



**MONTANA
ADMINISTRATIVE
REGISTER**



BOARD OF PUBLIC EDUCATION

NOTICE OF PROPOSED RULEMAKING

MAR NOTICE NO. 2026-103.1

Summary

Adoption of NEW RULE 1 (10.57.223), amendment of ARM 10.57.102, and repeal of ARM 10.57.437 and 10.57.438 pertaining to Class 8 Licensure in the Educator Licensure Standards

Hearing Date and Time

Monday, June 29, 2026, at 10:00 a.m.

Virtual Hearing Information

Please click the following link to join the webinar: <https://mt-gov.zoom.us/j/84951503541>

Comments

Comments may be submitted using the contact information below. Comments must be received by Monday, July 6, 2026, at 5:00 p.m.

Accommodations

The agency 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. Requests must be made by Monday, June 22, 2026, at 5:00 p.m.

Contact

General Reasonable Necessity Statement

Under existing administrative rules, postsecondary faculty who teach dual credit courses must hold appropriate licensure under ARM 10.57.437 and 10.57.438. Montana's requirement that postsecondary faculty obtain a K-12 teaching license to teach dual credit courses is unique among states and may create administrative barriers that limit the availability of dual enrollment opportunities for students.

Section 20-4-101(3), MCA, currently provides an exception for postsecondary faculty to teach high school students for college credit, but does not extend that exception to dual credit courses. This distinction may limit the number of dual credit opportunities available to students and schools, despite the presence of qualified and credentialed postsecondary faculty.

The Board of Public Education proposes these changes to reduce barriers while maintaining appropriate safeguards and supporting expanded access to dual credit opportunities aligned with statewide goals to prepare students for postsecondary education and the workforce.

Rulemaking Actions

AMEND

The rules proposed to be amended are as follows, stricken matter interlined, new matter underlined:

10.57.102 DEFINITIONS

The following definitions apply to this chapter.

- (1) "Acceptable evidence" means relevant official transcripts, university recommendation, certificates of completion, and other documentation as required by the Board of Public Education or the Superintendent of Public Instruction.
- (2) "Accredited specialist program" means:
 - (a) for school psychologists, a program for the preparation of specialists approved or accredited by:
 - (i) the National Association of School Psychologists (NASP);
 - (ii) a state board of public education or a state agency;

- (b) for school counselors, a program for the preparation of specialists approved or accredited by:
 - (i) the Council for the Accreditation of Counseling and Related Education Programs (CACREP); or
 - (ii) a state board of public education or a state agency.
- (3) "Appropriate grade level(s)" means early childhood, elementary, middle, secondary, or other levels as defined by the Board of Public Education.
- (4) "Appropriate official" means the Superintendent of Public Instruction, the dean of the school of education, or another official designated by them.
- (5) "Approved preparation program" means:
 - (a) An educator preparation program accredited by the Council for the Accreditation of Educator Preparation (CAEP), the Association for Advancing Quality Educator Preparation (AAQEP), or the Montessori Accreditation Council for Teacher Education (MACTE). A MACTE educator preparation program is subject to the following restrictions:
 - (i) Completion of a MACTE accredited program may only be used by an applicant for licensure who has also completed at least a bachelor's degree; and
 - (ii) The resulting license granted to an applicant for licensure who has completed a MACTE accredited program shall be limited to early grades or middle grades licensure and only for the grade levels covered by the MACTE accredited program completed by the applicant; or
 - (b) An educator preparation program at an institutionally accredited college or university approved or accredited by a state board of education or state education agency; or
 - (c) An educator preparation program approved by a state board of education or state education agency that leads to licensure in the state of preparation.
- (6) "Certification" means licensure of an educator/specialist, as issued by the state of Montana, based on completion of a teacher, administrator, specialist program of an approved educator preparation program. Certification includes grade level(s), endorsement(s), and classification.
- (7) "College credit" means credit received for completion of a course from an institutionally accredited college or university.
- (8) "Course work GPA" means the weighted average of teacher education program course grades, weighted by credit hours, and calculated over the defined period of study at an institutionally accredited college or university. The weights reflect the relative contributions of teacher education program course requirements, including

content area coursework, based on contact hours or credits earned. The weighted average is calculated as follows:

- (a) For each course required by the program, multiply the numeric grade value earned by the number of credits for the course;
- (b) Sum the products for all the courses included in (a); and
- (c) Divide the sum calculated in (b) by the total credits for all the required courses.

