of learners and the community context;

(viii) understands and uses a variety of instructional strategies to encourage learners to develop deep understanding of content areas and their connections, and to build skills to apply knowledge in meaningful ways;

(ix) engages in ongoing professional learning and uses evidence to continually evaluate his or her practice, particularly in the effects of his or her choices and actions on others (learners, families, other professionals, and the community), and adapts practice to meet the needs of each learner;

(x) seeks appropriate leadership roles and opportunities to take responsibility for student learning, to collaborate with learners, families, colleagues, other school professionals, and community members to ensure learner growth, and to advance the profession; and

(xi) demonstrates understanding of and ability to integrate history, cultural heritage, and contemporary status of American Indians and tribes in Montana.

(b) The evaluation system for licensed administrators used by a school

district shall include an assessment of the extent to which the administrator:

(i) facilitates the development, articulation, implementation, and stewardship of a school or district vision of teaching and learning supported by the school community in order to promote the success of all students;

(ii) promotes a positive school culture, provides an effective instructional program, applies best practice to student learning, and designs comprehensive professional growth plans for staff in order to promote the success of all students;

(iii) manages the organization, operations, and resources in a way that promotes a safe, efficient, and effective learning environment in order to promote the success of all students;

(iv) collaborates with faculty, families, and other community members, responds to diverse community interests and needs, including American Indian communities in Montana, and mobilizes community resources in order to promote the success of all students;

(v) acts with integrity, fairness, and in an ethical manner in order to promote the success of all students; and

(vi) understands, responds to, and ethically influences the larger political, social, economic, legal, and cultural context in order to promote the success of all students.

(5) The local board of trustees shall:

(a) establish conditions that contribute to a positive school climate which:

(i) keep parents/guardians up to date on students' progress;

(ii) engage in a continuous school improvement process; and

(b) establish mentoring and induction programs to assist licensed staff in meeting teaching standards as defined in ARM 10.55.701(4)(a) and (b).

AUTH: 20-2-114, MCA

IMP: 20-2-121, MCA

10.55.702 LICENSURE AND DUTIES OF DISTRICT ADMINISTRATOR - DISTRICT SUPERINTENDENT (1) The district superintendent shall be:

(a) appropriately licensed and endorsed in accordance with state statutes and Board of Public Education rules; or

(b) considered appropriately assigned if the superintendent is enrolled in an internship program as defined in ARM 10.55.602 and meets the requirements of ARM 10.55.607.

(2) A superintendent intern shall be supervised throughout the year by a licensed and endorsed superintendent contracted by the district, including participation in, and review of, and written concurrence in all performance evaluations of licensed staff completed by the intern.

(3) remains the same.

AUTH: 20-2-114, MCA

IMP: 20-2-121, MCA

10.55.703 LICENSURE AND DUTIES OF SCHOOL PRINCIPAL (1) The school principal shall:

(a) be appropriately licensed and endorsed in accordance with state statutes

and Board of Public Education rules; or

(b) be considered appropriately assigned if the principal is enrolled in an internship as defined in ARM 10.55.602 and meets the requirements of ARM 10.55.607.

(2) Supervision of the principal intern shall be provided throughout the year by the district superintendent, county superintendent, or in the absence of either, a licensed and endorsed superintendent contracted by the district. Such supervision shall include participation in, and review of, and written concurrence in all performance evaluations of licensed staff completed by the intern.

(3) The principal shall carry out the district's policies and procedures, provide instructional leadership, and be responsible for the effective day-to-day operation of the school, including the management of finances, materials, and human resources.

AUTH: 20-2-114, MCA

IMP: 20-2-121, MCA

10.55.704 ADMINISTRATIVE PERSONNEL: ASSIGNMENT OF DISTRICT SUPERINTENDENTS (1) The assignment of licensed superintendents for all configurations of school systems shall be based upon full-time equivalency (FTE) and shall be assigned as follows:

(a) School systems with 14 or fewer FTE licensed staff and without a licensed superintendent employed may use a supervising teacher and the services of the office of the county superintendent to satisfy administrator requirements;

(b) School systems with more than 14 and fewer than 18 FTE licensed staff shall employ a part-time, at a minimum of .10 FTE, licensed superintendent. One individual may serve as both superintendent and principal as defined in ARM 10.55.705(2)(a) or (2)(b);

(c) School systems with more than 18 and fewer than 31 FTE licensed staff shall employ a half-time (.50 FTE) licensed superintendent. One administrator may serve as both superintendent and principal as defined in ARM 10.55.705(2)(a) or (2)(b);

(d) school systems with 31 or more FTE licensed staff shall employ a full-time (1.0 FTE) licensed superintendent who shall devote full time to administration and supervision not to exceed a total assignment of 1.0 FTE.

(e) No individual superintendent assigned pursuant to the ratios in (1) may be assigned as more than 1.0 FTE.

(2) School systems with 100 or more FTE licensed staff shall employ a full-time curriculum coordinator to supervise the educational program and alignment of standards, assessment, curriculum, instruction, and instructional materials. The curriculum coordinator shall hold a Class 3 administrative license. Those districts with fewer than 100 FTE licensed staff and no full-time curriculum coordinator shall employ the services of a consortium, multidistrict collaborative, or interlocal cooperative, or a part-time, designated curriculum coordinator.

AUTH: 20-2-114, MCA

IMP: 20-2-121, MCA

10.55.705 ADMINISTRATIVE PERSONNEL: ASSIGNMENT OF SCHOOL

ADMINISTRATORS/PRINCIPALS (1) School systems with nine or fewer FTE licensed staff and without a licensed superintendent may use a supervising teacher and the services of the office of the county superintendent to satisfy principal requirements.

(2) The assignment of licensed principals shall be based upon student enrollment and prorated as applicable. Principal assignments are as follows:

(a) 0.25 FTE licensed principal shall be assigned to schools with enrollments of 125 to fewer than 175 students;

(b) 0.50 FTE licensed principal shall be assigned to schools with enrollments of 175 to fewer than 250 students;

(c) 1.0 FTE licensed principal shall be assigned to schools with enrollments of 250 to fewer than 550 students;

(d) 2 FTE licensed principals shall be assigned to schools with enrollments of 550 to fewer than 1050 students;

(e) 3 FTE licensed principals shall be assigned to schools with enrollments of 1050 to fewer than 1550 students;

(f) 4 FTE licensed principals shall be assigned to schools with enrollments of 1550 to fewer than 2050 students;

(g) 5 FTE licensed principals shall be assigned to schools with enrollments of 2050 or more students.

(3) No individual principal assigned pursuant to the ratios in (2) may be assigned as more than 1.0 FTE.

