DAYS AND HOURS

MSBO Certification course
Rob Dickinson, MPAAA Executive Director

Days and Hours

- Session Agenda
  - *Defining a day/hour*
  - *What does (and doesn't) count*
  - *Exceptions*
  - *Calendars and Schedules*
  - *Calculating FTE*
  - *75% attendance*
  - *Reporting / Deductions*
- Questions

Days and Hours

- Defining Days/Hours
  - *1098 hours & 175 days (15/16)*
  - *1098 hours & 180 days (16/17)*
  - *Section 101 of School Aide Act*
    - MCL 388.1701

Days and Hours

- HELPFUL HINT
  - *To turn the MCL into the section #, and vice versa:*
  - *388.1601 is section 1*
  - *Section 25 is MCL 388.1625*
  - *388.1724 is section 124*

Days and Hours

- HELPFUL HINT
  - *MARSE R340.1754*
  - *R340.1755*
  - *Michigan Administrative Rule for Special Education*
  - *Not MI laws, reference is to IDEA (federal law, no easy conversion)*

Defining a Day

- A 'school day' is anytime school is held for a scheduled population of students, REGARDLESS of the duration of time.
  - *Full days and half days are school days*
  - *Days with late start or early dismissal are school days*
    - **Note**: ONLY if students receive instruction

Defining a Day

- 175 minimum needed for 15/16, 180 for 16/17
  - *No anticipated changes to this as of April 2016*
  - *Exception: if collective bargaining agreement (WITH a complete calendar for 16/17) was in place by 6/24/2014.*
  - *For 15/16, CBA signed by 7/1/13*

Defining an Hour

- An instructional hour is 60 minutes spent in a classroom receiving instruction from a certified teacher.
  - *2015/16 – 1,098 instructional hours required*
  - *All students K-12*
  - *No change in hours for 16/17*

Defining an Hour

- A "certified teacher".
  - *Must have a current MI teacher's certificate, valid for the grade level & subject.*
  - *Parapros are NOT teachers*
  - *Licensed substitutes are teachers, during their assignment as a substitute.*

Defining an Hour

- A "certified teacher".
  - *Can be looked up online.*
  - *https://mdoe.state.mi.us/MOECS/publiccredentialsearch.aspx*
  - *Public records, anyone can search*

What counts

- A day of instruction counts when:
  - *School was scheduled and held for a group of students.*
  - *Students were in school long enough for instruction to take place.*
    - Groups who do NOT attend because of shortened hours, do NOT count a day.

What doesn't count

- A day of instruction does NOT count when:
  - *Full day of school was cancelled (and not forgiven)*
  - *Less than 75% attended, and District **chooses** not to count the day*
  - *Partial day for those students completely canceled*

What counts

- An hour of instruction counts when:
  - *Scheduled instruction with a certified teacher*
  - *Recess*
  - *Passing time*
  - *Study Hall*

What counts

- Recess counts if:
  - *Max of 30 minutes per day*
  - *Certified teacher must be with students the ENTIRE time*
  - *May be adjacent to lunch*
  - *Cannot be before/after school statrt/ends*

What counts

- Passing time counts if:
  - *Max of 30 minutes per day*
    - May request more if needed due to actual distance traveled
    - Request from ISD auditors when submitting calendars/schedules in the fall
  - *Cannot be before 1st or after last period*
  - *Only before OR after lunch, not both*

What counts

- Study hall counts if:
  - *No more the 2 per day*
  - *Must be supervised by a cettified teacher*
  - *District provides at least 90 additional hours of instruction (1,188)*

What doesn't count

- An hour of instruction does NOT count when:
  - *Teacher is not certified*
  - *Recess before school starts or after it ends (instruction must occur)*
  - *Recess without a certified teacher on the playground*

What doesn't count

- An hour of instruction does NOT count when:
  - *Recess in excess of 30 minutes per day*
  - *Recess for shared time (nonpublic) students*
  - *Passing before 1st hour, or after last hour*
  - *Passing before and after lunch (only count one)*