(9) "Dual credit" means a course in which students earn both high school credit and postsecondary credit offered by a postsecondary institution or taught at a high school by a qualified high school instructor. Courses may be taken during or outside the regular school day.

~~(9)~~(10) "Endorsement" means an official indication on a license of the grade level(s), subject area(s), or specialist program area(s) as listed in subchapter 4 for which the licensee is authorized. Grade levels are:

- (a) P-3 (early childhood);
- (b) K-8 (elementary);
- (c) 4-8 (middle grades);
- (d) 5-12 (secondary, content-specific);
- (e) K-12 (as delineated in ARM 10.57.412); and
- (f) P-12 (special education and school psychologist).

~~(10)~~(11) "Exchange teacher" means a person from outside the United States with exceptional expertise and contracted to provide instruction that is on an exchange program with a school district or university.

~~(11)~~(12) "Institutionally accredited" means a college or university accredited by one of the following:

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

~~(12)~~(13) "Lapsed license" means:

- (a) the licensee has not earned the required number of professional development units during the term of the license; or
- (b) the licensee has earned the required number of professional development units during the term of the license but has not renewed the license by June 30 following the year of expiration.

~~(13)~~(14) "License" or "licensure" means a certificate issued or applied for under 20-4-101, et seq., MCA.

~~(14)~~(15) "Military dependent" means an adult dependent of a member of the armed forces of the United States, or a reserve component of the armed forces of the United States, stationed in Montana in accordance with military orders or stationed in Montana before a temporary assignment to duties outside of the state.

~~(15)~~(16) "Student-teaching portfolio" means a type of performance assessment that asks candidates to demonstrate what they have learned, how they engage in the learning process, and how they apply their knowledge demonstrating their preparedness for the teaching profession.

~~(16)~~(17) "Supervised teaching experience" means teaching experience while under the supervision of an approved educator preparation program and is identified through acceptable evidence as delineated in ARM 10.57.102(1) as field experience, internship, practicum, or student teaching.

~~(17)~~(18) "Unrestricted license" means a current license that is not an emergency or provisional license.

~~(18)~~(19) "Year of administrative experience" means employment as a licensed administrator at any level within a P-12 school system, or in an educational institution specified in 20-9-707, MCA, for a minimum of a 180-day school year or its equivalent in minimum aggregate hours as defined by 20-1-301, MCA, and during that year, must have been at least a 0.5 full time employee (FTE). Experience as a County Superintendent may be considered as "administrative" experience with evidence of the following:

- (a) possession of a Class 3 license for the time period requested to be considered as administrative experience; and
- (b) the school(s) they are claiming to hold or have held supervisory responsibilities over have provided notice that the county superintendent served in an administrative role.

~~(19)~~(20) "Year of teaching experience" means employment as a licensed teacher at any level within a P-12 school system, or in an educational institution specified in 20-9-707, MCA, for a minimum of a 180-day school year or its equivalent in minimum aggregate hours as defined by 20-1-301, MCA, and during that year, must have

been at least a 0.5 full time employee (FTE). Experience gained prior to initial licensure is not considered.

Authorizing statute(s): Mont. Const. Art. X, sec. 9, 20-4-102, MCA

Implementing statute(s): Mont. Const. Art. X, sec. 9, 20-4-106, MCA

ADOPT

The rules proposed to be adopted are as follows:

NEW RULE 1 DUAL CREDIT FACULTY LICENSE EXCEPTION

- (1) An instructor employed by the Montana university system or an institutionally accredited postsecondary institution is not required to hold a teacher or specialist certificate as classified in ARM Title 10, chapter 57, subchapter 4 when teaching a postsecondary course offered to high school students for dual credit.
- (2) Postsecondary institutions offering dual credit courses for Montana public schools accredited by the Board of Public Education shall:
 - (a) annually register with the Office of Public Instruction, prior to delivering dual credit courses;
 - (b) annually identify the Montana school districts served in the current school year by the postsecondary institution, including the course titles, course codes, and the credit value for each dual credit course provided; and
 - (c) document instructors of dual credit courses by providing their names and professional area of specialization.
- (3) The Superintendent of Public Instruction shall provide an annual report to the Board of Public Education on the number of postsecondary faculty providing dual credit courses, number of dual credit courses provided, and the K-12 endorsement areas taught.

