

ITEM 24

**ACTION ON THE NOTICE OF ADOPTION
PERTAINING TO THE AMENDMENT OF
ARM TITLE 10, CHAPTER 63, EARLY
CHILDHOOD EDUCATION STANDARDS
AND AUTHORIZE FILING OF THE
NOTICE WITH THE SECRETARY OF
STATE'S OFFICE FOR PUBLICATION IN
THE MONTANA ADMINISTRATIVE
REGISTER**

Madalyn Quinlan

BEFORE THE BOARD OF PUBLIC EDUCATION
OF THE STATE OF MONTANA

In the matter of the amendment of)	NOTICE OF ADOPTION AND
ARM 10.63.101, 10.63.102,)	REPEAL
10.63.103, 10.63.104, 10.63.107,)	
10.63.109, 10.63.110, 10.63.111,)	
10.63.112, 10.63.113, 10.63.114, and)	
10.63.115 and the repeal of ARM)	
10.63.108 pertaining to early)	
childhood education standards)	

TO: All Concerned Persons

1. On February 9, 2024, the Board of Public Education (board) published MAR Notice No. 10-63-270 pertaining to the public hearing on the proposed amendment and repeal of the above-stated rules at page 185 of the 2024 Montana Administrative Register, Issue Number 3.

2. The board has repealed the following rule as proposed: ARM 10.63.108.

3. The board has adopted the following rules as proposed: ARM 10.63.101, 10.63.102, 10.63.103, 10.63.104, 10.63.107, 10.63.109, 10.63.110, 10.63.111, 10.63.112, 10.63.113, 10.63.114, and 10.63.115.

4. No comments or testimony were received.

5. The rules adopted in this notice are effective April 12, 2024.

/s/ McCall Flynn
 McCall Flynn
 Executive Director
 Board of Public Education

/s/ Tim Tharp
 Tim Tharp
 Chair
 Board of Public Education

Certified to the Secretary of State April 2, 2024.

BEFORE THE BOARD OF PUBLIC EDUCATION
OF THE STATE OF MONTANA

In the matter of the amendment of)	NOTICE OF PUBLIC HEARING ON
ARM 10.63.101, 10.63.102,)	PROPOSED AMENDMENT AND
10.63.103, 10.63.104, 10.63.107,)	REPEAL
10.63.109, 10.63.110, 10.63.111,)	
10.63.112, 10.63.113, 10.63.114, and)	
10.63.115 and the repeal of ARM)	
10.63.108 pertaining to early)	
childhood education standards)	

TO: All Concerned Persons

1. On March 5, 2024, at 9:30 a.m., the Board of Public Education (board) will hold a public hearing in Room 152 of the Montana State Capitol in Helena, Montana, to consider the proposed amendment and repeal of the above-stated rules.

2. The board 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 the board no later than 5:00 p.m. on February 23, 2024, to advise us of the nature of the accommodation that you need. Please contact McCall Flynn, Executive Director, 46 N. Last Chance Gulch, Suite 2B, P.O. Box 200601, Helena, Montana, 59620-0601; telephone (406) 444-0300; or e-mail bpe@mt.gov.

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

10.63.101 APPLICATION AND PROCEDURES (1) The early childhood education standards are focused on developmentally appropriate supports and strategies to enhance learning outcomes for a child between the ages of 3 and 5 for preschool programs and between the ages of 4 and 5 for early literacy targeted interventions implemented through the classroom-based program for 4-year-olds and summer jumpstart program preceding kindergarten. Use of these standards for a public preschool program is subject to the funding limits of 20-7-117(2) and 20-9-311(7)(a), MCA. Use of these standards for early literacy targeted interventions implemented through the classroom-based program for 4-year-olds and summer jumpstart program preceding kindergarten is subject to the provisions of Title 20, chapter 7, part 18, MCA.

