FAQ for Section 21f of the State School Aid Act
(MCL 388.1621f)
Developed by the Michigan Department of Education & Michigan Virtual
2017-18 School Year

Section 21f expands access to digital learning options for pupils in Michigan. This FAQ document offers basic answers to frequently asked questions.

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SCHOOL ELIGIBILITY

What entities are eligible to offer virtual courses through Section 21f?

Michigan LEAs, PSAs, ISDs, community colleges, and the Michigan Virtual University are eligible to offer virtual courses through Section 21f. *(Updated November 2015)*

PUPIL ELIGIBILITY

Who is eligible to participate in virtual course offerings provided under Section 21f of the State School Aid Act?

Pupils enrolled in any grade in a public local district or public school academy may enroll in a virtual course. This could include pupils who enroll through a district on a part-time basis, such as those participating in a shared time program, as long as all applicable membership requirements are met. Consent of the parent or legal guardian is not required if the pupil is at least age 18 or is an emancipated minor. Pupil enrollment requests may be denied by the primary district if the pupil is enrolled in any of grades K to 5. *(Updated October 2016)*

Under Section 21f, how many virtual courses may an eligible pupil enroll in at one time?

A pupil may enroll in up to two virtual courses as requested by the pupil during an academic term, semester or trimester. A pupil may be enrolled in more than two virtual courses in a specific academic term, semester, or trimester if:

a) The primary district has determined that it is in the best interest of the pupil.

b) The pupil agrees with the recommendation of the primary district.

c) The primary district, in collaboration with the pupil, has developed an education development plan, in a form and manner specified by the department, that is kept on file by the district. See the Personal Curriculum document linked to by the department in the Pupil Accounting Manual for more detail on the education development plan. A direct link to that document can be found at https://www.michigan.gov/documents/mde/PC_Extras_1_2015_482099_7.pdf *(Updated September 2017)*

What are the required components in an educational development plan for students taking more than two online courses during an academic term?

The educational development plan must including the following items:

1.) The pupil’s preferred learning style

2.) The pupil’s interests

3.) Areas of academic development

4.) Areas of personal/social development

5.) A timeline and measures for the development of the above items

6.) Postsecondary and career goals as applicable

The district will maintain a copy of the plan on file, and must provide the plan to the pupil membership auditor upon request. *(Updated September 2017)*

Will the Michigan Department of Education continue to issue seat time waivers to districts for pupils enrolled in more than two virtual courses in a given academic term?

No. Pupils are able to take more than two virtual courses under Section 21f without needing a seat time waiver if the pupil has demonstrated previous success with virtual courses and the school leadership and the pupil’s parent or legal guardian determine that it is in the best interest of the pupil. *(Updated September 2017)*
Under Section 21f, are school districts required to honor pupil requests to enroll in virtual courses beyond a full pupil course load?

No. Under Section 21f, the enrollment of a pupil in one or more virtual courses shall not result in a pupil counting as more than 1.0 full-time equivalent (FTE) pupil. Districts are not obligated to provide a pupil with a course load that exceeds a full-time schedule. (Updated October 2016)

Under Section 21f, are school districts required to honor a pupil’s requests to enroll in core and elective virtual courses when the enrollment does not cause the pupil’s membership to exceed 1.0 FTE?

Yes. If the enrollment will not cause the pupil to exceed 1.0 FTE, and does not meet any of the reasons for denial of enrollment identified in the legislation, then the request for enrollment must be allowed. When considering the type of courses that may be requested under Section 21f, the legislation does not make a distinction between core and elective courses. However, a pupil enrolled through a shared time program would be limited to nonessential electives only. (Updated December 2013)

Is a district required to provide a pupil with Section 21f options during the summer?

No. A district is only required to enroll a pupil in courses under Section 21f during its regular school year. The regular school year may, however, extend into what is traditionally considered the summer break if the school operates on a year-round or extended school calendar. (Updated December 2013)

When offering virtual courses, are districts required to provide enrollment opportunities for nonresident pupils?

No. A primary district that is also a provider shall determine whether or not it has the capacity to accept applications for enrollment from nonresident applicants in virtual courses and may use that limit as the reason for refusal to enroll a nonresident applicant. (Updated October 2016)

Nonpublic pupils can currently take non-core courses (band, music, art, etc.) at their local public school in a face-to-face setting, and the district is able to claim a portion of the FTE count for each pupil. Can this arrangement continue for non-core courses in a virtual setting under Section 21f?

