

**Board of Public Education Special Meeting
Montana State Capitol Building
Room 152
Helena, MT**

August 15, 2022

BOARD OF PUBLIC EDUCATION

AGENDA

BOARD OF PUBLIC EDUCATION
MEETING AGENDA

August 15, 2022
Montana State Capitol Building, Room 152
Helena, MT

Monday, August 15, 2022
1:00 PM

CALL TO ORDER

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

PUBLIC COMMENT

(This meeting is open to the public electronically. This time will be provided for public comment on items not listed on the agenda. For those wishing to give virtual public comment, please contact bpe@mt.gov to request the zoom link for the meeting. Members of the public who have joined may “raise their hand” at the appropriate time and participate after being recognized by the Board Chair.)

Action may be taken on any item listed on the Board agenda. Per §2-3-103 MCA, the Board encourages public comment on any item prior to Board final action.

ADOPT AGENDA

❖ **EXECUTIVE COMMITTEE – Tammy Lacey (Item 1)**

Item 1 ACTION ON STIPULATED AGREEMENT IN MONTANA NEWSROOM AND MFPE vs. MONTANA BOARD OF PUBLIC EDUCATION (page 6) – 15 Minutes
Tammy Lacey

❖ **ACCREDITATION COMMITTEE – Susie Hedalen (Items 2-3)**

Item 2 DISCUSSION ON PROPOSED TIMELINE FOR REVISIONS TO ARM TITLE 10, CHAPTER 55, ACCREDITATION STANDARDS (page 11) – 15 Minutes
McCall Flynn

Item 3 REVIEW OF SUPERINTENDENT ARNTZEN’S RECOMMENDATIONS TO REVISIONS TO ARM TITLE 10, CHAPTER 55, ACCREDITATION STANDARDS (page 12) – 3 Hours
Dr. Julie Murgel

PUBLIC COMMENT

(This meeting is open to the public electronically. This time will be provided for public comment on items not listed on the agenda. For those wishing to give virtual public comment, please contact bpe@mt.gov to

request the zoom link for the meeting. Members of the public who have joined may “raise their hand” at the appropriate time and participate after being recognized by the Board Chair.)

ADJOURN

The Montana Board of Public Education is a Professional Development Unit Provider. Attending a Board of Public Education Meeting may qualify you to receive professional development units. Please complete the necessary information on the sign-in sheet if you are applying for professional development units.

Agenda items are handled in the order listed on the approved agenda. Items may be rearranged unless listed “time certain”. Public comment is welcome on all items listed as “Action” and as noted at the beginning and end of each meeting.

The Board of Public Education will make reasonable accommodations for known disabilities that may interfere with an individual’s ability to participate in the meeting. Individuals who require such accommodations should make requests to the Board of Public Education as soon as possible prior to the meeting start date. You may write to: Kris Stockton, PO Box 200601, Helena MT, 59620, email at: kmstockton@mt.gov or phone at 444-0302.

CALL TO ORDER

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

❖ EXECUTIVE COMMITTEE – (Item 1)

Tammy Lacey

ITEM 1

**ACTION ON STIPULATED AGREEMENT IN
MONTANA NEWSROOM AND MFPE vs.
MONTANA BOARD OF PUBLIC
EDUCATION**

Tammy Lacey

Settlement Agreement

This Settlement Agreement (hereinafter “**Agreement**”) is entered into by and between the MONTANA BOARD OF PUBLIC EDUCATION, on behalf of itself, its agents, employees, and members (the “**Board**”), and STATES NEWSROOM D/B/A/ DAILY MONTANAN and MONTANA FEDERATION OF PUBLIC EMPLOYEES (the “**Petitioners**”).

RECITALS

A. On March 10, 2022, the Board held a regularly scheduled and noticed meeting, with its members present in person, and the public accessing the meeting via Zoom. Based on the outcome of this meeting, the Petitioners filed a *Verified Petition for Declaratory Judgment, Order Voiding Board Action, and for Preliminary Injunction*, Cause No. BDV- 2022-298.

B. Although the Board does not believe its actions precluded public participation, it recognizes the legal arguments of the Petitioners. The Board is committed to following the spirit and the letter of the law, and it will work closely with its legal counsel to ensure compliance with the Open Meeting law.

C. The Board and the Petitioners mutually agree it is in the best interest of both Parties to settle the complaint without further proceedings based on the terms and conditions contained herein.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual promises, covenants and agreements set forth herein, the Parties mutually agree as follows:

1. **Effective Date.** This Agreement shall become effective upon all Parties’ execution of this Agreement (the “**Effective Date**”). No payments due to the Petitioners under this Agreement shall be due until after the Effective Date.

2. **July Board Meeting.** The Board agrees that it will include the disputed item (Professional Educators of Montana Code of Ethics Revisions) on its July Board agenda. The meeting is a regularly scheduled meeting and will be properly noticed to the public, including the Petitioners.

3. **Dismissal of Action.** The Petitioners agree that they will dismiss with prejudice Cause No. BDV-2022-298, filed in Lewis and Clark County, on or before June 10, 2022.

4. **Settlement Payment.** In consideration for Petitioners’ dismissal of Cause No. BDV-2022-298, the Board agrees to pay the Petitioners’ the sum of four-thousand five-hundred and No/100 dollars (\$4,500.00) (the “**Payment**”) as follows:

(a) The Petitioners’ attorney, Carrie LaSeur, shall submit to the Board an invoice for the Payment within ten (10) business days of the Effective Date.

(b) The check for the Payment shall be mailed to Ms. LaSeur within ten (10) business days following the receipt of the invoice.

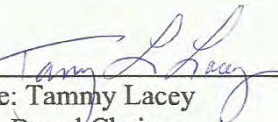
5. **No Admission.** This Agreement does not constitute an admission by the Board of any violation of law and the Board enters into this Agreement solely to resolve the matter without further proceedings.

6. **Attorneys' Fees and Costs.** If either Party breaches any term of this Agreement or the post-termination obligations articulated in it, to the extent authorized by Montana law, they will be responsible for payment of all reasonable attorneys' fees and costs that the other incurred in the course of enforcing the terms of the Agreement, including demonstrating the existence of a breach and any other contract enforcement efforts.

7. **Governing Law: Jurisdiction and Venue.** This Agreement, for all purposes, shall be construed in accordance with the laws of Montana without regard to conflicts-of-law principles. Any action or proceeding by either of the Parties to enforce this Agreement shall be brought exclusively in Lewis and Clark County, Montana.

8. **Entire Agreement.** Unless specifically provided herein, this Agreement contains all the understandings and representations between Charging Party and the Company pertaining to the subject matter hereof and supersedes all prior and contemporaneous understandings, agreements, representations and warranties, both written and oral, with respect to such subject matter.

MONTANA BOARD OF PUBLIC STATES NEWSROOM D/B/A DAILY
EDUCATION MONTANAN

By: 
Name: Tammy Lacey
Title: Board Chair

Name:
Title:

Date: _____

Date: _____

MONTANA FEDERATION OF PUBLIC
EMPLOYEES

By: _____
Name:
Title:

Date: _____

(b) The check for the Payment shall be mailed to Ms. LaSeur within ten (10) business days following the receipt of the invoice.

5. **No Admission.** This Agreement does not constitute an admission by the Board of any violation of law and the Board enters into this Agreement solely to resolve the matter without further proceedings.

6. **Attorneys' Fees and Costs.** If either Party breaches any term of this Agreement or the post-termination obligations articulated in it, to the extent authorized by Montana law, they will be responsible for payment of all reasonable attorneys' fees and costs that the other incurred in the course of enforcing the terms of the Agreement, including demonstrating the existence of a breach and any other contract enforcement efforts.

7. **Governing Law: Jurisdiction and Venue.** This Agreement, for all purposes, shall be construed in accordance with the laws of Montana without regard to conflicts-of-law principles. Any action or proceeding by either of the Parties to enforce this Agreement shall be brought exclusively in Lewis and Clark County, Montana.

8. **Entire Agreement.** Unless specifically provided herein, this Agreement contains all the understandings and representations between Charging Party and the Company pertaining to the subject matter hereof and supersedes all prior and contemporaneous understandings, agreements, representations and warranties, both written and oral, with respect to such subject matter.

MONTANA BOARD OF PUBLIC STATES NEWSROOM D/B/A DAILY
EDUCATION MONTANAN

By: _____
Name: Tammy Lacey
Title: Board Chair



Name: Chris Fitzsimon
Title: President and Publisher

Date: _____

Date: 06/08/22

MONTANA FEDERATION OF PUBLIC
EMPLOYEES

By: _____
Name:
Title:

Date: _____

(b) The check for the Payment shall be mailed to Ms. LaSeur within ten (10) business days following the receipt of the invoice.

5. **No Admission.** This Agreement does not constitute an admission by the Board of any violation of law and the Board enters into this Agreement solely to resolve the matter without further proceedings.

6. **Attorneys' Fees and Costs.** If either Party breaches any term of this Agreement or the post-termination obligations articulated in it, to the extent authorized by Montana law, they will be responsible for payment of all reasonable attorneys' fees and costs that the other incurred in the course of enforcing the terms of the Agreement, including demonstrating the existence of a breach and any other contract enforcement efforts.

7. **Governing Law: Jurisdiction and Venue.** This Agreement, for all purposes, shall be construed in accordance with the laws of Montana without regard to conflicts-of-law principles. Any action or proceeding by either of the Parties to enforce this Agreement shall be brought exclusively in Lewis and Clark County, Montana.

8. **Entire Agreement.** Unless specifically provided herein, this Agreement contains all the understandings and representations between Charging Party and the Company pertaining to the subject matter hereof and supersedes all prior and contemporaneous understandings, agreements, representations and warranties, both written and oral, with respect to such subject matter.

MONTANA BOARD OF PUBLIC STATES NEWSROOM D/B/A DAILY
EDUCATION MONTANAN

By: _____
Name: Tammy Lacey
Title: Board Chair

Name: _____
Title: _____

Date: _____

Date: _____

MONTANA FEDERATION OF PUBLIC
EMPLOYEES

By: Amanda Curtis
Name: Amanda Curtis
Title: President

Date: 6/8/22

❖ ACCREDITATION COMMITTEE – (Items 2-3)

Susie Hedalen

ITEM 2

**DISCUSSION ON PROPOSED TIMELINE
FOR REVISIONS TO ARM TITLE 10,
CHAPTER 55, ACCREDITATION
STANDARDS**

McCall Flynn

ITEM 3

**REVIEW OF SUPERINTENDENT
ARNTZEN'S RECOMMENDATIONS TO
REVISIONS TO ARM TITLE 10, CHAPTER
55, ACCREDITATION STANDARDS**

Dr. Julie Murgel

BEFORE THE BOARD OF PUBLIC EDUCATION
OF THE STATE OF MONTANA

In the matter of the adoption of New)	NOTICE OF PUBLIC HEARING ON
Rules I-V; amendment of 10.55.601,)	PROPOSED ADOPTION,
10.55.602, 10.55.603, 10.55.604,)	AMENDMENT, REPEAL, AND
10.55.605, 10.55.606, 10.55.701,)	TRANSFER
10.55.702, 10.55.703, 10.55.704,)	
10.55.705, 10.55.706, 10.55.707,)	
10.55.708, 10.55.709, 10.55.710,)	
10.55.712, 10.55.714, 10.55.716,)	
10.55.717, 10.55.718, 10.55.721,)	
10.55.801, 10.55.802, 10.55.803,)	
10.55.804, 10.55.901, 10.55.902,)	
10.55.904, 10.55.905, 10.55.906,)	
10.55.907, 10.55.908, 10.55.1001,)	
10.55.1003, 10.55.1101, 10.55.1301,)	
10.55.1701, 10.55.1801, 10.55.1901,)	
and 10.55.2101, repeal of rules)	
10.55.711 and 10.55.1302; and)	
transfer of 10.55.607 pertaining to)	
Standards of Accreditation)	

TO: All Concerned Persons

1. On [Month Day, 2022, at [Time]:00 [a.m./p.m.], the Board of Public Education will hold a public hearing in Room [###] of [Building], at Helena, Montana, to consider the proposed adoption, amendment, repeal, and transfer 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 Board of Public Education no later than 5:00 p.m. on Month Day, 2022, to advise us of the nature of the accommodation that you need. Please contact McCall Flynn, Executive Director, Board of Public Education, 46 N Last Chance Gulch, Suite 2B, PO Box 200601, Helena, MT 59620-0601; telephone (406) 444-0300; fax (406) 444-0847; or e-mail mflynn@mt.gov.

3. The rules as proposed to be adopted provide as follows:

NEW RULE I CHARTER SCHOOL APPLICATION (1) A school district with the approval of the local board of trustees may apply to the Board of Public Education through the Superintendent of Public Instruction to form a charter school.

(a) A charter school must provide an education that meets or exceeds the requirements of the Montana Constitution, state law, and student performance standards.

(b) The Board of Public Education may only grant charters to publicly funded schools or programs under the supervision and control of a locally elected board of trustees in an existing school district.

(c) The procedure by which a school district may apply to create a charter school and by which the Board of Public Education may approve, deny, evaluate, and renew a charter school shall be identical to that outlined in ARM 10.55.604.

(d) To be proposed by a local board of trustees and approved by the Board of Public Education, a charter school shall, at a minimum, guarantee the following:

- (i) school district governance and control;
- (ii) unrestricted, open student access;
- (iii) compliance with all health and safety laws;
- (iv) teacher licensure and endorsement to the same extent as required or provided by state law or accreditation standards;
- (v) employee collective bargaining to the same extent as required or provided by state law; and

(vi) a plan for consideration of input by community members and staff as to formation and implementation issues. Consideration of input may be identified by formation of advisory committees involving staff and/or community members, conduct of a properly noticed public meeting for purposes of comment on the formation or operation of the charter school, or any other reasonable means that result in an opportunity for input by staff and community members prior to a decision of significant interest to the public regarding the formation or operation of the charter school.

(e) Charter school applications cannot include standards stating statutory criteria, assurance standards pertaining to Subchapter 6, General Provisions, ARM 10.55.601 through 10.55.606, 10.57.114, 10.55.719 to 10.55.721, or Subchapter 8, Educational Opportunity, ARM 10.55.801 to New Rule V, assurance standards pertaining to educator licensure or endorsement, student performance standards, and content standards as defined by the Board of Public Education and provided in guidance from the Superintendent of Public Instruction.

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

AUTH: Mont. Const. Art. X, sec. 9, 20-2-114, 20-2-121, 20-7-101 MCA
IMP: Mont. Const. Art. X, sec. 9, 20-2-121, 20-3-106, 20-7-101, MCA

REASON: The proposed new rule would separate the charter school application rule from variance to standards rule and update the language to focus on student performance outcomes. If adopted, the proposed new rule would be numbered 10.55.608.

NEW RULE II FAMILY AND COMMUNITY ENGAGEMENT (1) The local board of trustees shall implement a comprehensive family and community engagement plan that:

- (a) is aligned to the district integrated action plan required in ARM 10.55.601;
- (b) includes effective engagement practices that are linked to relational, developmental, collaborative, and interactive learning;

- (c) family and school staff have a shared responsibility in the learning of their child(ren) as evidenced by the following core beliefs:
 - (i) families have dreams for their children and want the best for them;
 - (ii) all families have the capacity to support their children’s learning;
 - (iii) family and school staff are partners; and
 - (iv) the responsibility for cultivating and sustaining an inviting and inclusive climate rests primarily with school staff; and
- (d) meets the following goals:
 - (i) families actively participate in the life of the school and are 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 and school staff are empowered to advocate for 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 and influence 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.

AUTH: Mont. Const. Art. X, sec. 9, 20-2-114, 20-2-121, 20-7-101 MCA
IMP: Mont. Const. Art. X, sec. 9, 20-2-121, 20-3-106, 20-7-101, MCA

REASON: The proposed new rule would highlight that authentic family–school and community engagement is based on best practices and principles that keep the focus on the learner and would establish core practices about engagement. If adopted, the proposed new rule would be numbered 10.55.722.

NEW RULE III MENTORSHIP AND INDUCTION (1) The local board of trustees shall implement a mentorship and induction program that:

- (a) is research-based to ensure inclusion of high-impact professional learning strategies;
 - (b) implemented to assist initial licensed and incoming educators in meeting teaching standards embedded in the district evaluation framework outlined in New Rule IV;
 - (c) supports initial licensed and incoming teachers’ planning, implementation, and assessment of instruction aligned to the program area and content standards and content-specific learning progressions;
 - (d) supports initial licensed and incoming teachers to establish and maintain a positive classroom climate; and
 - (e) encourages continuous learning, reflection, and growth.
- (2) The mentorship and induction program may include the following criteria:

- (a) provide training for mentors through the Montana Teacher Learning Hub, professional organizations, or other professional development opportunities;
- (b) prioritize mentor-mentee matches that are grade and subject-level aligned;
- (c) focus on research-based instructional practice;
- (d) engage with mentoring partners in professional collaboration; and
- (e) establish effective coaching for learning methods.

AUTH: Mont. Const. Art. X, sec. 9, 20-2-114, 20-2-121, 20-7-101 MCA
IMP: Mont. Const. Art. X, sec. 9, 20-2-121, 20-3-106, 20-7-101, MCA

REASON: The proposed new rule would implement a mentorship and induction program that originally was discussed under Chapter 57 but that ultimately the task force recommended for Chapter 55. If adopted, the proposed new rule would be numbered 10.55.723.

NEW RULE IV EVALUATION (1) The local board of trustees shall ensure written evaluations of all regularly employed personnel.

AUTH: Mont. Const. Art. X, sec. 9, 20-2-114, 20-2-121, 20-7-101 MCA
IMP: Mont. Const. Art. X, sec. 9, 20-2-121, 20-3-106, 20-7-101, MCA

REASON: The proposed new rule would emphasize the duty of the board of trustees to ensure evaluations are completed and teachers have regular feedback for improvement. If adopted, the proposed new rule would be numbered 10.55.724.

NEW RULE V ENGLISH LEARNERS (1) Districts shall provide educational services to help English Learners become proficient in English and meet state standards by creating high level language instruction programs, professional development, and family outreach.

(2) Each district shall comply with all federal and state laws and regulations addressing English Learners.

(3) Each district shall identify students who are eligible for language assistance, provide a sound program of instruction, assess their English proficiency annually, and notify parents of their initial placement in, progress within, and exit from the language program.

AUTH: Mont. Const. Art. X, sec. 9, 20-2-114, 20-2-121, 20-7-101 MCA
IMP: Mont. Const. Art. X, sec. 9, 20-2-121, 20-3-106, 20-7-101, MCA

REASON: The proposed new rule would align to existing federal requirements and address the importance of English Learners as a distinct student group. If adopted, the proposed new rule would be numbered 10.55.806.

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

10.55.601 ACCREDITATION STANDARDS: PROCEDURES (1) through (2)

remain the same.

(3) To ensure a learner-centered system and establish a plan for continuous education improvement, the school district and each of its schools shall develop, implement, monitor, and evaluate continuous an integrated school improvement plans action plan and make the plans-plan publicly publically available. These plans shall be reviewed on a yearly basis to To align with local context and needs, the district integrated action plan shall be developed every three years based on a comprehensive needs assessment with meaningful stakeholder input and feedback. The integrated action plan must be evaluated, and progress reviewed annually. The plan must clarify what specific steps must be taken to achieve the district graduate profile and reflect a continuous improvement process.

~~(a)~~ (4) Each plan shall include:

~~(i)~~ (a) a school district level education profile of a graduate as defined in 10.55.602(22);

~~(b)~~ the school district's and each of its schools identified area(s) of need based on an analysis of school level comprehensive needs assessment;

~~(c)~~ the school district's and each of school's desired outcomes that align with the district graduate profile;

~~(ii)~~ ~~(d)~~ the school district's educational goals for the school district and each school within the district; pursuant to the requirements of ARM 10.55.701;

~~(e)~~ a description of the district and each school's evidence-based strategies, action steps, measures, success criteria, and evidence that are aligned with the graduate profile and will be implemented, monitored, and evaluated;

~~(f)~~ a description of how the district and each of its schools will meet programmatic requirements of state and federal grants;

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

~~(iv)~~ ~~(h)~~ a description of strategies for assessing student progress toward meeting growth and proficiency of all content standards and content-specific learning progressions, pursuant to the requirements of ARM 10.55.603 and ARM 10.56.101; and

~~(v)~~ ~~(i)~~ a professional development, mentoring, induction, and evaluation component, in accordance with ARM 10.55.714, New Rule III, and New Rule IV;

~~(j)~~ a description of strategies for family and community engagement, in accordance with New Rule II;

~~(k)~~ a description of strategies to maintain and enhance a school climate, in accordance with ARM 10.55.801;

~~(l)~~ a description of a learning model(s) aligned to the graduate profile; and

~~(m)~~ a description of strategies for gifted and talented, special education, English learners in accordance with 10.55.804, 10.55.805, and New Rule V.

~~(b)~~ (5) The local board of trustees shall report and submit their adopted continuous-integrated school improvement action plan with to the Superintendent of Public Instruction.

~~(c)~~ (6) The Superintendent of Public Instruction shall develop and implement procedures necessary to monitor and evaluate the effectiveness of the implementation of the continuous-integrated improvement action plan of each school district and its schools.

(4) (7) To ensure learner centered systems and continuous educational improvement the Superintendent of Public Instruction shall provide guidance, resources, and evaluation to assist in the implementation of district ~~and school~~ integrated action plans to improve ~~teaching and learning~~ outcomes for all students.

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

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

REASON: The proposed amended rule would remodel the Continuous School Improvement Plan to an Integrated Action Plan. The Integrated Action Plan integrates and aligns all plans (including the local board of trustees' strategic plan) that a district and schools are required to complete and provides an opportunity for a district to strategically utilize local, state, and federal resources in a cohesive, unified manner that leads to continuous improvement and positively impacts student learning outcomes. Continuous improvement and school accreditation are both critical processes that lead to quality schools. A continuous improvement plan allows districts and schools to review student learning outcomes and determine areas of need for improvement. Continuous improvement is an ongoing process that requires strategic planning based on areas of need, desired outcomes, goals, strategies, and action steps that are implemented, monitored, and evaluated. The amended rule would integrate and align all plans that a district and schools are required to complete provides an opportunity for a district to strategically utilize local, state, and federal resources in a cohesive, unified manner that leads to continuous improvement and positively impacts student learning outcomes. The Integrated Action Plan contains a graduate profile, which is a collective vision that articulates the community's aspirations for all students. The amended rule would shift from an input system to an outcome-based model because inputs provide helpful criteria and indicate critical success factors in instructional design and managing programs—but they don't tell us what works and is effective based on outcomes.

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

(1) remains the same.

(2) "Assessment" means the gathering, organizing, and evaluation of information about student learning progression, growth, and proficiency in order to monitor and measure the effectiveness of the instructional program.

(3) remains the same.

(a) Subchapter 6, General Provisions, ARM 10.55.601 through ~~40.55.607~~ New Rule I;

(b) Subchapter 7, School Leadership, ARM 10.55.701 through ~~40.55.719~~ New Rule IV;

(c) Subchapter 8, ~~Academic Requirements~~ Educational Opportunity, ARM 10.55.801 through ~~40.55.805~~ New Rule IV;

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

(e) Subchapter 10, Program Area Standards, ARM 10.55.1001 through ~~40.55.1003~~ 10.55.2201.

(4) remains the same.

~~(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.~~

(5) "Charter school" means a publicly funded school that may be exempt from assurance standard(s) or a section(s) of an assurance standard as defined in ARM 10.55.602(3). A charter school operates under the supervision and control of a locally elected board of trustees in an existing school district.

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

~~(6)(7) "Class 8 license" means an educator license as defined in ARM 10.57.102.~~

~~(7)(8) "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.~~

(9) "Community engagement" means the partnership between members of the community and schools that may share resources and volunteer to support student well-being and learning development.

(10) "Comprehensive needs assessment" means a process that is used to identify district and school area(s) of need, the root causes of identified gaps, set priorities, and inform an action plan for improvement.

(11) "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.

~~(8)(12) "Content standard" means what all students should know, understand, and be able to do in a specific content area.~~

~~(9)(13) "Corrective plan" means a systematic procedure and timeline for resolving deviations from regular accreditation when a school has an accredited with probation status.~~

~~(40)(14) "Deviation" means a citation of noncompliance with any given standard.~~

~~(44)(15) "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.~~

~~(42)(16) "Distance learning" means instruction in which students and teachers are separated by time and/or, location, or both 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.~~

(17) "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 college faculty member must have an appropriate license and endorsement in the subject taught or a Class 8 license.

~~(43)(18) "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.~~

~~(14)(19) "Endorsement" means an official indication on a license of the subject area(s) and/or, specialized program area(s), or both for which the holder of the license is authorized to practice in Montana accredited schools.~~

~~(15)(20) "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.~~

~~(21) "Family engagement" means a partnership with shared responsibility among families, educational staff, and community groups to promote each student's learning, well-being, and development of full educational potential during their entire K-12 experience.~~

~~(22) "Graduate profile" means a learner centered model(s) based on a shared vision of learner attributes that students should have when they graduate.~~

~~(23) "Graduation rate" means a calculation based on the four-year adjusted cohort graduation rate for all students and for each student group.~~

~~(16)(24) "Independent elementary school district: means a district organized for the purpose of providing public education for all or any combination of grades kindergarten through 8.~~

~~(17)(25) "Indian Education for All" means the constitutionally declared policy of this state to recognize the distinct and unique cultural ~~heritage~~ heritages of American Indians and to be committed in its educational goals to the preservation of their cultural ~~heritage~~ heritages. Implementation of these requirements ensures:~~

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

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

~~(18)(26) "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.~~

~~(27) "Integrated action plan" means a district plan that ensures a learner centered system and continuous improvement that reflects local context and needs, is based on school level comprehensive needs assessment, incorporates stakeholder input and feedback, and aligns plans across required state and federal~~

programs.

~~(19)~~(28) "Intensive assistance" means a required process for schools in ~~continuous or serious deficiency accreditation~~ accredited with probation status. Such schools have failed to develop or implement an approved corrective plan to remedy accreditation deviations within the designated timeline.

~~(20)~~(29) "Internship" as provided for in ARM ~~10-55-607~~ 10.57.114 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~~ 10.57.414 to 10.57.419.

~~(21)~~(30) "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 20-6-101, MCA.

~~(31)~~ "Learning model" means the learning experiences student engage in and teachers facilitate that are aligned to the desired attributes of a graduate profile.

~~(22)~~(32) "Learning progression" means the specific performance expectations in each content area at each and grade-level grade-band from kindergarten through grade 12.

~~(23)~~(33) "Licensure" means a certificate certification issued or applied for under 20-4-101, et seq., MCA. 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)~~(34) "Literacy" means constructing and validating knowledge in specific content areas which includes interpretation and learning with language, numeracy, and media learning to read, write, speak, listen, and use language effectively.

~~(35)~~ "Measure" means a way to assess the level of proficiency on a performance indicator aligned to the district graduate profile.

~~(25)~~(36) "Middle grades" means grades 4 through 9.

~~(26)~~(37) "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 do~~ not include lunch time and periods of unstructured recess, as defined in 20-1-101, MCA.

~~(27)~~(38) "Minimum requirement" means groups of 10 or more students.

~~(28)~~(39) "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)~~(40) "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.

~~(41)~~ "Offsite instructional setting" means an instructional setting at a location, separate from a main school site, where a school district provides for the delivery of instruction to a student who is enrolled in the district.

(31)(42) "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.

(43) "Personalized learning" means to:

(a) develop individualized pathways for career and postsecondary educational opportunities that honors individual interests, passions, strengths, needs, and culture;

(b) support through relationships among teachers, family, peers, the business community, postsecondary education officials, and other community stakeholders;

(c) embed community-based, experiential, online, and work-based learning opportunities; and

(d) foster a learning environment that incorporates both face-to-face and virtual connections.

(44) "Postsecondary and workforce readiness" means the knowledge, skills, and dispositions that a student has attained prior to completing a high school program.

(32)(45) "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 ARM 10.55.607-10.57.114.

(46) "Professional Development" means adult learning that increases educator effectiveness and learning outcomes for all students.

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

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

(33)(49) "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~~ and physical education, mathematics, science, social studies, career and technical education, technology integration, workplace competencies, computer science, library media and information literacy, world languages, and school counseling.

(34)(50) "Program delivery standards" means the conditions and practices school districts are required to provide ensuring that every student is afforded equal educational opportunities to learn, develop, and demonstrate achievement in content standards and content-specific ~~grade-level~~ grade-band learning progressions.

(51) "Pupil instruction" means the conduct of organized instruction of learning opportunities for pupils enrolled in public schools while under the supervision of a teacher.

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

(36)(53) "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.

~~(37)~~(54) "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.

~~(38)~~(55) "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~~ 10.57.114.

~~(39)~~(56) "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. "School district" ~~shall~~ refers to all state-funded special purpose schools that are accredited under this chapter.

~~(40)~~(57) "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;

(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.~~

(58) "Stakeholder Engagement" means a measurable, inclusive, intentional, and ongoing process of communicating to, learning from, and partnering with stakeholders to best support continuous school improvement and learning outcomes for all students.

(59) "Stakeholders" means community members who are involved and invested in districts, schools, programs, and outcomes for students. Stakeholders include students, families, educators, leaders, business and community leaders, and the many partners who support them.

~~(42)~~(60) "State accountability system" means federally mandated academic measures and Montana defined flex indicator(s) within the annual meaningful differentiation process and the other state defined indicators.

~~(61)~~ "Student growth" means changes in student learning as measured from one point in time to another as determined by state or local measures, or both. The federal accountability system uses a growth model to demonstrate student learning across time as measured by statewide assessments.

~~(43)~~(62) "Student performance standards" means minimum standards of a quality education, which the measures measurement of student performance proficiency on annual state level summative assessments and graduation rates used to determine the accreditation status of a school.

~~(44)~~(63) "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~~ 10.57.114.

~~(45)~~(64) "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).~~

~~(46)~~(65) "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.

~~(47)~~(66) "Technology-delivered learning" means instruction and content digitally delivered via digital technologies. (e.g., online, CD-ROM, DVD-ROM, or learning experiences that involve primarily the use of computers).

~~(48)~~(67) "Variance to standard" means an alternate approach to meeting or exceeding the minimum standards.

~~(68)~~ "Work-based learning" means sustained interactions with industry or community professionals in workplace settings, to the extent practicable, or simulated environments at an educational institution that foster in-depth, firsthand engagement with the tasks of a given career field, that are aligned to curriculum and instruction.

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

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

REASON: The proposed amended rule would modernize and align all definitions to the recommend rule changes.

10.55.603 CURRICULUM AND ASSESSMENT (1) Local school districts shall

~~ensure their~~ develop and implement a proficiency-based learning model that includes curriculum is aligned to all content standards and the appropriate learning progression progressions for each grade level.

(2) School districts shall ~~maintain~~ review, update, and align their learning programs consistent with following or after the state's schedule for revising standards.

(3) School districts shall assess ~~the progress of all students~~ students' progression, growth, and proficiency of toward achieving content standards and content-specific ~~grade-level~~ grade-band learning progressions in each program area as aligned with the district assessment plan in 10.55.603(5). The district shall use multiple measures ~~assessment results~~, including state-level achievement information obtained by administration of assessments pursuant to ARM 10.56.101 to examine the ~~educational~~ learning program and measure its effectiveness.

(a) The examination of program effectiveness using assessment results shall include current students and be supplemented with information about graduates and other students no longer in attendance; and

(b) The information obtained shall be considered in curriculum and assessment development.

(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~~ families, community members, and, when appropriate, tribal representatives and state resource ~~people~~ staff;

(b) review curricula at least every five years or consistent with the state's standards revision schedule, and modify, as needed, to meet the educational goals of the ~~continuous school improvement~~ integrated action 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~~ integrated action plan pursuant to ARM 10.55.601; and

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

(5) The school district shall develop and implement ~~its~~ an assessment plan that supports progression, growth and proficiency, promotes demonstrations of student learnings, and used to measure measures student progress ensuring alignment to the local curriculum in all program areas pursuant to ARM 10.56.101.

(a) The assessment plan shall be included in the ~~continuous school improvement~~ integrated action plan pursuant to ARM 10.55.601 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~~ growth and proficiency of in achieving content standards and content-specific ~~grade-level~~ grade-band 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~~ growth and proficiency of content standards and appropriate content-specific ~~grade-level~~ grade-band learning progressions in all program areas.

(5)(d) remains the same.

AUTH: Mont. Const. Art. X, sec. 9, 20-2-114, 20-2-121, 20-7-101, MCA
IMP: Mont. Const. Art. X, sec. 9, 20-2-121, 20-3-106, 20-7-101, MCA

REASON: The proposed amended rule would emphasize a proficiency-based learner model within the curriculum and assessment section and encourage multiple measures determined at the local level to assess student learning progression, growth, and proficiency. The continuous improvement plan has been replaced with the integrated action plan. Through-out the document “heritage” has been replaced with “heritages” to recognize that multiple heritages exist among the American Indian tribes.

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 variance to a an assurance standard or a section of assurance 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 outline 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 ~~40.55.1904~~ 10.55.2201.

(b) In its application, the school district shall provide evidence through official minutes of the board of trustees that local school community stakeholders were involved in the consideration and development of the proposed variance to an assurance standard or a section of assurance standards. Stakeholder groups include trustees, administrators, teachers, classified school staff, ~~parents~~ families, community members, and students as applicable. A district shall provide evidence it adopted its application for variance at an official, properly noticed meeting of its board of trustees.

(c) An application for variance to an assurance standard or a section of assurance 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 second Monday in ~~March~~ October for the current academic year. ~~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.~~

(d) Upon receipt, the Superintendent of Public Instruction shall refer applications for variance to an assurance standards or a section of assurance standards to a pre-appointed review board. The Superintendent of Public Instruction shall facilitate and provide organizational support for the meetings of the review board.

(i) The review board shall consist of the following, appointed by the Superintendent of Public Instruction and approved by the Board of Public Education from a list of qualifying individuals jointly endorsed by MEA-MFT, Montana Rural Education Association (MREA), Montana Small Schools Alliance (MSSA), School Administrators of Montana (SAM), and Montana School Boards Association (MTSBA): one trustee, one district superintendent, one high school principal, one elementary principal, two high school teachers, and two elementary school teachers, one tribal council representative, and one family or community representative.

~~(ii) As needed, the review board shall seek advice from experts.~~

~~(A) The Superintendent of Public Instruction shall solicit a pool of experts from curriculum groups and educational associations to serve "on call" in an advisory capacity.~~

~~(B) The Superintendent of Public Instruction shall notify the review board of the pool participants with rationale and present them for review board approval.~~

~~(C) The review board shall notify the Superintendent of Public Instruction when and what type of experts are needed.~~

~~(D) The Superintendent of Public Instruction shall notify the appropriate pool of experts of this needed input and arrange for the pool member(s) to advise the committee.~~

~~(iii)~~(ii) The review board members shall serve five-year terms with no limit to the number of terms any one person may serve. Terms shall be staggered where half of all positions shall be filled every three years prior to the first meeting of the review board in the third year.

(e) The review board shall review all applications and use a uniform rubric, made available to districts in advance of applying to implement a variance to a~~an~~ assurance standard or section of assurance standards. The uniform rubric will ensure consistent and ~~high-quality~~ high-quality applications from school districts across Montana.

(1)(f) through (1)(h) remain the same.

(2) The Board of Public Education shall approve or deny proposed variances to assurance standards. If the board denies a proposed variance to assurance standards, it shall remit in writing to the applicant school district why it has done so.

(3) If the Board of Public Education approves a proposed variance to assurance 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 assurance 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) through (7) remain the same.

(8) If the Superintendent of Public Instruction finds the variance to assurance standards 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) through (10) remain the same.

~~(11) A school district may apply to the Board of Public Education through the Superintendent of Public Instruction to create a charter school.~~

~~(a) A charter school must provide an education that meets or exceeds the requirements of the Montana Constitution, state law, and school accreditation standards.~~

~~(b) The Board of Public Education may only grant charters to publicly funded schools or programs under the supervision and control of a locally elected board of trustees in an existing school district.~~

~~(c) The procedure by which a school district may apply to create a charter school and by which the Board of Public Education may approve, deny, evaluate, and renew a charter school shall be identical to that outlined in ARM 10.55.604.~~

~~(d) To be proposed by a school district and approved by the Board of Public Education, a charter school shall, at a minimum, guarantee the following:~~

~~(i) school district governance and control;~~

~~(ii) unrestricted, open student access;~~

~~(iii) compliance with all health and safety laws;~~

~~(iv) teacher licensure and endorsement to the same extent as required or provided by state law or accreditation standards;~~

~~(v) employee collective bargaining to the same extent as required or provided by state law; and~~

~~(vi) a plan for consideration of input by community members and staff as to formation and implementation issues. Consideration of input may be identified by formation of advisory committees involving staff and/or community members, conduct of a properly noticed public meeting for purposes of comment on the formation or operation of the charter school, or any other reasonable means that result in an opportunity for input by staff and community members prior to a decision of significant interest to the public regarding the formation or operation of the charter school.~~

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

~~(ii) unrestricted, open student access;~~

~~(iii) compliance with all health and safety laws;~~

~~(iv) teacher licensure and endorsement to the same extent as required or provided by state law or accreditation standards;~~

~~(v) employee collective bargaining to the same extent as required or provided by state law; and~~

~~(vi) a plan for consideration of input by community members and staff as to formation and implementation issues. Consideration of input may be identified by formation of advisory committees involving staff and/or community members, conduct of a properly noticed public meeting for purposes of comment on the formation or operation of the charter school, or any other reasonable means that result in an opportunity for input by staff and community members prior to a decision of significant interest to the public regarding the formation or operation of the charter school.~~

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

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

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

REASON: The proposed amended rule would specify that the type of standard a variance of standard applies to is an assurance standard and not student performance standard. School districts may seek a variance to how they will meet an assurance standard but not how or to what degree they will be accountable for student performance outcomes. It would modify the date of when a variance of standard is submitted to ensure districts seek a variance based on current and actual enrollment rather than on what they predict the enrollment will be or based on data from the previous school year. The variance would apply to the current academic year. It would address the need to seek a variance to standard that shows up after the TEAMS Report closes. Through this adapted timeline districts would have the opportunity to make a variance request before having deficiencies cited. The amendment would add one tribal representative and one family or community representative to the Variance to Standard Board to include more stakeholder voice. It would place the responsibility to appoint members of the variance to standards board on the Superintendent, who must get approval by the Board of Public Education. It would remove the "pool of experts" that need to be on call for the variance to standards board, because it has not been utilized or sought by the variance to standard board in recent times. The amended rule would separate charter school application from variance to standards rule to make a new rule and updated the language to focus on student performance outcomes. A new rule has been proposed in 10.55.608.

10.55.605 CATEGORIES OF ACCREDITATION (1) Accredited with distinction means the school has met the assurance standards and exceeded student performance standards as defined in ARM 10.55.606 and the Licensure Endorsement Requirements related to teaching assignments, a copy of which the Superintendent of Public Instruction must make publicly available. Three consecutive years in the accredited with distinction status, allows the local board of trustees to waive assurance standards for the school for three years.

~~(1) (2) Regular accreditation~~ Accredited means the school has met the assurance standards with minor and/or few deviations from the standards and met or exceeded the student performance standards as defined and delineated in ARM 10.55.606, the Licensure Endorsement Requirements Related to Teaching Assignments, and in the Accreditation Status Criteria Reference Guide, a copy of which the Superintendent of Public Instruction must make publicly available ~~may be found~~

at: <http://opi.mt.gov/Portals/182/Page%20Files/School%20Accreditation/Standards%20of%20Accreditation/Appendix%20Files/B/Endorsement%20Codes.pdf?ver=2019-09-04-130721-823>.

~~(2) Regular with minor deviation accreditation means the school does not meet all the requirements of regular accreditation outlined in (1) and delineated in the Accreditation Status Criteria Reference Guide, a copy of which may be found~~ at: <http://opi.mt.gov/Portals/182/Page%20Files/School%20Accreditation/Standards%20of%20Accreditation/Appendix%20Files/A/Accreditation%20Status%20Criteria%20Reference%20Guide.pdf?ver=2019-06-13-113341-203>.

