

**THE REVISED SCHOOL CODE (EXCERPT)**  
**Act 451 of 1976**

**380.1703 Qualifications and requirements for special education personnel; rules relative to special education programs and services; review.**

Sec. 1703. (1) Special education personnel shall meet the qualifications and requirements of rules promulgated by the state board.

(2) Curriculum, eligibility of specific persons for special education programs and services and for each particular program or service, review procedures regarding the placement of persons in the programs or services, size of classes, size of programs, quantity and quality of equipment, supplies and housing, adequacy of methods of instruction, and length and content of school day shall be in accordance with rules promulgated by the state board relative to special education programs and services.

(3) Not later than September 30, 1996, the state board shall conduct a review of all rules promulgated by the state board or department pertaining to special education. The review shall consider at least all of the following:

(a) The need to eliminate unnecessary separation and duplication between regular education and special education facilities, staff, programs, services, and pupils.

(b) Potential benefits from coordination between all relevant federal, state, regional, and local organization services, including public and private organization services, for pupils with special needs, and encouragement of the provision of comprehensive necessary services delivered by the most appropriate organization or person in the most cost-effective and programmatically effective manner.

(c) The advisability of simplification of rules or regulations and processes relating to identification of need and provision of services to special needs pupils, avoidance of barriers and cost and other penalties or discouragements to effective programming, and avoidance of requirements as to staff or program criteria that are not research based; allowing and encouraging reasonably flexible, workable, and, if appropriate, cooperatively operated comprehensive services, including reasonable endorsement or other qualification categories for personnel, to be delivered to pupils with related or similar special needs, as may be consistent with research.

(d) A goal of providing educational and training services in a manner that maximizes for the benefit of the pupil the combination of the provisions of this act and federal law relating to inclusion, while avoiding, to the degree reasonably possible, requiring by rule an overall increase in a program or service beyond that required before December 23, 1978.

**History:** 1976, Act 451, Imd. Eff. Jan. 13, 1977;—Am. 1995, Act 289, Eff. July 1, 1996.

**Popular name:** Act 451

**Administrative rules:** R 340.1011 et seq.; R 340.1701 et seq.; and R 380.51 et seq. of the Michigan Administrative Code.