

**Michigan Office of Administrative Hearings and Rules**  
**Administrative Rules Division (ARD)**

611 W. Ottawa Street  
Lansing, MI 48909  
Phone: 517-335-8658 Fax: 517-335-9512

**REQUEST FOR RULEMAKING (RFR)**

**1. Department:**

Education

**2. Bureau:**

Superintendent of Public Instruction

**3. Promulgation type:**

MCL 24.244 (1)

**4. Title of proposed rule set:**

School Administrator Certification Code

**5. Rule numbers or rule set range of numbers:**

R 380.101 to R 380.136

**6. Estimated time frame:**

3 months

**Name of person filling out RFR:**

Mary Fielding

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**7. Describe the general purpose of these rules, including any problems the changes are intended to address.**

R 380.107 and R 380.109

These rules are amended to align with similar amendments to the Teacher Certification Code and other certification codes that consolidate in one rule all provisions about the validity periods of educator credentials.

R 380.124(f) and (g) and R 380.136(2)

These rules are amended to align with Executive Order 2019-06, which, effective April 22, 2019, abolished the Michigan Administrative Hearings System and transferred its authority to the newly created Michigan Office of Administrative Hearings and Rules.

**8. Please cite the specific promulgation authority for the rules (i.e. department director, commission, board, etc.).**

Specific promulgation authority is conferred on the superintendent of public instruction.

**A. Please list all applicable statutory references (MCLs, Executive Orders, etc.).**

Specific rule promulgation authority is conferred on the superintendent of public instruction by sections 1246 and 1536 of the Revised School Code, 1976 PA 451, MCL 380.1246 and 380.1536, and Executive Reorganization Order No. 1996-6, MCL 388.993.

**B. Are the rules mandated by any applicable constitutional or statutory provision? If so, please explain.**

Rules related to school administrator qualifications are mandated by sections 1246 and 1536 of the Revised School Code, 1976 PA 451, MCL 380.1246 and 380.1536.

**9. Please describe the extent to which the rules conflict with or duplicate similar rules, compliance requirements, or other standards adopted at the state, regional, or federal level.**

The rules do not conflict with, duplicate, or exceed similar regulations, compliance requirements, or other standards at the state, regional, or federal level.

**10. Is the subject matter of the rules currently contained in any guideline, handbook, manual, instructional bulletin, form with instructions, or operational memoranda?**

The subject matter of the rules is currently contained in documents that are available on the Department of Education web site, including:

[https://www.michigan.gov/documents/mde/AdminCertRenewal\\_530857\\_7.pdf](https://www.michigan.gov/documents/mde/AdminCertRenewal_530857_7.pdf)

[https://www.michigan.gov/mde/0,4615,7-140-5683\\_14795\\_83462---,00.html](https://www.michigan.gov/mde/0,4615,7-140-5683_14795_83462---,00.html)

**11. Are the rules listed on the department's annual regulatory plan as rules to be processed for the current year?**

Yes, the rules are listed on the Department of Education's annual regulatory plan as rules to be processed for the current year.

**12. Will the proposed rules be promulgated under Section 44 of the Administrative Procedures Act, 1969 PA 306, MCL 24.244, or under the full rulemaking process?**

MCL 24.244 (1)

**A. Explain why the rules are being promulgated under 24.244.**

The rules will be promulgated under section 44(1) of the Administrative Procedures Act because the purposes of the amendments are: 1) to consolidate provisions about the validity periods of school administrator credentials in one rule, as is proposed for the Teacher Certification Code and other certification codes, and 2) to align with Executive Order No. 2019-06, which, effective April 22, 2019, abolished the Michigan Administrative Hearings System and transferred its authority to the newly created Michigan Office on Administrative Hearings and Rules.