~~(3) A school with regular accreditation with a deviation in student performance standards, as defined in ARM 10.55.606, or regular with minor deviations accreditation as defined in ARM 10.55.606(7), shall remedy the deviations within three years or will be reassigned to a lower category of accreditation.~~

~~(4) (3) Advice accreditation~~ Accredited on probation status means the school exhibits serious and/or numerous deviations from the assurance standards and/or does not meet the student performance standards as defined and delineated in ARM 10.55.606, the Licensure Endorsement Requirements Related to Teaching Assignments, and in the Accreditation Status Criteria Reference Guide, a copy of which the Superintendent of Public Instruction must make publicly available. For a district with a school accredited on probation 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. Schools identified as accredited on probation will be required to participate in an annual review of progress from the Office of Public Instruction. If a school has three consecutive years on probation, the school shall be placed into the intensive assistance process.

~~(5) Deficiency accreditation means the school is in 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 in advice or in deficiency accredited with improvement 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 shall be immediately placed in deficiency accredited with improvement status 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 in deficiency accredited with improvement status failing to comply with the required corrective plan within two years, and continues to have serious and/or numerous deviations, or has substantially increased the seriousness of deviations over the previous year shall be placed into the intensive assistance process as defined in the Accreditation Status Criteria Reference Guide, a copy of which may be found~~

~~at: <http://opi.mt.gov/Portals/182/Page%20Files/School%20Accreditation/Standards%20of%20Accreditation/Appendix%20Files/A/Accreditation%20Status%20Criteria%20Reference%20Guide.pdf?ver=2019-06-13-113341-203>~~

~~(9) Nonaccredited status means that a school in deficiency status fails to meet the requirements of intensive assistance and is out of compliance with the Board of Public Education standards of accreditation.~~

~~(10) (4) A school seeking initial accreditation or reinstatement of accreditation shall meet the requirements of regular accreditation outlined in (1) (2). This process shall include an on-site review from the Office of Public Instruction.~~

AUTH: Mont. Const. Art. X, sec. 9, 20-2-114, 20-2-121, 20-7-101, MCA
IMP: Mont. Const. Art. X, sec. 9, 20-2-121, 20-3-106, 20-7-101, MCA

REASON: The proposed amended rule would redefine categories of accreditation from 5 to 3 categories: Accreditation with distinction, accreditation, and accreditation with probation. It would raise the bar for accreditation to include a rating for exceeding expectations. The rationale for fewer categories of accreditation include, that in the last 30 years, there has never been a school that has lost accreditation status, and that three categories are able to meet the accreditation status of a school, focused on where support is needed.

10.55.606 ACCREDITATION PROCESS (1) through (1)(b) remain the same.

(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 ~~40.55.607~~ New Rule I;

(b) Subchapter 7, School Leadership, ARM 10.55.701 through ~~40.55.719~~ New Rule IV;

(c) Subchapter 8, ~~Academic Requirements~~ Educational Opportunity, ARM 10.55.801 through ~~40.55.805~~ New Rule V;

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

(e) Subchapter 10, Program Area Standards, ARM 10.55.1001 through ~~40.55.1003~~ 10.55.2201.

(3) Student performance standards are comprised of measures required under ARM 10.56.101(3) and other measures described in the state accountability system, defined in ARM 10.55.602, recommended by the state superintendent and approved by the Board of Public Education (~~BPE~~).

(a) ~~BPE~~ Board of Public Education shall annually review the minimum requirement, defined in ARM 10.55.602, for reporting valid and reliable student group results and to protect student privacy based on the recommendation of the State Superintendent of Public Instruction.

(b) The State Superintendent of Public Instruction shall recommend to the ~~BPE~~ Board of Public Education modifications to the student performance standards after consultation with representative stakeholders.

(4) through (5) remain the same.

(6) A school shall be designated accredited with distinction by using the combined results of accredited status for assurance standards and distinguished status for student performance results, where 80% of students are proficient or advanced and/or obtain an 80% or higher graduation rate.

~~A school shall be designated regular accreditation status by using the combined results of the assurance standards and student performance standards as follows:~~

~~(a) Regular status for assurance standards and regular status for student performance standards;~~

~~(b) Regular status for assurance standards and regular with minor deviation for student performance standards; or~~

~~(c) Regular with minor deviation for assurance standards and regular status for student performance standards.~~

(7) A school shall be designated ~~regular with minor deviation~~ accredited status by using the combined results of both assurance standards and student performance standards in accredited or as stated in ARM 10.55.605.

(8) A school shall be designated in ~~advance~~ accredited on probation status by using the combined results of the assurance standards and student performance standards in accredited with probation for either set of standards, or as stated in ARM 10.55.605.

~~(9) A school shall be designated deficiency status by using the combined results of assurance standards and student performance standards in deficiency in either set of standards, or as stated in ARM 10.55.605.~~

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

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

REASON: The proposed amended rule would update cross-references to reflect proposed amendments in other rules. The Educational Opportunity and Academic Requirement titles were formerly incorrectly labeled with the corresponding ARM number. It would spell out the acronym BPE, which is consistently referred to the Board of Public Education through-out the rule. Accredited with distinction means a school has significantly exceeded student performance standards, engages in continual improvement, integrates reflection throughout their day and is able to attract and retain the teachers with the proper licensing endorsements. These districts are accredited on a three-year cycle and all assurance standards are waived due their level of accreditation. This is a shift from deviations to a recognition of progress towards being a high-performing school.

10.55.701 BOARD OF TRUSTEES (1) remains the same.

(2) Each school district shall make available to the staff and public:

(a) ~~goals that reflect the district's strategic plan of education~~ an integrated action plan that includes a graduate profile as outlined in 10.55.601;

(b) sequential K-12 curriculum; for each program area that aligns to the content standards, ~~specific grade-level~~ grade-band 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; and

~~(d) policies that delineate descriptions of the roles and 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;~~

~~(e) policy on student, parent, and school employee due process rights;~~

~~(f) policies addressing bullying, hazing, intimidation, and harassment of students and meeting the requirements in ARM 10.55.719;~~

~~(g) an equity policy;~~

~~(h) a transfer policy for determining the appropriate placement of incoming students;~~

- ~~(i) an academic freedom policy;~~
 - ~~(j) a materials selection policy, including a challenge procedure, for all curricular and support materials;~~
 - ~~(k) a copyright policy;~~
 - ~~(l) a policy that defines the use of school facilities and resources;~~
 - ~~(m) 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, procedure, or plan addressing suicide prevention and response as outlined in ARM 10.55.720;~~
 - ~~(q) a policy addressing hazard and emergency plans as outlined in ARM 10.55.721;~~
 - ~~(r) a policy that defines a significant writing program; and~~
 - ~~(s) 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 used by a school district for licensed staff shall, at a minimum:~~
 - ~~(i) 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;

~~(ii) be aligned with applicable district goals, standards of the Board of Public Education, and the district's mentorship and induction program required under ARM 10.55.701(5)(b);~~

~~(iii) identify what skill sets are to be evaluated~~

~~(iv) include both formative and summative elements; and~~

~~(v) 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 model evaluation instruments that comply with this rule in collaboration with the MEA-MFT, Montana Rural Education Association, Montana School Boards Association, School Administrators of Montana, and Montana Small School Alliance. A school district adopting 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.~~

~~(5)(3) The local board of trustees shall: (a) establish conditions that contribute to a positive school climate which:~~

~~(a) (i) keep parents/guardians up to date on students' progress; implement family and community engagement strategies as found in New Rule II; and~~

~~(b) (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).~~

~~(4) The local board of trustees shall develop, with stakeholder input, a district mission and vision that aligns to the district graduate profile.~~

~~(5) The local board of trustees with meaningful stakeholder involvement shall establish and implement policies that:~~

~~(a) provide for the safety and well-being of all students;~~

~~(b) emphasize student learning and each student's growth;~~

~~(c) allow for personalized and proficiency-based learning models; and~~

~~(d) establish other policies for the effective operation of the school district.~~

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

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

REASON: The proposed amended rule would incorporate the district's strategic plan with the integrated action plan for cohesion. It would remove duplicate language that is embedded throughout the chapter and streamlining the local board of trustees' policies and procedures to require school districts to comply with all local, state, and federal laws and regulations, while prioritizing policies for safety, student learning, and community engagement. It would elevate meaningful family and community engagement as a partnership between school communities and families based on best practices and principles that keep the focus on the learner and core beliefs about engagement. The amended rule would provide for mentorship and induction while updating the model based on research models and best practices.

10.55.702 LICENSURE AND DUTIES OF DISTRICT ADMINISTRATOR – DISTRICT SUPERINTENDENT (1) through (1)(a) remain the same.

(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~~ 10.57.114.

(2) through (3) remain the same.

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

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

REASON: The proposed amended rule would update cross-references to reflect proposed amendments in other rules.

10.55.703 LICENSURE AND DUTIES OF SCHOOL PRINCIPAL (1) through (1)(a) remain the same.

(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~~ 10.57.114.

(2) remains the same.

(3) The principal shall carry out the district's policies and procedures, provide instructional leadership that allows for personalized and proficiency-based learning models, engage in strategic planning and school improvement, intentionally engage families and community members, ensure a positive school climate, and be responsible for the effective day-to-day operation of the school, including the management of finances, materials, and human resources to maximize student learning outcomes.

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

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

REASON: The proposed amended rule would expand the role of the principal to include personalized and proficiency-based learning, and strategic planning with community and family involvement to maximize student learning.

10.55.704 ADMINISTRATIVE PERSONNEL: ASSIGNMENT OF DISTRICT SUPERINTENDENTS (1) The assignment of licensed superintendents for all configurations of school systems shall be determined by the local board of trustees, who recognize that in order to have a quality school system, leadership and leadership stability matter. The employment, assignment, functions, and duties of superintendents must comply with 20-4-401 MCA, 20-4-402 MCA and 20-3-207 MCA. based upon full-time equivalency (FTE) and shall be assigned as follows:The local board of trustees shall hire a district superintendent when:

(a) It is the operation of a County High School, except the trustees may employ a Class 3 holder with a district superintendent endorsement as the county high school principal in lieu of a superintendent.

(b) The trustees of any high school district that operates under a separate board of trustees due to alternate methods of electing members of the high school board of trustees and the trustees of the elementary district where its high school building is located shall jointly employ and appoint a district superintendent.

(c) Whenever a joint board of trustees has been formed by a county high school and the elementary district where the county high school is located, the joint board shall jointly employ and appoint a district superintendent.

(d) The trustees of any other district may employ and appoint a district superintendent or when practicable seek the services of the county school superintendent as outlined in 20-3-207, MCA to assist with the supervision or other support requirements identified by the county superintendent (e.g., employ a principal, subcontract with a licensed superintendent).

(2) When a district superintendent is employed, the trustees shall enter into a minimum of a one-year negotiated contract with the superintendent but can negotiate up to three-years. Renewal of contracts must comply with 20-4-401, MCA.

(3) Based on the enrollment of a school system and the scope, functions, and duties of the superintendent, the district superintendent is encouraged to recommend to the local board of trustees the assignment of additional staff (e.g., assistant superintendents, coordinators, directors, supervisors) to assist with the operation of the school district to provide a quality education that results in actualized learning outcomes and the safety and wellness of students.

~~(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) (4) School systems with 100 or more full-time equivalency (FTE) 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: Mont. Const. Art. X, sec. 9, 20-2-114, 20-2-121, 20-7-101, MCA

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

REASON: The proposed amended rule would empower local school districts to determine leadership staffing (principals and superintendents) per school and instructional program. Through local control districts can strategically assign leadership staff to programs while ensuring the needs of students are met. It would align the assignment of superintendent to comply directly with 20-4-401 MCA, 20-4-402 MCA, and 20-3-207 MCA. The amended rule would encourage the district superintendent to recommend to the local board of trustees the assignment of additional administrative staff.

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. The assignment of licensed school administrators/principals for all configurations of school systems shall be recommended by the district superintendent or county superintendent to the local board of trustees based on the scope, functions, and duties of the administrator/principal outlined in 10.55.703, who recognize that in order to have a quality school system, leadership and leadership stability matter. Further it is recognized that principals and assistant principals are the school leaders whose impact is second only to the classroom teacher in quality student learning outcomes and the safety and well-being of students.

(a) Local board of trustees may employ a principal/superintendent combination to lead their school districts.

(b) Local board of trustee shall ensure that administrator/principal duties shall be met through the employment of a superintendent/principal or, where practicable, seek the needed services of the county superintendent in a school district with fewer than 125 students.

(c) A school district must assign licensed school administrator/principal full or partial FTE based on scope, function, and responsibilities for a school district with an enrollment of 125 students or more.

~~(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.

Dependent on the student enrollment of the school and the scope, function, and responsibility of a principal/administrator, local boards of trustees are encouraged to set staffing levels of principals/administrators that will provide a quality education that results in learning outcomes and supports the safety and wellness of students.

(a) Trustees may employ and assign a principal/superintendent combination to lead their school districts;

(b) Trustees may assign a supervising teacher and/or county superintendent to fill the duties of the principal in schools; or

(c) Trustees may assign a licensed school administrator/principal at a partial or full-time equivalency.

(3) No individual principal assigned pursuant to the ratios in (2) may be assigned as more than 1.0 FTE. Additional administrator/principal FTE may be recommended by the district or county superintendent to the local board of trustees for consideration at any time during the school-year.

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

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

REASON: The proposed amended rule would empower local school districts to determine leadership staffing (principals and superintendents) per school and instructional program. Through local control, districts can strategically assign leadership staff to programs while ensuring the needs of students are met.

10.55.706 TEACHER INVOLVEMENT (1) Teachers should use their professional judgment and measures of student growth and proficiency to provide engaging and highly effective to deliver high-quality instruction to all students based on individual need.

(2) remains the same.

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

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

REASON: The proposed amended rule would establish that professional judgment alone is insufficient in providing engaging and effective instruction; the judgment must be informed by student growth and challenges that formative assessment and multiple measures of learning uncover.

10.55.707 TEACHER AND SPECIALIST LICENSURE (1) through (1)(a) remain the same.

(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~~ 10.57.114.

(2) remains the same.

(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 ARM ~~10.55.607~~ 10.57.114.

(4) through (4)(a) remain the same.

(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~~ 10.57.114.

(5) remains the same.

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

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

REASON: The proposed amended rule would update cross-references to reflect proposed amendments in other rules.

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~~ 10.57.114.

(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.

(5) ~~No teacher shall have more than 28 hours of assigned student responsibility per week except for one-, two-, and three-teacher schools.~~

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

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

REASON: The proposed amended rule would update cross-references to reflect proposed amendments in other rules that transfer internships to Chapter 57, removes the unnecessary guidance in paragraph 3, and removes paragraph 5 because it relates to local control for working condition negotiations.

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

- (a) .5 FTE for schools with 126-250 students;
- (b) 1 FTE for schools with 251-500 students;
- (c) 1.5 FTE for schools with 501-1000 students;
- (d) 2 FTE for schools with 1001-1500 students;
- (e) 2.5 FTE for schools with 1501-2000 students;
- (f) 3 FTE for schools with 2001 or more students.

Each school must have a library media and literacy information program aligned to the content standards in ARM 10.53.1201 and the program standards in ARM 10.55.1801 that results in student learning outcomes for media and information literacy.

~~(2) Schools of fewer than 126 students shall employ or contract with a licensed and endorsed school library media specialist.~~

Based on the needs of the district, in concert with national and state program standards, the superintendent must recommend to the local board of trustees the assignment of library media staff to provide library media and information literacy services that result in the knowledge, skills, and dispositions students need by:

- (a) employing licensed and endorsed library media specialist(s); or
- (b) contracting with a licensed and endorsed school library media specialist;

or

(c) utilizing a consortium, multidistrict agreement, interlocal cooperative, or
(d) utilizing any other cooperative method that is authorized to secure these services.

~~(3) If a district has fewer than 126 students, the district may utilize a consortium, multidistrict agreement, or interlocal cooperative to secure these services.~~

AUTH: Mont. Const. Art. X, sec. 9, 20-2-114, 20-2-121, 20-7-101, MCA
IMP: Mont. Const. Art. X, sec. 9, 20-2-121, 20-3-106, 20-7-101, MCA

REASON: The proposed amended rule would adjust the determination of staffing for licensed and endorsed library media services to local district discretion. Districts are best suited to allocate staff appropriately to meet the needs of students through program services. It also would connect the delivery of library media specialist services to student outcomes.

10.55.710 ASSIGNMENT OF SCHOOL COUNSELING STAFF (1) A minimum equivalent of one full-time counselor for each 400 elementary (K-8) students shall be provided. The counselor/student ratio shall be prorated.

Each school must have a school counseling program for K-12 students aligned to delivery standards in ARM 10.55.1901 and national counselor and student standards. The school system will assess the need for student supports that result in the knowledge, skills, and dispositions students need to:

- (a) address mental health, safety, and well-being;
- (b) achieve academic success and college and career readiness; and

(c) develop the mindsets and behaviors as identified in the national school counseling standards.

~~(2) A minimum equivalent of one full-time counselor for each 400 high school students (including grades 7 and 8 if high school funding is received) shall be provided. The counselor/student ratio shall be prorated.~~

Based on the needs of the district in concert with national and state standards the superintendent must recommend to the local board of trustees the assignment of counseling staff based on the capacity of individual counselors to provide school counseling programming and services by:

(a) employing licensed school counselor(s) or Class 6 specialist(s); or

(b) contracting licensed school counselor(s) or Class 6 specialist(s); or

(c) utilizing a consortium, multidistrict agreement, or interlocal cooperative to secure these services; or

(d) utilizing any other cooperative method that is authorized to secure these services.

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

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

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

REASON: The proposed amended rule would adjust the determination of staffing for counseling program services to local district discretion. Districts are best suited to allocate staff appropriately to meet the needs of students through program services. It also would connect the delivery of school counseling services to student outcomes. The amended rule would empower districts to establish staffing based on capacity of the counselor to deliver services that result in student outcomes. It would require school district superintendents to recommend to local board of trustees the need for additional staff to supplement the school counselor staff based on student needs and populations.

10.55.712 CLASS SIZE: ELEMENTARY (1) through (4) remain the same.

~~(5) The school district must provide additional human resources when exceeding maximum class sizes. Instructional aides are mandatory when class size or teacher load exceed the standards. An instructional aide shall be assigned a minimum of 1 1/2 hours per day, per student overload up to six hours.~~

~~(6) An overload of no more than five students per classroom is considered excessive.~~

AUTH: Mont. Const. Art. X, sec. 9, 20-2-114, 20-2-121, 20-7-101, MCA
IMP: Mont. Const. Art. X, sec. 9, 20-2-121, 20-3-106, 20-7-101, MCA

REASON: The proposed amended rule would, by managing class sizes, recognize teacher's direct impact on learners and that the teacher is the most vital employee in the schools. The research is clear that teacher effectiveness is the #1 indicator of student success. The amended rule would prioritize instructional responsibilities of teachers and provide flexibility for local school districts to determine the resources needed when elementary classrooms are overloaded.

10.55.714 PROFESSIONAL DEVELOPMENT (1) Professional development:

(a) shall be aligned with the district graduate profile and educational goals outlined in the district integrated action plan described in 10.55.601 objectives;

(b) is focused to enable educators to ensure that safety, well-being, and mental health of students is provided;

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

(c)(d) focuses on individual, collegial, and organizational learning, reflection, and growth improvement;

(d)(e) respects and nurtures the intellectual and leadership capacity of teachers, principals, and others in the school community by incorporating active learning and adult learning theory;

(e)(f) reflects proven research and demonstrates models of effective practice in teaching, learning, and leadership;

(f)(g) enables teachers to develop further experience in subject content, teaching strategies, uses of technologies, and other essential elements in teaching to high standards;

(g)(h) promotes continuous inquiry and improvement embedded in daily life of schools offers opportunities for feedback and reflection;

(h)(i) is ongoing and sustained;

(i)(j) is planned collaboratively by those who will participate in and facilitate that development;

(j)(k) requires substantial time, and other resources, and where practical provides coaching and expert support;

(l) is job-embedded to encourage teachers to meet, share, collaborate, and grow their practice;

(k)(m) is driven by a coherent long-term plan; and

(m)(n) 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) through (2)(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, which is a required component of the integrated action plan outlined in 10.55.601.

(a) The advisory committee shall include, but not be limited to, trustees,

administrators, and teachers. A majority of the committee shall be teachers.

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

(3)(c) through (3)(g) remain the same.

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

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

REASON: The proposed amended rule would align professional development to the comprehensive district strategies that improve learner outcomes that are vital to each student developing their full educational potential. It would emphasize the need for professional development for educators that ensure safety, well-being, and mental health of students. The amended rule also would update professional development with best practices.

10.55.716 SUBSTITUTE TEACHERS (1) 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) The district shall consider the information obtained from the results of the fingerprint-based background check under the provisions of Title 37, chapter 1, part 2, MCA, governing the licensure of criminal offenders and under 20-4-110, MCA. Conviction, including conviction following a plea of nolo contendere, a conviction in which the sentence is suspended or deferred, or any other adjudication treated by the court as a conviction, may be considered by the district as grounds for removal from the classroom if the conviction was for a sexual offense, theft, or any other crime meeting the criteria of Title 37, chapter 1, part 2, MCA.~~

~~(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: Mont. Const. Art. X, sec. 9, 20-2-114, 20-2-121, 20-4-102, 20-7-101, MCA

IMP: Mont. Const. Art. X, sec. 9, 20-2-121, 20-3-106, 20-4-102, 20-7-101, MCA

REASON: The proposed amended rule would align to the current legal requirements for background checks. I also would updating rule to account for the passing of time from 2002 to 2022.

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) successful completion of the National Literary Braille Competency Test~~
successful completion of a program, for teaching visually impaired students, from an approved educator preparation program as defined in 10.57.102; or

~~(b) successful completion of the Braille competency test developed by Portland State University (Braille Literacy Usage Exam) National Certification in Unified English Braille Test and maintenance of that certificate; or~~

~~(c) successful completion of Library of Congress transcriber's certificate the Unified English Braille Exam (Washington State School for the Blind) and ongoing maintenance; or~~

~~(d) successful completion of a program, for teaching visually impaired students, from an accredited college or university~~
successful completion of the Literary Braille Transcribing Course available through National Federation of the Blind.

(2) The employing agency (school district and/or cooperative) is responsible for:

(a) monitoring appropriate assignment of personnel under (1);

(b) assuring personnel working towards certification are making adequate gains in their coursework; and

(c) assuring maintenance of certification.

(3) through (6) remain the same.

(7) If a paraprofessional, who has not successfully met the requirements found in (1), is assigned to work with a student who has a visual impairment, the paraprofessional will be supervised by the ~~district's designated~~ special education teacher in collaboration with a teacher of the visually impaired who holds a credential from an ~~accredited university approved educator preparation program as defined in ARM 10.57.102~~. In addition, the assigned paraprofessional and the school district shall meet the requirements contained in (1) within two years of the date a student with a visual impairment has been identified as in need of Braille instruction and/or materials.

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

IMP: Mont. Const. Art. X, sec. 9, 20-1-121, 20-2-121, 20-3-106, 20-7-101, 20-7-475, MCA

REASON: The proposed amended rule would update the rule to current national certifications and courses. It would emphasize the importance of on-going maintenance of certification and skills. The amended rule would specify the supervision of a paraprofessional to the designated special education teacher. It also would update and align specialized programs (Braille and Sign Language instruction) to Chapter 57 certification requirements.

10.55.718 ASSIGNMENT OF PERSONS PROVIDING SIGN LANGUAGE INTERPRETING FOR STUDENTS WHO ARE DEAF OR HARD OF HEARING (1)

through (4) remain the same.

(5) Employees who have met the requirements in (1) and who seek to remain eligible to work as educational sign language interpreters are responsible for documenting a completion of 12 clock hours of professional development and/or Office of Public Instruction ~~renewal~~ professional development units per calendar year related to the improvement of educational interpreting, performance, and knowledge skills. Such individuals will provide documentation of completion to their employing school district, cooperative, or contracting agency.

(6) remains the same.

AUTH: Mont. Const. Art. X, sec. 9, 20-2-114, 20-2-121, 20-7-101, MCA
IMP: Mont. Const. Art. X, sec. 9, 20-2-121, 20-3-106, 20-7-101, MCA

REASON: The proposed amended rule would align with Chapter 57, changing renewal units to professional development units.

10.55.721 HAZARD AND EMERGENCY PLANS (1) A local board of trustees shall adopt a policy addressing a school safety plan or emergency operations plan. The plan required by this rule shall be periodically reviewed with stakeholder input and updated as determined necessary by the trustees based on changing circumstances pertaining to school safety.

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

AUTH: Mont. Const. Art. X, sec. 9, 20-2-114, 20-2-121, 20-7-101, MCA
IMP: Mont. Const. Art. X, sec. 9, 20-2-121, 20-3-106, 20-7-101, MCA

REASON: The proposed amended rule would include stakeholder input as part of the review.

10.55.801 SCHOOL CLIMATE (1) through (1)(b) remain the same.

(c) offer programs and services which, in content and presentation, endeavor to be free of stereotyping in terms of aptitude, ability, age, sex, religion, race, color, sex, culture, social national origin or condition, or political or religious ideas, with prejudice toward none, ~~or handicapping condition;~~

(1)(d) through (1)(h) remain the same.

(i) measure school climate through a valid and reliable tool to understand student, staff, family, and community perceptions of climate in their school and make data-driven decisions about programs and practices that could improve school climate.

AUTH: Mont. Const. Art. X, sec. 9, 20-2-114, 20-2-121, 20-7-101, MCA
IMP: Mont. Const. Art. X, sec. 9, 20-2-121, 20-3-106, 20-7-101, MCA

REASON: The proposed amended rule would expand the types of stereotypes to align with Article II, Section 4 Individual Dignity of the Constitution of Montana and would mirror the individual characteristics in the proposed amendments to 10.55.802. It would add an assessment component to school

climate to ensure that schools make improvements where necessary because there is a correlation between school climate and student outcomes.

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 aptitude, ability, race, color, sex, culture, social origin or condition, or political or religious ideas, with prejudice toward none. This includes, but is not limited to, programs, facilities, educational materials, curriculum, counseling, library services, and extracurricular activities.

~~AUTH: Montana Constitution, Article II, Section 4, Mont. Const. Art. II, sec. 4, Art. X, sec. 9, 20-2-114, 20-2-121, 20-7-101, MCA~~

~~IMP: Montana Constitution, Article II, Section 4, Mont. Const. Art. II, sec. 4, Art. X, sec. 9, 20-2-121, 20-3-106, 20-7-101, MCA~~

REASON: The proposed amended rule would include aptitude and ability as important elements in respecting the dignity of every person and guaranteeing equality of educational opportunity in the educational setting.

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 that ensure each learner has access to the following: ~~assessing the educational needs of its students:~~

(a) high quality instruction provided by a qualified educator that meets each of the following criteria:

(i) students are engaged in authentic learning experiences that tie to their interests;

(ii) students are all included in activities and given equal opportunity;

(iii) uses formative and interim assessments to guide instruction;

(iv) supports student metacognition, self-assessment, and reflection; and

(v) provides opportunities for individual self-direction and decision making;

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

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

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

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

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

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

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

~~(a) provide learning experiences matched to student's' 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) provide opportunities for individual self-direction and decision making;~~

~~(f) provide equal access to learning resources; (g) provide instructional materials 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: Mont. Const. Art. X, sec. 9, 20-2-114, 20-2-121, 20-7-101, MCA

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

REASON: The proposed amended rule would update learner access language to focus on what learners need that ensures learner safety, growth, well-being, and learning outcomes. I would include the need to appropriately assess and supply technology for each student.

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, and create a supportive learning environment.

~~(2) through (3) remain the same.~~

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

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

REASON: The proposed amended rule would add a supportive learning environment because it is key to a learner's personalized experiences.

10.55.901 BASIC EDUCATION PROGRAM: ELEMENTARY (1) An elementary school shall have an education program aligned to the program area standards that the content standards and content-specific ~~grade-level~~ grade-band

learning progressions and recognizes the distinct and unique cultural heritages of American Indians.

(2) Instruction in reading literacy and writing literacy shall be incorporated into all required and elective program areas as required in the Montana Content Standards, ARM 10.53.101.

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

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

REASON: The proposed amended rule would include the constitutional mandate for Indian Education For All within basic education programs requirements for elementary, middle, and high school. It would expand grade-level learning progressions to grade-band based on proficiency-based learning models. The amended rule also would add reading and writing literacy for incorporation into all required and elective program areas, which matches the middle and high school program rules.

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 the content standards and content-specific grade-level grade-band learning progressions and recognizes the distinct and unique cultural heritages of American Indians.

(2) Instruction in reading literacy and writing literacy shall be incorporated into all required and elective program areas as required in the Montana Content Standards, ARM 10.53.101. ~~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) approach instruction, scheduling, and teaching in a variety of ways;~~

~~(ii) undertake interdisciplinary work; and~~

~~(iii) plan blocks of coursework deriving from the intellectual, social, emotional, and physical needs of middle school students.~~

~~(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;~~

(3)(d) includes, at At a minimum, the following program areas, as aligned with ARM 10.55.603 and ARM 10.55.1001 are required of all students yearly:

(i)(a) English language arts;

(ii)(b) mathematics;

(iii)(c) physical and life sciences;

~~(iv)(d) social studies; and
(v)(e) health and physical enhancement education; and
(f) elective/exploratory offerings at the discretion of the local board of trustees
to provide a minimum of three of the following:~~

~~(i) arts (visual arts, media arts, theater arts, music, and dance);
(ii) career and technical education;
(iii) computer science;
(iv) world languages; and
(v) exploratory courses for example: math exploration, science exploration,
business, creative writing, financial education, photography, and leadership.~~

~~(e) at a minimum maintains the following required program areas:~~

~~(i) visual arts including, but not limited to art history, art criticism, aesthetic perception, and production;~~

~~(ii) music including, but not limited to general, instrumental, and vocal (emphasizing comprehensive music elements, music history, criticism, aesthetic perception, and musical production);~~

~~(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) world languages.~~

~~(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) social studies--1 unit;~~

~~(iii) mathematics--1 unit;~~

~~(iv) science--1 unit; and~~

~~(v) health enhancement--1/2 unit.~~

~~(c) All students must be allowed to elect from the following program area offerings:~~

~~(i) visual arts--1/2 unit;~~

~~(ii) music--1/2 unit;~~

~~(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.~~

~~(e) Time to pass between classes may be counted toward the standard school day but shall not be counted toward class time.~~

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

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

REASON: The proposed amended rule would Including the constitutional mandate for Indian Education For All within basic education programs requirements for Elementary, Middle, and High School. It also would expand grade-level learning progressions to grade-band based on proficiency-based learning models. The amended rule would simplify the middle school requirements to be in alignment with elementary and high school programming. It would expand sciences from physical and life to all sciences which also includes earth and space science. It also would update health enhancement to current content language, which is health and physical education. The amended rule would provide flexibility and local control for board of trustees to determine at a minimum of three elective/exploratory offerings for middle school. It also would remove the duplicate language for junior high and placing within middle school program offerings.

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 the content standards and content-specific ~~grade-level~~ grade-band learning progressions and recognizes the distinct and unique cultural heritages of American Indians.

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

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

(a) 4 units of English language arts;

(b) 3 units of mathematics;

(c) 3 units of science;

(d) 3 units of social studies (including ½ unit Civics or Government).

(e) 2 units of career and technical education;

(f) 2 units of arts;

(g) 1 unit of health ~~enhancement~~ and physical education;

(h) 2 units of world languages; ~~and~~

(i) 2 units of electives; ~~and~~

(j) ½ unit of economics or financial literacy within the 3 units of social studies, the 3 units of math. or the 2 units of career and technical education.

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

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

REASON: The proposed amended rule would include the constitutional mandate for Indian Education for All within basic education programs requirements for elementary, middle, and high school. I would list the current name of the Montana Content Standards. The amended rule would enhance high school program offerings to include Civics/Government and Economic or Financial Literacy. Flexibility would be built in to allow local school districts to determine if they would provide Economic or Financial Literacy within Social Studies, Mathematics, or CTE courses.

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 the content standards and content-specific grade-level grade-band learning progressions. Students may demonstrate achievement through a flexible system of pupil-centered learning.

(2) In order for students to graduate, they must to meet the content and performance standards; The the following 13 units shall be part of the 20 units. The required units may be satisfied by an equivalent course that meets the district's curriculum and assessment requirements, which are aligned with each of the content standards required for all students to graduate:

- (a) 4 units of English language arts;
- (b) 2 units of mathematics;
- (c) 2 units of social studies (including a ½ unit of Civics or Government);
- (d) 2 units of science;
- (e) 1 unit of health ~~enhancement~~ and physical education with 1/2 unit each year for two years;
- (f) 1 unit of art;
- (g) 1 unit of career and technical education; and
- (h) ½ unit of economics or financial literacy within the 2 units of social studies, the 2 units of mathematics, or the 1 unit of career and technical education.

(3) Units of credit earned in any Montana high school accredited by the Board of Public Education shall be accepted by all Montana high schools.

(4) In accordance with the policies of the local board of trustees, students may be graduated from high school with less than four years enrollment.

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

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

REASON: The proposed amended rule would highlight a proficiency-based model and existing flexibility for high school graduation units to be earned with an equivalent course that meets the district's curriculum and assessment requirements. I would enhance high school graduation requirements to include Civics/Government and Economic or Financial Literacy. The recommended change would be within the existing required 20 credits, not addition to. Flexibility would be built in to allow local school districts to determine if they would provide Economic or Financial Literacy within Social Studies, Mathematics, or CTE courses. The amended rule would remove the requirement that health and physical education occur with ½ unit each year for two years to provide more flexibility for student schedules.

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 or demonstration of an equivalent course that meets the district's curriculum and assessment requirements, which are aligned with each of the content standards.

(1)(b) through (4)(a) remain the same.

AUTH: Mont. Const. Art. X, sec. 9, 20-2-114, 20-2-121, 20-7-101, MCA
IMP: Mont. Const. Art. X, sec. 9, 20-2-121, 20-3-106, 20-7-101, MCA

REASON: The proposed amended rule would ensure alignment to ARM 10.55.905.

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~~ grade-band 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) Except as provided in (3)(a), teachers of distance, online, and technology-delivered learning programs shall be licensed and endorsed in Montana or elsewhere in the area of instruction taught. ~~with such license granted as a result of the completion of an accredited professional educator preparation program as defined in ARM 10.57.102(3)~~. School districts receiving distance, online, and technology-delivered learning programs described in this rule shall have a distance learning facilitator for each course and available to the students.

(a) When a teacher of distance, online, and technology-delivered learning programs and/or courses does not possess the qualifications specified in (3), the facilitator must be licensed and endorsed in Montana or elsewhere in the area of instruction facilitated. ~~with such license granted as a result of the completion of an accredited professional educator preparation program as defined in ARM 10.57.102(3)~~.

(3)(b) through (4) remain 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

(5)(c) remains the same.

AUTH: Mont. Const. Art. X, sec. 9, 20-2-114, 20-2-121, 20-7-101, MCA
IMP: Mont. Const. Art. X, sec. 9, 20-2-121, 20-3-106, 20-7-101, MCA

REASON: The proposed amended rule would expand grade-level learning progressions to grade-band based on proficiency-based learning models. It also would set the timeline for an annual requirement that allows districts to meet the requirement within the data reporting time frame rather than at additional timeframes and remove unnecessary language. Setting the timeline for an annual

requirement would allow districts to meet the requirement within the data reporting time frame rather than at additional timeframes.

10.55.908 SCHOOL FACILITIES (1) through (2) remain the same.

(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 state or federal accessibility standards.

(4) through (6) remain the same.

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

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

REASON: The proposed amended rule would add state accessibility standards for facilities, because state rules may impact local district decisions for school facilities beyond federal guidelines.

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~~ grade-band learning progressions.

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

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

REASON: The proposed amended rule would expand grade-level learning progressions to grade-band based on proficiency-based learning models.

10.55.1003 PROGRAM FOUNDATION STANDARDS (1) remains the same.

(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~~ grade-band learning progressions. All programs shall follow the content standards in the ~~accreditation~~ administrative rules of Montana. The local board of trustees shall:

(a) meet the following conditions:

(2)(a)(i) through (2)(b)(vi) remain the same.

(vii) integrate information literacy skills and technology tools, ~~and workplace competencies~~ to support learning in all curricular areas; and

(2)(b)(viii) remains the same.

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

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

REASON: The proposed amended rule would change that language from accreditation to administrative because content standards are in ARM chapter 53 and 54, not the accreditation standards.

10.55.1101 COMMUNICATION ARTS ENGLISH LANGUAGE ARTS AND

LITERACY (1) In general, a basic program in ~~communication~~ English language arts and Literacy shall:

(a) meet the following conditions:

(i) ~~promote literacy and language excellence in the spoken, written, and visual form; and reading, writing, speaking, and listening for creative and purposeful expression in language;~~

(ii) engagement with high-quality literary and informational text that build knowledge, expand experiences, and broadens views; and

(iii) emphasize reasoning and use of evidence that is essential for deliberation;

~~(ii)~~ (iv) make available a variety of print and non-print materials encompassing fiction and non-fiction, classic and contemporary works, and diverse perspectives including Montana American Indian works; and

(v) promote critical reading that is necessary to navigate the vast amount of information available both in print and digitally; and

(b) include the following practices:

(i) integrate reading, literature, writing, speaking, listening, and media literacy with a balanced approach supported by current research and/or based on best practices in the field of ~~communication~~ English language arts and Literacy;

(1)(b)(ii) through (1)(b)(vi) remain the same.

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

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

REASON: The proposed amended rule would more closely align to the major themes in the content standards for English Language Arts. The catchphrase would be updated to English Language Arts and Literacy.

10.55.1301 HEALTH AND PHYSICAL EDUCATION ENHANCEMENT

PROGRAM DELIVERY STANDARDS (1) In general, a basic health and physical education ~~enhancement~~ program shall:

(a) meet the following conditions:

(i) maintain class size in accordance with other curriculum areas;

(ii) focus on the knowledge and skills necessary to maintain a healthy lifestyle;

(iii) integrate and include components of the traditional "health" and "physical education" disciplines;

(iv) maintain a program that meets the educational requirements of health and physical education ~~enhancement~~; and

(v) provide for the participation of all students in a health and physical education program; and

(vi) maintain adequate first aid materials and communication device capabilities; and

(1)(b) through (1)(b)(iv) remain the same.

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

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

REASON: The proposed amended rule would update the program standard title, while recognizing physical education and a corollary component of Health Enhancement. It also would include language from ARM 10.55.1302 regarding participation.

10.55.1701 CAREER AND VOCATIONAL/TECHNICAL EDUCATION PROGRAM DELIVERY STANDARDS (1) through (1)(b)(iii) remain the same.

(iv) leadership, ~~and~~ character development, ~~and~~ character, and employability skills through participation in career and technical student organizations (CTSOs);

(1)(b)(v) remains the same.

(vi) integration of career and ~~vocational/~~technical competencies with academic knowledge in a contextual setting.

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

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

REASON: The proposed amended rule would remove the term vocational, which is not a current term utilized within Career and Technical Education. It also would update the career and technical student organization requirements to include employability skills, like professionalism, teamwork, critical thinking, oral and written communication, leadership and more, which helps students develop career readiness and employability skills that have value across industries and career fields.

10.55.1801 LIBRARY MEDIA AND INFORMATION LITERACY PROGRAM DELIVERY STANDARDS

The rule remains the same.

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

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

REASON: The proposed amendment would change the catchphrase to match the content standards that were adopted in 2021.

10.55.1901 SCHOOL COUNSELING PROGRAM DELIVERY STANDARDS

(1) In general, school counseling shall:

(a) meet the following conditions:

(i) provide a comprehensive, preventive, and developmentally planned program to all students systematically;

(ii) develop and implement a counseling program based on data-informed decision making;

~~(ii)~~(iii) advocate for all students and encourage students to develop to their full potential;

~~(iii)~~(iv) respect the worth and dignity of all individuals by building trust and respecting confidentiality; ~~and~~

(v) value and respond to the diversity and individual differences in communities in a culturally and responsive way; and

~~(iv)~~(vi) contribute as an integral part of the education process that is delivered through a variety of systems by school staff, students, parents, business, and industry.

(b) include the following practices:

(1)(b)(i) remains the same.

(ii) develop, implement, and assess a guidance curriculum aligned with the American School Counselor Association (ASCA) national model which includes the student standards for success, mindsets, and behaviors which is presented through structured groups and classroom presentations;

(1)(b)(iii) through (1)(b)(iv) remain the same.

(v) provide system support through management, consultation with staff, community outreach, and public relations; and collaborate with families, community stakeholders, and other educators to create environments resulting in positive impact on student achievement, attendance, and discipline.