~~(4)~~(2) The trustees of a school district, pursuant to Title 20, chapter 6, MCA, may establish a public preschool early childhood education program to meet the unique developmental needs for children between the ages of 3 and 5 years for preschool programs and between the ages of 4 and 5 for early literacy targeted interventions implemented through the classroom-based program for 4-year-olds and summer jumpstart program preceding kindergarten. When preschool early childhood education programs are established they must be an integral part of the

public school and must be governed according to the following accreditation standards for the ~~preschool~~ early childhood education standards of early learning content and accreditation in coordination with the standards outlined for schools within ARM Title 10, chapter 55, excluding 10.55.601, 10.55.602, 10.55.603, 10.55.704, 10.55.705, 10.55.709, 10.55.710, 10.55.712, 10.55.715, and ARM Title 10, chapter 55, subchapters 10 through 21. For the purposes of the accreditation process detailed in ARM 10.55.606, ~~preschool~~ early childhood education programs will be assessed on the program's assurance standards only.

~~(2)~~(3) ~~Preschool~~ Early childhood education programs shall meet this chapter's curriculum, instruction, and program delivery standards, supporting children's development of the knowledge and skills outlined in the content standards in ~~subchapter 3~~ ARM 10.63.110, which describe the expectations for what young children should know, understand, and be able to do across the four core developmental domains of learning upon entrance to kindergarten.

~~(3)~~(4) Montana's ~~preschool~~ early childhood education standards shall be reviewed and revised on a five-year cycle beginning July 1, 2017 recurring schedule with input from representatives of accredited schools.

AUTH: Mont. Const. Art. X, sec. 9, 20-2-114, 20-7-101, 20-7-1803, MCA

IMP: Mont. Const. Art. X, sec. 9, 20-7-101, 20-7-117, 20-7-1803, MCA

10.63.102 DEFINITIONS (1) For the purposes of this chapter, the following terms apply:

(a) "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.

(b) "Assessment" means the gathering, organizing, and evaluation of information about student learning in order to monitor and measure student learning, the effectiveness of the instructional program, and to inform local policies and decisions.

(c) "Developmental domain" means the broad, interrelated categories or dimensions of early childhood development reflective of ~~preschool~~ early childhood education children's learning and growth. The four core domains include ~~emotional/social and emotional~~, physical, ~~communication language~~, and cognitive.

(d) "Early childhood curriculum" means an articulated educational plan for young children, which is grounded in research-based understandings of child development and developmentally appropriate practices. Curriculum guides the teaching process from identifying what to teach, including early content standards in each of the four developmental domains and how to teach, including developing learning experiences based upon individual and group outcomes, and assessing what was learned then using this data to inform future planning and teaching. For early literacy targeted interventions implemented through the classroom-based program for 4-year-olds and summer jumpstart program preceding kindergarten, the curriculum must embrace the four developmental domains while focusing on the subject of literacy with a goal of establishing a trajectory leading to reading proficiency at the end of third grade.

(e) "Learning center" means a self-contained area of the classroom featuring a wide variety of hands-on materials that children can choose and use independently which are organized around a curriculum area (science, math, art, music, dramatic play, literacy) or a specific kind of play material (blocks, sensory, manipulative).

(f) "~~Paraprofessional, assistant teacher, or teacher aide~~" means an adult with the qualifications detailed in ~~ARM 10.63.115~~ 10.63.105 who works under the direct supervision of a teacher and who may work independently in a teacher's absence, but for the majority of the time works directly with the teacher in the same space with the same group of students.

(g) "Teacher" means a licensed individual as defined in ARM 10.55.602, with primary responsibility for a group or class of ~~preschool~~ early childhood education students.

AUTH: Mont. Const. Art. X, sec. 9, 20-2-114, 20-7-101, 20-7-1803, MCA

IMP: Mont. Const. Art. X, sec. 9, 20-7-101, 20-7-117, 20-7-1803, MCA

10.63.103 LEADERSHIP (1) The program leadership shall effectively implement policies, procedures, and systems that support stable staff and strong personnel, fiscal, and program management so all students, families, and staff have high-quality experiences.