Yes. Section 166b of the State School Aid Act allows nonpublic and homeschool pupils the opportunity to enroll in courses in nonessential elective subject areas. See Section 5-E of the Pupil Accounting Manual. (Updated November 2015)

VIRTUAL COURSE SYLLABI

How is a virtual course defined?

Section 21f defines a virtual course as a “...course of study that is capable of generating a credit or a grade and that is provided in an interactive learning environment where the majority of the curriculum is delivered using the internet and in which pupils may be separated from their instructor or teacher of record by time or location, or both.” (Updated October 2016)

When is a virtual course syllabus needed?

If enrollment in the virtual course is limited to a single district, no virtual course syllabus is required, but the course must be published in the district’s catalog of board-approved courses. If enrollment in the virtual course is open to pupils in more than one district, a course syllabus that meets the definition under subsection (14)(g) must be provided to Michigan Virtual University in a form and manner prescribed by them for inclusion in a statewide catalog of virtual courses. (Updated October 2016)
What is meant by a virtual course syllabus?

A virtual course syllabus means a document that includes all of the following:

1) An alignment document detailing how the course meets applicable state standards or, if the state does not have state standards, nationally recognized standards;
2) The virtual course content outline;
3) The virtual course required assessments;
4) The virtual course prerequisites;
5) Expectations for actual instructor or teacher of record contact time with the virtual learning pupil and other communications between a pupil and the instructor or teacher of record;
6) Academic support available to the online learning pupil;
7) The virtual course learning outcomes and objectives;
8) The name of the institution or organization providing the virtual content;
9) The name of the institution or organization providing the instructor or teacher of record;
10) The course titles assigned by the provider and the course titles and course codes from the National Center for the Education Statistics (NCES) School Codes for the Exchange of Data (SCED);
11) The number of eligible pupils that will be accepted by the provider in the virtual course. A primary district that is a provider may limit the enrollment to those pupils enrolled in the primary district;
12) The results of the virtual course quality review using the guidelines and model review process published by the Michigan Virtual University;
13) Price of the online course; and
14) Enrollment periods for the course, including drop policies and the timeline for random draw selections if demand for a course exceeds capacity. (Updated October 2016)

VIRTUAL COURSE REVIEW

Can eligible entities leverage course reviews conducted by other organizations provided that those reviews include evaluations against the iNACOL quality standards?

Yes. When an eligible entity adds a course syllabus to Michigan’s Online Course Catalog, it is vouching for the quality of the virtual course. If the entity chooses to forego conducting its own review and instead accepts a review conducted by another organization, that is its choice. If an eligible entity decides to use the results of a review conducted by another organization, it should confirm that the process used to conduct the review is in line with the guidelines and model review process for Michigan available at: (http://media.mivu.org/institute/pdf/guidelines_model_2013.pdf). If the review was conducted by an out-of-state organization, the eligible entity should confirm that the content portions of the review used the applicable Michigan curricular standards. If the organization did not, the eligible entity should re-review those portions of the standards. Please note that MVU modified the scoring system using the same iNACOL standards. Instead of the five-point scale (0, 1, 2, 3, 4) iNACOL originally suggested, the review process for the virtual courses in Michigan will use a three-point scale. Reviewers will be asked to rate a standard as “Not Met,” “Partially Met,” or “Fully Met.” This new rating system simplifies categories both for reviewers and consumers of the reviews. (Updated November 2015)

Will the Michigan Department of Education or Michigan Virtual University approve or reject virtual courses before they are included in the statewide catalog?

No. Neither the Michigan Department of Education nor the Michigan Virtual University has the authority in legislation to approve or reject courses included in the statewide catalog. (Updated August 2013)
STATEWIDE CATALOG (MICOURSES.ORG)

What virtual courses may pupils select from when making enrollment decisions?

Pupils may select courses from the virtual course catalog published in the primary district’s catalog of board-approved courses, or they may select courses from the statewide catalog of virtual courses maintained by the Michigan Virtual University (available at https://micourses.org) that contains the courses published statewide by eligible entities. (Updated October 2016)

Will districts be able to identify course titles in the statewide catalog that can be included in their local catalog as a strategy to recommend certain courses to pupils and parents?

