



STATE OF MICHIGAN  
DEPARTMENT OF EDUCATION  
LANSING

GRETCHEN WHITMER  
GOVERNOR

MICHAEL F. RICE, Ph.D.  
STATE SUPERINTENDENT

**MEMORANDUM**

**DATE:** May 20, 2021

**TO:** Local and Intermediate School District Superintendents  
Public School Academy Directors

**FROM:** William A. Pearson, Ed.D., Interim Deputy Superintendent  
Division of Educator, Student, and School Supports *WAP*

**SUBJECT:** Alternative Education and Innovative Programs (Hours and Days)  
Waivers 2021-22 Application Process

Local education agencies (LEAs), both traditional public school districts and public school academies (PSAs), with alternative education programs or other innovative programs can apply for waivers to days, hours, and attendance requirements specific to these programs.

The state School Aid Act, section 101(9) [[MCL 388.1701](#)], permits the state superintendent to waive the minimum number of hours and days of pupil instruction for alternative education programs or other innovative programs approved by the Michigan Department of Education (MDE). This waiver is limited to alternative education or innovative programs and is not intended for individual students, or groups of students within an existing program.

Per this section of state law, the state superintendent may consider applications for programs that waive the required 1,098 hours and/or the required 180 days during the 2021-22 school year.

Additionally, section 101(3)(f) allows a district to apply for an attendance waiver for the district. This waiver allows for 50% of students to be in attendance on a daily basis. The following criteria must be met in order to apply for the 50% attendance waiver:

- The district offers the minimum hours of pupil instruction as required under this section.
- For each enrolled pupil, the district uses appropriate academic assessments to develop an individual education plan that leads to a high school diploma.

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- The district tests each pupil to determine academic progress at regular intervals and records the results of those tests in that pupil's individual education plan.
- The district does not operate full K-12 programming.

The application for waivers for alternative and innovative programs can be found [here](#). Submission instructions are included in the application. Please use the [rubric](#) provided as a guide when completing the application. **Applications must be submitted prior to July 23, 2021 at 11:59 p.m.**

By completing this application and participating in the waiver of minimum number of hours and days of pupil instruction for alternative education or other innovative programs, districts agree to comply with the reporting requirements established by MDE.

For entities that received an alternative education/innovative programs (hours and days) waiver in 2020-21, the end of year report form can [be found here](#). **The reporting deadline is July 16, 2021 at 11:59 p.m.** The report is only required for entities that were approved for the waiver in 2020-21.

For questions regarding the application or reporting processes, please contact Steve Nemeckay at 517-331-7789 or by email at [nemeckays@michigan.gov](mailto:nemeckays@michigan.gov) or Jeff McNeal at 517-241-6958 or by email at [mcnealj1@michigan.gov](mailto:mcnealj1@michigan.gov).

cc: Michigan Education Alliance  
Confederation of Michigan Tribal Education Directors