



STATE OF MICHIGAN  
DEPARTMENT OF EDUCATION  
LANSING

GRETCHEN WHITMER  
GOVERNOR

MICHAEL F. RICE, Ph.D.  
STATE SUPERINTENDENT

**MEMORANDUM**

**DATE:** July 31, 2020

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

**FROM:** Michael F. Rice, Ph.D., State Superintendent 

**SUBJECT:** Testimony to Michigan Senate Education and Career Readiness  
Committee

Attached please find testimony that I gave on Tuesday to the Senate Education and Career Readiness Committee regarding days, hours, attendance, enrollment, assessments, and HB 5910-5913. Legislative leaders and the governor are actively working on getting to a meeting of the minds on the broad parameters under which schools and school districts would have to address days, hours, attendance, and enrollment in the 2020-21 school year.

Thank you to those of you who have expressed your views and a growing sense of urgency to your state legislative leaders. If you have not already done so, it is not too late to do so. Please make your voices heard.

Thank you for your consideration of this communication.

cc: Michigan Education Alliance  
Confederation of Michigan Tribal Education Directors

**STATE BOARD OF EDUCATION**

CASANDRA E. ULBRICH – PRESIDENT • PAMELA PUGH – VICE PRESIDENT  
MICHELLE FECTEAU – SECRETARY • TOM MCMILLIN – TREASURER  
TIFFANY D. TILLEY – NASBE DELEGATE • JUDITH PRITCHETT  
LUPE RAMOS-MONTIGNY • NIKKI SNYDER

608 WEST ALLEGAN STREET • P.O. BOX 30008 • LANSING, MICHIGAN 48909  
www.michigan.gov/mde • 833-633-5788



STATE OF MICHIGAN  
DEPARTMENT OF EDUCATION  
LANSING

GRETCHEN WHITMER  
GOVERNOR

MICHAEL F. RICE, Ph.D.  
STATE SUPERINTENDENT

**Senate Education and  
Career Readiness Committee Testimony  
Michael F. Rice, Ph.D., State Superintendent  
Tuesday, July 28, 2020**

**Thank you, Madam Chair, and members of the committee. I appreciate the opportunity to testify briefly before you today with Professor Strunk.**

**At this moment, we are dealing with an extraordinary health crisis that has adversely affected all aspects of our country and most of the world.**

**Our schools face uncertainty in many areas, including but not limited to:**

- **Public Health**
- **Finances**
- **Instructional Delivery Models; and**
- **Days/Hours/Attendance/Enrollment**

**While we can't remove all these elements of uncertainty, we can work together to help our schools, our educators, our students, our families, and our communities address many of these uncertainties and provide the best education possible for our children.**

**The pandemic has affected different regions and even different cities and towns in different ways. Just as districts adopted very different continuity of learning plans in the spring, they are adopting very different extended continuity of learning plans for the fall. These plans must respond to the many unique circumstances across communities.**

**In many areas of Michigan, the COVID-19 numbers are high. In these areas especially, some of our educators, parents, and students are feeling anxious and at times fearful about a return to school.**

STATE BOARD OF EDUCATION

CASANDRA E. ULBRICH – PRESIDENT • PAMELA PUGH – VICE PRESIDENT  
MICHELLE FECTEAU – SECRETARY • TOM MCMILLIN – TREASURER  
TIFFANY D. TILLEY – NASBE DELEGATE • JUDITH PRITCHETT  
LUPE RAMOS-MONTIGNY • NIKKI SNYDER

608 WEST ALLEGAN STREET • P.O. BOX 30008 • LANSING, MICHIGAN 48909  
www.michigan.gov/mde • 833-633-5788

**We all *want* to be in school to begin the year. As a rule, schools are the best places for children to learn and for teachers to teach. As a rule, they are far superior to education at a distance. As a rule, teaching and learning FORM a social science, best done with children, teachers, support staff, and administrators in schools.**

**But pandemics aren't rules. They are exceptions. This fall, some of our students will be educated in schools and others at a distance. Indeed, this fall, some schools will educate almost all of their children in person, while others educate all of their children at a distance. These differences will be in significant measure a function of the decisions of residents--parents and educators--*in your districts, senators*, who will be basing their decisions on what they think is best for the healthy, safety, and wellness of their unique communities.**

**I'll be sharing *briefly* on several themes today: school funding; days; hours; attendance; enrollment; assessments; and the House bills before this committee.**

**School Funding. Thank you for your support of our schools in the FY 20 budget work that you just completed. Holding school districts and by extension children harmless at the end of the year wasn't easy, but it was the right thing to do.**

**As we all know, FY 21 will be harder. If you have individually lobbied members of the Michigan Congressional delegation to support more coronavirus relief funding for providing PPE, making up for lost state revenue in the pandemic, and addressing catch-up growth for our students, thank you for your leadership. If you haven't, I encourage you strongly, senators, to do so. Your voices count....and if we don't get more funding from Congress in this difficult time, YOU will be required to make large cuts that adversely affect children and families, including to our public schools. We count on your leadership.**