(4) In a school that requires two or more FTE administrators/principals, at least one individual shall be appropriately endorsed as principal. At least a second administrator shall have an administrative endorsement(s) at the appropriate level(s) and in the area(s) that accurately reflects the administrator's supervisory responsibilities. For example, a school may assign a properly licensed and endorsed curriculum coordinators to supervise the appropriate instructional programs. No individual administrator assigned pursuant to the ratios in ARM 10.55.705(2) may be assigned as more than 1.0 FTE.

AUTH: 20-2-114, MCA

IMP: 20-2-121, MCA

10.55.706 TEACHER INVOLVEMENT (1) Teachers should use their professional judgment to deliver high-quality instruction to all students based on individual need.

(2) Teachers shall be involved in curriculum development and student assessments and in the promotion of a school climate that enhances student learning, achievement, and well-being.

AUTH: 20-2-114, MCA

IMP: 20-2-121, MCA

10.55.707 TEACHER AND SPECIALIST LICENSURE (1) Teachers and specialists shall be:

(a) appropriately licensed and endorsed in accordance with state statutes and Board of Public Education rules; or

(b) considered appropriately assigned if enrolled in an internship as defined in ARM 10.55.602 and meet the requirements of ARM 10.55.607.

(2) The school district shall arrange for a licensed and endorsed teacher in the content area to provide periodic support to the intern.

(3) School psychologists shall be licensed under ARM 10.57.432(1) or 10.57.433 and 10.57.434, or considered appropriately assigned if they are enrolled in an internship as defined in ARM 10.55.602 and meet the requirements of [NEW RULE I].

(4) School counselors shall be:

(a) licensed under ARM 10.57.432(2) or 10.57.433 and 10.57.435; or

(b) considered appropriately assigned if they hold a Class 1 or 2 license and are enrolled in an internship as defined in ARM 10.55.602 and meet the requirements of ARM 10.55.607.

(5) All personnel whose qualifications are not outlined in ARM Title 10, chapter 57 must have a license issued by the appropriate state or federal licensing agent or national registry if required by the existing rules and regulations.

AUTH: 20-2-114, MCA

IMP: 20-2-121, MCA

10.55.708 TEACHING ASSIGNMENTS (1) Teachers shall be assigned at the levels and in the subjects for which they are licensed and endorsed, unless they are enrolled in an internship as defined in ARM 10.55.602 and meet the requirements of ARM 10.55.607.

(2) Teachers assigned in grade 5 or 6 in the departmentalized classroom or middle school, who hold a 5-12 secondary license, must be endorsed in the subjects they are teaching. A 5-12 license will not cover a grade 5 or 6 assignment in a self-contained K-8 classroom.

(3) Clarifications of teaching assignments in grades 5 through 12 departmentalized settings are published in the Licensure Endorsement Requirements Related to Teaching Assignments, adopted by the Board of Public Education July 2012, a copy of which may be found at: <http://www.opi.mt.gov/pdf/Accred/Ch55/Appendices.pdf> (Appendix A)

(4) Licensure at the elementary level entitles the holder to teach in grades K through 8.

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

AUTH: 20-2-114, MCA

IMP: 20-2-121, MCA

10.55.709 LIBRARY MEDIA SERVICES, K-12 (1) The school library shall be housed in a central location, and each school shall have a licensed and endorsed library media specialist at the following ratio:

(a) through (f) remain the same.

(2) Schools of fewer than 125 students shall employ or contract with a licensed and endorsed school library media specialist. If a district has fewer than 125 students, the district may utilize a consortium, multidistrict agreement, or interlocal cooperative to secure these services.

AUTH: 20-2-114, MCA
IMP: 20-2-121, MCA

10.55.710 ASSIGNMENT OF SCHOOL COUNSELING STAFF (1) and (2) remain the same.

(3) Districts with fewer than 125 students may employ or contract with a licensed, endorsed school counselor or Class 6 specialist or utilize a consortium, multidistrict agreement, or interlocal cooperative to secure these services.

AUTH: 20-2-114, MCA
IMP: 20-2-121, MCA

10.55.711 GENERAL: CLASS SIZE AND TEACHER LOAD (1) These standards do not require a minimum class size at any grade level or for any subject offered. One student may be considered a class.

AUTH: 20-2-114, MCA
IMP: 20-2-121, MCA

10.55.713 TEACHER LOAD AND CLASS SIZE: HIGH SCHOOL, JUNIOR HIGH, MIDDLE SCHOOL, AND GRADES 7 AND 8 FUNDED AT HIGH SCHOOL RATES (1) Each program offered shall be staffed by appropriately licensed and endorsed FTE educators.

(2) and (2)(a) remain the same.

(b) Laboratory/studio, e.g., science, art, PE, career and technical education, class size shall be limited for safety purposes. The number of students shall be determined through consultation with the teacher, considering the number, size, and use of laboratory stations.

(3) through (4) remain the same.

AUTH: 20-2-114, MCA
IMP: 20-2-121, MCA;

10.55.714 PROFESSIONAL DEVELOPMENT (1) Professional development:

(a) shall be aligned with district educational goals and objectives;

(b) focuses on teachers as central to student learning and includes all other members of the school community;

(b) through (j) remain the same but are renumbered (c) through (k).

(l) is evaluated on the impact of professional development on teacher effectiveness and student learning, and the results of this assessment guides subsequent professional development.

(2) Teachers and specialists shall annually complete professional development pursuant to the requirements of 20-1-304 and 20-4-304, MCA, including a minimum of three pupil instruction related (PIR) days dedicated exclusively to professional development.

(a) through (c) remain the same.

(3) The local board of trustees shall establish an advisory committee to evaluate the school district's current school year professional development plan; and develop and recommend a plan for the subsequent school year.

(a) remains the same.

(b) Each school year the local board of trustees shall adopt a professional development plan for the subsequent school year based on the recommendation of the advisory committee.

(c) The plan recommended by the advisory committee and adopted by the local board of trustees shall outline how, when, and from whom teachers and specialists shall meet their professional development PIR day expectations.

(d) The plan adopted by the local board of trustees must take into consideration the advisory committee's recommendations and include two professional development PIR days in October during which schools must close in order to permit teachers and specialists to attend the annual professional development meetings of state professional associations.

(e) through (g) remain the same.

(h) The local board of trustees shall make their plan available to employees and the public.

