



STATE OF MICHIGAN
DEPARTMENT OF EDUCATION
LANSING



JENNIFER M. GRANHOLM
GOVERNOR

JEREMY M. HUGHES, Ph.D.
INTERIM SUPERINTENDENT
OF PUBLIC INSTRUCTION

Memorandum

TO: State Board of Education

FROM: Jeremy M. Hughes, Ph.D., Interim Superintendent 

DATE: March 28, 2005

SUBJECT: Report on Administrative Rule Waivers

At its June 19, 1996, meeting the State Board of Education approved the process for waivers of Administrative Rules. Section 1281(3) of The Revised School Code of 1996 took effect on July 1, 1996. This section provides for a limited time waiver of a State Board or Department rule to a school district, public school academy, university school, or intermediate school district for the purpose of serving the intent of the rule in a more effective, efficient, or economical manner or to stimulate improved pupil performance in Michigan schools.

The approved process includes: (1) the ability to file an independent or joint application with responsibility for oversight at each participating local board of education; (2) the necessity to complete a separate application for each rule for which a waiver is being requested; (3) a description of how the district will address the intent of the rule/statute in a more effective, efficient, or economical manner or how the waiver will be implemented to stimulate improved pupil performance; (4) a description of who and how interested parties were notified and involved in the application process; e.g., teachers, parents, community, others; and (5) a plan for addressing issues of local accountability and how the applicant will document that the waiver continues to meet the criteria in the application, does not compromise equal opportunities for learning, and is not detrimental to the educational interests of any pupils, as required by the Act.

Attachment A provides information on the waivers approved by the Superintendent since March 8, 2005, based on reviews and recommendations of appropriate Department staff and the internal waiver review committee.

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R/0887 -05 - OSE/EIS Lenawee Intermediate School District

Exemptions: None

Administrative Rule: 340.1738(b) - Severe cognitive impairment

Waiver Synopsis:

Reduce number of days from 230 days to 220; minimum clock hours of 1,150 instruction will continue to be met if not exceeded. The summer program will operate 37 days, 4 hours each day.

District Rationale:

- ◆The waiver supports better consistency of student attendance because a block of time is available for vacation.
- ◆The Lenawee ISD had an increased number of student instruction hours which totaled 110 hours above the 1,150 hour requirement.
- ◆The new schedule ensured consistency of regular school year staff during the summer months. Staff knew ahead of time how to plan breaks and also enjoyed the consistency the schedule provided.
- ◆Waiver enabled the Lenawee ISD to be able to pass on savings to local schools; 12 local districts benefited by approximately \$20,000 in transportation and salary cost savings.
- ◆The Lenawee ISD will continue to implement a three-part accountability model consisting of concurrent rule/waiver monitoring, teacher surveys, and parent surveys.
- ◆The Waiver is supported by the Lenawee County Superintendents Association and the Lenawee Parent Advisory Committee.

Action:

Approve, noting there will be no breaks longer than two weeks.

Recommended waiver period:

Department approval to the end of 2007 summer education program

R/0889 -05 - OSE/EIS Lenawee Intermediate School District

Exemptions: None

Administrative Rule: 340.1748 (2) - Programs for students with severe multiple impairments

Waiver Synopsis:
Reduce number of days from 230 days to 220; minimum clock hours of 1,150 instruction will continue to be met if not exceeded. The summer program will operate 37 days, 4 hours each day

District Rationale:

- ◆The waiver supports better consistency of student attendance because a block of time is available for vacation.
- ◆The Lenawee ISD had an increased number of student instruction hours which totaled 110 hours above the 1,150 hour requirement.
- ◆The new schedule ensured consistency of regular school year staff during the summer months. Staff knew ahead of time how to plan breaks and also enjoyed the consistency the schedule provided.
- ◆Waiver enabled the Lenawee ISD to be able to pass on savings to local schools; 12 local districts benefited by approximately \$20,000 in transportation and salary cost savings.
- ◆The Lenawee ISD will continue to implement a three-part accountability model consisting of concurrent rule/waiver monitoring, teacher surveys, and parent surveys.
- ◆The Waiver is supported by the Lenawee County Superintendents Association and the Lenawee Parent Advisory Committee.

Action:

Approve, noting there will be no breaks longer than two weeks.

Recommended waiver period:

Department approval to the end of 2007 summer education program