



STATE OF MICHIGAN
DEPARTMENT OF EDUCATION
LANSING

GRETCHEN WHITMER
GOVERNOR

MICHAEL F. RICE, Ph.D.
STATE SUPERINTENDENT

MEMORANDUM

DATE: September 2, 2021

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

FROM: Kyle Guerrant, Deputy Superintendent *KG*
Finance and Operations

Delsa D. Chapman, Ed.D., Deputy Superintendent *DDC*
Division of Educator, Student, and School Support

SUBJECT: District Strategies for Continued Instruction During COVID-19 Closures
and Quarantines

As many districts begin the 2021-22 school year, a pattern of questions has developed surrounding the topic of canceled in-person instruction. This memorandum provides responses to those topics based on current understanding of the state law.

Is virtual instruction an option for 2021-22?

As addressed in an earlier [memorandum](#) released on July 29, 2021, virtual instruction remains an option for districts for this school year. However, pivoting to virtual instruction requires preparation on the district's behalf to ensure that appropriate instruction can be provided.

If a district is planning to use a virtual option as an alternate method of providing instruction, the Michigan Department of Education (MDE) recommends that districts do the following now to assist with a future transition:

- Identify the technological needs of each student. Create a plan to distribute appropriate technology if students are required to learn virtually.
- Obtain the required consent from parents or guardians to permit students to participate in virtual instruction. (MCL [388.1621f](#))
- Create educational development plans (EDPs) for all students. The EDPs do not need to be completed by count day but must be started for membership purposes.

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- Identify a content provider if the district has not already created a virtual curriculum. A district may choose to use their own content, provided that the curriculum is approved by the local school board.
- Identify how the content will be provided, whether it be asynchronous, synchronous, or hybrid/blended.
- Create an appropriate staffing plan for all virtual courses. Courses require an appropriately certified teacher of record and a mentor; the teacher of record can serve as the mentor if the person is both properly certified and an employee of the district. If the district is a local education agency (LEA), either a traditional public school district or a public school academy, and the district plans to use third-party teachers from an entity other than Michigan Virtual, a permit may be required.
- Develop a plan for measuring student participation during the count period. Districts can either choose to use two-way interactions, one per week during the count period, or the completion of an activity in each course on count day (or within 10 school days for an unexcused pupil or 30 calendar days for an excused pupil). More detail regarding the participation requirement can be found in [Section 5-O-D of the Pupil Accounting Manual](#).
- Develop a plan on how weekly two-way interactions will be tracked for the duration of the virtual placement. Two-way interactions will be used for your end-of-year reporting in MSDS.

Can the completion of an assignment be used to satisfy the two-way interaction requirement for virtual instruction during 2021-22?

No. There was a one-year exception provided to districts during the 2020-21 school year that was not continued by the legislature for the 2021-22 school year.

Can the discussion of a completed assignment be used to satisfy the two-way interaction requirement for virtual instruction during 2021-22?

Yes. A teacher of record or mentor can review or discuss a completed assignment with a student as part of their two-way interaction.

What alternatives to virtual instruction can be utilized?

Distance learning: [Section 5-O-A of the Pupil Accounting Manual](#) remains an option for students learning remotely from their teacher(s) in 2021-22. With distance learning, students attend instruction through a synchronous platform, such as Zoom. Instructional times will remain the same as the bell schedule identified by the district for in-person learning. Students are expected to be in attendance during the prescribed instructional time(s). Attendance is recorded in the same manner as is used for in-person learning absences are noted. Teachers are to remain available through the synchronous platform for the entire class period. The teacher may dismiss students to complete individual or group assignments once the lecture period is complete. If a student requires assistance, the student will re-join the synchronous session to request assistance from the assigned teacher.

With distance learning, the membership requirements match the requirements to which districts are held in in-person instruction. The curriculum remains the same as what students would be exposed to in-person. No additional staff are required, and there is no requirement for a mentor. The teacher is the same person assigned to the course for in-person instruction. In addition, this modality does not require parental consent, EDPs, or two-way interactions.

MDE recommends that districts prepare now by identifying the technology needs of students and developing a plan to distribute technology in the event that students are required to learn at a distance.

Report students as absent: In addition to distance learning, if instruction is not canceled, districts may record students who are not present as absent following their locally developed attendance policies.

Provide instruction following the homebound/hospitalized requirements: For students who will be absent for more than five days, a parent or guardian may request that their child is provided instruction through homebound/hospitalized services according to [Section 5-D of the Pupil Accounting Manual](#). Per this section, the parent or guardian must supply the district with documentation from a physician or physician's assistant that the child is unable to attend school due to a medical condition. Within three school days of the request for services, the district shall provide twice weekly individualized instructional periods to the student. These sessions may be delivered through a synchronous platform such as Zoom. Homebound/hospitalized services are determined and delivered on a student-by-student basis. If multiple students within a household requires homebound/hospitalized services, each student will need to have an accompanying certification from a physician or physician's assistant attesting to the student having a medical condition that requires the student to be hospitalized or confined to their home.

How can our district serve populations without available internet access?

If the district has a population of students who do not have access to the internet or personal beliefs that prohibit them from participating in distance learning or virtual instruction, the district may contact MDE to discuss potential solutions or waivers. For additional information, please contact Steve Nemeckay at NemeckayS@michigan.gov or Jeff McNeal at McNealJ1@michigan.gov.

Are 100 percent virtual students included in the 75 percent attendance requirement calculation?

No. Students who are assigned to be 100 percent virtual may be separated from their instructor or teacher of record by time or location, or both, according to section 21f ([MCL 388.1621f](#)) of the state school aid act. Based on this law, these students are not bound to an attendance requirement and would not be included in the district-wide calculation of attendance.

What does our district need to do if instruction is canceled on count day?

If instruction is canceled on count day, and the closure is due to circumstances beyond the control of school administrators, per sections 6(7) and 6a (MCL [388.1606](#) and MCL [388.1606a](#)) of the state school aid act, the district may request an alternative count day from MDE.

Requests can be submitted to MDE by completing the following form: <https://www.michigan.gov/mde/0,4615,7-140-6605-21534--,00.html>. For a district that cancels instruction on count day, the day immediately following the day on which school is in session will be the count day.

Can “forgiven time” be used to offset canceled in-person instruction?

Section 101(3)(e) ([MCL 388.1701](#)) remains unaltered for the 2021-22 school year. “Forgiven time” remains a viable option for districts when it is determined that a cancellation reduced the amount of instructional time provided. Districts begin each school year with six days of forgiven time that can be used for cancellations that occur due to conditions beyond the control of school administrators. An additional three days of forgiven time may be [requested from MDE](#) once the initial six days have been exhausted. Additional days can only be granted for the number of days canceled beyond the initial six at the time of the request.

cc: Michigan Education Alliance
Confederation of Michigan Tribal Education Directors