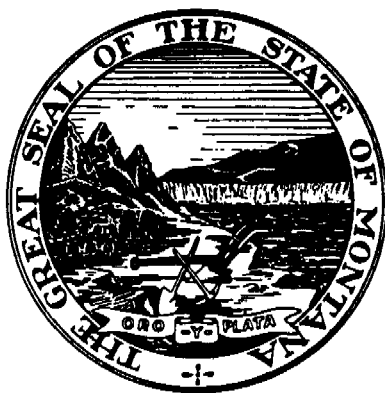


Ref. ✓
KFM
9035
.A25

RESERVE

**MONTANA
ADMINISTRATIVE
REGISTER**

1978 ISSUE NO. 10
PAGES 1215 - 1337



MONTANA ADMINISTRATIVE REGISTER

ISSUE NO. 10

TABLE OF CONTENTS

NOTICE SECTION

	<u>Page Number</u>
<u>STATE AUDITOR, Title 6</u> (Ex Officio Commissioner of Insurance)	
6-2-12 Notice of Public Hearing for the Adoption of Rule Relating to Unfair Discrimination on the Basis of Blindness or Partial Blindness.	1215
6-2-13 Notice of Public Hearing for the Adoption of Rule Relating to Information Insurers Must Disclose to Prospective Purchasers of Health Insurance to Supplement Medicare.	1216-1219
6-2-14 Notice of Public Hearing for the Adoption of Rule Relating to Unfair Discrimination Practices Based Upon Sex or Marital Status.	1220-1222
<u>JUSTICE, Department of, Title 23</u>	
23-2-24 Notice of Proposed Repeal of Rules Pertaining to Fire and Life Safety Protection. No Public Hearing Contemplated. (Fire Marshal Bureau)	1223-1224
<u>LIVESTOCK, Department of, Title 32</u>	
32-2-43 Notice of Proposed Amendment of Rule 32-2.6C(1)-S610 Laboratory Fee Charges) No Public Hearing Contemplated.	1225-1227
<u>PUBLIC SERVICE REGULATION, Department of, Title 38</u>	
38-2-27 Notice of Proposed Rules Relating to "Standby Charges". No Public Hearing Contemplated.	1228-1229
<u>PROFESSIONAL AND OCCUPATIONAL LICENSING, Department of, Title 40</u>	
40-3-38-9 Notice of Proposed Repeal of Sub-Chapter 10, Electrical Inspection (State Electrical Board)	1230
-i-	10-8/24/78

BOARD OF PUBLIC EDUCATION, TITLE 48
(Elementary, Secondary and Vocational Education)

48-3-8 Notice of Proposed Amendment of ARM Rule 48-2.10(1)-S1010 Concerning the Definition of "Accredited" as Used in Certification Rules. No Public Hearing Contemplated.	1231
48-3-8 Notice of Proposed Amendment of ARM Rule 48-2.10(2)-S10020 Concerning Substitute Teaching Experience in Experience Verification. No Public Hearing Contemplated.	1232
48-3-8 Notice of Proposed Amendment of ARM Rule 48-2.10(2)-S10050, Concerning Correspondence, Extension and Inservice Credits. No Public Hearing Contemplated.	1233
48-3-8 Notice of Proposed Amendment of ARM Rule 48-2.10(2)-S10060 Concerning Reinstatement of Certificates. No Public Hearing Contemplated.	1234 -1235
48-3-8 Notice of Proposed Amendment of ARM Rule 48-2.10(6)-S10090 Concerning Endorsement of Certificates. No Public Hearing Contemplated.	1235-1236
48-3-8 Notice of Proposed Amendment of ARM Rule 48-2.10(10)-S10100 Concerning Class 1 Professional Teaching Certificates. No Public Hearing Contemplated.	1236-1238
48-3-8 Notice of Proposed Amendment of ARM Rule 48-2.10(10)-S10110 Concerning Class 2 Standard Teaching Certificates. No Public Hearing Contemplated.	1238-1240
48-3-8 Notice of Proposed Amendment of ARM Rule 48-2.10(10)-S10120 Concerning Class 3 Administrative Certificates. No Public Hearing Contemplated.	1241-1244
48-3-8 Notice of Proposed Amendment of ARM Rule 48-2.10(10)-S10140 Concerning Class 5 Provisional Certificates. No Public Hearing Contemplated.	1244-1247
48-3-9 Notice of Public Hearing for Adoption of Rules Outlining Standards for State Approval of Teacher Education.	1248-1301

RULE SECTION

	<u>Page Number</u>
<u>STATE AUDITOR, Title 6</u>	
<u>(Ex Officio Commissioner of Insurance)</u>	
NEW 6-2.6(2)-S561 Replacement of Life Insurance.	1302-1312
REP 6-2.6(2)-S650 through 6-2.6(2)- S680 Life Insurance Sales and Solicitation.	1302
<u>FISH AND GAME, Department of, Title 12</u>	
NEW 12-2.6(3)-S6180 Sale of Unused or Outdated Stamps	1313
AMD 12-2.10(6)-S1080 Regulations for Outfitters and Guides	1313
NEW 12-2.10(14)-S10195 Castle Rock Reservoir Regulations (Fish and Game Commission)	1314
<u>HEALTH AND ENVIRONMENTAL SCIENCES, Department of, Title 16</u>	
NEW 16-2.14(10)-S14465 Montana In-Situ Mining of Uranium Control System	1315-1329
<u>INSTITUTIONS, Department of, Title 20</u>	
NEW 20.8.105 through 20.8.110 Cor- rectional Division Rules	1330
NEW 20.11.205 through 20.11.215 Con- tinuing Care Facilities Rules	1331
<u>PROFESSIONAL AND OCCUPATIONAL LICENSING, Department of, Title 40</u>	
NEW 40-3.34(2)-P3415 Public Parti- cipation (Board of Dentists)	1332
AMD 40-3.102(6)-S10270 Continuing Education (Board of Veterinarians)	1332
<u>SOCIAL AND REHABILITATION SERVICES, Department of, Title 46</u>	
AMD 46-2.10(18)-S11440 Medical Assistance, Services Provided, Amount, Duration.	1333

INTERPRETATION SECTION

Opinions of the Attorney General

<u>Opinion Number</u>	<u>Page Number</u>
No. 154 Schools and School Districts - Budgeting for Seventh and Eighth Grade Students	1334-1335
No. 155 Counties - Budget - 5% Increase	1336-1337

BEFORE THE STATE AUDITOR
AND EX OFFICIO COMMISSIONER OF INSURANCE
OF THE STATE OF MONTANA

In the matter of the adoption of	)	NOTICE OF PUBLIC
rule relating to Unfair Discrimination)	)	HEARING FOR THE
on the Basis of Blindness or Partial	)	ADOPTION OF A PRO-
Blindness.	)	POSED RULE
		(Unfair Discrimination)

TO: ALL INTERESTED PERSONS:

1. A public hearing will be held on September 26, 1978, at 10:00 a.m., in the Senate Chambers, State Capitol, Helena, Montana to consider proposed action of the Commissioner of Insurance to adopt administrative rules relating to Unfair Discrimination on the Basis of blindness or partial blindness, with respect to life or accident or health insurance policies or insurance contracts or annuities.

2. The proposed rule provides as follows:

Section I. Authority. This regulation is promulgated pursuant to the authority granted by Section 40-2710, R.C.M. 1947.

Section II. Purpose. The purpose of this regulation is to identify specific acts or practices which are prohibited by Section 40-3509, R.C.M. 1947, concerning unfair discrimination in life insurance, annuities, and disability contracts.

Section III. Unfairly Discriminatory Acts or Practices. The following are hereby identified as acts or practices which constitute unfair discrimination between individuals of the same class: Refusing to insure, or refusing to continue to insure, or limiting the amount, extent or kind of coverage available to an individual, or charging an individual a different rate for the same coverage solely because of blindness or partial blindness, except where the refusal, limitation or rate differential is based on sound actuarial principles or is related to actual or reasonably anticipated experience.

3. Interested persons may submit data, views or arguments concerning the proposed regulation orally, or in writing, at the hearing. Comments may also be submitted in writing to the Commissioner of Insurance, Mitchell Building, Helena, Montana prior to September 22, 1978.

4. Josephine Driscoll, Chief Deputy Commissioner of Insurance, has been designated to preside over and conduct the hearing.

5. The authority of the Commissioner is based upon 40-2710, R.C.M. 1947 and implements 40-3509, R.C.M. 1947.


Josephine M. Driscoll
Chief Deputy Insurance Commissioner

Certified to the Secretary of State August 15, 1978.

10-8/24/78

MAR Notice No. 6-2-12

BEFORE THE STATE AUDITOR
AND EX OFFICIO COMMISSIONER OF INSURANCE
OF THE STATE OF MONTANA

In the matter of the proposed adoption) NOTICE OF PUBLIC
of rule relating to information) HEARING FOR THE ADOP-
insurers must disclose to prospective) TION OF A PROPOSED
purchasers of health insurance to) RULE
supplement Medicare.) (Disclosure - health
insurance - supplement
to Medicare.)

TO: ALL INTERESTED PERSONS:

1. A public hearing will be held on September 26, 1978 at 10:00 a.m. in the Senate Chambers, State Capitol, Helena, Montana to consider proposed action of the Commissioner of Insurance to adopt administrative rules relating to information insurers must disclose to prospective purchasers of health insurance to supplement Medicare.

2. The purpose of the proposed rule is to prescribe the information that an agent or insurer who effects a sale of health insurance that is supplemental to federal Medicare insurance must furnish to adequately inform the prospective insured regarding the insurance transaction.

3. The proposed rule provides as follows:

INFORMATION TO BE FURNISHED PROSPECTIVE INSURED. An agent or insurer effecting a sale of health insurance providing benefits that supplement federal Medicare insurance benefits shall deliver the form set forth as Exhibit I to the insured not later than the time of delivery of the policy. The agent or insurer shall complete and sign the prescribed form.

EXHIBIT I

SUMMARY OF MEDICARE BENEFITS AND INSURANCE

The State of Montana requires an insurance company selling health insurance to an individual covered by Medicare to provide the following information. Future changes in federal law may change Medicare benefits, with resulting changes in the insurance policy benefits.

MEDICARE

INSURANCE
POLICY PAYS

Inpatient Hospital Benefits

First 60 days
of Medicare benefit
period

You pay 1st \$ _____.
Medicare pays balance _____

Next 30 days of
continuous confinement
(61st to 90th day)

You pay 1st \$ ____ per day
Medicare pays balance _____

MAR Notice No. 6-2-13

10-8/24/78

the Company," the insurance company may terminate the policy on any premium due date.

(Check your policy for details.)

4. Generally speaking, if the application you completed for your policy asks medical questions, pre-existing conditions are covered from the date the policy is issued. If no medical questions are asked, medical conditions you had prior to the application are not covered until the policy has been in force for the time required by the policy. (Check your policy for details.)

5. Generally, neither Medicare nor private insurance will pay for convenience items not necessary in the treatment of your medical condition.

The Insurance Commissioner makes the following recommendations:

1. Check with your local Social Security office to obtain more specific details of your Medicare benefits, if you have further questions about Medicare. The other side shows only a summary of the basic Medicare benefits. Some Medicare benefits are available that are not shown.

2. Buy one policy for your health insurance needs. You will generally save money by doing this rather than buying several limited policies. Be careful of buying more coverage than you need.

3. After you receive your policy, make sure you have the coverage you thought you bought. If not satisfied, return the policy to the company within 10 days for a full refund of premium directly from the company. Companies are required to make immediate refunds directly and not through their agents.

This form is required by the Insurance Commissioner of the State of Montana to be delivered with any health insurance policy designed to supplement Medicare benefits.

Date Summary Prepared: _____

Policy Form No.: _____

Insurance Company Issuing Policy: _____

Summary Delivered by: _____

Agent of Above Company.

4. Interested persons may submit data, views or arguments concerning the proposed regulation orally, or in writing, at the hearing. Comments may also be submitted in writing to the Commissioner of Insurance, Mitchell Building, Helena, Montana, 59601, prior to September 22, 1978.

5. Josephine M. Driscoll, Chief Deputy Commissioner of Insurance has been designated to preside over and conduct the hearing.

10-8/24/78

MAR Notice No. 6-2-13

MEDICARE

INSURANCE
POLICY PAYS

Next 60 days, while
one-time reserve lasts (91st to 150th day) You pay \$____ per day. _____
Medicare pays balance. _____

After 150 days
of continuous
confinement You pay full amount. _____
Medicare pays nothing. _____

Skilled Nursing Facility Benefits*

(*Caution-- you should check whether nursing facility qualifies for Medicare.)

First 20 days of
Medicare benefit
period You pay nothing. _____
Medicare pays 100%. _____

Nest 80 days of
continuous confinement (21st to 100th day) You pay \$____ per day. _____
Medicare pays balance. _____

Medical Service Benefits

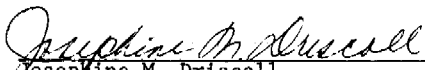
Physician services, You pay 1st \$____ each
medical supplies, calendar year. Medicare
ambulance, prosthetic then pays 80% of further
devices and other Medicare-approved char-
covered services. ges and you pay the bal-
ance of charges. _____

(The space below may be used to describe insurance benefits not related to Medicare.)

More Information:

1. This policy has been approved for sale in Montana as required by law. Such approval is in no way a recommendation or endorsement.
2. Physician fees and other medical services changes may exceed charges approved by Medicare. In such instances, you are obligated for the difference.
3. (a) If the policy is labeled "Guaranteed Renewable" the insurance company must continue the policy as long as you pay the premium. The company has the right to increase the premium, but not to make any changes in the policy.
(b) If the policy is labeled "Renewable at the Option of

6. The authority of the Commissioner is based upon 40-2710 R.C.M. 1947 and implements 40-3505 R.C.M. 1947.



Josephine M. Driscoll
Chief Deputy Commissioner of
Insurance

Certified to the Secretary of State August 15, 1978.

BEFORE THE STATE AUDITOR
AND EX OFFICIO COMMISSIONER OF INSURANCE
OF THE STATE OF MONTANA

In the matter of the proposed) NOTICE OF PUBLIC HEARING
adoption of rules relating to) FOR THE ADOPTION OF A
unfair discrimination practices) PROPOSED RULE
based upon sex or marital status)
(Unfair discrimination
practices)

TO: All Interested Persons:

1. A public hearing will be held on September 26, 1978 at 10:00 a.m. in the Senate Chambers, State Capitol, Helena, Montana, to consider proposed action of the Commissioner of Insurance to adopt administrative rules to prohibit unfair discrimination practices based upon sex or marital status. In the terms and conditions of insurance contracts and in the underwriting criteria of insurance carriers.

2. The proposed rule provides as follows:

Section I - PURPOSE. The purpose of this rule is to eliminate the act of denying benefits or coverage on the basis of sex or marital status in the terms and conditions of insurance contracts and in the underwriting criteria of insurance carriers.

Section II - DEFINITION. For the purpose of this rule, the term "contract" includes any insurance policy, plan, subscriber agreement, statement of coverage, binder, rider or endorsement offered by any insurance company, association, reciprocal or inter-insurance exchange, nonprofit health service corporation or plan, fraternal benefit society or beneficial association.

Section III - PROHIBITED PRACTICES. Availability shall not be denied to an insured or prospective insured on the basis of sex or marital status of the insured or prospective insured. The amount of benefits payable or any term, conditions or type of coverage shall not be restricted, modified, excluded or reduced on the basis of the sex or marital status of the insured or prospective insured except to the extent the amount of benefits, term, conditions or type of coverage vary as a result of the application of rate differentials permitted under the Montana Insurance Code. However, nothing in this regulation shall prohibit an insurer from taking marital status into account for the purpose of defining persons eligible for dependents coverage. Specific examples of practices prohibited by this rule include but are not limited to the following:

a. denying, cancelling or refusing to renew coverage, or providing coverage on different terms, because the insured or

prospective insured is residing with another person or persons not related to him or her by blood or marriage;

(b) offering coverage to males gainfully employed at home, employed part-time or employed by relatives while denying or offering reduced coverage to females similarly employed;

(c) reducing disability benefits for females who become disabled while not gainfully employed full-time outside the home when a similar reduction is not applied to males;

(d) denying females waiver of premium provisions that are available to males or offering such provisions to females only for contract limits that are lower than those available to males;

(e) refusing to offer maternity benefits to insureds or prospective insureds purchasing individual contracts when comparable family coverage contracts offer maternity benefits;

(f) denying, under group contracts, dependent's coverage to husbands of female employees when dependent's coverage is available to wives of male employees;

(g) offering coverage to males in certain occupations while denying coverage or offering more limited coverage to females in the same occupational categories;

(h) offering males higher benefit levels and/or longer benefit periods than are offered to females in the same classifications;

(i) offering contracts containing different definitions of disability for females and males in the same classifications;

(j) offering contracts containing different waiting and elimination periods for females and males;

(k) requiring female applicants to submit to medical examinations while not requiring males to submit to such examinations for the same coverage;

(l) establishing different benefit options for females and males;

(m) denying to divorced or single persons coverage available to married persons;

(n) limiting the amount of coverage available to an insured or prospective insured based upon his or her marital status;

(o) denying employees of one sex insurance benefits that are offered to dependents who are of the same sex as the employees;

(p) denying a married or separated female the right to obtain coverage in her own name;

(q) establishing different issue age requirements for females and males;


(r) establishing different occupational classifications for females and males;

(s) refusing to continue coverage on a spouse or ex-spouse while continuing coverage on the other spouse or ex-spouse following separation or dissolution of a married couple previously covered under a family or household contract.

3. Interested persons may submit data, views or arguments concerning the proposed regulation orally, or in writing, at the hearing. Comments may also be submitted in writing to the Commissioner of Insurance, Mitchell Building, Helena, Montana, 59601, prior to September 22, 1978.

4. Josephine Driscoll, Chief Deputy Commissioner of Insurance, has been designated to preside over and conduct the hearing.

5. The authority of the Commissioner is based upon 40-2710 R.C.M. 1947 and implements 40-3509, 40-3512, 40-5351, 40-5918(8) R.C.M. 1947 relating to unfair discrimination.



Josephine M. Driscoll
Chief Deputy Insurance Commissioner

Certified to the Secretary of State August 15, 1978.

BEFORE THE DEPARTMENT OF JUSTICE
FIRE MARSHAL BUREAU
OF THE
STATE OF MONTANA

In the matter of the repeal	)	NOTICE OF PROPOSED REPEAL OF
of rules pertaining to fire	)	RULES pertaining to fire and
and life safety protection	)	life safety protection.
	)	NO PUBLIC HEARING CONTEMPLATED

To: All Interested Persons:

1. On September 23, 1978 the Department of Justice, Fire Marshal Bureau proposes to repeal rules 23-2.10B(1)-S1000 Minimum Standards Established; 23-2.10B(1)-S1001 Storage of Ammonium Nitrate; 23-2.10B(1)-S1002 Code for Explosive Materials; 23-2.10B(1)-S1003 Portable Fire Extinguishers, Installation; 23-2.10B(1)-S1005 L P Gases; 23-2.10B(1)-S1006 Flammable Liquids Tank Vehicles; 23-2.10B(1)-S1020 Flammable Liquids Code; 23-2.10B(6)-S1040 Foam Extinguishing Systems; 23-2.10B(6)-S1050 High Expansion Foam Systems; 23-2.10B(6)-S1060 Synthetic Foam & Combined Agent Systems; 23-2.10B(6)-S1070 Carbon Dioxide Extinguishing Systems; 23-2.10B(6)-S1080 Halogenated Fire Extinguishing Agent Systems (Halon 1301); 23-2.10B(6)-S1090 Halogenated Fire Extinguishing Agent Systems (Halon 1211); 23-2.10B(6)-S10100 Installation of Sprinkler Systems; 23-2.10B(6)-S10110 Water Spray Fixed Systems for Fire Protection; 23-2.10B(6)-S10120 Installation of Foam-Water Sprinkler Systems and Foam-Water Spray Systems; 23-2.10B(6)-S10130 Dry Chemical Extinguishing Systems; 23-2.10B(6)-S10140 Installation, Maintenance & Use of Local Protective Signaling Systems for Watchman; 23-2.10B(6)-S10150 Installation, Maintenance & Use of Auxiliary Protective Signaling Systems for Fire Alarm Service; 23-2.10B(6)-S10160 Installation, Maintenance & Use of Remote Station Protective Signaling Systems for Fire Alarm & Supervisory Service; 23-2.10B(6)-S10170 Installation, Maintenance & Use of Proprietary Signaling Systems for Watchman, Fire Alarm & Supervisory Service; 23-2.10B(6)-S10180 Automatic Fire Detectors; 23-2.10B(6)-S10190 Installation, Maintenance & Use of Household Fire Warning Equipment.

2. The rules proposed to be repealed are on pages 23-76.2 through 23-76.9.

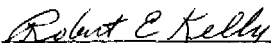
3. The agency proposes to repeal these rules because the above rules have been adopted by reference as part of the Uniform Fire Code, therefore no longer needed.

4. Interested parties may submit their data, views or arguments concerning the proposed repeal in writing to Robert E. Kelly, Chief, Fire Marshal Bureau, 1409 Helena Avenue, Helena Montana 59601.

5. If a person who is directly affected by the proposed repeal of the rules wishes to express his data, views and arguments orally or in writing at a public hearing, he must make written request for a hearing and submit that request along with any written comments he has to Robert E. Kelly, Chief, Fire Marshal Bureau, 1409 Helena Avenue, Helena, Montana 59601 no later than September 21, 1978.

6. If the agency receives requests for a public hearing on the proposed repeal from more than 10% or 25 or more persons directly affected, a hearing will be held at a later date. Notice of the hearing will be published in the Montana Administrative Register.

7. The authority of the agency to make the proposed rule is based on section 82-1202, R.C.M. 1947.



ROBERT E. KELLY, Chief
Fire Marshal Bureau

Certified to the Secretary of State 8-10-78

BEFORE THE BOARD OF LIVESTOCK
STATE OF MONTANA

In the matter of the amendment] NOTICE OF PROPOSED AMENDMENT
of rule 32-2.6C(1)-S610 relating OF RULE 32-2.6C(1)-S610
to fee charges at the Diagnostic]
Laboratory. (Laboratory Fee Charges)
] NO PUBLIC HEARING
CONTEMPLATED

TO: ALL INTERESTED PERSONS

1. On or after September 24, 1978 the Montana Board of Livestock proposes to amend rule 32-2.6C(1)-S610 relating to fee charges at the Department's Diagnostic Laboratory.

2. The rule as proposed to be amended provides as follows: Paragraph (1) and paragraph (2), subsections (a) through (h) remain unchanged.

"(i) ~~toxicological~~ procedures will be charged according to the schedules shown in subsection (5) of this rule.

(j)	Blood Chemistry		
(i)	Serum Calcium	7.00	8.00
(ii)	Serum Phosphorus	6.00	7.00
(iii)	Serum Magnesium	7.00	8.00
(iv)	Serum Sodium	7.00	8.00
(v)	Serum Potassium	7.00	8.00
(vi)	--Total-Serum-Protein		7.00
(vii)	--Urea-Nitrogen-in-Serum-(BUN)		6.00
(viii)	(vi) Bromsulphalein Retention	7.00	8.00

There will be no charge imposed for any rabies test.

(3) Remains unchanged.

(4) Water sample analysis

(a) Total dissolved solids (TDS) and
nitrates

10.00

This charge will not be imposed if the analysis is required in the investigation of an existing livestock disease problem.

(b) Further analysis of water samples will involve additional charges as follows:

(i)	Sulphates (SO ₄)	16.00
(ii)	Magnesium (Mg)	7.00
(iii)	Sodium (NA)	7.00
(iv)	Calcium (ca)	7.00
(v)	Copper	7.00
(vi)	Iron	7.00
(vii)	Zinc	7.00
(viii)	Arsenic	16.00
(ix)	Lead	14.00
(x)	Mercury	15.00
(xi)	Selenium	16.00
(xii)	Fluorine (dissolved)	15.00

In the event that TDS and nitrate analysis does not reveal useful information in a disease investigation the laboratory may at its option pursue further analysis and may waive charges for such further analysis.

Fees for procedures involving chemical analysis are set by agreement between the diagnostic laboratory and the chemistry station of the agriculture experiment station. A schedule of such fees is available upon request. No charges will be made for chemical analysis performed in the course of an ongoing livestock disease problem.

(5) Toxicological procedures will be charged at the following rates, unless the procedure involves an active disease investigation on livestock:

(a)	Plant and feed-related toxicants	
(i)	Arsenic acid	\$--30.00
(ii)	Crude protein from non protein	7.00
(iii)	Salt	8.00
(iv)	Fluorine	15.00
(v)	Cyanide	10.00
(vi)	Nitrate	3.00
(vii)	Ergot	3.00
(b)	Metals	
(i)	Arsenic	16.00
(ii)	Cobalt	15.00
(iii)	Cadmium	22.00
(iv)	Copper	7.00
(v)	Lead	14.00
(vi)	Mercury	13.00
(vii)	Molybdenum	7.00
(viii)	Iron	7.00
(ix)	Zinc	7.00
(c)	Other toxicants	
(i)	Chlorinated insecticide	48.00
(ii)	Strychnine	15.00

(6) An incineration charge not to exceed \$10.00 per animal may be imposed by the chief of the diagnostic laboratory bureau to defray costs of animal disposal."

3. The rule is proposed to be amended because of an increase in cost associated with chemical analyses. The diagnostic laboratory has contracted with the chemical station, which is jointly operated by the agricultural experiment station and the Montana department of agriculture to provide for chemical analyses in order to avoid duplication of laboratory personnel and equipment. Fees are negotiated between the chemical station and the diagnostic laboratory at least annually and new procedures are added as personnel and facilities permit. Rather than set forth the procedures and fees at length, because of their variable nature, the department believes that it is best that a schedule be supplied upon request setting forth procedures available and

charges to be made for each.

4. Interested parties may submit their data, views or arguments concerning the proposed amendment in writing to Dr. James W. Glosser, State Veterinarian & Administrator Animal Health Division, Department of Livestock, Helena, Montana, 59601, no later than September 24, 1978.

5. If a person who is directly affected by the proposed amendment wishes to express his data, views and arguments orally or in writing at a public hearing, he must make written request for a public hearing and submit this request along with any written comments he has to Dr. James W. Glosser no later than September 24, 1978.

6. If the agency receives requests for a public hearing from more than twenty five persons that are directly affected by the proposed amendment or from the administrative code committee of the legislature a hearing will be held at a later date. Notification of the hearing will be published in the Montana Administrative Register.

7. The authority of the department of amend this rule is based on section 46-208, R.C.M. 1947.


ROBERT C. BARTHELMLESS
Chairman, Board of Livestock

Certified to the Secretary of State August 15, 1978.

BEFORE THE DEPARTMENT OF PUBLIC SERVICE REGULATION
PUBLIC SERVICE COMMISSION
OF THE STATE OF MONTANA

In The Matter of the Adoption) NOTICE OF A PROPOSED NEW
of a New Rule Regarding "Stand-) RULE ON "STANDBY CHARGES"
by Charges" by Public Utilities)

TO: All Interested Persons

1. On September 27, 1978, the Public Service Commission proposes to adopt a new rule which concerns "standby charges" by public utilities to customers whose homes, businesses, or industries are equipped with alternative energy sources.

2. This proposed rule does not replace or modify any section currently found in the Montana Administrative Code.

3. The proposed rule is as follows:

Rule I. DEFINITIONS (1) "Standby charges" are defined for the purposes of this rule as charges above those authorized for general utility service, where utility service is either provided: (a) only in the event of the nonavailability to the customer of any other form or source of energy from any supply, which other form of energy is predominately relied upon by the customer; or (b) on a regular basis as the customer's predominate energy source but is subject to periodic partial or complete curtailment, at the customer's option, and replacement by another energy form or source.

Rule II. "STANDBY CHARGES" NOT ALLOWED (1) The Montana Public Service Commission, in view of both the state policy and the lack of cost impact data in this area, will not approve any "standby charges" at this time. Utilities shall supply "standby service" at presently authorized rates for all classes of customers, and shall supply such service to all requesting customers.

