

## 5-O-A - VIRTUAL LEARNING, DISTANCE LEARNING, and INDEPENDENT STUDY

**Virtual learning** is a non-traditional method of receiving academic instruction in courses, for which the pupil is registered, taken online through a computer over the internet. **Distance learning** is a non-traditional method of receiving 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. An **independent study** is a learning experience that is academic in nature that allows the pupil an opportunity for self-directed learning. These courses must be academic in nature, must be local school board approved, and must be earning credit toward the pupil's high school diploma or grade progression. These courses may be offered at the district during the day as a scheduled class period with a certificated teacher available in the classroom or through distance learning, through enrollment at a community college or university, or, the course may be offered at a self-scheduled time. An on-site certificated teacher serving as a mentor, for assistance and evaluation, must be assigned to the pupil by the district.

### **A. Types of Virtual, Distance Learning Courses, and Independent Study:**

1. **Computer or internet courses provided at the school** during the school day as part of the pupil's class schedule, while the pupil is in attendance in the building, poses no problem for pupil accounting because the pupil is in regular daily attendance. A certificated teacher employed by the school district must be present in the classroom. The number of courses taken, through the computer or the internet, at the school with the certificated teacher present are unlimited. The course is counted in the same manner as any other in-district course.
2. **Distance Learning** is provided via two-way communication between the teacher-of-record and a group of pupils over a television monitor, even though the teacher is physically remotely located from the pupils. The period of instruction is part of the pupils' class schedules during the regular school day. An adult must be present in the classroom. These opportunities are made available under cooperative arrangements among districts and pose no problem for pupil accounting. The certificated teacher must be an employee of a school district that is part of the cooperative agreement. The number of courses taken, through the two-way communication device, at the school with the certificated teacher present are unlimited. The course is counted in the same manner as any other in-district course.
3. The virtual learning course taken through a community college or university as **dual enrollment** pursuant to Rule 340.17 poses no problem since seat time and the location of the class are not issues in counting dual enrollment classes toward a pupil's membership. The pupil shall be 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 number of virtual or distance learning dual enrollment courses taken are unlimited.
4. The **self-scheduled** virtual learning course is being taken at a pupil's self-scheduled time and place ~~with no "regular daily attendance" required of the pupil for the course.~~ This course must appear on the pupil's class schedule and the teacher-of-record must be identified. The pupil shall be 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 shall be enrolled in the self-scheduled course and in attendance on the pupil membership count day or the supplemental count day during the class time designated for this course. The course is counted in the same manner as any other in-district course. The pupil is limited to two self-scheduled courses.
5. An **independent study** course is a learning experience that is academic in nature that allows a pupil enrolled in grades 9-12 the opportunity for self-directed learning. This course must appear on the pupil's class schedule and the teacher-of-record must be identified. The pupil shall be 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 shall be enrolled and in attendance on the pupil membership count day or the supplemental count day during the class time designated for this course. The course is counted in the same manner as any other in-district course. The pupil is limited to two independent studies.

**B. Requirements for Counting Membership:**

The following requirements must be met to count pupils enrolled in virtual learning, distant learning, or independent study courses for membership purposes:

1. The pupil enrolled in virtual learning courses, distance learning courses, or independent study **must meet pupil membership eligibility requirements** pursuant to section 6(4) of 1979 PA 94, MCL 388.1606(4). (See Section 3 – Pupil Membership Count Requirements)
2. The **course must be academic in nature** and must be approved by the local school board.
3. The **course(s) must generate credit** toward the pupil's high school diploma or grade progression in order to count toward the pupil's membership.
4. Each **course will count as one class** on the pupil's class schedule and will generate that portion of an FTE membership that a comparable course offered by the district would generate. This is identical to pupil accounting for dual enrollment.
5. The **teacher-of-record must be identified**. The teacher-of-record **for distance learning courses** (two-way communication) may be the instructor associated with the virtual course and; therefore, may not necessarily hold a Michigan teacher certificate.
6. An **on-site-mentor must be assigned** to the pupil who will be available for assistance and to monitor the pupil's progress in the virtual course. The on-site mentor **must be a certificated teacher employed by the school district**. The on-site mentor is responsible for reviewing any final exam or project that would indicate the pupil's success in the course.
7. The **district is required to pay any associated tuition charges or fees** for the virtual learning course, distance learning course, and the dual enrollment

courses on behalf of the eligible pupil, the lesser of the eligible charges or the prorated percentage of the state portion of the school district's foundation allowance similar to the tuition requirement for dual enrollment as described in Section 21b of the State School Aid Act.

