

Department of Education

1. Rule(s) to be **processed** between July 1, 2024 and June 30, 2025. [Give a brief description.]

State Tenure Commission Rules (R 38.131 to R 38.179)

This rule set may be amended as follows:

- Align the rules as necessary with 2022 PA 63, which added section 9a to the open meetings act, MCL 15.269a, regarding sound recordings of meetings of certain public bodies.
- Update a web address.
- Revise the methods of providing pleadings, decisions, and orders to parties.
- Align the rules as necessary with the administrative rules of the Michigan Office of Administrative Hearings and Rules.

School District Pupil Accounting for Distribution of State Aid (R 340.1 to R 340.18)

Amendments of this rule set are under consideration.

Certification of School Nurses (Rule 340.1161 to R 340.1170)

Amendments of this rule set are under consideration.

Declaratory Rulings, Promulgation of Rules, and Information Requests (R 340.1351 to R 340. 1355)

This rule set may be updated to include additional contact information and additional methods for providing rulings to parties.

Special Education Programs and Services (R 340.1701 to R 340.1873)

- Amendments of R 340.1701a, R 340.1852, and R 340.1853 are under consideration.
- Promulgation of new rules to add a new special education administrator certification and teaching certificate endorsement is under consideration.

School Administrator Certification Code (R 380.101 to R 380.136)

Amendments of this rule set are under consideration.

School Psychologist Certification Code (R 380.201 to R 380.214)

Amendments of this rule set are under consideration.

Certification and Licensure of School Counselors (R 390.1301 to R 390.1313)

Amendments of this rule set are under consideration.

Career and Technical Education Reimbursed Programs (R 395.231 to R 395.376)

Amendments of this rule set are under consideration.

2. Rules that are obsolete or superseded and can be **rescinded** between July 1, 2024 and June 30, 2025. Also, please identify the rules or rule sets that are least important to the mission and function of the agency or are otherwise strong candidates for rescission.

Some rules in the rule sets listed in #1 above may be rescinded because they are obsolete or superseded. Those rule sets may also include rules that are strong candidates for rescission for other reasons.

Annual Regulatory Plan 2024-2025

3. Has the agency failed to promulgate any statutorily required rules **or** failed to utilize any statutorily required rules? Please explain.

Since 1976, section 1157(1) of the Revised School Code, MCL 380.1157, has required rules regarding the conduct of and participation in bilingual instruction in-service training programs. There have never been such rules and there is no need for them.

4. Please indicate the rules that are most problematic to industry and could be reviewed to determine the most business-friendly method of regulation.

The rules of the Department of Education relate to education and are not problematic to industry or businesses.

- A. Describe whether there is a continued need for the rules.

- B. Provide a summary of any complaints or comments received from the public concerning the rules.

- C. Describe the complexity of complying with the rules.

- D. Describe whether the rules conflict with or duplicate similar rules or regulations adopted by the federal government or local units of government.

- E. Provide the date of the last evaluation of the rules and the degree, if any, to which technology, economic conditions, or other factors have changed regulatory activity covered by the rules.

5. Please provide the URL link the department or bureau is currently using to display their administrative rules.

The Department of Education uses the following URL link to display its administrative rules:

<http://ars.apps.lara.state.mi.us/AdminCode/AdminCode>

6. Please provide a list of the items identified for action in the 2024 ARP that have been completed and those that remain outstanding.

State Tenure Commission Rules (R 38.131 to R 38.179)

Amendments of this rule set are under consideration.

School District Pupil Accounting for Distribution of State Aid (R 340.1 to R 340.18)

Amendments of this rule set are under consideration.

School Social Worker Certification Code (R 340.1001 to R 340.1018)

Amendments of these rules were filed with the Office of Great Seal on June 27, 2024, and took effect immediately. 2023-78 ED.

Declaratory Rulings, Promulgation of Rules, and Information Requests (R 340.1351 to R 340.1355)

Amendments of this rule set are under consideration.

Special Education Programs and Services (R 340.1701 to R 340.1873)

- Amendments of R 340.1721b, R 340.1723c, and R 340.1733 were filed with the Office of Great Seal on June 27, 2024, and took effect immediately. 2023-76 ED.
- Additional amendments of this rule set are under consideration.

Teacher and School Administrator Evaluation Tools (Rule 380.21 to R 380.23)

Amendments of these rules were filed with the Office of Great Seal on June 27, 2024, and took effect immediately. 2023-77 ED.

School Administrator Certification Code (R 380.101 to R 380.136)

Amendments of this rule set are under consideration.

School Psychologist Certification Code (R 380.201 to R 380.214)

Amendments of this rule set are under consideration.

Teachers' Tenure (Certification) (Rule 390.661)

This rule was amended under section 44(1) of the Administrative Procedures Act of 1969, MCL 24.244, effective February 16, 2024. 2023-72 ED.

Teacher Certification Code (R 390.1101 to R 390.1216)

Amendments of these rules were filed with the Office of Great Seal on June 27, 2024, and took effect immediately. 2023-79 ED.

Postsecondary Dual Enrollment Criteria for Fifth-Year High School Pupils (R 388.151 to R 388.155)

Amendments of this rule set are no longer under consideration.

Certification and Licensure of School Counselors (R 390.1301 to R 390.1313)

Amendments of this rule set are under consideration.

Career and Technical Education Reimbursed Programs (R 395.231 to R 395.376)

Amendments of this rule set are under consideration.