AUTH: 20-2-114, MCA

IMP: 20-2-121, MCA

10.55.715 INSTRUCTIONAL PARAPROFESSIONALS: QUALIFICATIONS AND SUPERVISION

(1) Instructional paraprofessionals shall be under the direct supervision of a licensed teacher who is responsible for instruction and assessment of students. The supervising teacher shall be available while the instructional paraprofessional is fulfilling his or her responsibilities and shall not be simultaneously assigned to another teaching duty or preparation time.

(b) Instructional paraprofessionals assigned to assist students with special education needs shall be under the supervision of the teacher or other professional designated as primarily responsible for instructional planning for the student. The designated professional has the responsibility to provide regularly scheduled communication and direction to the instructional paraprofessional and not to delegate any activity to the instructional paraprofessional that requires professional skill, knowledge, and judgment.

(c) Instructional paraprofessionals assigned to assist students in gaining specialized knowledge not generally available from a properly endorsed teacher shall be supervised by a teacher licensed at the proper level. The supervising teacher is responsible for instruction and assessment of students and shall not be simultaneously assigned to another teaching duty or preparation time.

AUTH: 20-2-114, MCA

IMP: 20-2-121, MCA

10.55.716 SUBSTITUTE TEACHERS (1) remains the same.

(a) In cases where a regular, licensed teacher under contract is temporarily unable, by reason of illness or for other reasons approved by the local board of trustees, to fulfill the teacher's duties, substitute teachers may be employed to carry

on the duties of that teacher's position for a period not to exceed 35 consecutive teaching days. Such substitutes need not hold a current license, but preference shall be given to those substitutes who are properly licensed.

(b) If the absence of the regular, licensed, or authorized teacher continues for more than 35 consecutive teaching days, the substitute may be placed under contract if licensed or the local board of trustees shall place a licensed teacher under contract. If the local board of trustees makes a written declaration to the Superintendent of Public Instruction that no licensed teacher is available, the district shall pursue the employment of a teacher authorized under the provisions of ARM 10.57.107.

(2) Any nonlicensed substitute teacher shall complete a minimum of three hours of training, as approved by the local board of trustees.

(3) through (4)(b) remain the same.

(c) The district may accept the report of a previous fingerprint-based background check if it is submitted by a Montana university or college for a student currently or formerly enrolled in an accredited Montana professional educator program or from a public or nonpublic state-accredited school that previously employed the substitute. The report shall not be accepted if it was completed more than two years prior to the date of submission.

(d) remains the same.

(5) Sections (2), (3), and (4) may be waived by the local board of trustees in whole or in part, if the nonlicensed substitute has previous teaching or substitute teaching experience in a Montana-accredited public school prior to November 28, 2002 and who has continued to substitute yearly thereafter.

AUTH: 20-4-102, MCA

IMP: 20-4-102, MCA

10.55.717 ASSIGNMENT OF PERSONS PROVIDING INSTRUCTION TO BRAILLE STUDENTS (1) No licensed or classified employee of a school district, cooperative, or any contracted service provider shall be assigned to provide instruction of Braille to a student or produce Braille materials who has not demonstrated competency in "contracted" (grade two) standard literary Braille code by:

(a) through (7) remain the same.

AUTH: 20-2-114, MCA

IMP: 20-1-121, 20-7-475, MCA

10.55.719 STUDENT PROTECTION PROCEDURES (1) A local board of trustees shall adopt a policy designed to deter persistent threatening, insulting, or demeaning gestures or physical conduct, including an intentional written, verbal, or electronic communication or threat directed against a student or students regardless of the underlying reason for such conduct, that:

(a) causes a student physical or emotional harm, damages a student's property, or places a reasonable fear of harm to the student or the student's property;

(b) substantially and materially interferes with access to an educational

opportunity or benefit; or

(c) substantially and materially disrupts the orderly operation of the school.

(2) Behavior prohibited under (1) includes retaliation against a victim or witness who reports behavior prohibited under (1).

(3) "Persistent" as used in this rule can consist of repeated acts against a single student or isolated acts directed against a number of different students.

(4) The behavior prohibited in (1) includes but is not limited to conduct:

(a) in a classroom or other location on school premises;

(b) during any school-sponsored program, activity, or function where the school is responsible for the student including when the student is traveling to and from school or on a school bus or other school-related vehicle; or

(c) through the use of electronic communication, as defined in 45-8-213, MCA, that substantially and materially disrupts the orderly operation of the school or any school-sponsored program, activity, or function where the school is responsible for the student.

(5) Each local board of trustees has discretion and control over the development of its policies and procedures regarding behavior prohibited under (1), but each district's policies and procedures must include at a minimum:

(a) a prohibition on the behavior specified in (1), regardless of the underlying reason or reasons the student has engaged in such behavior;

(b) a procedure for reporting and documenting reported acts of behavior prohibited under (1);

(c) a procedure for investigation of all reports of behavior prohibited under (1)(a) that includes an identification of the persons responsible for the investigation and response;

(d) a procedure for determining whether the reported act is subject to the jurisdiction of the school district or another public agency, including law enforcement, and a procedure for referral to the necessary persons or entity with appropriate jurisdiction;

(e) a procedure for prompt notification, as defined in the district policy, of the alleged victim and the alleged perpetrator, or the parents or guardian of such students when the students are minors;

(f) a procedure to protect any alleged victim of behavior prohibited under (1)(a) from further incidents of such behavior;

(g) a disciplinary procedure establishing the consequences for students found to have committed behavior prohibited under (1); and

(h) a procedure for the use of appropriate intervention and remediation for victims and perpetrators.

AUTH: 20-2-121, MCA

IMP: 20-2-121, MCA

10.55.801 SCHOOL CLIMATE (1) The local board of trustees shall:

(d) remains the same but is renumbered (a).

(b) create teaching and learning conditions that meet the district's educational goals and recruit and maintain a quality staff;

(e) and (f) remain the same but are renumbered (c) and (d).

(e) inform students, parents, families, and guardians of the school's expectations and of students' rights and responsibilities;

(h) remains the same but is renumbered (f).

(g) encourage the active involvement of parents, families, and guardians in their children's education and in their school; and

(h) provide opportunities for parents, families, guardians, educators, and members of the community to take active roles in developing and reviewing district and school educational goals.

AUTH: 20-2-114, MCA

IMP: 20-2-121, MCA

10.55.802 OPPORTUNITY AND EDUCATIONAL EQUITY (1) It is the purpose of the accreditation standards to guarantee equality of educational opportunity and to respect the dignity of every person regardless of race, color, sex, culture, social origin or condition, or political or religious ideas, with prejudice toward none. This includes programs, facilities, educational materials, curriculum, counseling, library services, and extracurricular activities.