Yes. The statewide catalog of courses (available at https://micourses.org) allows districts to select individual course titles that appear in the statewide catalog and have them show up in their local district catalog. Districts may want to use this feature to let pupils and parents know which offerings in the statewide catalog are recognized by the district as high quality or preferred based on previous experience. (Updated September 2014)

Once a pupil selects a virtual course and the district approves it, will the statewide catalog offer enrollment and registration services?

Starting in the fall, the statewide catalog will include new functionality to allow for enrollment requests, sharing of payment information, and final scores to be reported. However, entities are not required to use these built-in features. If an entity does not choose to use these features, information will be provided on where to go to register for the course. (Updated October 2016)

Are there certain times of the year when eligible entities are prevented from adding new course syllabi to Michigan’s Online Course Catalog (available at https://micourses.org)?

No. Eligible entities can add virtual course syllabi to the statewide catalog at any time. (Updated September 2014)

Will the statewide catalog of virtual courses include performance data?

Yes. The catalog includes: 1) the number of enrollments in each virtual course in the previous school year; 2) the number of enrollments that earned 60% or more of the total course points for each virtual course in the previous school year; 3) and the completion rate for each virtual course. (Updated September 2014)

COURSE COST AND PAYMENT

How are Section 21f virtual enrollments paid for?

Section 21f requires primary districts to use their foundation allowance or per pupil funds calculated in the State School Aid Act to pay for the expenses associated with the virtual course(s). Districts are not required to pay more than 6.67% of the state’s minimum foundation allowance or per pupil payment as calculated in the State School Aid Act for the current fiscal year. For example, using the state’s minimum foundation allowance of $7,511 for the 2016-17 school year, a district is not required to pay more than $500.98 for a virtual course. The pupil or the pupil’s parent or legal guardian may choose to pay the cost difference for the virtual course if it exceeds the district’s maximum cost obligation. (Updated November 2015)

Are eligible entities required to price their virtual courses that appear in the Michigan virtual course catalog at an amount equal to 6.67% of the state’s minimum foundation allowance?

No. Eligible entities have discretion to establish a price for their virtual courses. (Updated September 2014)
Given that our district does not operate under a traditional six hour schedule (block), can we establish a payment ceiling for virtual courses that is different than the 6.67% payment rule outlined in Section 21 of the State School Aid Act?

No. (Updated September 2014)

Section 21f (10) requires districts to use its foundation allowance or per pupil funds to “pay for expenses associated with the virtual course or courses” and to cover the “cost of a virtual course.” What are the eligible expenses associated with a virtual course that can be covered by the 6.67%?

The cost of a virtual course is tied to the direct expenses associated with paying for it through enrollment/tuition fees and includes required course materials such as learning kits or textbooks that are in addition to the enrollment/tuition fees. (Updated September 2014)

PROVIDING DISTRICT RESPONSIBILITIES

What responsibilities do districts and ISDs assume when they decide to provide virtual courses to eligible pupils under Section 21f?

In addition to determining if the eligible entity will accept virtual enrollments from nonresident pupils, an eligible entity must:

1. Ensure that the virtual course has been published in the pupil’s primary district’s catalog of board-approved courses or published in the statewide catalog of virtual courses maintained by the Michigan Virtual University;
2. Assign to each pupil a teacher of record and provide the primary district with the personnel identification code (PIC) assigned by the Center for the teacher of record. If the provider is a community college, the virtual course must be taught by an instructor employed by or contracted through the providing community college;
3. Offer the virtual course(s) in an open entry and exit method, or aligned to a semester, trimester, or accelerated academic term.
4. If the virtual course is offered to eligible pupils in more than 1 district, the following additional requirements must also be met:
   a. Provide the Michigan Virtual University with a course syllabus that meets the definition under subsection (14)(G) in a form and manner prescribed by the Michigan Virtual University for inclusion in a statewide catalog of virtual courses.
   b. Not later than October 1 of each fiscal year, provide the Michigan Virtual University with an aggregated count of enrollments for each virtual course the provider delivered to pupils pursuant to this section during the immediately preceding school year, and the number of enrollments in which the pupil earned 60% or more of the total course points for each virtual course.
5. If the course is provided by a community college under Section 21f, the course must be capable of generating postsecondary credit.
6. The virtual course is academic in nature and approved by the provider’s board of education of the school district or board of directors of the public school academy. (Updated October 2016)

What are the requirements for a teacher of record of a virtual course?