Rule III. FUTURE REQUESTS (1) Any utility requesting "standby charges" before this Commission in the future shall provide adequate data supporting "standby service" costs incurred, including but not limited to:

(a) number of customers equipped with alternative, renewable energy sources who would be affected by such charges;

(b) time-of-day and load information for the various classes of customers; and for the various energy source systems employed by them;

(c) cost of service information.

4. The Commission is proposing this rule after consideration of material and opinions submitted to it by regulated public utilities, various organizations, and many members of the general public, following the general rate hearings of Docket No. 6454, July, 1977.

5. The rationale for this rule is as follows: The established public policy of the State of Montana is to encourage and foster research, development, and use of alternative, renewable energy sources in homes, businesses, and industries. The Public Service Commission is in complete agreement with and adheres to this policy.

There may be costs to public utilities engaged in providing "standby service" to customers who rely upon alternative, sources of energy. However, there is insufficient data upon which to measure these costs or to assess their impact on utilities in Montana.

Imposition of "standby charges," or any charges beyond authorized rates for the various classes of utility customers, could discourage customers from installing alternative, renewable sources of energy in their homes, businesses, or industries; and would contravene the intent of the Montana Legislature to provide financial incentives for installation of such sources of energy (Ch. 74, Title 84, and Section 84-1319(b), R.C.M. 1947).

6. Interested parties may submit their data, views, or arguments concerning the proposed adoption in writing to Eileen E. Shore, 1227 11th Avenue, Helena, Montana 59601, no later than September 25, 1978.

7. Should the Public Service Commission receive a request for a public hearing on this proposed rule from any individual prior to September 25, 1978, such a hearing shall be scheduled for a later date, to be published in the Montana Administrative Record.

8. The Montana Consumer Counsel, 34 West Sixth Avenue, Helena, Montana 59601 (Telephone 449-2771), is available and may be contacted to represent consumer interests in this matter.

9. The authority for the Commission to make this rule is based on Sections 70-113 and 70-104, Revised Codes of Montana, 1947.



GORDON E. BOLLINGER, Chairman

CERTIFIED TO THE SECRETARY OF STATE August 15, 1978.

STATE OF MONTANA
DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL LICENSING
BEFORE THE STATE ELECTRICAL BOARD

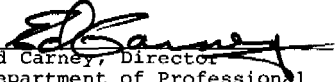
IN THE MATTER of the Proposed)	NOTICE OF PROPOSED REPEAL
Repeal of Sub-Chapter 10,)	of Sub-Chapter 10, Electrical
Electrical Inspection, ARM)	Inspection, ARM 40-3.38(10)-
40-3.38(10)-S3880 through)	S3880 through ARM 40-3.38(10)-
ARM 40-3.38(10)-S38070.)	S38070

TO: All Interested Persons:

1. On September 23, 1978, the State Electrical Board will repeal Sub-Chapter 10, ARM 40-3.38(10)-S3880 through ARM 40-3.38(10)-S38070 electrical inspections.
2. The rules to be repealed are on pages 4-154 through 40-154.6 of the Administrative Rules of Montana.
3. The Board is repealing the rules as inspection functions were removed from the State Electrical Board in Senate Bill 401 of the 1977 Legislative Session.

STATE ELECTRICAL BOARD
CHARLES S. POWELL, PRESIDENT

BY:


Ed Carney, Director
Department of Professional
and Occupational Licensing

Certified to the Secretary of State 8-15, 1978.

BEFORE THE BOARD OF PUBLIC EDUCATION
OF THE STATE OF MONTANA

In the matter of the amendment) NOTICE OF PROPOSED AMENDMENT OF
of Rule 48-2.10(1)-S1010, con-) ARM RULE 48-2.10(1)-S1010, con-
cerning the definition of "ac-) cerning the definition of "ac-
credited" as used in certifica-) credited" as used in certifica-
tion rules) tion rules. NO PUBLIC HEARING
) CONTEMPLATED.

TO: All interested persons

1. On October 10, 1978, the Board of Public Education proposes to amend ARM Rule 48-2.10(1)-S1010, Definitions.

2. The rule as proposed to be amended provides as follows:

(1) Remains the same.

(2) "Accredited" refers to approval (accreditation) by a national or regional accreditation association that is acceptable to the Board of Public Education. State approval of programs leading to certification may also be required.

(3)-(19) Remain the same.

3. The rule is proposed to be amended to make minor editorial changes to foster consistency in the certification system.

4. Interested parties may submit their data, views or arguments concerning the proposed amendment in writing to Earl J. Barlow, Chairman of the Board of Public Education, 33 South Last Chance Gulch, Helena, Montana 59601, at any time prior to September 25, 1978.

5. If a person who is directly affected by the proposed amendment wishes to express his data, views and arguments orally or in writing at a public hearing, he must make written request for a hearing and submit this request along with any written comments he has to Earl J. Barlow, Chairman of the Board of Public Education, 33 South Last Chance Gulch, Helena, Montana 59601, no later than September 15, 1978.

6. If the agency receives requests for a public hearing on the proposed amendment from more than 10 percent or 25 or more persons who are directly affected by the proposed amendment, or from the Administrative Code Committee of the legislature, a hearing will be held at a later date. Notice of hearing will be published in the Montana Administrative Register. Ten percent of those persons directly affected has been determined to be 2200 persons, based on approximately 22,000 active teacher and administrative certificates.

7. The authority of the agency to make the proposed amendment is based on sections 75-6002, 75-6006, R.C.M. 1947.

In the matter of the amendment) NOTICE OF PROPOSED AMENDMENT
of Rule 48-2.10(2)-S10020, con-) OF ARM RULE 48-2.10(2)-S10020,
cerning substitute teaching ex-) concerning substitute teaching
perience in experience verifi-) experience in experience veri-
cation.) fication. NO PUBLIC HEARING
) CONTEMPLATED.

TO: All interested persons

1. On October 10, 1978, the Board of Public Education proposes to amend ARM Rule 48-2.10(2)-S10020, Experience Verification.

2. The rule as proposed to be amended provides as follows:

(1) Experience Evaluation The determination of educational experience appropriate to renew any certificates will be made by the Superintendent of Public Instruction.

(a) Substitute Teaching Experience: At least 100 days of substitute teaching experience is required to constitute the equivalent of one year of successful teaching experience in the five-year period preceding the expiration of a current Montana certificate.

(2)-(3) Remain the same.

3. The rule is proposed to be amended to make minor editorial changes to foster consistency in the certification system.

4. Interested parties may submit their data, views or arguments concerning the proposed amendment in writing to Earl J. Barlow, Chairman of the Board of Public Education, 33 South Last Chance Gulch, Helena, Montana 59601, at any time prior to September 25, 1978.

5. If a person who is directly affected by the proposed amendment wishes to express his data, views and arguments orally or in writing at a public hearing, he must make written request for a hearing and submit this request along with any written comments he has to Earl J. Barlow, Chairman of the Board of Public Education, 33 South Last Chance Gulch, Helena, Montana 59601, no later than September 15, 1978.

6. If the agency receives requests for a public hearing on the proposed amendment from more than 10 percent or 25 or more persons who are directly affected by the proposed amendment, or from the Administrative Code Committee of the legislature, a hearing will be held at a later date. Notice of hearing will be published in the Montana Administrative Register. Ten percent of those persons directly affected has been determined to be 2200 persons, based on approximately 22,000 active teacher and administrative certificates.

7. The authority of the agency to make the proposed amendment is based on sections 75-6002, 75-6006, R.C.M. 1947.

In the matter of the amendment)	NOTICE OF PROPOSED AMENDMENT
of Rule 48-2.10(2)-S10050, con-) OF ARM RULE 48-2.10(2)-S10050,	
cerning correspondence, exten-) concerning correspondence, ex-	
sion and inservice credits.)	tension and inservice credits.
)	NO PUBLIC HEARING CONTEMPLATED.

TO: All interested persons

1. On October 10, 1978, the Board of Public Education proposes to amend Rule 48-2.10(2)-S10050, Correspondence, Extension and Inservice Credits.

2. The rule as proposed to be amended provides as follows:

(1)-(2) Remain the same.

(3) Inservice Credits earned as a result of school district inservice education programs that have been approved by the Montana Superintendent of Public Instruction (Certification Services Division) are acceptable for certificate renewal or reinstatement. All credits for renewal or reinstatement must supplement, strengthen and update the teacher's basic preparation. Credits should be graduate credits. Other credit may be considered on an individual basis. Information concerning the approval of credit may be obtained by contacting Teacher Education and Certification, Office of Public Instruction.

3. The rule is proposed to be amended to make minor editorial changes to foster consistency in the certification system.

4. Interested parties may submit their data, views or arguments concerning the proposed amendment in writing to Earl J. Barlow, Chairman of the Board of Public Education, 33 South Last Chance Gulch, Helena, Montana 59601, at any time prior to September 25, 1978.

5. If a person who is directly affected by the proposed amendment wishes to express his data, views and arguments orally or in writing at a public hearing, he must make written request for a hearing and submit this request along with any written comments he has to Earl J. Barlow, Chairman of the Board of Public Education, 33 South Last Chance Gulch, Helena, Montana 59601, no later than September 15, 1978.

6. If the agency receives requests for a public hearing on the proposed amendment from more than 10 percent or 25 or more persons who are directly affected by the proposed amendment, or from the Administrative Code Committee of the legislature, a hearing will be held at a later date. Notice of hearing will be published in the Montana Administrative Register. Ten percent of those persons directly affected has been determined to be 2200 persons, based on approximately 22,000 active teacher and administrative certificates.

7. The authority of the agency to make the proposed amendment is based on sections 75-6002, 75-6003, R.C.M. 1947.

10-8/24/78

MAR Notice No. 48-3-8

In the matter of the amendment) NOTICE OF PROPOSED AMENDMENT
of Rule 48-2.10(2)-S10060, con-) OF ARM RULE 48-2.10(2)-S10060
cerning reinstatement of certi-) concerning reinstatement of
ficates) certificates. NO PUBLIC HEAR-
) ING CONTEMPLATED.

TO: All interested persons

1. On October 10, 1978, the Board of Public Education proposes to amend ARM Rule 48-2.10(2)-S10060, Reinstatement.

2. The rule as proposed to be amended provides as follows:

(1) Lapsed certificates cannot be renewed, but the holder may apply for reinstatement of the certificate provided requirements are met which are in force at the time reinstatement is requested. A minimum of 12 quarter (8 semester) credits of college work or the equivalent is required within the five-year period immediately preceding the date of application for reinstatement of the Class 2 certificate. A minimum of 6 quarter (4 semester) credits or the equivalent within this period is required for reinstatement of Class 1 or Class 3 certificates.

~~in cooperation with the appropriate official,~~ a A teacher must elect credits which will strengthen and supplement the previous preparation; generally, this will involve upper division or graduate work.

(2) If the period of lapse is 15 years or more, the reinstatement requirements may be obtained from the Superintendent of Public Instruction. If the period of lapse is less than 15 years, the teacher may apply for a Class 5 certificate ~~which allows the two-year term of this certificate~~ to meet recency or reinstatement requirements.

(3) The recent training requirements for any person desiring reinstatement of Class 1 or Class 3 certification shall be six quarter (four semester) credits of college work earned within the five-year period prior to making application for the certificate. In cases where this requirement has not been met, a Class 5 certificate may be issued ~~to the applicant to allow two years for an individual~~ to meet the recent training requirement.

(4) Remains the same.

3. The rule is proposed to be amended to make minor editorial changes to foster consistency in the certification system.

4. Interested parties may submit their data, views or arguments concerning the proposed amendment in writing to Earl J. Barlow, Chairman of the Board of Public Education, 33 South Last Chance Gulch, Helena, Montana 59601, at any time prior to September 25, 1978.

5. If a person who is directly affected by the proposed amendment wishes to express his data, views and arguments orally or in writing at a public hearing, he must make written request for a hearing and submit this request along with any written comments he has to Earl J. Barlow, Chairman of the Board of Public Education, 33 South Last Chance Gulch, Helena, Montana 59601, no later than September 15, 1978.

6. If the agency receives requests for a public hearing on the proposed amendment from more than 10 percent or 25 or more persons who are directly affected by the proposed amendment, or from the Administrative Code Committee of the legislature, a hearing will be held at a later date. Notice of hearing will be published in the Montana Administrative Register. Ten percent of those persons directly affected has been determined to be 2200 persons, based on approximately 22,000 active teacher and administrative certificates.

7. The authority of the agency to make the proposed amendment is based on sections 75-6002, 75-6003, and 75-6006, R.C.M. 1947.

In the matter of the amendment)	NOTICE OF PROPOSED AMENDMENT
of Rule 48-2.10(6)-S10090, con-) OF ARM RULE 48-2.10(6)-S10090	
cerning endorsement of certifi-) concerning endorsement of cer-	
cates)	tificates. NO PUBLIC HEARING
)	CONTEMPLATED.

TO: All interested persons

1. On October 10, 1978, the Board of Public Education proposes to amend ARM Rule 48-2.10(6)-S10090, Endorsement Information.

2. The rule as proposed to be amended provides as follows:

(1)-(3) Remain the same.

(4) Training Requirement for K-12 Endorsement Both elementary and secondary training are required for a K-12 endorsement in any approved endorsement area. After August 31, 1979, no endorsements other than K-12 will be initially given in Library, Special Education, Guidance and Counseling, Art, Music, and Health and Physical Education.

(5) Special Area Endorsements

(a) Remains the same.

(b) Remains the same.

(c) ~~Provisional Approval to Teach Special Education~~
~~Provisional approval to teach special education until July 1,~~
~~1978, may be granted to an individual who holds a valid Mon-~~
~~tana teaching certificate provided that individual is on a~~
~~planned program with an accredited college or university to~~
~~complete that institution's approved major or minor in special~~

10-8/24/78

MAR Notice No. 48-3-8

education--If-the-applicant-has-completed-less-than-15-quarter hours-of-special-education-course-work, approval-may-be-given only-after-the-applicant-has-the-written-recommendation-of-a district-school-superintendent-for-a-specific-special-education teaching-assignment-in-that-district--The-recommendation-must be-attached-to-an-application-completed-by-the-applicant-and-a representative-of-a-training-institution-approved-to-train special-education-teachers.

(d)--Hearing-impaired--Recommendations-for-special-education-endorsement-for-teachers-of-hearing-impaired-students may-be-submitted-only-by-training-institutions-with-hearing-impaired-training-programs-approved-by-the-Council-on-Education-of-the-deaf.

3. The rule is proposed to be amended to make minor editorial changes to foster consistency in the certification system.

4. Interested parties may submit their data, views or arguments concerning the proposed amendment in writing to Earl J. Barlow, Chairman of the Board of Public Education, 33 South Last Chance Gulch, Helena, Montana 59601, at any time prior to September 25, 1978.

5. If a person who is directly affected by the proposed amendment wishes to express his data, views and arguments orally or in writing at a public hearing, he must make written request for a hearing and submit this request along with any written comments he has to Earl J. Barlow, Chairman of the Board of Public Education, 33 South Last Chance Gulch, Helena, Montana 59601, no later than September 15, 1978.

6. If the agency receives requests for a public hearing on the proposed amendment from more than 10 percent or 25 or more persons who are directly affected by the proposed amendment, or from the Administrative Code Committee of the legislature, a hearing will be held at a later date. Notice of hearing will be published in the Montana Administrative Register. Ten percent of those persons directly affected has been determined to be 2200 persons, based on approximately 22,000 active teacher and administrative certificates.

7. The authority of the agency to make the proposed amendment is based on sections 75-6002, 75-6003, and 75-6006, R.C.M. 1947.

In the matter of the amendment	)	NOTICE OF PROPOSED AMENDMENT
of Rule 48-2.10(10)-S10100,	)	OF ARM RULE 48-2.10(10)-S10100
concerning Class 1 professional	)	concerning Class 1 professional
teaching certificates	)	al teaching certificates. NO
	)	PUBLIC HEARING CONTEMPLATED.

T0: All interested persons

1. On October 10, 1978, the Board of Public Education proposes to amend ARM Rule 48-2.10(10)-S10100, Class 1 Professional Teaching Certificate.

2. The rule as proposed to be amended provides as follows:

~~(1)--This certificate is issued to applicants who submit acceptable evidence of successful completion, at an accredited institution of higher learning, of a teacher education program leading to a bachelor's degree and at least one year of study or 45 quarter (30 semester) credits beyond the degree. The study beyond the degree must be of such nature as to supplement the preparation of the applicant in professional training and/or teaching subject fields. In addition to the academic preparation, a minimum of three years of successful teaching also is required.~~

~~(2)--This certificate is renewable every five years on verification of one year of successful teaching experience, or its equivalent, during the five-year period.~~

~~(1) Term: Five years - renewable~~

~~(2) Basic Education: Master's degree or one year of study consisting of at least 45 quarter (30 semester) credits beyond Bachelor's degree.~~

~~(3) Experience: Verification of three years of successful teaching experience or the equivalent.~~

~~(4) Renewal: Verification of one year of successful teaching experience or the equivalent.~~

~~(5) Reinstatement: 6 quarter (4 semester) credits or the equivalent earned within the five-year period preceding application, or one year of experience with a Master's degree. (See guidelines for reinstatement of certificates allowed to lapse 15 years or more.)~~

~~(6) Endorsements: Same as Class 2 standard.~~

~~(7) The Class 1 certificate is issued to applicants qualified for the Class 2 certificate and whose preparation includes at least one year of study, or 45 quarter (30 semester) credits beyond the Bachelor's degree. The study beyond the degree must be planned in consultation with and/or approved by an appropriate official (see definitions). The training must supplement the academic preparation of the applicant in teaching subject fields and/or related professional training.~~

3. The rule is proposed to be amended to make minor editorial changes to foster consistency in the certification system.

4. Interested parties may submit their data, views or arguments concerning the proposed amendment in writing to Earl J. Barlow, Chairman of the Board of Public Education, 33 South Last Chance Gulch, Helena, Montana 59601, at any time prior to September 25, 1978.

5. If a person who is directly affected by the proposed amendment wishes to express his data, views and arguments orally or in writing at a public hearing, he must make written request for a hearing and submit this request along with any written comments he has to Earl J. Barlow, Chairman of the Board of Public Education, 33 South Last Chance Gulch, Helena, Montana 59601, no later than September 15, 1978.

6. If the agency receives requests for a public hearing on the proposed amendment from more than 10 percent or 25 or more persons who are directly affected by the proposed amendment, or from the Administrative Code Committee of the legislature, a hearing will be held at a later date. Notice of hearing will be published in the Montana Administrative Register. Ten percent of those persons directly affected has been determined to be 2200 persons, based on approximately 22,000 active teacher and administrative certificates.

7. The authority of the agency to make the proposed amendment is based on sections 75-6002, 75-6006, and 75-6008, R.C.M. 1947.

In the matter of the amendment	) NOTICE OF PROPOSED AMENDMENT
of Rule 48-2.10(10)-S10110,	) OF ARM RULE 48-2.10(10)-S10110
concerning Class 2 standard	) concerning Class 2 standard
teaching certificates	) teaching certificates. NO
	) PUBLIC HEARING CONTEMPLATED.

TO: All interested persons

1. On October 10, 1978, the Board of Public Education proposes to amend ARM Rule 48-2.10(10)-S10110, Class 2 Standard Teaching Certificate.

2. The rule as proposed to be amended provides as follows:

~~(1)--Eligibility-for-Class-2--This-certificate-is-issued to-applicants-who-have-successfully-completed-an-appropriate approved-teacher-education-program-and-have-been-awarded-a bachelor's-degree.--It-is-renewable-every-five-years-on-completion-of-one-year-of-successful-teaching-during-the-five-year-period-plus-the-presentation-of-acceptable-evidence-of 6-additional-quarter-(4-semester)-credits,-or-the-equivalent, that-supplement-and-strengthen-the-teacher's-preparation-the additional-credits-generally-will-be-in-upper-division-or-graduate-courses.~~

(2)--Elementary-Level-Professional-Preparation-Requirement--While there is no specific requirement as to the number of credits of professional preparation for elementary endorsement, approximately 45 quarter (30 semester) credits, including student teaching (or a waiver by an appropriate official) are generally considered minimum qualifications.

(3)--Secondary-Level-Professional-Preparation-Requirements At least 24 quarter (16 semester) credits of professional preparation for teaching are required. Unless an appropriate official authorizes a waiver, student teaching or equivalent experiences also are required.

(4)--Subject-Field-Requirements:--Issuance of the Class 2 certificate at secondary level requires a teaching major of at least 45 quarter (30 semester) credits and a teaching minor of at least 30 quarter (20 semester) credits, or at least 60 quarter (40 semester) credits in a single field of specialization, provided these fields are subjects commonly offered for credit in the high school curriculum of Montana.

(1) Term: Five years - renewable

(2) Basic Education: Bachelor's degree and appropriate approved teacher education program.

(3) Renewal: Verification of one year of successful teaching experience or the equivalent plus presentation of acceptable evidence of 6 additional quarter (4 semester) credits.

(4) Reinstatement: 12 quarter (8 semester) credits or the equivalent earned within the five year period preceding application. (See guidelines for reinstatement of certificates allowed to lapse 15 years or more.)

(5) Renewal and reinstatement credits must supplement, strengthen and update the teacher's basic preparation and should be graduate credits. Other credits may be considered on an individual basis. Information concerning the approval of other credit may be obtained by contacting Teacher Education and Certification in the Office of Public Instruction.

(6) Endorsements

(a) Elementary: Completion of an approved elementary teacher education program of an accredited teacher training institution. While there is no specific requirement as to the number of credits of professional preparation for elementary endorsement, approximately 45 quarter (30 semester) credits are generally found. Within the 45 credits, the following courses are required: human growth and development, teaching of reading and/or language arts, social studies and arithmetic, and student teaching or appropriate intern experiences.

(b) Secondary:

(i) Approved major: 45 quarter (30 semester) credits, and

(ii) Approved minor: 30 quarter (20 semester) credits; or

(iii) Approved major: 60 quarter (40 semester) credits in a single field of specialization.

(iv) K-12 requires training in both elementary and secondary curriculum.

(v) Professional preparation: at least 24 quarter (16 semester) credits teaching, to include student teaching.

(7) Subject field endorsements must be in areas approved for certification by the Board of Public Education as subjects commonly offered for credit in the high school curriculum. The pattern of preparation must constitute the approved secondary teacher education program of an accredited college or university.

(8) Both elementary and secondary endorsement require completion of the general academic courses specified by the recommending college or university for completion of its teacher education program.

3. The rule is proposed to be amended to make minor editorial changes to foster consistency in the certification system.

4. Interested parties may submit their data, views or arguments concerning the proposed amendment in writing to Earl J. Barlow, Chairman of the Board of Public Education, 33 South Last Chance Gulch, Helena, Montana 59601, at any time prior to September 25, 1978.

5. If a person who is directly affected by the proposed amendment wishes to express his data, views and arguments orally or in writing at a public hearing, he must make written request for a hearing and submit this request along with any written comments he has to Earl J. Barlow, Chairman of the Board of Public Education, 33 South Last Chance Gulch, Helena, Montana 59601, no later than September 15, 1978.

6. If the agency receives requests for a public hearing on the proposed amendment from more than 10 percent or 25 or more persons who are directly affected by the proposed amendment, or from the Administrative Code Committee of the legislature, a hearing will be held at a later date. Notice of hearing will be published in the Montana Administrative Register. Ten percent of those persons directly affected has been determined to be 2200 persons, based on approximately 22,000 active teacher and administrative certificates.

7. The authority of the agency to make the proposed amendment is based on sections 75-6002, 75-6006, and 75-6008, R.C.M. 1947.

In the matter of the amendment of Rule 48-2.10(10)-S10120, concerning Class 3 administrative certificates

NOTICE OF PROPOSED AMENDMENT OF ARM RULE 48-2.10(10)-S10120 concerning Class 3 administrative certificates. NO PUBLIC HEARING CONTEMPLATED.

TO: All interested persons

1. On October 10, 1978, the Board of Public Education proposes to amend ARM Rule 48-2.10(10)-S10120, Class 3 Administrative Certificate.

2. The rule as proposed to be amended provides as follows:

~~(1) -- Eligibility for Class 3 -- This certificate is issued to applicants who (1) held a master's degree granted by an accredited college or university, (2) have had three years of successful teaching experience, or its equivalent, and (3) have met requirements for one or more of the following endorsements:~~

~~(1) Term: Five years - renewable~~

~~(2) Basic Education: Master's degree in administration or a related instructional field~~

~~(3) Experience: Three years teaching or the equivalent~~

~~(4) Renewal: Verification of one year of successful experience or the equivalent in the area of endorsement~~

~~(5) Reinstatement: 6 quarter (4 semester) credits or one year experience or the equivalent earned within the five-year period preceding application. (See guidelines for reinstatement of certificates allowed to lapse 15 years or more.)~~

~~(6) Endorsements:~~

~~(2) -- Superintendent's Endorsement Requirements~~

~~(a) -- Eligibility for the Class 1 or Class 2 teaching certificate; and,~~

~~(b) -- at least 24 graduate quarter (16 semester) credits, or the equivalent, in education including the following:~~

~~(i)(aa) -- at least 12 graduate quarter (8 semester) credits, or the equivalent, in elementary education if the applicant does not qualify for elementary endorsement of the Class 1 or Class 2 teaching certificate; or,~~

~~(ab) -- at least 12 graduate quarter (8 semester) credits or the equivalent, in secondary education if the applicant does not qualify for secondary endorsement of the Class 1 or Class 2 teaching certificate; and~~

~~(ii) -- one or more graduate courses, or the equivalent, in each of the following: school finance, general school administration, school curriculum and school supervision; and~~

~~(iii) -- a course in guidance or counseling or the equivalent.~~

10-8/24/78

MAR Notice No. 48-3-8

(a) Superintendent:

(i) Eligibility for the Class 1 or Class 2 teaching certificate; and,

(ii) at least 24 graduate quarter (16 semester) credits or the equivalent in education, including the following:

(aa) at least 12 graduate quarter (8 semester) credits, or the equivalent, in elementary education if the applicant does not qualify for elementary endorsement on the Class 1 or Class 2 teaching certificate; or, at least 12 graduate quarter (8 semester) credits, or the equivalent, in secondary education if the applicant does not qualify for secondary endorsement on the Class 1 or Class 2 teaching certificate; and,

(ab) one or more graduate courses, or the equivalent, in each of the following: school finance, general school administration, school curriculum, and school supervision; and,

(ac) a course in guidance or counseling, or the equivalent.

(3)--Elementary-Principal's-Endorsement-Requirements
(a)--Eligibility-for-the-Class-1-or-Class-2-teaching certificate-with-elementary-endorsement; and,

(b)--at least 15 graduate quarter (10 semester) credits, or the equivalent, in education including the following:

(i)--at least 8 graduate quarter (6 semester) credits, or the equivalent, in elementary education; and,

(ii)--one or more graduate courses each, or the equivalent, in general school administration and elementary school administration; and,

(iii)--at least one graduate course, or the equivalent, in elementary school curriculum or school supervision; and,

(iv)--a course in guidance or counseling or the equivalent.

(b) Elementary Principal

(i) Eligibility for the Class 1 or Class 2 teaching certificate with elementary endorsement; and,

(ii) at least 15 quarter (10 semester) credits, or the equivalent, in education, including the following:

(aa) at least 8 graduate quarter (6 semester) credits, or the equivalent in elementary education; and,

(ab) one or more graduate courses, or the equivalent, in general school administration and elementary school administration; and,

(ac) at least one graduate course, or the equivalent, in elementary school curriculum or school supervision; and,

(ad) a course in guidance or counseling, or the equivalent.

