

## 5-O-A: VIRTUAL LEARNING, DISTANCE LEARNING, & INDEPENDENT STUDY

**Virtual learning** is a method of receiving academic instruction in courses in which the pupil is registered and the courses are taken through a computer-based internet-connected learning environment. Virtual learning may be offered at a supervised school facility during the day as a scheduled class period-or through self-scheduled learning where pupils have some control over the time, location, and pace of their education. Virtual learning includes, but is not limited to, online learning and computer-based learning, where the delivery of instruction may incorporate a combination of software, technology, and the Internet.

**Distance learning** is a method of receiving synchronous academic instruction in courses-for which the pupil is registered, via a two-way communication between the teacher of record and a group of pupils.

**Independent study** is a type of learning experience that is academic in nature that allows the pupil an opportunity for self-directed learning.

### A) Requirements for Counting in Membership

All of the following requirements must be met for pupils enrolled in virtual learning, distance learning, or independent study to count for membership purposes.

- 1) The **pupil must meet pupil membership eligibility requirements** pursuant to Section 6(4) or 6(6) of the State School Aid Act (MCL 388.1606) **and any other applicable statute.**
- 2) The **pupil must be enrolled and attending on the count day(s)** if membership is being claimed pursuant to Section 6(8) and Section 6a of the State School Aid Act (MCL 388.1606 and MCL 388.1606a). Pupils enrolled in self-scheduled courses that take place off-site satisfy the attendance requirement for the off-site self-scheduled course by attending an on-site course in which they are concurrently enrolled-on the count day(s).
- 3) The pupil must be enrolled in the course and the course must be reflected on the pupil's class schedule on count day.
- 4) The course must be academic in nature and must be approved by the board of education of the school district or board of directors of the public school academy.
- 5) The course must generate credit toward the pupil's high school diploma or grade progression.
- 6) The course counts as one course on the pupil's class schedule.
- 7) The course generates an amount of FTE that is comparable to what it would generate if being offered through a traditional format.
- 8) The teacher of record must be identified. A second teacher, who does not necessarily hold Michigan teacher certification, may be associated the course.
- 9) A mentor must be assigned and available for assistance to the pupil.
- 10) If the course is offered using a blended learning format, the pupil must be physically in attendance on the count day as required by Section 6(8) of the State School Aid Act (MCL 388.1606). For a pupil who is absent on count day, the attendance criteria can be considered met if the pupil returns to school within 10 school days of an unexcused absence-or within 30 calendar days of an excused absence.
- 11) Grade Eligibility:
  - a. Virtual learning

- Virtual learning, on-site with an adult present other than a certified teacher: K-12\*
- Virtual learning, self-scheduled: K-12\*

*\*Note: Online courses offered to pupils enrolled in grades 6-12, in which the pupils are separated from their teachers by time or location, or both, that meet the requirements of Section 21f of the State School Aid Act (MCL 388.1621f), shall be provided following the legislation for expanded online learning as described in Section 5-O-D of the Pupil Accounting Manual.*

- b. Distance learning: K-12
- c. Independent study: 9-12

12) Number of courses allowed per count without a seat time waiver (see Section 5-O-B), or as described in Section 5-O-D:

- a. No more than a total of two of any combination of the following:
  - Virtual learning, on-site with an adult present other than a certified teacher
  - Virtual learning, self-scheduled
  - Independent study
- b. No limit on the following:
  - Distance learning

13) For self-scheduled courses, the participation requirement must be satisfied for membership purposes. The **participation requirement states** that a pupil must complete at least one (1) two-way interaction per week for each week of the four (4) week count period.

## **B) Intermediate District, Local District, and Public School Academy Requirements**

The program shall be approved by the intermediate school district's board of education, by the local school district's board of education, or by the public school academy's board of directors, for awarding credit according to the requirements of the Michigan Merit Curriculum.

