

BEFORE THE BOARD OF PUBLIC EDUCATION
OF THE STATE OF MONTANA

In the matter of the adoption of New)	NOTICE OF ADOPTION,
Rules I through XIV; the amendment)	AMENDMENT, AMENDMENT
of ARM 10.58.102 through 10.58.104,)	AND TRANSFER, AND REPEAL
10.58.501 through 10.58.503,)	
10.58.505, 10.58.507, 10.58.509)	
through 10.58.511, 10.58.513 through)	
10.58.524, 10.58.526, 10.58.528,)	
10.58.705, 10.58.707, and 10.58.802;)	
the amendment and transfer of ARM)	
10.58.508 and 10.58.512; and the)	
repeal of ARM 10.58.210, 10.58.304)	
through 10.58.309, 10.58.525,)	
10.58.527, 10.58.601 through)	
10.58.603, 10.58.801, and 10.58.901)	
all pertaining to educator preparation)	
programs)	

TO: All Concerned Persons

1. On October 9, 2014, the Board of Public Education published MAR Notice No. 10-58-271 pertaining to the public hearing on the proposed adoption, amendment, amendment and transfer, and repeal of the above-stated rules at page 2250 of the 2014 Montana Administrative Register, Issue Number 19.

2. The board has adopted the following rules as proposed:

NEW RULE VIII	ARM 10.58.604	ADVANCED PROGRAMS
NEW RULE XIV	ARM 10.58.706	SUPERINTENDENTS

3. The board has amended the following rules as proposed:

ARM 10.58.102	PROCESS LEADING TO ACCREDITATION OF EDUCATOR PREPARATION PROVIDERS
ARM 10.58.103	ACCREDITATION SITE REVIEWS
ARM 10.58.104	ACCREDITED PROGRAMS
ARM 10.58.502	AGRICULTURAL EDUCATION
ARM 10.58.503	ART K-12
ARM 10.58.505	BUSINESS EDUCATION
ARM 10.58.507	THEATRE
ARM 10.58.509	ENGLISH/LANGUAGE ARTS
ARM 10.58.510	STUDENTS WITH DISABILITIES P-12
ARM 10.58.511	WORLD LANGUAGES
ARM 10.58.513	HEALTH
ARM 10.58.514	FAMILY AND CONSUMER SCIENCES

ARM 10.58.515 INDUSTRIAL TRADES AND TECHNOLOGY EDUCATION
ARM 10.58.516 JOURNALISM
ARM 10.58.517 LIBRARY MEDIA K-12
ARM 10.58.518 MATHEMATICS
ARM 10.58.519 MUSIC K-12
ARM 10.58.520 PHYSICAL EDUCATION
ARM 10.58.521 READING SPECIALISTS K-12
ARM 10.58.522 SCIENCE
ARM 10.58.523 SOCIAL STUDIES
ARM 10.58.524 COMMUNICATION
ARM 10.58.526 TRAFFIC EDUCATION
ARM 10.58.528 COMPUTER SCIENCE
ARM 10.58.705 SCHOOL PRINCIPALS, SUPERVISORS, AND CURRICULUM DIRECTORS
ARM 10.58.707 SCHOOL PSYCHOLOGISTS
ARM 10.58.802 APPROVAL OF NEW CURRICULAR PROGRAMS

4. The board has amended and transferred the following rules as proposed:

ARM 10.58.508 to ARM 10.58.532 ELEMENTARY
ARM 10.58.512 to ARM 10.58.610 SCHOOL COUNSELING K-12

5. The board has repealed the following rules as proposed.

ARM 10.58.210 CONCEPTUAL FRAMEWORK(S)
ARM 10.58.304 CANDIDATE KNOWLEDGE, SKILLS, AND DISPOSITIONS
ARM 10.58.305 ASSESSMENT SYSTEM AND UNIT EVALUATION
ARM 10.58.306 FIELD EXPERIENCES AND CLINICAL PRACTICES
ARM 10.58.307 DIVERSITY
ARM 10.58.308 FACULTY QUALIFICATIONS, PERFORMANCE, AND DEVELOPMENT
ARM 10.58.309 UNIT GOVERNANCE AND RESOURCES
ARM 10.58.525 TRADES AND INDUSTRY
ARM 10.58.527 AREAS OF PERMISSIVE SPECIAL COMPETENCY
ARM 10.58.601 PROGRAM PLANNING AND DEVELOPMENT
ARM 10.58.602 TEACHING AREAS: ADVANCED PROGRAMS
ARM 10.58.603 ASSESSMENT OF ADVANCED PROGRAMS
ARM 10.58.801 TYPES OF PROGRAMS
ARM 10.58.901 STANDARDS FOR APPROVING COMPETENCY-BASED OR PERFORMANCE-BASED PROGRAMS

6. The board has adopted the following rules as proposed, but with the following changes from the original proposal, new matter underlined, deleted matter interlined:

NEW RULE I (10.58.311) INITIAL CONTENT AND PEDAGOGICAL KNOWLEDGE (1) remains as proposed.