What doesn't count

- An hour of instruction does NOT count when:
  - *Passing time beyond 30 minutes per day without ISD approval*
  - *Passing time to another District*
  - *Study halls not supervised by a certified teacher*

What doesn't count

- An hour of instruction does NOT count when:
  - *Study halls when District provides less than 1,188 hours per year of instruction*
  - *Time spent eating breakfast or lunch*
    - Cannot call lunch a recess to count

Exceptions

- The rules just explained apply ALWAYS, except
  - *Pre-K special education*
  - *Reduced schedule*
  - *Seat time waivers*
  - *Blended seat time waivers*
  - *Homebound/Homebased*

Exceptions

- More exceptions
  - *Dual enrollment*
  - *Alternative ed waivers*
  - *Professional development time*
  - *IEP reduced schedules*
  - *JROTC classes*

Exceptions

- Still more exceptions
  - *Homeroom*
  - *Breakfast (w/instruction)*
  - *Seminar*
  - *Travel time*
  - *Forgiven time/days*

Pre-K special education

- Two different measurements:
  - *Program 191*
    - R340.1754
  - *Program 270*
    - R340.1755 & 1862

Pre-K special education

- Program 191 (rule 1754)
  - *Students must receive a minimum of 360 hours and 144 days per year.*
  - *FTE is calculated by # of hours scheduled and provided divided by 450*
  - *So MINIMUM FTE should be 0.80 (360/450)*
  - *So programs with >=450 hours per year can generate 1.00 FTE per student*

Pre-K special education

- Program 270 (rule 1755 and 1862)
  - *Students must receive a minimum of 2 hours per week, not less than 72 hours per year*
  - *No explicit day requirement*
  - *FTE is calculated by # of hours scheduled and provided divided by 180*
  - *So MINIMUM FTE should be 0.40 (72/180)*
  - *So programs with >=180 hours per year can generate 1.00 FTE per student*

Pre-K special education

- Hours limitation
  - *All hours must be for instructional services*
  - *Support services may not be counted towards FTE hours*
    - (speech, occ. therapy, physical therapy, social work, etc)

Pre-K special education

- Rule 1755 vs 1862
  - *All these students are reported as program 270*
  - *1755*
    - Students 1-3 yrs old with IFSP
  - *1862*
    - Students 2.5 – 5 yrs old with IEP

Pre-K special education

- Rule 1755 vs 1862
  - *R1755 students are classed as program 271 by CEPI for reporting to MDE*
  - *R1862 students are classed as 272*
  - *CEPI reports in MSDS showing breakdown*
    - Staging and certified

Reduced schedules

- Grades 9 to 12 only
- Requested by parent or guardian
- Must be in student's best educational interest
  - *School/parent decides*
- Must be done by student, not by groups

Reduced schedules

- Standard schedule
  - *More than 4 classes per day*
  - *Must be scheduled at least 80% to count*
  - *878.4 hours minimum*
- 4 block schedule
  - *Must be scheduled at least 75% to count*
  - *823.5 hours minimum*

Seat time waivers

- Students in grades 6-12
  - *Can apply for pilot K-5 waiver*
- Removes days & Hours requirement
- May be 100% online program
  - *May have seat time requirement if desired*
- Limited to 25% of student population

Blended seat time waivers

- Must have 50% or more of instructional time scheduled face-to-face with certified teacher
  - *May not use drop-in labs to satisfy this*
- Can be used for up to 100% of District population

Homebound/Homebased

- Homebound students
  - *Not able to attend due to health reasons*
  - *Should be counted as 1.00 FTE*
  - *Need physician/hospital explanation that student out for more than 5 days*
  - *Regular ed, 2 45-minute sessions with teacher per week*
  - *Special ed, 2 non-contiguous 60-minute sessions with teacher per week*

Homebound/Homebased

- Homebased students
  - *Not able to attend due to suspension or expulsion*
  - *Must be provided instruction separate from general student population*
  - *2 non-contiguous 60-minute session per week with certified teacher*