AUTH: Montana Constitution, Article II, Section 4, 20-2-114, MCA

IMP: Montana Constitution, Article II, Section 4, 20-2-121, MCA

10.55.803 LEARNER ACCESS (1) 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 for assessing the educational needs of its students.

(2) In implementing curriculum in all program areas, the local board of trustees shall:

(a) provide learning experiences matched to students' interests, readiness, and learning styles;

(b) recognize individual and cultural diversity and differences among learners, including American Indians. Cultural and language differences should be viewed as valuable and enriching resources and should take into account the unique needs of American Indian students and other minority groups;

(c) ensure integration of the history, contemporary portrayals, and contributions of American Indians, with an emphasis on Montana Indians, across all content areas;

(d) provide learning resources that are relevant, culturally inclusive, and current;

(e) remains the same.

(f) provide equal access to learning resources that support the adopted curricula; and

(h) provide books and materials that reflect authentic historical and contemporary portrayals of American Indians.

(3) The local board of trustees shall identify, using appropriate criteria, students who may be at risk or in need of special services.

AUTH: 20-2-114, MCA

IMP: 20-2-121, MCA

10.55.804 GIFTED AND TALENTED (1) Districts shall provide educational services to gifted and talented students that are commensurate to their needs, and foster a positive self-image.

(2) Each district shall comply with all federal and state laws and regulations addressing gifted education.

(3) Each district shall provide structured support and assistance to teachers in identifying and meeting the diverse student needs of gifted and talented students, and shall provide a framework for considering a full range of alternatives for addressing student needs.

AUTH: 20-2-114, MCA

IMP: 20-2-121, MCA

10.55.805 SPECIAL EDUCATION (1) Each district shall provide educational programs and services to students eligible to receive special education services as identified under IDEA.

(2) Each district shall comply with all federal and state laws and regulations addressing special education.

(3) Each district shall provide structured support and assistance to regular education teachers in identifying and meeting the diverse needs of students receiving special education services.

(4) A student eligible to receive special education services as identified under IDEA and who has successfully completed the goals identified on an individualized education program for high school completion shall be awarded a diploma.

AUTH: 20-2-114, MCA

IMP: 20-2-121, MCA

10.55.901 BASIC EDUCATION PROGRAM: ELEMENTARY (1) An elementary school shall have an education program aligned to the program area standards that enables students to meet the content standards and content-specific grade-level learning progressions.

AUTH: 20-2-114, MCA

IMP: 20-2-121, 20-3-106, 20-7-101, MCA

10.55.902 BASIC EDUCATION PROGRAM: MIDDLE GRADES (1) A school with middle grades must have an education program aligned to the program area standards that enables all students to meet the content standards and content-specific grade-level learning progressions.

(2) The Board of Public Education, upon recommendation of the Superintendent of Public Instruction, may approve a 7 and 8 grade program that must follow either the middle school philosophy and components described in (3) or the departmentalized philosophy and components described in (4).

(3) The Board of Public Education, upon recommendation of the Superintendent of Public Instruction, may approve a middle school program that:

(a) addresses the unique nature of middle-grade children by focusing on their intellectual, social, emotional, and physical development. To put such philosophy into practice, a middle school must have flexibility to:

(i) through (iii) remain the same.

(b) incorporates critical and creative thinking, career awareness, lifelong learning, and safety;

(c) incorporates instruction in reading literacy and writing literacy into all required and elective program areas as required in the Montana Common Core Standards, ARM Title 10, chapter 53;

(d) includes, at a minimum, the following program areas, required of all students yearly:

(i) English language arts;

(ii) mathematics;

(iii) through (v) remain the same.

(e) at a minimum maintains the following required program areas:

(i) and (ii) remain the same.

(iii) career and technical education courses or pathways such as agriculture, business education, family and consumer sciences, health occupations, and industrial technology education; and

(iv) remains the same.

(f) offers as electives to all students exploratory courses such as creative writing, dance, drama, financial education, photography, and leadership.

(4) A junior high (grades 7-9) or 7-8 school must offer an educational program, aligned to the program area standards, that enables all students to meet the content standards and content-specific grade-level progressions. (a) Instruction in reading literacy and writing literacy shall be incorporated into all required and elective program areas as required in the Montana Common Core Standards, ARM Title 10, chapter 53.

(b) All students shall complete the following program areas each year:

(i) English language arts--1 unit;

(ii) through (v) remain the same.

(b) remains the same but is renumbered (c).

(i) and (ii) remain the same.

(iii) career and technical education--1/2 unit; and

(iv) world languages and cultures--1/2 unit.

(d) A unit is defined as the equivalent of at least 8100 minutes for one school year.

(d) remains the same but is renumbered (e).

AUTH: 20-2-114, MCA

IMP: 20-2-121, 20-3-106, 20-7-101, MCA

10.55.904 BASIC EDUCATION PROGRAM OFFERINGS: HIGH SCHOOL

(1) The basic education program, aligned to the program area standards, for grades 9 through 12 shall be at least 20 units of coursework that enable all students to meet the content standards and content-specific grade-level learning progressions.

(2) Instruction in reading literacy and writing literacy shall be incorporated

into all required and elective program areas as required in the Montana Common Core Standards, ARM Title 10, chapter 53.

- (3) Minimum offerings shall include at least the following:
 - (a) through (d) remain the same.
 - (e) 2 units of career and technical education;
 - (f) through (i) remain the same.

AUTH: 20-2-114, MCA

IMP: 20-2-121, 20-3-106, 20-7-101, MCA

10.55.905 GRADUATION REQUIREMENTS (1) As a minimum, a school district's requirements for graduation shall include a total of 20 units of study that enable all students to meet the content standards and content-specific grade-level learning progressions.

- (2) through (2)(e) remain the same.
- (f) 1 unit of arts; and
- (g) 1 unit of career and technical education.
- (3) and (4) remain the same.

AUTH: 20-2-114, MCA

IMP: 20-2-121, 20-3-106, 20-7-101, MCA

10.55.906 HIGH SCHOOL CREDIT (1) A high school shall require a minimum of 20 units of credit for graduation, including ninth grade units.

- (a) A unit of credit is defined as the equivalent of at least 8100 minutes for one year.
- (b) remains the same.
- (2) 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 trustee's permission.

(3) 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.

(4) 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.

- (a) Montana high schools shall accept such units of credit taken with the approval of the accredited Montana high school in which the student was then enrolled and which appear on the student's official transcript.

AUTH: 20-2-114, MCA

IMP: 20-2-121, 20-3-106, 20-7-101, MCA

10.55.907 DISTANCE, ONLINE, AND TECHNOLOGY-DELIVERED LEARNING (1) through (2)(a) remain the same.

(b) Distance, online, and technology-delivered learning programs and/or courses shall at a minimum be aligned with state content standards and content-specific grade-level learning progressions.

