



Education and Local Government Interim Committee
64th Montana Legislature

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TO: ELG Members
FROM: Laura Sankey, Staff Attorney
DATE: June 26, 2015
RE: Administrative Rule Review – July 2015

Welcome, committee members, to the 2015-2016 interim. This memo provides an overview of the administrative rulemaking activity within this committee's purview that has taken place since the last ELG meeting in September 2014. I've provided links to the Notice of Proposed Rulemaking and to the Notice of Adoption (if available) for each notice listed below; the proposal notice contains the full language for the proposed new rules and amendments, while the adoption notice contains the agency's response to any public comments and any changes to the rule language from the version contained in the proposal notice. If you have any questions about how to find or read the rule notices, I'm happy to help, just let me know!

BOARD OF PUBLIC EDUCATION (BPE)

Chapter 57: Educator Licensure

MAR Notice No. 10-57-267: This notice contains amendments for the chapter of rules regulating educator licensure. The amendments result from the comprehensive rule review BPE must perform at least every five years. The amendments reflect updates to current and best practices, clarify procedures, and coordinate with other relevant rules and laws. The Certification Standards and Practices Advisory Council was involved in the rule review process, as were other stakeholder groups.
[Proposal Notice:](#) A hearing was held November 3, 2014.

[Adoption:](#) The rules were adopted December 11, 2014 and take effect July 1, 2015.

MAR Notice No. 10-57-273: BPE is proposing follow-up amendments to 16 rules regarding educator licensure. These amendments are meant to address errors and omissions discovered during the initial implementation of the comprehensive rule review of this chapter that took effect in December 2014.

[Proposal Notice:](#) A hearing is scheduled for July 8, 2015. The deadline for public comment is 5 p. m. on July 9, 2015.

[Adoption:](#) The proposal notice does not specify an effective date; the earliest date the rules could be published and take effect is July 31, 2015.

Chapter 58: Professional Educator Preparation Program Standards

MAR Notice No. 10-58-271: This notice contains rule changes that coordinate with the work that was done with the Chapter 57 rules above. The rules also reflect changes to national accrediting standards based on research-based practice and improvements. These standards must be incorporated into

Montana's standards so that the state's educator preparation programs maintain their accreditation status.

[Proposal Notice](#): BPE held a hearing on October 31, 2014.

[Adoption](#): The rules were adopted December 11, 2014, and take effect July 1, 2015.

Chapter 59: School for the Deaf and Blind Foundation

MAR Notice No. 10-59-270: At the September 2014 ELG meeting, the committee received [an overview](#) of the proposal notice from the Montana School for the Deaf and Blind Foundation, proposing to remove the requirement that a member of BPE serve as a member on the board of directors for the foundation. Since ELG's last meeting, this rule change has been adopted.

[Proposal Notice](#): BPE did not hold a hearing on this proposal.

[Adoption](#): The rule took effect October 10, 2014.

Chapter 63: Early Childhood Education

MAR Notice No. 10-63-269: In the rule review memo from September 2014, the committee also received [an overview](#) of the new rules being proposed regarding preschool programming for public schools. At the time of ELG's last meeting, the official proposal notice had not yet been published.

[Proposal Notice](#): A hearing was held November 3, 2014.

[Adoption](#): The rules were adopted December 11, 2014, and take effect July 1, 2015.

MAR Notice No. 10-63-272: BPE is proposing to amend the rule regarding the minimum number of hours for a half-time preschool program to reflect the correct number required to actually be a half-time program (540 hours).

[Proposal Notice](#): A hearing was held June 24, 2015.

[Adoption](#): The rule is scheduled to take effect July 31, 2015.

OFFICE OF PUBLIC INSTRUCTION (OPI)

Negotiated Rulemaking Committees

MAR Notice No. 10-1-124: Pursuant to the changes in 20-7-101, MCA, passed in [SB 345 \(Arntzen, 2015\)](#), OPI is establishing a negotiated rulemaking committee to review the content standards and performance indicators for arts and to assist in preparing an economic impact statement. The agency is soliciting applications from members of the public who are interested in being a member of the committee. The proposal notice contains a list of employees who will represent their respective state agencies on this committee.

[Proposal Notice](#): Applications are due July 11, 2015.

[Adoption](#): Committee members will be selected by July 24, 2015.

MONTANA STATE LIBRARY

Chapter 101: State Library Commission Organizational Rules

MAR Notice No. 10-101-1501: The amendments to ARM 10.101.101 reflect changes and updates in the current organization for the agency and bring the rule into alignment with current practices and procedures. The amendments include a clarification that advisory committees act in an advisory capacity only and don't have their own policy-making authority.

[Proposal Notice](#): The agency did not hold a hearing.

[Adoption](#): The rule took effect May 1, 2015.