

MDE PANEL Questions from 2009 MPAAA Spring Conference

1. (Question) A 5th year senior met the graduation requirements in January, but the High School wants to keep them enrolled to play sports in the spring. Can the school count FTE for this pupil? Is this mentioned anywhere in the Pupil Accounting Manual?

Pupils who meet graduation requirements in the first semester of their senior year may continue to be counted in the second semester. This is true of 5<sup>th</sup> year seniors as well. This is not specifically addressed in the Pupil Accounting Manual.

2. A special ed pupil was put on homebased due to 1 of the 5 mandatory expulsions. The district did not go through a hearing or have a letter from the board because the student was special ed. They put it in his IEP for discipline. In SRSD the expulsion fields were filled in. Can the district still count the student as a full 1.00 FTE if they do not go through the proper process of a board hearing? What documentation would we then ask for to support this?

The language that pertains to the calculation of an FTE for a pupil put on home-based instruction for a disciplinary reason (something other than mandatory expulsion) can be found in Section 6(4)(u) of the State School Aid Act. The FTE is to be prorated based on the ratio of instructional hours provided divided by the minimum hours required (1,098 currently). Other criteria as stipulated in the act are required including that at least 2 nonconsecutive hours of instruction per week must be provided.

3. Can you explain how the MME test and PD hours can be coordinated and counted for the school year 2009-2010. I know that changes have been talked about....are they in the pupil accounting manual?

It is allowable to count as instruction those hours when only the 11th grade pupils are in session taking the exam while some high school teachers are proctoring the exam and other high school teachers are engaged in professional development. This arrangement was previously allowed for the 2007, 2008 and 2009 years only. An official MDE memorandum was recently issued which approves that arrangement indefinitely.

4. student that is in another district in a program that is for students that would be expelled but chose to enter a certain program instead of being expelled, they move into my district and bring with them the pages of discipline. My principal does not want to enroll because this is an expelled student, however the student has never been expelled, he entered a program in lieu of expulsion. What is my districts obligation to the student?

The district should consult their own legal counsel in a situation where they plan to deny enrollment to a resident pupil.

5. During the supplementary count a high school student decides that he is failing his classes and he is going to stop coming to classes for the remainder of the semester. He will be back during 3rd trimester to give it another go. If this student is not dropped from the system can we still count him upon his return to classes 3rd trimester?

The pupil can be counted in the third trimester if in attendance on the supplemental count day or qualifies via the 10/30 day rule.

6. District A has 2 students, each with an IEP, that attend a community based preschool setting (such as Head Start). According to each student's IEP, an early childhood special education teacher provides direct instructional service to the children in the early childhood setting under rule 340.1755. Each student receives

a minimum of 2 hours per week, 72 hours per year. Given the guideline in the Pupil Accounting Manual for a bona fide service delivery model, is it correct that these students would be counted as a .4 FTE?

Yes

7. District B has 2 students; each with an IEP that attend a community based preschool setting (such as Head Start). According to each student's IEP, an early childhood special education teacher provides direct instructional service to the children in the early childhood setting under rule 340.1755. Each student received 4 hours per week, 144 hours per year. Is each student entitled to .80 FTE (144/180)?

Yes. Services provided under R340.1755 may be provided in a community based setting to students with an IEP only.

8. Distance Learning  
Page 50-2 states that if the class is taken at the pupil's self scheduled time and place with no regular daily attendance required, they are limited to two per semester. If the district operates on trimesters, would this translate to 2 per trimester?

Yes

9. We have an F-1 Visa student applying for 09/10 school year. He will be living with a family who does NOT live in our district however the host family sends their children to our district through school of choice. Can this foreign exchange student also attend our district through school of choice or does he have to attend the district where the host family resides?

The F-1 Visa student residing in the home where other children in that home attend a district other than the district of residence, under School of Choice, has the same rights as any other family member in that household does under 105 or 105C. That means, the F-1 Visa pupil must apply during the application period, the F-1 Visa student would receive preference in the selection process.

