

FAQ for Section 21f of the State School Aid Act (MCL 388.1621f)

Section 21f expands access to digital learning options for students in Michigan. This FAQ document offers basic answers to frequently asked questions.

1. Who is eligible to participate in the new digital learning initiative approved by the Legislature and the Governor in 2013?

Answer: Students enrolled in a public local district or public school academy in any of grades 5 to 12 are eligible to enroll in an online course. However, students enrolled in a school of excellence that is a full-time cyber school are not eligible to enroll in online courses as described in Section 21f of the State School Aid Act. Separate provisions for cyber schools are contained in the revised School Code.

2. How is an online course defined?

Answer: Section 21f defines an online course as a "...course of study that is capable of generating a credit or a grade, that is provided in an interactive internet-connected learning environment, in which pupils are separated from their teachers by time or location or both, and in which a teacher who holds a valid Michigan teaching certificate is responsible for determining appropriate 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."

3. Under Section 21f, how many online courses may an eligible student enroll in at one time?

Answer: With the consent of the student's parent or legal guardian, a student may enroll in up to two online courses as requested by the pupil during an academic term, semester or trimester. Consent of the parent or legal guardian is not required if the student is at least age 18 or is an emancipated minor.

4. Can a district deny a student request to enroll in an online course?

Answer: Yes. In addition to cost limits described in question #10, there are five approved specific reasons for denial, including: 1) the student has previously gained the credits provided from the completion of the online course; 2) the online course is not capable of generating academic credit; 3) the online course is inconsistent with the remaining graduation requirements or career interests of the student; 4) the student does not possess the prerequisite knowledge and skills to be successful in the online course or has demonstrated failure in previous online coursework in the same subject; and 5) the online course is of insufficient quality or rigor. If a district denies a student enrollment because the online course is of insufficient quality or rigor, the district shall make a reasonable effort to assist the student to find an alternative online course in the same or similar subject that is of acceptable rigor and quality.

5. Is there an appeal process if a district denies a student's request to enroll in an online course?

Answer: Yes, a student and his or her parents may appeal the denial by submitting a letter to the superintendent of the intermediate school district (ISD) in which the student's educating district is located. A response to the appeal must be issued within 5 days after it is received.

6. Can all public schools in Michigan elect to offer an online course under Section 21f?

Answer: Yes

7. What online courses may a student select from when making enrollment decisions?

Answer: Students may select courses from the online course catalog published by the educating district, or they may select courses from the statewide catalog of online courses that contains the courses found in the educating district catalog in addition to courses published by other district course providers statewide, including Michigan Virtual School courses.

8. What responsibilities do districts assume when they decide to offer online courses under Section 21f?

Answer: In addition to determining if the district will accept enrollments from nonresident students in their online courses, a district must: 1) provide the Michigan Virtual University (MVU) with the course syllabus in a form and method prescribed by the Michigan Department of Education for inclusion in a statewide catalog to be managed by MVU; 2) provide on its publically accessible website a link to the course syllabi for all of the online courses offered by the district and a link to the statewide catalog maintained by MVU; 3) offer the online course(s) in an open entry and exit method, or aligned to a semester, trimester, or accelerated academic term.

9. Are districts required to pay the costs of online course enrollments for their students?

Answer: Yes, with limits; see question #10. Section 21f requires districts to use their foundation allowance or per pupil funds calculated in the State School Aid Act to pay for the expenses associated with the online course(s).

10. What is the limit on the costs that districts are required to cover for online course enrollments?

Answer: Districts are not required to pay more than 1/12th of the district's foundation allowance or per pupil payment as calculated in the State School Aid Act for a semester course, or more than 1/18th of the district's foundation allowance or per pupil payment as calculated in the State School Aid Act for a trimester course. For example, using the state's minimum foundation allowance of \$7,076 for the 2013-14 school year, a semester course could not exceed \$589 and a trimester course could not exceed \$393. These numbers are based on the state's minimum foundation and could be higher based on each district's per pupil allocations.

