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Education Interim Committee

69th Montana Legislature

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TO: Education Interim Committee Members
FROM: Laura Sankey Keip, Staff Attorney
DATE: June 15, 2026
RE: Administrative Rule Review – June 2026

BOARD OF PUBLIC EDUCATION

MAR Notice No.	2026-4.2 Class 9 Special Education Technician License
Status	ADOPTED
Public Hearing Date	March 3, 2026
Public Comment Period	Closed: as of March 6, 2026 at 5pm
Summary of Proposed Changes	The Board voted to adopt the administrative rule proposal to create a new 5-year Class 9 Special Education Technician License to certify paraprofessionals who meet requirements for providing technical services to a special education supervising teacher. As noted at your prior meeting, the Board did not receive any public comments about the proposed rule. They voted unanimously to approve the rule as proposed at their meeting on March 19, 2026. The adoption notice was published on April 10, 2026, and the rule took effect on May 1, 2026.

MAR Notice No.	2026-103.1 Class 8 Dual Credit License
Status	PROPOSED
Public Hearing Date	Monday, June 29, 2026 at 10am
Public Comment Period	OPEN: until Monday, July 6, 2026 at 5pm
Summary of Proposed Changes	The Board has proposed changes to the licensure requirements for educators who teach dual credit courses. Under current rules, a faculty member at a postsecondary institution must obtain a Class 8 license from the Board to teach dual credit courses, while 20-4-101, MCA provides an exception to licensure for postsecondary faculty who teach high school credits for college credit only. The Board has proposed changes to administrative rules to reduce barriers and expand access to dual credit opportunities while maintaining appropriate safeguards.

	The rule proposal contains the following changes: ▪ two existing rules (ARM 10.57.437 and 10.57.438) that currently govern a Class 8 dual credit postsecondary faculty license would be repealed; ▪ a new definition of “dual credit,” meaning a course in which a student earns both high school and postsecondary credit at either a postsecondary institution or at a high school by a qualified teacher, would be added to the definition rule (ARM 10.57.102); ▪ one proposed new rule would create a dual credit faculty license exception: ✧ an instructor employed by a postsecondary institution would not need to hold a regular teacher or specialist certificate to teach a postsecondary course to high school students for dual credit ✧ postsecondary institutions would have to register annually with the Office of Public Instruction, identify the dual credit courses to be provided, the school districts served by that institution in the current year, and document the instructors of the dual credit courses ✧ the Superintendent of Public Instruction would provide an annual report to the Board on the number of postsecondary faculty teaching dual credit courses, the number of dual credit courses provided, and the K-12 endorsement areas taught
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