## **C) Instructional Components**

**Teacher of Record:** A teacher who holds a valid Michigan teaching certificate or who is an instructor employed by or contracted through a community college or university for courses provided by a community college or university; who, where applicable, is endorsed in the subject area and grade of the course; and is responsible for providing instruction, determining instructional methods for each pupil, diagnosing learning needs, assessing pupil learning, prescribing intervention strategies, reporting outcomes, and evaluating the effects of instruction and support strategies. As Section 1231 of the Revised School Code (MCL 380.1231) applies, the teacher of record shall be employed by the district.

**Mentor:** A professional employee of the district who monitors the pupil's progress, ensures the pupil has access to needed technology, is available for assistance, and ensures access to the teacher of record. A mentor may also serve as the teacher of record if the mentor meets the definition of a teacher of record.

**Participation:** Participation is measured for self-scheduled courses through the use of two-way interaction. For membership purposes, a pupil must complete at least one (1) two-way interaction per week for each week of the four (4) week count period.

The first week in which participation will be measured begins on count day (Wednesday), and continues through the following Tuesday. Each consecutive week will start on Wednesday and

end on the following Tuesday, for a total of four (4) weeks including the week that began on count day. The district shall document and retain an online activity log detailing two-way interactions for each seat time waiver pupil. An illustration of this requirement appears below.

Sun	Mon	Tue	Wed	Thu	Fri	Sat
			<-----week 1----->			
			Count Day			
-----week 1----->			<-----week 2----->			
-----week 2----->			<-----week 3----->			
-----week 3----->			<-----week 4----->			
-----week 4----->						

If the winter break is 4 school days or longer, the requirement for weekly two-way interaction does not apply for that week. If instruction has been canceled district-wide during a week for 3 school days or longer, the requirement for weekly two-way interaction does not apply for that week.

**Two-way Interaction:** Two-way interaction is the communication that occurs between the teacher of record **or mentor** and pupil, where one party initiates communication and a response from the other party follows that communication. Responses must be to the communication initiated by the teacher of record **or mentor**, and not some other action taken. This interaction may occur through, but is not limited to, means such as email, telephone, instant messaging, or face-to-face conversation. All two-way interaction must be documented and available to the pupil accounting auditor upon request. Interaction must be relevant to the course or pupil's progress. Parent or guardian facilitated two-way interaction may be required if the pupil is in grades K-5 and does not yet possess the skills necessary to participate in two-way interaction unassisted.

#### D) **Virtual Learning**

- 1) **Virtual learning, online learning, or computer courses offered on-site with an adult present who is not a certified teacher, and a certified teacher assigned** as defined in Administrative Rule 340.11. These courses are provided during the school day as part of the pupil's class schedule. The pupil is in regular daily attendance on-site at a district building pursuant to section 6(8) of the State School Aid Act (MCL 388.1606). The course is approved by the board of education of the school district or board of directors of the public school academy-and generates credit toward the pupil's high school diploma or grade progression. The course is supervised by an adult who is in the classroom while the course is in session. A certified teacher employed by the district must be assigned to the pupils. The pupil is limited to no more than 2 computer or Internet courses taken on-site with an adult present who is not a certified teacher. The course is counted in the same manner as any other in-school course.
- 2) Self-scheduled virtual learning courses as defined in Administrative Rule 340.11. These courses are approved by the board of education of the school district or board of directors of the public school academy and generate credit toward the pupil's high school diploma or grade progression. A teacher of record is identified and assigned to the pupil. A mentor is available for assistance to the pupil and monitors the pupil's progress in the course. Each course counts as 1 course on the pupil's class schedule and generates that portion of a full-

time equivalency membership that a comparable course offered by the district would generate. Not more than 2 of these courses may be used in the computation of a full-time equivalency on each of the count days. The district may adopt additional requirements for pupils enrolled in these courses.