(2) Professional development for ~~preschool~~ early childhood education educators as required by ARM 10.55.714 should be tailored to early childhood development and learning.

(3) Professional development completed by elementary (K-8) educators providing early literacy targeted interventions should be tailored to such interventions. The elementary (K-8) educators providing early literacy targeted interventions, the employing districts, and accredited educator preparation providers, pursuant to ARM 10.58.102, are encouraged to collaborate to develop professional development options that support attainment of qualifications leading to an early childhood education (P-3) endorsement.

AUTH: Mont. Const. Art. X, sec. 9, 20-2-114, 20-7-101, 20-7-1803, MCA

IMP: Mont. Const. Art. X, sec. 9, 20-7-101, 20-7-117, 20-7-1803, MCA

10.63.104 TEACHER ASSIGNMENTS AND QUALIFICATIONS FOR PUBLIC PRESCHOOL AND EARLY LITERACY TARGETED INTERVENTIONS

(1) Teachers shall be assigned at the levels for which they are licensed and endorsed in accordance with state statutes and Board of Public Education rules.

(2) Teachers with an ~~Early Childhood Education Special Permissive Competency~~ early childhood (P-3) endorsement shall be considered to be appropriately licensed, endorsed, and assigned to teach in an accredited preschool program until July 1, 2018, at which time those teachers will need to be appropriately licensed and endorsed pursuant to ARM Title 10, chapter 57.

(3) While teachers with an early childhood (P-3) endorsement are encouraged, teachers with either an early childhood (P-3) endorsement or an elementary (K-8) endorsement shall be considered to be appropriately licensed, endorsed, and assigned to teach early literacy targeted interventions implemented

through the classroom-based program for 4-year-olds and summer jumpstart program preceding kindergarten. Teachers with an elementary (K-8) endorsement who are teaching early literacy targeted interventions implemented through the classroom-based program for 4-year-olds and summer jumpstart program preceding kindergarten are encouraged to pursue professional development as outlined in 10.63.103 to ensure delivery of high-quality early literacy targeted interventions.

~~(3) All other teachers or individuals with background, training, or experience in early childhood that are interested in teaching in a public school preschool program may apply for a Class 5 provisional license pursuant to ARM 10.57.424, if they do not have the proper endorsement.~~

AUTH: Mont. Const. Art. X, sec. 9, 20-2-114, 20-7-101, 20-7-1803, MCA

IMP: Mont. Const. Art. X, sec. 9, 20-7-101, 20-7-117, 20-7-1803, MCA

10.63.107 CLASS SIZE (1) There must be one appropriately licensed and endorsed teacher for ten students, with an early childhood paraprofessional for any additional students over ten, for up to no more than 18 total students in a classroom with two adults. The school district must assign qualified human resources that comply with all fingerprint and background check requirements when exceeding maximum class sizes at a rate of 1 1/2 hours per day, per student overload. An overload of five students per classroom is considered excessive.

~~(2) Class size of 18 preschoolers is the maximum number of students, regardless of the number of staff.~~

AUTH: Mont. Const. Art. X, sec. 9, 20-2-114, 20-7-101, 20-7-1803, MCA

IMP: Mont. Const. Art. X, sec. 9, 20-7-101, 20-7-117, 20-7-1803, MCA

10.63.109 ENROLLMENT ELIGIBILITY (1) A child must have reached three years of age before the districts' official start date of the preschool program or have been enrolled by special permission by the board of trustees.

(2) A child who is 4 years of age or older on or before September 10th of the year in which the child is to participate in early literacy targeted interventions implemented through the classroom-based program for 4-year-olds and summer jumpstart program preceding kindergarten and who has not completed kindergarten and who is determined through the evaluation methodology process outlined in [NEW RULE I in Notice No. 10-54-292] to be below a trajectory leading to reading proficiency at the end of third grade is eligible for enrollment in early literacy targeted interventions implemented through the classroom-based program for 4-year-olds and summer jumpstart program preceding kindergarten.

