

Office of Accreditation

Type all information or use blue or black ink.

Administrative Rule Waiver Application

Plan of Intent – 3rd year waiver

Authority to Grant Administrative Rule Waiver		
<p>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.</p>		
<p>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.</p>		
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:		
<i>Plan of Intent requirement</i>		
<input type="checkbox"/> ARSD 24:43:02:08. Plan of Intent. Any district employing teachers or administrators who are non-certified or are serving outside of their current certification shall have on file with the Department of Education a plan of intent stating how the district intends to ensure that all teachers and administrators are serving on a valid certificate in their certified areas. The plan of intent must be fulfilled in one calendar year. The district may request a one-time, one-year extension to the duration of the plan of intent to be granted at the culmination of the first year of the plan of intent cycle.		
<i>Application Timeline</i>		
<input type="checkbox"/> 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) Name of the instructional staff member for whom the waiver is intended, along with the course names and numbers that they teach.		

(b) List the school(s) the where the waiver will be utilized.

(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) What steps will be taken by the school district to track the progress of this individual in meeting the stated plan for full certification?

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.)

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	
<input type="checkbox"/> Approve	<input type="checkbox"/> Deny
Reason for Denial:	
Signature:	

Send:

1. completed application
2. school board minutes

To:

Department of Education
 800 Governors Drive
 Pierre, SD 57501
 or doeaccred@state.sd.us