

SENATE BILL NO. 1012

July 22, 2020, Introduced by Senator THEIS and referred to the Committee on Education and Career Readiness.

A bill to amend 1979 PA 94, entitled
"The state school aid act of 1979,"
by amending section 101 (MCL 388.1701), as amended by 2019 PA 58.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 101. (1) To be eligible to receive state aid under this
2 article, not later than the fifth Wednesday after the pupil
3 membership count day and not later than the fifth Wednesday after
4 the supplemental count day, each district superintendent shall
5 submit and certify to the center and the intermediate
6 superintendent, in the form and manner prescribed by the center,

1 the number of pupils enrolled and in regular daily attendance,
2 including identification of tuition-paying pupils, in the district
3 as of the pupil membership count day and as of the supplemental
4 count day, as applicable, for the current school year. In addition,
5 a district maintaining school during the entire year shall submit
6 and certify to the center and the intermediate superintendent, in
7 the form and manner prescribed by the center, the number of pupils
8 enrolled and in regular daily attendance in the district for the
9 current school year pursuant to rules promulgated by the
10 superintendent. Not later than the sixth Wednesday after the pupil
11 membership count day and not later than the sixth Wednesday after
12 the supplemental count day, the district shall resolve any pupil
13 membership conflicts with another district, correct any data
14 issues, and recertify the data in a form and manner prescribed by
15 the center and file the certified data with the intermediate
16 superintendent. If a district fails to submit and certify the
17 attendance data, as required under this subsection, the center
18 shall notify the department and the department shall withhold state
19 aid due to be distributed under this article from the defaulting
20 district immediately, beginning with the next payment after the
21 failure and continuing with each payment until the district
22 complies with this subsection. If a district does not comply with
23 this subsection by the end of the fiscal year, the district
24 forfeits the amount withheld. A person who willfully falsifies a
25 figure or statement in the certified and sworn copy of enrollment
26 is subject to penalty as prescribed by section 161.

27 (2) To be eligible to receive state aid under this article,
28 not later than the twenty-fourth Wednesday after the pupil
29 membership count day and not later than the twenty-fourth Wednesday

1 after the supplemental count day, an intermediate district shall
 2 submit to the center, in a form and manner prescribed by the
 3 center, the audited enrollment and attendance data for the pupils
 4 of its constituent districts and of the intermediate district. If
 5 an intermediate district fails to submit the audited data as
 6 required under this subsection, the department shall withhold state
 7 aid due to be distributed under this article from the defaulting
 8 intermediate district immediately, beginning with the next payment
 9 after the failure and continuing with each payment until the
 10 intermediate district complies with this subsection. If an
 11 intermediate district does not comply with this subsection by the
 12 end of the fiscal year, the intermediate district forfeits the
 13 amount withheld.

14 (3) Except as otherwise provided in subsections ~~(11) and (12)~~,
 15 **(10), (13), and (14)**, all of the following apply to the provision
 16 of pupil instruction:

17 (a) Except as otherwise provided in this section, each
 18 district shall provide at least 1,098 hours and 180 days of pupil
 19 instruction. If a collective bargaining agreement that provides a
 20 complete school calendar was in effect for employees of a district
 21 as of June 24, 2014, and if that school calendar is not in
 22 compliance with this subdivision, then this subdivision does not
 23 apply to that district until after the expiration of that
 24 collective bargaining agreement. A district may apply for a waiver
 25 under subsection (9) from the requirements of this subdivision.

26 (b) Except as otherwise provided in this article, a district
 27 failing to comply with the required minimum hours and days of pupil
 28 instruction under this subsection forfeits from its total state aid
 29 allocation an amount determined by applying a ratio of the number

1 of hours or days the district was in noncompliance in relation to
 2 the required minimum number of hours and days under this
 3 subsection. Not later than August 1, the board of each district
 4 shall either certify to the department that the district was in
 5 full compliance with this section regarding the number of hours and
 6 days of pupil instruction in the previous school year, or report to
 7 the department, in a form and manner prescribed by the center, each
 8 instance of noncompliance. If the district did not provide at least
 9 the required minimum number of hours and days of pupil instruction
 10 under this subsection, the department shall make the deduction of
 11 state aid in the following fiscal year from the first payment of
 12 state school aid. A district is not subject to forfeiture of funds
 13 under this subsection for a fiscal year in which a forfeiture was
 14 already imposed under subsection (6).

