



STATE OF MICHIGAN  
DEPARTMENT OF EDUCATION  
LANSING


RICK SNYDER  
GOVERNOR

BRIAN J. WHISTON  
STATE SUPERINTENDENT

**MEMORANDUM**

**DATE:** October 5, 2017

**TO:** Local and Intermediate School District Superintendents  
Public School Academy Directors

**FROM:** State Superintendent Brian J. Whiston 

**SUBJECT:** Innovation/New Opportunities and Diligence to Proper Vetting

If we are to become a Top 10 education state in 10 years, we must be innovative. Now, with change and innovation, we also must remember to review the law and keep informed of new rules. As you work towards change and innovation, this can bring about challenges with individuals and companies looking for you to try new things. This is great, and we should be open to trying new ways to improve education for our students, but I want to share some issues that have surfaced over the last few years and make sure you are doing your due diligence and properly vetting companies. This will ensure your students are safe and receiving a quality educational experience, while limiting your exposure to a possible pupil audit.

The following are examples I would like to share of issues that have come up (the first one dealing with lack of reliable documentation to support attendance and participation requirements of online programs, and the other two simply are about making sure the i's are crossed and the t's are dotted):

- 1) Two districts received a state aid deduction of close to a million dollars each for working with a vendor, Michigan Educational Partnership (MEP), that was enrolling students for online schools and programming, but not educating the students; providing the required computer and materials; and, in some cases, were registering students who had already graduated. Furthermore, the instructional programs were being conducted almost independently from the district, with teachers employed by the vendor, records being maintained by the vendor, and diplomas issued by the vendor.
- 2) Another vendor, the Greater Michigan Construction Academy (GMCA), was offering programming and billing districts for Career and Technical Education (CTE) and dual enrollment classes when they had no authority to offer those

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programs. Following an investigation by MDE, we provided guidance and technical assistance to the vendor and local districts on how best to proceed. After an extensive review and consultation with the district and vendor, the program now is being appropriately provided through districts following the work-based learning experiences criteria outlined in administrative rule, rather than as a CTE or dual enrollment program.

- 3) Concerns have been raised regarding some homeschool partnerships and shared time program class offerings, and the definition of an essential and nonessential course under the law (MCL 388.1766b). As districts offer courses to home school and nonpublic students, some districts have experienced audit findings (some of which have been resolved and others that still are under appeal) related to use of certificated teachers; offer and making courses available to all students; or providing a course with essential content.

I want to be clear – I support work-based learning, as well as partnerships and shared time programs that are offering legitimate courses and trying to meet the needs of all students. I mention the issues above in the hope that as you explore educational options, you will make sure the entities you and your board contract with are reputable and have the authority to provide the services they claim.

As you may know, I am very much in favor of innovation. MDE formed the Innovation Council to encourage creative projects and practices with the goal of meeting individual student learning plans and improving student outcomes. The Council membership includes educators, superintendents, pupil auditors, and several department experts. It is designed to review proposals, advise, and support districts on how best to formulate their inventive models and programming. For more information, visit: [www.mi.gov/mde-ic](http://www.mi.gov/mde-ic).

Finally, I would encourage districts to review the Pupil Accounting Manual and/or contact Brian Ciloski ([ciloskib@michigan.gov](mailto:ciloskib@michigan.gov), 517-373-3352) with questions related to the pupil accounting requirements. Should you have questions regarding program composition, please contact Eric Lipinski ([lipinskie@michigan.gov](mailto:lipinskie@michigan.gov), 517-241-6895). Brian and Eric will be able to work with you to make sure your programs and classes are appropriate and meet legal requirements so you may avoid a potential audit finding that could cost your district much needed funding.

I appreciate all the work you and your staff do each day to help our students succeed. Let's continue to work together to move Michigan forward and become a Top 10 education state.

cc: Michigan Education Alliance