



**MONTANA
ADMINISTRATIVE
REGISTER**



DEPARTMENT OF LABOR AND INDUSTRY

NOTICE OF PROPOSED RULEMAKING

MAR NOTICE NO. 2026-32.1

Summary

Update rules to include reference to work-based learning experiences and update statutory references

Hearing Date and Time

Tuesday, September 1, 2026, at 10:00 a.m.

Virtual Hearing Information

A public hearing will be held via remote conferencing to consider the proposed changes to the agency's rules. There will be no in-person hearing. Interested parties may access the remote conferencing platform in the following ways:

Join Zoom Meeting: <https://mt-gov.zoom.us/j/85092409567>

Meeting ID: 850 9240 9567; Password: 7217994740

Dial by Telephone: +1 646 558 8656

Meeting ID: 850 9240 9567; Password: 7217994740

Comments

Concerned persons may present their data, views, or arguments at the hearing. Written data, views, or arguments may also be submitted at dli.mt.gov/rules or P.O. Box 1728, Helena, Montana 59624. Comments must be received by Friday, September 4, 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 Tuesday, August 25, 2026, at 5:00 p.m.

Contact

Department of Labor and Industry
(406) 444-5466
laborlegal@mt.gov
Montana Relay: 711

General Reasonable Necessity Statement

The department currently maintains a list and established process for the approval of industry-recognized credentials. The proposed NEW RULE 1 and rule amendments are reasonably necessary to expand this existing framework to include work-based learning experiences.

This change is necessary to implement statutory requirements, ensure consistency in how qualifying experiences are reviewed and approved, and provide clarity to stakeholders regarding eligibility and credit determination. The proposed NEW RULE 1 and amendments extend the existing framework to include work-based learning experiences.

Finally, it is necessary to amend the authorizing and implementing citations throughout to reflect the correct statutes following codification in the Montana Code Annotated.

Rulemaking Actions

AMEND

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

24.22.402 ~~INDUSTRY CREDENTIALS LIST~~ MONTANA CREDENTIAL REGISTRY

- (1) The ~~2025 industry credentials list~~ 2026 Montana Credential Registry is adopted and incorporated by reference. The list is available at <https://montanaworks.gov/>.

Authorizing statute(s): [~~Section 15(3) of HB 252~~] 20-9-382, MCA

Implementing statute(s): ~~[Section 15(1) of HB 252]~~ 20-9-382, MCA

Reasonable Necessity Statement

The amendment of this rule is reasonably necessary to update the published Montana Credential Registry with additional industry-recognized credentials and work-based learning experiences that are aligned with high-demand occupations. The 2026 proposed list is published on the department's website.

It is further necessary to amend the authorizing and implementing citations to reflect the correct statute following codification in the Montana Code Annotated.

24.22.405 INDUSTRY-RECOGNIZED CREDENTIAL CREDIT EVALUATION

- (1) The department reviews industry-recognized credentials against a combination of eligibility factors, requiring that multiple, but not all, of the following factors be satisfied:
 - (a) demonstrated connection to higher-level credentials that deepen industry knowledge;
 - (b) aligns with in-demand occupations and sectors across the state;
 - (c) widely recognized by industry employers, for example by showing that the credential is regularly listed as a required or preferred qualification in job openings;
 - (d) addresses existing skill gaps and identifies new or emerging occupations;
 - (e) accredited by an independent third party;
 - (f) displays evidence of employment in an occupation with average entry level wages of at least 80 percent of the statewide average wage;
 - (g) accessible to various populations for industry advancement;
 - (h) available as a registered apprenticeship through the department;
 - (i) evidence that a student has a job offer from an employer contingent upon completion of the credential.
- (2) The department assigns credit value for an industry-recognized credential against a combination, but not all are required, of the following factors:
 - (a) quality of the proposed curriculum;
 - (b) aligns with in-demand occupations as indicated by the department's employment projections and statewide workforce goals;

- (c) demonstrates proficiency related to industry skills;
- (d) evidence of strong assessment procedures;
- (e) progress toward apprenticeship or further certification;
- (f) amount of time and effort required for completion.

Authorizing statute(s): ~~[Section 15(3) of HB 252]~~ 20-9-382, MCA

Implementing statute(s): ~~[Section 15(2)(a) of HB 252]~~ 20-9-382, MCA

Reasonable Necessity Statement

It is reasonably necessary to amend the authorizing and implementing citations to reflect the correct statute following codification in the Montana Code Annotated.