Homebound/Homebased

- Homebased students
  - *State mandated vs District policy*
  - *State mandated – may count as full FTE, if instruction is 1:1*
    - Group instruction, count actual hours/1098
  - *District policy*
    - Count actual hours/1098

Dual enrollment

- Students taking college courses
  - *Course paid for by district*
  - *Travel time can be used, but may not be needed*
  - *Implied reduced schedule – only 80% time needed (75% for block scheduling)*

Dual enrollment

- 3 ways to calculate FTE
  - *Count of all classes when college course meets daily*
    - 5 high school courses+1 daily college course=6 hours=1.00 FTE (if 6 hour HS)
    - 4 high school courses+1 daily college course=5 hours/6>80%=1.00 FTE

Dual enrollment

- 3 ways to calculate FTE
  - *College course not meeting daily*
    - Percent of full time with college course as % of college full time
    - 4 high school courses out of 6 hour day = 66%
    - 1 3-credit college course (college is 12 credits = full time) 3/12=25%
    - 66%+25%>80%=1.00 FTE

Dual enrollment

- 3 ways to calculate FTE
  - *Compute FTE using travel time*
    - 2 55-minute classes at HS each day w/5 minutes passing and 50 minutes travel time
    - 3 college courses:
      - *1 90 minute course MWF*
      - *2 120 minute courses TR*

Dual enrollment

- 3 ways to calculate FTE
  - *Compute FTE using travel time*
    - HS time: 55+55+5+50=165 minutes per day * 180 days = 496 hours/year
    - College time: (90*3) + (120*2*2)=750 min/week/5=150min/day*180=450 hours/year
    - 496+450=946/1098>80%= 1.00 FTE

Alternative ed. waivers

- Waiver for classroom based alternative ed courses
  - *Can waive day requirement (145 day min)*
  - *Can waive hours (878 hour min)*
  - *Can waive 75% attendance (50% min)*
- If online courses, use non-alternative seat time waiver

Professional development

- Can count up to 38 hours of professional development as instructional time.
- Collective bargaining agreement in place by 7/1/2013
- Hours in that still current contract (up to 38)

IEP reduced schedules

- Special ed students medically or emotionally unable to accept full time instruction
- May be counted for 1.00 FTE
- Reduced schedule must be detailed in the IEP
- Need must be documented by a doctor or psychiatrist (not social worker, psychologist)

JROTC Classes

Junior Reserve Officer Training Course

- Exception to certified teacher rule
- JROTC instructors are certified by the military, not MDE
- Count as you would any other course.

Homeroom

- May be counted as instructional time, even if no academic credit is given
- Is not a study hall
- Maximum of 15 minutes

Breakfast (w/instruction)

- Can be counted as instruction
- Must be with certified teacher
- Instruction must be actively being provided while students eat.
- Breakfast may NOT be counted as recess

Seminar

- Also called Achievement hour, or Focused instructional time
- Academic in nature (not a study hall)
- Tutoring, mentoring, or advising
- Certified teacher must be actively leading class
- Pupil:teacher cannot exceed 35:1

Travel time

- Students in grades 9-12
- Traveling out of district (otherwise it's passing time)
- Cooperative ed, Dual enrollment, special ed, etc.
- 3 hours/week, more with MDE waiver
- Must be ONLY reason student won't reach 1,098 hrs

Forgiven time/days

- Allow closing of school for unforeseen situations (snow days, etc.)
- Conditions not under school control
  - *Storms, fire, power outage, mechanical failures, unsafe health conditions, funerals, bomb threats*
- District determines if their situation fits the requirements.

Forgiven time/days

- Up to 6 days (and 6 days worth of hours at that building) per year
- Can apply to MDE Superintendent for up to 3 more days (and their hours)
  - *Old standard of AFTER April 1, no longer applies*

Forgiven time/days

- Up to 6 days (and 6 days worth of hours at that building) per year
- Can apply to MDE Superintendent for up to 3 more days (and their hours)
  - *Old standard of AFTER April 1, no longer applies*

Forgiven time/days

Scenario:

- District scheduled for 175 days, 1,098 hours
- Has 4 snow days, 1 early release (2 hrs early)
- 4 missed days, less then 5 days of hours missed, no correction or penalty needed.

