

Vol. 41, No. 1 - September 2026 New VIRTUAL INSTRUCTION DAYS

New Policy - Vol. 41, No. 1

2370.02 - VIRTUAL INSTRUCTION DAYS

The Board of Education authorizes the District to utilize up to six (6) Limited Flexible Virtual Instruction Days per school year to deliver remote, technology-based instruction during specific testing disruptions or emergency conditions without reducing required annual instructional days or hours.

The Superintendent or designee is authorized to implement flexible virtual instruction days only in accordance with the strict statutory conditions, Board authorization, advance notification, and student accounting procedures set forth in this policy.

Categories and Usage Caps

The six (6) flexible virtual instruction days are divided into two (2) distinct, non-transferable statutory categories:

- A. Mandated Testing Disruptions - Up to three (3) days per school year**, limited to buildings and grad levels impacted by State or Federally mandated assessments
- B. Emergency Closures - Up to three (3) days per school year**, available only after the District has exhausted all emergency closure days permitted under applicable law

Board Approval Requirement

Prior to deploying any limited flexible virtual instruction days during a school year, the Superintendent must present the District's Flexible Virtual Instruction Plan to the Board and obtain formal local Board approval. Department of Education approval is not required, but local Board authorization is mandatory.

Parental and Student Notice

[DRAFTING NOTE: M.C.L. 388.1621f(14) requires that notice of the plan be provided to impacted students and their parents or legal guardians "before enactment of the plan."

This is a one-time, pre-adoption notice requirement tied to the Board approval process. The per-event notice provisions below are not independently required by the statute but are permissible District-level operational requirements that do not conflict with the law.]

The District must provide notice of the Flexible Virtual Instruction Plan to all impacted students and their parents or legal guardians before enactment of the plan by the Board. Notice shall describe the circumstances under which virtual instruction days may be utilized and the manner in which instruction will be delivered.

[] Advance notice of the plan and intent to utilize flexible virtual instruction days must be provided to all affected students and their parents or legal guardians before any virtual day is conducted.

- A. **Testing Disruptions:** Notice shall be published at the beginning of the academic year or at least five (5) school days prior to the scheduled assessment window.
- B. **Emergency Closures:** Notice shall be communicated through the District's primary emergency mass notification system immediately upon determining that Section 101(4) emergency closure days have been exhausted.

[END OF OPTION]

Instructional Delivery and Quality Standards

All virtual instruction provided on these days—whether synchronous (live, real-time instruction) or asynchronous (independent coursework)—must satisfy the virtual learning requirements of Section 5-O-D of the MDE Pupil Accounting Manual, including:

- A. **Teacher-of-Record Engagement:** Lessons and learning modules must be authored, assigned, and monitored by a certificated teacher employed by or contracted with the District.
- B. **Instructional Equity and Accessibility:** The District shall ensure all impacted students have necessary technology devices and internet access, or alternative equitable learning options, to participate fully.
- C. **Special Education Accommodations:** Programs and services must be delivered in accordance with each student's Individualized Education Program ("IEP") or Section 504 Plan.

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Legal

M.C.L. 388.1621f (Section 21f of the State School Aid Act, Public Act 25 of 2026)