AUTH: Mont. Const. Art. X, sec. 9, 20-2-114, 20-7-101, 20-7-1803, MCA

IMP: Mont. Const. Art. X, sec. 9, 20-7-101, 20-7-117, 20-7-1803, MCA

10.63.110 EARLY LEARNING CONTENT STANDARDS DEVELOPMENTAL DOMAINS AND CONTENT STANDARDS (1) The following early learning developmental domains represent the foundational skills all students need to be successful learners. The development of communication, language, and literacy

skills supports the growth in all other domains of development. All developmental domains are applicable for public preschool programs and early literacy targeted interventions implemented through the classroom-based program for 4-year-olds and summer jumpstart program preceding kindergarten.

(a) The language domain includes communication and comprehension in oral and written language.

(i) Language instruction includes opportunities for students to develop:

(A) receptive language, wherein students use listening and observation skills to make sense of and respond to spoken language and other forms of communication; enter into the exchange of information around what is seen, heard, and experienced; and begin to acquire an understanding of the concepts of language that contribute to learning;

(B) expressive language, wherein students develop skills in using sounds, facial expressions, gestures, and words, such as to help others understand their needs, ask questions, express feelings and ideas, and solve problems;

(C) social language, wherein students develop skills to interact and communicate with others in effective ways; and

(D) support for dual language speakers, wherein students receive support in their home language(s) while becoming proficient in English.

(ii) Literacy instruction includes opportunities for students to develop:

(A) written language, wherein students build an understanding and interest in the symbols, sounds, and rhythms of written language and develop awareness that the printed word can be used for various purposes;

(B) written communication, wherein students develop interest and skill in using symbols as a meaningful form of communication;

(C) print awareness, wherein students build an understanding that print carries a message through symbols and words and that there is a connection between sounds and letters (the alphabetic principle); and

(D) speech development, wherein students develop an awareness of the sounds of letters and the combination of letters that make up words and use this awareness to manipulate syllables and sounds of speech.

(4)(b) The ~~emotional and social and emotional~~ domain requires instruction which incorporates and: includes culture, family, community as well as social and emotional development.

(a)(i) Culture, family, and community, wherein students learn to develop skills instruction includes opportunities for students to develop:

(i)(A) an awareness of and appreciation for similarities and differences between themselves and others;

(ii)(B) an awareness of the functions and diverse characteristics of families; and

(iii)(C) an understanding of the basic principles of how communities function, including work roles and commerce.

(ii) Social development skill instruction includes opportunities for students to:

(A) develop trust, emotional bonds, and interact comfortably with adults;

(B) interact and build relationships with peers; and

(C) develop skills in cooperation, negotiation, and empathy.

~~(b)(iii) Emotional development wherein students skills instruction includes opportunities for students to:~~

~~(i)(A) develop an awareness and appreciation of self as a unique, competent, and capable individual;~~

~~(ii)(B) demonstrate a belief in their abilities;~~

~~(iii)(C) manage internal states, feelings, and behavior, and develop the ability to adapt to diverse situations and environments; and~~

~~(iv)(D) express a wide and varied range of feelings through facial expressions, gestures, behaviors, and words.~~

~~(c) social development which helps students:~~

~~(i) develop trust, emotional bonds, and interact comfortably with adults;~~

~~(ii) interact and build relationships with peers; and~~

~~(iii) develop skills in cooperation, negotiation, and empathy.~~

~~(2)(c) The physical domain requires includes development of motor skills and instruction in health, safety, and personal care.~~

~~(a)(i) Development of Motor skills instruction includes opportunities for students to develop:~~

~~(i)(A) small muscle strength, coordination, and skills;~~

~~(ii)(B) large muscle strength, coordination, and skills; and~~

~~(iii)(C) use of their senses to explore the environment and develop skills through sight, smell, touch, taste, and sound.~~