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

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

REASON: The proposed amended rule would align to the national standards, ensuring that national research is incorporated in the delivery standards. See <https://www.schoolcounselor.org/getmedia/a8d59c2c-51de-4ec3-a565-a3235f3b93c3/SC-Competencies.pdf>.

10.55.2101 WORLD LANGUAGES PROGRAM DELIVERY STANDARDS (1) through (1)(b)(ii) remain the same.

~~(iii) build an authentic cultural ambiance~~ gain understanding of the cultural perspectives of the target culture.

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

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

REASON: The proposed amended rule would provide clarity and understanding on where the program would focus and be understood.

5. The Board of Public Education proposes to repeal the following rules:

10.55.711 GENERAL: CLASS SIZE AND TEACHER LOAD

AUTH: 20-2-114, MCA

IMP: 20-2-121, MCA

REASON: The proposed repeal would eliminate the unnecessary description of a minimum class size.

10.55.1302 HEALTH ENHANCEMENT PARTICIPATION

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

REASON: The proposed repeal would eliminate the duplicative requirement, the substance of which has been proposed to be amended into 10.55.1301.

6. The Board of Public Education proposes to transfer the following rule[s]:

<u>OLD</u>	<u>NEW</u>	
10.55.607	10.57.114	INTERNSHIPS

AUTH: Mont. Const. Art. X, sec. 9, 20-2-114, 20-2-121, 20-7-101, MCA
IMP: Mont. Const. Art. X, sec. 9, 20-2-121, 20-3-106, 20-7-101, MCA

REASON: The proposed transfer would keep the rule language as is but move to Chapter 57, where it better fits.

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: McCall Flynn, Executive Director, Board of Public Education, 46 N Last Chance Gulch, Suite 2B; PO Box 200601, Helena, MT 59620-0601; telephone (406) 444-0300; fax (406) 444-0847; or e-mail mflynn@mt.gov, and must be received no later than 5:00 p.m., Month Day, 2022.

8. McCall Flynn, Executive Director, 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 agency. 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 #7 above or may be made by completing a request form at any rules hearing held by the Board of Public Education.

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.

12. With regard to the requirements of 2-4-111, MCA, the Board of Public Education has determined that the amendment of the above-referenced rules will not significantly and directly impact small businesses.

/s/ McCall Flynn
McCall Flynn
Rule Reviewer

/s/ Tammy Lacey
Tammy Lacey
Chair
Board of Public Education

Certified to the Secretary of State [Month Day, 20##].

Elsie Arntzen, Superintendent

PO Box 202501
Helena, MT 59620-2501
406.444.5643
In-State Toll-free: 1.888.231.9393
TTY Users: 406.444.0235
opi.mt.gov

OFFICE OF PUBLIC INSTRUCTION
STATE OF MONTANA



Putting Montana Students First **A+**

Final Report of Proposed Amendments, Repeals, Transfers and New Rules to the Administrative Rules of Montana, Chapter 55, Standards of Accreditation

July 22, 2022

Prepared for: The Montana Board of Public Education

Recommendations of the State Superintendent of Public Instruction received through the Negotiated Rulemaking Process

Prepared by:

- Julie Murgel, Chief Operating Officer, Montana Office of Public Instruction
- Sharyl Allen, Deputy Superintendent, Montana Office of Public Instruction

Overview

The Superintendent of Public Instruction launched an amendment process for the Administrative Rules of Montana (ARM) 10, Chapter 55, Standards of Accreditation, in the fall of 2020. This document provides for consideration of the Montana Board of Public Education (BPE) the Superintendent's recommended amendments to Chapter 55. It includes an introduction to Montana's school accreditation standards; a summary of the research and review activities that informed the Superintendent's consideration and deliberation with stakeholders; the Superintendent's proposed amendments, consisting of both the rationales for the amendments and their proposed specific language (i.e., "redlines"); and a draft economic impact statement for the proposed amendments as required by Montana Code Annotated (MCA) § 2-4-405.

Contents

Introduction..... 3
 Historical Context..... 3
Summary of Research and Review Activities 4
 Research Phase 4
 Review Phase 7
 Negotiated Rulemaking..... 10
Superintendent’s Recommended Amendments to ARM 10, Chapter 55..... 11
 Conceptual Framework..... 11
Appendix: Negotiated Rulemaking Committee Addendums 105

Introduction

The Superintendent of Public Instruction, supported by staff of the Montana Office of Public Instruction (OPI), launched a comprehensive, multi-year amendment process for ARM 10, Chapter 55, Standards of Accreditation in the fall of 2020 to better ensure Montana’s school accreditation standards provide all Montana students with access to a **quality educational program** that will develop their **full educational potential** and preserve the **cultural heritages of American Indians**¹. The accreditation standards guide student learning success and include rules on curriculum, class sizes, teacher and staff qualifications, program delivery standards, and student learning assessments. Per § 20-7-101, MCA amendments to standards of accreditation for all schools must be adopted by the BPE upon the recommendation of the Superintendent.

Historical Context

Montana has had school accreditation standards since 1947, making it a pioneer in having documented standards for elementary and secondary schools and one of few states that accredit at the school level versus the district level. The preface of the 1976 accreditation standards described their purpose as to:

*Establish a measure of adequacy by specifying for schools the ‘minimum’ upon which a quality educational program can be built. Second, they serve to insure the size, scope, and quality of the minimum educational program available to the citizens of the state.*²

Over time, Montana’s accreditation standards have undergone many changes. Before 1972, accreditation standards determined funding for accredited schools. In 1976, the definition above was articulated and the standards focused on assessing “how much/how many” of specific program components (e.g., inputs) a school has in place. At this time, the standards were formatted into “minimum” and “recommended” standards.

In 1988, the decision in the court case *Helena School District v. State of Montana* stated that the accreditation standards were minimum standards only and did not define the basis for defining quality education³. Additional litigation in subsequent years identified that the components of a quality education were still undefined, resulting in the Montana legislature in 2005 codifying a “basic system of free quality public elementary and secondary schools” in § 20-9-309, MCA, as “the educational program specified by the accreditation standards provided for in § 20-7-111”⁴, MCA. As § 20-9-309, MCA included a requirement to have a procedure to assess and track student achievement, the standards, which had until then only included a set of minimum inputs for schools. Thus, the standards were updated in 2012 to include minimum output standards for school assessment scores and graduation rates.

Montana’s accreditation standards have continued to be revised over time to meet the changing educational landscape. The amendments to ARM 10, Chapter 55 proposed in this document are focused on further defining the essential and ideal contributors to **quality schools** and supporting schools to continually improve to **put Montana students first**.

¹ Constitution of the State of Montana, Article X, Education and Public Lands.

² As quoted in Morton, C., & Erickson, C. (2018). *A Basic System of Free Quality Education: Montana Public Schools 1972-2012*. University of Montana Press.

³ <https://static1.squarespace.com/static/53ab63e1e4b0cb2b67560152/t/55ef378ee4b0c69cd5ef1ac9/1441740686418/Helena-Elementary-Decision.pdf>

⁴ https://leg.mt.gov/bills/mca/title_0200/chapter_0090/part_0030/section_0090/0200-0090-0030-0090.html

Summary of Research and Review Activities

As guided by the rule-making policy of OPI⁵ and summarized in Table 1 below, the Superintendent and OPI staff organized and implemented a series of formal and informal, internal, and external research and stakeholder engagement activities to facilitate the development of proposed amendments to ARM 10, Chapter 55.

Table 1: ARM 10, Chapter 55 Amendment Timeline⁶

Research (OPI)	Review (OPI)	Negotiated Rulemaking (OPI)	Review of Proposed Amendments & Economic Impact (BPE)	Review of Proposed Amendments & Economic Impact (cont'd) (Education Interim Committee)	Montana Administrative Procedure Act (MAPA) process (BPE)	Implementation
August 2019–October 2021	November 2021-May 2022	January–June 2022	July–August 2022	September 2022	TBD	July 2023

The first three steps (Research, Review, Negotiated Rulemaking) are described in detail below. The remaining steps in the process are under the purview of the BPE and the Education Interim Committee of the Montana State Legislature, although OPI staff will support the BPE and Interim Committee members as they carry out their responsibilities in considering the Superintendent’s proposed amendments and moving forward those recommendations that they accept. Throughout the research, review, and Negotiated Rulemaking steps, OPI staff engaged staff of the BPE as observers and key informants, including inviting them to serve as ex-officio representatives of the review and Negotiated Rulemaking phases.

Research Phase

Beginning in the summer of 2019, the Montana Office of Public Instruction (OPI) conducted preliminary research to guide the Chapter 55 review and revision process. As a first step, OPI staff, with the assistance of staff from the Region 17 Comprehensive Center, collected and reviewed existing school quality and accountability rules in Montana to identify potential opportunities for refinement. Inputs for this review included current Montana state laws and regulations related to accreditation, such as Montana Code Annotated (2017); Administrative Rules of Montana (Section 10, Chapters 42, 53, 55); and documents related to comprehensive school improvement guidelines prepared by OPI and submitted to the U.S. Department of Education as required under the federal Every Student Succeeds Act (ESSA)⁷. Additional inputs included OPI administrative data related to accreditation, such as data from OPI’s Terms of Employment, Accreditation, and Master Schedule (TEAMS) database, and research collected by the Region 17 Comprehensive Center on the school accreditation policies and practices of other states.

Through this review, areas of misalignment and opportunities for enhancements for Montana’s accreditation standards were identified. Specifically, three key opportunities were articulated:

⁵<https://opi.mt.gov/Portals/182/Page%20Files/School%20Accreditation/N%20Rulemaking%2010.55.701/Negotiated%20Rulemaking%20Process%20Overview%201-17-2019.pdf?ver=2019-01-23-133811-320>

⁶ Shared as information item at BPE meeting on 11/18/21

⁷ See “[Putting Montana’s Students First: Montana’s Consolidated State Plan](#)”

1. Ensure alignment between state and federal accountability policies and standards.

Public schools in Montana are subject to two separate accountability standards and processes: (a) the accreditation process and (b) accountability under Montana's Elementary Every Student Succeeds Act (ESSA) plan⁸. This creates competing models of quality for schools to adhere to, possible confusion related to indicators of school quality, and inefficiencies in resources that are devoted to school support. This provides an opportunity for Montana to create cohesion between the measures and indicators of quality identified within federal education law and the quality standards that comprise the education accreditation program standards identified in the ARMs to facilitate a more effective and efficient school-support model.

2. Ensure coherence and a focus on student outcomes.

The review identified a lack of coherence in Montana's accreditation program standards, including contradictions and redundancies and a mix of clear legal standards with professional guidelines that are difficult to assess, as well as a need to bring more coherence to the standards to increase their utility. It was noted that the OPI works together with stakeholders to periodically revise school accreditation standards, but only the instructional content standards (i.e., what students should know and be able to do) are on a regular revision calendar. Conducting an initial thorough review and codifying a regular review schedule of the standards of accreditation would be beneficial to correct discrepancies and add more emphasis on student outcomes.

3. Base accreditation standards on the most current research and evidence about school quality and improvement.

The Montana accreditation standards include some ideas that evidence has proven untrue and/or are not inclusive of the current understanding of several important dimensions of schooling. At minimum, there is a need to bring the Chapter 55 standards of accreditation and Montana's plan for ESSA into alignment, but there is also room to upgrade, innovate and potentially transform rules and processes that are not in service of school improvement or student success. While the standards of accreditation place the authority and responsibility for meeting the standards on the local board of trustees, the standards encompass most aspects of schooling, with funding tied directly to the accreditation standards. In addition, flexibility for innovation may be limited, an important consideration in light of the passage of Montana House Bills 351 and 387, both of which focus on increasing flexibility for schools to personalize student learning opportunities.

In the Spring of 2020, OPI staff began a review of school accreditation and reasons for specific deviations over a period beginning in the 2016/17 and ending in the 2020/21 school year to gain further insights into the impact of Montana's accreditation standards at the school level. The results of this review indicated the number of schools in each category of accreditation status remained relatively stable (see Figure 1). Similarly, excluding 2020/21 when student performance assessment was not evaluated due to COVID-19, accreditation status based on student performance remained stable over the same period (see Figure 2). During this five-year period the most frequent deviations occurred related to class overload and misassigned or non-licensed teachers (see Figure 3). A spike in occurrences for deviations related to non-licensed and misassigned teachers were documented in 2020/21.

⁸ <https://opi.mt.gov/Portals/182/ESSA/ESSAPlan.pdf?ver=2020-07-21-174024-567>

Figure 1: Montana School Accreditation Status from 2016/17 to 2020/21

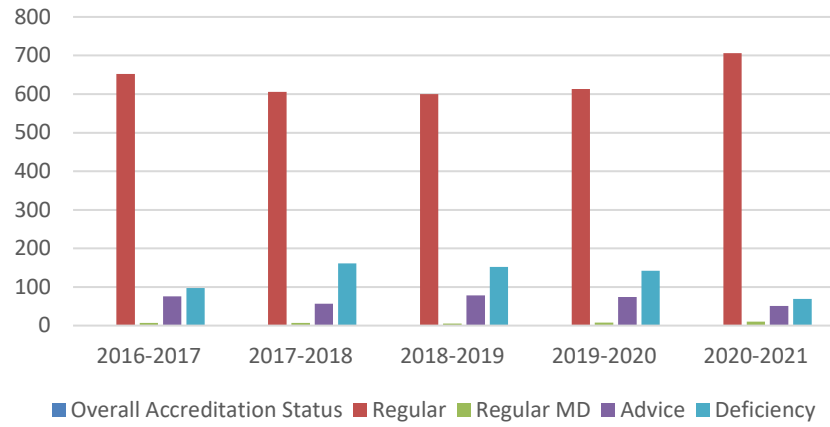


Figure 2: Montana School Student Performance Accreditation Status from 2016/17 to 2020/21

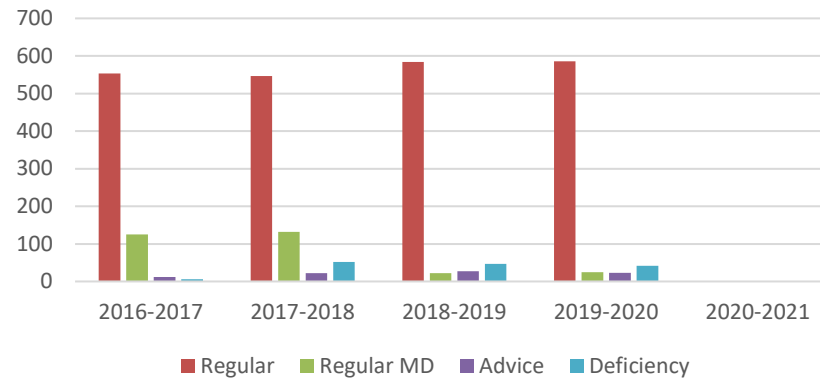
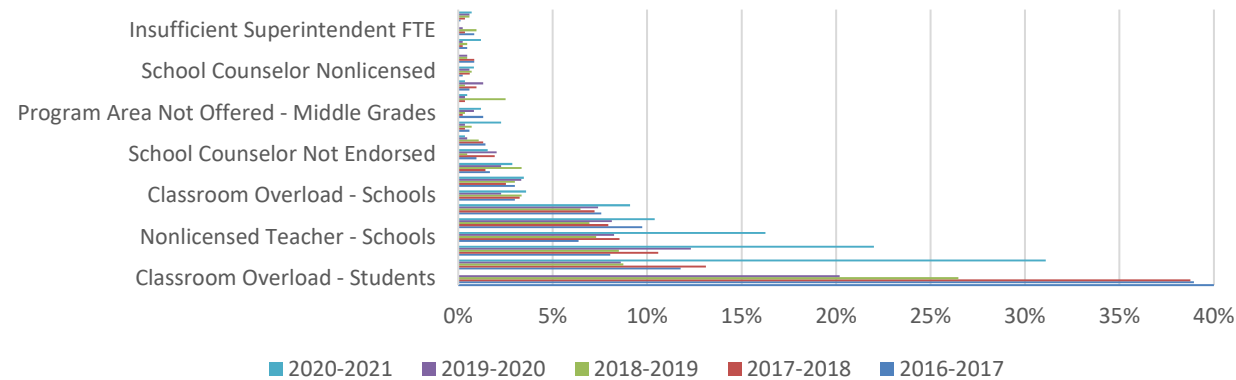


Figure 3: Percent of Montana Schools Having an Occurrence of the Twenty Most Common Deviations 2016/17 to 2020/21



The OPI also commissioned a review of accreditation and accountability policies for Alaska, Arizona, Colorado, Idaho, North and South Dakota, Utah, Washington, and Wyoming. This review provided an overview of state accreditation policies, practices, and providers (if applicable) and a review of state federal accountability policies. Findings from the report identified much differentiation in how states approach accreditation and accountability. Many states require accreditation for secondary schools but not for elementary. A common identified accreditation practice was for accreditation to be a requirement, but the process of fulfilling accreditation certification is facilitated by local education agencies through third parties.

Review Phase

Informed by the research and opportunities for revision identified in the research phase described above, the Superintendent launched and OPI staff facilitated an informal, internal review process to review the research phase outputs and solicit from OPI staff and educators across the state feedback and suggestions to further articulate and refine the Superintendent’s proposed amendments. The Superintendent convened a “School Quality Task Force” composed of selected Montana education stakeholders (see Attachment C for a list of Task Force Members) to make initial recommendations to the Superintendent. The task force initial recommendations informed the Superintendent’s recommendations for the Negotiated Rule-Making Committee (NRC) commissioned by the Superintendent as required by §20-7-101, Montana Code Annotated (MCA). (see “Negotiated Rulemaking” section below).

The members of the Task Force met 11 times through both virtual and in-person meetings and work sessions convened between January and May of 2022 and facilitated by OPI staff with support from staff of the Region 17 Comprehensive Center. Task Force members participated in varied brainstorming, reflection, and application activities organized to surface emerging opportunities and needs in Montana schools that amendments to Chapter 55 could potentially address or enhance—consistent with and respectful of Montana’s tradition of

local control—with a special focus on:

- Articulating the **essential elements of quality schools**;
- Ensuring a **meaningful accreditation process** that goes beyond “check the box” compliance and balances indicators of inputs (program standards) and outcomes (student performance standards) without overburdening district and school resources;
- Increasing the transparency, accountability, and responsibility for both OPI and districts and schools in how they **respond to accreditation findings and outcomes**; and
- Using the accreditation process to support continuous school improvement and innovation more effectively.

The Task Force generated two primary deliverables: an informal, non-scientific field survey that was programmed and administered by OPI to identify emerging needs and perspectives among educators across the state related to accreditation and solicit their specific recommendations for potential revisions to Chapter 55 accreditation standards; and a conceptual framework for an initial set of proposed amendments providing both a high-level rationale and proposed revision language (i.e., “redlines”) for consideration by the Superintendent.

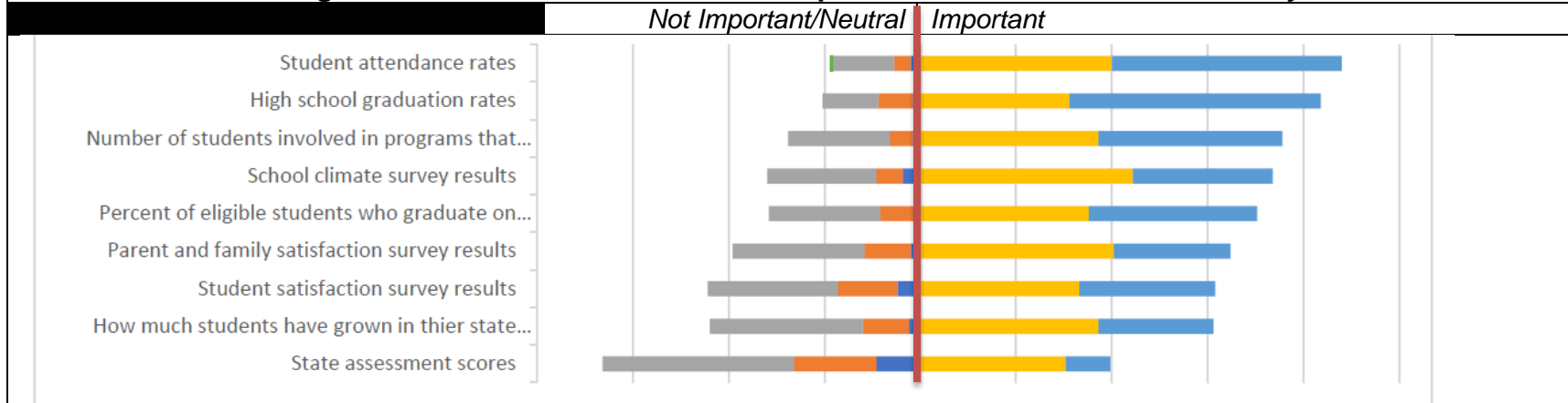
Two-hundred and seventy-one persons responded to the field survey developed by the Task Force (see Figure 4). Respondents were presented a list of items related to umbrella topic areas and asked to identify on a scale of one to five (1 = not important, 5 = very important) the importance of the specific item in relation to **school quality**. Specific questions on the survey asked respondents to provide their perception of importance for items associated with *school performance* (see Figure 5), *school staff*, and *school policy and programs* and their relation to school quality (see Figure 6 and Figure 7). Survey results were shared with the Task force on March 22nd and again on April 21st, 2022.

Figure 4: Accreditation Stakeholder Survey Respondents

Role	Count
PK-12 teacher or staff member	112
School building administrator (e.g., principal)	33
Parent/Guardian of a PK-12 Student	34
School district administrator (e.g., supervisor, superintendent)	24
Community member	17
Higher education faculty or staff member	17
Other:	16
Retired educational professional	8
School district board member/trustee	5
PK-12 Student	4
Business leader	1
TOTAL	271

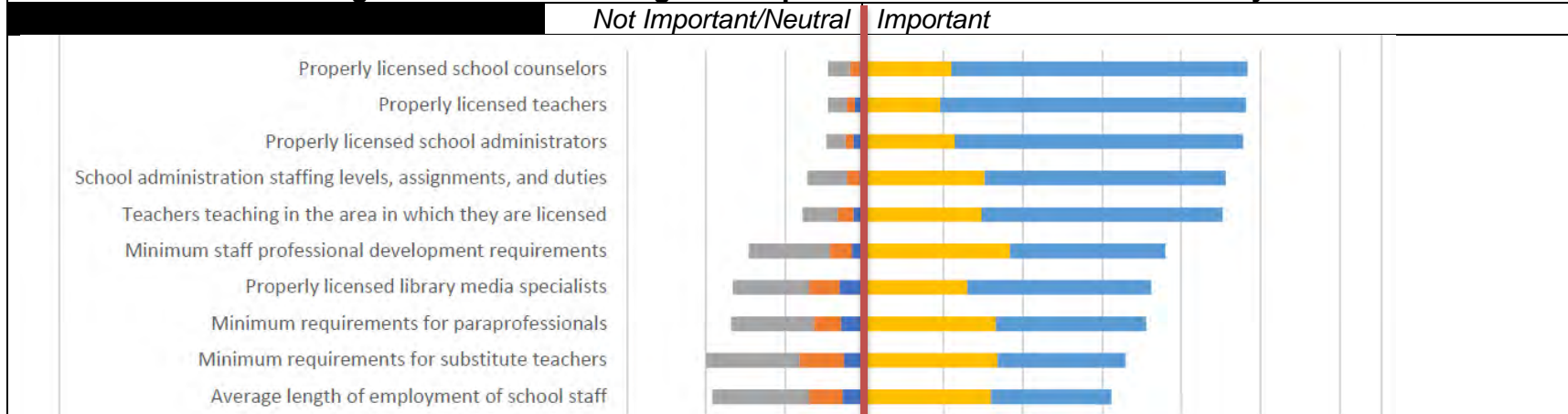
On average, none of the presented items were identified as not important. However, under the topic of school performance, *state assessment scores* were, on average, rated the lowest (average response 3.1, standard deviation 1.1), and *student attendance and high school graduation rates* were rated the highest (average response 4.2, standard deviation 1.0). In relation to school quality and school staff, the *average length of employment and minimum requirements for substitute teachers* were rated lowest (average response 3.7, standard deviation 1.1), and *properly licensed teachers and school counselors* were rated the highest (average response 4.6, standard deviation 1.0). Related to school policy/programs *school board trustees’ policy requirements* was rated lowest (average response 3.6, standard deviation 1.2), and *ensuring all students have equal access to an education that meets their needs* rated highest (average response 4.7, standard deviation 1.0).

Figure 5: School Performance Item Importance Related to School Quality

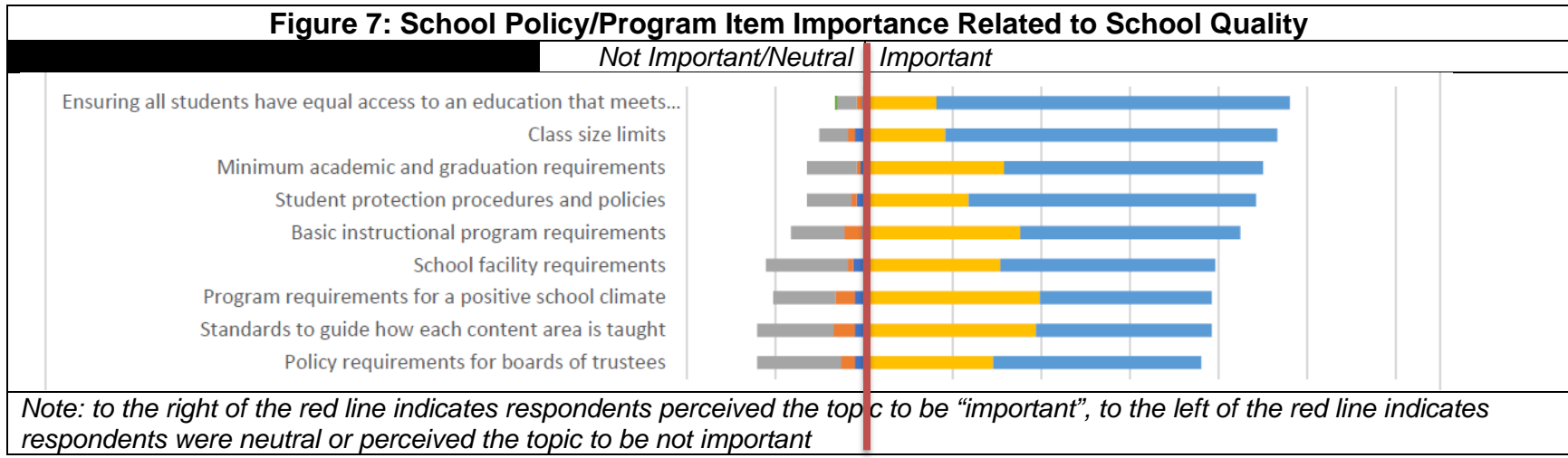


Note: to the right of the red line indicates respondents perceived the topic to be "important", to the left of the red line indicates respondents were neutral or perceived the topic to be not important

Figure 6: School Staffing Item Importance Related to School Quality



Note: to the right of the red line indicates respondents perceived the topic to be "important", to the left of the red line indicates respondents were neutral or perceived the topic to be not important



The emerging recommendations prepared by the Task Force as its second deliverable were submitted periodically to the Superintendent and shared with the NRC. Of the existing 58 individual rules within Chapter 55, the task force recommended changes to 8 of the individual rules. The Task Force submitted its final recommended revisions and rationales for them to the Superintendent for her consideration in late May.

Although not required, OPI staff facilitated the Task Force convenings and maintained Task Force meeting notes, video recordings, and work products consistent with public/open meeting requirements and best practices to assure the public of the transparency of the process and the method and inputs by which the Superintendent formulated her final proposed amendments. These outputs were archived and/or linked to from OPI’s public website⁹.

Negotiated Rulemaking

As required by §20-7-101, Montana Code Annotated (MCA) and building on the contributions and outputs of the research and review phases, the Superintendent convened an ARM 10, Chapter 55 Negotiated Rulemaking Committee to undertake an expanded public-engagement and consensus making process of her recommended amendments. The NRC met 13 times between February and July 2022 through a combination of virtual and in-person meetings and work sessions and was facilitated by an attorney appointed by the Montana Department of Justice. The Committee convenings overlapped for several months with those of the School Quality Task Force to support the Superintendent with the pre-work and emerging recommendations generated by Task Force members. Consistent with Montana’s public meeting laws, convenings of the Committee and the resulting notes, video recordings, and work outputs were posted publicly on the OPI website⁹.

⁹ See <https://opi.mt.gov/School-Quality-Task-Force-Negotiated-Rulemaking>

Superintendent’s Recommended Amendments to ARM 10, Chapter 55

The Superintendent’s recommended revisions to ARM 10, Chapter 55 are based on a thoughtful consideration of the myriad and intersecting conditions, inputs, challenges, and opportunities confronting public schools in Montana. They are informed by the research and stakeholder input collected through the methods described above. The following two sections provide (respectively) the high-level rationales for the Superintendent’s final recommended amendments and the proposed detailed revision language to be added to, removed from, or incorporated into ARM 10, Chapter 55. It should be noted that through the consensus model of negotiated rulemaking, the Negotiated Rulemaking Committee negotiated 49 rules and reached consensus on changed language for 48 rules or a 98 percent consensus. The single unresolved rule returned to the superintendent for the recommended language for that rule.

Conceptual Framework

Table 2 below provides context for the detailed amendment language presented in the next section. This context includes observations, input, and insights generated or shared by members of the School Quality Task Force and the NRC, as well as the Superintendent’s own contributions based on her contact with and deliberations with education stakeholders, students and families, and the general public. They are organized and delineated by the indicated ARM subchapters.

Table 2: Conceptual Framework Guiding the Superintendent’s Proposed Amendments to ARM Chapter 55

ARMs Subchapter(s)	Conceptual Changes
ARM 10.55 Subchapter 6: General Provisions	<ul style="list-style-type: none"> • Remodeling the Continuous School Improvement Plan to an Integrated Action Plan. The Integrated Action Plan integrates and aligns all plans (including the local board of trustees’ strategic plan) that a district and schools are required to complete and provides an opportunity for a district to strategically utilize local, state, and federal resources in a cohesive, unified manner that leads to continuous improvement and positively impacts student learning outcomes. • Incorporating within the Integrated Action Plan a graduate profile, which is a collective vision that articulates the community’s aspirations for all students. • Shifting from an input system to an outcome-based model because inputs provide helpful criteria and indicate critical success factors in instructional design and managing programs—but they don’t tell us what works and is effective based on outcomes. • Emphasizing a proficiency-based learner model within the curriculum and assessment section. • Encouraging multiple measures determined at the local level to assess student learning progression, growth, and proficiency. • Redefining categories of accreditation from 5 to 3 categories: Accreditation with distinction, accreditation, and accreditation with probation. Raising the bar for accreditation to include a rating for exceeding expectations. • Separating charter school application from variance to standards rule to make a new rule and updated the language to focus on student performance outcomes. • Transferring internships to Chapter 57: Licensure, where its better fits with educator certificate requirements.

ARMs Subchapter(s)	Conceptual Changes
	<ul style="list-style-type: none"> • Modernizing and aligning all definitions to align with recommend rule changes.
<p>ARM 10.55 Subchapter 7: Leadership</p>	<ul style="list-style-type: none"> • Elevating meaningful family and community engagement as a partnership between school communities and families based on best practices and principles that keep the focus on the learner and core beliefs about engagement. • Recommending a new rule for mentorship and induction, while updating the model based on research models and best practices. • Expanding the role of the principal to include personalized and proficiency-based learning, and strategic planning with community and family involvement to maximize student learning. • Empowering local school districts to determine leadership staffing (principals and superintendents) per school and instructional program. Through local control districts can strategically assign leadership staff to programs while ensuring the needs of students are met. • Adjusting the determination of staffing for licensed and endorsed library media and counseling program services to local district discretion. Districts are best suited to allocate staff appropriately to meet the needs of students through program services. • Removing duplicate language that is embedded throughout the chapter and streamlining the local board of trustees' policies and procedures to require school districts to comply with all local, state, and federal laws and regulations, while prioritizing policies for safety, student learning, and community engagement. • Prioritizing instructional responsibilities of teachers and providing flexibility for local school districts to determine the resources needed when elementary classrooms are overloaded. • Aligning professional development to the comprehensive district strategies that improve learner outcomes is vital to each student developing their full educational potential. • Updating and aligning specialized programs (braille and sign language instruction) to Chapter 57 certification requirements.
<p>ARM 10.55 Subchapter 8: Educational Opportunity</p>	<ul style="list-style-type: none"> • Adding an assessment component to school climate, to ensure that schools make improvements where necessary because there is a correlation between school climate and student outcomes. • Updating learner access language to focus on what learners need that ensures learner safety, growth, well-being, and learning outcomes. • Adding the need to appropriately assess and supply technology for each student • Adding a new rule for English Language Learners that aligns with existing federal requirements.

ARMs Subchapter(s)	Conceptual Changes
ARM 10.55 Subchapter 9: Academic Requirements	<ul style="list-style-type: none"> Enhancing High School program offerings and graduation requirements to include Civics/Government and Economic or Financial Literacy. Both recommended changes would be within the existing required 20 credits not additional to. Flexibility has been built in to allow local school districts to determine if they would provide Economic or Financial Literacy within Social Studies, Mathematics, or CTE courses. Highlighting a proficiency-based model and existing flexibility for high school graduation units to be earned with an equivalent course that meets the district's curriculum and assessment requirements. Expanding grade-level learning progressions to grade-band based on proficiency-based learning models. Including the constitutional mandate for IEFA within basic education programs requirements for Elementary, Middle, and High School. Adding state to federal accessibility standards for facilities.
ARM 10.55 Subchapter 10: Program Area Standards	<ul style="list-style-type: none"> Updating Program Area standards to current content standards. Ex. Communicating Arts Program to English Language Arts and Literacy, removing Vocational from Career and Vocational Technical Education, and retitling Health Enhancement to Health and Physical Education. Aligning the counseling program delivery standards to current national program standards.

Current Rule	Red Line Changes	Rationale
<u>10.55.601</u> ACCREDITATION STANDARDS: PROCEDURES		
(1) The Board of Public Education adopts standards of accreditation upon the recommendation of the Superintendent of Public Instruction.	(1) The Board of Public Education adopts standards of accreditation upon the recommendation of the Superintendent of Public Instruction.	No change recommended in (1) and (2)
(2) The Board of Public Education and the Superintendent of Public Instruction establish procedures and schedules for reviewing the accreditation status of each school.	(2) The Board of Public Education and the Superintendent of Public Instruction establish procedures and schedules for reviewing the accreditation status of each school.	