**Note:** The district may adopt additional requirements for pupils enrolled in virtual learning, distance learning, or an independent study. A district may choose not to offer these classes or to place greater restrictions on their pupils (e.g. high school pupils only), and/or on the courses offered; that is the local school board's prerogative.

### **C. Using Virtual Course to Supplement Instruction:**

1. A pupil who is a **homebound/hospitalized** pupil with a documented medical statement, from their physician, stating a reason the pupil cannot be in regular daily attendance at school during regularly scheduled hours may also be enrolled in a virtual learning course, as described in A4 above. The pupil must be receiving individualized instruction for a minimum of two 45-minute periods per week, for a general education pupil, or two one-hour non-consecutive periods of instruction per week, for a special education pupil, with a certificated teacher. Any virtual learning classes would not generate additional membership as the two one-on-one sessions generate a full membership (1.0 FTE).
2. A pupil who is a **mandatory expulsion** pupil who has been required by state law to be expelled from all public schools may also be enrolled in a virtual learning course, as described in A4 above. The pupil must be receiving individualized instruction through a home-based program for a minimum of two one-hour periods of pupil instruction per week with a certificated teacher. (NOTE: the two one-hour periods for a special education pupil must be nonconsecutive) Any virtual learning classes would not generate additional membership as the two hour one-on-one sessions generate a full membership (1.0 FTE), **except**, if the pupil under the mandatory expulsion requirement is receiving instruction through an alternative education program setting, in which several pupils are enrolled and receiving instruction at the same time, the pupil's membership would be prorated and the virtual learning classes could be counted toward that pupil's membership.
3. A **home schooled** pupil or a **nonpublic** pupil who resides within the district that subscribes to Michigan virtual high school, GenNet, or any other department approved virtual learning course provider and that pupil wants to subscribe to the services provided, the resident home-schooled pupil or resident nonpublic school pupil may do so without charge to that pupil beyond what is charged to an enrolled pupil.

### **D. Regulatory References:**

State Aid Act  
388.1698(5)

Administrative Rules  
340.11  
340.12

### **Limitation of counting virtual learning classes**

#### **Q #1**

Both A4 and A5 above 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**

Both A4 and A5 are “self-scheduled” courses meaning the pupil is taking these classes away from the school building, at home, or at the public library on the pupil’s own time. The pupil takes the class after school, before school, or on weekends. The pupil is doing this independently from all other classes. The district must have a certificated teacher involved and the local school board must recognize the course in order to count it toward the pupil’s minimum required hours. Concurrently means a pupil must be enrolled and in regular daily attendance in at least one class at the school site during the semester 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, how many traditional classes must the pupil be enrolled in?

#### **A #2**

If the pupil is taking three virtual learning courses away from school on the pupil’s own time, the district is limited to counting only two of those courses toward the pupil’s FTE count unless that district is operating an alternative education program under a seat-time waiver (see Section 5-O-B). Also, the pupil must be enrolled in at least one traditional course at the school. If the pupil is taking these virtual courses as dual enrollment, the pupil is required to enroll in one traditional course at the public school.

### **Charging the pupil on-line fees**

#### **Q #3**

A nonresident pupil is short credits for graduation and would like to graduate with his class. The pupil is taking a full class load during the day at his 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 on-line course in the evening to earn additional credit. May our district charge the pupil the fee for the on-line 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 on-line course through Michigan Virtual High School 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 assess this fee on the pupil? Or, may the district deny the pupil of

taking the exam at the district's expense?

A #4

No, to both questions. If this is an eleventh or twelfth grade resident pupil, the district cannot deny dual enrollment. This \$25 fee falls under the "tuition and fees" that the district is responsible for under dual enrollment requirements.