#### **E) Distance learning**

**Distance learning**, as defined in Administrative Rule 340.11, is provided via 2-way communication **and instruction** between the teacher of record and a group of pupils over **via a mobile device, computer,** or television monitor, **where the teacher instructs from a location other than the classroom where the pupils are located at the district school site.** The course is approved by the board of education of the school district or board of directors of the public school academy and generates credit toward the pupil's high school diploma or grade progression. A pupil and certified teacher are assigned to the distance-learning course during the regular school day. The course appears on the pupil's class schedule—and an adult is present in the classroom. If the distance-learning course is provided through a cooperative agreement with another district or other district(s), the certified teacher shall be an employee of a school district that is part of the cooperative agreement. There is no limit on the number of distance learning courses that can be counted in membership for the pupil. The course is counted in the same manner as any other in-school course.

#### **F) Independent Study**

**Independent study courses**, as defined in Administrative Rule 340.12, are learning experiences that are academic in nature that allow a pupil enrolled in grades 9-12 the opportunity for self-directed learning. These courses may be offered in an online or virtual format. An independent study course appears on the pupil's class schedule and the teacher of record is identified. The pupil is concurrently enrolled in and attending at least one course offered by the district in which credit is earned and regular daily attendance is required. The pupil is enrolled in the course on the pupil membership count day or the supplemental count day. The course is counted in the same manner as any other in-district course. A pupil is limited to two independent study courses per count.

#### **G) Blended Learning**

This type of learning is a hybrid of instruction that takes place in part at a supervised school facility (or a location agreed upon by the district and pupil) and in part through a computer-based or internet-connected learning environment and that provides pupils with some degree of control over time, location, and pace of instruction. Pupils receive at least fifty percent of the course instructional time through on-site face-to-face instruction.

Only independent study and self-scheduled virtual learning courses are eligible for blended learning under Section 5-O-A of the manual.

#### **H) Statutory and Other References**

<u>State School Aid Act:</u>	<u>Administrative Rules:</u>
MCL 388.1606	R 340.11
MCL 388.1621f	R 340.12
MCL 388.1622f	

## I) Question and Answer

### Limitation on Counting Virtual Learning Classes

- Q #1** Both self-scheduled and independent study course requirements limit a pupil to two virtual learning classes and state that the pupil must be enrolled and attending the district for at least one class concurrently. What does concurrently mean?
- A #1** Concurrently means a pupil must be enrolled and in regular daily attendance in at least one class at the school site during the semester or trimester that the pupil is doing the self-scheduled virtual course or the independent study if the district is counting that virtual course or the independent study course toward that pupil's FTE.
- Q #2** If the pupil is taking three virtual learning classes, in how many traditional classes must the pupil enroll for the classes to count toward FTE?
- A #2** Assuming that no more than 2 of the virtual learning courses were self-scheduled and off-site, the pupil needs to be enrolled in 1 concurrent course at the school for membership purposes. The concurrent course can be a virtual course taken at the school. If the pupil is taking more than 2 off-site, self-scheduled courses, a seat time waiver is required.

Depending on the course type, there may be a limit on the number of courses that can be counted toward membership. Refer to Section A, requirement 12 above for details.

### Charging the Pupil Online Fees

- Q #3** A nonresident pupil is short credits for graduation and would like to graduate with her class. The pupil is taking a full class load during the day at her resident district. The resident district is counting the pupil for 1.0 FTE. The nonresident pupil is enrolled in our adult education program for an online course in the evening to earn additional credit. May our district charge the pupil the fee for the online course?
- A #3** Yes. The pupil is enrolled and taking a full course load during the normal school day; thus, the pupil cannot generate any more state aid. The nonresident pupil may be charged tuition and necessary fees.
- Q #4** The pupil takes an online course through Michigan Virtual University during the regular school day. The pupil also would like to receive college credit under dual enrollment for this course. There is an additional \$25 fee to take the exam for college credit. May the district charge this fee to the pupil? Can the district deny the pupil the option of taking the exam at the district's expense?
- A #4** No, the \$25 fee falls under the "tuition and fees" for which the district is responsible under dual enrollment requirements-and the district cannot deny the pupil the opportunity to take the assessment at the district's expense.