(c) Annually, by the first Monday in June, a school district shall provide a report to the Superintendent of Public Instruction documenting all distance, online and technology-delivered courses, student enrollments, and the digital content providers.

(3) and (3)(a) remain the same.

(b) and (c) remain the same.

(d) The school district must ensure that the distance, online, and technology-delivered learning facilitators receive in-service training on technology-delivered instruction.

(4) remains the same.

(5) Digital content providers serving Montana schools accredited by the Board of Public Education shall:

(a) annually, by the first Monday in August, register with the Office of Public Instruction;

(b) annually, by the first Monday in June, identify the Montana school districts served in the current school year by the digital content provider, including the courses and student enrollments for each school district served; and

(c) document the professional qualifications, including Montana teacher licensure and endorsement, of their teachers of distance, online, and technology-delivered programs and/or courses by providing names and credentials of other licensing entities, when not licensed and endorsed in Montana.

AUTH: 20-2-114, MCA

IMP: 20-2-121, 20-3-106, 20-7-101, MCA

10.55.908 SCHOOL FACILITIES (1) School facilities shall be constructed, maintained, and supervised in accordance with all applicable local, state, and federal codes, regulations, and laws.

(2) School facilities shall be of sufficient size and arrangement to meet all programs' educational goals.

(3) The local board of trustees shall provide for educational facilities which are functional and safe for the conduct of the educational and extracurricular activities of students, and which will meet federal accessibility standards.

(4) The school shall provide the necessary equipment for first aid.

(5) When the local board of trustees considers major remodeling or building a facility, it shall seek facility expertise in all affected program areas as well as comments from faculty, students, and community.

(6) The local board of trustees shall have a written policy that defines the use of school facilities and resources.

AUTH: 20-2-114, MCA

IMP: 20-2-121, MCA

10.55.909 STUDENT RECORDS (1) remains the same.

(2) The local board of trustees shall establish policies and procedures for the use and transfer of student records that are in compliance with 20-1-213, MCA, and state and federal laws governing individual privacy. All educational records collected and maintained by a school shall be kept in a confidential manner according to the implementing regulations of the Family Educational Rights and Privacy Act (FERPA) at 34 CFR part 99.

(3) The local board of trustees shall develop a process for destruction of records pursuant to 20-1-213, MCA, including nonpermanent student records. Nonpermanent student records are records retained in a central file maintained by the school containing a student's cumulative educational records, which are not retained as a student's permanent record detailed in (1).

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

AUTH: 20-1-213, 20-2-114, MCA

IMP: 20-2-121, MCA

10.55.910 STUDENT DISCIPLINE RECORDS (1) Each school shall maintain a record of any disciplinary action that is educationally related, with explanation, taken against the student. When a local board of trustees takes disciplinary action against a student, the board must take minutes of the action taken, with detailed explanation, even if the disciplinary action is decided during a closed session. For the purpose of this rule, a disciplinary action that is educationally related is an action that results in the expulsion or out-of-school suspension of the student. This record must be maintained/destroyed consistent with Montana Local Government Records Schedule 7, and is subject to transfer to a local educational agency, or accredited school, or a nonpublic school pursuant to 20-1-213, MCA.

AUTH: 20-2-114, MCA

IMP: 20-1-213, 20-2-121, MCA

10.55.1001 PROGRAM STANDARDS (1) It is the local board of trustees' responsibility to ensure the district's curricula align with the state content standards and content-specific grade-level learning progressions.

AUTH: 20-2-114, MCA

IMP: 20-2-121, 20-3-106, 20-7-101, MCA

10.55.1003 PROGRAM FOUNDATION STANDARDS (1) The purpose of all programs is to develop and apply knowledge and skills necessary to pursue lifelong goals and opportunities.

(2) Program foundation standards are the common conditions and practices that will be evident in all programs within a school system to ensure that all students

have educational opportunity to learn, develop, and demonstrate learning in the content standards and content-specific grade-level learning progressions. All programs shall follow the content standards in the accreditation rules of Montana. The local board of trustees shall:

- (a) meet the following conditions:
 - (i) ensure integration of the history, contemporary portrayals, and contributions of American Indians, with an emphasis on Montana Indians, for all students, across all content areas;
 - (ii) ensure an educational climate that promotes academic freedom and respect for diversity with prejudice toward none;
 - (iii) maintain high expectations for student performance, behavior, and lifelong learning; and
 - (iv) encourage collaboration among school personnel to plan, assess, and support instruction.
- (b) include the following practices:
 - (i) offer engaging and relevant experiences that enable students to develop effective communication skills in their personal lives, workplaces, and communities;
 - (ii) teach ethical behavior, including use of technology (social media) and the implications of one's choices;
 - (iv) remains the same but is renumbered (iii).
 - (iv) challenge students to think creatively and critically, and use the inquiry process to solve problems and make informed decisions;
 - (v) encourage interdisciplinary instruction;
 - (vi) use relevant data to inform decision making, modify instruction, and increase student learning;
 - (vii) integrate information literacy skills, technology tools, and workplace competencies to support learning in all curricular areas; and
 - (viii) provide equitable access to all facilities, technology, equipment, materials, and services necessary to support the instructional process.

AUTH: 20-2-114, MCA

IMP: 20-2-121, 20-3-106, 20-7-101, MCA

BEFORE THE BOARD OF PUBLIC EDUCATION
OF THE STATE OF MONTANA

In the matter of the adoption of New) NOTICE OF ADOPTION AND
Rule I and New Rule II and the) AMENDMENT
amendment of ARM 10.55.601)
through 10.55.606, 10.55.701 through)
10.55.711, 10.55.713 through)
10.55.717, 10.55.801 through)
10.55.805, 10.55.901 and 10.55.902,)
10.55.904 through 10.55.910,)
10.55.1001, and 10.55.1003 relating)
to accreditation standards)

TO: All Concerned Persons

1. On July 26, 2012, the Board of Public Education published MAR Notice No. 10-55-262 pertaining to the public hearing on the proposed adoption and amendment of the above-stated rules at page 1401 of the 2012 Montana Administrative Register, Issue Number 14.

2. On August 9, 2012 the Board of Public Education published MAR Notice No. 10-55-262 amending the location for the public hearing at page 1553 of the 2012 Montana Administrative Register, Issue Number 15.

