

**Testimony**  
**HB 5392**  
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**Macomb Intermediate School District**  
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On behalf of the Macomb County Superintendents and Curriculum Administrators we would like to share our concerns about HB 5392 as it is currently written.

This 'seat time waiver' legislation lacks the process and specificity of details to provide true accountability.

**First**, the question must be asked, "what is the problem with the current system of applying for and receiving a 'seat time waiver'"? Our experience with the MDE process, clearly outlined on their website, is the information requested is comprehensive and articulates the district responsibilities related to the program elements of the on-line learning experience. And to our knowledge, there have been no major violations with this process or the accountability of the district in the area of student achievement or pupil accounting.

There are sections in HB 5392 that mirror the requirements under the current 'seat time waiver' process. However, serious questions must be raised about the following provisions contained in this proposed legislation:

**Sub-Section 12 (H): "The mentor shall meet with or have 2-way interaction with the pupil at least weekly".** Does that mean the student and teacher exchange one email or a short phone call each week? How can a teacher access a student with a short interaction once/week? While we realize assignments might be completed on-line so the teacher can review 'paper and

pencil' assessments, the verbal interaction of questioning the student directly or being able to assist them with difficult concepts cannot be reduced to a 'weekly interaction.' On-line learning should create a dynamic individualized learning environment, not a check in system once/week.

***Sub-Section 13 (B): "Participation shall be measured by logging into at least 1 program-sponsored online course or credit-earning activity on each pupil membership count day or supplemental count day and for 9 additional calendar days during the 30-calendar day count period and documented weekly 2-way interaction between the on-site mentor and pupil each week of the count period."***

This section states that a student would only have to log into one course on count day (there is no minute time frame for that log-in); and then must log in for 9 additional calendar days during the next 30 days. Again there is no minute requirement for that log-in and it doesn't have to be all of the classes taken by the student. It can be the same one; a different one or a combination. And, 9 days out of 30, is only providing 30% learning time for the student in a period of a month. That is assuming the student spends a significant amount of time engaged in the learning process while logged in. Is that really the expectation for students in the state of Michigan? To only be connected to the learning environment for 30% of the time?

The Macomb ISD, on behalf of the 21 local districts, currently has a waiver request in the MDE process awaiting final review. It is a seat time waiver for students in grades K-8. Much research and collaboration among instructional leaders was included in this request. Foremost consideration was given as to the

level of support the on-line teacher will provide to the student. We have planned for weekly assessments to be administered 'face to face' utilizing Skype. If the student is unable to grasp certain concepts after a period of two weeks using the weekly 'face to face' assessment along with on-line assessments, plans will be made for the student, parent and teacher to meet at a mutually agreed to time and place so the teacher is able to provide direct instruction in person. We believe this approach will insure that students don't fall behind in making progress toward their individualized learning goals. We would recommend this requirement be included in the proposed legislation.

We, in Macomb County know that on-line learning for some students is a favorable alternative from the traditional 'brick and mortar' learning environment. In fact, we have several examples in the county where districts have developed blended courses for students who prefer that option for learning. However, we under no circumstances want to encourage a system of accountability whether it is on-line or 'in person' that lacks oversight in setting expectations for teaching and learning. While we know that the amount of 'seat time' doesn't always equate to mastery and that each student has a different learning style, we would encourage this committee re-examine the requirements in this legislation. For example, think about this...any student could lose a full year of either grade level progress or credits toward graduation because they were only required to 'login' a total of 20 days throughout the entire year in order to be funded as a full FTE. After close analysis of this current legislation, that scenario could very easily be the reality for students. Michigan has always been a leader in student

expectations and as we begin to offer different virtual environments for students at all grade levels, we want to make sure those requirements are rigorous and will continue to provide students and parents with successful and meaningful learning experiences.