~~(4)--Secondary-Principal's-Endorsement-Requirements~~

~~(a)--Eligibility-for-the-Class-1-or-Class-2-teaching certificate-with-secondary-endorsement; and,~~

~~(b)--at-least-15-graduate-quarter-(10-semester) credits,-or-the-equivalent,-in-education,-including-the-following:~~

~~(i)--at-least-8-graduate-quarter-(6-semester) credits,-or-the-equivalent,-in-secondary-education; and,~~

~~(ii)--one-or-more-graduate-courses-each,-or the-equivalent,-in-general-school-administration-and-secondary school-administration; and,~~

~~(iii)--at-least-one-graduate-course,-or-the equivalent,-in-secondary-school-curriculum-or-school-super-vision; and,~~

~~(iv)--a-course-in-guidance-or-counseling-or the-equivalent.~~

~~(c) Secondary Principal~~

~~(i) Eligibility for the Class 1 or Class 2 teaching certificate with secondary endorsement; and,~~

~~(ii) at least 15 quarter (10 semester) credits, or the equivalent in education, including the following:~~

~~(aa) at least 8 graduate quarter (6 semester) credits, or the equivalent in secondary education; and,~~

~~(ab) one or more graduate courses, or the equivalent, in general school administration and secondary school administration; and,~~

~~(ac) at least one graduate course, or the equivalent, in secondary school curriculum or school supervision; and,~~

~~(ad) a course in guidance or counseling, or the equivalent.~~

~~(5) (d) Supervisor's-Endorsement-Requirements~~

~~(i) This administrative endorsement is issued in specific fields such as math, music, special education, and guidance and counseling, and school finance or in general areas such as elementary education, secondary education and curriculum development. This endorsement may be issued to applicants who submit acceptable evidence of successful completion, at an accredited institution of higher learning, of a master's degree or the equivalent in the special area to be endorsed or in appropriate professional programs for the general area endorsement. The applicant must meet eligibility requirements for a Class 1 or Class 2 teaching certificate endorsed in the field of specialization.~~

~~(ii) The professional training required for this endorsement must include 15 graduate quarter (10 semester) credits in supervision, curriculum and methods in the fields to be endorsed. The recommendation of the appropriate official(s) is required.~~

~~(6)--The-Class-3-certificate-is-renewable-every-five-years-on-completion-of-one-year-of-successful-experience-in-the-area-of-endorsement.~~

3. The rule is proposed to be amended to make minor editorial changes to foster consistency in the certification system.

4. Interested parties may submit their data, views or arguments concerning the proposed amendment in writing to Earl J. Barlow, Chairman of the Board of Public Education, 33 South Last Chance Gulch, Helena, Montana 59601, at any time prior to September 25, 1978.

5. If a person who is directly affected by the proposed amendment wishes to express his data, views and arguments orally or in writing at a public hearing, he must make written request for a hearing and submit this request along with any written comments he has to Earl J. Barlow, Chairman of the Board of Public Education, 33 South Last Chance Gulch, Helena, Montana 59601, no later than September 15, 1978.

6. If the agency receives requests for a public hearing on the proposed amendment from more than 10 percent or 25 or more persons who are directly affected by the proposed amendment, or from the Administrative Code Committee of the legislature, a hearing will be held at a later date. Notice of hearing will be published in the Montana Administrative Register. Ten percent of those persons directly affected has been determined to be 2200 persons, based on approximately 22,000 active teacher and administrative certificates.

7. The authority of the agency to make the proposed amendment is based on sections 75-6002, 75-6006, and 75-6008, R.C.M. 1947:

In the matter of the amendment	) NOTICE OF PROPOSED AMENDMENT
of Rule 48-2.10(10)-S10140,	) OF ARM RULE 48-2.10(10)-S10140
concerning Class 5 provisional	) concerning Class 5 provisional
certificates	) certificates. NO PUBLIC HEAR-
	) ING CONTEMPLATED.

TO: All interested persons

1. On October 10, 1978, the Board of Public Education proposes to amend ARM Rule 48-2.10(10)-S10140, Provisional Certificate.

2. The rule as proposed to be amended provides as follows:

~~(1) -- Eligibility for Class 5 -- This certificate may be issued to applicants working on a planned program leading to Class 1, Class 2 or Class 3 certification. -- It also may be issued to applicants eligible for Class 1, Class 2 or Class 3 certification except for United States citizenship or recency of credits. -- This certificate is issued for a term of 2 years, renewable three times (for a total of eight years). -- If less than 16 quarter (11 semester) credits are required to qualify for regular certification, the Class 5 is not renewable.~~

~~(a)--Recommendation-to-Issue-Certificate--Issuance of the Class-5 certificate usually depends on the written recommendation of the appropriate official(s) of an approved institution with whom the applicant has outlined a Plan of Professional Intent which commits the applicant to a program leading to regular certification.~~

~~(b)--Recency-Requirements--Class-5 certification also may be granted to an applicant who does not qualify for Class-1, Class-2 or Class-3 certification because of lack of recency. Recency requirements are the same as the requirements for reinstatement of certificates that have been allowed to lapse.~~

(1) Term: five years - not renewable

(2) Basic Education: Bachelor's degree

(3) A Class 5 Provisional certificate may be issued to applicants who have major preparation toward regular certification, but have minor discrepancies such as program deficiencies, lack of recent credits, or U.S. citizenship. It also may be approved for individuals in programs authorized by the Superintendent of Public Instruction.

(4) Issuance of the Class 5 certificate usually depends on the written recommendation of the appropriate official(s) of an approved institution with whom the applicant has outlined a Plan of Professional Intent which commits the applicant to a program leading to regular certification.

(5) The recipient of a Class 5 Provisional certificate must be working on a planned program leading to the Class 1, 2 or 3 certificate. On completion of the necessary credits, or the equivalent, the holder may apply for regular certification.

~~(2)--Elementary-Endorsement--Elementary endorsement is granted to applicants who submit acceptable evidence of a partially-completed elementary education program, or a completed non-approved elementary education program, provided the following minimum requirements have been met:~~

~~(a)--Bachelor's degree; and,~~

~~(b)--a minimum of 90 quarter (60 semester) credits of academic preparation, in acceptable balance, to include language arts and literature; history; government and related social sciences; physical or biological sciences; mathematics; and any two of the following--art, music, foreign languages, speech, dramatics, library science and health; and,~~

~~(c)--professional preparation to include--human growth and development; the teaching of reading and/or language arts; social studies and arithmetic; and student teaching of appropriate observational experiences leading to student teaching.~~

(6) Endorsements

(a) Provisional Elementary: Elementary endorsement is granted to applicants who submit acceptable evidence of a partially completed elementary education program, or a completed non-approved program, provided the following minimum requirements have been met:

(i) Bachelor's degree; and,
(ii) a minimum of 90 quarter (60 semester) credits of academic preparation, in acceptable balance, in language arts and literature, history, government and related social science, mathematics, and any two of the following: art, music, foreign languages, speech, dramatics, library science, or health; and,

(iii) professional preparation to include: human growth and development, the teaching of reading and/or language arts, social studies and arithmetic, and student teaching or appropriate intern experiences.

~~(3)--Secondary Endorsements--Secondary endorsement is granted to applicants who submit acceptable evidence of a partially completed secondary education program or a completed non-approved secondary education program, provided the following minimum requirements have been met:~~

~~(a)--Bachelor's degree; and,~~
~~(b)--major preparation (at least 45 quarter (30 semester) credits) in an area commonly offered in the high school programs in Montana; and,~~

~~(c)--8 quarter (6 semester) credits in a planned program of professional teacher education, and admittance to the secondary teacher education program of an accredited college.~~

(b) Provisional Secondary: Secondary endorsement is granted to applicants who submit acceptable evidence of a partially completed secondary education program, or a completed non-approved secondary education program, provided the following minimum requirements have been met:

(i) Bachelor's degree; and,
(ii) major preparation (at least 45 quarter or 30 semester credits) in an area commonly offered in the high school programs in Montana and approved by the Board of Public Education for endorsement; and,

(iii) 8 quarter (6 semester) credits in a planned program of professional teacher education, and admission to the secondary teacher education program of an accredited college or university.

(4) (c) Administrative Endorsement: Class 4 5 certification with a plan of professional intent leading to Class 3 (administrative) certification may be issued to applicants

who within the last five years have been fully eligible for administrative certification endorsed in one of the general areas (elementary principal, secondary principal, superintendent or supervisor) but who may not meet course requirements for other general areas. In addition, the Class 5 certificate may be approved for individuals in programs that have been authorized by the Superintendent of Public Instruction. All administrators' certificates are based on a minimum of a Master's degree in administration or related instructional field with State specified course work.

~~(5)~~(7) Conversion of Class 5 Certificate A person with a Class 5 certificate, on completion of the necessary credits or the equivalent, may apply for Class 1, Class 2 or Class 3 certification.

(8) Two-Year Class 5 Certificate (no longer issued)
Two-year renewable Class 5 certificates issued prior to September 1, 1978, will be renewed on fulfillment of requirements in force at the time of original issue.

3. The rule is proposed to be amended to make minor editorial changes to foster consistency in the certification system.

4. Interested parties may submit their data, views or arguments concerning the proposed amendment in writing to Earl J. Barlow, Chairman of the Board of Public Education, 33 South Last Chance Gulch, Helena, Montana 59601, at any time prior to September 25, 1978.

5. If a person who is directly affected by the proposed amendment wishes to express his data, views and arguments orally or in writing at a public hearing, he must make written request for a hearing and submit this request along with any written comments he has to Earl J. Barlow, Chairman of the Board of Public Education, 33 South Last Chance Gulch, Helena, Montana 59601, no later than September 15, 1978.

6. If the agency receives requests for a public hearing on the proposed amendment from more than 10 percent or 25 or more persons who are directly affected by the proposed amendment, or from the Administrative Code Committee of the legislature, a hearing will be held at a later date. Notice of hearing will be published in the Montana Administrative Register. Ten percent of those persons directly affected has been determined to be 2200 persons, based on approximately 22,000 active teacher and administrative certificates.

7. The authority of the agency to make the proposed amendment is based on sections 75-6002, 75-6006, and 75-6008, R.C.M. 1947.

Earl J. Barlow

CHAIRMAN
BOARD OF PUBLIC EDUCATION

Certified to the Secretary of State August 7, 1978.

10-8/24/78

MAR 48-3-8

BEFORE THE BOARD OF PUBLIC EDUCATION
OF THE STATE OF MONTANA

In the matter of the adoption) NOTICE OF PUBLIC HEARING FOR
of a rule outlining standards) ADOPTION OF A RULE outlining
for state approval of teacher) standards for state approval
education) of teacher education.

1. On October 5, 1978, at 9:00 a.m., a public hearing will be held in the Regents' Conference Room at 33 South Last Chance Gulch, Helena, Montana, to consider the adoption of a rule outlining standards for state approval of teacher certification.

2. The proposed rule does not replace or modify any section currently found in the Administrative Rules of Montana.

3. The proposed rule provides as follows:

CHAPTER 12 - STANDARDS FOR STATE APPROVAL OF TEACHER CERTIFICATION.

Subchapter 1 - STATE ADMINISTRATIVE PROCEDURAL STANDARDS

Section 48-2.12(1)-S1200 Standards and Procedures The state shall adopt explicit standards and procedures consistent with the NASDTEC standards for the accreditation or approval of teacher education programs and shall have clearly stated procedures for implementing the process.

Section 48-2.12(1)-S1210 Advisory Group Each state shall have an advisory group to provide continuous review of programs and implementation of the standards. Membership shall include professionals from all levels of education and other citizens concerned with teacher education.

Section 48-2.12(1)-S1220 Leadership, Advisory and Consultative Services The state officer responsible for teacher education and certification as the liaison person between the teacher education institutions and the state agency shall provide leadership, and advisory and consultative services in the development and maintenance of high quality preparation programs.

Section 48-2.12(1)-S1230 Approval Criteria Decisions to approve programs shall be made in terms of adopted and published criteria. These criteria for program approval and certification standards shall be mutually supportive, since reciprocity in certification among states depends largely upon agreement on standards. The NASDTEC standards contained in this document, or essentially equivalent standards, shall be officially adopted for this purpose. The determined equivalency of state standards with the NASDTEC will be made by the NASDTEC Standards Committee upon request of any state.

Section 48-2.12(1)-S1240 Process Leading to Approval of Programs The process leading to the approval of programs shall be carried out by visiting teams appointed by the state agency. These teams shall be broadly representative of the educational community.

The chairperson shall have experience and general knowledge of the NASDTEC Standards and procedures and the kinds of programs to be evaluated. The size of the teams and competencies of the members shall be based on the scope of the programs.

Section 48-2.12(1)-S1250 Visitations All teacher education programs shall be visited for approval every five years or more often if deemed necessary.

Section 48-2.12(1)-S1260 State Policies Each state shall develop a manual or handbook of state policies which outlines the procedures for the accreditation or approval of programs of teacher education. Such procedures shall include: the criteria or standards used by the state, instructions to visiting teams, institutional self-evaluation forms, schedules or application reports and an outline or example of the visiting committee report.

Section 48-2.12(1)-S1270 Approved Programs Each state agency shall issue lists of institutions whose programs the state has approved or accredited for teacher education. Such lists shall indicate the programs approved and the initial and expiration dates of such approval. Provisions shall be made to circulate these lists to institutions, school personnel offices, counselors and others within the state and to exchange lists with other state education agencies.

Subchapter 2 - ORGANIZATION AND ADMINISTRATION OF TEACHER EDUCATION

Section 48-2.12(2)-S1280 Purposes and Objectives

(1) Programs for the preparation of teachers are expected to operate with clearly stated purposes and objectives. A fundamental criterion of excellence is the extent of awareness on the part of all concerned of the institution's purposes and objectives, and the degree to which they are being achieved. Statements of purposes and objectives provide a guide for educational planning and operation. Likewise, they serve as reference in making decisions regarding such matters as student admissions and retention policies, curriculum, faculty, research and evaluation efforts, physical facilities and other material resources, community services, institutional organization, and the financing of the total enterprise.

(a) A statement of the purposes including the scope and limitation of all teacher education programs shall be included in an institution's catalog and in other printed materials used by the institution to describe its programs. The statement shall indicate each certification program offered, the grade span for which state approval has been granted, the level at which programs offered for the preparation of specifically-named school services personnel.

(b) Program objectives shall be based upon the institution's perception of the teacher's role in the schools. They shall be made explicit in formal statements and they shall be reflected in the actual teaching behaviors of the graduates. Objectives stated for teacher education shall be consistent with those stated for the institution as a whole. An institution shall provide clearly-defined statements of objectives in its publications.

(c) Teacher preparation programs shall be designed to achieve the stated institutional purposes and educational objectives and shall reflect the judgment of: (a) members of the faculty, (b) students, (c) graduates, (d) lay citizens, (e) schools, and (f) the professional educational organizations.

Section 48-2.12(2)-S1290 Organization

(1) Instructional programs operate effectively only when supported by a board of control and by competent administrators committed to institutional purposes. In this regard fundamental organizational considerations are responsiveness to institutional needs and evaluation of institutional effectiveness.

(a) The control of the institution shall reside in a board of trustees or an otherwise designated board. The functions of the board shall be that of assuring for the institution philosophies and policies which will result in the best possible services to the students and the faculty and which will ensure a sound educational program.

(i) In the discharge of its functions, there shall be clear evidence in the records of the board's deliberations that it recognizes and fulfills its responsibility to teacher education.

(ii) Terms of office shall be arranged to provide desirable continuity within the board membership.

(b) Under the direction of a president or an otherwise designated chief administrative officer, adequate provision shall be made for the performance of all administrative functions affecting teacher education by personnel competent in their respective assignments.

(i) An organizational chart of the institution shall be available and evidence shall be provided to support the suitability of the organization for teacher education, the competency of the personnel, and the manner in which functions are performed.

(ii) Written policies shall be provided pertaining to salary schedules, rank, tenure, group insurance, sabbatical leave, sick leave, retirement allowances, funding of inservice development of faculty, and service by the faculty in professional development on a state, regional, or national basis.

(iii) Written information outlining applicable administrative policies shall be provided for administrators and faculty members. Such information shall include the functions of the

board of control, the faculty, and the administrative staff officers with particular reference to teacher education.

(c) Financial resources for the accomplishment of announced purposes must be available, and current income for both public and private institutions must be such as to enable an institution to carry on its proposed work. In determining the financial condition of an institution, emphasis shall be given to the income available for teacher education purposes and the manner in which that income is expended.

(i) The institution shall operate on a budget prepared in accordance with sound financial and educational practice and shall issue an annual financial statement giving a clear and accurate picture of its financial status. The financial statement shall be audited by a qualified outside agency.

(ii) The institution shall provide financial reports that clearly reveal the relative amounts as compared to other programs expended in teacher education for instruction, administration, maintenance, equipment, supplies, library, student activities, capital outlay, and debt service.

(iii) The financial records shall be kept in such a form that the economic status of the institution may be readily determined.

(d) Institutions which offer extended services, such as summer sessions; evening and weekend programs; off-campus extension or correspondence classes, survey and consultant services, shall provide the needed resources to conduct such services. Information shall be provided indicating the administrative and operational provisions established to assure the quality of such special services. This information shall indicate the extent to which these special services complement and/or relate to the regular program.

Section 48-2.12(2)-S12000 Student Admission, Retention, Exit, and Follow-up Policies and Practices

(1) Teacher education programs require attention to the characteristics of students admitted to a program, retained within a program, and recommended for certification. The professional studies component in teacher education calls for a high order of academic achievement and pedagogical competence. An institution determines as objectively and systematically as possible the specific strengths and weaknesses (including personal factors related to professional competence and conduct) of its students as these relate to their admission to, retention in, and exit from a teacher preparation program.

(a) Provision shall be made within the institution for orderly methods of obtaining and maintaining information relative to candidates applying for admission to teacher education.

(b) Specific admissions standards and procedures shall be published (including the time and, if possible, alternative times for admission) and shall govern a student's acceptance into the institution's regular teacher preparation program. For experimental or special programs, specific admissions requirements shall be indicated in the description of these programs.

(c) The institution shall have a well-defined plan for the evaluation of the performance of students enrolled in its teacher education programs. Measures of academic ability, observation by faculty (in courses, laboratories, and field experiences), and other modes of appraisal shall be utilized to assess specific strengths and weaknesses of students, their retention within the teacher education program, and their readiness to assume the professional role for which they are being prepared.

(d) An institution shall have well-defined evaluation procedures to assess the quality of its graduates when they complete pre-service programs and apply for a recommendation to become certificated. Increased human sensitivity including multi-cultural awareness, specified levels of competence in teaching skills and related knowledges, and other pre-determined qualifications must be demonstrated as a basis for an institutional recommendation for entry into the profession. Students shall be apprised of such evaluation procedures and qualifications.

(e) The institution shall have a well-defined plan for the evaluation of its graduates. The information gained from this evaluation plan shall be used in upgrading the various teacher preparation programs as well as for improving the practices pertaining to admission, retention, and exit.

Section 48-2.12(2)-S12010 Student Personnel Services

(1) Students who plan to be teachers need counseling and advising services that supplement those provided by the institution for all students. The institution utilizes all faculty involved in teacher education to provide guidance service which will assist education students in the selection of their studies and extra-curricular activities, in the analysis of causes of academic deficiency, and in the adjustment of specific problems. Staff members who advise prospective teachers are well-informed about professional organizations and community agencies as well as school problems so that students will be assured of obtaining accurate information regarding these matters. Advisors have the most current information about career options in the education professions so that the students will have this information and will be able to develop appropriate educational career goals. An accessible student record system is essential to the role of the advisor.

(2) Student personnel services also include maintenance of effective public relations, guidance into education opportunities, follow-up services after placement, and redirection of persons unsuited for service in the teaching profession. Such services are performed by qualified persons with delegated authority and preferably with special preparation in personnel work.

(a) The institution shall have a well-organized student counseling program which continues throughout the preparation program and includes an effective placement service assisting graduates in finding positions.

(b) The institution shall provide students with written information describing its student personnel services and the means of availing themselves of these services.

(c) The institution shall provide for the appointment of a faculty advisor for each student admitted to teacher education. The faculty advisor shall have a thorough understanding of the preparation program to be followed by each advisee.

(d) The institution shall collect and maintain current data on teacher supply and demand which shall be used by all faculty assigned to advise students preparing for teaching.

(e) The institution shall maintain a system of student personnel accounting including permanent cumulative records for each student enrolled. As a part of the student record, there shall be an intelligible transcript of records, including a statement of course titles, credits, or the equivalent (waivers, substitutions, etc.). The cumulative record shall also include a description of all professional laboratory experiences.

(f) The institution shall conduct periodic follow-up surveys of its graduates in teacher education in order to gather data pertaining to the effectiveness of its student personnel services. These data shall become the bases for improving those services.

Section 48-2.12(2)-S12020 Student Participation in Teacher Education Program Development and Evaluation

(1) As members of the higher education community and prospective members of the education professions, students enrolled have the opportunity and responsibility to express their views regarding improvement of teacher education programs. Clear lines of communications are provided for student participation in program development and evaluation.

(a) The institution shall provide evidence that student organizations have been involved in program development and evaluation and that joint student-faculty committees have been active in these matters.

(b) The institution shall provide evidence that there are clearly established channels and frequent opportunities for all students to express their views and that their views influence the development of teacher education programs offered by that institution.

Section 48-2.12(2)-S12030 Faculty

(1) The quality of the faculty is the most important factor in judging the effectiveness of an institution. Faculty members who instruct prospective teachers shall be competent in their fields and have frequent contacts with schools and other environments to assure currency and relevancy in their teaching and research. Appraisal of the faculty shall be made in terms of its competence to provide the program for which approval is being sought. Faculty members in subject matter fields and in professional education fields shall be competent in their assignments.

(2) The professional education faculty consists of those members of the institution's staff who teach in the professional curriculums and all school and community personnel who direct prospective teachers in all types of activities included as a part of the professional curriculums. Faculty in subject matter fields consists of those staff members who teach courses in the various disciplines and who do not teach in the professional curriculums.

(3) Academic preparation of faculty members should indicate, in addition to mastery of their specific disciplines, the additional goal that they have knowledge concerning human growth and development with specific emphasis on psychological aspects related to learning. Faculty members also understand the function and place of the school in society and are competent in the techniques of instruction.

(a) The institution shall provide evidence that faculty members in professional education, whether working in a school or in higher education, have had specific preparation for their roles in teacher education.

(b) The institution shall provide evidence that faculty members who teach courses in the various discipline areas are well informed with respect to practices concerning those disciplines in the elementary and secondary schools.

(c) The institution shall provide evidence regarding faculty experience and participation in such professional activities as curriculum improvement, research, writing, and travel for educational purposes. The institution shall also provide evidence that faculty members are growing professionally through advanced study, research, and participation in activities closely related to their instructional assignments.

(d) The institution shall provide evidence that its policies of selection, retention, and promotion of personnel are effective in providing faculty members who are competent and professional.

(e) The institution shall have provisions for the use of part-time or adjunct faculty as needed. Such part-time faculty shall meet all institutional criteria with respect to academic preparation, experience, and scholarly perfor-

mance as have been established for appointment as full-time faculty by the institution.

(f) The institution shall provide conditions essential to the effective performance by the teacher education faculty. The total service load shall be interpreted to include not only regular instruction but also extension teaching, committee assignments, extra-curricular activities, and supervisory responsibilities in connection with thesis advisement. The total service load shall also include assignments in the program of student observation and participation; independent study; advisory and consultative services; testing, psychological, and guidance services; participation in surveys; research and writing; student advisory duties; and recruitment, selection, and admission of students.

Section 48-2.12(2)-S12040 Instruction

(1) Instructional procedures incorporate a wide range of those procedures and techniques which students will be expected to use as teachers, including many varieties of large and small group work, independent study, individualized instruction, and an opportunity to demonstrate by appropriate evaluation any learning, competence, or previous experience acquired. Students also have an opportunity to use various types of programmed instructional materials and many forms of electronic and mechanical media. The institution will be expected to furnish evidence that instruction is evaluated systematically based upon performance of its students within the institution and later as members of the education professions.

(a) The institution shall provide evidence that its faculty uses a variety of instructional procedures which contribute to the student's preparation, such as class discussions, large and small group work, lectures, laboratory work, and use of teacher aides and a variety of media.

(b) The institution shall collect and use information pertaining to performance of the students in teaching, their performance on standardized tests, the quality of their subsequent work in accredited graduate and professional institutions, and the degree to which the institution has attained its goals in the preparation of professional school personnel.

Section 48-2.12(2)-S12050 Facilities and Instructional Materials

(1) The institution provides physical facilities, instructional materials and supplies, and other resources essential for conducting teacher education programs.

(a) An institution shall have a physical plant designed to serve its defined purposes for teacher education. The physical facilities shall also provide for the safety, health, cultural, social, and recreational needs of students and faculty.

(b) The library, as the principal materials resource center of the institution, shall be utilized for instructional research and other services supporting the teacher education program. Administrative procedures and equipment shall conform to accepted modern practices including methods of cataloging, arrangement of print and non-print materials, availability of student and faculty stations, and accessibility of materials and facilities. The library shall be administered by a professionally trained librarian.

(c) The institution shall provide laboratories and laboratory supplies and equipment needed for instructional purposes for each teacher education program offered, such as shops and shop equipment; specialized equipment for the biological, earth, and physical sciences; specialized equipment for psychological, sociological, and child development sciences; specialized furniture, equipment and supplies for music and art; gymnasiums and outdoor areas for physical education; equipment for business education, facilities, equipment and supplies for home economics; and demonstration farms and farm buildings for agriculture. Space and equipment shall be made available for conducting and recording experiences such as micro-teaching, role-playing, and other simulated activities.

(d) Institutions shall make teaching-learning materials and equipment available to students and faculty. They shall provide technical instruction in the use of the equipment, in the production of teaching-learning materials and the use thereof, and in the classification and preservation of such materials.

(e) The institution shall demonstrate its commitment to the improvement of instruction by developing and following a plan for the institutional use of educational media and technology. The teacher education curriculum and classes shall reflect the utilization of the findings of contemporary inquiries and studies related to the science and art of teaching.

(f) The institution shall maintain a materials laboratory or center either as a part of the library or as one or more separate units. It shall be open to students as a laboratory of materials of instruction and shall be directed by a faculty member well informed in the various instructional materials and media used at different grade levels. This laboratory shall include a wide array of books commonly used in elementary and secondary schools; various types of teaching aids such as maps, charts, pictures, filmstrips, and recordings; various types of materials used in evaluating learning; and curriculum patterns, courses of study, and teaching units. There shall be workshop facilities for preparing new curriculum materials including access to electronic, photographic, and other equipment.

Section 48-2.12(2)-S12060 School-Institution Relationships

(1) The institution arranges for the establishment of a laboratory center or centers or field service facility either as a part of its administration or in cooperation with nearby elementary and/or secondary schools. These may be organized for professional laboratory experiences prior to student teaching and for student teaching, internships, apprenticeships, and other supervised field experiences. Such professional laboratory facilities provide experiences based upon principles of teaching and learning, including child development, learning theory, curriculum development, and community relations. Provisions are made for using such facilities for research and experimentation by both students and faculty. Staff to direct such research is provided. Designated faculty members have as a part of their normal load both the time and the responsibility for long-term, continuing collaboration with laboratory schools, especially off-campus schools. These instructors seek to become regular contributing members of the cooperating school's professional staff. The combined professional group develops cooperative ways to contribute directly both to the improvement of the learning of children and youth and to the use of the school as a teacher education laboratory.

(2) The nature of agreements and working relationships between schools and institutions depends in large part upon a given state's legal authorization for such agreements, statutory or other authority for student teaching as a process, as well as the legal status of the student teacher. Negotiated agreements (both voluntary and compulsory) between teacher organizations and boards of education often include provisions for professional service in directing experiences for prospective teachers, such as: (a) teacher consent, (b) pay for supervision, (c) number of student teachers, (d) qualifications of cooperating teachers, (e) inservice credit for student teacher supervision, and (f) responsibilities of cooperating teachers.

(3) The institution works cooperatively with the school district personnel in the establishment of teacher education laboratories which are essential to the pursuit of excellence in a teacher education program. Institutions have the responsibility to provide adequate numbers of competent and properly assigned personnel so that the laboratory phase of teacher education can operate effectively. Institutions provide, as necessary the specialized preparation needed by those cooperating teachers who will supervise students engaged in the clinical component of teacher education. Institutions seek to foster an atmosphere of trust and equality among and between higher education and school district faculties as these educators participate in the development and implementation of the most important single aspect of the teacher education program.