10. Can blood borne pathogens and hazardous communications that is counted as professional development be used as a part of the 38 P.D. hours toward instructional time?

Qualifying PD hours must meet the criteria in Section 101 (10) of the State School Aid Act which requires that it is focused on: achieving adequate yearly progress, achieving accreditation, achieving highly qualified teacher status under NCLB or maintaining teacher certification. If the training can be linked to any of those objectives (perhaps certification in this case) it can be counted.

11. Are PSA's required to follow the common calendar mandate?

Yes, unless the PSA meets one of the exceptions such as International Baccalaureate program or a department approved year round school. See PAM Section 2 – pgs 2 & 3 for exception.

12. Can we use NovaNet (a tutorial based program) as a credit recovery class with a Para-professional taking attendance and the counselor as the mentor teacher?

If the counselor is a certificated teacher this could be permissible. However, this would be similar to a pupil taking the class off site so there would be a limit of two such classes per term.

13. Question for Dan Hanrahan- If Detroit Public Schools remains below 100,000 students would it lose its status as a First Class District and no longer be able to bill PSA's for students?

The threshold for qualifying as a district of the first class under the State School Aid Act has been revised to 60,000 FTE. So the answer to the question is "no."

14. Middle school 7<sup>th</sup> grade pupil is taking 8<sup>th</sup> grade math at the time he should be in history. Can the 7<sup>th</sup> grade pupil take the history class as a virtual course?

Yes, the pupil must meet K-12 eligibility. Must be assigned a mentor teacher.

15. Guidance on Electronic Attendance- Is there any guidance on policy and procedure for electronic attendance? It seems like auditors expect and ask for different things from districts within the same ISD and each ISD expects and asks for different things than their neighboring ISD.

The Pupil Accounting Manual does offer some options for electronic attendance records. It says that "if an automated data collection form is used, the document must be signed in ink by the teacher (on a daily or weekly basis at a minimum). If the record is in pencil, then the daily attendance record must be totaled in ink by the teacher of record. The records must be printed and signed for the week prior to the count date, the count week and the 30 calendar days following the count date. The ISD auditor may ask that automated attendance records are printed and signed for the remainder of the year." District records will vary based on the system that they employ. Also, the risk assessed for each district may vary and, based on the risk, the auditor may ask for more records of a district. Further, auditors may use their professional judgment in determining the records that are needed.

16. For the common calendar, is the ending date required to be common in the ISD? What is the status of the 170 day minimum requirement?

The common calendar law only applies to the dates of the winter and spring breaks. It does not apply to the beginning and ending dates of the school year. The requirement to be in session 170 days is still only in pending legislation (as of June 11, 2009).

17. Due to several closures of schools, due to the recent health issues- will the 30 additional hours after April 1<sup>st</sup> (if approved by State Superintendent) indicated in the Pupil Accounting Manual be acceptable? If NO, will there be a directive from the state regarding this timely issue?

The State Superintendent chose not to approve additional "forgiven" time waiver requests related to the H1N1 virus. No directive was issued. The requests were responded to on an individual basis---very few were received.

18. After a district uses its 30 hours for emergencies, what is the process to apply for additional hours in light of the current H1N1 (Swine) flu issue?

Written request for superintendent approval pursuant to State School Aid Act Section 101(4) language. See answer to question 19.

19. Why can ISD auditors “do their own thing”? In the session on waivers. 2 auditors are auditing seat time waiver programs very differently. The program is not the issue- but different rules, for different ISD’s is. Every count, we have to go to our building Admins. and secretaries and tell them the new “rules” we’ve gotten from our auditor. I’m on my third auditor- each one had different forms and areas of concern. Why can’t we all play on the same playing field?

The basic rules are the same for everyone, but how they are administered is up to the individual auditor. Each seat time waiver is different and has different requirements. Each auditor has his/her own method of performing an audit. Specific forms are not mandated, only recommended, and can be found in the Michigan School Pupil Auditing Manual.

20. For Gloria- When auditing the count day documents- do you require signatures on all forms? If so, who should sign it? Some schools provide excel forms in place of the form- is that ok?