~~(b)(ii) Health, safety, and personal care standards for early childhood education are that students skills instruction includes opportunities for students to develop:~~

~~(i)(A) develop personal health and hygiene skills as they develop and practice self-care routines;~~

~~(ii)(B) eat a variety of nutritional foods and develop healthy eating practices by eating a variety of nutritional foods;~~

~~(iii)(C) develop healthy behaviors through physical activity; and~~

~~(iv)(D) develop an awareness and understanding of safety rules as they learn to make safe and appropriate choices.~~

~~(3) The communication domain includes communication, language, and literacy development.~~

~~(a) Standards for early childhood communication and language include:~~

~~(i) receptive communication, wherein students use listening and observation skills to make sense of and respond to spoken language and other forms of communication; enter into the exchange of information around what is seen, heard, and experienced; and begin to acquire an understanding of the concepts of language that contribute to learning;~~

~~(ii) expressive communication, wherein students develop skills in using sounds, facial expressions, gestures, and words, such as to help others understand their needs, ask questions, express feelings and ideas, and solve problems;~~

~~(iii) social communication wherein students develop skills to interact and communicate with others in effective ways; and~~

~~(iv) for dual language speakers, students receive support in their home language(s) while becoming proficient in English.~~

~~(b) Literacy standards for early childhood education are that students develop:~~

~~(i) an understanding, skills, and interest in the symbols, sounds, and rhythms of written language and develop awareness that the printed word can be used for various purposes;~~

~~(ii) interest and skills in using symbols as a meaningful form of communication;~~

~~(iii) an understanding that print carries a message through symbols and words and that there is a connection between sounds and letters (the alphabetic principle); and~~

~~(iv) an awareness of the sounds of letters and the combination of letters that make up words and use this awareness to manipulate syllables and sounds of speech.~~

~~(4)(d) The cognitive domain requires instruction which incorporates and includes: approaches to learning.~~

~~(a)(i) Approaches to learning which help students skills instruction include opportunities for students to develop:~~

~~(i)(A) curiosity through imagination, inventiveness, originality, and interest as they explore and experience new things;~~

~~(ii)(B) initiative and self-direction through engagement in new tasks and to take risks in learning new skills or information;~~

~~(iii)(C) persistence and attentiveness with the ability to focus their attention and concentration to complete tasks and increase their learning; and~~

~~(iv)(D) reflection and interpretation skills in thinking about their learning in order to inform their future decisions; and~~

~~(b)(E) development of reasoning and representational thought skills in causation, critical and analytical thinking, problem solving, and representational thought;~~

~~(2) The following early learning content standards are aligned to the Montana K-12 Content Standards and highlight what students should know, understand, and be able to do upon entering kindergarten. All early learning content standards are applicable for public preschool programs while only the English Language Arts and Literacy Content Standards apply to early literacy targeted interventions implemented through the classroom-based program for 4-year-olds and summer jumpstart program preceding kindergarten.~~

~~(a) English Language Arts and Literacy standards include:~~

~~(i) early reading, wherein students develop an understanding, skill, and interest in alphabet knowledge using the symbols, sounds, and rhythms of written language;~~

~~(ii) print development and writing, wherein students demonstrate interest and skill in using symbols as a meaningful form of communication;~~

~~(iii) speaking and listening, wherein students use phonemic and phonological awareness to identify and play with individual sounds in spoken words; and~~

~~(iv) language, wherein students develop the ability to communicate with others to build relationships, share meaning, and express needs.~~

~~(c)(b) instruction in Creative arts, including standards include:~~

(i) creative movement, wherein students produce rhythmic movements spontaneously and in imitation with growing technical and artistic abilities;

(ii) drama, wherein students show appreciation and awareness of drama through observation, imitation, and participation in simple dramatic plots;

(iii) music, wherein students engage in a variety of musical or rhythmic activities; and

(iv) visual arts, wherein students demonstrate a growing understanding and appreciation for the creative process and visual arts.

