



STATE OF MICHIGAN
DEPARTMENT OF EDUCATION
LANSING



JENNIFER M. GRANHOLM
GOVERNOR

THOMAS D. WATKINS, JR.
SUPERINTENDENT OF
PUBLIC INSTRUCTION

Memorandum

TO: State Board of Education

FROM: Thomas D. Watkins, Jr., Chairman

DATE: January 4, 2005 *Tom Watkins*

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 September 14, 2004, based on reviews and recommendations of appropriate Department staff and the internal waiver review committee.

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0929 -04 - OSE/EIS Monroe County Intermediate School District

Exemptions: None

Administrative Rule: 340.1738(b) - Severe Cognitive Impairment

Waiver Synopsis:

Waive the requirement of 230 days but maintain the 1,150 hours of instruction. Allow a reduction of up to 7 days as we would still maintain the 6.25-hour school day and exceed the number of clock hours required (1,375.45). Therefore, our calendar would provide 223 days of instruction with 6.25 hours per day for a total of 1,375.45 hours per year.

District Rationale:

- ◆Reduction of the calendar from 230 to 223 days will not adversely affect programming or goal achievement. Allowing traditional holiday breaks will give students and families their normal holiday time together and will give staff their normal respite which will help prevent staff burn-out.
- ◆Additionally, acquiring full-year staff will not be adversely affected.
- ◆The need for school and transportation substitutes during holiday times would be avoided. The need for additional transportation days would also be avoided and would not necessitate a rise in costs for the local districts.
- ◆The need for teacher substitutes would be avoided and paraprofessionals would receive professional development.
- ◆Parent surveys showed parent satisfaction with the reduced calendar and parents are sensitive to the issues of needing vacations or regularly scheduled breaks.

Action:

Approve, noting the instructional program will have no breaks greater than two weeks. Upon completion of the waiver period, the parents/guardians must be surveyed to determine their satisfaction. The results of that survey will be forwarded to the Department of Education to be used in assessing the viability of the model.

Recommended waiver period:

Department approval to the end of 2005 summer education program