15 (c) Hours or days lost because of strikes or teachers'
 16 conferences are not counted as hours or days of pupil instruction.

17 (d) Except as otherwise provided in subdivisions (e), ~~and (f)~~,
 18 **and (i)**, if a district does not have at least 75% of the district's
 19 membership in attendance on any day of pupil instruction, the
 20 department shall pay the district state aid in that proportion of
 21 1/180 that the actual percent of attendance bears to 75%. **This**
 22 **subdivision does not apply to an e-learning day, as that term is**
 23 **defined in section 1851b of the revised school code, MCL 380.1851b,**
 24 **provided through a program or programs adopted or renewed by a**
 25 **district under section 1851b of the revised school code, MCL**
 26 **380.1851b.**

27 (e) If a district adds 1 or more days of pupil instruction to
 28 the end of its instructional calendar for a school year to comply
 29 with subdivision (a) because the district otherwise would fail to

1 provide the required minimum number of days of pupil instruction
2 even after the operation of subsection (4) due to conditions not
3 within the control of school authorities, then subdivision (d) does
4 not apply for any day of pupil instruction that is added to the end
5 of the instructional calendar. Instead, for any of those days, if
6 the district does not have at least 60% of the district's
7 membership in attendance on that day, the department shall pay the
8 district state aid in that proportion of 1/180 that the actual
9 percentage of attendance bears to 60%. For any day of pupil
10 instruction added to the instructional calendar as described in
11 this subdivision, the district shall report to the department the
12 percentage of the district's membership that is in attendance, in
13 the form and manner prescribed by the department.

14 (f) At the request of a district that operates a department-
15 approved alternative education program and that does not provide
16 instruction for pupils in all of grades K to 12, the superintendent
17 shall grant a waiver from the requirements of subdivision (d). The
18 waiver must provide that an eligible district is subject to the
19 proration provisions of subdivision (d) only if the district does
20 not have at least 50% of the district's membership in attendance on
21 any day of pupil instruction. In order to be eligible for this
22 waiver, a district must maintain records to substantiate its
23 compliance with the following requirements:

24 (i) The district offers the minimum hours of pupil instruction
25 as required under this section.

26 (ii) For each enrolled pupil, the district uses appropriate
27 academic assessments to develop an individual education plan that
28 leads to a high school diploma.

29 (iii) The district tests each pupil to determine academic

1 progress at regular intervals and records the results of those
2 tests in that pupil's individual education plan.

3 (g) All of the following apply to a waiver granted under
4 subdivision (f):

5 (i) If the waiver is for a blended model of delivery, a waiver
6 that is granted for the 2011-2012 fiscal year or a subsequent
7 fiscal year remains in effect unless it is revoked by the
8 superintendent.

9 (ii) If the waiver is for a 100% online model of delivery and
10 the educational program for which the waiver is granted makes
11 educational services available to pupils for a minimum of at least
12 1,098 hours during a school year and ensures that each pupil
13 participates in the educational program for at least 1,098 hours
14 during a school year, a waiver that is granted for the 2011-2012
15 fiscal year or a subsequent fiscal year remains in effect unless it
16 is revoked by the superintendent.

17 (iii) A waiver that is not a waiver described in subparagraph
18 (i) or (ii) is valid for 1 fiscal year and must be renewed annually
19 to remain in effect.

20 (h) The superintendent shall promulgate rules for the
21 implementation of this subsection.

22 (i) **If a district is providing remote instruction to pupils**
23 **and that remote instruction exposes those pupils to the academic**
24 **standards that apply for the pupil's grade level or courses in the**
25 **same scope and sequence as the district provides for in-person**
26 **instruction, then subdivision (d) does not apply to that district.**
27 **Instead, for that district, if the district does not have an**
28 **average of at least 75% of the district's membership in attendance**
29 **for each attendance period in the school year, the department shall**

1 pay the district state aid in that proportion of 10/180 that the
2 actual average percentage of attendance for that attendance period
3 bears to 75%. As used in this subdivision, "attendance period"
4 means each period of 10 consecutive school days in a school year.