3. The Board of Public Education and the Superintendent of Public Instruction jointly brought together a 36 member task force and staff to review and recommend revisions to the superintendent on Administrative Rules of Montana, Title 10, Chapter 55 Standards of Accreditation as necessary to align standards with current innovative practice providing flexibility and ensuring quality education and accountability. The task force developed guiding principles for its work as follows:

"Chapter 55 Accreditation Standards provide a framework to ensure the constitutional right of every Montana student to a basic system of free quality public schools that develops the full educational potential of every student and that

1. recognizes the uniqueness and diversity of Montana students;
2. implements the elements of educational quality that best prepare students for their role as global citizens of the 21st Century;
3. acknowledges the role of cultural heritages in the community, state, nation, and world;
4. recognizes the importance of school, family and community engagement;
5. requires the appropriate use of a variety of assessments to guide curriculum development, to shape instruction, and to inform decision making;
6. guides the schools to be accountable to students, families, and the community;
7. encourages innovation in implementing Chapter 55 Accreditation standards while maintaining the intent of those standards;
8. acknowledges the role of local control; and

9. balances the needs of present and future Montana students with the realities of limited resources."

The Superintendent of Public Instruction reviewed and amended the revisions suggested by the task force and submitted her recommendations to the Board of Public Education at the May 2012 BPE meeting. In July 2012 the board adopted the Superintendent's recommendations in a Notice of Public Hearing on Proposed Amendment. The public hearing was held August 20, 2012. The board received many written comments and 11 people testified at the public hearing. The board appreciates the comments and thanks everyone for their input into this rule making process. All comments have been thoughtfully considered. A summary of the comments received and the board's responses to specific issues are as follows:

ARM 10.55.602

COMMENT 1: A comment was received stating that a new district was not created by the formation of a joint board of trustees and therefore the definitions in ARM 10.55.602(7), (38) and (39) should be amended to delete the last sentence in (7), the third sentence in (38) and the last sentence in (39)(a). Also the term being defined in (7) and (39)(a) should be changed to "Combined elementary-high school districts" to clarify that there is not a new district created, but they are simply combined into a new system.

RESPONSE 1: The board agrees and has amended the affected sections accordingly.

COMMENT 2: A commenter suggested that the definition of a K-12 district in ARM 10.55.602(21) should be amended to include a citation to statutory definition and to correct an erroneous citation as follows: "K-12 district" as defined in 20-6-701, MCA means ... pursuant to 20-6-101, MCA.

RESPONSE 2: The board agrees and has amended the affected section accordingly.

COMMENT 3: A commenter requested that 10.55.602(20) be clarified for accuracy and with citation to the applicable corresponding licensing rules and read: "Internship" as provided for in ARM 10.55.607 means an agreement between a fully licensed Class 1, 2, or 3 educator, the school district, and a Montana accredited educator preparation program. Internships are permitted in endorsement areas approved by the Board of Public Education in ARM 10.57.412 and 10.57.413.

RESPONSE 3: The board agrees and has amended the affected section accordingly.

ARM 10.55.603

COMMENT 4: A commenter stated that ARM 10.55.603(5)(d) should be amended to correct an erroneous citation, i.e. (3)(c) should be (5)(c).

RESPONSE 4: The board agrees and has amended the affected section accordingly.

ARM 10.55.604

COMMENT 5: Many comments were received in support of the proposed amendments submitted by Montana School Boards Association, Montana Rural Education Association, School Administrators of Montana and MEA-MFT for reconsideration of the language of ARM 10.55.604. The education associations stressed inclusion of procedures to create a board to review applications for variance to standards including: the makeup, appointment, and terms of the review board; the ways in which the review board will conduct their reviews, receive technical assistance, and make recommendations; and naming specific education organizations as the exclusive entities submitting review board members to the superintendent. The reasons given for the suggested amendments to the board's proposed language in this rule are: although suggested by the task force, the superintendent did not include all of the procedural language in her recommendations to the board; the suggested language is "an integral part of the delicate compromise that has been reached between our respective groups"; to "ensure balance of perspectives as well as greater cooperation and collaboration in the process of reviewing proposed variances to standards in the future"; and "to ensure that the K-12 community can work collaboratively and effectively in integrating these substantial changes into Montana's public schools."

Several commenters supported the superintendent's recommendations stating that they were more efficient and that it is under the superintendent's prerogative to set up the procedures to implement standards.

One commenter stated that regulation should highlight the intent of the board's goals but never spell out how to reach the goals.

RESPONSE 5:

ARM 10.55.605

COMMENT 6: A commenter recommended that ARM 10.55.605(1) be amended as follows: "Regular accreditation means the school has met the assurance standards and student performance standards as defined in ARM 10.55.606 and the Licensing Endorsement Requirements Related to Teaching Assignments, adopted by the Board of Public Education July 2012, a copy of which may be found at : <http://www.opi.mt.gov/pdf/Accred/Ch55/Appendices.pdf> (Appendix

A)." The reason for this proposed amendment is that the endorsements for Class 4 and Class 8 are not static, and Appendix A cannot list all possible endorsements for these classes of licensure as provided for in ARM Title 10, Chapter 57 Licensure.

ARM 10.55.605(2) should be similarly amended and the document "Accreditation and Procedures and Status Criteria" should be amended to reflect that it is called "Accreditation Status Criteria Reference Guide."

RESPONSE 6: The board agrees and has amended the affected sections accordingly.

ARM 10.55.606

COMMENT 7: One commenter raised various questions about how performance standards in ARM 10.55.606 would be defined and applied, including concerns about what an improvement plan entails, and questioned the difference between the intensive assistance process and the continuous school improvement plan required in 10.55.601.

RESPONSE 7: In addition to the description of student performance levels in ARM 10.55.606, ARM 10.55.605 incorporates the Accreditation Procedures and Status Criteria Reference Guide which clarifies how both the assurance standards and performance standards will be applied, and includes a detailed step-by-step process of intensive assistance. Continuous school improvement plans (the CSIP) are required of all schools and districts. The Intensive Assistance Process is specifically applied when schools have serious and continuing deviations.

COMMENT 8: A comment was submitted in support of ARM 10.55.606 which provides for a "blended model" balancing inputs (assurance standards) with outputs (student performance). The commenter stated it was "affordable middle ground in accreditation" and makes communicating with the public about the status of the school much easier.

RESPONSE 8: The board thanks the commenter and appreciates the support of the amendments to this rule.

COMMENT 9: One commenter requested that a different model of accountability based on improvement data be adopted.

RESPONSE 9: Although student progress is important, there are not adequate data or research-based measurement tools to implement a growth-based model.

COMMENT 10: One commenter stated that the accreditation standards should be focused on accountability, sharing information, and flexibility between assurance standards and performance standards.

