



STATE OF MICHIGAN
DEPARTMENT OF EDUCATION
LANSING


GRETCHEN WHITMER
GOVERNOR

SHEILA A. ALLES
INTERIM STATE SUPERINTENDENT

MEMORANDUM

DATE: March 7, 2019

TO: Local and Intermediate School District Superintendents
Public School Academy Directors

FROM: Dr. Scott M. Koenigsnecht, Deputy Superintendent 
P-20 System & Student Transitions Division

SUBJECT: Limited time waiver to Rule 340.1758

The Michigan Department of Education (MDE) has created a one-year renewable waiver application for districts demonstrating the inability to hire teachers for Autism Spectrum Disorder (ASD) programs. The [waiver application](#) specifies the conditions to be met for an approval to be granted for Rule 340.1758.

Due to a shortage of ASD endorsed special education teachers, this waiver will allow districts to hire a teacher with an endorsement in either learning disabilities, cognitive impairment or emotional impairment to fill positions currently being staffed by substitute teachers.

MDE's authority to grant waivers is specified in section 380.1281(3) of the Revised School Code. The MDE may grant a waiver of an administrative rule when the district demonstrates it can meet the intent of the rule in a more effective, efficient, or economical manner or the waiver is necessary to stimulate improved pupil performance.

Annual requests for the one-year renewable waiver, must meet the same conditions in future applications as required in the initial waiver request.

This waiver is directly related to the Top 10 in 10 Strategic Goal 4: reduce the impact of high-risk factors, including poverty, and provide equitable resources to meet the needs of all students to ensure that they have access to quality educational opportunities.

Further questions regarding this process may be directed to the Office of Special Education at mde-ose@michigan.gov or 1-888-320-8384.

cc. Michigan Education Alliance

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