(a) Definitions and requirements affecting working relationships between the schools and the institutions shall be explicit, clear, and well publicized. Officials of both the preparing institution and the elementary and secondary schools shall be certain that all programs are operated within all existing regulations.

(b) Student teaching shall be done through cooperative programs in selected schools having well-planned curriculums, needed teaching materials, and professionally educated staff members with successful teaching experience. There shall be provisions for supervision by the institutional faculty, involving both academic subject and education areas, and for special preparation of supervisors from both the school and the institution.

(c) Institutions shall make arrangements with school systems which include mutually agreed upon: (a) activities, services, and compensation; (b) roles and responsibilities; (c) provisions for solving problems and the coordination of ongoing activities; and (d) means for revision to meet changing needs and conditions.

(d) Both school and institution officials responsible for directing and coordinating the experience of prospective teachers shall enter into professional dialogue with those developing bargaining positions and seek to foster and improve teacher education through understanding and through the resolution of differences in positions.

(e) In addition to those who will assume the specific instructional and supervisory role, all institutions and elementary and secondary schools engaged in providing laboratory experiences for prospective teachers shall set up properly designated and publicized channels and offices for efficient operation and communication. Each school system and institution shall have an identifiable coordinator who channels or coordinates all contacts, operations, and activities for his system or institution which pertains to laboratory experiences prior to and during the student teaching, internship, or apprenticeship program.

Subchapter 3 - CURRICULUM PRINCIPLES AND STANDARDS:
BASIC PROGRAMS Individual teacher education programs are the crucial aspect for examination by state education agencies in determining accreditation or approval. General institutional adequacy can frequently be judged from more general departmental procedures and from cooperation with regional and national accrediting agencies. The specific supporting provisions for teacher education programs can and should be readily assessed.

Section 48-2.12(3)-S12070 Curriculum Development, Planning and Patterns

(1) In many approval processes too little attention has been given to the various curriculums. This chapter sets forth basic curriculum standards as applied to specific undergraduate programs. General statements and guidelines are presented first; followed by specific program guidelines.

(a) Responsibilities for the administration of a continuing program of curriculum development, evaluation, and revision, and for the advisement and programming of students in the teacher education curriculums shall be coordinated through a single designated administrative unit of the preparing institution. This unit shall recommend students to the state agency for certification.

(b) The process of curriculum development for the various teacher education programs shall make provision for enlisting the cooperation and participation of representatives of (a) the public schools, (b) college and university teachers in fields related to the area of public school specialization, (c) the state education agency, (d) professional associations, (e) professional committees and commissions, and (f) teacher education students.

(c) A continuing program of curriculum evaluation shall provide for a systematic follow-up of graduates to determine the strength of their preparation and their competence as teachers.

(d) Each curriculum for the preparation of teachers shall be a program planned for teaching in the area of specialization and shall include:

(i) general education designed to prepare students for purposeful and responsible living as individuals and citizens.

(ii) appropriate content and experiences in their particular field of specialization to relate to and give background for their teaching service in public schools; and

(iii) the sequence in basic professional education designed to prepare students for their roles as teachers in the public schools.

(e) The curriculum shall be designed to develop the students' unique interests and capabilities through a system of academic guidance and electives.

Section 48-2.12(3)-S12080 General Education

(1) General education is based on those studies known as the liberal arts, which embrace the broad areas of the humanities, mathematics, the biological and physical sciences, and the social and behavioral sciences.

(a) The content of general education, selected with discrimination from the aggregate of human experience, shall embody the major ideas and principles of the various divisions of

knowledge as they bear on common concerns. More specifically, the general education program shall:

(i) stimulate scholarship that will give understanding to concepts not now extant and help prepare people for rapid adjustment to essential change.

(ii) foster individual fulfillment and nurture free, rational, and responsible adults.

(iii) cultivate appreciation for the values associated with life in a free society and for responsible citizenship.

(iv) develop leaders who are intellectually competent, imaginative, and vigorous.

(v) contribute fundamentally to and give direction to the use of professional knowledge.

(vi) encourage discernment in examining the values inherent in foreign cultures to the end that a clearer understanding of other peoples will reduce world tensions.

(b) Since general education is a developmental experience achieved with the maturation of the student, it shall be emphasized in the first two years of higher education, extended throughout the baccalaureate program, and continued in diminishing proportions into graduate study.

(c) In the belief that a general education program relevant to the future is attained by a carefully selected sequence of experiences which increase in depth as the student matures, each institution approved for the education of teachers shall be responsible for building a sequential program of general studies which will help the student attain an understanding and appreciation of:

(i) language skills as essential tools in communication.

(ii) world literature with emphasis on, but not limited to, the writing of English and American authors.

(iii) the aesthetic values in human experience expressed through the fine arts.

(iv) the scientific and mathematical concepts upon which contemporary civilization depends.

(v) contemporary world culture.

(vi) social, geographic, political, and economic conditions and their impacts on current problems in the nation and the world.

(vii) the growth and development of the United States as a nation and its place in world affairs.

(viii) the principles of physical and mental health as they apply to the individual and to the community.

(ix) America's pluralistic culture and heritage.

Section 48-2.12(3)-S12090 Professional Education

(1) Professional education is based on those studies which include foundations of education and methods and materials of teaching with supervised laboratory experiences designed to provide competencies required in the education professions.

(a) Each institution shall have a clearly stated set of objectives for the professional education component of its teacher education program.

(b) The program of professional preparation for teaching shall encourage individualization of the student's program while providing a range of studies and experiences to develop:

(i) knowledge of the process of human growth, development, and learning, and the practical application of this knowledge to teaching.

(ii) knowledge of research, methods, materials, and media appropriate to teaching. Emphasis shall be in the student's field(s) of specialization.

(iii) ability to teach effectively and to work ethically and constructively with pupils, teachers, administrators, and parents.

(iv) understanding of the foundations underlying the development and organization of education in the United States.

(v) understanding of the purposes, administrative organizations, and operation of the total education programs of the school.

(vi) ability and willingness to analyze teaching as a means of continually improving teaching skills.

(vii) ability to teach reading and writing skills appropriate to the level of the student and to the subject content.

(c) The program shall provide experiences which will lead the teacher candidate to develop those human qualities that will enhance pupil learnings to include but not be restricted to personal self-esteem and confidence; open attitudes of evaluating practices which affect social groups; and knowledge, humaneness, and sensitivity which reduce conflict and tension and promote constructive interactions among people of differing economic, social, racial, ethnic and religious backgrounds or sex, language, cultural and other differences.

(d) Every institution shall develop a comprehensive program of carefully designed basic experiences in a variety of realistic settings over the duration of the professional curriculum. In addition, the institution shall make available a wide range of laboratory, clinical, and practicum experiences to individualize learning patterns and to meet each student's needs.

(e) The programs of professional study in education shall make provisions throughout for observation and experience with school-age youth. Study of theory and practice shall be closely related. The institution's schedule shall be arranged to support laboratory experiences which shall be started as soon as the student enters the teacher education programs.

(f) Student teaching, or other major practicums, shall be designed both as a growth experience and as an opportunity for evaluation of a student's potential for teaching. Student teaching shall provide an opportunity for assessing a student's commitment to teaching, skill in guiding learning in interpersonal relations, and growth as a professional in teaching.

In considering the approval of teacher education programs, the following statements shall be used for evaluating student teaching programs. These statements are not all-inclusive. Teacher education institutions shall develop student teaching programs of a quality superior to that implied.

(i) Admission to Student Teaching: Student teaching shall be permitted only after a comprehensive professional review of the student's record indicates that scholarship, performance in an area of specialization, competence in the professional sequence, performance in previous professional experiences, and personal characteristics qualify the student for the responsibilities of student teaching.

(ii) Intensity: Student teaching shall be a comprehensive experience with expanding responsibilities, including the full range of activities of a teacher in a school situation.

(iii) Length of Program: A student teaching experience shall provide for intensive and continuous involvement. The length of student teaching shall depend upon the performance of the student teacher. It shall continue until objectives of the program have been achieved.

(iv) The Cooperating School: The cooperating school or school system shall be chosen by the institution on the basis of the commitment of the administrators and staff members to participation in the preparation of new teachers.

(v) The Cooperating Teacher: Cooperating teachers shall be selected jointly by school and institutional personnel. In addition to be certificated and experienced in the area of assignment, the cooperating teacher shall have a good performance record, show continued professional growth, and have the temperament, desire, and ability to work with student teachers.

The number of student teachers assigned to any qualified cooperating teacher shall be determined by applying two professional criteria: (a) the level of support for pupil learning shall remain as high or higher than if the student teachers were not so assigned, and (b) the teacher can feel comfortable and confident in providing an effective, supportive learning climate.

(vi) Institutional Responsibility for Supervision: Institutions shall study and develop effective arrangements for administering and supervising student teaching programs. Since student teaching is a comprehensive continuous experience, the student shall have the expertise available to assist with

content, methodology, inter-personal relations and professional development. While there are many varieties of student teaching supervision, the institution and cooperating school system shall strive to develop a qualify system which best utilizes the resources of the institutional supervisor, cooperating teacher and student. Where the institutional supervisor functions as a generalist, the institution and school system shall assure that expertise in content and methodology in the subject area is available to the student. All institutions shall study possible alternative arrangements for administering and supervising student teaching including the use of clinical professors. Institutions and schools shall make cooperative detailed studies of roles and responsibilities. Such studies assist in determining the strengths and weaknesses of supervision and in developing means to upgrade continually the skills in teacher activities of all personnel involved. Institutional staff who have responsibility for supervision shall have equal status with other faculty. To assure adequate supervision, a full-time supervisor shall be responsible for not more than 24 student teachers. Under most circumstances the number should be considerably less.

Section 48-2.12(3)-S12100 Teaching Majors: General Standards

(1) All programs for preparing teaching majors in fields of specialization shall be designed to meet general standards as identified by the faculty.

(a) Each institution is responsible for developing its teacher education program within the general policies relating to teacher education and certification of its respective state. The organization shall be such that those preparing to teach at various levels and in various subject areas will find it easy to associate with each other. In addition it shall be easy for these students to understand where responsibilities lie.

(b) Each teaching major or field of specialization shall be built upon a statement of the purpose and objectives of teaching in this area of the public school curriculum, and a well-formulated statement of the nature of the public school program that is needed to accomplish these objectives. These statements shall be prepared by the faculty concerned with teacher education, shall be based on analyses of current practices and recommendations of the professional organizations representing this field of the public school curriculum, and shall be available in writing.

(c) Each teaching major or field of specialization shall be built on a clearly formulated statement of the competencies needed by teachers in this area of the public school curriculum. These competencies shall include the attitudes, knowledges, understandings, and skills that are required, and the degree of expertise necessary for a beginning teacher. This statement of competencies shall be available in writing, and shall be based upon the statement developed in the preceding guideline

regarding the objectives and program of the public school. No institution is expected to offer teacher education programs in all available areas of specialization. On the contrary, the institution is encouraged to expend its efforts only on those programs in which it can excel.

(d) The program of study constituting the teaching major or field of specialization shall:

(i) include a thorough study of the aspects of the subject-matter area as included in the public school curriculum.

(ii) take into account the sequential nature of the knowledge and skills to be developed, so that there will be a maximum continuity in the achievement of the objectives of the program.

(iii) provide prospective teachers with a comprehension of the aspects of study which their students will meet in subsequent courses in the field.

(iv) constitute a teaching major in the field of specialization, with courses and content chosen for their relevance to the public school curriculums. The amount of work required in a teaching major will vary, depending on the scope of teaching for which graduates are prepared, the amount of work in the field that is included in the general education requirements for all students, and student's high school background in the field. Emphases may vary in response to the careful study of individual needs, abilities, and objectives.

(v) be broadly conceived, to include work in fields related to the area of study to be taught.

(e) Each teaching major or field of specialization shall include provision for a systematic program of evaluation procedures to determine the degree of the student's attainment of teaching competencies. These evaluation procedures shall serve as the basis for recommending the teacher candidate for the appropriate teacher certificate.

(f) Each teaching major or field of specialization shall be supported by plant, facilities, equipment, library, and media resources. A schedule of meeting-time adequate to implement the planned program of courses, including appropriate field and laboratory experiences, shall be provided.

(g) Each teaching major or field of specialization shall be staffed by faculty members who are well-qualified by graduate training and experience in the subject-matter of the particular area of the public school curriculum and shall be sensitive to the needs of public school teachers.

Section 48-2.12(3)-S12110 Teaching Majors: Specific Standards Each teaching major or field of specialization shall consist of a carefully planned pattern of courses and experiences designed to produce the competencies identified by the faculty as necessary for successful teaching at the particular grade levels for which the program is designed: elementary, secondary, or K-12.

(1) Agriculture: the following standards pertain to programs for preparing teachers of agriculture:

(a) The program shall assure that practical farm or other agricultural experience is a part of the requirements to be met for completion of the program leading to certification.

(b) The program shall provide an understanding of the biological, physical and applied sciences as they relate to practical solutions of agricultural problems.

(c) The program shall provide study of the essentials for production agriculture and the breadth in technical agricultural industry.

(d) The program shall include a sequence of studies and experiences which provide basic knowledge in areas such as the following:

(i) plant science and technology

(ii) animal science and technology

(iii) agricultural business management and technology

(iv) agricultural mechanics science and technology

(e) The program shall provide for specialized preparation in one or more of the following occupational areas:

(i) agricultural production and marketing

(ii) agricultural equipment and supplies

(iii) agricultural products

(iv) ornamental horticulture

(v) agricultural resources

(vi) natural resource management

(vii) environmental development

(viii) forestry

(f) The program shall provide leadership development including skills necessary in the development of agricultural youth organizations as a means of teaching leadership skills through study and practice of speech, parliamentary procedure, and group cooperative efforts.

(g) The program shall provide studies and experiences which enable the prospective teacher to perform the appropriate occupational skills while working with pupils and adults in projects and programs relative to the agricultural instructional areas.

(2) Art: The following standards pertain to programs for preparing teachers of art.

(a) The program shall provide the student with opportunities to acquire knowledge, understanding and appreciation of art in contemporary and past cultures with emphasis on the relationship of art to the culture in which it was produced and its influence on subsequent cultures.

(b) The program shall provide for the student's awareness, comprehension and ability to describe, analyze, interpret and evaluate works of art.

(c) The program shall provide opportunities for the student to develop knowledge and understanding of philosophical aspects of the nature of art and of its meaning and contributions to the individual and society.

(d) The program shall develop for the prospective art teacher the ability to work as a professional educator with pupils of all age groups and to aid these pupils by way of the unique qualities of art experience to develop the individualized capacities of:

(i) perception - the ability to exercise and refine fundamental and discriminating sensory intake.

(ii) knowledge and understanding - the ability of information, particularly that which is manifest in art forms.

(iii) creation - the ability to produce or create original, expressive art from a variety of media.

(iv) reflection/action - the ability to respond to art, to enjoy it, appreciate it and to assimilate its meaning and presence into an individual life-style that complements society.

(e) The program shall assure that prospective teachers have the ability to develop curriculums in art education and that they are competent to guide pupils in a wide variety of art activities.

(f) The program shall provide prospective art teachers with the knowledge and competencies relative to organizing, planning, administering, and evaluating a program of art education.

(g) The program shall develop the student's ability as a producing artist. Basic concepts and skills related to the student's ability to recognize and structure original and expressive art form in a wide variety of media should be emphasized.

(h) The program shall provide for the student knowledge and understanding of technological and safety aspects of studio work.

(i) The program shall assure that the prospective art teacher has studio experiences related to a variety of art media and that such experience and resulting ability, in breadth and depth, be commensurate with the teacher's personal and professional needs.

(j) The program shall provide opportunities to develop the student's understanding and appreciation of related art areas such as dance, film, music, literature, theatre and practical arts.

(3) Business Education: The following standards pertain to programs for preparing teachers of business education. Due to the breadth and diversity of this area, provision is made for three different specializations.

(a) The program shall include experiences which provide prospective teachers with knowledge of our economic system, business organization, philosophy and objectives of vocational education and occupational technology.

(b) The program shall include studies and provide experiences which develop the following competencies:

(i) planning, organizing and administering a program including work experiences

(ii) developing and understanding concepts of automated data processing

(iii) planning for laboratory facilities and equipment

(iv) developing a knowledge of job requirements and opportunities in business and allied fields

(v) developing ability to operate and maintain the more common types of office equipment

(vi) planning, organizing, and advising a student organization in business

(c) The program shall include a study of meaningful survey activities; e.g., surveys of business offices and follow-up studies of secondary school graduates to enable teachers to offer current job-related information to their students.

(d) The program shall provide prospective teachers with satisfactory occupational experience in one or more businesses and other occupations.

(e) The program shall include studies and experiences which develop competencies in teaching disadvantaged and handicapped persons.

(f) The program shall develop an understanding of career opportunities in business and office occupations.

(g) The program shall prepare students to teach various occupational clusters including accounting/bookkeeping-data processing occupations which would combine intensive preparation in accounting/bookkeeping and data processing; clerical office occupations which would combine intensive training in accounting and office procedures and the development of typewriting skills; and secretarial and related occupations which would combine the intensive development of secretarial and communication skills along with some preparation in accounting skills. All programs shall include opportunities for students to develop specialized competencies in one or more of the following specialized areas. Programs leading to business education certificates must include in-depth preparation in one or more of these areas:

(i) Business Education - Accounting/Bookkeeping - Data Processing Occupations

(aa) The program shall provide the prospective teacher with a comprehensive understanding of the theories and skills of accounting/bookkeeping.

(ab) The program shall develop competencies in the art and techniques involved in recording, analyzing, classifying and interpreting data.

(ac) The program shall develop the ability to analyze more complicated business problems, program them, and interpret the results.

(ad) The program shall include the study of, and provide experience in, systems analysis.

(ae) The program shall develop an understanding of the basic concepts of computer logic, programming, and storage.

(af) The program shall develop an understanding of the relationships of various procedures to job opportunities in the business world.

(ii) Business Education - Clerical Office Occupations

(aa) The program shall develop teacher proficiency in typewriting and related office skills.

(ab) The program shall develop an understanding of office procedures and relationships of various procedures to job opportunities in the business world.

(ac) The program shall provide the prospective teacher with an understanding of the theories and skills of accounting.

(ad) The program shall develop competencies in the art and techniques involved in recording, analyzing, classifying, and interpreting data.

(iii) Business Education - Secretarial Occupations

(aa) The program shall develop teacher proficiency in basic secretarial and related office skills.

(ab) The program shall develop an understanding of secretarial procedures and relationships of various procedures to job opportunities in the business world.

(ac) The program shall provide the prospective teacher with an understanding of accounting theories and skills.

(4) Distributive Education: The following standards pertain to programs for preparing teachers of distributive education.

(a) The program shall provide for the development of teaching, services, coordination, research, and leadership competence in purchasing, marketing, merchandising and management.

(b) The program shall provide experiences for the development of professional competencies to:

(i) plan, develop, and administer a comprehensive program of distributive education, both high school and adult.

(ii) organize and utilize a wide variety of methods and techniques for teaching youth and adults.

(iii) conduct learning experiences for students with a broad array of abilities and career objectives, and to recognize and respond to individual differences in students.

(c) The program shall provide for a variety of occupational work experiences.

(d) The program shall provide experiences for developing a knowledge of and involvement in distributive education organizations.

(5) Driver Education: The following standards pertain to programs for preparing teachers of driver education:

(a) The program shall require that the candidate for the driver education certificate possess a standard teacher's certificate in another area of certification.

(b) The program shall include opportunities for the candidate to experience student teaching in theory classes and behind-the-wheel situations under professional supervision.

(c) The program shall provide the candidate with specific knowledge of administrative procedures, practices and policies required for organizing and operating an approved driver education program.

(d) The program shall develop the candidate's ability to assess current trends and shall provide information about current materials and innovative methods in driver education.

(e) The program shall develop for the candidate an awareness of the necessity to provide students with positive attitudes toward safe driving as well as with the required skills for safe driving.

(6) Elementary: The following standards pertain to programs preparing teachers for the elementary schools. Programs for the preparation of elementary school teachers may differ in structure and organization. Traditional academic majors in single disciplines alone are frequently too narrow to serve as a basis for the specialized preparation of elementary school teachers. The nature and amount of subject matter required by the preparing institution, in addition to the general education program provided for all students, should be determined in relationship to the grade level and/or subject field(s) for which the elementary education student is being prepared.

It is possible in a total program to provide preparation for teaching in a self-contained classroom and also to have sufficient upper-division work in one area of instruction to prepare for team teaching, departmentalization, or other arrangements for teaching requiring some specialization. Some preparing institutions will make specific provision for the development of a field of specialization in addition to the required background in elementary school subjects. Others will provide a sufficiently large block of electives so that the student may choose either to develop a major in a single field, or to acquire additional depth in more than one of the elementary school curriculum areas.

However organized, the requirements of the curriculum for elementary school teachers shall provide for subject-matter preparation to meet the functional needs of elementary school teachers. The specialized professional portion of the program shall include the study of methods and materials for the various curriculum areas in either separate or integrated studies and experiences. The basic responsibility of the teacher for nur-

turing and guiding the individual child within a social and academic framework shall be emphasized. The program shall provide experiences which allow the child to attain an awareness of self and to participate as a contributing member of society.

(a) The program shall develop understanding of child growth and development and of the social, emotional, physical and health characteristics and needs of children.

(b) The program shall include studies and experiences in the sociological and the behavioral sciences which emphasize the relation of children to their environment.

(c) The program shall develop instructional competence in teaching methods and the use of materials to promote the effective pupil language art skills of reading, writing, speaking and listening.

(d) The content to be studied shall provide preparation sufficient for competence in the subject areas normally found in the elementary school curriculum including art, health, mathematics, music, physical education, science, and social studies.

(e) The program shall develop instructional competence in the use of methods and materials to promote effective pupil skills in the subject areas normally found in the elementary school curriculum.

(f) The program shall provide a comprehensive knowledge of literature appropriate for children in the elementary grades and provide teacher competency in developing children's sensitivity to and enthusiasm for literature.

(g) The program shall provide knowledge and understanding of the techniques involved in the individualization of instruction, team teaching, and various methods of grouping within a self-contained classroom.

(h) The program shall provide adequate preparation for teaching atypical children.

(i) The program shall provide preparation for the development of skills related to the diagnosis, prescription and correction of learning difficulties of elementary school children.

(j) The program shall provide for the development of skills related to working with parents and other adults.

(7) English: The following standards pertain to programs for preparing teachers of English. The program shall include necessary course work and other appropriate educational experiences designed to enable the prospective teacher to acquire the knowledges, abilities, and attitudes contained in these standards.

(a) The program shall provide teacher candidates with knowledge of the structure and history of the English language, including phonology, morphology, syntax, and semantics.

(b) The program shall provide teacher candidates with knowledge of the various personal, social, and communication purposes of language, including attention to factors such as:

- (i) social and regional language variation
- (ii) language for control and management of others; i.e., language abuse, e.g., the rhetoric of politics, advertising, etc.
- (c) The program shall provide teacher candidates with knowledge of the basic differences and similarities in the structural and semantic attributes of written and oral discourse, attendant classical and contemporary rhetorical theories regarding both modes of discourse.
- (d) The program shall provide teacher candidates with knowledge of the nature of non-print and non-verbal expression as well as their relationship to verbal expression.
- (e) The program shall provide teacher candidates with knowledge of the processes whereby individuals acquire, understand, and use their language.
- (f) The program shall provide teacher candidates with knowledge of the attributes of oral and written language in the developing child through adolescence.
- (g) The program shall provide teacher candidates with knowledge of a representative body of English, American, and non-western literature, including contemporary literature, adolescent and children's literature, and literature of minority groups.
- (h) The program shall provide teacher candidates with knowledge of approaches to literary analysis, both classical and contemporary.
- (i) The program shall provide teacher candidates with knowledge of processes by which one learns to read.
- (j) The program shall provide teacher candidates with knowledge of approaches to English curriculum evaluation, design, and development.
- (k) The program shall provide teacher candidates with knowledge of approaches to assessment and diagnosis of student's encoding and decoding abilities in various settings and for various purposes.
- (l) The program shall develop in teacher candidates the ability to help students become aware of the various social and cultural backgrounds and purposes of language use.
- (m) The program shall develop in teacher candidates the ability to prescribe suitable techniques and materials for overcoming specific decoding and encoding difficulties and design effective instructional strategies and teaching approaches for the teaching of decoding and encoding skills.
- (n) The program shall develop in teacher candidates the ability to make literature a substantive and worthwhile part of the students' education, and relate the purpose of English to everyday needs of students.
- (o) The program shall provide teacher candidates with knowledge of the attributes of oral and written language in the developing child through adolescence.

(p) The program shall develop in teacher candidates the ability to articulate the nature and purposes of the English curriculum to professional peers, school administrators, and parents.

(q) The program shall develop in teacher candidates a respect for the worth of all students, their language and desires, and their individual uniqueness.

(8) Exceptional Children and Special Education: The following standards pertain to programs for preparing teachers of exceptional children. Common standards applicable to all areas of special education are followed by standards for the respective areas. Programs leading to comprehensive certification for teachers of exceptional children shall meet the standards for each of the areas covered by the certificate.

(a) Common Standards

(i) The program shall provide an understanding of the types of exceptionalities among children and youth and their educational relevance.

(ii) The program shall provide competency in individual and group classroom management procedures appropriate to exceptional children such as:

(aa) use of diagnostic procedures to identify the learning difficulties of the exceptional child

(ab) the ability to develop and implement prescriptive programs based on diagnostic findings

(ac) knowledge of techniques utilized in behaviorial control

(iii) The program shall develop social skills and attitudes to enable the prospective teacher to work effectively with other school personnel in coordinated programs for exceptional children.

(iv) The program shall develop the ability to interpret the educational program to parents, teachers, administrators, and community groups.

(v) The program shall provide opportunities to observe institutions and facilities concerned with the education, health, and welfare of all types of exceptional children.

(vi) The program shall provide early opportunities for supervised laboratory experiences with exceptional children as one means of determining the candidate's maturity for work with exceptional children.

(vii) The program shall encourage student affiliation with professional groups, and create an awareness of the referral agencies available for aid to exceptional children.

(viii) The program shall provide for developing in the prospective teacher competence in planning and conducting wide varieties of learning experiences for individuals and groups.

(b) Specialized Standards: The program shall require in-depth study and experience which develop competence in one or more of the following specialized areas of concentration:

(i) Emotionally Disturbed

(aa) The program shall provide the prospective teacher with the theoretical bases of counseling and psychotherapy and with depth studies in emotional and social problems.

(ab) The program shall provide for the development of specific teaching techniques for the diagnosis and remediation of learning problems caused by maldevelopment of personality as manifested by a variety of symptoms and problems, such as adjustment reactions of childhood, conduct disorders, neuroses, character disorders, and psychoses.

(ac) The program shall develop for the prospective teacher an awareness of the significant role of parents and the influences of the total environment of the pupil.

(ad) The program shall provide the prospective teacher with knowledge of the results of research in the area of emotional disturbance and closely allied fields.

(ii) Hearing Impaired

(aa) The program shall assure teacher competencies in management of pupils with speech and hearing disorders, including diagnosis and evaluation, therapeutic methods, and materials.

(ab) The program shall provide study in audiometry and hearing rehabilitation including studies in hearing problems and testing of hearing.

(ac) The program shall develop competencies in auditory training and speech reading, in speech for the acoustically handicapped, in sign language, and in working with the deaf.

(ad) The program shall provide opportunities to observe procedures of diagnosis and case management by qualified clinicians.

(ae) The program shall develop therapeutic skills and judgments and provide opportunities to perform therapeutic services under supervision.

(iii) Mentally Retarded

(aa) The program shall provide the prospective teacher with knowledge related to the needs of the mentally retarded knowledge of programs and procedures for working with the mentally retarded and professional laboratory experiences with mentally retarded children.

(ab) The program shall include studies and experiences which will provide the prospective teacher with knowledge of the following:

(aba) etiology of mental retardation

(abb) characteristics of the mentally retarded and classification and diagnosis of mental retardation

(abc) social control and adjustment of the mentally retarded

(abd) information about the educational processes of the mildly, moderately, and severely mentally retarded.

