

Administrative Rule Waiver Policy for Credit Earned in Grades Prior to Nine

March, 2016

Overview:

Administrative Rule in South Dakota (ARSD) 24:43:11:01 governs the accreditation requirements for grades 9-12, stating that “required units of credit for high school graduation must be earned in grades 9-12”. In the event that a school district would like to deviate from this rule and offer courses for high school credit prior to grade nine, the district may apply for a waiver from the administrative rule. The specific rules outlining the structure of this process are found in ARSD 24:43:08

Eligibility:

As defined by the Department of Education, the school board of an accredited school district may seek a waiver of one or more administrative rules or policies on behalf of a school within its jurisdiction to better meet local learning goals, enhance educational opportunity, promote equity, or increase accountability. The governing body of an approved nonpublic school or specialized nonpublic educational program may seek a waiver of one or more administrative rules or policies on behalf of the approved school or program (ARSD 24:43:08:02)

Application Process:

Application for a waiver is available from the Department of Education and must demonstrate the district’s rationale for offering high school credit to students before grade nine. This rationale will include a statement as to how the waiver outlined in the application will better meet local learning goals, enhance educational opportunities, promote equity, or increase accountability.

The application will also include the evidence of continuing educational opportunities. This should include a description of what expanding educational opportunities the participating student(s) would have available in the content area in which the district is applying for a waiver, if applicable. For example, if a district is applying to offer Algebra I at 7th or 8th grade levels, what are the continuing courses in math that the student(s) would have opportunities for as they continue through high school graduation at grade 12?

Applications must be received by the Department of Education no later than 60 days prior to the start of a new school fiscal year on July 1, unless the district requests and explains the reasons for an alternate date. (ARSD 24:43:08:04)

Qualification:

Faculty teaching waived courses in any content area must be South Dakota certified to teach not only the content area waived at the high school level, but also the grade level at which they are offering instruction.

Evaluation:

A school district or nonpublic school or program that has been granted a waiver shall implement its plan for evaluation of the waiver as required by ARSD 24:43:08:02. A public school district that has been granted a waiver shall include a report of the waiver evaluation in its annual review of its approved five-year district improvement plan as required by ARSD 24:43:02:01 (ARSD 24:43:08:08)

Adding Waived Course Credits to High School Transcripts:

If the department has approved a waiver that allows a school district to teach a high school-level course to students below grade nine, credit for the course shall appear on each student's high school transcript with the unit of credit and a letter grade upon meeting the criteria for passage applied to the high school level. The unit of credit must be included in the credits required for high school graduation and the letter grade must be calculated in the high school cumulative grade point average. (ARSD 24:43:08:12)