24.22.410 PETITION PROCESS

- (1) A high school district or K-12 school district may submit proposed industry-recognized credentials and work-based learning experiences on a limited basis for review and recognition to the department.
- (2) The department shall make available a submission form, which a high school district or K-12 school district must complete for the purpose of proposing an industry-recognized credential or work-based learning experience.
- (3) The department shall evaluate the proposal based upon the factors provided in ARM 24.22.405, and make a determination as to:
 - (a) whether the proposed credential or experience should be awarded; and
 - (b) the credit value of the industry-recognized credential or work-based learning experience.

Authorizing statute(s): ~~[Section 15(3) of HB 252]~~ 20-9-382, MCA

Implementing statute(s): ~~[Section 15(2) of HB 252]~~ 20-9-382, MCA

Reasonable Necessity Statement

The amendments to this rule are reasonably necessary to expand the existing framework to include submission of work-based learning experiences. This rule outlines the required submission process and the department's responsibility to evaluate each work-based learning

experience using the eligibility and credit factors established in NEW RULE 1. This ensures that all proposed work-based learning experiences meet high-quality standards for industry relevance, quality, and learner value. It also allows for the determination of appropriate credit.

Further, it is reasonably necessary to amend the rule language to include reference to work-based learning experiences in the formal evaluation submission process.

ADOPT

The rule proposed to be adopted is as follows:

NEW RULE 1 WORK-BASED LEARNING EXPERIENCE CREDIT EVALUATION

- (1) The department shall evaluate work-based learning experiences based on the following criteria:
 - (a) To qualify as a work-based learning experience, the program must be with a business, nonprofit, or governmental entity external to the school and:
 - (i) meet the requirements of 20-7-307 and 20-7-1510, MCA; or
 - (ii) meet the requirements of a pre-apprenticeship under ARM Title 24, chapter 21 and is recognized as a pre-apprenticeship by the department.
 - (b) In addition, the department will consider the extent to which the experience meets the following eligibility factors, requiring that multiple, but not all, of the following factors be satisfied:
 - (i) demonstrates a connection to higher-level credentials that deepen industry knowledge or contributes hours towards the attainment of the credential;
 - (ii) aligns with in-demand occupations and sectors across the state;
 - (iii) enhances employability skills through real-world application;
 - (iv) expands learners' knowledge and exposure to career pathways;
 - (v) is designed around authentic real-world work environments;
 - (vi) provides structured mentorship, supervision, and feedback from an industry professional;
 - (vii) incorporates Montana Career Pathways as recognized by the Montana Office of Public Instruction or high-demand workforce sectors identified by 406 JOBS Initiative.

- (2) The department assigns credit value for a work-based learning experience against a combination of the following factors, not all of which are required:
- (a) quality of the experience;
 - (b) relevance to industry or occupational standards;
 - (c) demonstrated proficiency in industry-related skills;
 - (d) adequacy of assessment methods;
 - (e) time and effort required for completion;
 - (f) aligns with in-demand occupations as indicated by the department's employment projections and statewide workforce goals.

Authorizing statute(s): 20-9-382, MCA

Implementing statute(s): 20-9-382, MCA

Reasonable Necessity Statement

This new rule is necessary to establish a clear, consistent, and transparent framework for the department to evaluate and approve work-based learning experiences that align with Montana's workforce and education priorities. The eligibility criteria outlined in (1) ensure that approved work-based learning experiences meet statutory requirements as well as high quality standards. Section (1) further ensures that businesses, or business-like entities, operated within a school do not qualify for credit recognition.

Section (2) provides a structured process for reviewing and assigning credit value to experiences based on factors such as experience quality, time commitment, assessment methods, and skill proficiency. Adopting this rule supports a credentialing system that is high quality and aligned with the goal of preparing Montanans for high-skill, high-wage careers.

Small Business Impact

Pursuant to 2-4-111, MCA, the Montana small businesses that will probably be affected by the amendments and proposed adoption of NEW RULE 1 are industry-specific independent operators. The proposed rules changes will not create a significant and direct impact on these small businesses.

Bill Sponsor Notification

The bill sponsor contact requirements do not apply.

Interested Persons

The agency maintains a list of interested persons who wish to receive notices of rulemaking actions proposed by the agency. Persons wishing to have their name added to the list may sign up at dli.mt.gov/rules or by sending a letter to P.O. Box 1728, Helena, Montana 59624 and indicating the program or programs about which they wish to receive notices.

Rule Reviewer

Quinlan L. O'Connor

Approval

Sarah Swanson, Commissioner