<p>(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.</p> <p>(a) Each plan shall include:</p> <p>(i) a school district level education profile;</p> <p>(ii) the school district's educational goals pursuant to the requirements of ARM 10.55.701;</p> <p>(iii) a description of planned progress toward implementing all content and program area standards, in accordance with the schedule in ARM 10.55.603;</p> <p>(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</p> <p>(v) a professional development component, in accordance with ARM 10.55.714.</p> <p>(b) The local board of trustees shall report and submit their adopted continuous school improvement plan with the Superintendent of Public Instruction.</p> <p>(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.</p>	<p>(3) To ensure <u>a learner-centered system and establish a plan for</u> continuous education improvement, the school district and each of its schools shall develop, implement, <u>monitor,</u> and evaluate continuous-an integrated school improvement plans-action plan and make the <u>plans-plan publicly publically</u> available. <u>These plans To align with local context and needs, the district integrated action plan shall be developed every three years based on a comprehensive needs assessment with meaningful stakeholder input and feedback. The integrated action plan must be evaluated, and progress reviewed on a yearly basis to annually. The plan must clarify what specific steps must be taken to achieve the district graduate profile and</u> reflect a continuous improvement process.</p> <p>(a)(4) Each plan shall include:</p> <p>(i)(a) a school district level education profile <u>of a graduate as defined in 10.55.602(22);</u></p> <p>(b) <u>the school district's and each of its schools identified area(s) of need based on an analysis of school level comprehensive needs assessment;</u></p> <p>(c) <u>the school district's and each of school's desired outcomes that align with the district graduate profile;</u></p> <p>(ii)(d) the school district's educational goals for the school district and each school within the district; pursuant to the requirements of ARM 10.55.701;</p> <p>(e) <u>a description of the district and each school's evidence-based strategies, action steps, measures, success criteria, and evidence that are aligned with the graduate profile and will be implemented, monitored, and evaluated;</u></p> <p>(f) <u>a description of how the district and each of its schools will meet programmatic requirements of state and federal grants;</u></p> <p>(iii)(g) a description of planned progress toward implementing all content and program area standards, in</p>	<p>Remodeling the Continuous School Improvement Plan to an Integrated Action Plan. The Integrated Action Plan integrates and aligns all plans (including the local board of trustees' strategic plan) that a district and schools are required to complete and provides an opportunity for a district to strategically utilize local, state, and federal resources in a cohesive, unified manner that leads to continuous improvement and positively impacts student learning outcomes.</p> <p>Continuous improvement and school accreditation are both critical processes that lead to quality schools. A continuous improvement plan allows districts and schools to review student learning outcomes and determine areas of need for improvement.</p> <p>Continuous improvement is an ongoing process that requires strategic planning based on areas of need, desired outcomes, goals, strategies, and action steps that are implemented, monitored, and evaluated.</p> <p>Integrating and aligning all plans that a district and schools are required to complete provides an opportunity for a district to strategically utilize local, state, and federal resources in a cohesive, unified manner that leads to continuous improvement and positively impacts student learning outcomes.</p> <p>There are five key elements for a strategic plan that leads to continuous improvement that have been validated by research: establish a vision, conduct a needs assessment, identify goals, specific action steps, and involving all stakeholders in the process. (School Improvement Network, 2015).</p>
--	---	---

	<p>accordance with the schedule in ARM 10.55.603;</p> <p>(iv)(h) a description of strategies for assessing student progress toward meeting growth and proficiency of all content standards and content-specific learning progressions, pursuant to the requirements of ARM 10.55.603 and ARM 10.56.101; and</p> <p>(v)(i) a professional development, mentoring, induction, and evaluation component, in accordance with ARM 10.55.714, 10.55.723, and 10.55.724;</p> <p>(j) a description of strategies for family and community engagement, in accordance with ARM 10.55.722;</p> <p>(k) a description of strategies to maintain and enhance a school climate, in accordance with ARM 10.55.801;</p> <p>(l) a description of a learning model(s) aligned to the graduate profile; and</p> <p>(m) a description of strategies for gifted and talented, special education, English learners in accordance with 10.55.804, 10.55.805, and 10.55.806;</p> <p>(b)(5) The local board of trustees shall report and submit their adopted continuous-integrated school improvement action plan to the Superintendent of Public Instruction.</p> <p>(e)(6) The Superintendent of Public Instruction shall develop and implement procedures necessary to monitor and evaluate the effectiveness of the implementation of the continuous-integrated improvement action plan of each school district and its schools.</p>	<p>The Integrated Action Plan contains a graduate profile, which is a collective vision that articulates the community's aspirations for all students.</p> <p>“The single most powerful thing a school or district can do to redefine student success is to adopt or develop a profile of a graduate.” Edutopia-Boss, Ken Kay, Suzie Doss 8/16/2021</p>
<p>(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.</p>	<p>(4)(7) To ensure learner centered systems and continuous educational improvement the Superintendent of Public Instruction shall provide guidance, resources, and evaluation to assist in the implementation of district and school-integrated action plans to improve teaching and learning outcomes for all students.</p>	<p>Shifting from an input system to an outcome-based model because inputs provide helpful criteria and indicate critical success factors in instructional design and managing programs—but they don't tell us what works and is effective based on outcomes.</p>

<u>10.55.602 DEFINITIONS</u>		
For the purposes of this chapter, the following terms apply:	For the purposes of this chapter, the following terms apply:	Modernizing and aligning all definitions to align with recommend rule changes.
(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) "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.	
(2) "Assessment" means the gathering, organizing, and evaluation of information about student learning in order to monitor and measure the effectiveness of the instructional program.	(2) "Assessment" means the gathering, organizing, and evaluation of information about student learning <u>progression, growth, and proficiency</u> in order to monitor and measure the effectiveness of the instructional program.	
(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 ©Subchapter 10, Program Area Standards, ARM 10.55.1001 through 10.55.1003 .	(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 10.55.608 ; (b) Subchapter 7, School Leadership, ARM 10.55.701 through 10.55.719 10.55.724 ; (c) Subchapter 8, Academic Requirements Educational Opportunity , ARM 10.55.801 through 10.55.805 10.55.806 ; (d) Subchapter 9, Educational Opportunity Academic Requirements , ARM 10.55.901 through 10.55.910; and (e) Subchapter 10, Program Area Standards, ARM 10.55.1001 through 10.55.1003 10.55.2201 .	
(4) "Asynchronous" means not occurring at the same time. "Asynchronous" refers to instruction and communication between participants (i.e., students and teachers) that occur at different times.	(4) "Asynchronous" means not occurring at the same time. "Asynchronous" refers to instruction and communication between participants (i.e., students and teachers) that occur 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-	(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.	101(4) , MCA.	
NEW DEFINITION	<u>(5) “Charter school” means a publicly funded school that may be exempt from assurance standard(s) or a section(s) of an assurance standard as defined in ARM 10.55.602(3). A charter school operates under the supervision and control of a locally elected board of trustees in an existing school district.</u>	
DEFINITION MOVED FROM 10.55.602 (41) AND RENAMED	(41) <u>(6)</u> “Class 6 Specialist” means a person with a Class 6 Specialist license in a nonteaching role of school psychologist or school counselor.	
(6) “Class 8 license” means an educator license as defined in ARM 10.57.102 .	(6) <u>(7)</u> 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.	(7) <u>(8)</u> “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.	
NEW DEFINITION	<u>(9) “Community engagement” means the partnership between members of the community and schools that may share resources and volunteer to support student well-being and learning development.</u>	
NEW DEFINITION	<u>(10) “Comprehensive needs assessment” means a process that is used to identify district and school area(s) of need, the root causes of identified gaps, set priorities, and inform an action plan for improvement.</u>	
NEW DEFINITION	<u>(11) “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.</u>	
(8) “Content standard” means what all students should know, understand, and be able to do in a specific content area.	(8) <u>(12)</u> “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	(9) <u>(13)</u> “Corrective plan” means a systematic procedure and timeline for resolving deviations from regular	

status.	accreditation <u>when a school has an accredited with probation</u> status.	
(10) "Deviation" means a citation of noncompliance with any given standard.	(10) (14) "Deviation" means a citation of noncompliance with any given standard.	
(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.	(11) (15) "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.	(12) (16) "Distance learning" means instruction in which students and teachers are separated by time and/or , location, or both 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.	
NEW DEFINITION	<u>(17) "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 college faculty member must have an appropriate license and endorsement in the subject taught or a Class 8 license.</u>	
(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	(13) (18) "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. © "Concurrent enrollment" means the district offers these courses during the school day and they are taught by district	

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.	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.	
(14) "Endorsement" means an official indication on a license of the subject area(s) and/or specialized program area(s) for which the holder of the license is authorized to	(14) (19) "Endorsement" means an official indication on a license of the subject area(s) and/or, specialized program area(s), <u>or both</u> for which the holder of the license is authorized to practice in Montana accredited schools.	
in Montana accredited schools.		
(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.	(15) (20) "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.	
NEW DEFINITION	<u>(21) "Family engagement" means a partnership with shared responsibility among families, educational staff, and community groups to promote each student's learning, well-being, and development of full educational potential during their entire K-12 experience.</u>	
NEW DEFINITION	<u>(22) "Graduate profile" means a learner centered model(s) based on a shared vision of learner attributes that students should have when they graduate.</u>	
NEW DEFINITION	<u>(23) "Graduation rate" means a calculation based on the four-year adjusted cohort graduation rate for all students and for each student group.</u>	
(16) "Independent elementary school district" means a district organized for the purpose of providing public education for all or any combination of grades kindergarten through 8.	(16) (24) "Independent elementary school district: means a district organized for the purpose of providing public education for all or any combination of grades kindergarten through 8.	
(17) "Indian Education for All" means the constitutionally declared policy of this state to recognize the distinct and	(17) (25) "Indian Education for All" means the constitutionally declared policy of this state to recognize the	

<p>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:</p> <p>(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</p> <p>(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.</p>	<p>distinct and unique cultural <u>heritage heritages</u> of American Indians and to be committed in its educational goals to the preservation of their cultural <u>heritage heritages</u>. Implementation of these requirements ensures:</p> <p>(a) every Montanan, Indian or non-Indian, is encouraged to learn about the distinct <u>heritage heritages</u> and contributions of Montana tribal groups and governments in a culturally responsive manner; and</p> <p>(b) every educational agency shallmust work cooperatively with Montana tribes to provide means by which school personnel will gain an understanding of and appreciation for American Indian people.</p>	
<p>(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:</p> <p>(a) the design, implementation, and assessment of learner progress; and</p> <p>the evaluation of the effectiveness of learning programs and related services for children.</p>	<p>(18)<u>(26)</u> "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:</p> <p>(a) the design, implementation, and assessment of learner progress; and</p> <p>(b) the evaluation of the effectiveness of learning programs and related services for children.</p>	
<p>NEW DEFINITION</p>	<p><u>(27) "Integrated action plan" means a district plan that ensures a learner centered system and continuous improvement that reflects local context and needs, is based on school level comprehensive needs assessment, incorporates stakeholder input and feedback, and aligns plans across required state and federal programs.</u></p>	
<p>(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.</p>	<p>(19)<u>(28)</u> "Intensive assistance" means a required process for schools in continuous or serious deficiency accreditation<u>accredited with probation</u> status. Such schools have failed to develop or implement an approved corrective plan to remedy accreditation deviations within the designated timeline.</p>	
<p>(20) "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</p>	<p>(20)<u>(29)</u> "Internship" as provided for in ARM 10.55.607<u>10.57.114</u> means an agreement between a fully licensed Class 1, 2, or 3 educator, the school district, and a Montana</p>	

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 .	accredited educator preparation program. Internships are permitted in endorsement areas approved by the Board of Public Education in ARM 10.57.412 and 10.57.413-10.57.414 to 10.57.419 .	
(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 20-6-101 , MCA.	(21)(30) "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 20-6-101, MCA.	
NEW DEFINITION	(31) "Learning model" means <u>the learning experiences student engage in and teachers facilitate that are aligned to the desired attributes of a graduate profile.</u>	
(22) "Learning progression" means the specific performance expectations in each content area at each grade level from kindergarten through grade 12.	(22)(32) "Learning progression" means the specific performance expectations in each content area at each and grade-level-grade-band 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.	(23)(33) "Licensure" means <u>a certificate certification issued or applied for under 20-4-101, et seq., MCA. 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.</u>	
(24) "Literacy" means learning to read, write, speak, listen, and use language effectively.	(24)(34) "Literacy" means <u>constructing and validating knowledge in specific content areas which includes interpretation and learning with language, numeracy, and media. learning to read, write, speak, listen, and use language effectively.</u>	
NEW DEFINITION	(35) "Measure" means <u>a way to assess the level of proficiency on a performance indicator aligned to the district graduate profile.</u>	
(25) "Middle grades" means grades 4 through 9.	(25)(36) "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	(26)(37) "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,	

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.	MCA and includes passing time between classes. Minimum aggregate hours does <u>do</u> not include lunch time and periods of unstructured recess, as defined in 20-1-101, MCA.	
(27) "Minimum requirement" means groups of 10 or more students.	(27) <u>(38)</u> "Minimum requirement" means groups of 10 or more students.	
(28) "Misassignment" means a licensed educator/specialist teaching outside their endorsed teaching area(s) and/or level (elementary K-8 and secondary 5-12).	(28) <u>(39)</u> "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.	(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.	(30) <u>(40)</u> "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.	
NEW DEFINITION	<u>(41) "Offsite instructional setting" means an instructional setting at a location, separate from a main school site, where a school district provides for the delivery of instruction to a student who is enrolled in the district.</u>	
(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.	(31) <u>(42)</u> "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.	
NEW DEFINITION	<u>(43) "Personalized learning" means to:</u> <u>(a) develop individualized pathways for career and postsecondary educational opportunities that honors individual interests, passions, strengths, needs, and culture;</u> <u>(b) support through relationships among teachers, family, peers, the business community, postsecondary education officials, and other community stakeholders;</u> <u>(c) embed community-based, experiential, online, and</u>	

	<u>work-based learning opportunities; and</u> <u>(d) foster a learning environment that incorporates both face-to-face and virtual connections.</u>	
NEW DEFINITION	<u>(44) "Postsecondary and workforce readiness" means the knowledge, skills, and dispositions that a student has attained prior to completing a high school program.</u>	
(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 ARM 10.55.607 .	(32) <u>(45) "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 ARM 10.55.607-10.57.114.</u>	
NEW DEFINITION	<u>(46) "Professional Development" means adult learning that increases educator effectiveness and learning outcomes for all students.</u>	
NEW DEFINITION	<u>(47) "Proficiency-based learning" means systems of instruction, assessment, and academic reporting that are based on students demonstrating that they have learned the knowledge and skills as outlined in the state content standards.</u>	
NEW DEFINITION	<u>(48) "Proficient" means that a student demonstrated a high level of knowledge and skills that are expected to be learned signaling that a student is well prepared to progress on the learning continuum aligned to the content standards, learning progressions, and necessary readiness skills.</u>	
(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: 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) <u>(49) "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 <u>and physical education</u>, mathematics, science, social studies, career and technical education, technology <u>integration, workplace competencies, computer science</u>, library media <u>and information literacy</u>, world languages, and school counseling.</u>	

<p>(34) "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.</p>	<p>(34)(50) "Program delivery standards" means the conditions and practices school districts are required to provide ensuring that every student is afforded <u>equal</u> educational opportunities to learn, develop, and demonstrate achievement in content standards and content-specific grade-level<u>grade-band</u> learning progressions.</p>	
<p>NEW DEFINITION</p>	<p><u>(51) "Pupil instruction" means the conduct of organized instruction of learning opportunities for pupils enrolled in public schools while under the supervision of a teacher.</u></p>	
<p>(35) "Pupil instruction day" means a school day when organized instruction is conducted with students under the supervision of a teacher.</p>	<p>(35)(52) "Pupil instruction day" means a school day when organized instruction is conducted with students under the supervision of a teacher.</p>	
<p>(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.</p>	<p>(36)(53) "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.</p>	
<p>(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.</p>	<p>(37)(54) "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.</p>	
<p>(38) "School administrator" means a person who is a part of the school's administrative or supervisory staff and</p>	<p>(38)(55) "School administrator" means a person who is a part of the school's administrative or supervisory staff and</p>	

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 .	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 10.55.607.10.57.114 .	
(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. "School district" shall refer to all state-funded special purpose schools that are accredited under this chapter.	(39)(56) "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. "School district" shall refers 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. (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)(57) "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; (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	(41) "Specialist" means a person with a Class 6 Specialist license in a nonteaching role of school psychologist or school counselor.	
NEW DEFINITION	<u>(58) "Stakeholder Engagement" means a measurable, inclusive, intentional, and ongoing process of communicating to, learning from, and partnering with stakeholders to best support continuous school improvement and learning outcomes for all students.</u>	
NEW DEFINITION	<u>(59) "Stakeholders" means community members who are involved and invested in districts, schools, programs, and outcomes for students. Stakeholders include students,</u>	

	<u>families, educators, leaders, business and community leaders, and the many partners who support them.</u>	
(42) "State accountability system" means academic measures within the annual meaningful differentiation process and the other state defined indicators.	(42) (60) "State accountability system" means <u>federally mandated</u> academic measures <u>and Montana defined flex indicator(s)</u> within the annual meaningful differentiation process and the other state defined indicators.	
NEW DEFINITION	<u>(61) "Student growth" means changes in student learning as measured from one point in time to another as determined by state or local measures, or both. The federal accountability system uses a growth model to demonstrate student learning across time as measured by statewide assessments.</u>	
(43) "Student performance standards" means minimum 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) (62) "Student performance standards" means minimum standards of a quality education, which the measures measurement of student <u>performance proficiency</u> on annual state level summative assessments and graduation rates used to determine the accreditation status of a school.	
(44) "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 .	(44) (63) "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, 10.57.114	
(45) "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).	(45) (64) "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).	
(46) "Teacher" means a person, except a district superintendent, who holds a valid Montana educator license issued by the Superintendent of Public Instruction	(46) (65) "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.	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.	
(47) "Technology-delivered learning" means instruction and content delivered via digital technologies (e.g., online, CD-ROM, DVD-ROM, or learning experiences that involve primarily the use of computers).	(47) (66) "Technology-delivered learning" means instruction and content <u>digitally</u> delivered via <u>digital</u> technologies. (e.g., online, CD-ROM, DVD-ROM, or learning experiences that involve primarily the use of computers).	
(48) "Variance to standard" means an alternate approach to meeting or exceeding the minimum standards.	(48) (67) "Variance to standard" means an alternate approach to meeting or exceeding the minimum standards.	
NEW DEFINITION	(68) <u>"Work-based learning" means sustained interactions with industry or community professionals in workplace settings, to the extent practicable, or simulated environments at an educational institution that foster in-depth, firsthand engagement with the tasks of a given career field, that are aligned to curriculum and instruction.</u>	

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.	(1) Local school districts shall ensure their develop and implement a proficiency-based learning model that includes curriculum is aligned to all content standards and the appropriate learning progression-progressions. for each grade level.	Emphasizing a proficiency-based learner model within the curriculum and assessment section.
(2) School districts shall maintain their programs consistent with the state's schedule for revising standards.	(2) School districts <u>shall review, update, and align</u> their <u>learning</u> programs consistent with- following or after 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 area. 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	(3) School districts shall assess the progress of all students' <u>progression, growth, and proficiency of toward achieving</u> content standards and content-specific grade-level grade-band learning progressions in each program area <u>as aligned with the district assessment plan in 10.55.603(5).</u> The district shall use <u>multiple measures assessment results</u> , including state-level achievement	Encouraging multiple measures determined at the local level to assess student learning progression, growth, and proficiency.

<p>measure its effectiveness.</p> <p>(a) The examination of program effectiveness using assessment results shall be supplemented with information about graduates and other students no longer in attendance.</p> <p>(b) The information obtained shall be considered in curriculum and assessment development.</p>	<p>information obtained by administration of assessments pursuant to ARM 10.56.101 to examine the educational learning program and measure its effectiveness.</p> <p>(a) This examination of program effectiveness using assessment results shall include current students and be supplemented with information about graduates and other students no longer in attendance; and</p> <p>(b) The information obtained shall be considered in curriculum and assessment development.</p>	
<p>(4) For content standards in all program areas pursuant to the requirements of ARM 10.55.602, school districts shall:</p> <p>(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;</p> <p>(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;</p> <p>(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</p> <p>(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.</p>	<p>(4) For content standards in all program areas pursuant to the requirements of ARM 10.55.602, school districts shall:</p> <p>(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-families, community members, and, when appropriate, tribal representatives and state resource people-staff;</p> <p>(b) review curricula at least every five years or consistent with the state's standards revision schedule, and modify, as needed, to meet the educational goals of the continuous school improvement integrated action plan pursuant to ARM 10.55.601;</p> <p>(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 integrated action plan pursuant to ARM 10.55.601; and</p> <p>(d) review curricula and instructional materials and resources to ensure the inclusion of the distinct and unique cultural heritage heritages and contemporary portrayal of American Indians.</p>	<p>The Continuous improvement plan has been replaced with the integrated action plan.</p> <p>Through-out the document “heritage” has been replaced with “heritages” to recognize that multiple heritages among the American Indian tribes.</p>
<p>(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.</p>	<p>(5) The school district shall develop and implement its an assessment plan that supports progression, growth and proficiency, promotes demonstrations of student learnings, and used to measure measures student progress ensuring</p>	<p>Emphasizing a proficiency-based learner model.</p>

<p>(a) The assessment plan shall be included in the continuous school improvement plan and be in place within two years following the development of local curriculum.</p> <p>(b) School districts shall use appropriate multiple measures and methods, including state-level achievement information obtained by administration of assessments pursuant to the requirements of ARM 10.56.101, to assess student progress in achieving content standards and content-specific grade-level learning progressions in all program areas.</p> <p>(c) The Superintendent of Public Instruction shall develop criteria and procedures for the selection of appropriate multiple measures and methods to be used to assess student progress in achieving content and appropriate content-specific grade-level learning progressions in all program areas.</p> <p>(d) The Superintendent of Public Instruction shall provide technical assistance to districts to meet the criteria and procedures in (5)(c).</p>	<p>alignment to the local curriculum in all program areas pursuant to ARM 10.56.101.</p> <p>(a) The assessment plan shall be included in the continuous school improvement integrated action plan pursuant to ARM 10.55.601 and be in place within two years following the development of local curriculum.</p> <p>(b) School districts shall use appropriate multiple measures and methods, including state-level achievement information obtained by administration of assessments pursuant to the requirements of ARM 10.56.101, to assess student progress-growth and proficiency of in achieving content standards and content-specific grade-level-grade-band learning progressions in all program areas.</p> <p>(c) The Superintendent of Public Instruction shall develop criteria and procedures for the selection of appropriate multiple measures and methods to be used to assess student progress-in-achieving-growth and proficiency of content standards and appropriate content-specific grade-level-grade-band learning progressions in all program areas.</p> <p>(d) The Superintendent of Public Instruction shall provide technical assistance to districts to meet the criteria and procedures in (5)(c).</p>	<p>Encouraging multiple measures determined at the local level to assess student learning progression, growth, and proficiency.</p>
---	---	--

<p><u>10.55.604</u> VARIANCES TO STANDARDS</p>		
<p>(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.</p> <p>(a) In its application, the local board of trustees shall outline 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.</p>	<p>(1) A local board of trustees may apply to the Board of Public Education through the Superintendent of Public Instruction to implement variance to a <u>an assurance</u> standard or a section of <u>assurance</u> 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.</p> <p>(a) In its application, the local board of trustees shall outline 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 <u>10.55.2201</u>.</p>	<p>Specifying that the type of standard a variance of standard applies to is an assurance standard and not student performance standard. School districts may seek a variance to how they will meet an assurance standard but not how or to what degree they will be accountable for student performance outcomes.</p> <p>Modified the date of when a variance of standard is submitted to ensure districts seek a variance based on current and actual enrollment rather than on what they predict the enrollment will be or based on data from the previous school year. The variance would apply to the current academic year. This also addresses the need to seek a variance to standard that shows up after the TEAMS Report closes. Through this adapted timeline districts would have the opportunity to make a variance request before having deficiencies cited.</p> <p>Adding one tribal representative and one family or community representative to the Variance to Standard Board to include more stakeholder voice.</p>
<p>(b) In its application, the school district shall provide evidence through official minutes of the board of trustees that local school community stakeholders were involved in the consideration and development of the proposed variance to standards. Stakeholder groups include trustees, administrators, teachers, classified school staff, parents, community members, and students as applicable. A district shall provide evidence it adopted its application for variance at an official, properly noticed meeting of its board of trustees.</p>	<p>(b) In its application, the school district shall provide evidence through official minutes of the board of trustees that local school community stakeholders were involved in the consideration and development of the proposed variance to <u>an assurance</u> standard or a section of assurance standards. Stakeholder groups include trustees, administrators, teachers, classified school staff, parents <u>families</u>, community members, and students as applicable. A district shall provide evidence it adopted its application for variance at an official, properly noticed</p>	<p>Placing the responsibility to appoint members of the variance to standards board on the Superintendent, who must get approval by the Board of Public Education.</p> <p>Removed the “pool of experts” that need to be on call for the variance to standards board, because it has not been utilized or sought by the variance to standard board in recent times.</p>

(c) 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.

(d) Upon receipt, the Superintendent of Public Instruction shall refer applications for variance to standards to a pre-appointed review board. The Superintendent of Public Instruction shall facilitate and provide organizational support for the meetings of the review board.

(i) The review board shall consist of the following, appointed by the Superintendent of Public Instruction from a list of qualifying individuals jointly endorsed by MEA- MFT, Montana Rural Education Association (MREA), Montana Small Schools Alliance (MSSA), School Administrators of Montana (SAM), and Montana School Boards Association (MTSBA): one trustee, one district superintendent, one high school principal, one elementary principal, two high school teachers, and two elementary school teachers.

(ii) As needed, the review board shall seek advice from experts.

(A) The Superintendent of Public Instruction shall solicit a pool of experts from curriculum groups and educational associations to serve "on call" in an advisory capacity.

(B) The Superintendent of Public Instruction shall notify the review board of the pool participants with rationale and present them for review board approval.

(C) The review board shall notify the Superintendent of Public Instruction when and what

meeting of its board of trustees.

(c) An application for variance to an assurance standard or a section of assurance standards is due in writing to the Superintendent of Public Instruction no later than the ~~first~~ second Monday in ~~March~~ October for the current academic year. ~~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.~~

(d) Upon receipt, the Superintendent of Public Instruction shall refer applications for variance to an assurance standards or a section of assurance standards to a pre-appointed review board. The Superintendent of Public Instruction shall facilitate and provide organizational support for the meetings of the review board.

(i) The review board shall consist of the following, appointed by the Superintendent of Public Instruction ~~and approved by the Board of Public Education~~ seek advice from experts from a list of qualifying individuals jointly endorsed by MEA-MFT, Montana Rural Education Association (MREA), Montana Small Schools Alliance (MSSA), School Administrators of Montana (SAM), and Montana School Boards Association (MTSBA): one trustee, one district superintendent, one high school principal, one elementary principal, two high school teachers, ~~and two elementary school teachers,~~ one tribal council representative, and one family or community representative.

~~(ii) As needed, the review board shall seek advice from experts.~~

~~(A) The Superintendent of Public Instruction shall solicit a pool of experts from curriculum groups and educational associations to serve "on call" in an advisory capacity.~~

<p>type of experts are needed.</p> <p>(D) The Superintendent of Public Instruction shall notify the appropriate pool of experts of this needed input and arrange for the pool member(s) to advise the committee.</p> <p>(iii) The review board members shall serve five year terms with no limit to the number of terms any one person may serve. Terms shall be staggered where half of all positions shall be filled every three years prior to the first meeting of the review board in the third year.</p> <p>(e) The review board shall review all applications and use a uniform rubric, made available to districts in advance of applying to implement a variance to a standard or section of standards. The uniform rubric will ensure consistent and high quality applications from school districts across Montana.</p> <p>(f) The review board shall provide its recommendations to the Superintendent of Public Instruction with a recommendation for approval, modification, or rejection of the review board's recommendation within 60 calendar days of the review board being referred an application.</p> <p>(g) 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. If the Superintendent of Public Instruction or review board finds an application to be preliminarily deficient, the superintendent shall advise the applicant school district why that application is not ready for consideration. The applicant district shall have the opportunity to change its application as suggested or submit it as originally proposed.</p> <p>(h) If the Superintendent of Public Instruction or review board finds an application to be preliminarily deficient, the superintendent shall advise the applicant school</p>	<p>(B) The Superintendent of Public Instruction shall notify the review board of the pool participants with rationale and present them for review board approval.</p> <p>(C) The review board shall notify the Superintendent of Public Instruction when and what type of experts are needed.</p> <p>(D) The Superintendent of Public Instruction shall notify the appropriate pool of experts of this needed input and arrange for the pool member(s) to advise the committee.</p> <p>(iii)(ii) The review board members shall serve five-year terms with no limit to the number of terms any one person may serve. Terms shall be staggered where half of all positions shall be filled every three years prior to the first meeting of the review board in the third year.</p> <p>(e) The review board shall review all applications and use a uniform rubric, made available to districts in advance of applying to implement a variance to <u>a an assurance</u> standard or section of <u>assurance</u> standards. The uniform rubric will ensure consistent and high-quality applications from school districts across Montana.</p> <p>(f) The review board shall provide its recommendations to the Superintendent of Public Instruction with a recommendation for approval, modification, or rejection of the review board's recommendation within 60 calendar days of the review board being referred an application.</p> <p>(g) 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.</p> <p>(h) If the Superintendent of Public Instruction or review board finds an application to be preliminarily deficient, the superintendent shall advise the applicant school district why that application is not ready for</p>	
---	---	--

<p>district why that application is not ready for consideration. The applicant district shall have the opportunity to change its application as suggested or submit it as originally proposed.</p>	<p>consideration. The applicant district shall have the opportunity to change its application as suggested or submit it as originally proposed.</p>	
<p>(2) The Board of Public Education shall approve or deny proposed variances to standards. If the board denies a proposed variance to standards, it shall remit in writing to the applicant school district why it has done so.</p>	<p>(2) The Board of Public Education shall approve or deny proposed variances to <u>assurance</u> standards. If the board denies a proposed variance to <u>assurance</u> standards, it shall remit in writing to the applicant school district why it has done so.</p>	
<p>(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.</p>	<p>(3) If the Board of Public Education approves a proposed variance to <u>assurance</u> standards, it shall initially do so for no more than two years pending ongoing review of the implementation by the Superintendent of Public Instruction.</p>	
<p>(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.</p>	<p>(4) Following the second year of implementation of a variance to <u>assurance</u> 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.</p>	
<p>(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.</p>	<p>(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.</p>	

<p>(6) If the Board of Public Education concurs with the Superintendent's recommendation, it may renew the variance for no more than three years.</p>	<p>(6) If the Board of Public Education concurs with the Superintendent's recommendation, it may renew the variance for no more than three years.</p>	
<p>(7) The Board of Public Education may subsequently renew the variance provided the district continues to show how the variance meets or exceeds established standards.</p>	<p>(7) The Board of Public Education may subsequently renew the variance provided the district continues to show how the variance meets or exceeds established standards.</p>	
<p>(8) If the Superintendent of Public Instruction finds the variance to standards 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.</p>	<p>(8) If the Superintendent of Public Instruction finds the variance to <u>assurance</u> standards 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.</p>	
<p>(9) If the Board of Public Education accepts the Superintendent's recommendation to revoke a variance, the board's decision is final.</p>	<p>(9) If the Board of Public Education accepts the Superintendent's recommendation to revoke a variance, the board's decision is final.</p>	
<p>(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.</p>	<p>(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.</p>	
<p>(11) A school district may apply to the Board of Public Education through the Superintendent of Public Instruction to create a charter school. (a) A charter school must provide an education that meets or exceeds the requirements of the Montana Constitution, state law, and school accreditation standards.</p>	<p>(11) A school district may apply to the Board of Public Education through the Superintendent of Public Instruction to create a charter school. (a) A charter school must provide an education that meets or exceeds the requirements of the Montana Constitution, state law, and school accreditation standards.</p>	<p>Separated charter school application from variance to standards rule to make a new rule and updated the language to focus on student performance outcomes. A new rule has been proposed in 10.55.608.</p>

<p>(b) The Board of Public Education may only grant charters to publicly funded schools or programs under the supervision and control of a locally elected board of trustees in an existing school district.</p> <p>(c) The procedure by which a school district may apply to create a charter school and by which the Board of Public Education may approve, deny, evaluate, and renew a charter school shall be identical to that outlined in ARM 10.55.604.</p> <p>(d) To be proposed by a school district and approved by the Board of Public Education, a charter school shall, at a minimum, guarantee the following:</p> <ul style="list-style-type: none"> (i) school district governance and control; (ii) unrestricted, open student access; (iii) compliance with all health and safety laws; (iv) teacher licensure and endorsement to the same extent as required or provided by state law or accreditation standards; (v) employee collective bargaining to the same extent as required or provided by state law; and (vi) a plan for consideration of input by community members and staff as to formation and implementation issues. Consideration of input may be identified by formation of advisory committees involving staff and/or community members, conduct of a properly noticed public meeting for purposes of comment on the formation or operation of the charter school, or any other reasonable means that result in an opportunity for input by staff and community members prior to a decision of significant interest to the public regarding the formation or operation of the charter school. <p>(e) A school district may discontinue an approved charter school at any time. If it does so, it shall promptly notify the Board of Public Education in writing.</p>	<p>(b) The Board of Public Education may only grant charters to publicly funded schools or programs under the supervision and control of a locally elected board of trustees in an existing school district.</p> <p>(c) The procedure by which a school district may apply to create a charter school and by which the Board of Public Education may approve, deny, evaluate, and renew a charter school shall be identical to that outlined in ARM 10.55.604.</p> <p>(d) To be proposed by a school district and approved by the Board of Public Education, a charter school shall, at a minimum, guarantee the following:</p> <ul style="list-style-type: none"> (i) school district governance and control; (ii) unrestricted, open student access; (iii) compliance with all health and safety laws; (iv) teacher licensure and endorsement to the same extent as required or provided by state law or accreditation standards; (v) employee collective bargaining to the same extent as required or provided by state law; and (vi) a plan for consideration of input by community members and staff as to formation and implementation issues. Consideration of input may be identified by formation of advisory committees involving staff and/or community members, conduct of a properly noticed public meeting for purposes of comment on the formation or operation of the charter school, or any other reasonable means that result in an opportunity for input by staff and community members prior to a decision of significant interest to the public regarding the formation or operation of the charter school. <p>(e) A school district may discontinue an approved charter school at any time. If it does so, it shall promptly notify the Board of Public Education in writing.</p> <ul style="list-style-type: none"> (ii) unrestricted, open student access; (iii) compliance with all health and safety laws; 	
---	--	--

	<p>(iv) teacher licensure and endorsement to the same extent as required or provided by state law or accreditation standards;</p> <p>(v) employee collective bargaining to the same extent as required or provided by state law; and</p> <p>(vi) a plan for consideration of input by community members and staff as to formation and implementation issues. Consideration of input may be identified by formation of advisory committees involving staff and/or community members, conduct of a properly noticed public meeting for purposes of comment on the formation or operation of the charter school, or any other reasonable means that result in an opportunity for input by staff and community members prior to a decision of significant interest to the public regarding the formation or operation of the charter school.</p> <p>(e) A school district may discontinue an approved charter school at any time. If it does so, it shall promptly notify the Board of Public Education in writing.</p>	
--	---	--

10.55.605 CATEGORIES OF ACCREDITATION		
NEW LANGUAGE	<p><u>(1) Accredited with distinction means the school has met the assurance standards and exceeded student performance standards as defined in ARM 10.55.606 and the Licensure Endorsement Requirements related to teaching assignments, a copy of which the Superintendent of Public Instruction must make publicly available. Three consecutive years in the accredited with distinction status, allows the local board of trustees to waive assurance standards for the school for three years.</u></p>	<p>Redefining categories of accreditation from 5 to 3 categories: Accreditation with distinction, accreditation, and accreditation with probation.</p> <p>Raising the bar for accreditation to include a rating for exceeding expectations.</p> <p>“The quality of a school goes beyond its name, location, or reputation. An education institution succeeds when it supports every learner every day, offering opportunities for every learner to reach further. One hallmark of a good school is that it continually strives for improvement. “ (Cognia Performance Standards retrieved 6/1/22 https://www.cognia.org/wp-content/uploads/2021/08/Performance-Standards-Accreditation).</p>
<p>(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, a copy of which may be found at: http://opi.mt.gov/Portals/182/Page%20Files/School%20Accreditation/Standards%20of%20Accreditation/Appendix%20Files/B/Endorsement%20Codes.pdf?ver=2019-09-04-130721-823</p>	<p>(1) (2) Regular accreditation <u>Accredited</u> means the school has met the assurance standards <u>with minor and/or few deviations from the standards</u> and <u>met or exceeded the student performance standards as defined and delineated</u> in ARM 10.55.606, the Licensure Endorsement Requirements Related to Teaching Assignments, <u>and in the Accreditation Status Criteria Reference Guide</u>, a copy of which <u>the Superintendent of Public Instruction must make publicly available. may be found</u> at: http://opi.mt.gov/Portals/182/Page%20Files/School%20Accreditation/Standards%20of%20Accreditation/Appendix%20Files/B/Endorsement%20Codes.pdf?ver=2019-09-04-130721-823.</p>	<p>The rationale for fewer categories of accreditation include, that in the last 30 years, there has never been a school that has lost accreditation status, and that three categories are able to meet the accreditation status of a school, focused on where support is needed.</p>

<p>(2) Regular with minor deviation accreditation means the school does not meet all the requirements of regular accreditation outlined in (1) and delineated in the Accreditation Status Criteria Reference Guide, a copy of which may be found at: http://opi.mt.gov/Portals/182/Page%20Files/School%20Accreditation/Standards%20of%20Accreditation/Appendix%20Files/A/Accreditation%20Status%20Criteria%20Reference%20Guide.pdf?ver=2019-06-13-113341-203.</p>	<p>(2) Regular with minor deviation accreditation means the school does not meet all the requirements of regular accreditation outlined in (1) and delineated in the Accreditation Status Criteria Reference Guide, a copy of which may be found at: http://opi.mt.gov/Portals/182/Page%20Files/School%20Accreditation/Standards%20of%20Accreditation/Appendix%20Files/A/Accreditation%20Status%20Criteria%20Reference%20Guide.pdf?ver=2019-06-13-113341-203.</p>	
<p>(3) A school with regular accreditation with a deviation in student performance standards, as defined in ARM 10.55.606, or regular with minor deviations accreditation as defined in ARM 10.55.606(7), shall remedy the deviations within three years or will be reassigned to a lower category of accreditation.</p>	<p>(3) A school with regular accreditation with a deviation in student performance standards, as defined in ARM 10.55.606, or regular with minor deviations accreditation as defined in ARM 10.55.606(7), shall remedy the deviations within three years or will be reassigned to a lower category of accreditation.</p>	
<p>(4) Advice accreditation means the school exhibits serious and/or numerous deviations from the standards.</p>	<p>(4) <u>(3) Advice accreditation</u> <u>Accredited on probation status</u> means the school exhibits serious and/or numerous deviations from the <u>assurance standards and/or does not meet the student performance standards as defined and delineated in ARM 10.55.606, the Licensure Endorsement Requirements Related to Teaching Assignments, and in the Accreditation Status Criteria Reference Guide, a copy of which the Superintendent of Public Instruction must make publicly available.</u> For a district with a school accredited on probation 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. Schools identified as accredited on probation will be required to participate in an annual review of progress from the Office of Public Instruction. If a school has three consecutive years on probation, the school shall be placed into the intensive assistance process.</p>	

<p>(5) Deficiency accreditation means the school is in 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.</p>	<p>(5) Deficiency accreditation means the school is in 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.</p>	
<p>(6) For a district with a school in 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.</p>	<p>(6) For a district with a school in advice or in deficiency accredited with improvement 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.</p>	
<p>(7) A school shall be immediately placed in deficiency status 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.</p>	<p>(7) A school shall be immediately placed in deficiency accredited with improvement status 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.</p>	
<p>(8) A school in deficiency status failing to comply with the required corrective plan shall be placed into the intensive assistance process as defined in the Accreditation Status Criteria Reference Guide, a copy of which may be found at: http://opi.mt.gov/Portals/182/Page%20Files/School%20Accreditation/Standards%20of%20Accreditation/Appendix%20Files/A/Accreditation%20Status%20Criteria%20Reference%20Guide.pdf?ver=2019-06-13-113341-203.</p>	<p>(8) A school in deficiency accredited with improvement status failing to comply with the required corrective plan within two years, and continues to have serious and/or numerous deviations, or has substantially increased the seriousness of deviations over the previous year shall be placed into the intensive assistance process as defined in the Accreditation Status Criteria Reference Guide, a copy of which may be found at: http://opi.mt.gov/Portals/182/Page%20Files/School%20Accreditation/Standards%20of%20Accreditation/Appendix%20Files/A/Accreditation%20Status%20Criteria%20Reference%20Guide.pdf?ver=2019-06-13-113341-203</p>	

<p>(9) Nonaccredited status means that a school in deficiency status fails to meet the requirements of intensive assistance and is out of compliance with the Board of Public Education standards of accreditation.</p>	<p>(9) Nonaccredited status means that a school in deficiency status fails to meet the requirements of intensive assistance and is out of compliance with the Board of Public Education standards of accreditation.</p>	
<p>(10) A school seeking initial accreditation or reinstatement of accreditation shall meet the requirements of regular accreditation outlined in (1). This process shall include an on-site review from the Office of Public Instruction.</p>	<p>(10) (4) A school seeking initial accreditation or reinstatement of accreditation shall meet the requirements of regular accreditation outlined in (1) (2). This process shall include an on-site review from the Office of Public Instruction.</p>	

<p>10.55.606 ACCREDITATION PROCESS</p>		
<p>(1) The categories of accreditation of a school shall be determined by using two sets of standards:</p> <ul style="list-style-type: none"> (a) assurance standards; and (b) student performance standards. 	<p>(1) The categories of accreditation of a school shall be determined by using two sets of standards:</p> <ul style="list-style-type: none"> (a) assurance standards; and (b) student performance standards. 	<p>“Accreditation is the launchpad for school improvement. Based on rigorous research-based standards and evidence-based criteria, the process probes the whole institution—from policies to learning conditions and cultural context—to determine how well the parts work together to meet the needs of every learner.”-Cognia</p> <p>“Accreditation isn’t about passing a one-time inspection—it helps education providers meet improvement goals and sustain commitments to better learner outcomes.” - Cognia</p>
<p>(2) Assurance standards are comprised of the following subchapters in ARM Title 10, chapter 55:</p> <ul style="list-style-type: none"> (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) (e) Subchapter 10, Program Area Standards, ARM 10.55.1001 through 10.55.1003. 	<p>(2) Assurance standards are comprised of the following subchapters in ARM Title 10, chapter 55:</p> <ul style="list-style-type: none"> (a) Subchapter 6, General Provisions, ARM 10.55.601 through 10.55.607-10.55.608; (b) Subchapter 7, School Leadership, ARM 10.55.701 through 10.55.719-10.55.724; (c) Subchapter 8, Academic Requirements Educational Opportunity; (d) Subchapter 9, Educational Opportunity Academic Requirements, ARM 10.55.901 through 10.55.910; and (e) Subchapter 10, Program Area Standards, ARM 10.55.1001 through 10.55.1003-10.55.2201. 	<p>The ARM numbers have been updated to align with new recommended rules.</p> <p>The Educational Opportunity and Academic Requirement titles were formerly incorrectly labeled with the corresponding ARM number.</p>
<p>(3) Student performance standards are comprised of measures required under ARM 10.56.101(3) and other measures described in the state accountability system, defined in ARM 10.55.602, recommended by the state superintendent and approved by the Board of Public Education (BPE).</p> <ul style="list-style-type: none"> (a) BPE shall annually review the minimum requirement, defined in ARM 10.55.602, for reporting valid and reliable student group results and to protect student privacy based on the recommendation of the State Superintendent of Public Instruction. (b) The State Superintendent of Public 	<p>(3) Student performance standards are comprised of measures required under ARM 10.56.101(3) and other measures described in the state accountability system, defined in ARM 10.55.602, recommended by the state superintendent and approved by the Board of Public Education (BPE).</p> <ul style="list-style-type: none"> (a) BPE Board of Public Education shall annually review the minimum requirement, defined in ARM 10.55.602, for reporting valid and reliable student group results and to protect student privacy based on the recommendation of the State Superintendent of Public Instruction. (b) The State Superintendent of Public 	<p>Spelling out the acronym BPE, which is consistently referred to the Board of Public Education through-out the rule.</p>

<p>Instruction shall recommend to the BPE modifications to the student performance standards after consultation with representative stakeholders.</p>	<p>Instruction shall recommend to the <u>BPE-Board of Public Education</u>-modifications to the student performance standards after consultation with representative stakeholders.</p>	
<p>(4) For schools with only combinations of grades PK- 2, only the assurance standards shall be used to determine accreditation status, pursuant to ARM 10.55.605 Categories of Accreditation.</p>	<p>(4) For schools with only combinations of grades PK-2, only the assurance standards shall be used to determine accreditation status, pursuant to ARM 10.55.605 Categories of Accreditation.</p>	
<p>(5) Categories of assurance standards and student performance standards shall be used to determine accreditation status.</p>	<p>(5) Categories of assurance standards and student performance standards shall be used to determine accreditation status.</p>	
<p>(6) A school shall be designated regular accreditation status by using the combined results of the assurance standards and student performance standards as follows: (a) Regular status for assurance standards and regular status for student performance standards; (b) Regular status for assurance standards and regular with minor deviation for student performance standards; or (c) Regular with minor deviation for assurance standards and regular status for student performance standards.</p>	<p>(6) A school shall be designated regular accreditation status by using the combined results of the assurance standards and student performance standards as follows: (a) Regular status for assurance standards and regular status for student performance standards; (b) Regular status for assurance standards and regular with minor deviation for student performance standards; or (c) Regular with minor deviation for assurance standards and regular status for student performance standards.</p> <p><u>(6) A school shall be designated accredited with distinction by using the combined results of accredited status for assurance standards and distinguished status for student performance results, where 80% of students are proficient or advanced and/or obtain an 80% or higher graduation rate.</u> <u>A school shall be designated regular accreditation status by using the combined results of the assurance standards and student performance standards as follows:</u> <u>(a) Regular status for assurance standards and regular status for student performance standards;</u> <u>(b) Regular status for assurance standards and regular with minor deviation for student performance standards; or</u> <u>(c) Regular with minor deviation for assurance standards and regular status for student performance standards.</u></p>	<p>Accredited with distinction means a school has significantly exceeded student performance standards, engages in continual improvement, integrates reflection throughout their day and is able to attract and retain the teachers with the proper licensing endorsements. These districts are accredited on a three-year cycle and all assurance standards are waived due their level of accreditation. This is a shift from deviations to a recognition of progress towards being a high-performing school.</p>
<p>(7) A school shall be designated regular with minor deviation status by using the combined results of both assurance standards and student performance standards in regular with minor deviation status, or as stated in ARM 10.55.605.</p>	<p>(7) A school shall be designated regular with minor deviation <u>accredited</u> status by using the combined results of both assurance standards and student performance standards in <u>accredited</u> or as stated in ARM 10.55.605.</p>	
<p>(8) A school shall be designated in advice status by using the combined results of the assurance standards and student performance standards in either set of standards, or as stated in ARM 10.55.605.</p>	<p>(8) A school shall be designated in advice <u>accredited on probation</u> status by using the combined results of the assurance standards and student performance standards in <u>accredited with probation</u> for either set of standards, or as stated in ARM 10.55.605.</p>	

(9) A school shall be designated deficiency status by using the combined results of assurance standards and student performance standards in deficiency in either set of standards, or as stated in ARM [10.55.605](#).