5 (4) All of the following apply to the provision of pupil
6 instruction:

7 (a) ~~(4) Except as otherwise provided in this subsection, the~~
8 ~~first 6-2 days or the equivalent number of hours for which pupil~~
9 ~~instruction is not provided because of conditions not within the~~
10 ~~control of school authorities, such as severe storms, fires,~~
11 ~~epidemics, **pandemics**, utility power unavailability, water or sewer~~
12 ~~failure, or health conditions as defined by the city, county, or~~
13 ~~state health authorities, are counted as hours and days of pupil~~
14 ~~instruction. For 2018-2019 only, in addition to these 6 days, if~~
15 ~~pupil instruction is not provided on 1 or more days that are~~
16 ~~included in a period for which the governor has issued an executive~~
17 ~~order declaring a state of emergency across this state, upon~~
18 ~~request by a district to the superintendent of public instruction,~~
19 ~~in a form and manner prescribed by the department, that 1 or more~~
20 ~~of those days and the equivalent number of hours count as days and~~
21 ~~hours of pupil instruction, the department shall count those~~
22 ~~requested days and the equivalent number of hours as days and hours~~
23 ~~of pupil instruction for the purposes of this section. For 2018-~~
24 ~~2019, the days included in the executive order are January 29, 2019~~
25 ~~to February 2, 2019. With the approval of the superintendent of~~
26 ~~public instruction, the department shall count as hours and days of~~
27 ~~pupil instruction for a fiscal year not more than 3 additional days~~
28 ~~or the equivalent number of additional hours for which pupil~~
29 ~~instruction is not provided in a district due to unusual and~~

1 ~~extenuating occurrences resulting from conditions not within the~~
2 ~~control of school authorities such as those conditions described in~~
3 ~~this subsection. Subsequent such hours or days are not counted as~~
4 ~~hours or days of pupil instruction.~~

5 (b) Except as otherwise provided in this subsection, days or
6 the equivalent number of hours, not to exceed a total of 7 days or
7 the equivalent number of hours for those days each school year, for
8 which pupil instruction is provided as an e-learning day as
9 described in section 1851b(9) (a) of the revised school code, MCL
10 380.1851b, through a program or programs adopted or renewed by a
11 district under section 1851b of the revised school code, MCL
12 380.1851b, are counted as hours and days of pupil instruction. The
13 hours and days counted under this subdivision are in addition to
14 the hours and days counted under subdivisions (a), (c), (d), and
15 (e).

16 (c) Days or the equivalent number of hours, not to exceed a
17 total of 20 days or the equivalent number of hours for those days
18 each school year, for which pupil instruction is provided as an e-
19 learning day as described in section 1851b(9) (b) of the revised
20 school code, MCL 380.1851b, through a program or programs adopted
21 or renewed by a district under section 1851b of the revised school
22 code, MCL 380.1851b, are counted as hours and days of pupil
23 instruction. The hours and days counted under this subdivision are
24 in addition to the hours and days counted under subdivisions (a),
25 (b), (d), and (e).

26 (d) Days or the equivalent number of hours for which pupil
27 instruction is provided as an e-learning day as described in
28 section 1851b(9) (c) of the revised school code, MCL 380.1851b,
29 through a program or programs adopted or renewed by a district

1 under section 1851b of the revised school code, MCL 380.1851b, are
2 counted as hours and days of pupil instruction. The hours and days
3 counted under this subdivision are in addition to the hours and
4 days counted under subdivisions (a), (b), (c), and (e).

5 (e) With the approval of the superintendent of public
6 instruction, if a district closes its schools on 1 or more days and
7 does not provide in-person instruction on those days but, instead,
8 on those days provides remote instruction to pupils that exposes
9 the pupils to the academic standards that apply for the pupil's
10 grade level or courses in the same scope and sequence as the
11 district provides for in-person instruction because the district
12 determines the school closure and remote instruction are necessary
13 due to health, safety, and welfare concerns related to the COVID-19
14 pandemic, those days or the equivalent number of hours for those
15 days count as hours and days of pupil instruction. The hours and
16 days counted under this subdivision are in addition to the hours
17 and days counted under subdivisions (a), (b), (c), and (d).