~~(d)(c)~~ Mathematics and numeracy standards for early childhood education are that students include:

(i) ~~develop~~ number sense and operations through, wherein students develop the ability to think and work with numbers, to understand their uses, and describe their relationships through structured and everyday experiences;

(ii) ~~develop an awareness of~~ measurement concepts through, wherein students use of measurement instruments to explore and discover measurement relationships and characteristics, such as length, quantity, volume, distance, weight, area, and time;

(iii) ~~apply~~ mathematical skills in data analysis, such as wherein students counting count, sorting sort, and comparing compare objects;

(iv) ~~develop an awareness of~~ initial algebraic thinking and operations through counting, sorting, and comparing objects, wherein students identify, describe, produce, and create patterns using mathematical language and materials; and

(v) ~~build the foundation for~~ geometric and spatial reasoning, wherein students build the foundation for through recognition recognizing, creation creating, and manipulation manipulating of shapes, and learning spatial reasoning and directional words as they become aware of their bodies and personal space in their physical environment.

~~(e)(d)~~ Science standards for early childhood education are that students include:

(i) ~~engage in~~ scientific thinking and the use of the scientific methods through investigation using their senses to observe, manipulate objects, ask questions, make predictions, and develop conclusions and generalizations;

(ii) ~~develop~~ an understanding of and compassion for living things;

(iii) ~~develop~~ an understanding of the physical world, the nature and properties of energy, and nonliving matter;

(iv) ~~develop~~ an understanding of the earth and planets; and

(v) ~~develop~~ an understanding of engineering as the process that assists people in designing and building.

~~(f)(e)~~ Social studies standards for early childhood education are that students include:

(i) ~~develop~~ an understanding of the concept of historical time, including past, present, and future;

(ii) ~~develop~~ knowledge of geographical places and regions by understanding that each place has its own unique characteristics and the reciprocal effect individuals have with the world around them; and

(iii) ~~become aware~~ awareness of their natural world, including the environment and our interdependence on the natural world; ~~and~~

(f) Technology standards include:

~~(iv)(i) develop~~ an understanding of technology with awareness of technological tools and developmentally appropriate exploration of the ways to use these resources.

AUTH: Mont. Const. Art. X, sec. 9, 20-2-114, 20-7-101, 20-7-1803, MCA

IMP: Mont. Const. Art. X, sec. 9, 20-7-101, 20-7-117, 20-7-1803, MCA

10.63.111 CURRICULUM AND ASSESSMENT (1) The early childhood curriculum, as defined in ARM 10.63.102, shall:

(a) contain a written philosophy and framework, grounded in research-based understandings of child development, to provide a clear, coherent focus for planning students' experiences;

(b) informing instruction through observation and documentation of children's strengths, interests, and needs in their play, work, and behavior;

(c) guide the learning process and daily plans for learning through the selection of materials and equipment to enhance development and learning in ~~each core domain~~ the early learning developmental domains, including ~~emotional/social and emotional~~, physical, ~~communication language~~, and cognition; and encourage integration of applicable early childhood learning content areas, including ~~social, emotional, physical, health, safety, language~~, literacy, mathematics, science, social studies, creative expression and the arts, and technology;

(d) include planned opportunities for active exploration, discovery, and social interaction;

(e) plan for students' engagement in play each day; and

(f) be implemented in a manner reflective of students' family and community lives while being responsive to diversity, including gender, age, language, culture, and ability, including opportunities for students and families to learn about the distinct and unique heritage of American Indians, particularly Montana Indian tribes, in a culturally responsive manner (20-1-501, MCA).