A teacher of record must:

1. Hold a valid Michigan teaching certificate or a teaching permit recognized by the department;
2. If applicable, be endorsed in the subject area and grade of the virtual course;
3. Be responsible for providing instruction, determining instructional methods for each pupil, diagnosing learning needs, assessing pupil learning, prescribing intervention strategies and modifying lessons, reporting outcomes, and evaluating the effects of instruction and support strategies;
4. Have a personnel identification code provided by the center;
5. If the provider is a community college, is an instructor employed by or contracted through the providing community college. (Updated October 2016)

What responsibilities do community colleges assume when they decide to offer virtual courses under Section 21f?

Community colleges must:
1. Ensure that instructors of 21F courses are employed by or contracted through the providing community college;
2. Ensure that each online course it provides under this section generates postsecondary credit. (Updated October 2016)

Are Section 21f enrollments through a community college considered dual enrollment?

No. Provided that the community college course is included in Michigan’s Online Course Catalog (https://micourses.org), the course is eligible for a school district to claim under Section 21f and therefore is subject to the requirements of Section 21f as opposed to the dual enrollment legislation. However, if the courses are not included in Michigan’s Online Course Catalog, they are not eligible under Section 21f, and therefore would need to follow the rules for dual enrollment. (Updated November 2015)

What happens if the enrollment demand for a virtual course(s) in the statewide catalog exceeds the eligible entity's capacity to provide the virtual course(s)?

If the number of applicants exceeds the provider’s capacity to provide the virtual course, the provider shall use a random draw system, subject to the need to abide by state and federal antidiscrimination laws and court orders. A primary district that is also a provider shall determine whether or not it has the capacity to accept applications for enrollment from nonresident applicants in virtual courses and may use that limit as the reason for refusal to enroll a nonresident applicant. (Updated October 2016)

Can enrollments in virtual courses generate an increase in a district's full-time equivalent count for pupils?

No. Under Section 21f, the enrollment of a pupil in one or more virtual courses cannot result in a pupil being counted as more than 1.0 full-time equivalent (FTE) pupil. (Updated August 2013)

Can eligible entities partner with other public and private organizations to support their efforts in offering virtual courses to resident and nonresident pupils?

Yes, eligible entities can use locally developed virtual learning solutions and/or contract with third party providers for content, delivery and support services. (Updated August 2013)

Can a district continue to offer virtual course options that are not directly taught by a Michigan certificated teacher?

Unless the course is offered by a community college, all virtual courses offered under Section 21f are required to be taught by a teacher of record who holds a valid Michigan teaching certificate or a teaching permit recognized by the department. (Updated October 2016)

Can an eligible entity restrict their course enrollments to a subset of districts in the state?

No. An eligible entity has the option of limiting enrollments to only their pupils, or allow for any eligible pupil statewide to enroll in the course. Section 21f, subsection 4, allows for a district to determine whether it will or will not accept enrollment from non-resident pupils. In such cases where enrollment demand exceeds enrollment capacity, subsection 4 allows for an eligible entity to deny enrollments, but only through the use of a random draw system. (Updated September 2014)
DISTRICTS WHOSE PUPILS ENROLL IN 21F COURSES (PRIMARY DISTRICTS)

When must a pupil request enrollment in a virtual course?

Unless the pupil is newly enrolled in the pupil’s primary district, the request for virtual course enrollment must be made in the academic term, semester, trimester, or summer preceding the enrollment. (Updated September 2014)

What kind of access to technology does a district need to provide pupils enrolled in virtual courses?

A pupil enrolled in a virtual course must be provided the same rights and access to technology in his or her primary district’s school facilities as all other pupils enrolled in the district. The primary district is the district that enrolls the pupil and reports the pupil as a full-time equated pupil for pupil membership purposes. The Michigan Department of Education has also been tasked with establishing standards for hardware, software, and internet access for pupils who are enrolled in more than 2 virtual courses in an academic term, semester, or trimester taken at a location other than a school facility. (Updated October 2016)

Are districts required to provide supervision for virtual pupils?

