

Instructional Time Requirements and the State Assessment Window

Section 101 of the State School Aid Act (MCL 388.1701) provides two basic requirements that districts must meet with regard to instructional time. Subsection 3(a) states, “Except as otherwise provided in this section, each district shall provide at least 1,098 hours and, beginning in 2010-2011, the required minimum number of days of pupil instruction.” Subsequently, subsection 3(b) then provides for the following, “Beginning in 2016-2017, the required minimum number of days of pupil instruction is 180.” There are exceptions to these requirements for districts with collective bargaining agreements deemed eligible under the coinciding subsection, as well as opportunities for districts to request a waiver from the day or hour requirements for alternative or innovative education programs.

The increased day requirement, along with the post-Labor Day start requirement from Section 1284b of the Revised School Code (MCL 380.1284b) present challenges for all districts in terms of scheduling instructional time. When combined with state assessment administration requirements, which call for providing participants with a space conducive for testing that is sequestered from potential distractions, districts may face a myriad of challenges in meeting both legislative and assessment administration requirements.

The attendance requirement, provided in subsection 3(f) of Section 101, is a district-wide calculation that only includes those buildings/grades/programs scheduled for instruction on a particular day. Failure to meet the requirement does not affect the district’s ability to count the day and hours provided. Buildings/grades/programs not scheduled for instruction would not count the coinciding day and hours offered if those buildings/grades/programs scheduled on that day met the district-wide attendance requirement.

To help address these issues, districts might consider using one of the following examples currently used by other districts to address the problem:

- The district schedules additional instructional days for the affected buildings/grades/programs.
- The district offers off-site educational opportunities, where students and their teachers engage in learning activities (e.g., Career days, education fairs, field trips).
- The district administers the assessments at an approved off-site location.
- The district schedules the students to be assessed for the morning, and those who are not participating in the assessment for the afternoon.
- The district schedules the affected buildings/grades/programs for instruction on a day where teachers are already required to report, such as a PD day.
- The district modifies one of their instructional breaks to provide instruction for the affected buildings/grades/programs.

A potential solution for districts that have provided their students with mobile devices (and internet access if the student does not have access at home) on a 1:1 basis would be to have the students participate in their scheduled virtual courses off-site, and have the teacher of record track student participation.

Another potential solution would be to offer instructional time through a synchronous streaming service. This may be best suited for courses that are not virtual by design. In order to count the day for membership purposes, attendance cannot be optional, and all students must have an equal opportunity to take part in the instruction (hence the 1:1 environment). Attendance must be recorded using the same process used when students are on-site, and students must be engaged in instruction with their certified teacher.