Forgiven time/days

Scenario #1:

- District scheduled for 175 days, 1,105 hours
- Has 6 snow days, 1 early release (4 hrs early)
- 6 missed days, 6 days of hours missed + 4, 1,105 - 4 = 1,101 > 1,098 no correction or penalty needed.

Forgiven time/days

Scenario #2:

- District scheduled for 175 days, 1,105 hours
- Has 7 snow days, 1 early release (4 hrs early)
- 7 missed days, 7 days of hours missed + 4
  - *Can reschedule 1 full day (4 hrs in 'extra' above 1,098)*
  - *OR, can apply for extra forgiven day*

Forgiven time/days

Scenario #3:

- District scheduled for 175 days, 1,105 hours, day is 6.1 hours long
- Has 10 snow days
- Applied for, and got, waiver for 3 extra days and hours
- So at 175 (scheduled)-10 (lost)+9 (forgiven)=174 days
- 1,105 hours (scheduled) – 61 (lost) + 54.9 (forgiven) = 1,098.9 hours
- Are they covered?

Forgiven time/days

Scenario #3:

- No
  - *Hours are met, days are not*
    - Must meet BOTH
  - *A day must be rescheduled to avoid penalty*
    - Can be partial or full
  - *District CAN choose to accept penalty*

Forgiven time/days

Scenario #3:

- Quiz
  - *Since district only needs to schedule a partial day, can they just add a few hours to an existing partial day?*
  - *If the scenario was reversed, and they had enough days, but were short 2 hours, could they add to an existing partial day?*

Forgiven time/days

- Penalty for falling short and not rescheduling (whole district)
- Days deduction = Annual State Aid/175 days * # of days short = deduction
- Hours deduction = Annual State Aid/1,098 hours * hours short = deduction
- District gets GREATER of the two when both apply

Forgiven time/days

- All penalties use adjusted state aid
  - *Total – (Adult Ed + Durant)*
  - *Current State Aid Status report*
  - *www.mi.gov/sasf*

Forgiven time/days

- Example penalty for District with 174 days, 1,092 hours, district wide (assume $10 million adjusted state aid funding per year)
- Days deduction = $10,000,000/175 days * 1 day short = $57,142
- Hours deduction = $10,000,000/1,098 hours * 6 hours short (1,098-1,092) = $54,645
- Days deduction is greater, it applies

Forgiven time/days

Building level penalty

- If a building fails to meet the standards in a district that DID meet them everywhere else, penalty is adjusted by building's proportion of the district population.

Forgiven time/days

- Example penalty for **building** with 174 days, 1,092 hours, district wide (assume $10 million state aid funding) District of 6,000 students, 400 in building
- Days deduction = $10,000,000/175 days * 1 day short = $57,142 * (400/6,000) = $3,809
- Hours deduction = $10,000,000/1,098 hours * 6 hours short (1,098-1,092) = $54,645 * (400/6,000) = $3,643
- Days deduction is greater, it applies
- MDE will not collect deductions < $500

Calendars and Schedules

Calendar

List of all your school days for the year, full, partial, and the hours each meets for

Schedule

How each day is broken down into periods, passing time, recess, lunch, etc.

Calendars

Reported to your ISD auditor at the beginning of the school year

Common calendar – District must have the same winter holiday and spring break as all other Districts in the ISD unless granted a waiver by MDE.

1st day of school must be after Labor Day unless waived for year-round program

Building Calendars

- Within a District, you can report 1 calendar if every building has the same full and partial days during year
  - *Hours can vary, but days may not*
  - *Partial days must be the same dates, not just the same count*
- If a building has a different day off than rest (or closes for forgiven day), then it is on it's own calendar, and must be tracked & reported separately.