(2) School districts shall develop ~~preschool~~ early childhood education programs to include an ongoing and systematic written assessment plan which includes protocols for:

(a) monitoring the progress of students toward achieving content standards and learning in the developmental domains using formative and summative approaches that include universal screening, progress monitoring, and diagnostic assessments;

(b) administration of assessments and interpretation of assessment results;

(c) providing disaggregated data to educators and teams to inform instructional planning and decision making;

(d) involving families as partners in linguistically and culturally responsive ways to inform decisions about students' needs; and

(e) assessing the effectiveness of the instructional program that guides adjustments for improvement.

AUTH: Mont. Const. Art. X, sec. 9, 20-2-114, 20-7-101, 20-7-1803, MCA

IMP: Mont. Const. Art. X, sec. 9, 20-7-101, 20-7-117, 20-7-1803, MCA

10.63.112 INSTRUCTION (1) The ~~preschool~~ early childhood education program shall ensure developmentally, culturally, and linguistically appropriate and effective teaching strategies that enhance students' development and learning of the early learning content standards in ARM 10.63.110 through the program's curriculum.

(2) The ~~preschool~~ early childhood education instructional program shall:

(a) use both content and child development knowledge to create learning opportunities and to engage young learners in meaningful, planned, and purposeful experiences related to the curriculum goals and content standards;

(b) use a variety of effective approaches and strategies which include opportunities for both teacher and student-initiated interactions and activities;

(c) support children's development by providing opportunities for all children to play with and learn from each other;

(d) use knowledge of each student's development to enhance instruction, modify strategies and materials, and adjust supports and challenges as students gain competence, understanding, and skills;

(e) build upon student's language, understanding of concepts, and increase vocabulary;

(f) integrate knowledge of students' families and the community to build relationships that foster integral connections with the curriculum and learning experiences;

(g) use cultural and community resources in the classroom to enhance student learning and development; and

(h) work as a team to implement learning plans, including plans for students with special needs.

AUTH: Mont. Const. Art. X, sec. 9, 20-2-114, 20-7-101, 20-7-1803, MCA

IMP: Mont. Const. Art. X, sec. 9, 20-7-101, 20-7-117, 20-7-1803, MCA

10.63.113 PHYSICAL AND LEARNING ENVIRONMENTS (1) The ~~preschool~~ early childhood education program shall ensure an appropriate and well-maintained safe and healthful physical environment that:

(a) is designed to protect student health and safety;

(b) allows for supervision of students primarily by sight;

(c) provides sanitization according to state and federal health standards;

(d) follows state and federal guidelines for meals and snacks; and

(e) provides safe, supervised, and adequate outside play space with age-appropriate equipment and safe, adequate indoor space for each child.

(2) The ~~preschool~~ early childhood education program shall ensure a safe and healthful learning environment by:

(a) providing a written predictable but flexible schedule that provides intentionally planned routines and transitions; and

(b) providing daily indoor and outdoor activities, including:

(i) planned learning center time where students have individual choice of activities;

- (ii) daily opportunities to learn and play individually, in small groups, and as a whole group; and
- (iii) use of developmentally appropriate materials and equipment.

AUTH: Mont. Const. Art. X, sec. 9, 20-2-114, 20-7-101, 20-7-1803, MCA
IMP: Mont. Const. Art. X, sec. 9, 20-7-101, 20-7-117, 20-7-1803, MCA

10.63.114 CHILD GUIDANCE (1) Child guidance means employing a variety of strategies to foster self-regulation, respect for others, problem solving, and ~~emotional and social~~ and emotional development in an ongoing interactive process and helps students learn how to communicate with others in developmentally appropriate ways. To ensure appropriate child guidance, the ~~preschool~~ early childhood education program shall:

- (a) use positive behavior supports to ensure the social, emotional, and cultural development of each student;
- (b) provide a positive climate to ensure equality, inclusion, and citizenship;
- (c) develop relationships with the student and the student's family in ways that are linguistically and culturally sensitive;
- (d) provide opportunities for students to be contributing members of the classroom community;
- (e) provide clear behavioral expectations, including the use of effective methods to prevent and redirect misbehavior; and
- (f) partner with families and other professionals for students with challenging behavior to develop and implement an individualized plan that fosters the child's inclusion and success.

