

**State Board of Education
Public Comment Summary
Proposed Permanent Rule Changes**

210:35-3-228. Required application criteria to be considered for requests for deregulations, waivers of statutory requirements, and participation in the School District Empowerment Program deregulated status [AMENDED]

210:35-3-229. ~~State Department of Education/State Board of Education application program procedures~~ Applications for participation in the School District Empowerment Program [AMENDED]

Summary of Public Comment	Agency Response
<p>Commenter states that 210:35-3-228(b), items (1) through (5)(B) consistently refer just to “deregulated status,” which makes it difficult to determine if these requirements just apply to approval of requests for deregulation from a SDE regulation or also apply to requests for waivers from a statutory requirement and participation in the School District Empowerment Program. Commenter suggests that this language should be clarified.</p>	<p>The agency has implemented the proposed change.</p>
<p>Commenter requests changing the word "an" in 210:35-3-228(b)(5)(B)(i) to "a" so that it reads "(i) Waivers and deregulations: One (1) year from the date of implementation of a an waiver or deregulation;"</p>	<p>The agency has implemented the proposed change.</p>
<p>Commenter suggests rewording the first sentence of 210:35-3-228(c) to read "In addition to the requirements set forth in (b) of this Section, all applications by the school district for participation in the School District Empowerment Program shall include a comprehensive plan which identifies outlines the goals . . ."</p>	<p>The agency has implemented the proposed change.</p>
<p>Commenter suggests inserting the word “in” between “participation” and “the” in the first line of 210:35-3-229(a); and changing the word "with" to "to" in the second line of 210:35-3-229(a), so that the sentence reads "All applications for participation in the School District Empowerment Program shall be submitted by delivering one (1)</p>	<p>The agency has implemented the proposed change.</p>

<p>copy with to the Secretary of the State Board of Education...."</p>	
<p>Commenter suggests inserting the words "recommendation for" between "team's" and "approval" in 210:35-3-229(c)(1) so that the sentence reads: "The notice shall contain the team's recommendation and shall explain the specific factual and legal grounds for the team's recommendation for approval or disapproval of the application;"</p>	<p>The agency has implemented the proposed change.</p>
<p>Commenter suggests adding information to clarify the types of variances that are possible in 210:35-3-229(c)(2).</p>	<p>The agency has implemented the proposed change.</p>
<p>Commenter suggests changing the comma after the word "Section" to a period in the fourth line of 210:35-3-229(e).</p>	<p>The agency has implemented the proposed change.</p>
<p>Commenter suggests changing "request of reconsideration" to "request for reconsideration" in 210:35-3-229(e); and adding "time and location" between the words "data" and "of" so that the sentence reads: "the Secretary shall schedule the district's request for reconsideration on the agenda for a board meeting to be held within forty-five (45) calendar days of the date of receipt of the request of for reconsideration, and provide written notice of the date, time, and location of the meeting to the district via certified mail."</p>	<p>The agency has implemented the proposed change.</p>
<p>Commenter suggests inserting the word "the" between "in" and "School" in 210:35-3-229(f) so that the sentence reads: "Upon approval of the by the State Board of Education of an application for participation in the School District Empowerment Program,"</p>	<p>The agency has implemented the proposed change.</p>
<p>Commenter suggests changing the word "a" to "the" in 210:35-3-229(g) so that the sentence reads: "No later than December 15 of each year following the first full year of participation in a the School District Empowerment Program approved by the State Board of Education..."</p>	<p>The agency has implemented the proposed change.</p>