~~(9) A school shall be designated deficiency status by using the combined results of assurance standards and student performance standards in deficiency in either set of standards, or as stated in ARM [10.55.605](#).~~

<p><u>10.55.607</u> INTERNSHIPS</p>	<p>10.55.607 10.57.114 INTERNSHIPS</p>	
<p>(1) Internships are defined in ARM 10.55.602.</p> <p>(2) As part of an internship agreement, the parties must agree to the following:</p> <p>(a) the intern will complete the requirements for the appropriate endorsement within three years;</p> <p>(b) the school district will provide local supervision and support of the intern; and</p> <p>(c) the accredited educator preparation program will approve the coursework and provide support and periodic supervision.</p> <p>(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.</p> <p>(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.</p> <p>(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.</p> <p>(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</p>	<p>(1) Internships are defined in ARM 10.55.602.</p> <p>(2) As part of an internship agreement, the parties must agree to the following:</p> <p>(a) the intern will complete the requirements for the appropriate endorsement within three years;</p> <p>(b) the school district will provide local supervision and support of the intern; and</p> <p>(c) the accredited educator preparation program will approve the coursework and provide support and periodic supervision.</p> <p>(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.</p> <p>(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.</p> <p>(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.</p> <p>(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</p>	<p>Keeping language as is but moving to Chapter 57, where it better fits.</p> <p>Transfer to 10.57.114</p>

<p>Superintendent of Public Instruction may consider that intern inappropriately assigned.</p> <p>(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. History: 20-2-121, MCA; IMP, 20-2-121, MCA; NEW, 2012 MAR p. 2042, Eff. 7/1/13.</p>	<p>Superintendent of Public Instruction may consider that intern inappropriately assigned.</p> <p>(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. History: 20-2-121, MCA; IMP, 20-2-121, MCA; NEW, 2012 MAR p. 2042, Eff. 7/1/13.</p>	
<p>10.55.608 NEW STANDARD</p>	<p><u>10.55.608 Charter School Application</u></p>	
	<p><u>(1) A school district with the approval of the local board of trustees may apply to the Board of Public Education through the Superintendent of Public Instruction to form a charter school.</u></p> <p><u>(a) A charter school must provide an education that meets or exceeds the requirements of the Montana Constitution, state law, and student performance standards.</u></p> <p><u>(b) The Board of Public Education may only grant charters to publicly funded schools or programs under the supervision and control of a locally elected board of trustees in an existing school district.</u></p> <p><u>(c) The procedure by which a school district may apply to create a charter school and by which the Board of Public Education may approve, deny, evaluate, and renew a charter school shall be identical to that outlined in ARM 10.55.604.</u></p> <p><u>(d) To be proposed by a local board of trustees and approved by the Board of Public Education, a charter school shall, at a minimum, guarantee the following:</u></p> <ul style="list-style-type: none"> <u>(i) school district governance and control;</u> <u>(ii) unrestricted, open student access;</u> <u>(iii) compliance with all health and safety laws;</u> <u>(iv) teacher licensure and endorsement to the same</u> 	<p>Separating charter school application from variance to standards rule to make a new rule and updated the language to focus on student performance outcomes.</p>

	<p><u>extent as required or provided by state law or accreditation standards;</u></p> <p><u>(v) employee collective bargaining to the same extent as required or provided by state law; and</u></p> <p><u>(vi) a plan for consideration of input by community members and staff as to formation and implementation issues. Consideration of input may be identified by formation of advisory committees involving staff and/or community members, conduct of a properly noticed public meeting for purposes of comment on the formation or operation of the charter school, or any other reasonable means that result in an opportunity for input by staff and community members prior to a decision of significant interest to the public regarding the formation or operation of the charter school.</u></p> <p><u>(e) Charter school applications cannot include standards stating statutory criteria, assurance standards pertaining to Subchapter 6, General Provisions, ARM 10.55.601 through 10.55.606, 10.57.114, 10.55.719 to 10.55.721, or Subchapter 8, Educational Opportunity, ARM 10.55.801 to 10.55.806, assurance standards pertaining to educator licensure or endorsement, student performance standards, and content standards as defined by the Board of Public Education and provided in guidance from the Superintendent of Public Instruction.</u></p> <p><u>(f) A school district may discontinue an approved charter school at any time. If it does so, it shall promptly notify the Board of Public Education in writing.</u></p>	
<p><u>10.55.701</u> BOARD OF TRUSTEES</p>		
<p>(1) The local board of trustees shall ensure that the (2) school district complies with all local, state, and federal laws and regulations. Each school district shall make available to the staff and public:</p> <p>(a) goals that reflect the district's strategic plan of education;</p> <p>(b) sequential curriculum for each program area that</p>	<p>(1) The local board of trustees shall ensure that the school district complies with all local, state, and federal laws and regulations.</p> <p>(2) Each school district shall make available to the staff and public:</p> <p>(a) goals that reflect the district's strategic plan of education <u>an integrated action plan that includes a</u></p>	<p>Incorporating the district's strategic plan with the integrated action plan for cohesion.</p>

<p>aligns to the content standards, specific grade-level learning progressions, and program area standards;</p> <p>(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;</p> <p>(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;</p> <p>(e) a policy on student, parent, and school employee due process rights;</p> <p>(f) policies addressing bullying, hazing, intimidation, and harassment of students and meeting the requirements in ARM 10.55.719;</p> <p>(g) an equity policy;</p> <p>(h) a transfer policy for determining the appropriate placement of incoming students;</p> <p>(i) an academic freedom policy;</p> <p>(j) a materials selection policy, including a challenge procedure, for all curricular and support materials;</p> <p>(k) a copyright policy;</p> <p>(l) a policy that defines the use of school facilities and resources;</p> <p>(m) comprehensive family engagement policy aligned to meet the following goals:</p> <p>(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;</p> <p>(ii) families and school staff engage in regular, two-way meaningful communication about 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;</p> <p>(iv) families are empowered to be advocates for their</p>	<p><u>graduate profile as outlined in 10.55.601</u>;</p> <p>(b) sequential <u>K-12</u> curriculum; for each program area that aligns to the content standards, specific grade-level grade-band learning progressions, and program area standards;</p> <p>(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; <u>and</u></p> <p>(d) policies that delineate descriptions of the roles and 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;</p> <p>(e) policy on student, parent, and school employee due process rights;</p> <p>(f) policies addressing bullying, hazing, intimidation, and harassment of students and meeting the requirements in ARM 10.55.719;</p> <p>(g) an equity policy;</p> <p>(h) a transfer policy for determining the appropriate placement of incoming students;</p> <p>(i) an academic freedom policy;</p> <p>(j) a materials selection policy, including a challenge procedure, for all curricular and support materials;</p> <p>(k) a copyright policy;</p> <p>(l) a policy that defines the use of school facilities and resources;</p> <p>(m) comprehensive family engagement policy aligned to meet the following goals:</p> <p>(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;</p> <p>(ii) families and school staff engage in regular, two-way meaningful communication about student learning;</p> <p>(iii) families and school staff continuously collaborate to</p>	<p>Removing duplicate language that is embedded throughout the chapter and streamlining the local board of trustees' policies and procedures to require school districts to comply with all local, state, and federal laws and regulations, while prioritizing policies for safety, student learning, and community engagement.</p> <p>Elevating meaningful family and community engagement as a partnership between school</p>
---	--	---

<p>own and other children, to ensure that students are treated equitably and have access to learning opportunities that will support their success;</p> <p>(v) families and school staff partner in decisions that affect children and families and together inform, influence, and create policies, practices, and programs; and</p> <p>(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;</p> <p>(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;</p> <p>(o) a policy addressing distance, online, and technology-delivered learning as defined in ARM 10.55.602;</p> <p>(p) a policy, procedure, or plan addressing suicide prevention and response as outlined in ARM 10.55.720;</p> <p>(q) a policy addressing hazard and emergency plans as outlined in ARM 10.55.721;</p> <p>(r) a policy that defines a significant writing program; and</p> <p>(iii) a policy that addresses student health issues that arise in the school setting.</p>	<p>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;</p> <p>(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;</p> <p>(v) families and school staff partner in decisions that affect children and families and together inform, influence, and create policies, practices, and programs; and</p> <p>(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;</p> <p>(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;</p> <p>(o) a policy addressing distance, online, and technology-delivered learning as defined in ARM 10.55.602;</p> <p>(p) a policy, procedure, or plan addressing suicide prevention and response as outlined in ARM 10.55.720;</p> <p>(q) a policy addressing hazard and emergency plans as outlined in ARM 10.55.721;</p> <p>(r) a policy that defines a significant writing program; and</p> <p>(s) a policy that addresses student health issues that arise in the school setting.</p>	<p>communities and families based on best practices and principles that keep the focus on the learner and core beliefs about engagement. ARM 10.55.722</p>
<p>(3) The local board of trustees shall have valid, written contracts with all regularly employed licensed administrative, supervisory, and teaching personnel.</p>	<p>(3) The local board of trustees shall have valid, written contracts with all regularly employed licensed administrative, supervisory, and teaching personnel.</p>	
<p>(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.</p>	<p>(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.</p>	

<p>(a) The evaluation system used by a school district for licensed staff shall, at a minimum:</p> <ul style="list-style-type: none"> (i) 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; (ii) be aligned with applicable district goals, standards of the Board of Public Education, and the district's mentorship and induction program required under ARM 10.55.701(5)(b); <p>identify what skill sets are to be evaluated;</p>	<p>(a) The evaluation system used by a school district for licensed staff shall, at a minimum:</p> <ul style="list-style-type: none"> (i) 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; (ii) be aligned with applicable district goals, standards of the Board of Public Education, and the district's mentorship and induction program required under ARM 10.55.701(5)(b); <p>(iii) identify what skill sets are to be evaluated</p>	
<ul style="list-style-type: none"> (iv) include both formative and summative elements; and (v) 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. <p>(b) The Superintendent of Public Instruction shall develop and publish model evaluation instruments that comply with this rule in collaboration with the MEA-MFT, Montana Rural Education Association, Montana School Boards Association, School Administrators of Montana, and Montana Small School Alliance. A school district adopting 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.</p>	<p>(iv) include both formative and summative elements; and</p> <p>(v) 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.</p> <p>(b) The Superintendent of Public Instruction shall develop and publish model evaluation instruments that comply with this rule in collaboration with the MEA-MFT, Montana Rural Education Association, Montana School Boards Association, School Administrators of Montana, and Montana Small School Alliance. A school district adopting 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.</p>	
<p>(5) The local board of trustees shall:</p> <ul style="list-style-type: none"> (a) establish conditions that contribute to a positive school climate which: <ul style="list-style-type: none"> (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). 	<p>(5)(3) The local board of trustees shall: (a) establish conditions that contribute to a positive school climate which:</p> <ul style="list-style-type: none"> (a) (i) keep parents/guardians up to date on students' progress; implement family and community engagement strategies as found in 10.55.722; and (b) 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). 	<p>Recommending a new rule for mentorship and induction, while updating the model based on research models and best practices. ARM 10.55.723</p>

	<u>(4) The local board of trustees shall develop, with stakeholder input, a district mission and vision that aligns to the district graduate profile.</u>	
	<u>(5) The local board of trustees with meaningful stakeholder involvement shall establish and implement policies that:</u> <u>(a) provide for the safety and well-being of all students.</u> <u>(b) emphasize student learning and each student's growth.</u> <u>(c) allow for personalized and proficiency-based learning models, and</u> <u>(d) other policies for the effective operation of the school district.</u>	

<u>10.55.702</u> 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 .	(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 - 10.57.114 .	Transferring internship from 10.55.607 (Accreditation ARM) to 10.57.114 (Licensure) where it better fits with certification of educators.
(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) 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) The district superintendent shall perform administrative duties in accordance with 20-4-402 , MCA.	(3) The district superintendent shall perform administrative duties in accordance with 20-4-402 , MCA.	

<u>10.55.703</u> LICENSURE AND DUTIES OF SCHOOL PRINCIPAL		
--	--	--

<p>(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.</p>	<p>(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 10.55.607-10.57.114.</p>	<p>Expanding the role of the principal to include personalized and proficiency-based learning, and strategic planning with community and family involvement to maximize student learning.</p>
<p>(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.</p>	<p>(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.</p>	
<p>(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.</p>	<p>(3) The principal shall carry out the district's policies and procedures, provide instructional leadership that allows for personalized and proficiency-based learning models, engage in strategic planning and school improvement, intentionally engage families and community members, ensure a positive school climate, and be responsible for the effective day-to-day operation of the school, the management of finances, materials, and human resources to maximize student learning outcomes.</p>	

<p>10.55.704 ADMINISTRATIVE PERSONNEL: ASSIGNMENT OF DISTRICT SUPERINTENDENTS</p>		
<p>(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;</p>	<p>(1) The assignment of licensed superintendents for all configurations of school systems shall be determined by the local board of trustees, who recognize that in order to have a quality school system, leadership and leadership stability matter. The employment, assignment, functions, and duties of superintendents must comply with 20-4-401 MCA, 20-4-402 MCA and 20-3-207 MCA. based upon full-time</p>	<p>Empowering local school districts to determine leadership staffing (principals and superintendents) per school and instructional program. Through local control districts can strategically assign leadership staff to programs while ensuring the needs of students are met.</p>

(b) requirements; 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.

equivalency (FTE) and shall be assigned as follows: The local board of trustees shall hire a district superintendent when:

(a) It is the operation of a County High School, except the trustees may employ a Class 3 holder with a district superintendent endorsement as the county high school principal in lieu of a superintendent.

(b) The trustees of any high school district that operates under a separate board of trustees due to alternate methods of electing members of the high school board of trustees and the trustees of the elementary district where its high school building is located shall jointly employ and appoint a district superintendent.

(c) Whenever a joint board of trustees has been formed by a county high school and the elementary district where the county high school is located, the joint board shall jointly employ and appoint a district superintendent.

(d) The trustees of any other district may employ and appoint a district superintendent or when practicable seek the services of the county school superintendent as outlined in 20-3-207, MCA to assist with the supervision or other support requirements identified by the county superintendent (e.g., employ a principal, subcontract with a licensed superintendent).

(2) When a district superintendent is employed, the trustees shall enter into a minimum of a one-year negotiated contract with the superintendent but can negotiate up to three-years. Renewal of contracts must comply with 20-4-401, MCA.

(3) Based on the enrollment of a school system and the scope, functions, and duties of the superintendent, the district superintendent is encouraged to recommend to the local board of trustees the assignment of additional staff (e.g., assistant superintendents, coordinators, directors, supervisors) to assist with the operation of the school district to provide a quality education that results in actualized learning outcomes and the safety and wellness of students.

(a) School systems with 14 or fewer FTE licensed staff and without a licensed superintendent employed may use a

Aligning the assignment of superintendent to comply directly with 20-4-401 MCA, 20-4-402 MCA, and 20-3-207 MCA.

Encouraging the district superintendent to recommend to the local board of trustees the assignment of additional administrative staff.

	<p>supervising teacher and the services of the office of the county superintendent to satisfy administrator requirements;</p> <p>(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);</p> <p>(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);</p> <p>(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.</p> <p>(e) No individual superintendent assigned pursuant to the ratios in (1) may be assigned as more than 1.0 FTE.</p>	
<p>(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.</p>	<p>(2)(4) School systems with 100 or more <u>full-time equivalency (FTE)</u>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.</p>	

<p>10.55.705 ADMINISTRATIVE PERSONNEL: ASSIGNMENT OF SCHOOL ADMINISTRATORS/PRINCIPALS</p>		
<p>(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.</p>	<p>(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. <u>The assignment of licensed school administrators/principals for all configurations of school systems shall be recommended by the district superintendent or county superintendent to the local board of trustees based on the scope, functions, and duties of the administrator/principal outlined in 10.55.703, who recognize that in order to have a quality school system, leadership and leadership stability matter. Further it is recognized that principals and assistant principals are the school leaders whose impact is second only to the classroom teacher in quality student learning outcomes and the safety and well-being of students.</u> <u>(a) Local board of trustees may employ a principal/superintendent combination to lead their school districts.</u> <u>(b) Local board of trustee shall ensure that administrator/principal duties shall be met through the employment of a superintendent/principal or, where practicable, seek the needed services of the county superintendent in a school district with fewer than 125 students.</u> <u>(c) A school district must assign licensed school administrator/principal full or partial FTE based on scope, function, and responsibilities for a school district with an enrollment of 125 students or more.</u></p>	<p>Empowering local school districts to determine leadership staffing (principals and superintendents) per school and instructional program. Through local control districts can strategically assign leadership staff to programs while ensuring the needs of students are met.</p>

(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;

~~(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;~~

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

Dependent on the student enrollment of the school and the scope, function, and responsibility of a principal/administrator, local boards of trustees are encouraged to set staffing levels of principals/administrators that will provide a quality education that results in learning outcomes and supports the safety and wellness of students.

(a) Trustees may employ and assign a principal/superintendent combination to lead their school districts.

(b) Trustees may assign a supervising teacher and/or county superintendent to fill the duties of the principal in schools. Or

(c) Trustees may assign a licensed school

	<p><u>administrator/principal at a partial or full-time equivalency.</u></p> <p>(3) The assignment of licensed principals shall be based upon student enrollment and prorated as applicable. Principal assignments are as follows:</p> <p>(a) 0.25 FTE licensed principal shall be assigned to schools with enrollments of 125 to fewer than 175 students;</p> <p>(b) 0.50 FTE licensed principal shall be assigned to schools with enrollments of 175 to fewer than 250 students;</p> <p>(c) 1.0 FTE licensed principal shall be assigned to schools with enrollments of 250 to fewer than 550 students;</p>	
--	---	--

<p>(d) 2 FTE licensed principals shall be assigned to schools with enrollments of 550 to fewer than 1050 students;</p> <p>(e) 3 FTE licensed principals shall be assigned to schools with enrollments of 1050 to fewer than 1550 students;</p> <p>(f) 4 FTE licensed principals shall be assigned to schools with enrollments of 1550 to fewer than 2050 students;</p> <p>(g) 5 FTE licensed principals shall be assigned to schools with enrollments of 2050 or more students.</p>	<p>(g) 2 FTE licensed principals shall be assigned to schools with enrollments of 550 to fewer than 1050 students;</p> <p>(h) 3 FTE licensed principals shall be assigned to schools with enrollments of 1050 to fewer than 1550 students;</p> <p>(i) 4 FTE licensed principals shall be assigned to schools with enrollments of 1550 to fewer than 2050 students;</p> <p>(j) 5 FTE licensed principals shall be assigned to schools with enrollments of 2050 or more students.</p>	
<p>(3) No individual principal assigned pursuant to the ratios in (2) may be assigned as more than 1.0 FTE.</p>	<p>(3) No individual principal assigned pursuant to the ratios in (2) may be assigned as more than 1.0 FTE.</p> <p><u>Additional administrator/principal FTE may be recommended by the district or county superintendent to the local board of trustees for consideration at any time during the school year.</u></p>	
<p>(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 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.</p>	<p>(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 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.</p>	
<p><u>10.55.706</u> TEACHER INVOLVEMENT</p>		
<p>(1) Teachers should use their professional judgment to deliver high-quality instruction to all students based on individual need.</p>	<p>(1) Teachers should use their professional judgment <u>and measures of student growth and proficiency</u> to <u>provide engaging and highly effective</u> to deliver high-quality instruction to all students based on individual need.</p>	<p>Professional judgment alone is insufficient in providing engaging and effective instruction- the judgment must be informed by student growth and challenges that formative assessment and multiple measures of learning uncover.</p>

<p>(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.</p>	<p>(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.</p>	
<p><u>10.55.707</u> TEACHER AND SPECIALIST LICENSURE</p>		
<p>(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.</p>	<p>(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 10.55.607-10.57.114</p>	<p>Transferring internship from 10.55.607 (Accreditation ARM) to 10.57.114 (Licensure) where it better fits with certification of educators.</p>
<p>(2) The school district shall arrange for a licensed and endorsed teacher in the content area to provide periodic support to the intern.</p>	<p>(2) The school district shall arrange for a licensed and endorsed teacher in the content area to provide periodic support to the intern.</p>	
<p>(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 ARM 10.55.607.</p>	<p>(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 ARM 10.55.607-10.57.114.</p>	
<p>(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.</p>	<p>(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 10.55.607-10.57.114.</p>	
<p>(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.</p>	<p>(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.</p>	
<p><u>10.55.708</u> TEACHING ASSIGNMENTS</p>		

<p>(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.</p>	<p>(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 10.55.607-10.57.114.</p>	<p>Transferring internship from 10.55.607 (Accreditation ARM) to 10.57.114 (Licensure) where it better fits with certification of educators.</p>
<p>(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.</p>	<p>(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.</p>	
<p>(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).</p>	<p>(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).</p>	
<p>(4) Licensure at the elementary level entitles the holder to teach in grades K through 8.</p>	<p>(4) (3) Licensure at the elementary level entitles the holder to teach in grades K through 8.</p>	
<p>(5) No teacher shall have more than 28 hours of assigned student responsibility per week except for one-, two-, and three-teacher schools.</p>	<p>(5) (4) No teacher shall have more than 28 hours of assigned student responsibility per week except for one-, two-, and three-teacher schools.</p>	
<p>10.55.709 LIBRARY MEDIA SERVICES, K-12</p>		
<p>(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:</p> <ul style="list-style-type: none"> (a) .5 FTE for schools with 126-250 students; (b) 1 FTE for schools with 251-500 students; (c) 1.5 FTE for schools with 501-1000 students; (d) 2 FTE for schools with 1001-1500 students; (e) 2.5 FTE for schools with 1501-2000 students; (f) 3 FTE for schools with 2001 or more students. 	<p>(1) The school library shall be housed in a central location, and each shall have a licensed and endorsed library media specialist at the following ratio:</p> <ul style="list-style-type: none"> (a) .5 FTE for schools with 126-250 students; (b) 1 FTE for schools with 251-500 students; (c) 1.5 FTE for schools with 501-1000 students; (d) 2 FTE for schools with 1001-1500 students; (e) 2.5 FTE for schools with 1501-2000 students; (f) 3 FTE for schools with 2001 or more students. <p><u>Each school must have a library media and literacy information program aligned to the content standards in ARM 10.53.1201 and the program standards in ARM 10.55.1801</u></p>	<p>Adjusting the determination of staffing for licensed and endorsed library media services to local district discretion. Districts are best suited to allocate staff appropriately to meet the needs of students through program services.</p>

	<u>that results in student learning outcomes for media and information literacy.</u>	
(2) Schools of fewer than 126 students shall employ or contract with a licensed and endorsed school library media specialist.	<p>(2) Schools of fewer than 126 students shall employ or contract with a licensed and endorsed school library media specialist.</p> <p><u>Based on the needs of the district, in concert with national and state program standards, the superintendent must recommend to the local board of trustees the assignment of library media staff to provide library media and information literacy services that result in the knowledge, skills, and dispositions students need by:</u></p> <p><u>(a) employing licensed and endorsed library media specialist(s); or</u></p> <p><u>(b) contracting with a licensed and endorsed school library media specialist; or</u></p> <p><u>(c) utilizing a consortium, multidistrict agreement, interlocal cooperative, or</u></p> <p><u>(d) utilizing any other cooperative method that is authorized to secure these services.</u></p>	Connecting the deliver of library media specialist services to student outcomes.
(3) If a district has fewer than 126 students, the district may utilize a consortium, multidistrict agreement, or interlocal cooperative to secure these services.	(3) If a district has fewer than 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) A minimum equivalent of one full-time counselor for each 400 elementary (K-8) students shall be provided. The counselor/student ratio shall be prorated.	<p>(1) A minimum equivalent of one full-time counselor for each 400 elementary (K-8) students shall be provided. The counselor/student ratio shall be prorated.</p> <p><u>Each school must have a school counseling program for K-12 students aligned to delivery standards in ARM 10.55.1901 and national counselor and student standards. The school system will assess the need for student supports that result in the knowledge, skills, and dispositions students need to:</u></p> <p><u>(a) address mental health, safety, and well-being;</u></p>	<p>Adjusting the determination of staffing for counseling program services to local district discretion. Districts are best suited to allocate staff appropriately to meet the needs of students through program services.</p> <p>Connecting the delivery of school counseling services to student outcomes (a, b, and c).</p>

	<p>(b) <u>achieve academic success and college and career readiness; and</u></p> <p>(c) <u>develop the mindsets and behaviors as identified in the national school counseling standards.</u></p>	
<p>(2) A minimum equivalent of one full-time counselor for each 400 high school students (including grades 7 and 8 if high school funding is received) shall be provided. The counselor/student ratio shall be prorated.</p>	<p>(2) A minimum equivalent of one full-time counselor for each 400 high school students (including grades 7 and 8 if high school funding is received) shall be provided. The counselor/student ratio shall be prorated.</p> <p><u>Based on the needs of the district in concert with national and state standards the superintendent must recommend to the local board of trustees the assignment of counseling staff based on the capacity of individual counselors to provide school counseling programming and services by:</u></p> <p>(a) <u>employing licensed school counselor(s) or Class 6 specialist(s); or</u></p> <p>(b) <u>contracting licensed school counselor(s) or Class 6 specialist(s); or</u></p> <p>(c) <u>utilizing a consortium, multidistrict agreement, or interlocal cooperative to secure these services; or</u></p> <p>(d) <u>utilizing any other cooperative method that is authorized to secure these services.</u></p>	<p>Empowering districts to establish staffing based on capacity of the counselor to deliver services that result in student outcomes.</p>
<p>(3) Districts with fewer than 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</p>	<p>(3) Districts with fewer than 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.</p> <p><u>Based on the student need and school population(s) the district superintendent must recommend to the local board of trustees, the assignment of additional degreed, licensed, or credentialed staff (e.g., school counselors, school psychologists, career advisors, licensed clinical social workers, licensed professional counselors, behaviorists, other mental health professionals, and/or other resources) that supports the staffing levels based on evidence-based research and national counseling standards.</u></p>	<p>Requiring school district superintendents to recommend to local board of trustees the need for additional staff to supplement the school counselor staff based on student needs and populations.</p>

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.	(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.	Recommend repeal of this rule.
10.55.712 CLASS SIZE: ELEMENTARY		
(1) In single grade rooms, the maximum class size shall be: (a) no more than 20 students in kindergarten and grades 1 and 2; (b) no more than 28 students in grades 3 and 4; (c) no more than 30 students in grades 5 through 8.	(1) In single grade rooms, the maximum class size shall be: (a) No more than 20 students in kindergarten and grades 1 and 2; (b) no more than 28 students in grades 3 and 4; (c) no more than 30 students in grades 5 through 8.	By managing class sizes, it recognizes teachers direct impact on learners and that the teacher is the most vital employee in the schools. The research is clear that teacher effectiveness is the #1 indicator of student success.
(2) In multigrade classrooms, the maximum class size shall be: (a) no more than 20 students in grades K, 1, 2, and 3; (b) no more than 24 students in grades 4, 5, and 6; (c) no more than 26 students in grades 7 and 8.	(2) In multigrade classrooms, the maximum class size shall be: (a) no more than 20 students in grades K, 1, 2, and 3; (b) no more than 24 students in grades 4, 5, and 6; (c) no more than 26 students in grades 7 and 8.	
(3) Multigrade classrooms that cross grade level boundaries (e.g., 3-4, 6-7) shall use the maximum of the lower grade.	(3) Multigrade classrooms that cross grade level boundaries (e.g., 3-4, 6-7) shall use the maximum of the lower grade.	
(4) In one-teacher schools, the maximum class size shall be 18 students.	(4) In one-teacher schools, the maximum class size shall be 18 students.	
(5) Instructional aides are mandatory when class size or teacher load exceed the standards. An instructional aide shall be assigned a minimum of 1 1/2 hours per day, per student overload up to six hours.	(5) <u>The school district must provide additional human resources when exceeding maximum class sizes.</u> Instructional aides are mandatory when class size or teacher load exceed the standards. An instructional aide shall be assigned a minimum of 1 1/2 hours per day, per student overload up to six hours.	Prioritizing instructional responsibilities of teachers and providing flexibility for local school districts to determine the resources needed when elementary classrooms are overloaded. •
(6) An overload of five students per classroom is considered excessive.	(6) An overload of <u>no more than</u> five students per classroom is considered excessive.	

<p>10.55.713 TEACHER LOAD AND CLASS SIZE: HIGH SCHOOL, JUNIOR HIGH, MIDDLE SCHOOL, AND GRADES 7 AND 8 FUNDED AT HIGH SCHOOL RATES</p>		
<p>(1) Each program offered shall be staffed by appropriately licensed and endorsed FTE educators.</p>	<p>No recommended changes</p>	
<p>(2) Individual class size shall not exceed 30 students. (a) Class size limits do not apply to instrumental music or choral groups. (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) The number of students assigned a teacher per day shall not exceed 150. (a) Study hall, regardless of size, shall be counted at 15 students. (b) Student limits do not apply to instrumental music or choral groups. (c) Library, guidance, and study hall duties are assigned student responsibilities. However, in cases where a teacher is assigned full time in these areas, the assignment may be for the entire day. (4) Teachers with a significant writing program, as determined by the local board of trustees, shall have a maximum load of 100 students.</p>		

<p><u>10.55.714</u> PROFESSIONAL DEVELOPMENT</p>		
<p>(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; (c) focuses on individual, collegial, and organizational improvement; (d) respects and nurtures the intellectual and leadership capacity of teachers, principals, and others in the school community; (e) reflects proven research and practice in teaching, learning, and leadership; (f) enables teachers to develop further experience in subject content, teaching strategies, uses of technologies, and other essential elements in teaching to high standards; (g) promotes continuous inquiry and improvement embedded in the daily life of schools; (h) is ongoing and sustained; (i) is planned collaboratively by those who will participate in and facilitate that development; (j) requires substantial time and other resources; (k) is driven by a coherent long-term plan; and (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.</p>	<p>(1) Professional development: (a) shall be aligned with <u>the</u> district <u>graduate profile</u> and educational goals outlined in the <u>district integrated action plan described in 10.55.601</u>objectives; (b) <u>is focused to enable educators to ensure that safety, well-being, and mental health of students is provided</u>; (b)(c) focuses on teachers as central to student learning and includes all other members of the school community; (e)(d) focuses on individual, collegial, and organizational <u>learning, reflection, and growth improvement</u>; (d)(e) respects and nurtures the intellectual and leadership capacity of teachers, principals, and others in the school community <u>by incorporating active learning and adult learning theory</u>; (e)(f) reflects proven research <u>and demonstrates models of effective</u> practice in teaching, learning, and leadership; (f)(g) enables teachers to develop further experience in subject content, teaching strategies, uses of technologies, and other essential elements in teaching to high standards; (g)(h) <u>promotes continuous inquiry and improvement embedded in daily life of schools offers opportunities for feedback and reflection</u>; (h)(i) is ongoing and sustained; (i)(j) is planned collaboratively by those who will participate in and facilitate that development; (j)(k) requires substantial time, <u>and</u> other resources, <u>and where practical provides coaching and expert support</u>; (l) <u>is job-embedded to encourage teachers to meet, share, collaborate, and grow their practice</u>; (k)(m) is driven by a coherent long-term plan; and (l)(n) is evaluated on the impact of professional development on teacher effectiveness and student</p>	<p>Aligning professional development to the comprehensive district strategies that improve learner outcomes that are vital to each student developing their full educational potential.</p> <p>Emphasizing the need for professional development for educators that ensure safety, well-being, and mental health of students.</p> <p>Updating professional development with best practices.</p>

	<p>learning, and the results of this assessment guides subsequent professional development.</p>	
<p>(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.</p> <p>(a) A professional development PIR day shall constitute six hours of contact time.</p> <p>(b) A school district may divide a professional development PIR day into no fewer than two-hour blocks of contact time.</p> <p>(c) A professional development block may be held on the same day as a pupil instruction day, but a school district shall not schedule a professional development PIR day to convene simultaneously with a pupil instruction day.</p>	<p>(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.</p> <p>(a) A professional development PIR day shall constitute six hours of contact time.</p> <p>(b) A school district may divide a professional development PIR day into no fewer than two-hour blocks of contact time.</p> <p>(c) A professional development block may be held on the same day as a pupil instruction day, but a school district shall not schedule a professional development PIR day to convene simultaneously with a pupil instruction day.</p>	
<p>(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.</p> <p>(a) The advisory committee shall include, but not be limited to, trustees, administrators, and teachers. A majority of the committee shall be teachers.</p> <p>(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.</p> <p>(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.</p> <p>(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</p>	<p>(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, which is a required component of the integrated action plan outlined in 10.55.601.</p> <p>(a) The advisory committee shall include, but not be limited to, trustees, administrators, and teachers. A majority of the committee shall be teachers.</p> <p>(b) Each school year the local board of trustees shall adopt a professional development plan embedded in the district integrated action plan for the subsequent school year based on the recommendation of the advisory committee.</p> <p>(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.</p> <p>(d) The plan adopted by the local board of trustees must take into consideration the advisory committee's</p>	

<p>attend the annual professional development meetings of state professional associations.</p> <p>(e) The adopted plan may include alternatives but shall not interfere with or prohibit teacher and specialist attendance at the annual October professional development meetings of state professional associations.</p> <p>(f) Teachers and specialists who do not attend the annual professional development October meetings of state professional associations or school district plan approved alternative professional development PIR days shall not be paid for the days they are absent.</p> <p>(g) Teachers, specialists, administrators, and school districts shall not substitute for professional development PIR day purposes professional development opportunities not specifically outlined in the school district's adopted professional development plan. The local board of trustees shall make their plan available to employees and the public.</p>	<p>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.</p> <p>(e) The adopted plan may include alternatives but shall not interfere with or prohibit teacher and specialist attendance at the annual October professional development meetings of state professional associations.</p> <p>(f) Teachers and specialists who do not attend the annual professional development October meetings of state professional associations or school district plan approved alternative professional development PIR days shall not be paid for the days they are absent.</p> <p>(g) Teachers, specialists, administrators, and school districts shall not substitute for professional development PIR day purposes professional development opportunities not specifically outlined in the school district's adopted professional development plan. The local board of trustees shall make their plan available to employees and the public.</p>	
<p>10.55.715 INSTRUCTIONAL PARAPROFESSIONALS: QUALIFICATIONS AND SUPERVISION</p>		
<p>(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.</p> <p>(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</p>	<p>No recommended changes</p>	

<p>delegate any activity to the instructional paraprofessional that requires professional skill, knowledge, and judgment.</p> <p>(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.</p> <p>(d)</p>		
<p><u>10.55.716</u> SUBSTITUTE TEACHERS</p>		
<p>(1) Substitute teachers may be used for extended teacher absences under the following conditions: 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.</p> <p>(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.</p>	<p>1) Substitute teachers may be used for extended teacher absences under the following conditions: (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.</p> <p>(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.</p>	
<p>(2) Any nonlicensed substitute teacher shall complete a minimum of three hours of training, as approved by the local board of trustees.</p>	<p>(2) Any nonlicensed substitute teacher shall complete a minimum of three hours of training, as approved by the local board of trustees.</p>	

<p>(3) Any nonlicensed substitute teacher must have received a high school diploma or have attained a passing score on the general education development assessment.</p>	<p>(3) Any nonlicensed substitute teacher must have received a high school diploma or have attained a passing score on the general education development assessment.</p>	
<p>(4) A district that employs a nonlicensed substitute teacher must conduct a fingerprint-based background check of that individual according to the following procedures:</p> <p>(a) The nonlicensed substitute teacher must present a complete set of fingerprints to a qualified law enforcement agency to be submitted to the school district.</p> <p>(b) The district shall not employ the nonlicensed substitute teacher until state and federal authorities have reported the results of the background check or until the district has conducted a reference check of the individual.</p> <p>(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.</p> <p>(d) The district shall consider the information obtained from the results of the fingerprint-based background check under the provisions of Title 37, chapter 1, part 2, MCA, governing the licensure of criminal offenders and under 20-4-110, MCA. Conviction, including conviction following a plea of nolo contendere, a conviction in which the sentence is suspended or deferred, or any other adjudication treated by the court as a conviction, may be considered by the district as grounds for removal from the classroom if the conviction was for a sexual offense, theft, or any other crime meeting the criteria of Title 37, chapter 1, part 2, MCA.</p>	<p>(4) A district that employs a nonlicensed substitute teacher must conduct a fingerprint-based background check of that individual according to the following procedures:</p> <p>(a) The nonlicensed substitute teacher must present a complete set of fingerprints to a qualified law enforcement agency to be submitted to the school district.</p> <p>(b) The district shall not employ the nonlicensed substitute teacher until state and federal authorities have reported the results of the background check or until the district has conducted a reference check of the individual.</p> <p>(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.</p> <p>(d) The district shall consider the information obtained from the results of the fingerprint-based background check under the provisions of Title 37, chapter 1, part 2, MCA, governing the licensure of criminal offenders and under 20-4-110, MCA. Conviction, including conviction following a plea of nolo contendere, a conviction in which the sentence is suspended or deferred, or any other adjudication treated by the court as a conviction, may be considered by the district as grounds for removal from the classroom if the conviction was for a sexual offense, theft, or any other crime meeting the criteria of Title 37, chapter 1, part 2, MCA.</p>	<p>Aligning to the current legal requirements for background checks.</p>

<p>(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.</p>	<p>(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.</p>	<p>Updating rule to account for the passing of time from 2002 to 2022.</p>
<p><u>10.55.717</u> ASSIGNMENT OF PERSONS PROVIDING INSTRUCTION TO BRAILLE STUDENTS</p>		
<p>(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:</p> <p>(a) successful completion of the National Literary Braille Competency Test; or</p> <p>(b) successful completion of the Braille competency test developed by Portland State University (Braille Literacy Usage Exam); or</p> <p>(c) successful completion of Library of Congress transcriber's certificate; or</p> <p>successful completion of a program, for teaching visually impaired students, from an accredited college or university.</p>	<p>(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:</p> <p>(a)<u>(d)</u> successful completion of a program, for teaching visually impaired students, from an <u>accredited approved educator preparation program as defined in 10.57.102 college or university</u>; or</p> <p>(b) successful completion of the Braille competency test developed by Portland State University (Braille Literacy Usage Exam) <u>National Certification in Unified English Braille Test and maintenance of that certificate</u>; or</p> <p>(c) successful completion of Library of Congress transcriber's certificate <u>the Unified English Braille Exam (Washington State School for the Blind) and ongoing maintenance</u>; or</p> <p>(d)<u>(a)</u> successful completion of the National Literary Braille Competency Test Literary Braille Transcribing Course available through National Federation of the Blind.</p>	<p>Sent to MSDB for experts to update rule to current national certifications and courses.</p>
<p>(2) The employing agency (school district and/or cooperative) is responsible for monitoring appropriate assignment of personnel under (1).</p>	<p>(2) The employing agency (school district and/or cooperative) is responsible for:</p> <p>(a) monitoring appropriate assignment of personnel under (1);</p> <p><u>(b) assuring personnel working towards certification are making adequate gains in their coursework; and</u></p> <p><u>(c) assuring maintenance of certification.</u></p>	<p>Emphasizing the importance of on-going maintenance of certification and skills.</p>