Yes. A pupil’s primary district must assign to the pupil a mentor to monitor the pupil’s progress during the virtual course and shall supply the providing district with the mentor’s contact information. A mentor must be a professional employee of the district who monitors the pupil’s progress, ensures the pupil has access to needed technology, is available for assistance, and ensures access to the teacher of record. (Updated October 2016)

Can districts require pupils taking 21f courses to be offsite and/or to remain physically in their school building? Also, do parents have the right to demand that pupils be offsite to take their 21f courses?

Schools are encouraged to adopt local procedures that outline when and where pupils may access their 21f courses. Districts may want to seek legal counsel before making a decision to deny pupils access to school facilities during the normal school day while they are enrolled in one or more virtual courses. (Updated September 2014)

Can districts require pupils enrolled in virtual courses under Section 21f to take a local end-of-course exam as a condition for granting academic credit?

Successful completion of a virtual course is determined by the pupil’s primary educating district. If a district elects to implement an end-of-course exam, it is recommended that they use the same procedures and weighting methods as they do for face-to-face courses. Caution should be exercised to ensure that additional requirements are free of bias that would unfairly impact virtual pupils. (Updated September 2014)

If a pupil takes a virtual course from another eligible entity identified in the statewide catalog, how should his/her local district record this on the pupil’s transcript? Do they have to accept the letter grade?

When it comes to determining the letter grade included on the transcript, districts should abide by their district policies or guidelines or create new ones to address this issue. Some districts may treat Section 21f courses the same way they do with recording credits for a new transfer pupil. Under Section 21f, a district is required to “grant appropriate academic credit and shall count that credit toward completion of graduation and subject area requirements” as well as “identify the virtual course title as it appears in the virtual course syllabus.” (Updated December 2013)
Are districts required to grant credit for successful virtual course completions?

Yes. Districts must grant appropriate academic credit for successful virtual course completions and must count that credit toward completion of graduation and subject area requirements. In addition, a pupil’s record and transcript must identify the virtual course title as it appears in the virtual course syllabus. (Updated August 2013)

Will the Michigan Department of Education or MVU make a recommendation to schools on how to determine completion?

No. Eligible entities will be able to establish course completion criteria for each virtual course that appears in the statewide catalog. It is expected that the criteria will not be substantially different from the course completion standards used by districts or community colleges for traditional face-to-face courses. (Updated September 2013)

If a pupil takes more than one virtual course, is a two-way interaction log required for each course?

Only one two-way interaction log must be kept per virtual pupil no matter how many virtual courses the pupil takes. (Updated November 2015)

Are the two-way interaction logs only required for those Section 21f courses that are taken off-site, or do they also apply to pupils who take their virtual courses on-site with an adult present?

Two-way interaction is required for courses taken under Section 21f regardless of the pupil being physically present on-site or off-site. When a pupil is physically present, two-way interaction is satisfied when the pupil and the mentor are together during the class period. The mentor will indicate that the pupil was physically present using the attendance record and by recording the physical attendance in the activity log for those dates. (Updated November 2015)

What kinds of interactions are acceptable as two-way interactions?

Two-way interactions must be between either the teacher of record and the pupil or the mentor and the pupil. The interactions can occur in a variety of ways including, but not limited to, email, telephone, instant messaging, or face-to-face communication. The substance of the interactions must be about the virtual course or the pupil’s progress in the course. The interaction must be initiated by one party and responded to by the other party. (Updated November 2015)

Can the participation requirement for counting a student in membership be met in ways other than documenting two-way interactions?

Yes. Section 5-0-D of the Pupil Accounting Manual allows for one or more of the following activities to be completed for each scheduled course count day:

- Documented attendance in a virtual course where synchronous (live) instruction occurred with the teacher.
- Documented completion of a course assignment.
- Documented completion of a course lesson, or lesson activity.
- Documented pupil access to an on-going lesson; this is not a login.
- Documented physical attendance on count day in each course may be used for pupils that will attend at least 50% of the instructional time on-site, face-to-face with the teacher of record for each virtual course scheduled. (Updated September 2017)
Can a primary district deny a pupil request to enroll in a virtual course?