RESPONSE 10: The board thanks the commenter and appreciates the support of the proposed rules.

COMMENT 11: One commenter asked what would happen if the MontCAS is no longer used to evaluate student performance and the scaled scores change.

RESPONSE 11: The board is aware that rule amendments may become necessary if other significant influencing factors change.

COMMENT 12: One commenter requested that the poverty index be created/applied with respect to student performance standards to ensure equitable and fair funding.

RESPONSE 12: Although relevant to teaching standards and administering schools, there are not adequate data or research-based measurement tools to implement a poverty index for measuring student performance.

COMMENT 13: One commenter suggested that 10.55.606(4) be amended for clarification to read, "For schools with any combination of only grades K-2, only the assurance standards will be used to determine accreditation status."

RESPONSE 13: The board agrees and has amended the affected section accordingly.

ARM 10.55.701

COMMENT 14: Many comments were received in support of amendments submitted by Montana School Boards Association, Montana Rural Education Association, School Administrators of Montana and MEA-MFT for reconsideration of the proposed language in ARM 10.55.701(4) related to evaluation systems for teachers and administrators. The amendments suggest replacing task force language derived from national organizations and replacing the educator evaluation system components with more general alternative language, specifically:

"10.55.701(4)(a) The evaluation system used by a school district for licensed staff shall, at a minimum:

1. Be conducted on at least an annual basis with regard to nontenure staff and according to a regular schedule adopted by the district for all tenure staff;
2. Be aligned with applicable district goals, standards of the board of public education and the district's mentorship and induction program required under 10.55.701(8)(c);
3. Identify what perceptions and skill sets are to be evaluated;
4. Include both formative and summative elements;
5. Include an assessment of the educator's effectiveness in supporting every student in meeting rigorous learning goals through the performance of the educator's duties.

- (b) The Superintendent of Public Instruction shall develop and publish as an appendix to the Chapter 55 rules model evaluation instruments that comply with this rule in collaboration with the MEA-MFT, Montana Rural Schools Association, Montana School Boards Association, School Administrators of Montana, and Montana Small Schools Alliance. A school district adoption and using one of the model instruments shall be construed to have complied with this rule, though use of one of the models shall not be required provided that the district's evaluation instrument and process substantially conforms to the requirements set forth in this section."

One commenter said that the language proposed by the Board of Public Education "reflect the advances in evaluation that reflect researched best practice," however, the language is too prescriptive, infringes on local control, and may impact collective bargaining.

Other commenters fully supported the proposed evaluation system in ARM 10.55.701(4) stating that the proposed rules: provide clear target goals; are based in research; are part of professional training in teacher prep programs; are essential to good educational leadership; focus on the qualities that make good teachers better; allow negotiations with teacher unions to develop detail of performance and specific criteria on which districts will base evaluation; provide more accountability; give the education profession more credibility; and because the rules are based on national standards, many model instruments will be available to districts.

One commenter noted that not all task force members were consulted and not all support the amendments proposed by the education organizations noted above.

RESPONSE 14:

COMMENT 15: Several comments indicated the Superintendent's recommendations to the board were made "unilateral[ly]" or "last minute."

RESPONSE 15: The task force was brought together by the Board of Public Education and Superintendent of Public Instruction in early 2010 to assist in the work of reviewing and revising the Chapter 55 accreditation rules. Over their two years of work, the task force understood that their draft recommendations would be reviewed and revised by the superintendent, who has the statutory authority and obligation to make formal recommendations to the board. The superintendent recommended many changes to the task force draft, many of which were technical, grammatical, and for clarification. Other changes were more substantive. The superintendent's recommendations to the board were posted and available to the public prior to the boards' May, 2012 regularly scheduled meeting. The public was given the opportunity to comment on the superintendent's recommendations at that meeting and also at the board's regularly scheduled July, 2012 meeting. The board had lengthy public discussions about the similarities and differences between the

task force's proposed rule amendments and the superintendent's recommendations and carefully considered the comments and rationales. This process was lengthy and transparent, with ample opportunity for public input.

COMMENT 16: Several comments were made in general support of requiring districts to establish mentoring and induction programs to assist licensed staff in meeting teaching standards as required in ARM 10.55.701(5)(a)(iii), but many raised concerns that such programs will be time consuming, costly, and possibly an unfunded mandate.

Other commenters supported the requirement for a mentorship and induction program as being very valuable to get new teachers on the same page, up to speed and ready to provide high quality instruction from day one, with recognition that such programs come with a cost.

RESPONSE 16: The rules attempt to balance the investment of resources with the benefits of mentoring and induction programs for Montana educators and students. The details of implementation are left to the discretion of the local board of trustees as district resources allow.

COMMENT 17: The accreditation standards perpetuate an evaluation system comparable to NCLB.

RESPONSE 17: The evaluation process is not based on NCLB and AYP.

COMMENT 18: Several comments were received about "so many rumors [I] don't know what to believe." "Rumors" include: teacher evaluations will be made public; evaluations will be based on student test results; there will be little local district discretion in developing an evaluation tool; the evaluation process will lose the creativity of the teachers; there will be an impact on labor negotiations; and concerns over who will do the evaluations, especially if there is no administrator/principal.

RESPONSE 18: A careful reading of the proposed rules regarding teacher and administrator evaluations does not give rise to any of the "rumors" circulating: Public disclosure of personnel evaluations is not contemplated or authorized by the amendments to these rules; evaluations are not tied to student test scores; districts have total discretion to develop evaluation instruments within the board parameters of the rule; teacher creativity is encouraged; negotiations will have more structure with state-wide, consistent parameters; and evaluations will be done by the same people who currently conduct them.

ARM 10.55.704 and 10.55.705

COMMENT 19: Several comments were received expressing concerns about staffing for administrators and principals in ARM 10.55.704 and 10.55.705.

RESPONSE 19: Different administrative staffing levels were considered. The proposed requirements for administrator and principal staffing for school systems with few licensed FTE reflect what the task force, Superintendent and board believe are the best options available to the state's rural and small schools. The standards are minimum requirements and the local board of trustees may decide to provide administrators and principals beyond the minimum ratios required. Each local board of trustees has the discretion to meet or exceed the minimum standards.

ARM 10.55.709 AND 10.55.710

COMMENT 20: Commenters pointed out that the terms "district" and "school" were both used in ARM 10.55.709 and 10.55.710 and asked whether changes are necessary for consistency.

RESPONSE 20: The proposed language is as intended.

COMMENT 21: A commenter stated that ARM 10.55.709(2) should be amended to include schools with exactly 125 students, i.e. "fewer than 126 students" and the last sentence be moved to a separate new subsection (3) for clarification.