11. What kind of access to technology does a district need to provide students enrolled in online courses?

Answer: A student enrolled in an online course must be provided the same rights and access to technology in his or her educating district's school facilities as all other pupils enrolled in the district. The educating district is the district that counted the pupil in membership during the Fall or Spring of the current school year.

12. When will the statewide catalog of online course syllabi be available?

Answer: The Michigan Virtual University expects the statewide catalog to be available to schools, students and the general public beginning in October 2013. Students and their parents will be able to review online course syllabi in the statewide catalog during the fall so that enrollment requests in online courses can be made for the second semester beginning in January 2014.

13. Can enrollments in online courses generate an increase in a district's full-time equivalent count for students?

Answer: No, under Section 21f, the enrollment of a student in one or more online courses cannot result in a pupil being counted as more than 1.0 full-time equivalent (FTE) pupil.

14. Are districts required to grant credit for successful online course completions?

Answer: Yes, districts must grant appropriate academic credit for successful online course completions and must count that credit toward completion of graduation and subject area requirements. In addition, a student's record and transcript must identify the online course title as it appears in the online course syllabus.

15. Will each online course title that appears in a district catalog or in the statewide catalog be required to have a course syllabus?

Answer: Yes, each syllabus will be required to list the following items: 1) the state academic standards addressed in the online course; 2) the online course content outline; 3) the online course required assessments; 4) the online course prerequisites; 5) expectations for actual instructor contact time with the online learning pupil and other pupil-to-instructor communications; 6) academic support available to the online learning pupil; 7) the online course learning outcomes and objectives; 8) the name of the institution or organization providing the online content; 9) the name of the institution or organization providing the online instructor; 10) the course titles assigned by the district and the course titles and course codes from the National Center for the Education Statistics (NCES) School Codes for the Exchange of Data (SCED); 11) the number of eligible nonresident pupils that will be accepted by the district in the online course; 12) the results of the online course quality review using the guidelines and model review process published by the Michigan Virtual University; 13) price of the online course; 14) and enrollment periods for the course, including drop policies and the timeline for random draw selections if demand for a course exceeds capacity.

16. What happens if the enrollment demand for an online course(s) in the statewide catalog exceeds the district's capacity to provide the online course(s)?

Answer: If the number of nonresident applicants exceeds the district's capacity to provide the online course(s), the district must use a random draw system, subject to the need to abide by state and national antidiscrimination laws and court orders. An open enrollment period will be identified for each online course syllabus that appears in the statewide catalog. This information will help districts make a determination in a timely fashion to accept/process enrollments or utilize a random draw system if demand for a particular course exceeds capacity.

17. When offering online courses, are districts required to provide enrollment opportunities for nonresident students?

Answer: No, districts may limit or refuse enrollments to nonresident students.

18. When will the Michigan Virtual University publish online course quality review guidelines and a model review process?

Answer: The Michigan Virtual University has published a document titled Draft Guidelines and Model Review Process for Online Courses that was made available for public comment during the month of August 2013. This material will be finalized in September 2013. To access the latest version of the Guidelines visit: www.mivu.org.

19. For the 2013-14 school year, will the Michigan Department of Education continue to issue seat time waivers for students enrolled in more than two online courses in a given academic term?

Answer: Yes

20. Will the statewide catalog of online courses include performance data?

Answer: Yes, beginning with the 2014-15 school year, the catalog will include: 1) the number of pupils enrolled in each online course in the previous school year; 2) the number of pupils who successfully completed each online course in the previous school year; 3) and the completion rate for each online course.

21. Can districts partner with other public and private organizations to support their efforts in offering online courses to resident and nonresident students?

Answer: Yes, districts can use locally developed online learning solutions and/or contract with third party providers for content, delivery and support services.

22. Will the Michigan Department of Education or Michigan Virtual University approve or reject online courses before they are included in the statewide catalog?

Answer: No, neither the Michigan Department of Education nor the Michigan Virtual University has the authority in legislation to approve or reject courses included in the statewide catalog.

23. Once a student selects an online course and the district approves it, will the statewide catalog offer enrollment and registration services?

Answer: No, but the statewide catalog will provide a link to the site that explains and/or manages the enrollment and registration process.

