

281—63.18(282) Waivers. A waiver may be requested by an AEA that presents evidence of a need for a different configuration of expenditures under paragraph 63.15(1)“d,”63.15(3)“a,”63.15(3)“b,”63.15(3)“e,” or 63.15(3)“g,” or subrule 63.15(4) or 63.15(5). The AEA may annually request the waiver and will include the waiver request and the evidence specified by this rule with the program and budget proposal or budget amendment submitted pursuant to rule 281—63.2(282) or 281—63.3(282). An approved waiver related to rent payment to the juvenile home does not necessitate an annual waiver request except in any year that the rental contract terms change from the rental contract terms in the previous year.

63.18(1) If the department denies a waiver request, the AEA that was denied may request within ten days of notification of the denial that the director of the department of education review the denial of the waiver request.

63.18(2) It is the intent of the department of education to waive provisions of this chapter only when it is determined that they would result in unequal treatment of the AEAs or cause an undue hardship to the requesting AEA and the waiver clearly is in the public interest.

[ARC 7797C, IAB 4/17/24, effective 5/22/24]