RESPONSE 21: The board agrees and has amended the affected sections accordingly.

ARM 10.55.802

COMMENT 22: A commenter asked the board to include the terms "sexual orientation, gender identity and expression" to ARM 10.55.802.

RESPONSE 22: The board shares the concern over potential mistreatment, bullying, or harassment of any student and appreciates the interest in specifically identifying potentially targeted students as targets of abuse. ARM 10.55.802 is the purpose statement related to the accreditation standards generally. This rule references the Montana Constitution, Article II, section 4, including language related respecting human dignity of every person "with prejudice toward none." ARM 10.55.701 requires districts to adopt policies addressing bullying, intimidation, hazing, and harassment of students. ARM 10.55.719 requires districts to have comprehensive policies detailing student protection policies. Other state and federal laws require schools to protect students from discrimination which, in many instances, overlaps with bullying, intimidation, harassment, or hazing and provides for sanctions against schools who do not adequately address such incidents. While sexual orientation is not specifically identified in these rules, it is the intent of the board that sexual orientation, gender identity and expression are covered by these rules and every student must be protected from bullying, harassment, intimidation, hazing, or discrimination.

GENERAL COMMENTS

COMMENT 23: Many commenters expressed general opposition to increased demands on district resources and funds, and raised concerns over local flexibility and local control.

RESPONSE 23: The guiding principles of the task force included “balancing the needs of present and future Montana students with the realities of limited resources” and acknowledged “the role of local control.” The accreditation standards are minimum requirements. Every local board of trustees has the discretion to meet or exceed the standards.

Prior to adoption of the accreditation standards, the education and local government interim committee of the legislature must review the fiscal impact of the proposed rules. These rules will not be implemented until July 1, 2013, after the legislature has met and had an opportunity to fund any projected substantial fiscal impact “that cannot be readily absorbed in the budget of an existing school district program” pursuant to 20-7-101, MCA.

COMMENT 24: One commenter opposed any increase in collection of data.

RESPONSE: The proposed rules do not require any additional data collection or reporting and instead rely upon existing data collection/reports to accomplish the requirements in the rules.

4. The board has adopted the following rules as proposed:

NEW RULE I	ARM 10.55.607
NEW RULE II	ARM 10.55.719

5. The board has amended ARM 10.55.601, 10.55.702 through 10.55.708, 10.55.711, 10.55.713 through 10.55.717, 10.55.801 through 10.55.805, 10.55.901, 10.55.902, 10.55.904 through 10.55.910, 10.55.1001, and 10.55.1003 as proposed.

6. The board has amended the following rules as proposed, but with the following changes from the original proposal, new matter underlined, deleted matter interlined:

10.55.602 DEFINITIONS For the purposes of this chapter, the following terms apply:

(1) through (6) remain as proposed.

(7) "Combined elementary-high school district" means an elementary district and a high school district, which are combined into a single school system for district administration purposes. ~~This may include school systems formed under governing joint boards of trustees depending on the programs and services agreed to by the participating local boards of trustees.~~

(8) through (19) remain as proposed.

(20) "Internship" as provided for in ARM 10.55.607 means an agreement among between a fully licensed Class 1, 2, or 3 educator, the school district, and a Montana accredited educator preparation program ~~as provided in ARM 10.55.607.~~

Internships are permitted in endorsement areas approved by the Board of Public Education in ARM 10.57.412 and 10.57.413.

(21) "K-12 district" as defined in 20-6-701, MCA means an elementary district, with the same district boundaries as a high school district, which has been attached to that high school district. The high school district remains an organized district and the elementary district is an inactive district pursuant to 20-6-701(1) and ~~(2)~~ 101, MCA.

(22) through (37) remain as proposed.

(38) "School district" means the territory, regardless of county boundaries, organized under the provisions of Title 20, MCA to provide public educational services under the jurisdiction of the local board of trustees. A high school district may encompass all or parts of the territory of one or more elementary districts. ~~A school district may also exist as the result of the formation of a joint board of trustees as provided by 20-3-361, MCA.~~ "School district" shall refer to all state-funded special purpose schools that are accredited under this chapter.

(39) remains as proposed.

(a) "combined elementary-high school district" means an elementary district and a high school district which are combined into a single school system for district administration purposes. ~~This may include school systems formed under the statute governing joint boards of trustees depending on the programs and services agreed to by the participating local boards of trustees.~~

(b) through (46) remain as proposed.

10.55.603 CURRICULUM AND ASSESSMENT (1) through (5)(c) remain as proposed.

(d) The Superintendent of Public Instruction shall provide technical assistance to districts to meet the criteria and procedures in ~~(3)~~ (5)(c).

10.55.605 CATEGORIES OF ACCREDITATION (1) Regular accreditation means the school has met the assurance standards and student performance standards as defined in ARM 10.55.606 and the Licensure Endorsement Requirements Related to Teaching Assignments, ~~adopted by the Board of Public Education July 2012~~, a copy of which may be found at: <http://www.opi.mt.gov/pdf/Accred/Ch55/Appendices.pdf> ~~(Appendix A)~~.

(2) Regular accreditation with minor deviations means the school does not meet all the requirements and standards required in (1) and delineated in the Accreditation Procedures and Status Criteria, ~~adopted by the Board of Public Education July 2012~~, a copy of which may be found at: <http://www.opi.mt.gov/pdf/Accred/Ch55/Appendices.pdf> ~~(Appendix B)~~.

(3) through (10) remain as proposed.

10.55.606 ACCREDITATION PROCESS (1) through (3) remain as proposed

(4) For schools with any combination of grades only K-2, only the assurance standards will be used to determine accreditation status.

(5) through (9) remain as proposed.

10.55.709 LIBRARY MEDIA SERVICES, K-12 (1) remains as proposed.

(2) Schools of fewer than ~~425~~ 126 students shall employ or contract with a

licensed and endorsed school library media specialist.

(3) If a district has fewer than ~~425~~ 126 students, the district may utilize a consortium, multidistrict agreement, or interlocal cooperative to secure these services.

10.55.710 ASSIGNMENT OF SCHOOL COUNSELING STAFF (1) and (2) remain as proposed.

(3) Districts with fewer than ~~425~~ 126 students may employ or contract with a licensed, endorsed school counselor or Class 6 specialist or utilize a consortium, multidistrict agreement, or interlocal cooperative to secure these services.

Peter Donovan
Rule Reviewer

Patty Myers, Chair
Board of Public Education

Certified to the Secretary of State October 1, 2012.

DRAFT