(abe) interpretation of psychological tests

(abf) screening and selection of children for class placement

(abg) curriculum development, methods, materials and special teaching techniques

(abh) problems related to integration of mentally retarded **students** into general school organization

(ac) The program shall provide for all levels of mental retardation and allow for emphasis in one or more of these levels.

(iv) Physically Handicapped

(aa) The program shall prepare the prospective teacher to provide learning environments for children who are medically defined as physically handicapped who have other health problems, or who have central system disorders that place them within a definition of chronic conditions.

(ab) The program shall provide understandings and knowledge of the special problems and processes of assessing the physically handicapped and shall emphasize the effects that the physical handicap has on the learning processes and the diagnostic procedures to be used in the teaching role.

(ac) The program shall provide experiences to develop competencies in curriculum development and special methodologies relative to children who may be minimally or multiply handicapped.

(v) Visually Impaired

(aa) The program shall provide study of the anatomy and physiology of the eye and knowledge of the symptoms and diagnosis of partial vision and total loss of sight.

(ab) The program shall provide knowledge of local, state, and national facilities for serving the visually handicapped and the blind and knowledge of the provisions available for the partially seeing child.

(ac) The program shall provide knowledge of common plans of organization and current facilities for serving partially seeing children, and the principles of preparation, selection and effective use of appropriate instructional materials.

(ad) The program shall develop teacher competencies to solve the problems of adaptation of **school** environments to meet the needs of partially seeing children.

(ae) The program shall develop teacher competencies with teaching methods applied to the special needs and capabilities of partially seeing and blind children, and study and experience in testing programs and interpretations of test results.

(vi) Learning Disabilities

(aa) The program shall assure that the graduate will have knowledge of learning theory as well as educational psychology and shall have orientation in psychological testing and in diagnosis and correction of learning disabilities.

(ab) The program shall require competence in the education of those with learning disabilities (such as dyslexia, perceptual handicaps, brain injury, minimal brain dysfunction, and developmental aphasia) in remediation in basic skills, in teaching of reading, and in curriculum development for teaching of students with learning disabilities.

(ac) The program shall provide for adequate understanding of group dynamics, interviewing and counseling and for knowledge of community resources.

(ad) The program shall assure that the prospective learning disabilities teacher-consultant shall have had professionally supervised experiences with pupils, teachers, and administrators to serve completely in this area. The practicum shall be properly planned and professionally supervised and of such duration to prepare the graduate for working in this field.

(vii) Communicative Disorders

(aa) The program shall provide knowledge of the study of normal speech, typical and common speech defects, and basic techniques for their prevention and correction.

(ab) The program shall provide knowledge of the etiology and treatment of the more severe speech deviations such as articulation, stuttering, voice, organic, and symbolization disorders.

(ac) The program shall provide knowledge of phonetics and language development.

(ad) The program shall provide knowledge of physiological, psychological, and social foundations of speech and hearing disorders including anatomy, physiology, and function of auditory and speech mechanisms.

(ae) The program shall provide study in audiometry, speech reading, and speech for the acoustically impaired.

(af) The program shall provide opportunities to observe procedures of diagnosis and case management by qualified correctionists.

(ag) The program shall develop skills and judgments and provide opportunities to perform under supervision with the equipment essential for the conduct of speech correction.

(9) Foreign Languages: The following common standards are appropriate for all programs for preparing teachers of modern or classical languages.

(a) The program shall include work in phonology, conversation, grammar and composition, linguistics (applied to the specific language or applied to foreign languages as a whole) and literature.

(b) The program shall provide prospective teachers with:
(i) the ability to understand conversation at normal tempo, lectures and news broadcasts

(ii) the ability to converse with a native with a command of vocabulary and syntax sufficient to express thoughts in conversation at normal speed with good pronunciation

(iii) the ability to read with immediate comprehension prose and verse of average difficulty and mature content.

(iv) the ability to write a simple "free composition" (such as a letter or message) with clarity and correctness in vocabulary, idiom, and syntax

(v) an understanding of the differences between the sound systems, forms, structures of the foreign language and English and the ability to apply this understanding to modern foreign language teaching.

(vi) An awareness of language as an essential element of culture, an understanding of the principal ways in which the foreign culture differs from our own, first-hand knowledge of literary masterpieces, and acquaintance with the geography, history, art, and social customs of the foreign country.

(vii) a knowledge of the present-day objectives of foreign language teaching as communication, and an understanding of the methods and techniques for attaining these objectives.

(viii) a knowledge of the use of specialized techniques, such as educational media, the relation of modern foreign language study to other areas of the curriculum, and the ability to evaluate the professional literature of foreign language teaching.

(c) The program shall include a study of the literature, history, geography, and contemporary civilizations of the appropriate country or countries.

(d) The preparation of teachers of classical languages will follow the preceding standards except that the emphasis will be on appreciation of the language and gaining control of its sounds, structure, and vocabulary rather than on conversational objectives.

(10) Health and Physical Education: The following standards pertain to programs for preparing teachers of health and physical education in a comprehensive program:

(a) The program shall provide knowledge and understanding of the aims and objectives of health education and physical education in the schools.

(b) The program shall provide basic knowledge in the sciences with sufficient preparation for understanding the structure and function of the human body, including an understanding of the principles of human physiology and anatomy, basic body chemistry, microbiology, genetics, and ecology.

(c) The program shall provide the basic background studies in the behavioral and social sciences pertinent to health and physical education.

(d) The program shall develop the skills and the capability to lead students in a wide variety of physical activities such as fundamental motor skills and exercises, gymnastics, individual and dual sports, team sports and games, mass games and activities, rhythms and dance, camping and outdoor recreation.

(e) The program shall provide for knowledge and competencies relative to organizing, planning, administering, and evaluating a total program of physical education.

(f) The program shall provide prospective teachers with an understanding of:

(i) personal health and physical fitness including basic understanding of the body and its vital organs

(ii) community and environmental health including sanitation and pollution

(iii) nutrition including weight control, food fads, and diet supplements

(iv) emotional and mental health

(v) physical, social, and emotional health hazards of drugs, alcohol, and tobacco

(vi) physical and emotional aspects of sex

(vii) communicable diseases (including venereal disease), body defenses and immunization programs

(viii) common physical and mental exceptionalities and degenerative diseases

(ix) consumer health including the selection of health products and professional services and the evaluation of advertising

(x) first aid and emergency care

(xi) safety including outdoor, water, home, industrial and traffic

(g) The program shall provide prospective teachers with competency in developing, promoting, and implementing a school health environment and cooperative relationships with voluntary, community and other official health agencies.

(h) Home Economics: The following standards pertain to programs for preparing teachers of home economics.

(a) The program shall provide basic information about experiences in working with the developmental processes of children and in creating and maintaining an environment in which children and families develop and interact as individuals and family members.

(b) The program shall provide an understanding of the multiplicity of factors involved in clothing and textiles which satisfy the needs of persons and families.

(c) The program shall emphasize the importance of making value judgments and decisions about shelter needs, furnishings, and equipment for individuals and families.

(d) The program shall provide the knowledge and experience of selecting, planning, preparing and serving foods according to nutritional needs of various individuals, families, and groups.

(e) The program shall provide knowledge and experience in managing individual and family resources to achieve individual and family **goals** at the various stages of the life cycle.

(f) The program shall provide proficiency in maintaining human relations, planning, developing, teaching, supervising, and evaluating programs in occupational home economics.

(g) The program shall provide interdisciplinary and multi-agency approaches for the preparation of home economics teachers.

(h) The program shall include substantial study in the humanities and the social, behavioral, and natural sciences.

(12) Industrial Arts: The following standards pertain to programs for preparing teachers of industrial arts.

(a) The program shall prepare students to: (a) teach a general industrial arts course offering instruction in the main divisions of industrial arts subject matter, and (b) to teach a general unit-type laboratory or shop in one of the main divisions of industrial arts subject matter.

(b) The program shall provide for the study of philosophy, principles, and methods of industrial arts in elementary, secondary, adult, and collegiate schools.

(c) The program shall provide a fundamental knowledge of the historical development of technology and its impact on man and society.

(d) The program shall ensure technical competencies in the following:

(i) Drafting: learning activities concerned with communicating ideas or illustrations graphically.

(ii) Electricity-electronics: study of technology involved in the industrial uses of electrical energy including the theory, applications, and control of electrical energy.

(iii) Graphic arts: learning experiences concerned with the tools, materials, and processes used in the printing industries (study of the technical aspects of printing, related occupations, management problems, and the consumer-printing industry relationships).

(iv) Manufacturing and construction industries: studies of the technological achievements concerned with methods and processes used in manufacturing articles for mass consumption. These studies shall be concerned with the industry, technology, and products derived from such materials and processes as ceramics, crafts, metals, plastics, textiles, and woods.

(v) Power and transportation: study of the technology involved in harnessing and controlling power, including its source, generation, and transmission, and the use of powered devices and vehicles.

(e) The program shall provide for the study of industrial problems, including provisions to make independent investigations of the origins and evolution of present industrial conditions.

(f) The program shall provide opportunities to design, construct, and test individual projects.

(13) Library Media: The following standards pertain to programs for preparing library media professionals. Programs for the preparation of library media professionals differ in structure and organization. Traditional academic programs in single disciplines such as library, audio-visual and television personnel are frequently too narrow to serve as the basis for a unified program of preparation of library media personnel.

It is possible in a comprehensive unified program to prepare personnel for either self-contained or open-media centers and also to have sufficient specialization in one media area to prepare them to work within a differentiated media staffing pattern. Some institutions will make specific provisions for the development of an area of specialization in addition to the required educational background preparation. Others will provide a sufficiently large block of electives so that the student may choose either to focus in a single area or to acquire additional preparation in several library media areas.

However, organized, the requirements of the curriculum for library media professionals should provide for subject matter, skills, and field experiences adequate in terms of the basic functional needs of media centers at elementary, middle, or secondary school levels. The unified preparation program, therefore, should provide for a minimum set of broad competencies as stated in the following standards:

(a) The program shall provide a liberal arts education as stated in section 48-2.12(3)-S12100, General Standards and for a professional core as stated in section 48-2.12(3)-S12110, Specific Standards.

(b) The program shall provide for attaining proficiency in selection as it relates to:

(i) developing criteria for evaluating and selecting materials and equipment

(ii) planning and implementing processes, procedures and policies for the evaluation and selection of materials and equipment

(iii) utilizing bibliographic aids and tools and other sources to provide current reviews and information about materials and equipment

(iv) developing a knowledge and understanding of literature for children and young adults

(c) The program shall provide for attaining proficiency in the utilization of media as it relates to:

- (i) teaching skills in retrieval and utilization of materials and equipment
- (ii) assisting teachers and students in identifying, obtaining, and adapting media to their specific needs
- (iii) providing reading, listening, and viewing guidance for students and teachers
- (iv) identifying and utilizing community resources
- (v) providing specific information and responses to reference requests
- (d) The program shall provide for attaining proficiency in the production of media as it relates to:
 - (i) designing and producing materials to meet stated learning objectives
 - (ii) operating production equipment
 - (iii) producing media for specified learning objectives which utilize the basic principals of design
- (e) The program shall provide for proficiency in research and evaluation of media programs as it relates to:
 - (i) developing plans to assess needs and evaluate the media program
 - (ii) applying the principles of research to improve the media program
 - (iii) designing, developing, and writing proposals for funds to support the media programs
- (f) The program shall provide for proficiency in the organization of media as it relates to:
 - (i) establishing and implementing procedures for acquisition, processing, distribution, and maintenance of materials and equipment
 - (ii) applying and adapting rules and procedures for classifying and cataloging all materials (print and non-print)
- (g) The program shall provide for proficiency in administration, supervision, and management as it relates to:
 - (i) assessing the current status of the media program in terms of local, state, regional, and national guidelines and establishing short and long-range plans
 - (ii) initiating and developing policies and procedures for the operation of a media center
 - (iii) applying the principles of budgeting and management to the administration of the media program
 - (iv) establishing job specifications and applying principles of personnel management
 - (v) **participating in** the planning, arrangement, utilization and development of the media program and the instructional program
- (h) The program shall provide for attaining proficiency in the application of the principles of learning and teaching methodologies as it relates to:

- (i) determining goals for the media program as an integral part of the educational program of the school
 - (ii) participating as a member of the educational team in designing curriculum and the integration of media
 - (iii) planning activities and opportunities for increasing independence in learning
 - (iv) evaluating media programs as they relate to curriculum needs
 - (v) planning, providing, and evaluating methods and procedures for teaching media skills in a variety of school curricula
- (i) The program shall provide for proficiency in leadership and professionalism as it relates to:
 - (i) designing and implementing methods of interpreting media programs to teachers, students, administrators and the community
 - (ii) providing within the existing legal framework, the right of access to information for students and teachers
 - (iii) participating in local, regional, state and national professional organization.
 - (iv) engaging in self-evaluation to identify the areas of need for continuing education and professional growth
 - (j) The program shall provide opportunities for a supervised practicum as it relates to:
 - (i) providing the prospective media professional with a wide variety of instructional experiences
 - (ii) providing a wide variety of operational experiences which relate to a media program
 - (14) Mathematics: The following standards pertain to programs for preparing teachers of mathematics:
 - (a) The program shall consider the sequential nature of mathematics and shall provide prospective teachers with an understanding of the various aspects of mathematics which their pupils will meet in subsequent courses.
 - (b) The program shall develop the capacity and disposition for continued learning in mathematics and shall include studies and experiences which are relevant to the school curriculum, e.g., algebra, geometry, trigonometry, analytic geometry, calculus, probability and statistics.
 - (c) The program shall assure knowledge by the prospective teacher of curriculum improvement studies in mathematics currently being made by various national groups.
 - (d) The program shall provide opportunities to gain insight into the intellectual and philosophical nature of mathematics and to acquire knowledge of ways to apply the principles of mathematics to other disciplines, e.g., logic, science, psychology, economics.
 - (e) The program shall relate mathematics through technology to social conditions and develop for the prospective teacher an understanding of the historical relationships of mathematics to the culture in which it existed or exists.

(f) The program shall develop the ability to select, adapt, evaluate, and use strategies and materials for teaching mathematics, shall provide laboratory experiences in working with pupils of both high and low academic abilities, and shall develop the ability to teach computational as well as abstract mathematics.

(g) The program shall include experience in the field of computing as it relates to mathematics and to teaching of mathematics.

(h) The program shall provide experience with mathematical model building.

(15) Mat-type Programs: The following standards pertain to graduates who have not completed programs in education but who are seeking to qualify for an initial regular teaching certificate. The programs may provide teacher education for any of the instructional areas of certification.

(a) The program shall provide for selection procedures which emphasize the scholarly and personality qualifications of the candidates.

(b) The program shall develop the competencies normally acquired in undergraduate teacher education programs meeting these Standards in the area of certification.

(c) The program shall provide individualized scheduling appropriate to varied student backgrounds.

(d) The program shall provide content and procedure at a level of quality for graduates.

(e) The program shall include student teaching or supervised internship experiences equivalent to or exceeding those normally required in undergraduate programs.

(f) The program leading to a master's degree shall develop teacher competencies at least equivalent to those anticipated at the conclusion of a bachelor's degree program in the field of education.

(16) Music: Standards (a) through (g) pertain to programs for preparing K-12 teachers of both vocal/choral and instrumental music. Programs directed toward either vocal/choral or instrumental specialization (but not both) must meet standards (a)-(e) and either standard (f) or (g) as appropriate:

(a) The program shall enable the student to acquire a functional knowledge of the language and grammar of music.

(b) The program shall enable the student to understand the common elements of music -- rhythm, melody, harmony, timbre, texture, dynamics, form -- and their interaction, and to employ this understanding in both aural and visual analysis.

(c) The program shall provide for the development of:

(i) basic conducting skills, score reading, and rehearsal techniques

(ii) ability to compose, arrange, and adapt music from a variety of sources to meet the needs and ability levels of school performing groups and classroom situations

(iii) ability to guide creative experiences and improvise in an extemporaneous performance

(iv) proficiency on piano, guitar, or other appropriate keyboard or fretted instruments sufficiently advanced for demonstration and accompaniment

(v) advanced ability sufficient to assure accurate and musically expressive performance

(vi) ability to perform in large ensembles and a variety of small ensembles

(d) The program shall provide knowledge and understanding of music history and literature with emphasis on the relationship of music to other arts and humanities in contemporary and past cultures, and the ability to place compositions in historical and stylistic perspectives.

(e) The program shall develop a knowledge of a comprehensive program of music based upon sound philosophy and an understanding of what music to teach and how to teach it at any level. In addition, the program shall include procedures in organizing a comprehensive music curriculum for a school or school system.

(f) The vocal/choral music program shall provide for:

(i) development of knowledge of and performance ability on keyboard and fretted instruments sufficient to employ these instruments as teaching tools

(ii) development of ability to transpose and improvise accompaniments

(iii) development of basic knowledge of vocal/choral problems and strategies and sufficient vocal skill to assure effective use of the voice in demonstrating vocal technique

(iv) experience in solo and ensemble vocal performance

(v) experiences using wind, string, and percussion instruments, which develop the knowledge and skills necessary to conduct instrumental as well as choral ensembles

(vi) laboratory experiences in teaching various vocal/choral types of classes such as choruses and general music

(g) The instrumental music program shall provide for:

(i) development of knowledge of and performance ability on wind, string, and percussion instruments sufficient to teach students in heterogeneous and homogeneous groups

(ii) experiences in solo instrumental performance, as well as in both small and large instrumental ensembles

(iii) experience in using the singing voice as a teaching tool and experiences which develop knowledge and skills necessary to conduct choral as well as instrumental ensembles

(iv) laboratory experience in teaching instrumental students -- individually, in small groups, and in larger classes

(17) Physical Education: The following standards pertain to programs for preparing teachers of physical education.

(a) The program shall provide a knowledge of the aims and objectives of physical education in schools and the competence to provide learning experiences.

(b) The program shall provide basic knowledge in the sciences with preparation in the biological sciences for understanding the structure and function of the human body, including an understanding of the principles of human movement.

(c) The program shall provide understanding of skills and capabilities to lead students in a wide variety of physical activities such as fundamental motor skills and exercises, gymnastics, individual and dual sports, team sports and games, mass games and activities, rhythms and dance, camping, and outdoor recreation.

(d) The program shall provide for knowledge and competencies relative to organizing, planning, administering, and evaluating a total program of physical education. The following competencies are illustrative:

(i) relate physical education as a part of the total education program

(ii) select, purchase, care and maintain facilities, equipment, and supplies

(iii) organize and administer intramural, recreational, and interscholastic programs

(iv) select and use appropriate evaluative techniques of student performance

(v) relate principles, standards, and procedures of safety

(vi) possess techniques of good public relations in interpreting the health and physical education program

(vii) organize and administer programs for atypical students

(viii) possess knowledge of legal liability and insurance aspects

(ix) possess knowledge of first aid and athletic training methods and techniques

(18) Science: The following standards pertain to programs for preparing teachers of science. It is not necessary that all institutions adopt a uniform pattern of organization for providing the subject matter preparation for the science teacher. Some institutions with a divisional organization may offer a curriculum for the preparation of science teachers through a single division. Others, with a departmental pattern of organization, may offer individual teaching majors through separate science departments, such as physics, chemistry, biology, etc. Whatever the type of organization, the subject matter portion of the teacher's preparation should constitute a pattern carefully planned in accordance with the following standards:

(a) The program shall require the prospective teacher to attain broad minimum competencies in several fields of science and technology and high levels of competence in a teaching specialty. The program shall provide for the attainment of:

(i) at least minimum specified levels of competency in the processes of science common to the several disciplines

(ii) at least minimum specified levels of competency in the concepts and principles in several areas of science

(iii) a specified high level of competence in a specialized field in order to be prepared to provide in that field courses and experiences relevant to the high school curriculum.

(b) The program shall provide teachers with the knowledge and experience to illustrate the cultural significance of science, to relate science through technology to social conditions, and to apply the analytical methods of science in multidisciplinary approaches to studying and solving societal problems.

(c) The program shall provide opportunities for prospective teachers to gain insight into the intellectual and philosophical nature of science and mathematics.

(d) The program shall develop the capacity and the disposition for continued learning in science and in the teaching of science subjects.

(e) The program shall include work in areas related to the subjects to be taught with at least minimal competency in mathematics.

(f) The program shall provide experiences that will enable the prospective teacher to learn about the nature of learning, conditions that help young people learn, and how to maintain a proper learning environment.

(g) The program shall develop the ability of the future teacher to select, adapt, evaluate and use strategies and materials for the teaching of science or mathematics so that teaching-learning situations will be consistent with general knowledge about teaching and learning and will be appropriate both to the special needs of the learners and to the special characteristics of the science disciplines or the interdisciplinary problem.

(h) The program shall emphasize the processes used in investigating scientific phenomena and those used in communicating the findings of such investigations to other science students and to the general public.

(i) The program shall take into account the recommendations for curriculum improvement currently being made by various national scientific groups, and incorporate, as well, new teaching strategies that research demonstrates are effective.

(j) Programs leading to a comprehensive science certificate shall assure knowledge of the basic principles of biology, chemistry, physics, and earth and space science and provide opportunity for depth of preparation in one of these areas.

(k) Specialized Standards

(i) Biology

(aa) The program shall include study and experiences with emphasis on the actual living materials through laboratory and field experiences which promote investigation, inquiry, and experimental methods.

(ab) The program shall assure knowledge of the significant biological phenomena as they appear in micro-organisms, plants and animals, and the relation of these phenomena to the broad areas of biology.

(ac) The program shall develop for the prospective teacher knowledge of the interrelationship of living organisms with their physical and biotic environments.

(ad) The program shall assure knowledge of the characteristics of living organisms in terms of maintenance, regulation, behavior, reproduction, genetics, development, evolution, and systematics.

(ae) The program shall provide studies and experiences in areas which emphasize the relationships with biology, such as chemistry (including introduction to organic and bio-chemistry), physics, paleontology, behavior, and mathematics.

(af) The program shall provide opportunities for the prospective teacher to design, develop and evaluate effective laboratory activities using the special skills and techniques with equipment, facilities, and specimens.

(ag) The program shall assure competency in organizing, presenting, and evaluating subject matter content in ways which provide for optimal learning.

(ii) Chemistry

(aa) The program shall provide a systematic and quantitative study of fundamental principles of chemistry, inter-related and illustrated with descriptive and historical material.

(ab) The program shall assure competency in organizing, presenting, and evaluating subject matter content in a manner which develops the understanding by pupils of the concepts of chemistry.

(ac) The program shall assure competency in providing meaningful pupil learning experiences in organic, inorganic, analytical and physical chemistry.

(ad) The program shall include studies and experiences which develop for the prospective teacher basic knowledges in physics, biology, and mathematics, including a working knowledge of calculus.

(ae) The program shall provide the prospective teacher with the laboratory skills necessary to design experiments and develop demonstrations which are adjuncts to science methods courses.

(iii) Earth and Space Science

(aa) The program shall assure preparation in mathematics and the basic sciences (biology, chemistry, and physics), and a concentration in one of the earth and space sciences (astronomy, geology, meteorology and/or oceanography) with supporting work in the other three. A major in the broad field of the earth and space science is recommended.

(ab) The program shall prepare the prospective teacher to view and present earth science as an interdisciplinary science involving the study of the lithosphere, atmosphere, and hydrosphere and their relationship to man's environment.

(ac) The program shall place emphasis on field work, assuring a mastery of technique in using the local environment as a laboratory in addition to laboratory demonstrations, experimentation, and research.

(ad) The program shall assure competency in organizing, presenting, and evaluating subject matter content in ways which provide for optimal learning.

(iv) General Science

(aa) The program shall assure knowledge of the basic principles of biology, chemistry, physics, and earth and space science with concentrated study in one of the areas.

(ab) The emphasis of the program shall be on breadth rather than on depth including interrelationships among the sciences and the history and philosophy of science.

(ac) The program shall include laboratory experiences in working with junior high school pupils. Where possible, student teaching should be experienced in a junior high school.

(ad) The program shall assure that the prospective teacher will be competent to provide pupil learning activities which will aid in the transition from the generalized science offerings of the elementary school to the relatively specialized offerings of the senior high school.

(ae) The program shall assure that the prospective teacher will be competent in the use of teaching aids and laboratory equipment of all science fields which are appropriate for the junior high school level and/or the middle school level.

(af) The program shall assure a knowledge of the current curriculum studies in the various science fields, with emphasis on those curricular studies related to the junior high school level.

(v) Physical Science

(aa) The program shall provide for experiences in chemistry and physics in near equal proportions.

(ab) In addition, the program shall provide for experiences in at least three of the following disciplines: astronomy, biology, geology, meteorology, and physical geography.

(ac) The program shall assure that the student has developed a working knowledge of calculus.

(ad) The program shall provide for laboratory experience in chemistry and physics as well as in one other science area.

(ae) The program shall provide for an understanding of the integration of the physical sciences and the implications of the various sciences for contemporary society.

(af) The program shall assure competency in organizing, presenting, and evaluating subject matter content in ways which provide for optimal learning.

(vi) Physics

(aa) The program shall provide a systematic and quantitative study of the fundamental topics of physics, interrelated and illustrated with descriptive and historical material.

(ab) The program shall emphasize mathematical preparation concurrently with the preparation in physics.

(ac) The program shall assure competency in organizing, presenting, and evaluating subject matter content in a manner which enhances the development by secondary school pupils of the concepts in physics.

(ad) The program shall assure the competency of prospective teachers to provide pupils learning experiences in basic principles of the physics areas of classical, atomic, and nuclear physics.

(ae) The program shall include studies and experiences which develop for the prospective teacher basic knowledges in biology, chemistry, and mathematics including an introduction to differential equations.

(af) The program shall provide the prospective teacher with the laboratory skills necessary to design, develop, and evaluate effective laboratory activities using and providing proper maintenance of equipment.

(19) Social Studies: The following standards pertain to programs for preparing teachers of social studies. The curriculum for the preparation of social studies teachers has as its general objective the attainment of a broad understanding of human society and the environmental and cultural factors which shape and condition human life. Insight into the complexities of modern society requires knowledge and understanding of all the social studies.

The social studies program as carried out in the different states usually follows one of two patterns. It may follow the subject-major pattern emphasizing one or more areas of the social studies, supplemented by work in cognate areas. This prepares the student to teach the specified subjects in accordance with the limitation of the program completed. Or, the program may follow the comprehensive-major pattern, embracing a broad base of social studies including history, sociology, and cultural anthropology, government, economics, and geography, with a concentration in one field. This pre-

pare the student to teach in any of the social studies offered in the public school curriculum. Curriculums leading to a certificate in a discrete subject (history, political science, et al) must meet the appropriate section of Standard (a) and also Standards (b) through (g).

(a) The program shall include educational experiences in the social studies:

(i) History: Origin and historical development of various cultures throughout the world; interplay of physical, economic, political, and social forces in the shaping of world civilization; meaning of the American heritage; and the economic, political, and social background of contemporary American life in a world setting.

(ii) Political Science: Nature of government in modern society as a supplier of essential service, the embodiment of values, and the arbiter of interest conflict principles and practices of the national, state, and local units of American government as compared with the other forms of government; and appreciation of democracy not only as a form of government, but also as a conviction based on moral principles and a philosophy of life.

(iii) Economics: Principles and processes underlying current problems and practices in various economic systems; application of social controls to economics and the regulation of economic controls by government.

(iv) Sociology and Cultural Anthropology: Diverse behavior of peoples in different parts of the world and the influence of environmental factors on their cultural values; nature of great social upheavals now taking place in various parts of the world; and major social problems of American society such as those relating to minority groups, health and medical care, employment and industrial relations, crime and delinquency.

(v) Geography: The earth's natural resources as a limiting and conditioning influence upon the development of human culture and as a source of political and economic power; more efficient use of natural resources on a global scale.

(b) The program shall include studies which illustrate the possibilities for interdisciplinary cooperation and reciprocal reinforcement among the various social studies.

(c) The program shall include the structure, key concepts, methodology, and generalizations in the various social studies.