24. Can students enroll in more than two online courses in a given academic term during the 2013-14 school year?

Answer: Section 21f limits students to two online courses per academic term, semester, or trimester. For a student to enroll in more than two courses, the school has the option of applying for a seat time waiver from the Department, see section 5-O-B of the Pupil Accounting Manual; or if the student is taking the online courses on-site with a certified teacher present, there is no limit on the number of online courses in which the student can enroll up to 1.0 FTE, see section 5-O-A of the Pupil Accounting Manual.

25. Nonpublic students can currently take non-core courses (band, music, art, etc.) at their local public school in a face-to-face setting, and the district is able to claim a portion of the FTE count for each pupil. Can this arrangement continue for non-core courses in an online setting under Section 21f?

Answer: Yes

26. Are students in grades K-4 eligible to enroll in online courses given the restrictions placed on grade eligibility in Section 21f?

Answer: Students in grades K-4 may be given the option by their district to enroll in online courses. See section 5-O-A of the Pupil Accounting Manual.

27. Section 21f(8) requires districts to use its foundation allowance or per pupil funds to “pay for expenses associated with the online course or courses” and to cover the “cost of the online course.” What is the difference between online course cost and associated expenses?

Answer: The cost of an online course is tied to the direct expenses associated with developing it or paying for it through enrollment/tuition fees, including required course materials such as learning kits or textbooks. Other types of associated expenses include indirect costs such as facilities, computers, network connections and local mentor support services.

28. Is a district allowed to deny a student enrollment in an online course if the cost of the online course exceeds 1/12th or 1/18th of their foundation allowance?

Answer: Yes, the district may deny a student enrollment request in an online course if the cost of the online course exceeds 1/12th or 1/18th of the district’s foundation allowance.

29. If the cost of an online course exceeds 1/12th or 1/18th of a district’s foundation allowance or per pupil funding, can the district pass the additional cost of the course on to the student’s family?

Answer: No

30. Section 21f identifies the maximum amount districts are required to pay for the enrollment/completion of online courses available in the statewide catalog. The maximum required payment is based on each district’s foundation allowance or per pupil funding, which varies by district. Can a district establish more than one fee structure for an online course it makes available in the statewide catalog in an effort to capture higher payments based on higher per pupil funding levels of other districts?

Answer: No, districts will be required to identify a single price for each course title they elect to publish in the statewide catalog.

31. Will the Michigan Department of Education or MVU make a recommendation to schools on how to determine completion?

Answer: No, districts will be able to establish course completion criteria for each online course that appears in the statewide catalog. It is expected that the criteria will not be substantially different from the course completion standards used by districts for traditional face-to-face courses.

32. Given that student schedules have already been made for the 2013-14 school year, at what point are enrollments impacted by the 80/20 rule?

Answer: The 80/20 payment rules will apply to online course enrollments that begin with the second semester of the 2013-14 school year for online courses that appear in the statewide catalog. The statewide catalog will be available to schools, students, and the general public beginning in October 2013. Students and their parents will be able to review online course syllabi in the statewide catalog during the fall so that enrollment requests in online courses can be processed prior to the start of the second semester of the 2013-2014 school year.

33. Can a district that is offering courses in the statewide catalog collect 100% of the cost of the online course as part of the registration process and reimburse enrolling schools the 20% amount for enrollments that did not meet the completion standards?

Answer: Yes, it is permissible for districts offering online courses that appear in the statewide catalog to collect the full tuition amount as part of the enrollment process and reimburse the student's non-resident district the 20% amount associated with any non-completions.

34. Will the 80/20 rule only be applied to students that attend a Michigan public school and not students that attend a nonpublic school?

Answer: The 80/20 payment process only applies to public schools that enroll their students in online courses that appear in the statewide catalog. It is possible that a non-public school student could enroll in a non-core course from their local district that is offered online from the statewide catalog options. In this situation, the non-public student is considered a partial FTE for the district.

35. Given that our district does not operate under a traditional six hour schedule (block), can we establish a payment ceiling for online courses that is different than the 1/12th or 1/18th payment rule outlined in Section 21 of the State School Aid Act?

Answer: No