**Days, Hours, Attendance, and Enrollment. In a pandemic, the way we count days, hours, attendance, and enrollment will need to differ from the way we have traditionally counted.**

**Many parents will feel uncomfortable and/or will be unwilling to send their children back to school during a pandemic for a range of reasons:**

- **their children's underlying health concerns,**

- **the parents' underlying health concerns,**
- **other family members' health concerns, or**
- **a general sense of unease about the current situation.**

**Many of these parents will want their children to continue to be educated by their local school district or public school academy, but at a distance. Moreover, if we fall into phase 3 or below of the pandemic, we will once again need to educate children at a distance. We must have a system that permits a different form of counting during a pandemic than pre-pandemic.**

**The executive directors of seven statewide education associations and I sent a letter to legislative leadership including you, Madame Chair, to recommend the following:**

- **The minimum days required annually should remain at 180.**
- **Given that some hours of instruction will take place for some students at a distance; that children, particularly young children, shouldn't spend the same number of hours in front of a computer screen as they would spend hours at school; that some students will still not be internet connected, especially in remote regions across the state and that it will be impossible to track as a result their instructional hours; and that we will have to "stay home" if Michigan moves back to phase 3 or below of the state's reopening phases for the pandemic, the requirement to count hours in the 2020-21 school year should be waived.**
- **Given that we will be educating some children at a distance during the entire year as a result of the concerns of parents, and that the governor may have to suspend in-person instruction at some point during the school year if our COVID-19 numbers are substantial, the requirement to count daily attendance in the 2020-21 school year should be waived. This amendment in state law would also allow districts to shift between an in-person and a remote learning environment without having to meet a 75 percent daily attendance requirement, particularly at a distance, the record-keeping for which could be very time-consuming.**
- **Because of the enormous uncertainty around public health at this time, as well as the lack of clarity about the percentages of children who will be educated at a distance in any school district at any given moment, the enrollment (the membership in legislative parlance) of a local school district for the 2020-21**

**school year should be the fall count of the 2019-20 school year. The counts for membership as currently required by law should be suspended for the 2020-21 school year.**

**Assessments. As many of you are aware, MDE applied for and received a waiver LAST SPRING from the U.S. secretary of education to the federal law requiring state summative assessments for last school year: M-STEP, MME, and MI-Access for Michigan. MDE recently applied for a waiver FOR THIS SCHOOL YEAR'S state summative assessments. State summative assessments are enormously time consuming and take a good portion of the spring to complete for elementary and middle schools. Given the need to focus on instruction to the extent possible, state summative assessments should not be the priority in the spring, assuming that children are in school in substantial numbers at the time.**

**That said, to begin to get a handle on the aggregate effect of the pandemic on student achievement in Michigan, I AM supportive of school districts administering benchmark assessments under the following conditions:**

- (1) Local school districts should each be able to choose the benchmark assessment that they wish to administer in their districts,**
- (2) Local school districts should make available to MDE the data from the benchmark assessments through the regional data hubs to do statewide, aggregate analysis of the data, and**
- (3) Local data should be used solely at the local district level for the purposes of improving teaching and learning for children and would not be released statewide, similar to current practice.**
- (4) MDE should be required to complete its analysis on or before February 1, not December 1, as noted in the legislation. Rushed analysis is unusable analysis.**

**HB 5910-5913. I would be remiss if I didn't share a few thoughts on the bills before you this morning, beyond the reflection that I just shared with you on assessment. MDE and all the major education organizations in the state are opposed to these bills, which remind me of an old metaphor: taking a cannon to a mosquito. As the story goes, if you take a cannon to a mosquito, you may get the mosquito, but you're likely to do a lot of collateral damage along the way.**

**Such is the case with the bills before you in committee today. Educators need help from you to lobby Congress for more**

**funding....and they need you to set clear and straightforward parameters for days, hours, attendance, and enrollment, similar to those that I just outlined, the product of the thinking of every major education organization in the state. That's what they require from you during this time of great uncertainty.**

**While it would be ideal for K-5 instruction—indeed, all instruction—to be in person--given the pandemic and the substantial fears of parents and staff, this is not practicable in every district in the state.**

**The contracting out of instructional staff to so-called qualified staff members who wouldn't have to be certified flies in the face of best practice in the development of teachers not simply in this country but across the world.**

**The creation of a pupil accounting committee to replace those who do pupil accounting for a living is ill conceived and creates a condition by which no one can be held accountable, since *a group* is now responsible rather than *an individual*.**

**E-learning days and the expansion of virtual learning are more solution than the moment requires, senators. At a minimum, address days, hours, attendance, and enrollment in the ways in which all major pre-K-12 education organizations have suggested, and reserve for consideration and study over the coming year the debate over e-learning days and the expansion of virtual learning.**

**There's no perfect in a pandemic, but we still have the opportunity to protect, nurture, and educate our children this year and, at the same time, the ability to protect our older and more vulnerable citizens as well.**

**Thank you.**