(d) The program shall assure experience with and understanding of the approaches and materials of the new social studies curriculum projects.

(e) The program shall include content and experiences which provide a knowledge and understanding of the contributions and roles of all racial, ethnic, and religious groups.

(f) The program shall provide the prospective social studies teacher with experiences in the effective use of multi-media resources to provide a variety of learning experiences geared to various levels of student experience and ability.

(g) The program shall assure that the prospective social studies teacher has a knowledge of current affairs including controversial issues and has acquired teaching strategies for their effective use in the classroom.

(20) Speech Arts: The following standards pertain to programs for preparing teachers of the speech arts.

(a) The program shall provide for competencies in the area of speech fundamentals, public address, oral interpretation, dramatics, and simple speech problems.

(b) The program shall provide for the development and demonstration of personal proficiency in oral communications.

(c) The program shall include experience with dialects and other regionalisms regarding their origin, development, and place in contemporary culture.

(21) Vocational Education: The following standards pertain to programs for preparing teachers in occupational areas. This includes a variety of programs for teachers of occupational areas. This includes a variety of programs for teachers of occupational areas not normally provided for under established programs included elsewhere in this document. Teacher preparation for many such occupational areas may not require the baccalaureate degree as a prerequisite for beginning teaching in such areas. The Basic Principles and Standards (Purposes and Objectives, Organization and Administration and Student Personnel Program) which are applicable to the other teacher education programs are applicable here.

(a) Due to the nature of this program, admission to the instruction and to the program of teacher education is simultaneous and will have common requirements. Competency in the appropriate occupational field is frequently a prerequisite for admission into an occupational education program. When the student is admitted to the occupational education program without appropriate occupational training and/or work experience, the institution must arrange such vocational training and/or supervised work experience as part of the program.

(b) The general education requirements shall be based on studies which include the humanities, mathematics, natural sciences, social studies, and behavioral sciences and shall be designed to acquaint the learner with the areas of human experience to which he has not yet been exposed.

(c) The professional education program in occupational areas shall allow for necessary modification from the requirements described in this publication. When vocational teachers begin to teach without student teaching, it is essential that their programs include on-the-job supervision by the preparing institution during the first year of teaching.

48-2.12(3)-S12120 Programs for Teachers Developing Qualifications in Additional Fields These programs are designed for teachers holding at least an initial regular teaching certificate who desire to develop competencies in a different teaching field.

(1) The program shall be designed to produce competencies at least equivalent to those developed by programs approved as meeting the standards for basic programs in the teaching field as outlined above.

(2) When deemed necessary, laboratory experiences shall be provided under the jurisdiction of the preparing institution.

Subchapter 4 - CURRICULUM PRINCIPLES AND STANDARDS: ADVANCED PROGRAMS

48-2.12(4)-S12130 Program Development, Planning and Patterns This chapter deals with standards for the wide variety of programs of post-baccalaureate study, including advanced study for classroom teachers, administrators, supervisors, and other educational specialists. In reviewing such programs, the appropriateness and the quality of instruction of all courses, both academic and professional, are of concern.

(1) Responsibility for assuring the quality of the various programs of advanced study in education within an institution shall be centralized and vested in a single specifically designated administrative unit. Although aspects of this responsibility shall be unified, specific, widely understood, and generally accessible. The assurance of the quality of programs is the essential value involved.

In consequence, the provisions for communication, cooperation, and deliberate coordination shall be clear in institutions operating several programs. Data shall be available to indicate the objectives being served, the unique and cooperative program provisions, and the means of program evaluation. Furthermore, evidence concerning such evaluation shall be accessible. Those institutions offering both graduate and undergraduate programs shall maintain consistency in philosophy, principles, and objectives upon which teacher education programs are based.

The state legal agency is responsible for stimulating the development of objectives by all concerned, for developing legal policies, and for evolving and carrying out appropriate procedures for accrediting institutions and certifying teachers. The institutions shall be responsible for designing actual programs within the meaning and scope of such objectives and policies.

(2) All programs beyond the baccalaureate for educational personnel shall include the following common development and planning areas:

(a) Program objectives shall be stated specifically and an outline of each program shall be published giving evidence of the provision for achieving the objectives of the program. When two or more related kinds of student objectives are served within our broad program, the provisions for achieving each shall be made clear.

(b) Both specialization and advanced study require penetration beyond that achieved in general or undergraduate education. Planning shall make clear the provisions for assuring scholarship in depth appropriate to the announced level. Each program shall clearly provide for maintaining quality of scholarship.

(c) Programs shall provide sufficient breadth of coverage to enable the student to develop supporting and related competencies and insights in addition to a major emphasis.

(d) Each advanced study and specialization program shall be supported by adequate resources of staff, equipment, special facilities, library, and general institutional backing to provide maximum quality in each program.

(e) Curriculum designed for the development of initial competence in teaching or in an area of educational specialization shall include a program of supervised practical experience in the functions for which the student is being prepared. This program shall be designed both to develop competence and to serve as a basis for evaluating the student's performance and for recommending appropriate certification and/or a master's degree. Adequate time for both on-campus and off-campus experiences shall be provided to meet these objectives.

(f) Each program shall have sufficient flexibility to permit adaptation to the individual backgrounds and objectives of the students.

(g) Institutions shall be responsible to the state certification agency for evaluating and recommending their graduate students with reference to their special competencies in terms of specific program objectives.

(3) The application of operating controls shall be such as to guarantee the integrity of each program and shall include:

(a) an advisory system for advanced study programs which (1) reflects attention to individual student potentialities, (2) utilizes all instructional resources, and (3) recognizes the rapid growth of knowledge

(b) selective admission and retention procedures to maintain a quality of students in each program appropriate to its objectives

(c) student evaluation and degree requirements supporting the admission and selective retention procedures in harmony with program objectives over and above general institutional requirements.

(d) program evaluation procedures assuring continued professional appraisal and improvement

(e) residence requirements academically appropriate to the objectives of the programs in which they apply

(f) internal provisions giving evidence of harmony between objectives and prerequisites, to the effect that such prerequisites and program provisions together shall form a consistent and interrelated whole.

48-2.12(4)-S12140 Advanced Programs for Teachers Holding Initial Regular Certificates These are mastery programs in their teaching fields for persons already holding initial regular elementary, secondary, or ungraded subject certificates.

(1) Admission to such programs shall be open to persons who already hold the initial regular teaching certificate in the teaching field. The emphasis, in both content and rigor, should be on advanced study.

(2) Content shall provide for breadth in the field, for the detailed study of one or more specialized aspects of the field, and for access to new research and developments. This applies to programs in subject fields, and/or professional education.

(3) Learning procedures shall be appropriate to the competence of the students and to their growing knowledge in the area of specialization.

48-2.12(4)-S12150 Specific Programs for Supervisory and Administrative Specializations These advanced programs shall include provision for preparing supervisors of instruction, principals, and school superintendents.

(1) Supervisors: The following standards pertain to advanced programs for preparing school supervisors:

(a) The program shall have well-defined criteria for admission which shall include professional experiences in the schools.

(b) The program shall provide for increased understanding of the crucial and dynamic role of the school in our culture and for the development of the knowledge and skills needed to focus the resources of the school on recognized social concerns.

(c) The program shall provide an advanced level of preparation with emphasis on recent research and new developments in the area to be supervised.

(d) The program shall develop competence in understanding principles and practices in curriculum development and interpreting this development to others.

(e) The program shall provide competence in understanding learning theory and in applying such theory to the improvement of teaching.

(f) The program shall develop competence in school supervision with emphasis on the individual and on group processes.

(g) The program shall be designed to facilitate the acquisition of those competencies deemed essential for effective supervision and shall include supervised experiences in schools to provide an opportunity to:

(1) observe how supervisors discharge supervisory duties

(ii) gain knowledge of essentials in successful school supervision

(iii) acquire theoretical understandings of successful school supervisory practices

(iv) learn about school organization and essentials of coordination of various aspects of the school program

(v) acquire supervisory competence through practice carefully assessed by administrative or supervisory personnel.

(2) School Principals: The following standards pertain to advanced programs for preparing school principals.

(a) The program shall have well-defined criteria for admission which shall include professional experiences in the schools.

(b) The program shall assure that a graduate will have acquired:

(i) knowledge of a broad range of learning experiences and an understanding of the interrelationships involved

(ii) administrative and supervisory knowledge and skills

(iii) knowledge and skills related to group dynamics and curricular improvements

(iv) understanding of the particular rights, responsibilities and ethics inherent in professional service

(v) knowledge and skills related to school-community relations

(vi) ability to conceptualize the interrelationships of the various disciplines

(vii) knowledge of school law

(viii) competence in research and development with specific application to school programs and administration.

(c) The program shall be flexible enough to allow for individualized programs of study and experience.

(d) The program shall provide for supervised off-campus practicum which aids in integrating theory and effective school practices.

(e) The program shall be designed to use selection, retention, and final evaluation procedures which identify candidates possessing the qualities of leadership, sensitivity, and scholarship along with the human relations skills and insights necessary for effective selection and continuing development of personnel

(f) The program shall provide for comprehension of learning theory and competence in applying such theory to the evaluation and improvement of learning and teaching.

(g) The program shall provide for understanding of the crucial and dynamic role of the school in our culture and knowledge and skills needed to focus the resources of the school on recognized social concerns.

(3) School Superintendents: The following standards pertain to advanced programs for preparing school superintendents. In view of the scope and depth of advanced study required to meet these standards, a two-year training program is supported.

(a) The program shall have well-defined criteria for admission which shall include professional experiences in the schools.

(b) The program shall be designed to assure competence in administration of educational programs, administration of funds and facilities, personnel administration, and continuing staff development.

(c) The program shall assure development of competence in such administrative processes as: discovering, diagnosing, goal setting, planning, decision making, establishing priorities, organizing, delegating, communicating, and evaluating.

(d) The program shall provide for understanding of the crucial and dynamic role of the school in our culture and knowledge and skills needed to focus the resources of the school on recognized social concerns.

(e) The program shall be based on selection, retention, and final evaluation procedures which will assure candidates who possess qualities of leadership, sensitivity, and scholarship along with the human relations skills and insights necessary for effective selection and continuing development of all school personnel.

(f) The program shall include studies, experiences, and activities which increase a candidate's comprehension, knowledge, and competency in relation to the following:

- (i) the learner and the learning process
- (ii) curriculum development
- (iii) school organization and operation
- (iv) supervision of professional and non-professional personnel
- (v) school board relationships, school law, professional personnel responsibilities, negotiations, school finance, and public relations
- (vi) relevant concepts from the social and behavioral sciences
- (vii) performance and interpretation of research and development with specific applications to school programs and administration
- (viii) dealing with school-community needs

48-2.12(4)-S12160 Specific Programs for Service Specializations These advanced programs include programs for preparing guidance counselors, instructional media specialists, school psychologists, school social workers, and other educational specialists.

48-2.12(4)-S12170 Guidance Counselors The following standards pertain to advanced programs for preparing school guidance counselors.

(1) The program shall provide evidence that careful screening is employed to assure that only persons of integrity who have the potential for developing effective relationships with youth, teachers, administrators, and parents are accepted as candidates. All candidates must be eligible for a Montana Teaching certificate.

(2) The program shall assure understanding of the philosophy, organization, and professional activities related to the practice of school counseling.

(3) The program shall assure that the prospective school counselor has had adequate and appropriate full-time background experiences with pupils and teachers.

(4) The program shall provide an understanding of the individual, including the dynamics of human behavior.

(5) The program shall extend the student's understanding of basic educational philosophies and school curriculum patterns.

(6) The program shall assure understanding of societal forces and cultural changes with particular reference to socio-economic, ethnic, and racial groups.

(7) The program shall provide for competence in the following areas:

- (a) psychological and educational assessment
- (b) counseling
- (c) group processes
- (d) personal, social, educational, and vocational development and career planning
- (e) administration of counseling programs, including faculty and public relations
- (f) performance, interpretation, and utilization of educational research

(8) The program shall provide supervised laboratory and practicum experiences to give the prospective guidance counselor the opportunity to:

- (a) practice guidance and counseling methods and techniques
- (b) observe how the duties of a guidance counselor are discharged
- (c) discharge the duties of a guidance counselor

(9) The program shall provide separate and distinct experiences for preparation of elementary and secondary counselors. While some areas of preparation may be common, a single course will not establish a separate and distinct program. The implementation of standards 1, 3, and 8 must recognize grade level differences.

48-2.12(4)-S12180 Reading Specialists The following standards pertain to advanced programs for preparing reading specialists.

(1) The preparation program shall have a planned sequence, but with sufficient flexibility to allow for differences in the educational background and experience of the candidate.

(2) The program shall extend the candidate's understanding of the nature of the learner and the learning process with specific application to reading.

(3) The program shall extend and deepen the candidate's ability to work effectively with children and youth in developing reading skills and in diagnosing and correcting reading disabilities.

(4) The program shall provide a supervised practicum with children and youth in developmental and remedial reading instruction.

(5) The program shall increase the candidate's knowledge of the techniques and materials used in reading instruction.

(6) The program shall develop the candidate's concept of the reading specialist's role in staff relationships and the total school organization.

(7) The program shall develop the candidate's sensitivity to the causes of reading problems in handicapped and disadvantaged children.

Subchapter 5 - INNOVATIVE AND EXPERIMENTAL PROGRAMS The standards contained in this chapter have been prepared to emphasize the importance which the National Association of State Directors of Teacher Education and Certification placed on the continuous development of new programs for the preparation of school personnel. The Association unequivocally supports the position that innovative and experimental programs of teacher education must be encouraged. However, it does not support the idea that innovative and experimental programs that are ill-conceived, poorly designed, weakly administered, or grossly lacking in evaluative criteria should receive the approval of any state education agency. Consequently, the standards which follow have been designed to create an awareness on the parts of both the program developers and the accrediting agencies of the concerns which must be considered in the development, approval, and implementation of innovative and experimental programs.

48-2.12(5)-S12190 Types of Programs All types of programs may be considered under the rubric of "innovative and experimental programs." Some examples are:

(1) New Approaches: Programs designed to develop new approaches, new arrangements, and/or new contexts for the preparation of school personnel.

(2) New Positions: Programs designed to prepare school personnel for new types of positions that are emerging on the education scene.

(3) Special Needs: Programs designed to meet the special needs of particular segments of our society such as:

- (a) urban education
- (b) correctional education
- (c) bilingual education
- (d) education of socio-economically disadvantaged, rural and urban

(e) minority group education

(f) adult education

(4) Specific Curricular Areas: Programs designed for specific curricular areas for which recognized standards have not been developed such as:

- (a) career education
- (b) environmental education
- (c) drug abuse education
- (d) aerospace education

48-2.12(5)-S12200 Standards

(1) A clear statement justifying the request for the approval of an experimental or innovative program shall be provided and it shall include the assumptions, rationale, and objectives on which the proposed program is based.

(2) Each program shall be based upon a statement of the purpose and objectives of teaching in this area of the public school curriculum and upon a well-formulated statement of the nature of the public school program that is needed to accomplish these objectives. These statements shall be prepared cooperatively by the agencies concerned with teacher education, shall be based on analyses of current practices and trends in this field of the public school curriculum, and shall be available in writing.

(3) Each program shall include a clearly formulated statement of the competencies needed by teachers in this area of the public school curriculum. These competencies shall include the required attitudes, knowledges, understandings, and skills and also the degree of expertise necessary for the beginning teacher. This statement of competencies shall be available in writing, and shall be based upon the statement developed in the preceding standards regarding the objectives and program of the school.

(4) The administrative structure of the program shall be such that responsibility for the program is vested in the preparing institution. Institutions which accept responsibility for the education of teachers shall establish and designate the appropriate division, school, college or department within the institution to act within the framework of general institutional policies on all matters relating to such programs.

(5) The experiential program shall include a description of the process by which the personnel will be prepared, provision for keeping records of the students' progress in the program, and arrangements for systematic review of the process at stated intervals by both institution and the state education agency.

(6) The program shall be supported by identified human and physical resources. The continuing availability of the resources shall be assured for the duration of the program. Any resources not under the control of the teacher education institution shall be outlined and confirmed by the controlling agency.

(7) The innovative-experimental program shall include a timetable which sets forth the starting and terminal dates. This should include:

- (a) the sequence of activities that will occur
- (b) the anticipated schedule of evaluative check points
- (c) The identification of competencies or other changes at selected intervals in the program

The timetable shall give the approximate dates on which periodic program reports are to be submitted to the appropriate institutional officials and to the state education agency.

(8) The experimental program shall provide for continuing evaluation with definite provisions for performance criteria and for follow-up at specified intervals. The evaluation plan shall include definition and specification of the kinds of evidence that will be gathered and reported. Evaluation shall provide information to identify areas in the program that need strengthening and to suggest new directions for program development.

Subchapter 6 - STANDARDS FOR APPROVING COMPETENCY-BASED OR PERFORMANCE-BASED PROGRAMS

48-2.12(6)-S12210 The standards provided in this chapter emphasize the importance the National Association of State Directors of Teacher Education and Certification attaches to the key characteristics of competency-based or performance-based teacher preparation. The Association supports the position that the design-development and the implementation of well-planned competency-based or performance-based teacher education programs should be encouraged. Competency-based or performance-based teacher education programs need not be designated as "innovative or experimental" by institutions. The Association

recognizing the latitude presently used in defining teacher preparation programs as competency-based or performance-based, believes it is important to specify standards for such programs in order to: (1) deal with emerging definitional issues and problems and (2) effectively conduct interstate relations in matters of teacher education and certification. Consequently, the standards which follow are intended to apply to all competency-based and performance-based teacher education programs so recognized and reported by the respective state education agency irrespective of whether the institution of higher education offering such programs or the state education agency approving such programs, view the programs as "regular" or as "innovative and experimental."

(1) For each preparation program the institution shall develop and adopt an explicit statement of "program exit" competencies that relate to the entry-level professional role. These competencies must include all of the criteria implicit in the General Standards (48-2.12(3)-S12100) and Specific Standards (48-2.12(3)-S12110) of Subchapter 3.

(2) The institution shall provide a program design (1) relating the competencies (cited in (1) above) to modules, sub-courses or courses, (2) listing the learning activities involved, and (3) specifying the assessment techniques used to verify the attainment of these competencies.

(3) To determine program effectiveness, the institution shall formally assess follow-up data to determine the relationship between "exit" competencies and initial professional role performance. Such assessment should be the basis for continuous program development.

(4) The institution's performance in the developing and verifying a candidate's role competency and in collecting and using follow-up data shall be determined by an on-site evaluation team designated by the state education agency.

4. The Board is proposing this rule to fulfill their constitutional authority to ensure reasonable training for teachers, supervisors, and administrators as dictated under Montana school law 75-6002, and to provide a base to work cooperatively with other states in teacher certification.

5. Interested persons may present their data, views or arguments, either orally or in writing, at the hearing. Written data, views or arguments may be submitted to Earl J. Barlow, Chairman of the Board of Public Education, 33 South Last Chance Gulch, Helena, Montana 59601, at any time prior to October 16, 1978. Written data, views or arguments received by the Board after October 16, 1978, or post mark dated after October 16, 1978, may not be considered in the adoption of the rule.

6. Mr. Rick Reese, Assistant to the Board of Public Education, has been designated to preside over and conduct the hearing.

7. The authority of the agency to make the proposed rule is based on sections 75-6001 and 75-6002, R.C.M. 1947.

Earl J. Barlow

CHAIRMAN
Board of Public Education

Certified to the Secretary of State August 15, 1978

10-8/24/78

MAR 48-3-9

BEFORE THE STATE AUDITOR
AND EX OFFICIO COMMISSIONER OF INSURANCE
OF THE STATE OF MONTANA

In the matter of the adoption) NOTICE OF ADOPTION OF A RULE
of a rule relating to the re-) PERTAINING TO REPLACEMENT OF
placement of life insurance) LIFE INSURANCE, AND THE REPEAL
and the repeal of rules 6-2.6) OF RULES FOUND IN SUB-CHAPTER 2
(2)-S650, 6-2.6(2)-S660, 6-2) (REPLACEMENT OF LIFE INSURANCE)
.6(2)-S670 and 6-2.6(2)-S680)
found in Sub-Chapter 2.)

To: All Interested Persons:

1. On February 24, 1978, The Commissioner of Insurance published notice at page 157 of the 1978 Montana Administrative Register, Issue No. 2, notice of public hearing for the adoption of a rule concerning Replacement of Life Insurance and repeal of rules pertaining to life insurance solicitation and sales.

2. The proposed rule has been adopted.

3. Rules found on pages 6-20 through 6-22 of the Administrative Rules of Montana under Sub-Chapter 2 have been repealed.

4. Consideration was given to the comments and testimony received at the hearing. The Commissioner of Insurance has adopted the rule because it will protect the interests of life insurance owners by establishing minimum standards to be applied in the replacement of any such policies or contracts.

5. The adoption of these rules is to become effective December 15, 1978.


Josephine M. Driscoll

Chief Deputy Commissioner of Insurance

Certified to the Secretary of State August 15, 1978.

6-2.6(2)-S561 AUTHORITY.

(1) This rule is adopted and promulgated by the Commissioner of Insurance pursuant to Section 40-2710 R.C.M. 1947 and implements 40-3505. R.C.M. 1947.

(2) PURPOSE. The purpose of this regulation is:

(a) To regulate the activities of insurers and agents with respect to the replacement of existing life insurance.

(b) To protect the interests of life insurance policyowners by establishing minimum standards of conduct to be observed in the replacement or proposed replacement of existing life insurance by:

(i) Assuring that the policyowner receives information with which a decision can be made in his or her own best interests;

(ii) Reducing the opportunity for misrepresentation and incomplete disclosures; and

(iii) Establishing penalties for failure to comply with the requirements of this regulation.

(3) DEFINITION OF REPLACEMENT. "Replacement" means any transaction in which new life insurance is to be purchased, and it is known or should be known to the proposing agent, or to the proposing insurer, if there is no agent, that by reason of such transaction existing life insurance has been, or is to be:

(a) Lapsed, forfeited, surrendered, or otherwise terminated:

(b) Converted to reduced paid-up insurance, continued as extended term insurance, or otherwise reduced in value by the use of nonforfeiture benefits or other policy values;

(c) Amended so as to effect either a reduction in benefits or in the term for which coverage would otherwise remain in force or for which benefits would be paid.

(d) Reissued with any reduction in cash values; or

(e) Pledged as collateral or subjected to borrowing, whether in single loan or under a schedule or borrowing over a period of time, in amounts exceeding twenty-five percent (25%) of the loan value set forth in the policy.

(4) OTHER DEFINITIONS.

(a) "Existing Life Insurance" means any life insurance in force including life insurance under a binding or conditional receipt or a life insurance policy that is within an unconditional refund period, but excluding life insurance obtained through the exercise of a dividend option.

(b) "Existing Insurer" means the insurance company whose policy is or will be changed or terminated in such a manner as described within the definition of "replacement".

(c) "Replacing Insurer" means the insurance company that issues a new policy which is a replacement of existing life insurance.

(d) "Cash Dividend" means the current illustrated dividend which can be applied toward payment of the gross premium.

(e) "Generic Name" means a short title which is descriptive of the premium and benefit patterns of a policy or a rider.

(f) "Conservation" means any attempt by the existing insurer or its agent to continue existing life insurance in force when it has received proper notice as required by (7)(c)(iv) of this regulation from a replacing insurer that the existing life insurance is or will be replaced.

(g) "Sales Proposal" means individualized sales aids of all kinds which are designed to justify the replacement or conservation of existing life insurance and used by an insurer, agent, or broker for presentation to policyowners. Sales aids of a generally descriptive nature, which are maintained in the insurer's advertising compliance file, shall not be considered a sales proposal within the meaning of this definition.

(h) "Direct-Response Sales" means any sale of life insurance where the insurer does not utilize an agent in the sale or delivery of the policy.

(5) EXEMPTIONS. Unless otherwise specifically included, this Regulation shall not apply to:

- (a) Annuities;
- (b) Individual credit life insurance;
- (c) Group life insurance, group credit life insurance, and life insurance policies issued in connection with a pension, profit sharing or other benefit plan qualifying for tax deductibility of premiums, provided, however, that as to any plan described in this sub-section, full and complete disclosure of all material facts shall be given to the administrator of any plan to be replaced;
- (d) Variable life insurance under which the death benefits and cash values vary in accordance with unit values of investments held in a separate account; or
- (e) Where the application is made to the existing insurer that issued the existing life insurance and a contractual change or conversion privilege is being exercised; or
- (f) When the existing life insurance is a non-convertible term life insurance policy which will expire in five years or less and cannot be renewed.

(6) DUTIES OF AGENTS.

- (a) Each agent shall submit to the replacing insurer with or as part of each application for life insurance:
 - (i) A statement signed by the applicant as to whether or not such insurance will replace existing life insurance; and
 - (ii) A signed statement as to whether or not the agent knows replacement is or may be involved in the transaction.
- (b) Where a replacement is involved, the agent shall:
 - (i) Obtain with or as part of each application a list of all existing life insurance to be replaced. Such existing life insurance shall be identified by name of insurer and the policy number. In the event that a policy number has not been assigned by the existing insurer, alternative identification information, such as an application or receipt number, must be listed.
 - (ii) Present to the applicant, not later than at the time of taking the application, a "Notice Regarding Replacement of Life Insurance" in the form substantially as described in Exhibits A or B, whichever is applicable. The Notice must be signed by the agent and receipt of it acknowledged by the applicant. A copy of the Notice must be left with the applicant.
 - (iii) Submit to the replacing insurer with the application, a copy of the "Notice Regarding Replacement of Life Insurance", signed by the agent and receipt of it acknowledged by the applicant, a copy of all sales proposals used for presentation to the applicant and a separate statement including the information described in (6)(b)(i), unless such information is included in the application.

(7) DUTIES OF REPLACING INSURERS. Each replacing insurer shall:

- (a) Inform its field representatives of the requirements of this Regulation.

(b) Require with or as part of each completed application for life insurance:

(i) A statement signed by the applicant as to whether or not such insurance will replace existing life insurance; and

(ii) A statement signed by the agent as to whether or not he or she knows replacement is or may be involved in the transaction.

(c) Where a replacement is involved:

(i) Require with or as part of each application for life insurance a list of all of the applicant's existing life insurance to be replaced. Such existing life insurance shall be identified by name of insurer and the policy number. In the event that a policy number has not been assigned by the existing insurer, alternative identification information, such as an application or receipt number, must be listed.

(ii) Require from the agent with the application for life insurance a copy of the "Notice Regarding Replacement of Life Insurance" signed by the agent and receipt of it acknowledged by the applicant, and a copy of all sales proposals used for presentation to the applicant.

(iii) Unless otherwise modified by the provisions of (7) (c)(iv) or (v) of the Regulation, furnish to the applicant a Policy Summary in accordance with the provisions of the Life Insurance Solicitation Regulation.

(iv) Delay, if it is not also the existing insurer, the issue of its policy for twenty days after it sends the existing insurer a written communication that includes the name of the insured, the identification information with respect to the existing life insurance to be replaced that it obtained pursuant to (7)(c)(i), and a copy of the Policy Summary, unless it provides in its "Notice Regarding Replacement of Life Insurance" and in either its policy or in a separate written notice that is delivered with the policy that the applicant has a right to an unconditional refund of all premiums paid, which right may be exercised within a period of twenty days commencing from the date of delivery of the policy, and it sends the written communication required by this section to the existing insurer within three working days of the date its policy is issued, in which event the replacing insurer may issue its policy immediately.

(v) Provide, if it is also the existing insurer, the policyowner a Policy Summary for the new policy prepared in accordance with (7)(c)(iii), prior to accepting the applicant's initial premium or premium deposit, unless the replacing insurer provides in its "Notice Regarding Replacement of Life Insurance" and in either its policy or in separate written notice that is delivered with the policy that the applicant has a right to an unconditional refund of all premiums paid, which right may be exercised within a period of twenty days commencing from the date of delivery of the policy, in which event, the replacing insurer must furnish the Policy Summary at or prior to delivery of the policy.

