

Instructional Time Scheduling Options for Non-testing Grades

Section 101 of the State School Aid Act (MCL 388.1701) provides two basic requirements districts must meet regarding instructional time, the day and hour requirements.

Subsection 3(a) states, “Except as otherwise provided in this section, each district shall provide at least 1,098 hours and 180 days of pupil instruction.” 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 day requirement, along with the post-Labor Day start requirement from Section 1284b of the Revised School Code (MCL 380.1284b), when combined with state assessment administration requirements, which call for providing participants with a space conducive for testing, which is sequestered from potential distractions, present a myriad of challenges in meeting both statutory and assessment administration requirements.

In addition to the instructional time requirements, the attendance requirement provided in subsection 3(d) of Section 101, is a district-wide calculation which only includes those buildings/grades/programs scheduled for instruction on a day. Failure to meet the requirement does not affect the district’s ability to count the day and hours provided to the buildings/grades/programs in session on a day. Buildings/grades/programs not scheduled for instruction are not allowed to count the day and hours offered to buildings scheduled for instruction, even if the 75% attendance requirement was met for those in session.

In short, to avoid a state aid deduction, a district must schedule and provide all students with 1,098 hours, and 180 days where district-wide attendance did not fall below the 75% requirement. To help meet these requirements, 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 professional development day.
- The district modifies one of their instructional breaks to provide instruction for the affected buildings/grades/programs.
- The district offers professional development that meets the requirements of Section 101(10) to offset the day(s). *Note: This could affect a district’s eligibility for additional forgiven time.*
- The district adds virtual or distance learning days that meet the requirements of section 5-O-D or 5-O-A of the Pupil Accounting Manual.