NEW RULE II (10.58.312) INITIAL CLINICAL PARTNERSHIPS AND PRACTICE (1) remains as proposed.

NEW RULE III (10.58.313) INITIAL CANDIDATE QUALITY, RECRUITMENT, AND SELECTIVITY (1) and (1)(a) remain as proposed.

(b) presents plans and goals to recruit and support completion of high-quality initial candidates from a broad range of backgrounds and diverse populations to accomplish its mission;

(i) admitted candidates reflect the diversity of Montana's P-12 students; and

(ii) the provider demonstrates efforts to know and address local, community, tribal, Montana, national, or regional needs for hard-to-staff schools and current shortage fields;

(c) through (g) remain as proposed.

NEW RULE IV (10.58.314) INITIAL PROGRAM IMPACT (1) remains as proposed.

NEW RULE V (10.58.315) INITIAL PROVIDER QUALITY ASSURANCE AND CONTINUOUS IMPROVEMENT (1) remains as proposed.

NEW RULE VI (10.58.531) EARLY CHILDHOOD EDUCATION (1) through (1)(e) remain as proposed.

(f) know about, understand, and value the complex characteristics and importance of children's families and communities including home language, cultural values, ethnicity, socioeconomic conditions, family structures, relationships, stresses, childhood trauma and adverse childhood experiences, supports, and community resources;

(i) understand the effects of childhood trauma on social, emotional, physical, and behavioral development and be able to demonstrate trauma-informed classroom management strategies; and

(ii) demonstrate a knowledge of the implications of secondary trauma;

(g) remains as proposed.

(h) promote and encourage family involvement in all aspects of children's development and learning including assisting families to find and refer resources concerning parenting, mental health, health care, and financial assistance;

(i) through (q)(vi) remain as proposed.

(vii) demonstrating knowledge, understanding, and use of human movement and physical activity as central elements to foster active, healthy life styles, including health nutrition, and enhanced quality of life for all students;

(r) base curriculum planning on the understanding of the particular significance of social, ~~and~~ emotional, and behavioral development as the foundation for young children's school readiness and future achievements;

(s) through (x)(ii) remain as proposed.

NEW RULE VII (10.58.533) MIDDLE GRADES (4-8) (1) and (1)(a) remain as proposed.

(b) knowledge of young adolescents in the areas of intellectual, physical,

nutritional, social, emotional, behavioral, and moral characteristics, individual needs, and interests, and apply this knowledge to create healthy, respectful, supportive, and challenging learning environments for all young adolescents, including those whose language and cultures are different from their own;

(i) understand the effects of childhood trauma on social, emotional, physical, and behavioral development and be able to demonstrate trauma-informed classroom management strategies;

(ii) demonstrate a knowledge of the implications of secondary trauma;

(c) through (2)(e) remain as proposed.

(f) knowledge, understanding, and use of health education to create opportunities for middle grades student development and practice of skills that contribute to good physical, social, emotional, and behavioral health for all young adolescents; and

(g) knowledge, understanding, and use of human movement and physical activity as central elements to foster active, healthy life styles, including health nutrition, and enhanced quality of life for all young adolescent students.

(3) through (4)(f) remain as proposed.

(g) knowledge and understanding of formative and summative assessment strategies and use this knowledge and understanding to evaluate and ensure the continuous intellectual, social-emotional, behavioral, and physical development of middle grades students.

NEW RULE IX (10.58.605) ADVANCED CONTENT AND PEDAGOGICAL KNOWLEDGE (1) remains as proposed.

NEW RULE X (10.58.606) ADVANCED CLINICAL PARTNERSHIPS AND PRACTICE (1) remains as proposed.

NEW RULE XI (10.58.607) ADVANCED CANDIDATE QUALITY, RECRUITMENT, AND SELECTIVITY (1) and (2) remain as proposed.

NEW RULE XII (10.58.608) ADVANCED PROGRAM IMPACT (1) remains as proposed.

NEW RULE XIII (10.58.609) ADVANCED PROVIDER QUALITY ASSURANCE AND CONTINUOUS IMPROVEMENT (1) remains as proposed.

