

Office of Accreditation

Type all information or use blue or black ink.

Administrative Rule Waiver Application

High School Credit Before Grade Nine

Authority to Grant Administrative Rule Waiver

24:43:08:01. Waiver of certain administrative rules and Department of Education policies. The secretary of education may waive compliance of one or more administrative rules or Department of Education policies when requested by a public school district or approved nonpublic school.

24:43:08:10. Secretary's authority to grant waivers limited. The secretary of education may not waive a state statute. The secretary may waive an administrative rule promulgated by the Department of Education or the South Dakota Board of Education, unless the language of the rule prevents waiving. The secretary may waive established Department of Education policy and procedure.

Part 1 – District Information

School District:		
Superintendent Name:	Phone Number:	Email:
School Board President Name:	Phone Number:	Email

Part 2 – Administrative Rules to be Waived

Select the rule(s) the district is requesting to be waived:

High School Credit requirement

- 24:43:11:01.** Number of required credits for graduation from high school -- Personal learning plan required. Required units of credit for high school graduation must be earned in grades 9 through 12, and students must earn a minimum of 22 units of credit. Local school boards or governing bodies may set requirements of credit beyond the minimum. Transfer students unable to meet graduation requirements set by a local school board or governing body because of time and scheduling constraints, but not due to course failure, may graduate on the basis of meeting state minimum requirements for graduation. The local school board or governing body may waive one or more graduation requirements for senior students who transfer from another state, who have met the standards in that state, and who are unable to meet the graduation requirements set by the state board because of time and scheduling constraints but not due to course failure. A student must earn a high school diploma as outlined in § 24:43:11:02 in which coursework aligns with the student's personal learning plan. All students in grades 9 through 12 must have a personal learning plan. The personal learning plan must document a minimum of 22 units of credit. Effective July 1, 2020, any advanced endorsement earned must be listed on the high school transcript. After January 1, 2026, the department shall review the required credits for high school graduation.

Application Timeline

- ARSD 24:43:08:04. Application timelines.** An approved waiver shall take effect at the beginning of the next school fiscal year on July 1. The department must receive an application for a waiver at least 60 days prior to the start of a new school fiscal year July 1. A district may petition the secretary for consideration of an alternate effective date that is least 60 days after the department receives its application for a waiver. The secretary shall consider the quality of the application and the extent of its intended outcomes on student learning and enhancement of student opportunity in determining whether to grant the alternate effective date for an approved waiver.

Part 3 – Verification of Administrative Rule Waiver Intent

(a) List the school(s) the where the waiver will be utilized:

(b) List the Course(s) for which exemption is being proposed:

(c) Provide a description about the reason for requesting the waiver:

* Explain the reasons the district is requesting a waiver from administrative rule. The district must explain why the plans outlined in this application will better meet local learning goals, enhance educational opportunities, promote equity or increase accountability.

(d) 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.

- List teacher(s) providing instruction for each course included on application.

If at any time during the timeframe this waiver is valid a teacher listed here is no longer the teacher of record, the district must notify the Department of Education with the name of the newly assigned educator.

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)

PART 4 - EVALUATION

Provide a detailed description of the plan for evaluating the effectiveness of the waiver in achieving the outcomes specified in the application and contributing to the school's continual improvement:

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 24:43:08:03. 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)

The South Dakota DOE Division of Accreditation will verify that the school improvement plan includes a component for evaluating the intent of all ARSD waivers held by the school/school district.

Part 5 – Length of Waiver

Intended Date for Waiver Implementation: _____
 (This date is always July 1 for fall implementation unless the district requests and explains the reasons for an alternate date.)

Proposed Years of Waiver: _____
 (Maximum of 5 school terms, which begin July 1 of each year.)

**If this is a renewal of a current waiver about to expire, an End of Waiver Term Report is required:
 Submit this report with the application to renew.**

Part 6 – Approval by Local School Board

Date(s) Presented to School Board (<i>attach board minutes</i>):	Date Approved by School Board:
Signature of Superintendent/CEO:	Signature of School Board President:
Date of Signature:	Date of Signature:

Part 7 – Department of Education Review

Date Received:	Date Reviewed:
Name and Reviewer:	
<input type="checkbox"/> Approve	<input type="checkbox"/> Deny

Reason for Denial:

Additional Documentation Required:

Part 8 – Department of Education Secretary’s Action

Approve

Deny

Reason for Denial:

Signature:

Send this completed application to the Department of Education, 800 Governors Drive, Pierre, SD 57501 or doeaccred@state.sd.us.