Authorizing statute(s): Mont. Const. Art. X, sec. 9, 20-4-102, MCA

Implementing statute(s): Mont. Const. Art. X, sec. 9, 20-4-103, 20-4-106, MCA

REPEAL

The rules proposed to be repealed are as follows:

10.57.437 CLASS 8 DUAL CREDIT POSTSECONDARY FACULTY LICENSE

- ~~(1) — A faculty member of a college or university is required to hold a Class 8 dual credit license, unless already licensed or eligible for licensure as a Class 1, 2, or 4 and properly endorsed, whenever a faculty member is teaching a dual credit course at the college or university for which one or more students will earn both high school and college credit.~~
- ~~(2) — The license is valid for five years.~~
- ~~(3) — To obtain a Class 8 dual credit postsecondary faculty license, an applicant shall provide the following:
 - ~~(a) — verification of faculty employment from the Chief Academic Officer or an appropriate official of the employing institutionally accredited college or university;~~
 - ~~(b) — compliance with all other nonacademic requirements for licensure as required by 20-4-104, MCA, ARM 10.57.201 and 10.57.201A;~~
 - ~~(c) — recommendation from the Chief Academic Officer from an institutionally accredited college or university verifying the applicant plans to teach in a subject covered by the K-12 endorsement areas in ARM 10.57.438, and will teach a subject in which the applicant has a major or minor; and~~
 - ~~(d) — verification of completion of the online course "An Introduction to Indian Education for All in Montana."~~~~
- ~~(4) — A Class 8 dual credit postsecondary faculty license may be consecutively reissued upon submission and approval of an application for renewal. An educator with a lapsed Class 8 license must submit a new application.~~
- ~~(5) — A Class 8 license shall not be valid unless the licensee is in an employment relationship with an institutionally accredited college or university.~~

Authorizing statute(s): Mont. Const. Art. X, sec. 9, 20-4-102, MCA

Implementing statute(s): Mont. Const. Art. X, sec. 9, 20-4-106, 20-4-108, MCA

10.57.438 CLASS 8 DUAL CREDIT POSTSECONDARY FACULTY LICENSE ENDORSEMENTS

- ~~(1) — Areas approved for endorsement on Class 8 dual credit only postsecondary faculty licenses are listed in ARM 10.57.412 and 10.57.421.~~
- ~~(2) — Applicants for the Class 8 license with degrees in highly specialized academic areas and hired by the college or university to teach specific courses not covered by the K-12 endorsement areas in (1), may be eligible for a designation in their area of specialization as approved by the Superintendent of Public Instruction.~~

Authorizing statute(s): Mont. Const. Art. X, sec. 9, 20-4-102, MCA

Implementing statute(s): Mont. Const. Art. X., sec. 9, 20-4-106, 20-4-108, MCA

Small Business Impact

The Board of Public Education adopts rules that primarily impact teachers, administrators, and school district operations. The board works in cooperation with public schools across the state to implement the rules that are adopted. Given that the board does not work directly with small businesses, the small business impact analysis performed as required under 2-4-111, MCA, indicates that no small businesses are likely to be directly impacted by the proposed rule changes.

Bill Sponsor Notification

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

Interested Persons

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, email, and mailing address of the person to receive notices and specifies for which program the person wishes to receive notices. Notices will be sent by email unless a mailing preference is noted in the request. Such written request may be mailed or delivered to the contact person above or may be made by completing a request form at any rules hearing held by the board.

Rule Reviewer

McCall Flynn

Approval

Dr. Tim Tharp
Board Chair