(vi) Maintain copies of the written communication required by (7)(c)(iv), the "Notice Regarding Replacement of Life Insurance", the Policy Summary, and all sales proposals used, and a replacement register, cross indexed, by replacing agent and existing insurer to be replaced, for at least three years or until the conclusion of the next succeeding regular examination by the Insurance Department of its state of domicile, whichever is later.

(8) DUTIES OF INSURERS WITH RESPECT TO DIRECT-RESPONSE SALES. Each insurer shall:

(a) Inform its responsible personnel of the requirements of this Regulation.

(b) Require with or as part of each completed application for life insurance a statement signed by the applicant as to whether or not such insurance will replace existing life insurance.

(c) Where no replacement is proposed by an insurer in the solicitation of a direct-response sale and a replacement is involved:

(i) At the time the policy is mailed to the applicant, include a "Notice Regarding Replacement of Life Insurance" in a form substantially as described in Exhibit C.

(d) Where a replacement is proposed by an insurer in the solicitation of a direct-response sale a replacement is involved:

(i) Request from the applicant with or as part of the application a list of all existing life insurance to be replaced. Such existing life insurance shall be identified by the name of insurer.

(ii) If the applicant furnishes the name of the existing insurers, then the replacing direct-response insurer shall mail the applicant a "Notice Regarding Replacement of Life Insurance" in a form substantially as described in Exhibit C within three working days after receipt of the application and shall comply with all of the provisions of (7)(c)(iii), (iv), (v), and (vi), except that it need not maintain a replacement register required by (7)(c)(vi).

(iii) If the applicant does not furnish the names of the existing insurers, then the replacing direct-response insurer shall at the time the policy is mailed to the applicant, include a "Notice Regarding Replacement of Life Insurance" in a form substantially as described in Exhibit C.

(9) DUTIES OF THE EXISTING INSURER. Each existing insurer which undertakes a conservation effort shall:

(a) Furnish the policyowner with a Policy Summary for the existing life insurance within twenty days from the date it receives the written communication required by (7)(c)(iv) from the replacing insurer. Such Policy Summary shall be completed in accordance with the provisions of the Life Insurance Solicitation Regulation, except that information relating to premiums, cash values, death benefits and dividends, if any shall be computed from the current policy year of the existing life insurance. The Policy Summary shall include the amount of any out-

standing policy indebtedness, the sum of any dividend, accumulations or additions, and may include any other information that is not in violation of any regulation or statute. Life insurance cost index and equivalent level annual dividend figures need not be included in the Policy Summary. If index figures are included in the Policy Summary, the policyowner must be notified at the time the Policy Summary is delivered that such figures should only be used for comparing the relative costs of similar policies.

(b) Furnish the replacing insurer with a copy of the Policy Summary for the existing life insurance within three working days of the date that the Policy Summary is sent by the existing insurer to either its agent or directly to the policyowner.

(c) Maintain a file containing the following:

(i) Written communication required by (7)(c)(iv) received from replacing insurers; and

(ii) Copies of Policy Summaries prepared pursuant to (9)

(a), and all sales proposals used.

This material shall be indexed by replacing insurer and held for three years or until the conclusion of the next regular examination conducted by the Insurance Department of its domicile whichever is later.

(10) PENALTIES

(a) Any insurer, agent, representative, officer or employee of such insurer failing to comply with the requirements of this regulation shall be subject to such penalties as may be appropriate under the Insurance Laws of Montana.

(b) This regulation does not prohibit the use of additional material other than that which is required that is not in violation of this regulation or any other Montana statute or regulation.

(c) Policyowners have the right to replace existing life insurance after indicating in or as part of the applications for life insurance that such is not their intention; however, patterns of such action by policyowners who purchase the replacing policies from the same agent shall be deemed prima-facie evidence of the agent's knowledge that replacement was intended in connection with the sale of those policies, and such patterns of action shall be deemed prima-facie evidence of the agent's intent to violate this regulation.

EXHIBIT A

(To be used where the existing and proposed policies are written by different companies.)

(Name, address and telephone number
of the insurance company)

IMPORTANT NOTICE REGARDING REPLACEMENT OF LIFE INSURANCE

Our agent is recommending to you that you purchase a life insurance policy from us. In connection with this purchase, you have indicated, either as a result of his recommendation or at your own initiative, that you may terminate or change your existing policy issued by another insurance company or that you

may obtain a loan from that company against your policy to pay premiums on the proposed policy. Any of these actions is a replacement of life insurance, and this notice is required. Please read it carefully.

Whether it is to your advantage to replace your existing insurance coverage, only you can decide. It is in your best interest, however, to have adequate information before your decision to replace your present coverage becomes final so that you may understand the essential features of the proposed policy and of your existing insurance coverage.

To this end, we are required to give you a Policy Summary of the proposed policy no later than when the policy is delivered to you. In addition, we are required to notify the insurance company that issued your existing policy. That company may then furnish you with a similar Policy Summary of your existing policy. You may want to contact that company or its agent for additional information and advice or discuss your purchase with other advisors. The information you receive will be of value to you in reaching a final decision.

After we have received your application and notified the other insurance company (which we are required to do by state regulation at the time we issue your policy), you will have twenty days from the date the proposed policy is delivered to you to cancel the policy issued on your application and receive back all payments you made to us.*

*(Alternate Paragraph if 20 day money-back guarantee is not provided)

Please note that, by state regulation, we must delay the issuance of any policy which is intended to replace any of your existing insurance for twenty days from the date on which we send your existing insurer notification that their policy will be replaced.

You should recognize that a policy which has been in existence for a period of time may have certain advantages to you over a new policy. If the policy coverages are basically similar, the premiums for a new policy may be higher because rates increase as your age increases. Under your existing policy, the period of time during which the issuing company could contest the policy because of a material misstatement or omission on your application, or deny coverage for death caused by suicide, may have expired or may expire earlier than it will under the proposed policy. Your existing policy may have options which are not available under the policy being proposed to you or may not come into effect under the proposed policy until a later time during your life. Also, your proposed policy's cash values and dividends, if any, may grow slower initially because the company will incur the cost of issuing your new policy. On the other hand, the proposed policy may offer advantages which are more important to you.

If you are considering borrowing against your existing policy to pay the premiums on the proposed policy, you should understand that in the event of your death the amount of any

Montana Administrative Register 10-8/24/78

unpaid loan, including unpaid interest, will be deducted from the benefits of your existing policy thereby reducing your total insurance coverage.

CAUTION

If, after studying the information made available to you, you do decide to replace the existing life insurance with our life insurance policy, you are urged not to take action to terminate or alter your existing life insurance coverage until after you have been issued the new policy, examined it and have found it to be acceptable to you. If you should terminate or otherwise materially alter your existing coverage and fail to qualify for the life insurance for which you have applied, you may find yourself unable to purchase other life insurance or able to purchase it only at substantially higher rates.

by _____
Agent or Employee

I have received and read a copy of this Replacement Notice.

(Signed) _____ Date _____
Applicant

EXHIBIT B

(To be used where the existing and proposed policies are written by the same company.)

(Name, address and telephone number
of the insurance company)

IMPORTANT NOTICE REGARDING REPLACEMENT OF LIFE INSURANCE

Our agent is recommending to you that you purchase a life insurance policy from us. In connection with this purchase, you have indicated, either as a result of his recommendation or at your own initiative, that you may terminate or change your existing policy issued by our company or that you may obtain a loan from our company against your existing policy to pay premiums on the proposed policy. Any of these actions is a replacement of life insurance, and this notice is required. Please read it carefully.

Whether it is to your advantage to replace your existing insurance coverage, only you can decide. It is in your best interest, however, to have adequate information before your decision to replace your present coverage becomes final so that you may understand the essential features of the proposed policy and of your existing insurance coverage.

To this end, we are required to give you a Policy Summary of the proposed policy no later than when the policy is delivered to you. In addition, we will, at your request, furnish you with a similar Policy Summary of your existing policy. You may want to discuss your purchase with other advisors. The information you receive will be of value to you in reaching a final decision.*

*(Alternate Paragraph if 20 day money-back guarantee is provided)

After we have issued your policy, you will have twenty days from the date the new policy is delivered to you to cancel the policy issued on your application and receive back all payments you made to us.

You should recognize that a policy which has been in existence for a period of time may have certain advantages to you over a new policy. If the policy coverages are basically similar, the premiums for a new policy may be higher because rates increase as your age increases. Under your existing policy, the period of time during which our company could contest the policy because of a material misstatement or omission on your application, or deny coverage for death caused by suicide, may have expired or may expire earlier than it will under the proposed policy. Your existing policy may have options which are not available under the policy being proposed to you or may not come into effect under the proposed policy until a later time during your life. Also, your proposed policy's cash values and dividends, if any, may grow slower initially because the company will incur the cost of issuing your new policy. On the other hand, the proposed policy may offer advantages which are more important to you.

If you are considering borrowing against your existing policy to pay the premiums on the proposed policy, you should understand that in the event of your death, the amount of any unpaid loan, including unpaid interest, will be deducted from the benefits of your existing policy thereby reducing your total insurance coverage.

CAUTION

If, after studying the information made available to you, you do decide to replace the existing life insurance with our company with a new life insurance policy issued by our company, you are urged not to take action to terminate or alter your existing life insurance coverage until after you have been issued the new policy, examined it and have found it acceptable to you. If you should terminate or otherwise materially alter your existing coverage and fail to qualify for the life insurance for which you have applied, you may find yourself unable to purchase other life insurance or able to purchase it only at substantially higher rates.

By _____
Agent or Employee

I have received and read a copy of this Replacement Notice.

(Signed) _____ Date _____
Applicant

EXHIBIT C

(Name, address and telephone number
of the insurance company)

IMPORTANT NOTICE REGARDING REPLACEMENT OF LIFE INSURANCE

You have indicated that you intend to replace an existing life insurance policy or policies in connection with the purchase of our life insurance policy. As a result, we are required to send you this notice. Please read it carefully.

Whether it is to your advantage to replace your existing insurance coverage, only you can decide. It is in your best interest, however, to have adequate information before your decision to replace your present coverage becomes final so that you may understand the essential features of the proposed policy and your existing insurance coverage.

You may want to contact your existing life insurance company or its agent for additional information and advice or discuss your purchase with other advisors. The information you receive should be of value to you in reaching a final decision.

You should recognize that a policy which has been in existence for a period of time may have certain advantages to you over a new policy. If the policy coverages are basically similar, the premiums for a new policy may be higher because rates increase as your age increases. Under your existing policy, the period of time during which the issuing company could (contest the policy because of a material misrepresentation or omission concerning the medical information requested in your application, or)* deny coverage for death caused by suicide, may have expired or may expire earlier than it will under the proposed policy. Your existing policy may have options which are not available under the policy being proposed to you or may not come into effect under the proposed policy until a later time during your life. Also, your proposed policy's cash values and dividends, if any, may grow slower initially because the company will incur the cost of issuing your new policy. On the other hand, the proposed policy may offer advantages which are more important to you.


If you are considering borrowing against your existing policy to pay the premiums on the proposed policy, you should understand that in the event of your death, the amount of any unpaid loan, including unpaid interest, will be deducted from the benefits of your existing policy thereby reducing your total insurance coverage.**

**(Alternate paragraph if direct-response insurer's solicitation proposes replacement, and a twenty-day money-back guarantee is provided by the insurer.)

After we have issued your policy, you will have twenty days from the date the new policy is received by you to notify us you are cancelling the policy issued on your application and you will receive back all payments you made to us.

You are urged not to take action to terminate or alter your existing life insurance coverage until you have been issued the new policy, examined it and have found it acceptable to you.

* Use bracketed language only when the application asks health questions.


Josephine M. Driscoll
Chief Deputy
Commissioner of Insurance

Certified to the Secretary of State August 15, 1978.

BEFORE THE DEPARTMENT OF FISH AND GAME
OF THE STATE OF MONTANA

In the matter of the adoption) NOTICE OF ADOPTION OF
of Rule 12-2.6(3)-S6180 relating) RULE 12-2.6(3)-S6180
to the sale of unused or outdated)
stamps)

TO: All Interested Persons

1. On June 23, 1978, the Department of Fish and Game published notice of a proposed adoption of a rule concerning the sale of unused or outdated stamps on page 826 of the 1978 Montana Administrative Register, issue No. 6.

2. The agency has adopted the rule as proposed.

3. No comments or testimony were received. The department has adopted the rule to make hunting and fishing stamps available for purchase by the general public after the license year for which they are valid, and provide an orderly and fair process for the sale of these stamps.

BEFORE THE DEPARTMENT OF FISH AND GAME
OF THE STATE OF MONTANA

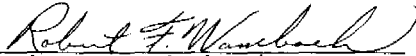
In the matter of the amendment) NOTICE OF AMENDMENT
of Rule 12-2.10(6)-S1080) OF RULE 12-2.10(6)-S1080
relating to regulations for)
outfitters and guides)

TO: All Interested Persons

1. On June 23, 1978, the Department of Fish and Game published notice of a proposed amendment of a rule concerning outfitters and guides regulation, on page 828 of the 1978 Montana Administrative Register, issue No. 6.

2. The agency has amended the rule as proposed.

3. No comments or testimony were received. The department has amended the rule to bring the regulations into compliance with current applicable statutes.



Robert F. Wambach, Director
Montana Department of Fish & Game

Certified to the Secretary of State August 9, 1978

10-8/24/78

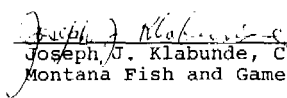
Montana Administrative Register

BEFORE THE FISH AND GAME COMMISSION
OF THE STATE OF MONTANA

In the matter of the adoption)	NOTICE OF ADOPTION OF
of Rule 12-2.10(14)-S10195)	RULE 12-2.10(14)-S10195
relating to Castle Rock)	
Reservoir regulations)	

TO: All Interested Persons

1. On May 25, 1978, the Fish and Game Commission published notice of a proposed adoption of a rule concerning regulations on Castle Rock Reservoir on page 655 of the 1978 Montana Administrative Register, issue No. 5.
2. The agency has adopted the rule with the modification noted below.
3. Oral comment was received from the Administrative Code Committee that attempted removal of liability for these waters would be beyond the authority of the commission. There being no objection to its deletion, the second sentence of subsection (2) was omitted. The commission has adopted the rule to provide for orderly management of the public's activities on a reservoir owned and operated by a nonpublic agency.



Joseph J. Klabunde, Chairman
Montana Fish and Game Commission

Certified to the Secretary of State August 9, 1978

BEFORE THE BOARD OF HEALTH AND ENVIRONMENTAL SCIENCES
OF THE STATE OF MONTANA

In the matter of the adoption)
of rule ARM 16-2.14(10)-S14465) NOTICE OF THE ADOPTION
regarding an in-situ mining of) OF RULE
uranium control system.) ARM 16-2.14(10)-S14465

TO: All Interested Persons

1. On March 15, 1978, the Board of Health and Environmental Sciences published notice of a proposed adoption of a rule (ARM 16-2.14(10)-S14465) concerning an in-situ mining of uranium control system at page 299 of the 1978 Montana Administrative Register, issue number 3.

2. The agency has adopted the rule with the following changes:

16-2.14(10)-S14465 MONTANA IN-SITU MINING OF URANIUM
CONTROL SYSTEM

(1) Purpose. Same as proposed rule.

(2) Definitions. "Aquifer" through "Clean-up Parameters", same as proposed rule.

"Clean-up Trend" means a reduction or declining trend which is consistent with time in all clean-up parameter values in a monitor well affected by leaching chemicals. This declining trend must continue until the parameters return to below upper limit values. ~~by-at-least-50%-within-14-days-and-at-least-90%-within-21-days-after-the-date-of-the-verifying-analysis.~~
~~Failure-to-achieve-the-indicated-reduction-within-either-period-of-time-means-that-an-adequate-clean-up-trend-has-not-been-accomplished---The-percentage-reduction-shall-be-calculated-using-the-following-formula:~~

$$\frac{V - V_i}{V - V_U} \times 100$$

~~V = Verifying analysis value~~

~~V_U = Upper limit for the affected mine area~~

~~V_i = Value determined on an individual day~~

"Control Parameters" through "Mine Plan", same as proposed rule.

"Monitoring Well" means any well from which samples are required by the department to be taken periodically and analyzed for control or clean-up parameters to detect an excursion.

"Montana In-situ Mining of Uranium Control System (MIMUCS)" through "Non-production Zone", same as proposed rule.

"Owner or operator" means any person who owns, leases, operates, controls, or supervises a source discharging to groundwater pollutants for purposes of uranium solution mining.

"Permit Area" and "Pilot Testing", same as proposed rule.

"Pollutant" means dredged spoil, tailings pond effluent, solid waste, sewage, garbage, chemical solutions, chemical wastes, biological materials, radioactive materials, heat,

industrial processing wastes, and all other substances related to in-situ mining that may pollute state waters.

"Production Area" through "Recovery Wells", same as proposed rule.

"Sample Well" means any well from which a water sample is taken for the purpose of obtaining baseline water quality.

"Source" through "Waste Disposal Well", same as proposed rule.

(3) Need for MIMUCS Permit. Same as proposed rule.

(4) Supplemental Information to be Submitted with MIMUCS Permit Application. Same as proposed rule.

(a) Same as proposed rule.

(i) Topographic map with ten foot contour intervals and an enlargement of a recent aerial photograph, both at 1:24,000 scale, locating the proposed site; other existing mining sites within two miles; the proposed production areas for the life of the mine; major project facilities; and the flow of surface runoff traced from the mine area to the nearest major water-course or lake.

(ii) Plan view of the leased area accurately locating the proposed production areas, production facilities, and ownership of all lands within two miles of the mine site.

(iii) and (iv) Same as proposed rule.

(v) Geology. A geologic map at a scale of 1:24,000 and an accompanying description covering an area at least ~~two~~ one miles from the mine site. Cross-sectional views taken at right angles to each other through the production areas illustrating geologic features from the surface to a depth including at least the first underlying aquifer below the production zone shall be submitted. Cross sections shall include logs correlated between bore holes and any geophysical logs taken. The spacing between ~~parallel~~ cross sections shall be ~~250-or-500 feet~~ sufficient to clearly depict the subsurface geology of the production areas, as the department may direct. Aquifers, geologic units, lithology and all faults, fracture zones and underground solution channels shall be clearly shown and a written description provided. Structural contour map(s) with ten foot contour intervals depicting the base of each production zone shall be submitted.

(vi) and (vii) Same as proposed rule.

~~(A)--Hydraulic gradient map of the production area aquifers within a two-miles radius of the mine site showing average piezometric level elevations and magnitude of natural variations determined over a period sufficient to define seasonal variations of the piezometric surface.--Piezometric level elevations shall be correlated to barometric pressure.--All observation wells and other data points shall be indicated on the map--~~

(A) Hydraulic gradient map of the production area aquifers within a one-mile radius of the mine site showing average

elevation of the natural water level trend at each well. Elevations and magnitude of natural variations shall be determined over a period sufficient to define seasonal variations of the piezometric surface. All observation wells and other data points shall be indicated on the map.

(B) and (C) Same as proposed rule.

(D) A tabulation and map of appropriate scale of all water wells within a two-mile radius of the mine area. If reasonably ascertainable, water levels, well yields, producing aquifer ~~being-produced~~ and the use, including but not limited to domestic, stock, irrigation use, shall be indicated. The distance and direction to the nearest municipal water supply well shall be shown.

(E) through (H) Same as proposed rule.

~~(i) -- A listing of all alluvial aquifers within two miles of the mine site and special provisions proposed to prevent their contamination.~~

(I) Location and map of any natural discharge areas (springs, seeps, evapotranspiration, and groundwater inflow into streams) of the production area aquifers within one mile of the mine area.

(b) and (c), (i)(A) and (B) Same as proposed rule.

(C) Maps showing the placement into the production zone of a minimum of four baseline sample wells in the production area and a minimum of eight additional wells in the production vicinity for production areas up to 24 acres in size. For production areas larger than 24 acres, there shall be sufficient ~~a minimum of one~~ sample wells to accurately describe baseline groundwater quality in the production vicinity ~~for each two acres of production area~~. Sample wells generally shall be located uniformly and symmetrically through the area being sampled. The production vicinity wells shall typically be located to obtain samples representative of an area three times the production area.

(D) Maps showing the placement of production zone monitoring wells. These wells shall be shown through the entire production zone interval, located no greater than 400 feet from the production area, and spaced no greater than 400 feet between centers. Additionally, the angle formed by lines drawn from any production or injection well to the two nearest monitor wells shall not be greater than 75 degrees. Tighter spacings may be required in recognition of the effects of directional hydraulic conductivity.

(E) Maps showing the placement of monitor wells for non-production zone aquifers. These wells shall be placed in the production area as approved by the department ~~adjacent to each of the four indicated production zone wells~~ and completed into the first underlying and first overlying aquifers. Plans for each of these wells shall demonstrate that construction will preclude hydrologic connection with any other aquifer and that these wells shall be sampled for baseline.

(F) A description of the baseline sampling to be carried on over a reasonable period of time, generally at least during a seasonal recharge and a seasonal discharge period, to define any natural time variation in the quality of the groundwater. External monitoring wells may be sampled during mining to indicate changes in baseline due to influx of surrounding natural groundwaters. The averages of the parameter values determined for each well in a particular production or mine area will be the baseline for that well. Cleanup and control parameter upper limits will also be determined from these analyses.

(G) Same as proposed rule.

(d) Same as proposed rule.

(e) Well completion. Proposed installation of injection, production, water quality sampling, and monitoring wells shall be ~~described to include:~~ approved by the department. The description of well completion shall include:

(i) through (iv) Same as proposed rule.

(f)(i) through (ii) Same as proposed rule.

(iii) The typical range in composition of injected fluids.

(iv) through (viii) Same as proposed rule.

(g) through (j) Same as proposed rule.

(5) Pilot Testing. Same as proposed rule.

(a) through (c) Same as proposed rule.

(d) Aquifer restoration following the test shall be required by the department as appropriate.

(6) Processing procedures for MIMUCS permit applications. Same as proposed rule.

(7) Issuance or Denial of a MIMUCS Permit.

(a) The department shall take final action on a MIMUCS permit application no later than 180 days after receipt of a completed MIMUCS application.

~~4a~~ (b) After making the final determination to deny a MIMUCS permit or issue a MIMUCS permit with specified conditions and terms, the department shall:

(i) Proceed to issue a MIMUCS permit, or

(ii) Give written notice to the applicant of the department's action to deny the MIMUCS permit, providing reasons why the application is denied.

(8) Conditions of MIMUCS Permit. Same as proposed rule.

(a) through (f) Same as proposed rule.

(g)(i)(A) through (D) Same as proposed rule.

(E) Samples shall be taken routinely from the wells referenced in subsections ~~4a(e)4b(6)-and~~ (4)(c)(i)(D) of this rule as directed by the department and analyzed for the control and clean-up parameters designated for that production zone. Water level measurements shall accompany sample taking.

(F) Same as proposed rule.

(G) Injection pressure and annulus pressure of all pressure-operated waste disposal wells shall be monitored on a continuous basis.

(6) (H) In aquifers which have baseline water quality of over 10,000 milligrams per liter of total dissolved solids, or are otherwise unfit for use, the department may modify the monitoring procedure required.

(ii) Same as proposed rule.

(A) If an excursion is indicated, minimum actions to be taken by the permittee shall include verifying analyses and an investigation within 24 hours to determine the cause; notification of department; adjustment of production pumping, water level measurements and ~~daily~~ weekly sampling until correction is accomplished; addition of secondary wells if a clean-up trend is not established after 28 days; termination of leaching fluid injection, if required by the department; and weekly ~~monthly~~ reporting of actions, progress, and planned additional actions.

(B) Secondary wells to determine the extent of an excursion shall be drilled and shall be spaced no farther than 50 100 feet beyond the affected well, and shall be completed in the same aquifer as the affected well. If analysis indicates that leachates are not present in the secondary well, the operator shall continue analyzing samples taken every day ~~week~~ from the secondary and affected monitoring wells until the affected well is returned to clean-up parameter values equal to or less than the upper limit values.

If analyses indicate that leachates are present in the secondary well, the operator shall terminate the addition of leaching agents to the circulated fluids in the affected mine area within a minimum radius of 500 feet of the affected monitor well or as otherwise instructed by the department. The operator shall continue drilling additional secondary monitor wells as required by the department until the extent of the leachate migration has been established. ~~Daily~~ Weekly sampling of any and all secondary and affected monitoring wells shall continue until the values determined from clean-up parameter analyses are less than the upper limit values for ~~five~~ three consecutive sampling days ~~periods~~ and until the department is notified of the operator's intent to resume routine sampling.

(C) Same as proposed rule.

~~(D)--Groundwater-quality-in-all-affected-monitor-wells shall-be-retained-to-or-below-the-upper-limit-values-within-90-days-of-completing-the-verifying-analysis-~~

~~(E)--As-a-requirement-for-the-issuance-of-a-permit-or-at-any-time-during-the-permit-period-the-department-may-require-that-specified-reducing-agents-or-other-chemicals-be-kept-on-the-production-site-in-forms-and-quantities-that-would-allow-prompt-injection-in-specified-production-monitoring-or-secondary-wells-to-precipitate-radioactive-or-toxic-materials-leached-from-the-ore-body-should-they-contribute-to-a-dangerous-excursion--Should-such-an-excursion-occur-the-department-may-require-the-prompt-injection-of-such-specified-chemicals-~~

(iii) Same as proposed rule.

- (h) Same as proposed rule.
- (i) Routine monitoring reports. Routine monitoring data shall be reported ~~monthly~~ quarterly to the department on forms supplied by the department with a narrative analyzing the data. The ~~monthly~~ quarterly reports shall be due within ten calendar days after the end of each ~~month~~ quarter.
- (ii) Corrective actions reports. In the event of a verified excursion condition, the operator shall prepare and submit a written corrective action report every ~~week~~ month. This report, at a minimum, shall include:
 - (A) a description of corrective actions taken during the ~~week~~ month preceding the date of the report;
 - (B) the corrective actions to be taken in the following ~~week~~ month;
 - (C) sample analysis values presented in tabular and graphic form with a narrative analyzing the data. The report shall be postmarked within two days after the end of each report period, Saturdays, Sundays, and holidays excepted. The first report period shall begin with the day the excursion was verified. The operator shall continue to make corrective actions reports every ~~week~~ month until clean-up is accomplished.
- (iii) Same as proposed rule.
- (i) Same as proposed rule.
- (i) When the in-situ mining of the production area, or portion thereof, is completed, the operator shall notify the department and groundwater quality shall be re-established to levels consistent with the values shown in the restoration table for each mine area. Restoration table values shall be established considering the baseline summary tables, the Public Water Supplies rule as set forth in ARM 16-2.14(10)-SI4381, and other available and reliable reference information. Restoration values specified may be modified by authority of the department if other water quality criteria established by recognized authorities warrant such action. Restoration parameter values shall not be established lower than the baseline values unless variation is shown to be natural or otherwise justified based on the parameters remaining within acceptable water quality limits. Radium-226 concentrations shall be returned to levels established by the department, consistent insofar as possible with the criteria referenced in this paragraph. In aquifers with baseline water quality having total dissolved solids of over 10,000 milligrams per liter or otherwise unfit for use, the department may modify the restoration procedure required.
- (ii) Same as proposed rule.
- (iii) When the operator has accomplished restoration, he shall notify the department and complete an analysis of the baseline wells in the restored area for baseline parameters. He shall also record water levels to demonstrate the pre-mining direction of groundwater flow has been re-established in the restored aquifer. If the final sample analysis indicates

restoration is complete for the designated area, he shall file a written report documenting restoration with the department.

This sampling and analysis procedure shall be repeated at one-month intervals until three additional sample sets have been collected and analyzed. If the sample results confirm that restoration is complete and that the aquifer for the designated area has been returned to a stable condition, the department shall so notify the operator and monitoring and restoration activities in the area may cease.

If the aquifer for the designated area has not been returned to a stable condition at the end of the third month, the operator shall continue restoration efforts and monthly monitoring until it is clear that a stable condition has been achieved in this area and until such condition is acknowledged by the department in writing.

(j)(i) through (x)(A) Same as proposed rule.

(B) For waste disposal wells, ~~Injection~~ injection shall be maintained through tubing with a suitable packer set immediately above the injection zone.