7. The board has amended the following rule as proposed, but with the following changes from the original proposal, new matter underlined, deleted matter interlined:

10.58.501 TEACHING STANDARDS (1) All programs require that successful candidates:

(a) demonstrate understanding of how learners grow and develop, recognizing that patterns of learning and development vary individually within and across the cognitive, linguistic, social, emotional, behavioral health continuum, and physical areas, and individualize developmentally appropriate and challenging

learning experiences for learners of all cognitive abilities;
(b) through (l) remain as proposed.

8. The board has thoroughly considered the comments and testimony received. A summary of the comments received and the board's responses are as follows.

COMMENT 1: Eric Burke from MEA-MFT testified in support of the changes and stated that the changes incorporate what is absolutely necessary for a comprehensive, world class system.

COMMENT 2: Dr. Kirk Miller from School Administrators of Montana testified in support of the amendments and acknowledged all of the stakeholders who participated in drafting the proposed rule amendments.

RESPONSE: The board thanks Mr. Burke and Dr. Miller for their comments and appreciates the support of their agencies for these rules.

COMMENT 3: Dr. Tim Laurent of the University of Great Falls testified in opposition to the rules stating that his concerns were that the rules contained misplaced authority, imposed cooperation, a burdensome assurance system and complex standards.

RESPONSE: The board thanks Dr. Laurent for his comments and states that the new CAEP standards are embedded in these rules as the national accreditation standards have always been. The board believes that the national standards should be reflected in the Montana rules. The Office of Public Instruction and the Montana Council of Deans are working together to develop a strong implementation process to support the university systems' compliance with these rules.

COMMENT 4: The Montana Arts Council, Dr. Karen Kaufmann of the University of Montana-Missoula, Dr. Alex Apostle from the Missoula County Public Schools, and many other individuals testified in opposition to the removal of the Area of Special Permissive Competency for dance. They stated that dance was an important tool that could be used in teaching specific curriculum concepts. Some commenters felt that this would mean that dance education would be removed from Montana schools.

RESPONSE: The board thanks the commenters for their comments; however, the board believes that removing the special competency areas will not adversely affect educators or school districts. If a school district wants to hire an educator in a specialty area such as dance, the district may continue to do so. A district may determine if a person is competent in an area by reviewing the courses completed on an individual's transcript. Also, there are several other specialty areas for which advocates are asking for special competency designation which is not necessary for obtaining expertise in an area of study, or for subsequent licensure or hiring.

COMMENT 5: Leonard Orth, Director of the Eastern Yellowstone Special Services Cooperative, recommended that the acronym PLAAFP which stands for present level of academic achievement and functional performance be added to ARM 10.58.510.

RESPONSE: The board thanks Mr. Orth for his comment and believes that ARM 10.58.510(1)(d) as proposed addresses his concerns.

COMMENT 6: Dr. Jayne Downey from the Montana State University Department of Education provided written comments on the new rules and asked that the word "initial" be added at the beginning of the catchphrases for New Rules I-V and that the word "advanced" be added at the beginning of the catchphrases for New Rules IX through XIII to provide clarification between the two sets of rules. She also requested that the language in New Rule III be amended to be consistent with the wording in New Rule XI.

RESPONSE: The board thanks Dr. Downey for her comments, concurs, and has amended the rules accordingly.

COMMENT 7: Dr. Ann Dutton Ewbank, from the School Library Media Certification Program at MSU-Bozeman, submitted a written comment supporting the changes to Chapter 58 and specifically to ARM 10.58.517. She believes the revisions more accurately reflect the preparation library media students need to be 21st century educators.

RESPONSE: The board thanks Dr. Ewbank for her comment and appreciates her support of the amendments to the rules.

COMMENT 8: Director Richard Opper from the Department of Public Health and Human Services submitted a written comment and recommended that changes be made to the rules to address training in childhood trauma and adverse childhood experiences (ACEs).

RESPONSE: The board thanks Director Opper for his comments, concurs, and has amended the new rules for early childhood education and middle grades to address his concerns.

COMMENT 9: Dr. Claudette Morton submitted testimony opposing the repeal of ARM 10.58.527 regarding special permissive competency standards (SPCS). She feels the SPCS are necessary and that the groups affected may not have sufficient notice of the intent to repeal the rule. She requests that the board not repeal the rule and postpone the action until after the affected constituencies have been made aware of the proposal.

RESPONSE: The board thanks Dr. Morton for her comments but feels this rule should be repealed for the reasons stated in the response to Comment 4 above.

The board feels adequate time has been given in that the board has exceeded or met all of the rulemaking requirements in the Montana Administrative Procedure Act.

9. The effective date of these rules is July 1, 2015.

/s/ Peter Donovan
Peter Donovan
Rule Reviewer

/s/ Sharon Carroll
Sharon Carroll, Chair
Board of Public Education

Certified to the Secretary of State December 1, 2014.