<p>(3) Any person under (1) shall have two years, from the date that the individual has been initially assigned to provide instruction in Braille or to produce Braille materials, to successfully pass the testing requirements.</p>	<p>(3) Any person under (1) shall have two years, from the date that the individual has been initially assigned to provide instruction in Braille or to produce Braille materials, to successfully pass the testing requirements.</p>	
<p>(4) A person who has met the requirements of (1) shall maintain their facility with "contracted" (grade two) standard literary Braille code through continuing education opportunities.</p>	<p>(4) A person who has met the requirements of (1) shall maintain their facility with "contracted" (grade two) standard literary Braille code through continuing education opportunities.</p>	
<p>(5) For the purposes of (4), an approved provider of continuing education may include any entity approved by the Montana Office of Public Instruction and/or the Montana Board of Education.</p>	<p>(5) For the purposes of (4), an approved provider of continuing education may include any entity approved by the Montana Office of Public Instruction and/or the Montana Board of Education.</p>	
<p>(6) Individuals who seek to remain eligible to work with visually impaired students are responsible for documenting completion of continuing education. Such individuals will provide a copy of their documentation to their employing school district.</p>	<p>(6) Individuals who seek to remain eligible to work with visually impaired students are responsible for documenting completion of continuing education. Such individuals will provide a copy of their documentation to their employing school district.</p>	
<p>(7) If a paraprofessional, who has not successfully met the requirements found in (1), is assigned to work with a student who has a visual impairment, the paraprofessional will be supervised by the district's special education teacher in collaboration with a teacher of the visually impaired who holds a credential from an accredited university. In addition, the assigned paraprofessional and the school district shall meet the requirements contained in (1) within two years of the date a student with a visual impairment has been identified as in need of Braille instruction and/or materials.</p>	<p>(7) If a paraprofessional, who has not successfully met the requirements found in (1), is assigned to work with a student who has a visual impairment, the paraprofessional will be supervised by the district's designated special education teacher in collaboration with a teacher of the visually impaired who holds a credential from an accredited <u>university-approved educator preparation program as defined in ARM 10.57.102</u>. In addition, the assigned paraprofessional and the school district shall meet the requirements contained in (1) within two years of the date a student with a visual impairment has been identified as in need of Braille instruction and/or materials.</p>	<p>Specifying the supervision of a paraprofessional to the designated special education teacher.</p> <p>Updating and aligning specialized programs (braille and sign language instruction) to Chapter 57 certification requirements.</p>

<p>10.55.718 ASSIGNMENT OF PERSONS PROVIDING SIGN LANGUAGE INTERPRETING FOR STUDENTS WHO ARE DEAF OR HARD OF HEARING</p>		
<p>(1) Effective July 1, 2011, and notwithstanding (3), no licensed or classified employee of any school district, cooperative, or contracted service provider shall be regularly assigned to provide educational sign language interpreting for a student(s) unless the employee has demonstrated skills and knowledge, at a 3.5 level or higher, on the Educational Interpreter Performance Assessment (EIPA) and passed the written portion of the Educational Interpreter Performance Assessment.</p>	<p>(1) Effective July 1, 2011, and notwithstanding (3), no licensed or classified employee of any school district, cooperative, or contracted service provider shall be regularly assigned to provide educational sign language interpreting for a student(s) unless the employee has demonstrated skills and knowledge, at a 3.5 level or higher, on the Educational Interpreter Performance Assessment (EIPA) and passed the written portion of the Educational Interpreter Performance Assessment.</p>	
<p>(2) Substitute employees of any school district, cooperative, or contracted service provider temporarily assigned to provide educational sign language interpreting for a student(s) for a period longer than 35 consecutive teaching days shall meet the standard in (1).</p>	<p>(2) Substitute employees of any school district, cooperative, or contracted service provider temporarily assigned to provide educational sign language interpreting for a student(s) for a period longer than 35 consecutive teaching days shall meet the standard in (1).</p>	
<p>(3) An employee who has not met the qualifications in (1), but who has demonstrated a competency level of 2.5 or higher on the EIPA or a score commensurate with a competency level of 2.5 or higher on the EIPA Pre-Hire Assessment, may be assigned to provide educational sign language interpreting services. Such individuals shall have three years, from date of initial assignment, or the effective date of this rule, to demonstrate competency as described in (1).</p>	<p>(3) An employee who has not met the qualifications in (1), but who has demonstrated a competency level of 2.5 or higher on the EIPA or a score commensurate with a competency level of 2.5 or higher on the EIPA Pre-Hire Assessment, may be assigned to provide educational sign language interpreting services. Such individuals shall have three years, from date of initial assignment, or the effective date of this rule, to demonstrate competency as described in (1).</p>	
<p>(4) The employing entity (school district, cooperative, or contracting service provider) is responsible for providing appropriate assignment of personnel (directly) and/or use of appropriate technologies.</p>	<p>(4) The employing entity (school district, cooperative, or contracting service provider) is responsible for providing appropriate assignment of personnel (directly) and/or use of appropriate technologies.</p>	
<p>(5) Employees who have met the requirements in (1) and who seek to remain eligible to work as educational sign language interpreters are responsible for documenting a completion of 12 clock hours of professional development and/or Office of Public Instruction renewal units per calendar year related to</p>	<p>(5) Employees who have met the requirements in (1) and who seek to remain eligible to work as educational sign language interpreters are responsible for documenting a completion of 12 clock hours of professional development and/or Office of Public Instruction renewal</p>	<p>Updated to align with Chapter 57-changing renewal units with professional development units.</p>

<p>the improvement of educational interpreting, performance, and knowledge skills. Such individuals will provide documentation of completion to their employing school district, cooperative, or contracting agency.</p>	<p><u>professional development</u> units per calendar year related to the improvement of educational interpreting, performance, and knowledge skills. Such individuals will provide documentation of completion to their employing school district, cooperative, or contracting agency.</p>	
<p>(6) For purposes of (5), approved providers of continuing educational opportunities shall include any entity approved by the Montana Office of Public Instruction or the Montana Board of Public Education.</p>	<p>(6) For purposes of (5), approved providers of continuing educational opportunities shall include any entity approved by the Montana Office of Public Instruction or the Montana Board of Public Education.</p>	

<p><u>10.55.719</u> STUDENT PROTECTION PROCEDURES</p>		
<p>(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:</p> <ul style="list-style-type: none"> (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. <p>(2) Behavior prohibited under (1) includes retaliation against a victim or witness who reports behavior prohibited under (1).</p> <p>(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.</p> <p>(4) The behavior prohibited in (1) includes but is not limited to conduct:</p> <ul style="list-style-type: none"> (a) in a classroom or other location on school 	<p>No recommended changes</p>	

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

<p>behavior prohibited under (1); and a procedure for the use of appropriate intervention and remediation for victims and perpetrators.</p>		
---	--	--

<p>10.55.720 SUICIDE PREVENTION AND RESPONSE</p>		
<p>(1) A local board of trustees shall establish policies, procedures, or plans related to suicide prevention and response that may include the following recommended elements:</p> <ul style="list-style-type: none"> (a) Promotes collaboration with families and with community providers in all aspects of suicide prevention and response; (b) Implements a prevention and response program that is effective in reaching students, staff, and parents using resources required of the Office of Public Instruction under 20-7-1310, MCA; (c) Includes high quality intervention services for students; (d) Promotes interagency cooperation that enables school personnel to identify and access appropriate community resources for use in times of crisis; (e) Includes reintegration of youth into a school following a crisis, hospitalization, or residential treatment; (f) Provides for leadership, planning, and support for students and school personnel to ensure appropriate responses to attempted or completed suicides; and (g) Ensures regular evaluation and revision of the policy and procedures. <p>(2) The term "response" includes both immediate response and postvention guidelines.</p>	<p>No recommended changes</p>	

<p><u>10.55.721</u> HAZARD AND EMERGENCY PLANS</p>		
<p>(1) A local board of trustees shall adopt a policy addressing a school safety plan or emergency operations plan. The plan required by this rule shall be periodically reviewed and updated as determined necessary by the trustees based on changing circumstances pertaining to school safety.</p>	<p>(1) A local board of trustees shall adopt a policy addressing a school safety plan or emergency operations plan. The plan required by this rule shall be periodically <u>reviewed with stakeholder input</u> and updated as determined necessary by the trustees based on changing circumstances pertaining to school safety.</p>	<p>Including the component of stakeholder input as part of the review.</p>
<p>(2) The plan shall include: (a) identification and assessment of the risks posed by potential local hazards within the boundaries of its school district; (b) designing and incorporating regularly conducted disaster drills to address the hazards identified pursuant to (1); (c) prevention, mitigation, response, and recovery before, during, and after an event; and (d) training.</p>	<p>(2) The plan shall include: (a) identification and assessment of the risks posed by potential local hazards within the boundaries of its school district; (b) designing and incorporating regularly conducted disaster drills to address the hazards identified pursuant to (1); (c) prevention, mitigation, response, and recovery before, during, and after an event; and (d) training.</p>	
<p>NEW STANDARD 10.55.722 FAMILY AND COMMUNITY ENGAGEMENT</p>		
	<p><u>(1) The local board of trustees shall implement a comprehensive family and community engagement plan that:</u> <u>(a) is aligned to the district integrated action plan required in ARM 10.55.601;</u> <u>(b) includes effective engagement practices that are linked to relational, developmental, collaborative, and interactive learning;</u> <u>(c) family and school staff have a shared responsibility in the learning of their child(ren) as evidenced by the following core beliefs:</u> <u>(i) families have dreams for their children and want the best for them;</u> <u>(ii) all families have the capacity to support their children's learning;</u> <u>(iii) family and school staff are partners; and</u> <u>(iv) the responsibility for cultivating and sustaining an inviting and inclusive climate rests primarily with school</u></p>	<p>Updating to highlight that authentic family–school and community engagement is based on best practices and principles that keep the focus on the learner, and core beliefs about engagement.</p>

	<p><u>staff; and</u></p> <p><u>(d) meets the following goals:</u></p> <p><u>(i) families actively participate in the life of the school and are welcomed, valued, and connected to each other, to school staff, and to what students are learning and doing in class;</u></p> <p><u>(ii) families and school staff engage in regular, two-way meaningful communication about student learning;</u></p> <p><u>(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;</u></p> <p><u>(iv) families and school staff are empowered to advocate for children, to ensure that students are treated equitably and have access to learning opportunities that will support their success;</u></p> <p><u>(v) families and school staff partner in decisions that affect children and families and together inform and influence policies, practices, and programs; and</u></p> <p><u>(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.</u></p>	
--	---	--

<p>NEW STANDARD: MENTORSHIP AND INDUCTION, 10.55.723</p>	<p><u>(1) The local board of trustees shall implement a mentorship and induction program that:</u></p> <p><u>(a) is research-based to ensure inclusion of high-impact professional learning strategies;</u></p> <p><u>(b) implemented to assist initial licensed and incoming educators in meeting teaching standards embedded in the district evaluation framework outlined in 10.55.724;</u></p> <p><u>(c) supports initial licensed and incoming teachers' planning, implementation, and assessment of instruction</u></p>	<p>This was originally a Chapter 57 discussion and the task force determined Chapter 55 was a better place to emphasize mentorship and induction. Much of the language was from that taskforce's recommendations to the Superintendent.</p>
---	---	---

	<p><u>aligned to the program area and content standards and content-specific learning progressions;</u></p> <p><u>(d) supports initial licensed and incoming teachers to establish and maintain a positive classroom climate; and</u></p> <p><u>(e) encourages continuous learning, reflection, and growth.</u></p>	
	<p><u>(2) The mentorship and induction program may include the following criteria:</u></p> <p><u>(a) provide training for mentors through the Montana Teacher Learning Hub, professional organizations, or other professional development opportunities;</u></p> <p><u>(b) prioritize mentor-mentee matches that are grade and subject-level aligned;</u></p> <p><u>(c) focus on research-based instructional practice;</u></p> <p><u>(d) engage with mentoring partners in professional collaboration; and</u></p> <p><u>(e) establish effective coaching for learning methods.</u></p>	
NEW STANDARD: EVALUATION 10.55.724		
	<p><u>(1) The local board of trustees shall ensure written evaluations of all regularly employed personnel.</u></p>	This rule emphasizes the duty of the board to ensure evaluations are completed and teachers have regular feedback for improvement.
10.55.801 SCHOOL CLIMATE		
<p>(1) The local board of trustees shall:</p> <p>(a) develop policies, procedures, and rules that respect the rights of all learners, promote an awareness of and concern for the well-being of others, and address bullying, intimidation, and harassment of students and school personnel;</p> <p>(b) create teaching and learning conditions that meet the district's educational goals and recruit and maintain a quality staff;</p> <p>(c) offer programs and services which, in content and presentation, endeavor to be free of stereotyping in terms of age, sex, religion, race, national origin, or handicapping condition;</p> <p>(d) provide programs and services that meet the</p>	<p>(1) The local board of trustees shall:</p> <p>(a) develop policies, procedures, and rules that respect the rights of all learners, promote an awareness of and concern for the well-being of others, and address bullying, intimidation, and harassment of students and school personnel;</p> <p>(b) create teaching and learning conditions that meet the district's educational goals and recruit and maintain a quality staff;</p> <p>(c) offer programs and services which, in content and presentation, endeavor to be free of stereotyping in terms of <u>aptitude, ability, age</u>, sex, <u>religion</u>, <u>political or religious ideas</u>, race, <u>culture, social</u> national origin or condition with prejudice toward none; <u>or handicapping condition</u></p>	Expanding the types of stereotypes to align with Article II Section 4 Individual Dignity of the Constitution of Montana.

<p>needs of students which the school has identified as at-risk;</p> <p>(e) inform students, parents, families, and guardians of the school's expectations and of students' rights and responsibilities;</p> <p>(f) encourage students to take responsibility for their education, including preparing for and participating in class and school activities, taking full advantage of learning services provided, helping design their educational goals, and conducting themselves respectfully and appropriately;</p> <p>(g) encourage the active involvement of parents, families, and guardians in their children's education and in their school; and</p> <p>(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.</p>	<p>(d) provide programs and services that meet the needs of students which the school has identified as at-risk;</p> <p>(e) inform students, parents, families, and guardians of the school's expectations and of students' rights and responsibilities;</p> <p>(f) encourage students to take responsibility for their education, including preparing for and participating in class and school activities, taking full advantage of learning services provided, helping design their educational goals, and conducting themselves respectfully and appropriately;</p> <p>(g) encourage the active involvement of parents, families, and guardians in their children's education and in their school; and</p> <p>(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; and</p> <p><u>(i) measure school climate through a valid and reliable tool to understand student, staff, family, and community perceptions of climate in their school and make data-driven decisions about programs and practices that could improve school climate.</u></p>	<p>Adding an assessment component to school climate, to ensure that schools make improvements where necessary because there is a correlation between school climate and student outcomes.</p>
<p>10.55.802 OPPORTUNITY AND EDUCATIONAL EQUITY</p>		
<p>(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.</p>	<p>(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 <u>aptitude, ability,</u> race, color, sex, culture, social origin or condition, or political or religious ideas, with prejudice toward none. This includes, <u>but is not limited to,</u> programs, facilities, educational materials, curriculum, counseling, library services, and extracurricular activities.</p>	<p>Aptitude and ability are important elements in respecting the dignity of every person and guaranteeing equality of educational opportunity, in the educational setting.</p>

<p><u>10.55.803</u> LEARNER ACCESS</p>		
<p>(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.</p>	<p>(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 <u>that ensure each learner has access to the following: assessing the educational needs of its students:</u></p> <ul style="list-style-type: none"> <u>(a) high quality instruction provided by a qualified educator that meets each of the following criteria:</u> <ul style="list-style-type: none"> <u>(i) students are engaged in authentic learning experiences that tie to their interests;</u> <u>(ii) students are all included in activities and given equal opportunity;</u> <u>(iii) uses formative and interim assessments to guide instruction;</u> <u>(iv) supports student metacognition, self-assessment, and reflection; and</u> <u>(v) provides opportunities for individual self-direction and decision making;</u> <u>(b) rigorous learning activities that are complex, engaging, can be accessed by all learners, and match student interests;</u> <u>(c) standards aligned curriculum and instructional materials that are place based, culturally diverse, honor differences among learners, reflect authentic historical and contemporary portrayals of American Indians, and include opportunity for choice and voice;</u> <u>(d) technology hardware and software appropriate to support individual student learning;</u> <u>(e) time for learning that includes opportunities for multiple modalities, collaboration in a variety of configurations, and student discussion;</u> <u>(f) supportive learning environment that provides a safe physical space for learning, furniture and other fixtures that provide adequate space for students to fully engage in learning activities, is accessible to all learners, regardless of physical limitations; and</u> 	<p>Updating learner access language to focus on what learners need that ensures learner safety, growth, well-being, and learning outcomes.</p> <p>Adding the need to appropriately assess and supply technology for each student</p>

	<u>(g) other resources, such as after school programming, tutoring, paraprofessionals, counselors, librarians and libraries, and support staff.</u>	
(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;	(2) implementing curriculum in all program areas, the local board of trustees shall (a) provide learning experiences matched to student's' 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) provide opportunities for individual self-direction and decision making; (f) provide equal access to learning resources; (g) provide instructional materials that support the adopted curricula; and provide books and materials that reflect authentic historical and contemporary portrayals of American Indians.	(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) provide opportunities for individual self-direction and decision making; (f) provide equal access to learning resources; (g) provide instructional materials 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.	(3) The local board of trustees shall identify, using appropriate criteria, students who may be at risk or in need of special services.	
<u>10.55.804</u> 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.	1) Districts shall provide educational services to gifted and talented students that are commensurate to their needs, and foster a positive self-image, <u>and create a supportive learning environment.</u>	Adding a supportive learning environment because it is key to a learner's personalized experiences.

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

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.	No recommended changes	
NEW STANDARD (10.55.806): ENGLISH LEARNERS	(10.55.806): ENGLISH LEARNERS	
	<u>(1) Districts shall provide educational services to help English Learners become proficient in English and meet state standards by creating high level language instruction programs, professional development, and family outreach.</u>	Adding a new rule for English Learners that aligns to existing federal requirements, because of the importance of distinct student groups that have not been identified previously.
	<u>(2) Each district shall comply with all federal and state laws and regulations addressing English Learners.</u>	
	<u>(3) Each district shall identify students who are eligible for language assistance, provide a sound program of instruction, assess their English proficiency annually, and notify parents of their initial placement in, progress within, and exit from the</u>	

	language program.	
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.	(1) An elementary school shall have an education program aligned to the program area standards that the content standards and content-specific grade-level grade-band learning progressions and recognizes the distinct and unique cultural heritages of American Indians.	Including the constitutional mandate for IEFA within basic education programs requirements for Elementary, Middle, and High School. Expanding grade-level learning progressions to grade-band based on proficiency-based learning models.
	(2) Instruction in reading literacy and writing literacy shall be incorporated into all required and elective program areas as required in the Montana Content Standards, ARM 10.53.101.	Adding reading and writing literacy for incorporation into all required and elective program areas, which matches the middle and high school program rules.
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.	(1) A school with middle grades must have an education program aligned to the program area standards that the content standards and content-specific grade-level grade-band learning progressions and recognizes the distinct and unique cultural heritages of American Indians.	Including the constitutional mandate for IEFA within basic education programs requirements for Elementary, Middle, and High School. Expanding grade-level learning progressions to grade-band based on proficiency-based learning models.
(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).	(2) Instruction in reading literacy and writing literacy shall be incorporated into all required and elective program areas as required in the Montana Content Standards, ARM 10.53.101. (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	

	<p>philosophy and components described in (3) or the departmentalized philosophy and components described in (4):</p>	
<p>(3) The Board of Public Education, upon recommendation of the Superintendent of Public Instruction, may approve a middle school program that:</p> <p>(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:</p> <p>(i) approach instruction, scheduling, and teaching in a variety of ways;</p> <p>(ii) undertake interdisciplinary work; and</p> <p>(iii) plan blocks of coursework deriving from the intellectual, social, emotional, and physical needs of middle school students.</p> <p>(b) incorporates critical and creative thinking, career awareness, lifelong learning, and safety;</p> <p>(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;</p> <p>(d) includes, at a minimum, the following program areas, required of all students yearly:</p> <p>(i) English language arts;</p> <p>(ii) mathematics;</p> <p>(iii) physical and life sciences;</p> <p>(iv) social studies; and</p> <p>(v) health enhancement.</p> <p>(e) at a minimum maintains the following required program areas:</p> <p>(i) visual arts including, but not limited to art history, art criticism, aesthetic perception, and production;</p> <p>(ii) music including, but not limited to general, instrumental, and vocal (emphasizing comprehensive music elements, music history, criticism, aesthetic perception, and musical production);</p> <p>(iii) career and technical education courses or</p>	<p>(3) The Board of Public Education, upon recommendation of the Superintendent of Public Instruction, may approve a middle school program that:</p> <p>(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:</p> <p>(i) approach instruction, scheduling, and teaching in a variety of ways;</p> <p>(ii) undertake interdisciplinary work; and</p> <p>(iii) plan blocks of coursework deriving from the intellectual, social, emotional, and physical needs of middle school students.</p> <p>(b) incorporates critical and creative thinking, career awareness, lifelong learning, and safety;</p> <p>(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;</p> <p>(3)(d) includes, at At a minimum, the following program areas, <u>as aligned with ARM 10.55.603 and ARM 10.55.1001 are</u> required of all students yearly:</p> <p>(i)(a) <u>(a) English language arts;</u></p> <p>(ii)(b) <u>(b) mathematics;</u></p> <p>(iii)(c) physical and life sciences sciences;</p> <p>(iv)(d) social studies; and</p> <p>(v)(e) health and physical enhancement education; and</p> <p>(f) elective/exploratory offerings at the discretion of the local board of trustees to provide a minimum of three of the following:</p> <p><u>(i) arts (visual arts, media arts, theater arts, music, and dance);</u></p> <p><u>(ii) career and technical education;</u></p> <p><u>(iii) computer science;</u></p> <p><u>(iv) world languages; and</u></p>	<p>Simplifying the middle school requirements to be in alignment with elementary and high school programming.</p> <p>Expanding sciences from physical and life to all sciences which also includes earth and space science.</p> <p>Updating health enhancement to current content language, which is health and physical education.</p> <p>Providing flexibility and local control for board of trustees to determine at a minimum of three elective/exploratory offerings for middle school.</p>

<p>pathways such as agriculture, business education, family and consumer sciences, health occupations and industrial technology education; and</p> <p>(iv) world languages.</p> <p>(f) offers as electives to all students exploratory courses such as creative writing, dance, drama, financial education, photography, and leadership.</p>	<p>(v) exploratory courses for example: math exploration, science exploration, business, creative writing, financial education, photography, and leadership.</p> <p>(e) at a minimum maintains the following required program areas:</p> <p>(i) visual arts including, but not limited to art history, art criticism, aesthetic perception, and production;</p> <p>(ii) music including, but not limited to general, instrumental, and vocal (emphasizing comprehensive music elements, music history, criticism, aesthetic perception, and musical production);</p> <p>(iii) career and technical education courses or pathways such as agriculture, business education, family and consumer sciences, health occupations and industrial technology education; and</p> <p>(iv) world languages.</p> <p>(f) offers as electives to all students exploratory courses such as creative writing, dance, drama, financial education, photography, and leadership.</p>	
<p>(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.</p> <p>(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.</p> <p>(b) All students shall complete the following program areas each year:</p> <p>(i) English language arts--1 unit;</p> <p>(ii) social studies--1 unit;</p> <p>(iii) mathematics--1 unit;</p> <p>(iv) science--1 unit; and</p> <p>(v) health enhancement--1/2 unit.</p> <p>(c) All students must be allowed to elect from the following program area offerings:</p> <p>(i) visual arts--1/2 unit;</p> <p>(ii) music--1/2 unit;</p>	<p>(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.</p> <p>(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.</p> <p>(b) All students shall complete the following program areas each year:</p> <p>(i) English language arts--1 unit;</p> <p>(ii) social studies--1 unit;</p> <p>(iii) mathematics--1 unit;</p> <p>(iv) science--1 unit; and</p> <p>(v) health enhancement--1/2 unit.</p> <p>(c) All students must be allowed to elect from the following program area offerings:</p> <p>(i) visual arts--1/2 unit;</p> <p>(ii) music--1/2 unit;</p>	<p>Removing the duplicate language for junior high and placing within middle school program offerings.</p>

<p>(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. (e) Time to pass between classes may be counted toward the standard school day but shall not be counted toward class time.</p>	<p>(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. (e) Time to pass between classes may be counted toward the standard school day but shall not be counted toward class time.</p>	
<p>10.55.904 BASIC EDUCATION PROGRAM OFFERINGS: HIGH SCHOOL</p>		
<p>(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.</p>	<p>(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 the content standards and content-specific grade-level <u>grade-band</u> -learning progressions <u>and recognizes the distinct and unique cultural heritages of American Indians.</u></p>	<p>Including the constitutional mandate for IEFA within basic education programs requirements for Elementary, Middle, and High School.</p>
<p>(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.</p>	<p>(2) Instruction in reading literacy and writing literacy shall be incorporated into all required and elective program areas as required in the Montana <u>Content</u> Common Core Standards, ARM Title 10, chapter 53.</p>	<p>Listing the current name of the Montana Content Standards.</p>
<p>(3) Minimum offerings shall include at least the following: (a) 4 units of English language arts; (b) 3 units of mathematics; (c) 3 units of science; (d) 3 units of social studies; (e) 2 units of career and technical education; (f) 2 units of arts; (g) 1 unit of health enhancement; (h) 2 units of world languages; and 2 units of electives.</p>	<p>(3) Minimum offerings shall include at least the following: (a) 4 units of English language arts; (b) 3 units of mathematics; (c) 3 units of science; (d) 3 units of social studies <u>(including ½ unit Civics or Government).</u> (e) 2 units of career and technical education; (f) 2 units of arts; (g) 1 unit of health <u>enhancement and physical education;</u> (h) 2 units of world languages; <u>and</u> (i) 2 units of electives; <u>and</u> <u>(j) ½ unit of economics or financial literacy within the 3 units of social studies, the 3 units of math. or the 2 units of career and technical education.</u></p>	<p>Enhancing High School program offerings to include Civics/Government and Economic or Financial Literacy. Flexibility has been built in to allow local school districts to determine if they would provide Economic or Financial Literacy within Social Studies, Mathematics, or CTE courses.</p>

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.	(1) As a minimum, a school district's requirements for graduation shall include a total of 20 units of study that the content standards and content-specific <u>grade-level grade-band</u> learning progressions. <u>Students may demonstrate achievement through a flexible system of pupil-centered learning.</u>	
<p>(2) In order to meet the content and performance standards, the following 13 units shall be part of the 20 units required for all students to graduate:</p> <ul style="list-style-type: none"> (a) 4 units of English language arts; (b) 2 units of mathematics; (c) 2 units of social studies; (d) 2 units of science; (e) 1 unit of health enhancement, with 1/2 unit each year for two years; (f) 1 unit of arts; and 1 unit of career and technical education. 	<p>(2) In order <u>for students to graduate</u>, they must meet the content and performance standards. The the following 13 units shall be part of the 20 units. <u>The required units may be satisfied by an equivalent course that meets the district's curriculum and assessment requirements, which are aligned with each of the content standards required for all students to graduate:</u></p> <ul style="list-style-type: none"> (a) 4 units of English language arts; (b) 2 units of mathematics; (c) 2 units of social studies <u>(including a ½ unit of Civics or Government);</u> (d) 2 units of science.; (e) 1 unit of health <u>enhancement and physical education</u>, <u>with 1/2 unit each year for two years;</u> (f) 1 unit of art; (g) 1 unit of career and technical education; <u>and</u> (h) <u>½ unit of economics or financial literacy within the 2 units of social studies, the 2 units of mathematics, or the 1 unit of career and technical education.</u> 	<p>Highlighting a proficiency-based model and existing flexibility for high school graduation units to be earned with an equivalent course that meets the district's curriculum and assessment requirements.</p> <p>Enhancing High School graduation requirements to include Civics/Government and Economic or Financial Literacy. The recommended change would be within the existing required 20 credits not additional to. Flexibility has been built in to allow local school districts to determine if they would provide Economic or Financial Literacy within Social Studies, Mathematics, or CTE courses.</p> <p>Removing the requirement that health and physical education occur with ½ unit each year for two years to provide more flexibility for student schedules.</p>
(3) Units of credit earned in any Montana high school accredited by the Board of Public Education shall be accepted by all Montana high schools.	(3) Units of credit earned in any Montana high school accredited by the Board of Public Education shall be accepted by all Montana high schools.	
(4) In accordance with the policies of the local board of trustees, students may be graduated from high school with less than four years enrollment.	(4) In accordance with the policies of the local board of trustees, students may be graduated from high school with less than four years enrollment.	

<p><u>10.55.906</u> HIGH SCHOOL CREDIT</p>		
<p>(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) Passage of time between classes may be counted toward the standard school day but shall not be counted toward class time.</p>	<p>(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 or <u>demonstration of an equivalent course that meets the district's curriculum and assessment requirements, which are aligned with each of the content standards.</u> (b) Passage of time between classes may be counted toward the standard school day but shall not be counted toward class time.</p>	<p>The language added to this rule ensures alignment to 10.55.905.</p>
<p>(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.</p>	<p>(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 trustees' permission.</p>	
<p>(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.</p>	<p>(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.</p>	
<p>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</p>	<p>(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</p>	

<p>high school in which the student was then enrolled and which appear on the student's official high school transcript as defined in ARM 10.55.911.</p>	<p>high school in which the student was then enrolled and which appear on the student's official high school transcript as defined in ARM 10.55.911.</p>	
<p><u>10.55.907</u> DISTANCE, ONLINE, AND TECHNOLOGY-DELIVERED LEARNING</p>		
<p>(1) This rule establishes requirements for distance, online, and technology-delivered learning programs and/or courses that fulfill elementary or middle grades basic education programs and/or high school graduation requirements.</p>	<p>(1) This rule establishes requirements for distance, online, and technology-delivered learning programs and/or courses that fulfill elementary or middle grades basic education programs and/or high school graduation requirements.</p>	<p>Expanding grade-level learning progressions to grade-band based on proficiency-based learning models.</p>
<p>(2) School districts may receive and/or provide distance, online, and technology-delivered learning programs. (a) School districts receiving distance, online, and technology-delivered learning programs to supplement instruction may utilize distance, online, and technology-delivered learning as they would other supplementary resources without restriction. (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.</p>	<p>(2) School districts may receive and/or provide distance, online, and technology-delivered learning programs. (a) School districts receiving distance, online, and technology-delivered learning programs to supplement instruction may utilize distance, online, and technology-delivered learning as they would other supplementary resources without restriction. (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 <u>grade-band</u> 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.</p>	<p>Setting the timeline for an annual requirement that allows districts to meet the requirement within the data reporting time frame rather than at additional timeframes.</p>
<p>(3) Except as provided in (3)(a), teachers of distance, online, and technology-delivered learning programs shall be licensed and endorsed in Montana or elsewhere in the area of instruction taught with such license granted as a result of the completion of an accredited professional educator preparation program as defined in ARM <u>10.57.102</u>(3). School districts receiving distance, online, and technology-delivered learning programs</p>	<p>(3) Except as provided in (3)(a), teachers of distance, online, and technology-delivered learning programs shall be licensed and endorsed in Montana or elsewhere in the area of instruction taught. with such license granted as a result of the completion of an accredited professional educator preparation program as defined in ARM 10.57.102(3). School districts receiving distance, online, and technology-delivered learning programs described in this rule shall</p>	<p>Removing unnecessary language.</p>

<p>described in this rule shall have a distance learning facilitator for each course and available to the students.</p> <p>(a) When a teacher of distance, online, and technology-delivered learning programs and/or courses does not possess the qualifications specified in (3), the facilitator must be licensed and endorsed in Montana or elsewhere in the area of instruction facilitated with such license granted as a result of the completion of an accredited professional educator preparation program as defined in ARM 10.57.102(3).</p> <p>(b) When a teacher of distance, online, and technology-delivered learning programs is qualified as provided in (3), the receiving school district's facilitator shall be a licensed teacher or a para-educator.</p> <p>(c) School districts receiving distance, online, and technology-delivered learning programs and/or courses must provide qualified facilitators for synchronous delivery to students in schools accredited by the Montana Board of Public Education, requiring physical presence of a facilitator, and for asynchronous delivery, requiring facilitators be available to students.</p> <p>(d) The school district must ensure that the distance, online, and technology-delivered learning facilitators receive in-service training on technology-delivered instruction.</p>	<p>have a distance learning facilitator for each course and available to the students.</p> <p>(a) When a teacher of distance, online, and technology-delivered learning programs and/or courses does not possess the qualifications specified in (3), the facilitator must be licensed and endorsed in Montana or elsewhere in the area of instruction facilitated. with such license granted as a result of the completion of an accredited professional educator preparation program as defined in ARM 10.57.102(3).</p> <p>(b) When a teacher of distance, online, and technology-delivered learning programs is qualified as provided in (3), the receiving school district's facilitator shall be a licensed teacher or a para-educator.</p> <p>(c) School districts receiving distance, online, and technology-delivered learning programs and/or courses must provide qualified facilitators for synchronous delivery to students in schools accredited by the Montana Board of Public Education, requiring physical presence of a facilitator, and for asynchronous delivery, requiring facilitators be available to students.</p> <p>(d) The school district must ensure that the distance, online, and technology-delivered learning facilitators receive in-service training on technology-delivered instruction.</p>	
<p>(4) Montana school districts providing distance, online and technology-delivered learning shall comply with the teacher load requirements of ARM 10.55.713(3).</p>	<p>(4) Montana school districts providing distance, online and technology-delivered learning shall comply with the teacher load requirements of ARM 10.55.713(3).</p>	
<p>(5) Digital content providers serving Montana schools accredited by the Board of Public Education shall: annually, by the first Monday in August, register with the Office of Public Instruction;</p>	<p>(5) Digital content providers serving Montana schools accredited by the Board of Public Education shall:</p> <p>(a) annually, by the first Monday in August, register with the Office of Public Instruction;</p> <p>(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</p>	<p>Setting the timeline for an annual requirement that allows districts to meet the requirement within the data reporting time frame rather than at additional timeframes.</p>

	(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.	
--	---	--

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.	(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.	(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.	(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 <u>state or</u> federal accessibility standards.	Adding state to federal accessibility standards for facilities, because state rules may impact local district decisions for school facilities beyond federal guidelines.
(4) The school shall provide the necessary equipment for first aid.	(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.	(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.	(6) The local board of trustees shall have a written policy that defines the use of school facilities and resources.	
10.55.909 STUDENT RECORDS		
(1) Each school shall keep, in secure storage, a permanent file of students' records, that shall include: (a) the name and address of the student; (b) his/her parent or guardian; (c) birth date;	No recommended changes	

<p>(d) academic work completed; (e) level of achievement (grades, standardized achievement tests); (f) immunization records as per 20-5-406, MCA; (g) attendance data; and (h) the statewide student identifier assigned by the Office of Public Instruction.</p>		
<p>(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.</p>		
<p>(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).</p>		
<p>(4) All inactive permanent records from a school that closes shall be sent to the county superintendent or the appropriate county official.</p>		
<p>10.55.910 STUDENT DISCIPLINE RECORDS</p>		
<p>(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</p>	<p>No recommended changes</p>	

<p>subject to transfer to a local educational agency, accredited school, or nonpublic school pursuant to 20-1-213, MCA.</p>		
<p>10.55.911 OFFICIAL HIGH SCHOOL TRANSCRIPT</p>		
<p>(1) The high school transcript is the official academic record of the courses and credits completed by a high school student. At a minimum, the high school transcript must include:</p> <ul style="list-style-type: none"> (a) statewide student identifier; (b) student legal name, address, gender, and date of birth; (c) statewide school identifier, school name, school address, school phone, school system name, school system code, and school code; (d) student grade level; (e) student entry date and exit date; (f) course code, course title, course grade, and credits earned for each school term and course taken; (g) grade point average; (h) graduation date; (i) diploma type; (j) class rank; (k) number in class; (l) for each test reported, the test date and the score for each portion of the test; (m) academic honors, if applicable; and (n) required number of credits for graduation. 	<p>No recommended changes</p>	
<p>10.55.1001 PROGRAM STANDARDS</p>		
<p>(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.</p>	<p>(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 grade-band learning progressions.</p>	<p>Expanding grade-level learning progressions to grade-band based on proficiency-based learning models.</p>
<p>10.55.1003 PROGRAM FOUNDATION STANDARDS</p>		
<p>(1) The purpose of all programs is to develop and apply knowledge and skills necessary to pursue lifelong goals and opportunities.</p>	<p>(1) The purpose of all programs is to develop and apply knowledge and skills necessary to pursue lifelong goals and opportunities.</p>	<p>The change from accreditation to administrative is an error, because content standards are in ARM chapter 53 and 54 and not in accreditation standards.</p>

<p>(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:</p> <p>(a) meet the following conditions:</p> <p>(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;</p> <p>(ii) ensure an educational climate that promotes academic freedom and respect for diversity with prejudice toward none;</p> <p>(iii) maintain high expectations for student performance, behavior, and lifelong learning; and</p> <p>(iv) encourage collaboration among school personnel to plan, assess, and support instruction.</p> <p>(b) include the following practices:</p> <p>(i) offer engaging and relevant experiences that enable students to develop effective communication skills in their personal lives, workplaces, and communities;</p> <p>(ii) teach ethical behavior, including use of technology (social media) and the implications of one's choices;</p> <p>(iii) implement research-based instructional skills and strategies to improve student learning;</p> <p>(iv) challenge students to think creatively and critically, and use the inquiry process to solve problems and make informed decisions;</p> <p>(v) encourage interdisciplinary instruction;</p> <p>(vi) use relevant data to inform decision making, modify instruction, and increase student learning;</p> <p>(vii) integrate information literacy skills, technology tools, and workplace competencies to support learning in</p>	<p>(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 grade-band learning progressions. All programs shall follow the content standards in the accreditation <u>administrative</u> rules of Montana. The local board of trustees shall:</p> <p>(a) meet the following conditions:</p> <p>(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;</p> <p>(ii) ensure an educational climate that promotes academic freedom and respect for diversity with prejudice toward none;</p> <p>(iii) maintain high expectations for student performance, behavior, and lifelong learning; and</p> <p>(iv) encourage collaboration among school personnel to plan, assess, and support instruction.</p> <p>(b) include the following practices:</p> <p>(i) offer engaging and relevant experiences that enable students to develop effective communication skills in their personal lives, workplaces, and communities;</p> <p>(ii) teach ethical behavior, including use of technology (social media) and the implications of one's choices;</p> <p>(iii) implement research-based instructional skills and strategies to improve student learning;</p> <p>(iv) challenge students to think creatively and critically, and use the inquiry process to solve problems and make informed decisions;</p> <p>(v) encourage interdisciplinary instruction;</p> <p>(vi) use relevant data to inform decision making, modify instruction, and increase student learning;</p>	<p>Removing workplace competency standards because they were replaced by new CTE standards ensuring K-12 students are prepared for a wide range of careers and post-secondary education programs.</p>
---	--	---

