



STATE OF MICHIGAN
DEPARTMENT OF EDUCATION
LANSING

GRETCHEN WHITMER
GOVERNOR

MICHAEL F. RICE, Ph.D.
STATE SUPERINTENDENT

MEMORANDUM

DATE: September 28, 2020

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

FROM: Kyle L. Guerrant, Deputy Superintendent KG
Finance and Operations

SUBJECT: Two-way Interactions under Return to Learn Laws –
MEMO #COVID-19-117

On August 20, 2020, Governor Gretchen Whitmer signed into law Public Acts 147, 148, and 149, which enacted the laws commonly referred to as the "Return to Learn Laws." Under these new laws, districts are required to have two-way interactions for three related yet distinct purposes during the 2020-21 school year. This memo supplements the memo issued by the Michigan Department of Education (MDE) on August 21, 2020, entitled [Return to Learn Law Details – MEMO #COVID-19-094](#).

What is a two-way interaction?

A two-way interaction is simply a conversation between (1) the teacher or another district employee who has responsibility for the pupil's learning, grade progression, or academic progress and (2) the student. The conversation should be relevant to course progress, course content for at least one of the courses on the student's schedule, or the pupil's overall academic progress or grade progression. **Please note that the state school aid act, passed by the legislature last week, expanded these two-way interactions to include district employees other than teachers and expanded the content of these two-way interactions to include overall academic progress or grade progression.**

The two-way interaction may be with a student who is physically present for instruction and attendance is taken. For students in a self-contained classroom, attendance may be taken twice per day (AM/PM attendance). The attendance record is signed by the teacher and the record is maintained by the district. Similarly, attendance on a platform such as Google Meet, Zoom, or Skype where live and synchronous instruction takes place is an acceptable form of two-way interaction.

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MDE recommends printing an attendee list and maintaining that documentation as evidence of student attendance.

Two-way interactions may also take place through email, instant message, telephone conversation, or similar methods. A log of the two-way interaction should be maintained along with a copy of the communication. Sample two-way interaction forms can be found in the pupil accounting manual [exhibits](#). Districts are encouraged to first work with their ISD auditor as the auditor may have forms that she or he prefers.

For the 2020-21 school year only, a two-way interaction may be evidenced by the documented completion of a homework assignment during the week. The assignment should be relevant to the course's curriculum. The assignment would be posted by the student's teacher for the week. The student would complete and submit the assignment. The teacher would evaluate and review the homework. The teacher is strongly encouraged to grade and/or provide constructive feedback to the student.

What laws require two-way interactions?

The Return to Learn legislation introduced one new law (MCL 388.1698a) and amended two existing laws (MCL 388.1606 and MCL 388.1701). The three discuss two-way interactions as outlined below.

Transparency

New for the 2020-21 school year, Section 98a ([MCL 388.1698a](#)) of the state school aid act requires a district to ensure a teacher or another district employee who has responsibility for the pupil's learning, grade progression, or academic progress have two (2) two-way interactions with a student each week of the school year for at least 75 percent of pupils enrolled in the district.

This transparency requirement is for all students enrolled in a district during a given week. The weekly two-way interaction rates must be posted on the district's transparency reporting webpage each month and publicly announced during the monthly reconfirmation meeting of the local school board.

When determining the weekly interaction rate for transparency purposes, the number of students enrolled in a district during a given week will be the denominator. All students with two (2) two-way interactions during that week will be the numerator.

The two-way interactions required under Section 98a may also be used to meet the attendance and membership requirements described in more detail below.

75% Attendance Requirement

In a traditional school year, the attendance requirement is measured over 180 days. As a whole, the district must have 75 percent of its students present each day to avoid a state aid deduction.

New for the 2020-21 school year, Section 101 ([MCL 388.1701](#)) of the state school aid act removes the requirement for students to be physically present. Rather, the attendance is based on two-way interactions. More specifically, a teacher or another district employee who has responsibility for the pupil's learning, grade progression, or academic progress needs to have a single two-way interaction with a student each month of the school year¹ and the interactions must be with at least 75 percent of the district's students during that month to avoid a state aid deduction. The attendance requirement is for all students enrolled in a district at some point during that month.

When determining the attendance percentage, the number of students enrolled in a district during a given month will be the denominator. All students with one (1) two-way interaction during that month will be the numerator.

Membership

The final two-way interaction is found in Section 6 ([MCL 388.1606](#)) of the state school aid act, which is used for membership purposes. While there are other methods that may be used to meet the membership requirements, as mentioned in the [Return to Learn Law Details – MEMO #COVID-19-094](#), the two-way interaction remains a highly recommended option since the district is already conducting two-way interactions for the requirements of Sections 98a and 101.

If a district will be satisfying the membership requirement with two-way interactions, there must be one (1) two-way interaction during each week of the four-week count period. The week for membership is specifically defined as Wednesday through Tuesday beginning on count day and continuing for the three consecutive weeks after the week in which count day falls.

The district must have one (1) two-way interaction each week for a full FTE. If the district is unable to execute a two-way interaction with a student, the membership will be prorated. For example, if three of four two-way interactions occurred between a student and the student's teacher or another district employee who has responsibility for the pupil's learning, grade progression, or academic progress, the membership for full-time student would be prorated to a 0.75 FTE.

¹ For the purposes of the attendance requirement, a school year means a period of at least 9 calendar months that are chosen by a district and that are designated as part of the district's 2020-2021 school year.

Two-Way Interaction Quick Reference Grid

<u>Purpose</u>	<u>Transparency</u>	<u>Attendance</u>	<u>Membership</u>
State School Aid Act	Sec. 98a	Sec. 101(3)(h)	Sec. 6(4)
Number of two-ways	2/week	1/month	1/week during count
Tied to Funding	No	Yes	Yes
Audited	No	Yes	Yes
Transparency Reporting	Yes	No	No
Target	at least 75% of pupils enrolled	at least 75% of pupils enrolled	100% of pupils using two-way
Notes	Meeting the transparency two-way requirement will also satisfy attendance and membership requirements.		Other count day methods may be used outside of two-way.

cc: Michigan Education Alliance
Confederation of Michigan Tribal Education Directors