AUTH: Mont. Const. Art. X, sec. 9, 20-2-114, 20-7-101, 20-7-1803, MCA
IMP: Mont. Const. Art. X, sec. 9, 20-7-101, 20-7-117, 20-7-1803, MCA

10.63.115 FAMILY AND COMMUNITY ENGAGEMENT (1) The program staff shall establish and maintain collaborative relationships with each child's family and community to foster student's development in all settings.

(2) To ensure collaborative relationships between the community, school, and families, ~~preschool~~ early childhood education programs shall have protocols which:

- (a) establish intentional practices designed to foster strong reciprocal relationships with families;
- (b) ensure that families are an integral part of the decision-making team through communication and family conferences which promote dialogue and partnership regarding their student's educational goals and services;
- (c) collaborate with families to help students participate successfully in early childhood settings;
- (d) ensure that all families, regardless of family structure, socioeconomic, racial, religious, and cultural diversity, gender, abilities, or preferred languages are included in their child's educational experience;
- (e) assist families in locating, contacting, and using community resources that support the student's well-being, development, and goals;

(f) promote awareness and understanding of the unique legal and political structures of Montana Tribal Nations in order to best meet the needs of Indian students and families;

(g) collaborate with community-based programs to ensure that parents and families have the resources they need to be involved in their student's education, growth, and development; and

(h) provide access to health screenings and referrals for all students in the program.

AUTH: Mont. Const. Art. X, sec. 9, 20-2-114, 20-7-101, 20-7-1803, MCA

IMP: Mont. Const. Art. X, sec. 9, 20-7-101, 20-7-117, 20-7-1803, MCA

4. The rule proposed to be repealed is as follows:

10.63.108 AGGREGATE HOURS

AUTH: 20-7-101, MCA

IMP: 20-7-117, MCA

REASON: The board proposes the amendment and repeal of the existing rules in ARM Title 10, chapter 63, Early Childhood Education Standards to comply with HB 352 (2023). The Early Literacy Advisory Council, created by the board, recommended the proposed revisions to address the purposes of the legislation to provide parents with voluntary early literacy interventions for their children, increase the number of children who are reading proficient at the end of third grade, and foster a strong economic return for the state on early literacy investments. Additionally, the council aligned the revised standards with the language in 20-7-1803(5)(b), MCA, that states, "The classroom-based program must align with developmentally appropriate early childhood education learning standards as determined by the board of public education...". Subchapter 1 will be renamed "Early Childhood Education Standards."

5. Concerned persons may submit their data, views, or arguments concerning the proposed action in writing to: McCall Flynn, Executive Director, Board of Public Education, 46 N. Last Chance Gulch, Suite 2B, P.O. Box 200601, Helena, Montana, 59620; telephone (406) 444-0300; or e-mail bpe@mt.gov, and must be received no later than 5:00 p.m., March 8, 2024.

6. McCall Flynn, executive director, Board of Public Education, has been designated to preside over and conduct this hearing.

7. The board 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. Written requests may be mailed or

delivered to the contact person in paragraph 5 or may be made by completing a request form at any rules hearing held by the agency.

8. An electronic copy of this proposal notice is available through the Secretary of State's web site at <http://sosmt.gov/ARM/Register>.

9. The bill sponsor contact requirements of 2-4-302, MCA, apply and have been fulfilled. The primary bill sponsor was contacted by email on January 8, 2024.

10. With regard to the requirements of 2-4-111, MCA, the board has determined that amendment of the above-referenced rule will not significantly and directly impact small businesses.

/s/ McCall Flynn
McCall Flynn
Executive Director
Board of Public Education

/s/ Tim Tharp
Tim Tharp
Chair
Board of Public Education

Certified to the Secretary of State January 30, 2024.