

**Department of Education**

1. Rule(s) to be **processed** between July 1, 2021 and June 30, 2022. [Give brief description.]

**Auxiliary Services for Nonpublic Schoolchildren (R 340.291 to R 340.295)**

These rules may be updated.

**School Social Worker (R 340.1001 to R 340.1018)**

Amendments of this rule set are under consideration. It is anticipated that amendments will be processed between July 1, 2021, and June 30, 2022.

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

- Amendments of R 340.1721, R 340.1721b, and R 340.1723c are under consideration, as are rules related to the provision of special education services in county jails.
- Rules related to the qualifications of special education directors and supervisors (R 340.1771 and R 340.1772) are being discussed in relation to amendments of the School Administrator Certification Code.

**Hearings (R 349.291)**

This rule may be amended under MCL 24.244(1) to update and simplify language and to align with current standards of drafting.

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

Amendments of this rule set are under consideration. It is anticipated that amendments will be processed between July 1, 2021, and June 30, 2022.

**School Administrator Certification Code (R 380.101 to R 380.136)**

Amendments of this rule set are under consideration. It is anticipated that amendments will be processed between July 1, 2021, and June 30, 2022.

**School Psychologist Certification Code (R 380.201 to R 380.214)**

Amendments of this rule set are under consideration. It is anticipated that amendments will be processed between July 1, 2021, and June 30, 2022.

**Teachers' Tenure (Certification) – Rule 390.661**

This rule may be amended under MCL 24.244(1) to remove obsolete language and to align with current standards of drafting.

**Teacher Certification Code (R 390.1101 to R 390.1216)**

Amendments of this rule set are under consideration. It is anticipated that amendments will be processed between July 1, 2021, and June 30, 2022.

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

Amendments of this rule set are under consideration. It is anticipated that amendments will be processed between July 1, 2021, and June 30, 2022.

**Library of Michigan – State Aid Rules (R 397.01 to R 397.92)**

These rules may be amended to align with current practice.

Annual Regulatory Plan 2021-2022

2. Rules that are obsolete or superseded and can be **rescinded** between July 1, 2021 and June 30, 2022. 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 can be rescinded because they are obsolete or superseded. Those rule sets also include rules that are strong candidates for rescission for other reasons.

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 school districts and are not problematic to industry.

- A. Whether there is a continued need for the rules.

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

- C. The complexity of complying with the rules.

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

- E. 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 link the department uses to access its administrative rules is:

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

6. Please provide a list of the items identified for action in the 2021 ARP that have been completed and those that remain outstanding.

**Auxiliary Services for Nonpublic Schoolchildren (R 340.291 to R 340.295)**

These rules may be updated.

**School Social Worker (R 340.1001 to R 340.1018)**

Amendments of this rule set are under consideration.

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

- Amendments of R 340.1708 and R 340.1721e were effective June 21, 2021. 2020-89 ED.
- Rules related to the qualifications of special education directors and supervisors (R 340.1771 and R 340.1772) are being discussed in relation to amendments of the School Administrator Certification Code.
- Amendments of rules related to the provision of special education services in county jails are under consideration.

**School Administrator Certification Code (R 380.101 to R 380.136)**

- Amendments of this rule set under MCL 24.244(1) were effective October 15, 2020. 2020-86 ED.
- Further amendments of this rule set are under consideration.

**School Psychologist Certification Code (R 380.201 to R 380.214)**

- Amendments of this rule set under MCL 24.244(1) were effective October 15, 2020. 2020-87 ED.
- Further amendments of this rule set are under consideration.

**Teacher Certification Code (R 390.1101 to R 390.1216)**

- Amendments of this rule set under MCL 24.244(1) were effective October 15, 2020. 2020-85 ED.
- Further 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 under MCL 24.244(1) were effective October 15, 2020. 2020-88 ED.
- Further amendments of this rule set are under consideration.