(C) and (D) Same as proposed rule.

(E) For waste disposal wells, ~~Annular~~ annular injection shall not be practiced.

(k) Same as proposed rule.

(i) ~~Reclamation of all surface disturbances shall meet the applicable performance standards of the Montana Strip and Underground Mine Reclamation Act, Section 60-10347, et seq., R.C.M. 1947, and other applicable state and federal laws.~~ Liquids and all toxic solid materials remaining in process or waste disposal ponds shall be disposed of in accordance with a plan approved by the department.

(ii)(A) through (D) Same as proposed rule.

(l) Same as proposed rule.

(m)(i)(A) through (D) Same as proposed rule.

(ii) Data required by subsection (4) to be submitted to the department by the applicant shall be amended as additional data is gathered under subsection ~~(n)~~(m).

(n) Duration of MIMUCS permit. Every permit issued under this rule shall have a fixed term not to exceed five ten years.

(9) Modification of Conditions and Terms of MIMUCS Permits. Modifications of the permit conditions may be made by the department in light of new or more extensive information gathered on subsurface geology, hydrology, or water quality. Modifications shall be made pursuant to Section 69-4807.1, R.C.M. 1947.

(10) Sampling, Preservation, Analysis and Quality Control. Same as proposed rule.

(a) Same as proposed rule.

(i) To obtain a valid sample, the sample well shall be pumped until water is produced that is essentially free of mud and foreign material. As samples are taken during baseline or

routine sampling, the sample well shall be pumped to evacuate a volume of water that is at least equal to the volume of water contained in the casing between the surface and aquifer being sampled. After one casing volume has been discharged, the stream of water shall be measured every ten minutes for temperature, specific conductance and pH until three consecutive measurements remain relatively constant in temperature, specific conductance and pH. The baseline sample shall be taken immediately after the third reading, the term, relatively constant, means that the three temperature readings fall within a range of not more than 1° C., the three specific conductance readings fall within a range of not more than 100 µmho/cm and the three pH readings fall within a range of not more than 0.2 0.5. Excessive waters pumped from the defined ore body shall be directed to retention or disposal facilities.

(ii) Same as proposed rule.

(11) Reissuance of MIMUCS Permit. Same as proposed rule.

(a) through (c) Same as proposed rule.

(d) Following the review of the request for reissuance of a MIMUCS permit and the other considerations described in subsection (c) above, the department shall make a tentative determination to reissue or refuse ~~to reissue~~ reissuance of a MIMUCS permit.

(e) (i) through (iv) Same as proposed rule.

(f) The department shall take final action on a request for reissuance no later than 180 days after receipt of the information required by subsections (b) and (c) of this section.

(12) Spills or Unanticipated Discharges. Same as proposed rule.

(13) Public Notice Procedure. Same as proposed rule.

(14) Distribution of Information. Same as proposed rule.

(a) (i) through (xi) Same as proposed rule.

(b) Same as proposed rule.

(c) Interested parties may request or inspect a copy of the draft MIMUCS permit, or any related documents. A reasonable copying fee ~~shall~~ may be charged for any of the aforementioned documents. The copying fee for the documents relating to any particular MIMUCS application will be included as part of the notice of application. A request for MIMUCS application documents shall not be processed unless payment of the stated copying fee is included with the request.

3.a. Public Comment: The Anaconda Company, 1400 Bank and Trust Tower, Corpus Christi, Texas, and Exxon Minerals Company, U.S.A., P. O. Box 2180, Houston, Texas, opposed the definition of "Clean-up Trend" under section (2) of the proposed rule. They argued that the required response times to achieve reductions in clean-up parameters were unrealistically short, based on field operating experience.

Response: It was the opinion of the Board that the argument of Anaconda and Exxon had merit. Accordingly, the definition has been modified to require only the showing of a declining trend in clean-up parameters which is consistent with time, and continues until clean-up parameters return to below upper-limit values.

b. Public Comment: The Anaconda Company commented that there was no definition of "Monitoring Well" contained in section (2).

Response: The Board agreed. Accordingly, a definition has been included.

c. Public Comment: The Department of State Lands, Capitol Station, Helena, Montana, requested a change in wording of the definition of "Owner or operator" under section (2) for clarity.

Response: The Board agreed. The wording has been changed slightly for clarity.

d. Public Comment: The Anaconda Company opposed listing "heat" as a pollutant under the definition of "pollutant".

Response: The Board did not feel strongly about this, because heat will likely not be a problem in in-situ mining, especially with the control exercised on other parameters. Accordingly, "heat" has been removed from the definition.

e. Public Comment: The Anaconda Company opposed the definition of "Production Area" because they felt the present definition restricted the applicant's ability to permit an area larger than that to be included in the first well patterns.

Response: The Board did not see that the present definition limits the permitted area to the first well patterns — sequential production areas could be proposed and included in the permit. Accordingly, the definition has been left the same, but for clarity, "production area" has been changed to "production areas" in sections (4)(a)(i), (4)(a)(ii), and (4)(a)(v).

f. Public Comment: The Anaconda Company commented that there was no definition of "Sample Well" contained in section (2).

Response: The Board agreed. Accordingly, a definition has been included.

g. Public Comment: Wyoming Mineral Corporation, 3900 South Wadsworth Blvd., Lakewood, Colorado, opposed the requirement in section (4)(a)(i) for submittal of a recent aerial photograph because of redundancy and expense.

Response: It was the opinion of the Board that the airphoto is a valuable tool to reveal additional details on the ground. It serves to register initial conditions at a site, and can be used to update cultural features on outdated maps. The Department of State Lands commonly requires an airphoto as a part of submittals for reclamation plans.

h. Public Comment: Wyoming Mineral Corporation expressed concern that showing production areas on maps as required in section (4) (a) (i) and (4) (a) (ii) should be shown as "tentative" to retain flexibility for change in case new information becomes available as mining progresses. They also pointed out this information should be given confidential protection.

Response: It was the Board's position that section (4) (a) (i) does not preclude the flexibility to adjust areas and schedules within reason as mining progresses. The Board has changed "production area" to "production areas" for additional clarity in this regard. The Board has changed "production area" to "proposed production areas" in section (4) (a) (ii) to help imply flexibility.

Section 69-4822, R.C.M. 1947, contains provisions for maintaining confidentiality of information submitted to the department.

i. Public Comment: Exxon Minerals Company commented that the large amount of preliminary information required under section (4) seemed to be excessively expensive to be required on a routine basis.

Response: It was the Board's position that the argument of Exxon had merit and the information requirements of sections (4) (a) (v), (4) (a) (vii) (A), and (4) (a) (vii) (I) has been changed to within a one-mile radius of the mine area.

j. Public Comment: Wyoming Mineral Corporation and Anaconda Company commented that the set 250 or 500 foot spacing for cross sections required in section (4) (a) (v) was too inflexible and not cost effective in some situations.

Response: It was the Board's position that the argument has merit and has changed the wording to require spacing between cross sections to be sufficient to clearly depict the subsurface geology of the production areas.

k. Public Comment: The Department of State Lands commented that in section (4) (a) (vii) (A), average elevation of the water level trend rather than the average water level at each well should be used in constructing the gradient map to eliminate errors.

Response: It was the Board's position that the argument has merit and has changed the wording accordingly.

l. Public Comment: The Department of State Lands commented that the wording in section (4) (a) (vii) (D) should be changed from "aquifer being produced" to "producing aquifer" for clarity.

Response: The Board agreed and the change has been made.

m. Public Comment: The Department of State Lands commented that the natural groundwater discharge areas should be required to be shown under section (4).

Response: It is the Board's position that this comment has merit and has changed section (4) (a) (vi) (I) to require listing of these areas.

n. Public Comment: The Anaconda Company commented that in section (4)(c)(i)(C) the requirement of two baseline sample wells per acre density was too inflexible and not cost effective in all situations.

Response: It is the position of the Board that the argument has merit and the baseline sample well requirement has been changed to "sufficient sample wells to accurately describe baseline groundwater quality in the production vicinity."

o. Public Comment: The Department of State Lands commented that provision should be made for the department to adjust required monitor well spacing to compensate for possible effects of directional hydraulic conductivity.

Response: It is the position of the Board that the comment has merit and has inserted the appropriate wording into section (4)(c)(i)(D).

p. Clarification of section (4)(c)(i)(E): This section has been changed from "in the production area adjacent to each of the four indicated production zone wells . . ." to "in the production area as approved by the department . . ." in order to maximize flexibility and to eliminate confusion.

q. Public Comment: Ed L. Reed, representing Sabine Production Company, 501 Oil Industries Building, Corpus Christi, Texas, commented that the regulations should recognize the problem of possible changing baseline due to influx of outside groundwater which is drawn into the mining area because of continuous overproduction or "bleed".

Response: It is the position of the Board that the wording ". . . will consider natural temporal and spatial variations . . ." in section (4)(c)(i)(G), ". . . unless variation is shown to be natural or otherwise . . ." in section (8)(i)(i), and ". . . new or more extensive information . . ." in section (9) all cover this. In addition, the Board has inserted "External monitoring wells may be sampled during mining to indicate changes in baseline due to influx of surrounding natural groundwaters." into section (4)(c)(i)(F).

r. Public Comment: The Department of State Lands commented that the wording in section (4)(e) should be changed from ". . . monitoring wells shall be described to include:" to ". . . monitoring wells shall be approved by the department. The description of well completion shall include:"

Response: The Board agrees and the change has been made.

s. Public Comment: Wyoming Mineral Corporation objected to section (4)(f)(iii) requirement to submit typical composition of injected fluids because (a) as operation becomes older, concentrations shift, (b) specific composition of leach solution may benefit competitors, (c) freedom should be provided for process experimentation and improvements.

Response: It is the position of the Board that adequate flexibility for change is in the rule in section (9) and that confidentiality can be adequately protected under 69-4822, R.C.M. 1947. The Board has inserted "range in" between "typical" and "composition".

t. Public Comment: Wyoming Mineral Corporation commented that section (4)(g)(ii) implied too much rigidity in the restoration schedule to be provided.

Response: It is the Board's position that section (9) implies that changes can be made if good cause is shown. No change has been made.

u. Public Comment: The Northern Plains Resource Council, 419 Stapleton Building, Billings, Montana, commented that section (5), Pilot Testing, should be a requirement for all permits.

Response: It is the position of the Board that as long as the department has the option to require pilot testing, it is adequately protected. The disadvantage to an absolute requirement for pilot testing would be the time wasted by a company which has previously proved itself competent and which wishes to get a permit for expansion in an area in which it already has operations. Thus the loss of flexibility in the rule would be a detriment. Section (5) of the rule has not been changed.

v. Public Comment: The Northern Plains Resource Council recommended in section (5) that aquifer restoration be required after pilot testing.

Response: It is the Board's position that an absolute requirement of post-pilot testing restoration to the extent required following mining would be too inflexible. However, to the extent that a certain learning process or testing process for restoration is necessary, or if the applicant chooses not to incorporate the pilot test area into the production area, or chooses upon the basis of the pilot test not to continue into solution mining, varying amounts of aquifer restoration would be necessary. Therefore, the Board has added subsection (d) to section (5): "(d) Aquifer restoration following the test shall be required by the department as appropriate."

w. Public Comment: Anaconda Company commented that provision should be made in the rule for the department to act within 180 days of receipt of a completed permit application. Sabine Production Company commented similarly on a 180 day requirement for reissuance.

Response: It is the position of the Board that the argument has merit. A problem can exist if an Environmental Impact Statement is required, making it impossible for the department to issue a permit within 180 days. Appropriate wording has been inserted into sections (7) and (11) stating that the department shall act within 180 days unless an EIS is required.

x. Clarification of Section (8)(g)(i)(E): In section (8)(g)(i)(E), the Board discovered that the reference to subsection (4)(c)(i)(C) was incorrect and removed it.

y. Public Comment: Ed L. Reed has pointed out the need for separate considerations for waste disposal wells.

Response: It is the position of the Board that it was necessary to insert section (8)(g)(i)(G) "Injection pressure

and annulus pressure of all pressure-operated waste disposal wells shall be monitored on a continuous basis." to comply with the proposed EPA standards.

z. Public Comment: Exxon and Anaconda Company were opposed to the very short sampling and reporting intervals required if an excursion is indicated. Exxon presented data and they argued that clean-up occurs quite slowly in some situations. Thus the short intervals cause unnecessary expense.

Response: It is the position of the Board that the argument had merit. Therefore, sampling intervals were extended to weekly and reporting intervals to monthly in sections (8)(g)(ii)(A) and (8)(g)(ii)(B). Section (8)(g)(ii)(D) regarding maximum number of days to return to below upper limit values has been eliminated. Reporting intervals in section (8)(h)(i) have been extended to quarterly for routine monitoring data. Corrective action monitoring reports in section (8)(h)(ii) have been extended to monthly.

aa. Public Comment: R. E. Miller, 522 North 850 East, American Fork, Utah, commented that the secondary well maximum spacing of 50 feet required under section (8)(g)(ii)(B) should be extended to at least 100 feet, to be more reasonable in cases where deeper wells are used.

Response: It is the position of the Board that the argument has merit. The requirement has been changed to 100 feet.

bb. Public Comment: Uranium Resources, Inc., 1600 Promenade Center, Richardson, Texas, the Anaconda Company, and Wyoming Mineral Corporation opposed section (8)(g)(ii)(E) regarding keeping reducing agents on site as potentially dangerous and also undesirable from the standpoint of "locking up" pollutants in the subsurface so that final clean-up would actually be impaired.

Response: The Board agrees. The section has been eliminated.

cc. Public Comment: Wyoming Mineral Corporation opposed the wording of section (8)(i)(i) because they felt restoration to baseline below drinking water standards was an unnecessary increase in cost.

Response: Section 69-4808.2(1)(c)(iii), R.C.M. 1947, states that the Board shall require that any state waters with existing quality higher than the established water quality standards be maintained at that high quality unless it has been affirmatively demonstrated to the Board that a change is justifiable as a result of necessary economic or social development and will not preclude present and anticipated use of these waters. Therefore, the words "or otherwise justified based on the parameters remaining within acceptable water quality limits." have been added after "natural".

dd. Public Comment: Wyoming Mineral Corporation commented on section (8)(i)(ii) that a buffer area should be allowed between an area being restored and an area undergoing active mining.

Response: It is the Board's position that this can be accomplished by proper set-up of the mining and restoration plan without changing any wording in the rule.

ee. Public Comment: The Department of State Lands commented that in section (8)(i)(iii) the pre-mining direction of groundwater flow should be shown to be re-established as a part of showing the restored aquifer to be returned to a stable condition. This would prevent the possibility of artificial groundwater quality being shown as a result of temporarily reversed gradients.

Response: The Board agrees and appropriate wording has been inserted into section (8)(i)(iii).

ff. Public Comment: Sabine Production Company commented that they would like to see a complete release by the board when the operator has completed restoration and closing of the facility.

Response: It is the position of the Board that section (8)(i)(iii) states clearly enough that the department will acknowledge restoration in writing. For reclamation of the surface, the operator will obtain release from the Department of State Lands.

gg. Public Comment: Anaconda Company and Sabine Production Company opposed section (8)(j)(x)(B) which required injection of leachate through a tubing and packer arrangement. They felt the cost outweighed the benefit. Ed L. Reed recommended earlier separate consideration for waste disposal wells.

Response: The Board agrees. The section has been changed to apply to waste disposal wells only. For similar reasons, section (8)(j)(x)(E) has been changed to apply to disposal wells only.

hh. Public Comment: Anaconda Company objected to the reference in section (8)(k)(i) to the Montana Strip and Underground Mine Reclamation Act, since this rule is not pursuant to that Act and the department would not be enforcing a reclamation rule.

Response: The Board agrees and the first sentence of section (8)(k)(i) has been eliminated.

ii. Public Comment: Anaconda Company, Sabine Production Company, and Wyoming Mineral Corporation all argued that the duration of permits in section (8)(n) should be longer than five years, since large amounts of money would be invested in a mining area which could not possibly be completed in five years.

Response: It is the position of the Board that the argument has merit. The fixed term limit has been changed to ten years.

jj. Public Comment: Wyoming Mineral Corporation suggested that Section 69-4807.1, R.C.M. 1947, be referenced in section (9) dealing with modifications of permit conditions.

Response: The Board agrees and the reference has been inserted.

kk. Public Comment: Anaconda Company commented that the pH range requirement of 0.2 in section (10)(a)(i) was very hard to achieve in practice in the field and requested that the range be changed to 1.0.

Response: It is the position of the Board that the range of 0.5 over three consecutive measurements was reasonably achievable and therefore changed the requirement to 0.5.

ll. Public Comment: The Environmental Quality Council, Capitol Station, Helena, Montana, commented that in section (14)(c) the wording of requiring a copying fee for parties wishing to inspect draft permits and related documents should be changed from "shall be charged" to "may be charged" in the spirit of encouraging public access to public documents.

Response: The Board changed the wording to ". . . fee may be charged . . . "



JOHN W. BARTLETT, Chairman

Certified to the Secretary of State

8-15-78

BEFORE THE DEPARTMENT OF INSTITUTIONS
OF THE STATE OF MONTANA

In the matter of the Adoption)
of Rules 20.8.105 through)
20.8.110.) NOTICE OF
ADOPTION OF RULES

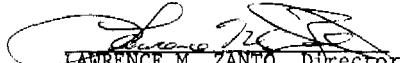
TO: ALL INTERESTED PERSONS

1. On June 23, 1978, the Department of Institutions gave notice (Notice No. 20-2-8) that it would adopt new rules for the administration of the Department's Correctional Division for rules on probation.

2. No adverse comments were received by the Department from the public. The Administrative Code Committee of the Legislature sent a letter dated July 11, 1978 listing four areas of concerns or minor objections. These particular objections have been taken into consideration and have been incorporated herein. These rules are hereby adopted by the Department of Institutions with only the following changes:

Rule 20.8.105 subsection (8) after the statement "as defined by state statute" will include (Section 94-2-101(65)).

3. These rules have been adopted as proposed with no other language changes and become effective August 30, 1978.


LAWRENCE M. ZANTO, Director
Department of Institutions

Certified to the Secretary of State August 15, 1978.

BEFORE THE DEPARTMENT OF INSTITUTIONS
OF THE STATE OF MONTANA

In the matter of the Adoption)
of Rules 20.11.205 through)
20.11.215.)

NOTICE OF
ADOPTION OF RULES

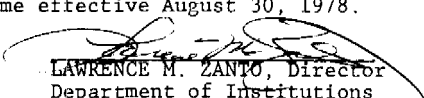
TO: ALL INTERESTED PERSONS

1. On June 23, 1978, the Department of Institutions gave notice (Notice No. 20-2-9(New Rules for Admission to Continuing Care Facilities of the Department of Institutions would be implemented.))

2. No adverse comments were received by the Department by the public or any state agencies.

3. There are no changes made in these proposed new rules.

4. These rules have been adopted as proposed with no other language changes and become effective August 30, 1978.


LAWRENCE M. ZANTO, Director
Department of Institutions

Certified to the Secretary of State August 15, 1978.

DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL LICENSING
BEFORE THE BOARD OF DENTISTS

In the matter of the proposed) NOTICE OF ADOPTION OF A
Adoption of a new rule relating) RULE 40-3,34(2)-P3415
to Public Participation in Board) PUBLIC PARTICIPATION
decision making functions.)

TO: All Interested Persons:

1. On July 14, 1978, the Board of Dentists published a notice of a proposed adoption of a rule concerning public participation in Board decision making functions at page 940, 1978 Montana Administrative Register, issue number 7.

2. The Board has adopted the rule as proposed.

3. No comments or testimony were received. The Board has adopted the rule because such action is mandated by Section 82-4228 R.C.M. 1947. That section requires all agencies to adopt rules which specify the means by which the public may participate in decision making functions. Rather than adopt its own set of rules and for the sake of expediency, the Board has reviewed and approved the department rules and has incorporated them as their own.

BEFORE THE BOARD OF VETERINARIANS


In the matter of the proposed) NOTICE OF AMENDMENT OF ARM
Amendment of ARM 40-3.102(6)-) 40-3.102(6)-S10270 CONTINUING
S10270 Continuing Education.) EDUCATION

TO: All Interested Persons:

1. On July 14, 1978, the Board of Veterinarians published a notice of a proposed amendment of a rule concerning continuing education at page 942, 1978 Montana Administrative Register, issue number 7.

2. The Board has amended the rule as proposed.

3. No comments or testimony were received. The Board has amended the rule because they have come to the conclusion that nutrition courses, which were not accepted before, are important in helping a veterinarian keep up to date and any continuing education seminars that include nutrition should be accepted.


ED CARNEY, DIRECTOR
DEPARTMENT OF PROFESSIONAL
AND OCCUPATIONAL LICENSING

Certified to the Secretary of State August 15, 1978.

BEFORE THE DEPARTMENT OF SOCIAL
AND REHABILITATION SERVICES OF THE
STATE OF MONTANA

In the matter of the amendment of) NOTICE OF THE
Rule ARM 46-2.10(18)-S11440(1)) AMENDMENT OF RULE
(b) pertaining to medical) 46-2.10(18)-S11440(1)(b)
assistance.)

TO: All Interested Persons:

1. On July 14, 1978, the State Department of Social and Rehabilitation Services published notice of a proposed amendment to a rule pertaining to medical assistance, ARM 46-2.10(18)-S11440(1)(b), at pages 986-990 of the 1978 Montana Administrative Register, issue number 7.

2. The agency has amended the rule as proposed.

3. No comments or testimony were received. The agency has amended the rule because the Department, in accordance with current medical practice, has severely restricted the circumstances under which the Montana Medicaid Program will pay for certain rarely used surgical and diagnostic procedures. In many instances, the listed procedures are virtually obsolete, or are appropriate only in extremely unusual circumstances. Thus, the Department will require prior approval for any such procedures for which the Montana Medicaid Program will be billed, and will pay only for those which have received prior approval.

Keith P. Call
Director, Social and Rehabilitation Services

Certified to the Secretary of State August 15, 1978.

VOLUME NO. 37

OPINION NO. 154

SCHOOLS AND SCHOOL DISTRICTS - Budgeting for Seventh and Eighth Grade Students;
Sections 75-6901 and 75-6905.1, R.C.M. 1947

HELD: The amount of general fund budget per ANB for the seventh and eighth grade students in your elementary school should be the same as that computed for your high school district within which the elementary school is located.

31 July 1978

Mr. Roy C. Rodeghiero
Golden Valley County Attorney
1 Main Street
Roundup, Montana 59072

Dear Mr. Rodeghiero:

You have requested my opinion concerning the correct procedure for determining the budget of middle schools through the Foundation Program. You have alleged a discrepancy between the statutory authority and the formula provided by the Office of Public Instruction.

The purpose of the Foundation Program is to aid and support the free public schools throughout the State of Montana. State aid to the several school districts is granted on the basis of their financial need as measured by the Foundation Program and in the manner established in §75-6901, R.C.M. 1947, et seq. The state support is calculated according to the "average number belonging" or "ANB", this meaning the average number of regularly enrolled, full-time pupils attending the public schools of a district.

The amount of the general fund budget per ANB for seventh and eighth grade students in your elementary school is governed by §75-6905.1, R.C.M. 1947, which provides:

The ANB calculated for grades seven (7) and eight (8) shall be at the high school ANB rate provided that the school meets the standards of an accredited middle school. When such pupils are actually enrolled in an elementary school, the

Montana Administrative Register

10-8/24/78

amount of the general fund budget per ANB shall be the same as that of the high school district within which the elementary school is located. To determine the total enrollment of such an elementary school for ANB purposes the seventh and eighth grade pupils shall be included in such total. (Emphasis supplied.)

When construing a statute, the intent of the Legislature is controlling. Such intent must be first determined from the plain meaning of the words used and if interpretation of the statute can be so determined, no other means of interpretation can be applied. If the language is plain, unambiguous, direct and certain, the statute speaks for itself and there is nothing left to construe. Security Bank and Trust Company v. Connors, Mont. 550 P.2d 1313 (1976); Dunphy v. Anaconda Company, 151 Mont. 76, 438 P.2d 660 (1968).

Section 75-6905.1 clearly states that the amount of the general fund budget per ANB for grades seven and eight shall be the same as that of the high school district within which the elementary school is located. Therefore, the amount of the general fund budget per ANB for your seventh and eighth grade students should be the same as the general fund budget per ANB for your high school district.

The formula provided by the Office of the Public Instruction to compute funding under §75-6905.1 does not base the seventh and eighth grade funding on the same rate per ANB as the high school district. A letter from this office has been sent to the Office of Public Instruction notifying them of this discrepancy and advising them to correct their formula and notify all schools affected thereby.

THEREFORE, IT IS MY OPINION:

The amount of general fund budget per ANB for the seventh and eighth grade students in your elementary school should be the same as that computed for your high school district within which the elementary school is located.

Very truly yours,


MIKE GREELY
Attorney General

MG/RA/ar

10-8/24/78

Montana Administrative Register

VOLUME NO. 37

OPINION NO. 155

COUNTIES - Budget, all counties not restricted to five percent (5%) increase;
SECTION 84-310, Revised Codes of Montana, 1947.

HELD: Section 84-310, R.C.M. 1947, does not impose a restriction of only a five percent (5%) increase over the preceding years budget on counties which can produce a budget equal to one hundred and five percent (105%) of the preceding year's budget without exceeding the statutory mill levy.

3 August, 1978

Robert L. Deschamps III
Missoula County Attorney
Missoula County Courthouse
Missoula, Montana 59801

Dear Mr. Deschamps:

You have requested my opinion concerning the following question:

Does Section 84-310, R.C.M. 1947, restrict all counties to a five percent (5%) increase over the preceding years budget?

Section 84-310, R.C.M. 1947, is titled "Temporary Authority to Exceed Mill Levy Limitations in Certain Cases" and the statute provides:

Taxing jurisdictions may adopt and levy for a budget equal to 105% of the preceding years budget, statutory mill levy limitations notwithstanding, unless the taxable valuation therein has increased to a level which would allow statutory mill levies to produce a budget equal to 105%.

The title of the Act reflects the purpose of §84-310, R.C.M. 1947, that is, to allow counties to adopt a budget equal to one hundred and five percent (105%) of the preceding years budget even if such a budget would exceed the statutory mill levy limitation of a county. By statute, the authority to exceed mill levy limitations is restricted only to those counties which, because of the limited taxable value, could

not provide for a budget equal to one hundred and five percent (105%) of the preceding years budget without exceeding the existing mill levy limitation. Counties in such a situation are allowed by the statute to budget for a five percent (5%) increase over the preceding years budget, "statutory mill levies notwithstanding", but are restricted to an amount equal to one hundred and five percent (105%) of the last year's budget.

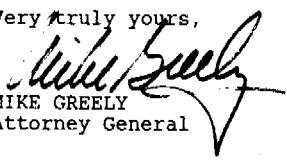
The title of the act suggests that the act applies only in certain cases. The use of the word "unless" in the statute suggests that the temporary authorization to exceed mill levy limitations provided in §84-310, R.C.M. 1947, applies only to those counties which must exceed the existing mill levy limitation to maintain a five percent (5%) increase in the county budget. If a county can maintain a five percent (5%) increase without exceeding the mill levy limitation, the statute does not apply.

There is no indication that the statute is intended to mandate an increase of only five percent (5%) in the budget of all counties. As the title suggests the statute applies only to "certain cases" -- cases where the county must exceed the mill levy limitation to maintain an adequate budget as a result of a declining tax base. A county not in this situation is not restricted in any manner by the language of §84-310, R.C.M. 1947. Such counties are limited in the adoption of a budget only by the existing statutory mill levy limitation applicable to the county and are free to provide for any budget which does not exceed the mill levy limitation.

THEREFORE, IT IS MY OPINION:

Section 84-310, R.C.M. 1947 does not impose a restriction of only a five percent (5%) increase over the preceding years budget on counties which can produce a budget equal to one hundred and five percent (105%) of the preceding year's budget without exceeding the statutory mill levy limitation.

Very truly yours,


MIKE GREELY
Attorney General

10-8/24/78

Montana Administrative Register