Building Calendars

- http://mpaaa.org/downloads.php
- Calendar form for your use
  - *http://mpaaa.org/restrictedDoc/Pupil_Auditing/days___clock_hour_forms___updated_9_1_2015.xls*
  - *Have to be member to have access*



Building Calendars

(Jump to XLS Spreadsheet)

Building Schedules

- Schedule of full & partial days
- Showing when each class starts, ends
- Passing time, recess, lunch
- If all partial days are not identical, list each out
- Typically done for every building

Building Calendars

(Jump to XLS Spreadsheet)

Calendars and Schedules

- Hints
  - *Set lunch passing the same for every school*
  - *DO NOT accept building generated schedules – Put them in YOUR form to see what they did wrong*
  - *Cannot start working with schools too early*
  - *Send again prior to Feb. count*

Calendars and Schedules

- Pitfalls
  - *Mid-year schedule change*
  - *"But that's how it was last year!"*
  - *Special ed students dismissed before/after regular ed.*
  - *Schedules returned too fast*

Schedules and FTE

- FTE calculators
  - *Fall & Spring count*
    - Part time students
    - 10/30 day rule
    - Special ed FTE
    - Audit deductions
  - *Need to turn a partial schedule into FTE*

Schedules and FTE

- FTE calculators
  - *MPAAA Website*
  - *Traditional and black FTE calculators*
  - *Can function as report of building schedule & compute partial FTE*
  - *MPAAA members only*

Building Calendars

(Jump to XLS calculator Spreadsheets)

75% Attendance

- Section 101(3)
  - *For any day of school:*
  - *75% of scheduled students must attend*
    - Scheduled – Buildings/grades that are not holding class that day do NOT count
    - Forgiven day for 1 building, grades not attending during exams

75% Attendance

- Exceptions (of course!)
  - *For days ADDED after scheduled end of year – must be 60% or greater*
    - Rescheduled days due to exceeding forgiven allowance
  - *Alternative ed programs – can apply for waiver, down to 50%*

75% Attendance

- Penalty
  - *Adjusted state aid divided by 180 multiplied by percent below target (usually 75%)*
  - *If day is at 70%, then penalty is 5% (75-70) of 1 day's adjusted state aid*
  - *Same for 60% days, or 50% alternative ed programs*

75% Attendance

- Penalty example
  - *Adjusted state aid = $10 million, has 1 day with District attendance at 68%*
  - *$10,000,000 / 180 = $55,556 per day*
  - *$55,556 * .07 (.75 - .68) = $3,888*
- NOTE: MDE does not assess penalties below $500

75% Attendance

- BE AWARE!
  - *Penalty for attendance does NOT account for how many students were supposed to be in attendance.*
  - *If 1 small school only one in session that day, ENTIRE district state aid still at risk.*
  - *Avoid days when only 1 school is in session*

Example

- #1
  - *District originally scheduled for 175 days, 1098.25 hours*
    - District canceled 3 days for snow
    - District canceled 1 day for funeral of a student
    - District canceled 1 day for grand opening of local sports venue
    - District has 2 days with attendance below 75%
  - *Does district need to make any adjustments to make minimums?*
  - *What options do they have?*

Example

- #2
  - *District originally scheduled for 175 days, 1098.25 hours*
    - District canceled 7 days for snow
    - District canceled 1 day for funeral of a student
    - District has 2 days with attendance below 75%
  - *Does district need to make any adjustments to make minimums?*
  - *What options do they have?*

Reporting to MDE

- DS-4168
  - *Certified by 7/15 at the end of each year*
  - *Reports hours, days, forgiven days, days below 75%, PD time*
  - *District certifies by 7/15, ISD certifies by 8/1*
  - *Be sure to let your ISD know when you have certified*

Reporting to MDE

- Expected change
  - *For 16/17, POSSIBLY for 15/16*
  - *Exception based reporting*
  - *Report what didn't make 1098, 175, 75%*
  - *Certify that everything else did*
  - *MUCH faster, easier reporting*
- MDE only used data for penalties, so no need to report what did make the minimums.

Questions?

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