<p>all curricular areas; and (viii) provide equitable access to all facilities, technology, equipment, materials, and services necessary to support the instructional process.</p>	<p>(vii) integrate information literacy skills <u>and</u> 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.</p>	
<p><u>10.55.1101</u> COMMUNICATION ARTS PROGRAM DELIVERY STANDARDS</p>	<p><u>COMMUNICATION ARTS-ENGLISH LANGUAGE ARTS AND LITERACY</u></p>	
<p>(1) In general, a basic program in communication arts shall:</p> <p>(a) meet the following conditions:</p> <p>(i) promote literacy and language excellence in the spoken, written, and visual form; and</p> <p>(ii) make available a variety of print and non-print materials encompassing fiction and non-fiction, classic and contemporary works, and diverse perspectives including Montana American Indian works.</p> <p>(b) include the following practices:</p> <p>(i) integrate reading, literature, writing, speaking, listening, and media literacy with a balanced approach supported by current research and/or based on best practices in the field of communication arts;</p> <p>(ii) emphasize multiple strategies and artistic forms to teach the conventions, demands, and responsibilities of language;</p> <p>(iii) emphasize writing as a process;</p> <p>(iv) provide opportunities for informal and formal speaking and listening;</p> <p>(v) offer experiences in viewing, creating, and critically evaluating different types of media; and</p> <p>(vi) encourage co-curricular offerings in drama, speech, debate, journalism, literary publications, and other related activities.</p> <p>History: Sec. <u>20-2-114</u>, MCA; <u>IMP</u>, Sec. <u>20-2-121</u>, <u>20-3-106</u>, <u>20-7-101</u>, MCA; <u>NEW</u>, 1989 MAR p. 342, Eff. 7/1/89; <u>AMD</u>, 2001 MAR p. 953, Eff. 6/8/01.</p>	<p>(1) In general, a basic program in <u>communication English language arts and Literacy</u> shall:</p> <p>(a) meet the following conditions:</p> <p>(i) promote literacy and language excellence in the spoken, written, and visual form-reading, writing, speaking, and listening for creative and purposeful expression in language;</p> <p><u>(ii) engagement with high-quality literary and informational text that build knowledge, expand experiences, and broadens views; and</u></p> <p><u>(iii) emphasize reasoning and use of evidence that is essential for deliberation;</u></p> <p>(ii) (iv) (iv) make available a variety of print and non-print materials encompassing fiction and non-fiction, classic and contemporary works, and diverse perspectives including Montana American Indian works; <u>and</u></p> <p><u>(v) promote critical reading that is necessary to navigate the vast amount of information available both in print and digitally.</u></p> <p>(b) include the following practices:</p> <p>(i) integrate reading, literature, writing, speaking, listening, and media literacy with a balanced approach supported by current research and/or based on best practices in the field of communication-English language arts and <u>Literacy</u>;</p> <p>(ii) emphasize multiple strategies and artistic forms to teach the conventions, demands, and responsibilities of language;</p> <p>(iii) emphasize writing as a process;</p>	<p>The changes to the program delivery standards more closely align to the major themes in the content standards for ELA. The title has also been updated from Communication to English Language Arts and Literacy.</p>

	<p>(iv) provide opportunities for informal and formal speaking and listening;</p> <p>(v) offer experiences in viewing, creating, and critically evaluating different types of media; and</p> <p>(vi) encourage co-curricular offerings in drama, speech, debate, journalism, literary publications, and other related activities.</p>	
<p>10.55.1201 ARTS PROGRAM DELIVERY STANDARDS</p>		
<p>(1) In general, a basic program in arts shall:</p> <p>(a) meet the following conditions:</p> <p>(i) incorporate visual arts (e.g., drawing, painting, printmaking, photography, film, electronic media, sculpture, applied design, installation) ;</p> <p>(ii) incorporate performing arts, including music (e.g., choral music, instrumental music, music appreciation) , theater (e.g., drama, play production) , and dance;</p> <p>(iii) provide instruction that includes history of the arts, criticism, production, performance, and aesthetics; and</p> <p>(iv) encourage a variety of co-curricular offerings (e.g., drama, literary and art publications, performance groups, arts clubs) and other avenues for students to practice their artistic skills in the community and the world.</p> <p>(b) include the following practices:</p> <p>(i) structure activities to allow students to develop techniques in the arts;</p> <p>(ii) allow students to explore the elements of artistic composition and a variety of media, functions, styles, and presentation forms;</p> <p>(iii) provide access to exemplary works of art from diverse cultures and historical periods and access to current materials, techniques, technology, and processes in the arts; and</p> <p>(iv) provide real audiences for student performance and products, display areas, and performance areas (e.g., stages, galleries, fairs) .</p>	<p>No recommended changes</p>	

<p><u>10.55.1301</u> HEALTH ENHANCEMENT PROGRAM DELIVERY STANDARDS</p>	<p>HEALTH AND PHYSICAL EDUCATION ENHANCEMENT PROGRAM DELIVERY STANDARDS</p>	
<p>(1) In general, a basic health enhancement program shall:</p> <p>(a) meet the following conditions:</p> <p>(i) maintain class size in accordance with other curriculum areas;</p> <p>(ii) focus on the knowledge and skills necessary to maintain a healthy lifestyle;</p> <p>(iii) integrate and include components of the traditional "health" and "physical education" disciplines;</p> <p>(iv) maintain a program that meets the educational requirements of health enhancement; and</p> <p>(v) maintain adequate first aid materials and communication device capabilities.</p> <p>(b) include the following practices:</p> <p>(i) make appropriate use of technology in the curriculum;</p> <p>(ii) give students the decision-making tools to promote personal and community responsibility;</p> <p>(iii) address the physical, emotional, social, and intellectual dimensions of a healthy lifestyle; and</p> <p>(iv) promote physical activity as a means to a healthy lifestyle.</p>	<p>(1) In general, a basic health <u>and physical education enhancement</u> program shall:</p> <p>(a) meet the following conditions:</p> <p>(i) maintain class size in accordance with other curriculum areas;</p> <p>(ii) focus on the knowledge and skills necessary to maintain a healthy lifestyle;</p> <p>(iii) integrate and include components of the traditional "health" and "physical education" disciplines;</p> <p>(iv) maintain a program that meets the educational requirements of health <u>and physical</u> education enhancement; and</p> <p>(v) <u>provide for the participation of all students in a health enhancement and physical education program; and</u></p> <p>—(v)(vi) maintain adequate first aid materials and communication device capabilities.</p> <p>(b) include the following practices:</p> <p>(i) make appropriate use of technology in the curriculum;</p> <p>(ii) give students the decision-making tools to promote personal and community responsibility;</p> <p>(iii) address the physical, emotional, social, and intellectual dimensions of a healthy lifestyle; and</p> <p>(iv) promote physical activity as a means to a healthy lifestyle.</p>	<p>Updated the program standard title, while recognizing physical education and a corollary component of Health Enhancement.</p> <p>Includes the language from 10.55.1302 regarding participation.</p>
<p><u>10.55.1302</u> HEALTH ENHANCEMENT PARTICIPATION</p>	<p><u>10.55.1302</u> HEALTH ENHANCEMENT PARTICIPATION</p>	
<p>(In accordance with ARM 10.55.603 and ARM 10.55.1001) (1) Each student shall participate in a health enhancement program which is based on age, ability, and aptitude.</p> <p>History: Sec. 20-2-114, MCA; IMP, Sec. 20-2-121, MCA; NEW, 1989 MAR p. 342, Eff. 7/1/89.</p>	<p>(In accordance with ARM 10.55.603 and ARM 10.55.1001) (1) Each student shall participate in a health enhancement program which is based on age, ability, and aptitude.</p>	<p>Incorporated the participation into the program delivery standards above.</p> <p>Recommend repeal of this rule.</p>

<p>10.55.1401 MATHEMATICS PROGRAM DELIVERY STANDARDS</p>		
<p>(1) In general, a basic mathematics program, shall:</p> <p>(a) meet the following conditions:</p> <p>(i) provide a well-articulated curriculum that challenges students to learn increasingly more sophisticated mathematical ideas; and</p> <p>(ii) provide conceptual mathematical understanding as well as factual knowledge and procedural facility.</p> <p>(b) include the following practices:</p> <p>(i) create, enrich, maintain, and adapt instruction to meet mathematical goals;</p> <p>(ii) incorporate appropriate technology into the math program;</p> <p>(iii) connect the development of skills and procedures to the more general development of mathematical understanding; and</p> <p>(iv) effectively observe students, listen carefully to students' ideas and explanations, have mathematical goals, and use the information to make instructional decisions.</p>	<p>No recommended changes</p>	
<p>10.55.1501 SCIENCE PROGRAM DELIVERY STANDARDS</p>		
<p>(1) In general, a basic program in science shall:</p> <p>(a) meet the following conditions:</p> <p>(i) maintain an environment that recognizes scientific knowledge as the product of inquiry and is continually subject to review, verification, and revision; and</p> <p>(ii) foster an environment that embraces the interactions of science, technology, and society.</p> <p>(b) include the following practices:</p> <p>(i) investigate problems of individual, social, and ethical importance in the natural world through the selection and application of appropriate scientific techniques;</p> <p>(ii) connect initial inquiry and discovery to prior knowledge;</p>	<p>No recommended changes</p>	

<p>(iii) employ varied strategies for investigation, allowing students to understand science as a process, experience practical problem-solving, and develop critical thinking skills;</p> <p>(iv) emphasize experimentation, data analysis, and the communication of findings to build new understandings by classifying ongoing observations, modeling natural phenomena, and developing the capacity to make inferences about unexplored concepts; and</p> <p>(v) use technology for collaborative inquiries to extend curricular experiences within the school and to other schools, communities, and businesses.</p>		
---	--	--

<p>10.55.1601 SOCIAL STUDIES PROGRAM DELIVERY STANDARDS</p>		
<p>(1) In general, a basic program in social studies shall:</p> <p>(a) meet the following conditions:</p> <p>(i) use strategies and methods that incorporate multiple perspectives as a basic component of social studies instruction;</p> <p>(ii) support the democratic process and teach the skills necessary to promote a learning environment to foster individual civic competence; and</p> <p>(iii) integrate knowledge, skills, beliefs, values, and attitudes within and across the four content areas listed in ARM 10.53.901 to promote active citizenship.</p> <p>(b) include the following practices:</p> <p>(i) incorporate inquiry skills and strategies using a variety of both primary and secondary resources;</p> <p>(ii) promote socialization and social criticism through civil discourse and critical thinking as a commitment to civic responsibility;</p> <p>(iii) analyze ethical dimensions and social policy implications of issues to provide an arena for reflective development of concern for individual needs and the common good;</p>	<p>No recommended changes</p>	

<p>(iv) promote decision-making and critical thinking skills and civic responsibilities through active participation across the four content areas listed in ARM 10.53.901; and</p> <p>(v) nurture an understanding of the contemporary and historical traditions and values of American Indian cultures and other cultural groups of significance to Montana and to society.</p>		
<p>10.55.1701 CAREER AND VOCATIONAL/ TECHNICAL EDUCATION PROGRAM DELIVERY STANDARDS</p>	<p>CAREER AND VOCATIONAL/ TECHNICAL EDUCATION PROGRAM DELIVERY STANDARDS</p>	
<p>(1) In general, a basic program in career and vocational/technical education shall:</p> <p>(a) meet the following conditions:</p> <p>(i) skill development leading to lifelong pursuits;</p> <p>(ii) program development in consultation with an advisory council; and</p> <p>(iii) opportunities for authentic application, work experience, and/or articulation with postsecondary education.</p> <p>(b) include the following practices:</p> <p>(i) foster skill development for employment, advanced training, and lifelong learning;</p> <p>(ii) input from representatives of business and industry;</p> <p>(iii) analysis of skills and knowledge required in paid and non-paid careers;</p> <p>(iv) leadership and character development through participation in career and technical student organizations (CTSOs);</p> <p>(v) progression of skills and knowledge from basic to advanced; and</p> <p>(vi) integration of career and vocational/technical competencies with academic knowledge in a contextual setting.</p>	<p>(1) In general, a basic program in career and vocational/technical education shall:</p> <p>(a) meet the following conditions:</p> <p>(i) skill development leading to lifelong pursuits;</p> <p>(ii) program development in consultation with an advisory council; and</p> <p>(iii) opportunities for authentic application, work experience, and/or articulation with postsecondary education.</p> <p>(b) include the following practices:</p> <p>(i) foster skill development for employment, advanced training, and lifelong learning;</p> <p>(ii) input from representatives of business and industry;</p> <p>(iii) analysis of skills and knowledge required in paid and non-paid careers;</p> <p>(iv) leadership, and character development, and character, and employability skills through participation in career and technical student organizations (CTSOs);</p> <p>(v) progression of skills and knowledge from basic to advanced; and</p> <p>(vi) integration of career and vocational/technical competencies with academic knowledge in a contextual setting.</p>	<p>Removing the term vocational that is not a current term utilized within CTE.</p> <p>Updating the CTSO to include employability skills, like professionalism, teamwork, critical thinking, oral and written communication, leadership and more, which helps students develop career readiness and employability skills that have value across industries and career fields.</p>

10.55.1801 LIBRARY MEDIA PROGRAM DELIVERY STANDARDS	LIBRARY MEDIA <u>AND INFORMATION LITERACY</u> PROGRAM DELIVERY STANDARDS	Title of program delivery standards changed to match content standards in 10.53.1201-1209 that were adopted in 2021.
<p>(1) In general, a basic program in library media shall:</p> <p>(a) meet the following conditions:</p> <p>(i) establish scheduling to ensure that libraries respond to information needs, foster intellectual curiosity, and support learning;</p> <p>(ii) ensure collaboration with classroom teachers of all disciplines to implement content area standards and to assist students in engaging in the inquiry/research process;</p> <p>(iii) model and support the ethical use of information, adherence to copyright laws, and respect for intellectual property; and</p> <p>(iv) advise the board of trustees on policy and rule pertaining to:</p> <p>(A) develop and maintain a physical and digital library collection that is current, balanced, and reflects authentic historical and cultural contributions of Montana's American Indians and other minority and ethnic groups;</p> <p>(B) engage in comprehensive long range planning to administer and manage, in a secure area, the human, financial, digital, and physical resources of the library to locate, access, and use resources that are organized and cataloged; and</p> <p>(C) implement a viable collection development policy which includes the following components:</p> <p>(I) materials selection and de-selection;</p> <p>(II) challenged materials procedure;</p> <p>(III) intellectual/academic freedom statement;</p> <p>(IV) confidentiality assurance;</p> <p>(V) copyright guidelines; and</p> <p>(VI) gifts and donations.</p> <p>(b) include the following practices:</p> <p>(i) collaborate with classroom teachers of all disciplines to highlight and reinforce the commonalities and links between and among the curricular areas;</p>	<p>No recommended changes</p>	

<p>(ii) cooperate and join with other libraries, information agencies, and community resources in the sharing of materials;</p> <p>(iii) encourage partnerships with information centers that use providers of electronic content and information systems; and</p> <p>(iv) participate in school-wide technology and telecommunications digital service and content planning and promote its integration into all instructional programs.</p>		
---	--	--

<p><u>10.55.1901</u> SCHOOL COUNSELING PROGRAM DELIVERY STANDARDS</p>		
<p>(1) In general, school counseling shall:</p> <p>(a) meet the following conditions:</p> <p>(i) provide a comprehensive developmentally planned program;</p> <p>(ii) advocate for all students and encourage students to develop to their full potential;</p> <p>(iii) respect the worth and dignity of all individuals by building trust and respecting confidentiality; and</p> <p>(iv) contribute as an integral part of the education process that is delivered through a variety of systems by school staff, students, parents, business, and industry.</p> <p>(b) include the following practices:</p> <p>(i) maximize students' potential in the areas of academics, career, and personal/social development;</p> <p>(ii) develop a guidance curriculum presented through structured groups and classroom presentations;</p> <p>(iii) conduct individual planning using assessment, advisement, placement, and follow-up;</p> <p>(iv) deliver responsive services through individual and group counseling, consultation, and referral; and provide system support through management, consultation with staff, community outreach, and public relations.</p>	<p>(1) In general, school counseling shall:</p> <p>(a) meet the following conditions:</p> <p>(i) provide a comprehensive, <u>preventive</u>, and developmentally planned program <u>to all students systematically</u>;</p> <p><u>(ii) develop and implement a counseling program based on data-informed decision making</u>;</p> <p>(ii)<u>(iii)</u> advocate for all students and encourage students to develop to their full potential;</p> <p>(iii)<u>(iv)</u> respect the worth and dignity of all individuals by building trust and respecting confidentiality;</p> <p>(iv)<u>(v) value and respond to the diversity and individual differences in communities in a culturally and responsive way; and</u></p> <p>(v)<u>(vi)</u> contribute as an integral part of the education process that is delivered through a variety of systems by school staff, students, parents, business, and industry.</p> <p>(b) include the following practices:</p> <p>(i) maximize students' potential in the areas of academics, career, and personal/social development;</p> <p>(ii) develop, <u>implement, and assess a guidance curriculum aligned with the American School Counselor Association (ASCA) national model which includes the student standards for success, mindsets, and behaviors</u></p>	<p>Aligning to the national standards ensuring that national research is incorporated in the delivery standards. (https://www.schoolcounselor.org/getmedia/a8d59c2c-51de-4ec3-a565-a3235f3b93c3/SC-Competencies.pdf).</p>

	<p><u>which is</u> presented through structured groups and classroom presentations;</p> <ul style="list-style-type: none"> (iii) conduct individual planning using assessment, advisement, placement, and follow-up; (iv) deliver responsive services through individual and group counseling, consultation, and referral; and (v) provide system support through management, consultation with staff, community outreach, and public relations; <u>and collaborate with families, community stakeholders, and other educators to create environments resulting in positive impact on student achievement, attendance, and discipline.</u> 	
<p><u>10.55.2101</u> WORLD LANGUAGES PROGRAM DELIVERY STANDARDS</p>	<p><u>10.55.2101</u> WORLD LANGUAGES PROGRAM DELIVERY STANDARDS</p>	
<p>(1) In general, a basic program in world languages shall:</p> <ul style="list-style-type: none"> (a) meet the following conditions: <ul style="list-style-type: none"> (i) consistent and continual experience with the target language and culture; (ii) access to native speakers or experts, authentic cultural contact, and culturally authentic materials (e.g., print, video, audio, literature, music, art) ; and (iii) access to technology that provides contact with the target language. (b) include the following practices: <ul style="list-style-type: none"> (i) promote confidence in practicing the language by encouraging risk-taking and minimizing verbal correction; (ii) maximize use of target language in an authentic manner through student-teacher and student-student interaction; and (b) build an authentic cultural ambiance. 	<p>(1) In general, a basic program in world languages shall:</p> <ul style="list-style-type: none"> (a) meet the following conditions: <ul style="list-style-type: none"> (i) consistent and continual experience with the target language and culture; (ii) access to native speakers or experts, authentic cultural contact, and culturally authentic materials (e.g., print, video, audio, literature, music, art) ; and (iii) access to technology that provides contact with the target language. (b) include the following practices: <ul style="list-style-type: none"> (i) promote confidence in practicing the language by encouraging risk-taking and minimizing verbal correction; (ii) maximize use of target language in an authentic manner through student-teacher and student-student interaction; and (iii) build an authentic cultural ambiance <u>gain understanding of the cultural perspectives of the target culture.</u> 	<p>The recommended change is for clarity and understanding on where the program would focus and be understood.</p>

<p>10.55.2201 COMPUTER SCIENCE PROGRAM DELIVERY STANDARDS</p>		
<p>(1) In general, a basic program in computer science education shall:</p> <p>(a) meet the following conditions:</p> <p>(i) provide a well-articulated integrated curriculum that challenges students to learn increasingly more sophisticated computer science concepts across all grade levels and content areas wherever appropriate; and</p> <p>(ii) foster a collaborative environment that embraces creativity, communication, and problem solving;</p> <p>(b) include the following practices:</p> <p>(i) ensure students become informed citizens who can critically engage in public discussion on computer science related topics;</p> <p>(ii) ensure students develop as learners, users, and creators of computer science knowledge and artifacts;</p> <p>(iii) ensure students understand the role and impact of computing in the world around them, leveraging computer technology to create solutions; and</p> <p>(iv) increase career and college readiness.</p> <p>History: Mont. Const. Art. X, sec. 9, 20-2-121, MCA; IMP, Mont. Const. Art. X, sec. 9, 20-2-121, 20-3-106, 20-7-101, MCA; NEW, 2020 MAR p. 2138, Eff. 7/1/21.</p>	<p>No Recommended Changes</p>	
<p>10.55.2301 TECHNOLOGY INTEGRATION PROGRAM DELIVERY STANDARDS</p>		
<p>(1) In general, a basic program in technology integration education shall:</p> <p>(a) meet the following conditions:</p> <p>(i) development of skills that lead to lifelong pursuits;</p> <p>(ii) provide opportunities for authentic application, work experience, and/or articulation with postsecondary education;</p> <p>(iii) integrate and transfer technology skills across grade levels, content areas, and programs; and</p>	<p>No Recommended Changes</p>	

<p>(iv) provide access to emerging technology across grade levels, content areas, and programs;</p> <p>(b) include the following practices:</p> <p>(i) progression of skills and knowledge from basic to advanced;</p> <p>(ii) integration of technology competencies with academic knowledge in a contextual setting; and</p> <p>(iii) incorporate a range of instructional strategies, including personalized learning.</p> <p>History: Mont. Const. Art. X, sec. 9, 20-2-114, MCA; IMP, Mont. Const. Art. X, sec. 9, 20-2-121, 20-3-106, 20-7-101, MCA; NEW, 2020 MAR p. 2134, Eff. 7/1/21.</p>		
---	--	--

Appendix: Negotiated Rulemaking Committee Addendums

July 15, 2022

Dear Superintendent Arntzen,

The Chapter 55 Negotiated Rulemaking Committee (NRM) is writing to submit a report that specifies the areas that the committee reached consensus and the issues that remained unresolved as pursuant to [2-5-108\(5\) MCA](#). The areas are outlined below in three categories, the rules the committee reached consensus; the one rule that remained unresolved, and an addendum with additional information, recommendations, or materials from committee members.

Rules the Committee reached full consensus:

Rules the committee reached consensus include recommended changes 63 rules, 14 with no recommended changes, 5 new rules, and recommended changes to 44 current individual rules and the addition of 5 proposed new rules:

- 10.55.608 Charter School Application
- 10.55.722: Family and Community Engagement
- 10.55.723: Mentorship and Induction
- 10.55.724: Evaluation
- 10.55.806: English Language Learners

Of rules with no recommended changes:

- 10.55.713: Teacher Class size middle and high school
- 10.55.715: Para-professional qualifications and supervision
- 10.55.719: Student protection procedures
- 10.55.720: Suicide Prevention and Response
- 10.55.805: Special Education
- 10.55.909: Student Records
- 10.55.910: Student Discipline Records
- 10.55.911: High School Transcripts
- 10.55.1201: Arts Program Delivery Standards
- 10.55.1401: Math Program Delivery Standards
- 10.55.1501: Science Program Delivery Standards
- 10.55.1601: Social Studies Program Delivery Standards
- 10.55.2201: Computer Science Program Delivery Standards
- 10.55.2301: Technology Integration Program Standards

Of rules the NRM has adopted through consensus:

- 10.55.601: Accreditation Procedures
- 10.55.602: Definitions
- 10.55.603: Curriculum and Assessment
- 10.55.604: Variances to Standards
- 10.55.605: Categories of Accreditation
- 10.55.606: Accreditation Process
- 10.55.607: Internships
- 10.55.608: Charter School Application
- 10.55.701: Board of Trustees
- 10.55.702: Licensure and duties of Superintendents
- 10.55.703: Licensure and duties of Principals
- 10.55.704: Administrative Personnel: Assignment of District Superintendents
- 10.55.705: Administrative Personnel: Assignment of School Administrators/Principals
- 10.55.706: Teacher Involvement
- 10.55.707: Teacher and Specialist Licensure
- 10.55.708: Teaching Assignments
- 10.55.709: Library Media Services, K-12
- 10.55.711: Class size and Teacher Load
- 10.55.712: Class size: Elementary
- 10.55.714: Professional Development
- 10.55.716: Substitute Teachers
- 10.55.717: Assignment of Persons Providing Instruction to Braille Students
- 10.55.718: Assignment of Persons Providing Sign Language Interpreting
- 10.55.721: Hazard and emergency plans
- 10.55.722: Family and community engagement
- 10.55.723: Mentorship and induction
- 10.55.724: Evaluation
- 10.55.801: School climate
- 10.55.802: Opportunity and Educational Equity
- 10.55.803: Learner Access

- 10.55.804: Gifted and Talented
- 10.55.806: English Learners
- 10.55.901: Basic Elementary Education Program
- 10.55.902: Basic Education Program: Middle Grade
- 10.55.904: High School Program Offerings
- 10.55.905: High School Graduation Requirements
- 10.55.906: High School Credit
- 10.55.907: Distance, online, and tech delivered learning
- 10.55.908: School Facility
- 10.55.1001: Program Standards
- 10.55.1003: Program foundation standards
- 10.55.1101: ELA and Literacy Program Delivery Standards
- 10.55.1301: Health and Physical Education Delivery Standards
- 10.55.1302: Health enhancement participation
- 10.55.1701: CTE Program Delivery Standards
- 10.55.1801: Library and Media Information Program Delivery Standards
- 10.55.1901: School Counselor Program Delivery Standards
- 10.55.2101: World Language Delivery Standards

Unresolved rule that the Committee did not reach consensus:

The committee did not reach consensus on 10.55.710. However below are the various proposals that the committee considered.

The committee appeared to be in agreement on the following language, excluding the highlighted areas in green. This discussion at the negotiated rulemaking committee has occurred over several months and has had substantial public comment. Increased mental health needs of our students as evidenced in the YRBS data and other sources along with survey data from school counselors in the state of Montana lead to a strong advocacy for ratios to continue in standards. Additionally, there was discussions regarding reducing the ratios. On the other side, it was believed ratios would not lead to student outcomes. Student outcomes are a priority but there was reluctance to get rid of ratios or caps.

The NRC hopes that this rule, 10.55.710, gets further attention. Despite the fact that the NRC did not reach consensus this is critical work that must be addressed. This subgroup of this committee would be willing to work on delving into this area further.

Proposal 1

(1) Each school must have a school counseling program for K-12 students aligned to delivery standards in ARM 10.55.1901 and national counselor and student standards. The school system will assess the need for student supports that result in the knowledge, skills, and dispositions students need to:

(a) address mental health, safety, and well-being;

- (b) achieve academic success and college and career readiness; and
- (c) develop the mindsets and behaviors as identified in the national school counseling standards.

(2) Based on the needs of the district in concert with national and state standards the superintendent must recommend to the local board of trustees the assignment of counseling staff based on the capacity of individual counselors to provide school counseling programming and services by:

(a) employing licensed school counselor(s) or Class 6 specialist(s); or

(i) A minimum equivalent of one full-time counselor for each 300 K-12 students shall be provided.

(ii) School districts with fewer than 126 students over a three-year average 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.

(b) contracting licensed school counselor(s) or Class 6 specialist(s); or

(c) utilizing a consortium, multidistrict agreement, or interlocal cooperative to secure these services; or

(d) utilizing any other cooperative method that is authorized to secure these services.

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

~~(1) A minimum equivalent of one full-time counselor for each 400 elementary (K-8) students shall be provided. The counselor/student ratio shall be prorated.~~

~~(2) A minimum equivalent of one full-time counselor for each 400 high school students (including grades 7 and 8 if high school funding is received) shall be provided. The counselor/student ratio shall be prorated.~~

~~(3) Districts with fewer than 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.~~

Proposal 2

(1) Each school must have a school counseling program for K-12 students aligned to delivery standards in ARM 10.55.1901 and national counselor and student standards. The school system will assess the need for student supports that result in the knowledge, skills, and dispositions students need to:

(d) address mental health, safety, and well-being;

(e) achieve academic success and college and career readiness; and

(f) develop the mindsets and behaviors as identified in the national school counseling standards.

(2) Based on the needs of the district in concert with national and state standards the superintendent must recommend to the local board of trustees the assignment of counseling staff based on the capacity of individual counselors to provide school counseling programming and services by:

(e) employing licensed school counselor(s) or Class 6 specialist(s); or

(f) contracting licensed school counselor(s) or Class 6 specialist(s); or

- (g) utilizing a consortium, multidistrict agreement, or interlocal cooperative to secure these services; or
- (h) utilizing any other cooperative method that is authorized to secure these services.

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

~~(1) A minimum equivalent of one full-time counselor for each 400 elementary (K-8) students shall be provided. The counselor/student ratio shall be prorated.~~

~~(2) A minimum equivalent of one full-time counselor for each 400 high school students (including grades 7 and 8 if high school funding is received) shall be provided. The counselor/student ratio shall be prorated.~~

~~(3) Districts with fewer than 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.~~

Proposal 3

(1) Each school must have a school counseling program for K-12 students aligned to delivery standards in ARM 10.55.1901 and national counselor and student standards. The school system will assess the need for student supports that result in the knowledge, skills, and dispositions students need to:

- (a) address mental health, safety, and well-being;
- (b) achieve academic success and college and career readiness; and
- (c) develop the mindsets and behaviors as identified in the national school counseling standards.

(2) Based on the needs of the district in concert with national and state standards the superintendent must recommend to the local board of trustees the assignment of counseling staff based on the capacity of individual counselors to provide school counseling programming and services by:

- (a) employing licensed school counselor(s) or Class 6 specialist(s); or
(i) a superintendent should consider one full-time counselor for approximately 350 K-12 students
- (b) contracting licensed school counselor(s) or Class 6 specialist(s); or
- (c) utilizing a consortium, multidistrict agreement, or interlocal cooperative to secure these services; or
- (d) utilizing any other cooperative method that is authorized to secure these services.

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

~~(1) A minimum equivalent of one full-time counselor for each 400 elementary (K-8) students shall be provided. The counselor/student ratio shall be prorated.~~

~~(2) A minimum equivalent of one full-time counselor for each 400 high school students (including grades 7 and 8 if high school funding is received) shall be provided. The counselor/student ratio shall~~

~~be prorated.~~

~~(3) Districts with fewer than 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.~~

Addendums with additional information, recommendations, or materials from committee members:

ADDENDUM 1

July 20, 2022

Dear Members of the Montana Board of Public Education,

Thank you for the opportunity to submit my thoughts as an addendum to the report for the Chapter 55 Negotiated Rulemaking Committee. It has been an honor to be able to serve our state with the many professionals in our field as we embarked on this very important task.

Allow me to use the analogy of the Highway and the Off-Ramp. As the Highway is the day-to-day responsibilities that counselors have to accomplish, then the Off-Ramps are those events that take an individual away from their course of direction. A student throws a chair in class, a student makes a threat to self or others in an essay, a student loses a family member- all of these events, and more like them, are Off-Ramps that counselors cannot ignore. The size and number of Off-Ramps continue to increase, and our school counselors are a part of the frontline of providing student services.

While making your decision on Rule 10.55.710, please consider the following thoughts:

Invest Now or Pay Later- There is no doubt that decreasing the maximum number from 400 students to every counselor would be an economic impact on districts/schools throughout the state. Regardless of 300:1, 350:1, or any other ratio, I argue that this amount of increase for additional proactive supports in our schools will be lower than the future reactive financial impacts on Montana communities.

Numbers Do Matter- Much debate occurred involving ratios, maximum caseloads, capping off at a daily maximum. If numbers of inputs are not effective, then why didn't the teacher to student ratios and daily maximums for gym class change in this process? The simple answer is that numbers do matter and we need to apply this consistently to all areas of school services.

And/Both vs. Either/Or- Much debate also occurred involving the cyclic arguments of Inputs vs. Outputs. I really was encouraged that Proficiency-based learning and the need for increased multiple measures for student learning and program effectiveness became a cornerstone for these new standards. The Outputs are important and more attention is needed. However, we cannot increase the level of responsibilities for the outcomes, while decreasing the responsibilities towards the *Assurance Inputs* that make up accreditation. Please take an And/Both approach to your decision making.

Maslow Before Bloom - It's one of the earliest lessons that educators in any sound pre-service program learns. If they don't remember the lesson, they definitely experience this concept everyday in their teaching career.

Students experiencing trauma, neglect, or abuse need extra supports in order to engage in their academic and career dreams. Often, it is a teacher and a counselor who works as a team to provide those supports. Each brings their expertise in one or both of these areas (academics or hierarchy of needs). Therefore, please invest in the Team.

Thank you for your service on the Board of Public Education. I am available for further conversation as needed, and I would like to volunteer for any follow-up work or research that either the BPE or Montana Office of Public Instruction initiates on this matter.

Sincerely,



Chris M. Olszewski, Ed.D.

Executive Director of Curriculum & Instruction (9-12) Billings Public Schools

ADDENDUM 2

DATE: July 20, 2022

TO: Montana Board of Public Education

FROM: Renee' Schoening, Chapter 55 Negotiated Rule Making Committee member

RE: Rule 10.55.710

This addendum is to expand on the lack of consensus and provide rationale for including a counselor to student ratio in Rule 10.55.710: Assignment of School Counseling Staff.

My reasons for dissenting to the Rule which excludes a ratio are as follows:

- 1) It is essential to have a measurable minimum standard of accreditation for public education. This is the constitutional right of every student in Montana. Minimum ratio standards allow for this. The rationale to remove them includes an outcome program-based model, but the measurements to ensure program effectiveness and provide accountability to schools do not exist at this time.

- 2) The inclusion of language in this Rule that each school has a comprehensive school counseling program necessitates a cap on the number of students that each counselor is responsible for in order for the program to be effective.
- 3) The addition of the ratio still allows for local control to add staff to address mental health or career advising, according to the needs of their unique population, but ensures that all students will receive school counseling programming and services. *Without the ratio, districts could supplant credentialed school counselors with those who are not trained in providing the program standards as outlined in the Rule.*
- 4) The School Counseling Delivery Standards detailed in 10.55.1901 include comprehensive programming, system support, responsive services, and *individual planning*. It is not reasonable or prudent to assume that a school counselor can do all of this with an uncapped number of students.
- 5) The national recommendation for a ratio is 1:250 and is based on recent research to support how that ratio results in positive outcomes for students. The current ratio average for Montana is 291:1.
- 6) The work of this committee consistently acknowledged the need to address the “whole child” by including wording in Chapter 55 about student well-being, inclusiveness, and school climate. School counselors are uniquely trained as specialists to address these current priorities.
- 7) We run the risk at this point of time to losing practicing school counselors to burnout and overwhelm. The Montana School Counselor survey data for the last 15 years has indicated that the number one concern for school counselors in our state is that they have too many students to serve them effectively. This is a very stressful reality in the field today. The needs of our students are more intense, more complex, and require more time.
- 8) The number of students needing more intensive services has risen dramatically as evidenced by the 2021 Youth Risk Behavior Survey data. Mental health services are not readily available and have become scarce due to the high demand across the state. We simply cannot ignore this fact and to do so would be irresponsible. Children and teenagers are unable to learn if their basic needs are not met. Maslow before Bloom.

- 9) The public comment on this issue was overwhelmingly in support of keeping the ratios and reducing them in order to meet the rising mental health needs of students across the state. Our job as committee members is to take this input into very serious consideration when making our recommendations to you. To remove the ratios would be to ignore the very input that we sought. This should be a democratic process where every voice is heard and I refuse to make a recommendation that ignores the clear and quite intense public comment that we have received. Ultimately the greater good of the students in Montana should be our number one concern and ensuring that every student has equity of access to a school counselor is a very important part of that.

Thank you for considering this addendum to the report. It is imperative that we retain school counselor to student ratios in Rule 10.55.710. I also ask that you acknowledge the need for more counselors by reducing the ratio as a way of addressing the needs of students and supporting schools and communities. This is the most ethical response and could ultimately protect districts from future liability. Most importantly, it will make a tremendous difference for kids, families, and teachers.

Please know that I am available to talk with you further about any of the concerns I’ve raised or to answer questions you might have about the school counselor to student ratio. I have been a practicing school counselor in Montana for 16 years and have been a counselor educator at the University of Montana and Montana State University-Northern and am in frequent communication with school counselors across the state.

Sincerely,

Renee’ Schoening, Ed.D., LCPC, LMFT
Executive Director
Montana School Counselor Association

ADDENDUM 3

Dear Board of Public Education,

As a member of the Chapter 55 Negotiated Rulemaking Committee (NRM), I am writing to express my concern regarding the language coming forward by Superintendent Arntzen on 10.55.710; Assignment of School Counseling Staff. After months of thoughtful discussion by committee members we were unable to reach consensus on this very important standard. Accreditation standards are the minimum expectation for ALL public Montana schools allowing equal access to a basic education program and ensuring quality schools. After accreditation standards are met, local Board of Trustees can choose to enhance and expand programs and services meeting their specific needs, thus providing local control. By eliminating counseling ratios, school districts will no longer have guidance or direction in this area which grossly ignores best practice from national organizations. The mental health of our students needs to be at the center of our decision making. The role of the school counselor is critical to this effort. By removing the ratios, school counselors may be faced with unmanageable caseloads. I implore the necessity of adding reasonable ratios to ensure that Montana students have the opportunity to receive the support needed to grow and flourish in their formattable years.

I encourage the Board of Public Education to reject the proposal coming forward from Superintendent Arntzen, and use the language highlighted below, including the language highlighted in green. These ratios are based on a school system versus the previous Chapter 55 language which was tied to individual schools. This new language allows districts flexibility in deploying their counseling FTE by placing staff in schools that need it the most and at the same time ensuring all students have adequate services. The language below also reflects the work done by the Chapter 55 task force which was presented to the Superintendent for her consideration.

Recommended Language:

- (1) Each school must have a school counseling program for K-12 students aligned to delivery standards in ARM 10.55.1801 and national counselor and student standards. The school system will assess the need for student supports that result in the knowledge, skills, and dispositions students need to:
- (a) address mental health, safety, and well-being;
 - (b) achieve academic success and college and career readiness; and
 - (c) develop the mindsets and behaviors as identified in the national school counseling standards.

(2) Based on the needs of the district in concert with national and state standards the superintendent must recommend to the local board of trustees the assignment of counseling staff based on the capacity of individual counselors to provide school counseling programming and services by:

(a) employing licensed school counselor(s) or Class 6 specialist(s); or

(i) A minimum equivalent of one full-time counselor for each 300 K-12 students shall be provided.

(ii) School districts with fewer than 126 students over a three-year average 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.

(b) contracting licensed school counselor(s) or Class 6 specialist(s); or

(c) utilizing a consortium, multidistrict agreement, or interlocal cooperative to secure these services; or

(d) utilizing any other cooperative method that is authorized to secure these services.

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

It is important to note that under Chapter 55, districts have the ability to approach standards with a different approach through a rigorous variance process. The variance process is designed to allow for local control and is reviewed by a committee ensuring it is reasonable and tied to best practices. The removal of ratios will eliminate the need for a variance process and will also strip away guidelines in this area leaving no expectations for districts to ensure equal access to counseling services. In my opinion this is a dangerous approach.

In closing, I request the Board of Public Education to review the pages of public comments expressing the sincere concern for the elimination of ratios in 10.55.710. The comments received are overwhelming against changes made to this standard and need to be considered when reviewing the recommendations moving forward. If in the event the Board of Public Education is unable to reach consensus, I strongly encourage that no changes are made to the current language until this particular standard can be researched further by a much larger and comprehensive committee which should include members from Montana education associations and various stakeholder groups.

Thank you for your support and attention to the recommendations you have been presented.

Respectfully,

Ruth Uecker, Retired Assistant Superintendent GFPS

ADDENDUM 4

July 19, 2022

Dear Board of Public Education,

I am a trustee at Swan Valley School in Condon, MT. I was a member of the Chapter 55 committee that overhauled Montana's Accreditation Standards. I am writing to express my opinion about guidance counselors in our schools.

We must address the social and emotional needs of students. All students, regardless of school populations, need access to school counselors to learn self-regulation and coping skills to name a few. Montana has the highest suicide rate in the nation. That should be a wake up call to everyone on the Board of Public Education. You have the power to impact students' well-being. Lower the ratio of students to counselors. Access to guidance counselors is essential for Montana kids' success. Do the right thing, please.

Respectfully,

Kathryn "Kitty" Logan

Sent from my iPhone



15 July 2022

ADDENDUM 5

Office of Public Instruction PO Box 202501
Helena, MT. 59620-2501

Dear Ms. Allen and Dr. Murgel,

As part of the Negotiated Rulemaking Provisions prescribed in MCA 2-5-108(5), I am submitting an addendum for the rule 10.55.710, for which the Ch. 55 Negotiated Rulemaking Committee did not reach consensus. This rule, entitled “Assignment of School Counseling Staff,” received considerable public comment, and the Committee discussed this rule multiple times, coming very close to finding language on which we could all agree. Unfortunately, we were not able to reach consensus. Below are three reasons why the Board of Public Education should include clear guidance on staffing and workload in revisions to 10.55.710.

First, the stickiest issue for the Committee was on the need (or not) to specifically codify school counselor workload, or caseload, using numbers. Three members of the Committee argued that the need for a ratio was moot and antiquated. Other members of the Committee and many, many individuals who submitted public comment argued otherwise, noting that without specific school counselor to student ratios, access to minimum services could not be assured. That is, a minimal safety net could not be woven. Several examples were presented that without a ratio or a caseload spelled out in rule, school counselors would be faced with serving an impossible number of students, effectively diminishing their ability to fulfill their obligations. This potential scenario for Montana has played out in other states that do not have ratios, such as Oklahoma and Texas: inadequate staff has resulted in accelerated school counselor turnover, and the turnover has made it difficult to recruit new school counselors. This prospect, which has been realized elsewhere, directly conflicts with Montana’s constitutional commitment to provide an equal educational opportunity for all students. If caseloads are untenable, schools will not be able to recruit or retain school counselors, and students in some parts of Montana will not have access to services while students in other parts of our state will. Workload matters, and it merits codification as the Committee has done with teachers, administrators, and school librarians.

