



STATE OF MICHIGAN
DEPARTMENT OF EDUCATION
LANSING



JENNIFER M. GRANHOLM
GOVERNOR

MICHAEL P. FLANAGAN
SUPERINTENDENT OF
PUBLIC INSTRUCTION

April 23, 2007

Memorandum

TO: State Board of Education
FROM: Michael P. Flanagan, Chairman 
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 waivers approved by the Superintendent since April 10, 2007, based on reviews and recommendations of appropriate Department staff and the internal waiver review committee.

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#0944-07 OSE/EIS Ypsilanti Public School District

Exemptions: N/A

Administrative Rule: 340.1754(b) – Early childhood special education programs

Waiver Synopsis:

Waive the minimum 144 days of instruction and accept total hours of instruction for the 2006-2007 school year.

District Rationale:

- The Ypsilanti Public School District (District) was under the assumption that hours were required, not days. Because of the lateness of the school year, sufficient days cannot be made up.
- The District is short on days; however, the District is well above the required 360 hours. The morning session has 384 hours, the afternoon session has 406.25 hours.
- The Washtenaw Intermediate School District discovered the mistake and notified the teachers, the principal, and the Central Office of the problem. The District will notify the parents of the waiver request.
- The impact on the students is negligible.
- The District will correct the problem for the 2007-08 school year.

Action:

Approve until June 30, 2007. Please submit a copy of the 2007-2008 school calendar when it has been finalized.

Recommended waiver period:

Department approval through June 30, 2007