



News Release

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State Law and Equitable Access Prompt Michigan Dept. of Education Decision

March 20, 2020

LANSING – Existing state law and ensuring equitable education access for all students prompted the Michigan Department of Education (MDE) today to notify local school districts that distance learning strategies in individual schools and districts will not be counted as official student instructional time during the COVID-19 school closure.

“State law limits us in this situation – not for an individual child in an individual cyber school or an individual virtual course offering, but for children across the state, many of whom have no computers at home, no connectivity, and no adults to monitor their learning and/or technology,” said State Superintendent Dr. Michael Rice.

“The state legislature should change state law to permit days out of school for this public health emergency to be counted as instructional days. Last year, the state legislature took similar action with the polar vortex January 29 through February 2, 2019,” Dr. Rice added. “Under the current conditions, the legislature should make clear in law that the school year will not be extended into the summer.”

Current state law requires schools to have 75 percent student attendance each day in order for a district to receive full state funding for that day. Attendance is impossible to determine and verify when traditional public schools not designed to provide distance learning strategies need to do so, according to the department.

“According to state law governing education delivered in traditional public schools, we can’t count instructional time if we can’t count students,” Dr. Rice said.

Equitable access issues exist across our state – north to south and east to west. These access issues include the lack of internet connectivity for some families and schools, and the lack of resources, including devices for some students and staff. Additionally, there are access issues for students with different types of learning needs. These access issues create inequitable educational opportunities for children across our state.

Dr. Rice explained that this issue pertains to a three-week closure period that might well be extended during the COVID-19 crisis.

“Many issues will need to be addressed swiftly. What we knew about this public health emergency one week ago has changed rapidly,” he said.

“With this public health emergency growing, the legislature will need to relax Michigan Merit Curriculum high school graduation requirements, teacher and administrator evaluation requirements, and other legal requirements,” Dr. Rice said. “It will also need to ensure that all public school employees, salaried and hourly; all contracted service providers, instructional and non-instructional; and all substitute staff members be paid during this period of emergency. This is an unprecedented time.”

MDE is currently working with partners in the administration, as well as with education stakeholders, to flesh out a longer-term approach to support students in learning at a distance, while taking into account the extraordinary challenges of equity and access.

“We are encouraging every school district to continue providing enrichment and supplemental learning opportunities for their students, and we are glad to see school districts have chosen to do so during the COVID-19 school closure,” Dr. Rice said. “We commend the extraordinary measures that school districts are taking to meet the needs of our students.”

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