Second, Montana’s 2021 [Youth Risk Behavior Survey](#) (YRBS) data indicate that an alarming number of our youth have experienced sadness and hopelessness and have planned suicides. Of the 7th through 12th graders surveyed, 41.4% felt sad or hopeless daily for at least two consecutive weeks; 21.7% seriously considered suicide in the last year; and 18% attempted suicide in the last year (pp. 13–14, 29). School counselors are often the only mental health providers that students encounter during their K–12 years. Given the responses on the YRBS, and given the voluminous public comment that professionals in the field have provided, the mental health needs for K–12 students in Montana are significant and cannot be adequately met with the current ratios. Based on extensive research across the US, the American School Counselor Association (ASCA) recommends one school counselor per 250 students.¹ If Montana is serious about ensuring student access to school counselors in order to address and ameliorate the growing mental health needs of K–12 students in the state, then the Board of Public Education should pursue a caseload average of 250 students per school counselor.

Third, assurance standards in 10.55.710 provide a minimum foundation of what schools must provide. That minimum foundation is not a performance measure—it is a baseline requirement for adequacy. Each of the

requirements lined out in the assurance standards are designed to work in tandem, buttressing one another to create a minimally viable educational ecosystem for Montana’s K–12 students. Researchers have found that when the 250:1 student to school counselor ratio is implemented, student attendance and graduation rates improve, and the number of disciplinary referrals are reduced.² School counselors, teachers, librarians, and administrators are all essential to the school ecosystem, producing correlative benefits to the whole. If one component of the ecosystem is diminished so as to make it ineffective, then the whole ecosystem is harmed.

Please include this addendum with the final report for the Ch. 55 Negotiated Rulemaking Committee. I urge the Board of Public Education to consider both what is needed for Montana’s students and that a reasonable, evidence-based caseload average for school counselors is needed to serve students and recruit and retain counselors.

Sincerely,



Andrea Lawrence, Ph.D. Dean and Professor

Phyllis J. Washington College of Education

Office of the Dean | University of Montana | 32 Campus Drive | Missoula, Montana 59812 | <http://coehs.umt.edu/>

¹ “School Counselor Roles & Ratios,” *American School Counselor Association*, n.d., <https://www.schoolcounselor.org/About-School-Counseling/School-Counselor-Roles-Ratios>.

² For just a few studies, see, for example, Thurston Domina et al., “The Impact of School Counselor Resources in Elementary and Middle Grades,” *Professional School Counseling* 26, no. 1a (2022): 1–12; Emily Goodman-Scott et al., “An Ecological View of School Counselor Ratios and Student Academic Outcomes: A National Investigation,” *Journal of Counseling & Development* 96, no. 4 (October 2018): 388–98, <https://doi.org/10.1002/jcad.12221>; Kenneth

B. Hoyt, “What Should Be the Pupil Load: For the School Counselor?,” *The Personnel and Guidance Journal* 34, no. 2 (October 1955): 86–88, <https://doi.org/10.1002/j.2164-4918.1955.tb01298.x>; Richard T. Lapan et al., “Missouri Professional School Counselors: Ratios Matter, Especially in High Poverty Schools,” *ASCA | Professional School Counseling* 16, no. 2 (2018): 108–16; Richard T. Lapan, Sara A. Whitcomb, and Nancy M. Aleman, “Connecticut Professional School Counselors: College and Career Counseling Services and Smaller Ratios Benefit Students,” *ASCA | Professional School Counseling* 16, no. 2 (2018): 117–24.

ECONOMIC IMPACT STATEMENT REPORT ARM 10, CHAPTER 55: STANDARDS OF ACCREDITATION

Prepared by the Office of Public Instruction July 2022



Table of Contents

Executive Summary.....	3
Introduction	4
Affected Classes of Persons	5
Economic Impact.....	5
Cost to State Agencies	6
Costs and Benefits of the Proposed Rule	6
Less Costly or Less Intrusive Methods	6
Selection of Proposed Rule.....	7
Efficient Allocation of Public and Private Resources	7
Data Gathering and Analysis.....	7
Conclusion.....	8
Attachment A – Summary of Economic Impact Survey Responses.....	10
Attachment B—Quality School Task Force Members	20
Attachment C— Negotiated Rulemaking Committee Members.....	21
Attachment D—Survey Questionnaire.....	23

Executive Summary

Using the negotiated rulemaking process, Superintendent of Public Instruction, Elsie Arntzen, has developed recommendations for comprehensive accreditation standard changes for ARM 10, Chapter 55, Standards of Accreditation. Every ten years, a more comprehensive overview of these standards occurs. Since 2013 much has happened, including a global pandemic that has required school districts to rethink how educational services are provided to students.

The work began after authorization by the Board of Public Education (BPE) and a timeline for reviewing the accreditation standards. Superintendent Arntzen directed a multi-year amendment process to better ensure Montana's school accreditation standards provide learner outcomes focused on education excellence. The outcome would ensure Montana students had access to a quality educational program that would develop their full educational potential and preserve the cultural heritages of American Indians.

The accreditation standards, [§20-7-101, MCA](#) must be adopted by the BPE upon the recommendation of the Superintendent developed through the negotiated rulemaking process.

The ARM 10, Chapter 55, Standards of Accreditation, Negotiated Rulemaking Committee (NRC) to-date, identified fourteen rules which were to be added to three distributed economic impact surveys. The final report includes the NRC's recommendations to the Superintendent and is provided, as a separate document.

The first economic impact survey was released on June 20, 2022, and closed on July 5, 2022, with 652 responses. The second economic impact statement was released on July 1, 2022, and closed on July 8, 2022, with 128 survey responses. The third economic survey was released on July 15, 2022, and closed on July 21, 2022, with 277 responses. These survey responses reflect partial to full completion.

The Summary of Survey Responses, [Attachment A](#) shows the summary results of the survey responses by stakeholders and their perspective on school district operations and budgets, including personnel expenses, available resources, and professional development costs.

Introduction

The Montana Superintendent of Public Instruction initiated the negotiated rulemaking process to amend the accreditation standards beginning in November 2020, with the research phase concluding in 2022 through the negotiated rulemaking process.

In Chapter 55:

- There were 101 initial rules, with 43 historically repealed, which leaves 58 rules.
- Out of these 58 rules, there were no recommended changes to 14 rules, which leaves 44 rules.
- Five new proposed rules were added.

The Negotiated Rulemaking Committee (NRC) has considered 49 individual rules from Chapter 55.

The proposed accreditation standards change requires the Superintendent to establish an independent NRC under [§ 20-7-101, MCA](#). Superintendent Arntzen selected 21 members to serve on the NRC reflective of the necessary role diversity.

In September 2020, the BPE agreed to open the rules for evaluation of ARM 10, Chapter 55, Accreditation Standards. From November 2020 to December 2021, the Office of Public Instruction (OPI) researched the needs of schools and how to better serve students through updates to the accreditation standards. An [advisory task force](#) to the Superintendent began reviewing rules for crucial changes beginning January 11, 2022, and concluded their recommendations May 19, 2022. The NRC's work started on February 24, 2022 and concluded on July 15, 2022. Detailed information about the committee members, agendas, meeting minutes and recordings can be found on the OPI website [here](#). [Attachment C](#) also has the member composition.

The NRC agreed through the consensus process for proposed changes to accreditation rules that were identified to be on the economic impact survey. The fourteen rules are below.

- 1) 10.55.601 - Replacing the Continuous School Improvement Plan (CSIP) and consolidating all plans into an Integrated Action Plan.
- 2) 10.55.603 - Expanding multiple measures in the district assessment plans.
- 3) 10.55.704 – Assignment of District Superintendents more clearly identifying statutory requirements and removing ratios for assignments.
- 4) 10.55.705 – Assignment of administrators and principals added clarity around the principal role and removed all except one identifying the number of enrolled students of 125 or more that would require principal FTE.
- 5) 10.55.709- Aligning the requirements for staffing of library media specialists to the content and program delivery services and removing the staffing ratio.
- 6) 10.55.712 - Providing flexibility for local school districts to determine the resources needed when elementary classrooms are overloaded.
- 7) 10.55.714 - Updating the Professional Development rule.
- 8) 10.55.723 - Enhancing the existing Mentorship and induction plans required by local boards.
- 9) 10.55.801 - Including a survey tool to measure stakeholders' perceptions of school climate.

- 10) 10.55.803 - Adding the need to assess and supply the learning technology for each student within the Learner Access rule.
- 11) 10.55.806 - Adding English Language Learners to the Special Education and Gifted and Talented subgroups, per federal requirements for districts to provide educational services for English learners.
- 12) 10.55.904 - Including Civics/Government and Economics or Financial Literacy within the established high school offerings.
- 13) 10.55.905 - Including Civics/Government and Economics or Financial Literacy within the established high school graduation requirements.
- 14) 10.55.908 - Adding state to the federal accessibility standards for facilities.

The Superintendent added one rule to the economic impact survey:

- 15) 10.55.710 – Aligning the requirements of staff for school counselors to national counselor and student standards, capacity, and local district discretion to best meet the needs of students through program services.

Economic Impact Statement Required Elements

As required by § [20-7-101\(1\), MCA](#), the Montana Superintendent of Public Instruction, has prepared this economic impact statement in consultation with the NRC under the provisions of [§ 2-4-405, MCA](#). Each of the elements required to be addressed in the economic impact statement is outlined below.

a) Affected Classes of Persons

Describe the classes of persons who will be affected by the proposed rule, including classes that will bear the costs of the proposed rule and classes that will benefit from the proposed rule. Refer to § [2-4-405 \(2\)\(a\), MCA](#).

The *classes of persons* affected by the rule changes include individuals from the following groups: school district trustees, K-12 school administrators, K-12 teachers, school counselors, school librarians, school clerks/business officials, parents, and taxpayers.

Costs associated with the rule changes are the responsibility of local school districts.

The beneficiaries of the rule changes are trustees, administrators, teachers, and students of local school districts, as well as Montana communities served by accredited schools.

b) Economic Impact

Describe the probable economic impact of the proposed rule upon affected classes of persons, including but not limited to providers of services under contracts with the state and

affected small businesses, and quantify, to the extent practicable, that impact. Refer to [§ 2-4-405 \(2\)\(b\), MCA](#).

The OPI surveyed school personnel and stakeholders about the probable economic impact of the proposed new rule/rule amendment for ARM 10.55 with two different surveys. The first survey was released June 20, 2022 and closed on July 5, 2022. The second survey was released July 1, 2022 and closed July 8, 2022. The surveys were individually emailed to 20,321 stakeholders through the OPI bulk email system. The stakeholders included trustees, K-12 administrators, district clerks, curriculum directors, county superintendents, parents, community members, post-secondary representatives, tribal representatives, and professional association representatives.

The summary results of the surveys are shown in [Attachment A](#).

Cost to State Agencies

Describe and estimate the probable costs to the agency and any other agency of the implementation and enforcement of the proposed rule and any anticipated effect on state revenue. Refer to [§ 2-4-405 \(2\)\(c\), MCA](#)

The Office of Public Instruction (OPI), per [§ 20-7-101, MCA](#), has incurred costs associated with the negotiated rulemaking process, including contracting with a facilitator and convening the NRC. The total cost to the OPI for the negotiated rulemaking process is approximately \$15,000.00. The OPI does not anticipate additional costs associated with implementing the proposed rule changes. The OPI's experts will develop the accreditation standards guidance document for the districts and schools for any new rules.

The BPE is responsible for filing fees of notices of public hearing of proposed rule changes and publication fees of notices of adoption and amendments with the Secretary of State at \$60 per page. The costs associated with board member attendance at public hearings will be paid within the existing budget of the BPE.

c) Costs and Benefits of the Proposed Rule

Analyze and compare the costs and benefits of the proposed rule to the costs and benefits of inaction. Refer to [§ 2-4-405 \(2\)\(d\), MCA](#).

Based on legislative action, the State Superintendent initiated the process of amending the accreditation standards. The agency did not undertake an analysis of the costs and benefits of "inaction."

d) Less Costly or Less Intrusive Methods

Are there less costly or less intrusive methods for achieving the purpose of the proposed rule? Refer to [§ 2-4-405 \(2\)\(e\), MCA](#).

There is no less costly or less intrusive method for achieving the purpose of the proposed rule changes.

e) Selection of Proposed Rule

Analyze any alternative methods for achieving the purpose of the proposed rule that were seriously considered by the agency and the reasons why they were rejected in favor of the proposed rule. [Refer to § 2-4-405 \(2\)\(f\), MCA.](#)

The agency considered alternative methods for achieving the purpose of the proposed rule. However, since accreditation standards drive the quality of schools, and negotiated rulemaking is statutorily required. It was determined that an alternative method would not result in accreditation standards based on learner outcomes leading to education excellence.

f) Efficient Allocation of Public and Private Resources

Does the proposed rule represent an efficient allocation of public and private resources? Refer to [§ 2-4-405 \(2\)\(g\), MCA.](#)

Neither the proposed new rules/rule amendments involve any specific allocation of public and private resources.

However, the agency is hopeful that public attention and effort will go into implementing revised/new accreditation standards. Increased local control with more flexibility will allow subsequent actions by local school boards to meet the needs for student learning. It will create opportunities for local districts to meet the goal outlined in the Montana Constitution, "It is the goal of the people to establish a system of education which will develop the full educational potential of each person."

g) Data Gathering and Analysis

Data gathering was completed through a survey process, with the survey results being collected in a data tool system known as Qualtrics. The data analysis was done by developing graphs from the respondent results to best reflect the responses to each survey question in [Attachment A.](#)

There were fourteen rules identified by the NRC to be included in the economic impact survey, and one by the Superintendent of Public Instruction. The response options reflected in the charts were: "Yes"; "No"; "Unsure". In the summary analysis, "No" and "Unsure" were combined in responses, with only a "Yes" being a determinant if the survey respondents believed there was an economic impact.

[Attachment A](#) is the summary of the economic impact survey results by rule.

Conclusion

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

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

The recipients were a comprehensive set of stakeholders [Attachment A](#) provides a summary of the responses received.

Even though the survey participants responses show that responders perceived that ARM 10.55.601(3), ARM 10.55.603(3), ARM 10.55.710, ARM 10.55.712, ARM 10.55.723, and ARM 10.55.803(1)(d), may have an economic impact, the responses show no indication that the proposed rule changes would create a significant economic impact for districts and their schools. In an analysis of responses from survey participants, the most consistent and significant responses fall in the category of: "no idea," "unsure," and "can't say"; "I would guess it could be...."

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

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

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

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

The Final Report of Proposed Amendments, Repeals, Transfers and New Rules to Chapter 55 includes a complete list of the proposed rule changes along with a summary of the research and conceptual changes to the rules. The proposed rule changes shift the model towards a student-centered learner outcome measure of quality. The learner-centered approach to education has risen to the forefront in the last ten years.

It is essential to understand that these proposed changes are for accreditation purposes only for Montana's local schools.

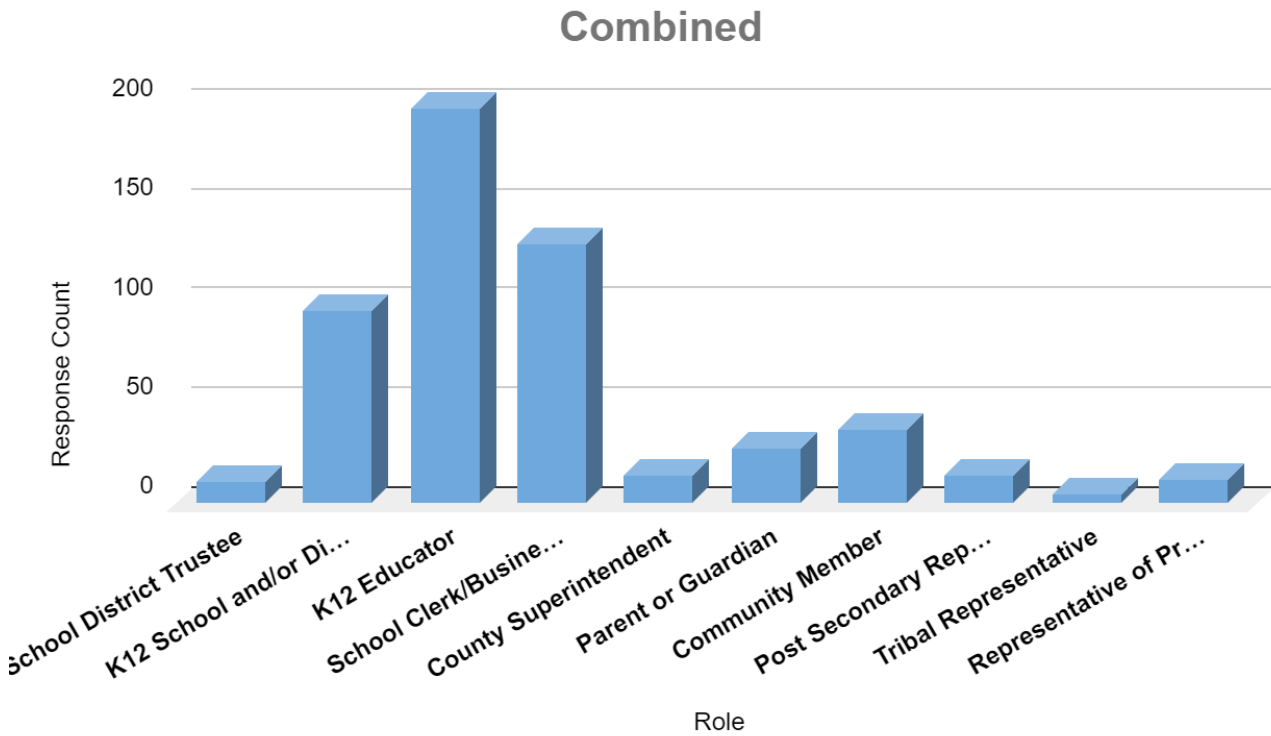
Where there are new rules or process changes, the OPI will provide professional development to districts, ensuring their ability to implement the accreditation standards. The Superintendent's recommendations to the BPE will be evaluated by the BPE and then facilitated through the Montana Administrative Procedure Act (MAPA) process before any adoption of proposed standards changes are implemented.

Attachment A – Summary of Economic Impact Survey Responses

Survey Demographics by Role

Three surveys were distributed to gain stakeholder perspective on the economic impact of the rule changes in Chapter 55. Surveys each time were distributed to over 20,000 stakeholders via the Montana state government delivery system.

Of a total of 1,057 stakeholders responding, 543 respondents answered at least one question beyond their stakeholder status, on the survey. Stakeholders that only answered the role question were scrubbed from the survey data.



Summary of responses to each of the Rules

Do you believe that this amended/new rule will have an economic impact (either receive benefit or bear cost) on the personnel in your district?

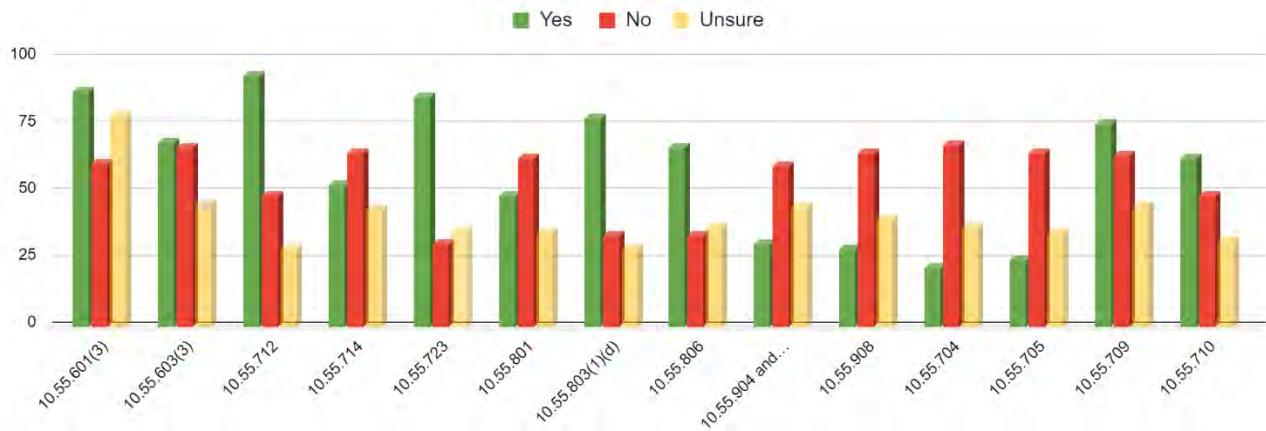


Figure 3 shows respondents' responses to the proposed rule changes' economic impact on a district's *personnel* budget.

*10.55.904 and 10.55.905 are combined on the same segment of the graph.

Where yes responses indicated the greater response rate, explanations are provided.

Of the fifteen rules listed, respondents identified three rules that may have an economic impact on **personnel**:

ARM 10.55.712(5) Class Size Elementary – Additional paraprofessionals is replaced with language which provides for additional human to be used to meet this standard.

ARM 10.55.723 is a new Standard: Mentorship and Induction includes a “shall” be provided by districts with specific outcomes through research-based practices. While this is a new rule, it is not a new requirement for school districts.

ARM 10.55.803 (1d) Learner Access identifies technology hardware and software appropriate to support individual learning. By language ensuring each learner has access to these resources, and local district prior investments or lack thereof, this is a variable economic impact.

Economic impact statements from the survey respondents who responded yes and where a potential economic impact could be clearly identified:

ARM 10.55.712(5) – Class Size Elementary

- Unknown, it will depend on the type of resources.
- At least a half-day with a support person paid at a standard rate.
- \$200 per hour to \$100,000.
- This is a case-by-case situation, and a guess would be \$30,000.00.
- In many cases, it may require an additional staff member.

ARM 10.55.723 – Mentorship and Induction

- Unsure.
- \$1700 per mentor stipend.
- \$25,000 per new teacher.
- It depends on what the district decides.
- Estimates are difficult, but districts should budget \$1000-2000 per income staff member.
- Additional time will be needed to allow for observation, training, and meetings.

ARM 10.77.803 (1d) – Learner Access – Technology Hardware and Software

- Unsure.
 - \$200 per student per year.
 - Range from \$100 to millions.
 - It is district-specific and would depend on current availability, size of the district, funding opportunities.
 - Depends on the year and the hardware/software replacement cycle.
-

Do you believe that this amended/new rule will have an economic impact on available resources in your district?

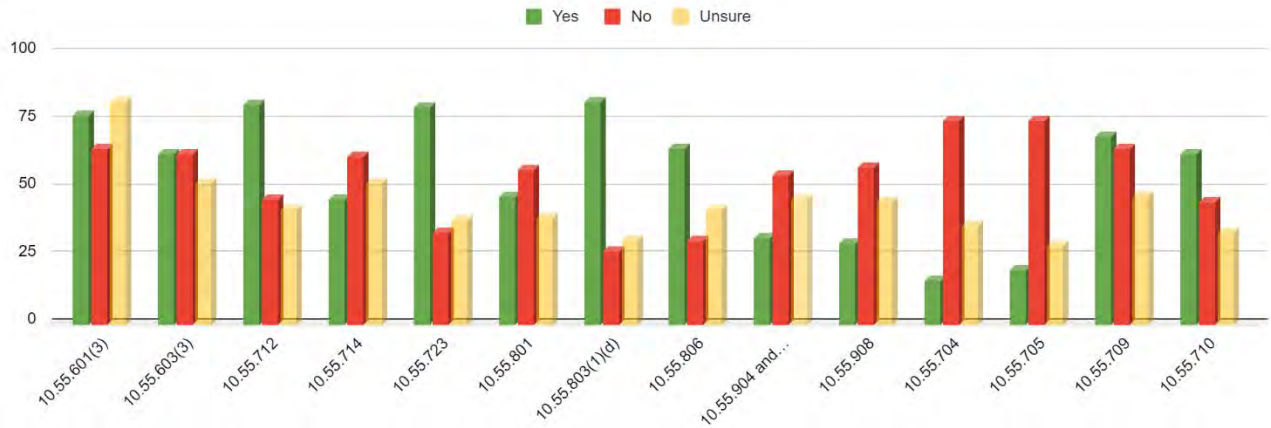


Figure 4 shows respondents' answers to the questions identifying that ARM 10.55.712, ARM 10.55.723 and ARM 10.55.803(1)(d) as having a potential economic impact.

*10.55.904 and 10.55.905 are combined on the same segment of the graph.

Where yes responses indicated the greater response rate, explanations are provided.

ARM 10.55.712, ARM 10.55.723 and 10.55.803 (1)(d) were identified as having a potential economic impact.

ARM 10.55.701, Board of Trustees and was deleted to emphasize its own rule. While a new rule number the requirements are not new standards for local districts.

ARM 10.55.712(5) Class Size Elementary - Instructional aides which the language requires additional human resources rather than simply instructional aides, which could result in the economic impact of budget savings.

ARM 10.55.723 is a new Standard: Mentorship and Induction that includes a shall be provided by districts with specific outcomes through research-based practices that could have an impact on budget expenditures. Mentorship and Induction existed prior in ARM 10.55.803 (1d) Learner Access identifies technology hardware and software appropriate to support individual learning. By language ensuring each learner has access to these resources, it could result in an economic impact on budget expenditures.

Economic impact statements from the survey respondents who responded yes:

ARM 10.55.712(5)

- Unsure.
- This potentially will reduce the number of staff necessary to meet accreditation standards, thereby saving money.
- The cost would be about six teacher salaries.
- \$18,000 to \$2,000,000.
- This rule change would likely save districts money.

ARM 10.55.723

- Unsure.
- Cost of subs to have mentor mentee meetings \$1,000.
- Good mentoring is a ton of extra work. \$3,000.
- \$3,500 per locality.
- Additional pay for meetings and on-going support. \$50,000+.

ARM 10.55.803(1)(d)

- Unsure.
 - \$1,000,000 per year for a refresh of student and staff tech devices.
 - This would vary by district.
 - Anywhere between \$20,000 and \$100,000 or more depending on the size of the district.
 - \$300 per student.
-

Would additional professional development be needed to implement the proposed rule/amendment?



Figure 5 shows respondents' answers to the questions identifying that ARM 10.55.601, ARM 10.55.603 and ARM 10.55.723 as having a potential economic impact.

*10.55.904 and 10.55.905 are combined on the same segment of the graph.

This addresses the perceived impact of the proposed rule changes on a district's *professional development* budget. Most respondents believe additional professional development would be needed on ARM 10.55.601(3), ARM 10.55.603(3), and ARM 10.55.723.

Where yes responses indicated the greater response rate, explanations are provided.

ARM 10.55.601 (3) Accreditation Standards Procedures changes what a continuous school improvement plan looks like to a learner-centered system with a coherent integrated plan that must be developed for a three-year cycle with annual updates. Professional development includes mentoring and induction, family engagement, learning models, addressing gifted and talented, with these elements clearly spelled out. These elements which include former requirements and new standards elements

ARM 10.55.603 (3) Curriculum and Assessment changes the requirements for accreditation at the local level to include student growth and proficiencies. This may require districts to rethink local assessments.

ARM 10.55.723 - Mentorship and Induction (New Rule) identifies more clearly what is necessary for quality outcomes. This is not a new requirement, simply a new rule numbering with added language around best practices.

Economic impact statements from the survey respondents who responded yes:

ARM 10.55.601 (3) Accreditation Standards Procedures

- Unsure.
- This is something that could be done on a Webinar with very little cost to the school district. \$1000 - \$10,000 per teacher.
- This should be a service the OPI provides to ALL districts and ALL educators throughout the state.
- \$100,000,000,000,000,000.
- \$1,000 to \$100,000.

ARM 10.55.603(3)

- Unsure.
- \$5,000.00 initial travel costs.
- \$500 to \$100,000.
- Reallocation of PIR plans to focus on new requirements.
- \$120 per staff member.

ARM 10.55.723

- Unsure.
 - \$500 per year per mentor.
 - Teachers/Mentors want to be paid for their time. \$10,000.
 - Up to \$10,000 annually but that is a guess.
 - Mentors will require training, along with the administration \$2,000 - \$5,000.
 - We have attempted to do this but finding teachers willing to be trained to be a mentor and put in the time as well has been more than challenging. \$5,000.
-

Does the proposed rule present an efficient allocation of public and private resources?

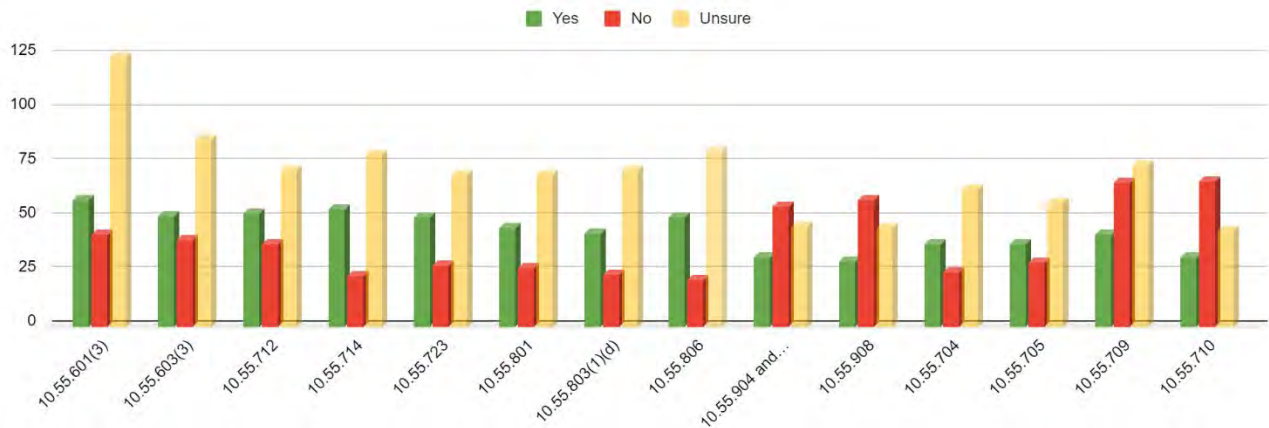


Figure 6 The responses indicate that most are unsure other than ARM 10.55.904- Basic Education Program Offerings High School and ARM 10.55.905- Graduation Requirements and ARM 10.55.710 – Assignment of School Counseling Staff. 10.55.904 and 10.55.905 include changes requiring ½ unit of Civics or Government (only three districts do not currently have this requirement) out of the required Social Studies credits and adding ½ unit of Financial Literacy within existing units, where many of the principles are currently taught in Montana schools. The assignment of school counseling staff focuses on counseling programs, the requirement to have counseling staff, and does not require staffing ratios.

*10.55.904 and 10.55.905 are combined on the same segment of the graph.

When reviewing the unsure responses and the unsure and yes responses, there is no evidence there would be an economic impact.

ARM 10.55.710

Economic impact statements from the survey respondents who responded no.

- It will cost more money than the salary of a counselor.
- Significant amounts.
- Mental health support will cost millions.
- \$1000 or more annually
- \$110 million
- \$100,000 to \$1,000,000

Is there anything you would like the Superintendent to know?

- The school buildings in Montana are aging. The state needs to have monies set aside to improve our school buildings.
- Many students, when they leave high school, aren't ready for living on their own or adulting. Financial literacy and learning the civics portion of history are very important so they know how they can better themselves financially.
- ELL falls in that tricky area of Title I funding, so this would help differentiate its meaning.
- Redefining proficiency synonymously with "familiar" may be a strategy to limit expenditures and avoid uncomfortable conversations.
- Districts are already struggling with budgets and hiring staff.
- Consider standardizing a school climate survey tool at the state education agency level for districts to use.
- Effective messaging is crucial in keeping our community in the loop and strengthening the "ties that bind" us all together.
- We need more mental health professionals in our buildings.
- Personalized and job-embedded sounds like meaningful, authentic PD opportunities. Schools also need to ensure that teachers have the time to collaborate with peers after the PD so that the learning can continue and be sustainable. When people feel valued and that they are growing, they are more likely to stay.
- I appreciate the emphasis on proficiency and growth in relation to state standards. That is what education should be about - proficiency over "points." As a parent, I want to know where my student is on specific skills and how they can improve. That tells me more than an "A," or they've completed their HW on time.
- Yes - Elementary and High School districts with separate boards SHOULD NOT be required to share a superintendent. The wording should say that can share a superintendent NOT that they shall. That could create a serious problem when one of the districts is large enough that a full-time superintendent is necessary and yet they would be forced to manage both districts.
- Consider how much placing these burdens on our small local school boards who do not have the time or funding to make all these changes. We have systems in place to help unify our small county schools and connect them. These proposed rule changes could create increased responsibilities outside of the scope of our volunteer school board members' capacity and time.
- People want to support students and public schools. Public schools are of critical importance to educating our children and should be financially supported by a federal/state partnership.
- Keeping a guide to reference for Boards and administrators on when FTE numbers or enrollment numbers reach certain thresholds for a "district" as to when to consider full time employment of a Superintendent.
- Yes, quality of schools. Highly trained administrators can cut litigation consistency of policies and programs for kids is imperative.
- Training needs for effective deployment.
- Many county superintendents are half time and do not have support staff within their office to complete their job.

- I think it is helpful to clarify what district requirements in terms of FTE are helpful and should not be arbitrary.
- How and what resources is the OPI willing to dedicate to helping districts be successful in implementing the requirements for Chapter 55?

Attachment B—Quality School Task Force Members

Facilitators:

- Julie Murgel, Senior Manager, OPI
- Tristen Loveridge, Project Manager, OPI
- Jacob Williams, Region 17 Comprehensive Center
- Erich Stiefvater, Region 17 Comprehensive Center

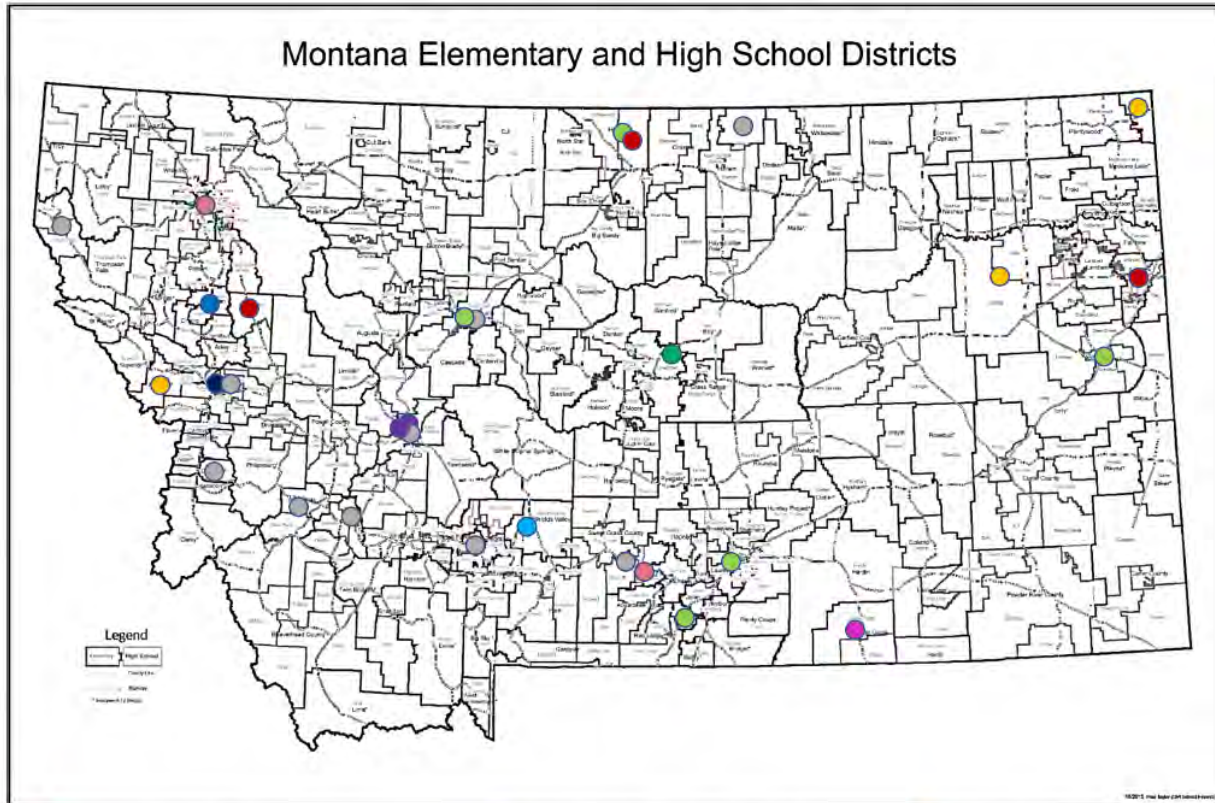
Name	Role
Billi Taylor	District Superintendent, Harrison K-12 Schools
Daniel Lee	Associate Professor, University of Montana
David Pafford	Board Chairperson, Noxon Public Schools
Emily Dean	Director of Advocacy, Montana School Board Association
Gary Lusin	Board Chairperson, Bozeman Public Schools
Gayle Venturelli	Board Chairperson, Anaconda Public Schools
Heather Hoyer	Assistant Superintendent 7-12, Great Falls Public Schools
Heather Jarrett	District Superintendent, Reed Point Public Schools
Janelle Beers	Executive Director, Montana Small Schools Alliance
Jon Konen	District Superintendent, Corvallis K-12 Schools
Tony Warren	District Superintendent and Principal, Turner Public Schools
McCall Flynn (ex-officio)	Executive Director, BPE

Attachment C— Negotiated Rulemaking Committee Members

Facilitator: Aislinn Brown, Deputy Bureau Chief, Agency Legal Services Bureau

Name	Role
Adrea Lawrence	The University of Montana, Dean of College of Education
Chris Olszewski	Billings Public Schools, Curriculum Director
Christina Wekkin	Alberton Public Schools, Teacher
Corey Barron	Lodge Grass Schools, Principal, Tribal Representative
Craig Mueller	Havre Public Schools, District Superintendent
Curtis Smeby	Havre Public Schools, Trustee
Julie Murgel	Office of Public Instruction, Chief Operating Officer
Kelly Dey	Sidney Public Schools, Trustee
Kitty Logan	Swan Valley School, Trustee
Krystal Zentner	Bridger MT, Parent
Lisa Petersen	Westby K-12 Schools, Teacher
Michele Paine	Flathead High School, Principal
Patti Drake	Whitehall School District, District Clerk/Business Manager
Renee Schoening	MT School Counselor Association, Executive Director
Rhonda Long	Fergus County, County Superintendent
Ruth Uecker	Great Falls Public Schools, Assistant Superintendent K-6
Sharyl Allen	Office of Public Instruction, Deputy Superintendent
Stephen Schreibeis	Glendive Public Schools, District Superintendent
Sue Corrigan	Montana School Board Association, Kalispell Municipal Director
Susan Lake	Montana Taxpayer
Tara Hubing	Circle Schools K-12, Teacher
McCall Flynn (ex-officio)	Board of Public Education, Executive Director

Geographic Representation of Committee Members



- | | | |
|------------------------------------|--|-----------------------------|
| ● School District Trustees | ● School District Administrative Staff | ● EPP Representative |
| ● K-12 School Administrators | ● County Superintendents | ● Tribal Representative |
| ● K-12 Teachers and Counselors | ● Parents | ● OPI Representative |
| ● School Clerks/Business Officials | ● Taxpayer | ● Association |
| | | ● School Quality Task Force |

Attachment D - Survey Questions

Q1. What is your primary role? (Please respond to the survey through the lens of the role you select here)

Q2. Do you believe that this amended rule will have an economic impact (either receive benefit or bear cost) on the personnel in your district?

Q3. If yes, please explain:

Q4. If yes, what increase (in actual dollars) would be required to cover the cost of the economic impact on personnel?

Q5. Do you believe that this amended/new rule will have an economic impact on available resources in your district?

Q6. If yes, please explain:

Q7. If yes, what increase (in actual dollars) would be required to cover the economic impact to available resources?

Q8. Would additional professional development be needed to implement the proposed rule/amendment?

Q9. If yes, please explain:

Q10. If yes, what increase, in actual dollars, would be required to cover the cost of additional professional development?

Q11. Is there anything else you believe the Superintendent should consider in determining the economic impact for implementing this new/amended rule?