Yes, there should be signatures on all forms. If not, how do you verify them? They should be signed by the authorized person in each building (principal, secretary, etc.) and by the authorized person at the district level. The format is not as important as the information contained in the form. Excel forms would be acceptable as long as they contain all of the necessary information and are signed by the authorized personnel.

21. Shon Smith attends MDE Middle College where full time pupils attend six class periods daily with MDE High School Teachers. Shon has four classes at the high school and one class (4 credit hours) at the college. What is the FTE for Shon? Is it prorated, ie 5 of 6 classes?

Answer: Administrative Rule 340.7 Computation of Membership – subsection (8). A pupil enrolled and attending an early college HS or middle school college who is enrolled in post secondary courses may be considered full time if one of the following is met: the pupil is enrolled in at least the number of classes (including both those at the high school and those at the college) equal to the number of classes that a traditional high school pupil would need to qualify for a “reduced schedule,” or their actual seat time including travel time meets the minimum hour requirement (1,098 currently) or if the pupil is taking all college classes meets the college’s definition of a full time student (usually 12 credits).

22. Attendance Records- regarding the requirement for count day which states that the “teacher of record” must sign these reports for the time period of week before, week of, & 30 days after on a daily or weekly basis.  
**Question 1).** Is it ok for these records to list absences only or should these records list “positive attendance”?  
**Question 2).** RE: Teachers signature requirement- Is this in the state aid law/ state statute?

Attendance records must be complete and signed by the teacher of record. In my (Gloria Suggit) opinion, only listing absences is not “complete.” The idea behind the teacher’s signature is a verification of attendance for the count period.

23. How are schools to handle school closures due to Swine Flu- Health rules require closure?

If a district needs additional hours above and beyond the original 30 allowed in 101 (4), then the district must apply for the waiver to count additional hours. See more current information in the answer to question 19.

24. One of our school secretaries received a faxed statement requesting her confirmation that she received a student's cumulative file from another public school. The statement reads: "When a student leaves a Michigan School, our Michigan Child Account Law" requires that the sending school has a statement on file that the receiving school has received a student's cumulative records. Is there such a law? If so- please explain details.

Revised School Code 380.1135(4) Enrolling district must request records within 14 days. Sending district must send within 30 days after request.

25. Where in legislature is the "common calendar" referred to?

MCL 380.1284 & 1284b

26. A 5<sup>th</sup> year senior met the graduation requirements in January, but the High School wants to keep them enrolled to play sports in the spring. Can the school count FTE for this pupil? Is this mentioned anywhere in the Pupil Accounting Manual?

See answer to question 1.

27. How do you handle districts that continue to use PO Boxes on the membership report, whether homeless or not? What would the consequences be?

If the only address given is a PO Box and no further proof of residency is on file, the pupil's FTE could be disallowed.

28. What are the consequences of using non-legal names (i.e. nick names) on the membership report?

This could lead to duplicate UICs and additional work in the resolution of the duplicates.

29. District A has an experiential course that the pupils take the class instruction part on-line. Quizzes & tests are given. The mentor teacher meets with each pupil sporadically. Students go into the classroom to work with other students, to apply what they have learned on-line. Does this work?

Administrative Rule 340.14(c) No, experiential learning is a course which must be taught by a certificated teacher. That course must be part of the teacher's class schedule, as well as, the student's class schedule. The teacher is required to be meeting with these pupils on a regular basis – not sporadically. If the class is scheduled for second period, the teacher must be meeting with these pupils during second period. If they use computers during second period to learn the subject, the teacher must be in the classroom.

The primary responsibility of the certificated teacher of the course is teaching the pupil(s) during the course timeframe. The certificated teacher shall not be concurrently teaching another class.

30. District A's high school principal is a certified teacher. The Principal meets once a week one on one with the five students enrolled in the experiential course. The student spends an hour during the day in the classroom practicing what the student has learned in the experiential course. Does this count?

No, experiential learning is a class and must meet as a class during the scheduled timeframe.