Yes. Seven reasons are approved for denial, including:

1. The pupil is enrolled in any of grades K to 5.
2. The pupil has previously gained the credits that would be provided from the completion of the virtual course;
3. The virtual course is not capable of generating academic credit;
4. The virtual course is inconsistent with the remaining graduation requirements or career interests of the pupil;
5. The pupil has not completed the prerequisite coursework for the requested virtual course or has not demonstrated proficiency in the prerequisite course content;
6. The pupil has failed a previous virtual course in the same subject during the 2 most recent academic years;
7. The virtual course is of insufficient quality or rigor. A primary district that denies a pupil enrollment request for this reason shall enroll the pupil in a virtual course in the same or similar subject that the primary district determines is of acceptable rigor and quality;
8. The cost of the virtual course exceeds 6.67% of the minimum foundation allowance for the current fiscal year. Should the pupil or the parent choose to pay the cost difference in this case, the pupil may still be enrolled in the course;
9. The virtual course enrollment request did not occur within the same timelines established by the primary district for enrollment and schedule changes for regular courses.
10. Unless the pupil is newly enrolled in the district, 21f enrollment requests was not made in the academic term, semester, trimester, or summer preceding the enrollment.

If a pupil is denied enrollment in a virtual course by the pupil’s primary district, the primary district shall provide written notification to the pupil of the denial, the reason or reasons for the denial from the list above, and a description of the appeal process. *(Updated October 2016)*

A local district is allowed to deny a request for a virtual course if it does not match the rigor required by that district. Does that mean, for example, a district can direct parents and their child to a locally developed virtual course, instead of the one offered in the state catalog by another district?

Districts may suggest, but not mandate, which courses pupils select from the titles that appear in a local district catalog or the statewide catalog. It’s the district’s responsibility to ensure whatever course is chosen is of sufficient quality and rigor. *(Updated December 2013)*

Can a pupil be denied enrollment in a virtual course identified in the statewide catalog if the same course is available locally in a face-to-face or virtual format?

No, the legislation does not provide that scenario as a valid reason for denial of a request for enrollment under Section 21f. *(Updated December 2013)*

If a district offers virtual learning options that fall outside of Section 21f requirements, can the district cite these options as a reason to deny a pupil’s requests to enroll in virtual course titles found in the statewide catalog of courses maintained by Michigan Virtual University?

No, offering virtual learning options outside of Section 21f is not listed as a reason districts can use to deny a pupil from enrolling in a virtual course in the statewide catalog. Districts may not establish additional requirements that would prohibit a pupil from taking a virtual course. *(Updated December 2013)*
If the primary district’s academic term dates do not align to the academic term dates of a Section 21f course (for example: trimester format at the school and pupil wants to enroll in a semester-based virtual course) can the district deny enrollment in the course?

No, the legislation does not provide that scenario as a valid reason for denial of a request for enrollment under Section 21f; however, the enrollment request must be made prior to the start of the primary district’s academic term in which it would be put on the pupil’s schedule as well as during a time period in which the primary district has established for enrollment and schedule changes for regular courses. *(Updated September 2014)*

Is there an appeal process if a district denies a pupil’s request to enroll in a virtual course?

Yes. A pupil and his or her parents may appeal the denial by submitting a letter to the superintendent of the intermediate school district (ISD) in which the pupil’s primary district is located. A response to the appeal must be issued within 5 days after it is received. *(Updated August 2013)*

**SCHOOL BOARDS**

Do school boards have to approve the district’s virtual course offerings that appear in their local course catalog or titles they submit to the statewide catalog?

The district that is functioning as the virtual course provider under Section 21f is required to have board approval for the virtual courses they offer. The district that has pupils enrolling in a virtual course under Section 21f would not require board approval (unless the enrolling district and district providing the virtual course are the same). However, it is a district responsibility to evaluate the rigor and quality of the courses in which their pupils enroll. *(Updated December 2013)*

**PARENTS**

What are districts required to tell parents about Section 21f?

The legislation (subsection 1) requires districts to provide on its publicly accessible website a link to the statewide catalog of online courses maintained by the Michigan Virtual University. Beyond these requirements, the legislation does not specifically address parental notification. *(Updated October 2016)*

If parents find a course in Michigan’s Online Course Catalog that they want their child to take, can they enroll their child in the virtual course?

No. The enrollment process is coordinated by the pupil’s primary educating district. *(Updated December 2013)*