



STATE OF MICHIGAN
DEPARTMENT OF EDUCATION
LANSING


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GOVERNOR

MICHAEL F. RICE, Ph.D.
STATE SUPERINTENDENT

MEMORANDUM

DATE: March 10, 2022

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

FROM: Dr. Scott M. Koenigsknecht, Deputy Superintendent
P-20 System and Student Transitions 

SUBJECT: Guidance on the Recommended Use of Contingency Learning Plans

As communities continue to work through COVID-19 outbreaks and the complications that the outbreaks bring to educating all students, the Michigan Department of Education Office of Special Education (OSE) reminds local education agencies (LEAs), both traditional public school districts and public school academies, and intermediate school districts (ISDs) of their continuous obligations under the federal Individuals with Disabilities Education Act (IDEA) to provide a free appropriate public education (FAPE) to students with individualized educational programs (IEPs).

To support students with IEPs with potential quarantines or changes in modes of instruction due to the COVID-19 pandemic, OSE has released [Guidance on the Recommended Use of Contingency Learning Plans](#). OSE encourages ISDs and LEAs to be proactive and prepare for COVID-19-related circumstances by utilizing and developing contingency learning plans (CLPs).

The proactive use of CLPs will support a seamless transition for students with IEPs who need to shift unexpectedly between modes of instruction. Additionally, the use of CLPs is aligned with the State of Michigan recommendations in the [MI Safer Schools Guidance for Managing Students Exposed to COVID-19](#).

CLPs are specifically used to address COVID-19 pandemic-related circumstances and can assist to ensure that students with IEPs, ages three to 26, continue to receive a FAPE when a district is unable to fully implement a student's IEP due to temporary school closure, quarantine, or another pandemic-related circumstance. Therefore, LEAs and ISDs that choose to use CLPs will develop each CLP individually, in accordance with a student's current IEP, and with input from the student's parent(s).

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Since the CLP is intentionally designed to be implemented for COVID-19 pandemic-related reasons, it is implemented only when the district is not able to provide the primary instructional delivery approach in the educational setting that was determined appropriate by the IEP team in the current IEP. To assist LEAs, ISDs, and families with the development and use of CLPs, OSE has developed [Guidance on the Recommended Use of Contingency Learning Plans for the 2021-2022 School Year](#).

In addition to the OSE guidance regarding the use of CLPs during the ongoing COVID-19 pandemic, the U.S. Department of Education's Office of Special Education and Rehabilitative Services (OSERS) released a guidance document September 30, 2021, titled [Return to School Roadmap: Development and Implementation of Individualized Education Programs in the Least Restrictive Environment under the Individuals with Disabilities Education Act](#). This guidance provides important information on the use and development of contingency learning plans and the importance of considering a free appropriate public education and the least restrictive environment when determining modes of instruction and mask mandates.

If you have additional questions about this memo or other special education topics, please contact the Michigan Department of Education's Office of Special Education at mde-ose@michigan.gov or 888-320-8384.

cc: Michigan Education Alliance
Confederation of Michigan Tribal Education Departments