18 (f) Except as otherwise provided in this section, the
19 department shall not count any hours and days other than the hours
20 and days described in subdivisions (a) to (e) as hours and days of
21 pupil instruction for the purposes of this section if pupil
22 instruction was not provided on those days or for those hours due
23 to conditions or for reasons described in this subsection.

24 (5) A district does not forfeit part of its state aid
25 appropriation because it adopts or has in existence an alternative
26 scheduling program for pupils in kindergarten if the program
27 provides at least the number of hours required under subsection (3)
28 for a full-time equated membership for a pupil in kindergarten as
29 provided under section 6(4).

1 (6) In addition to any other penalty or forfeiture under this
2 section, if at any time the department determines that 1 or more of
3 the following have occurred in a district, the district forfeits in
4 the current fiscal year beginning in the next payment to be
5 calculated by the department a proportion of the funds due to the
6 district under this article that is equal to the proportion below
7 the required minimum number of hours and days of pupil instruction
8 under subsection (3), as specified in the following:

9 (a) The district fails to operate its schools for at least the
10 required minimum number of hours and days of pupil instruction
11 under subsection (3) in a school year, including hours and days
12 counted under subsection (4).

13 (b) The board of the district takes formal action not to
14 operate its schools for at least the required minimum number of
15 hours and days of pupil instruction under subsection (3) in a
16 school year, including hours and days counted under subsection (4).

17 (7) In providing the minimum number of hours and days of pupil
18 instruction required under subsection (3), a district shall use the
19 following guidelines, and a district shall maintain records to
20 substantiate its compliance with the following guidelines:

21 (a) Except as otherwise provided in this subsection, a pupil
22 must be scheduled for at least the required minimum number of hours
23 of instruction, excluding study halls, or at least the sum of 90
24 hours plus the required minimum number of hours of instruction,
25 including up to 2 study halls.

26 (b) The time a pupil is assigned to any tutorial activity in a
27 block schedule may be considered instructional time, unless that
28 time is determined in an audit to be a study hall period.

29 (c) Except as otherwise provided in this subdivision, a pupil

1 in grades 9 to 12 for whom a reduced schedule is determined to be
2 in the individual pupil's best educational interest must be
3 scheduled for a number of hours equal to at least 80% of the
4 required minimum number of hours of pupil instruction to be
5 considered a full-time equivalent pupil. A pupil in grades 9 to 12
6 who is scheduled in a 4-block schedule may receive a reduced
7 schedule under this subsection if the pupil is scheduled for a
8 number of hours equal to at least 75% of the required minimum
9 number of hours of pupil instruction to be considered a full-time
10 equivalent pupil.

11 (d) If a pupil in grades 9 to 12 who is enrolled in a
12 cooperative education program or a special education pupil cannot
13 receive the required minimum number of hours of pupil instruction
14 solely because of travel time between instructional sites during
15 the school day, that travel time, up to a maximum of 3 hours per
16 school week, is considered to be pupil instruction time for the
17 purpose of determining whether the pupil is receiving the required
18 minimum number of hours of pupil instruction. However, if a
19 district demonstrates to the satisfaction of the department that
20 the travel time limitation under this subdivision would create
21 undue costs or hardship to the district, the department may
22 consider more travel time to be pupil instruction time for this
23 purpose.

24 (e) In grades 7 through 12, instructional time that is part of
25 a Junior Reserve Officer Training Corps (JROTC) program is
26 considered to be pupil instruction time regardless of whether the
27 instructor is a certificated teacher if all of the following are
28 met:

29 (i) The instructor has met all of the requirements established

1 by the United States Department of Defense and the applicable
2 branch of the armed services for serving as an instructor in the
3 Junior Reserve Officer Training Corps program.

4 (ii) The board of the district or intermediate district
5 employing or assigning the instructor complies with the
6 requirements of sections 1230 and 1230a of the revised school code,
7 MCL 380.1230 and 380.1230a, with respect to the instructor to the
8 same extent as if employing the instructor as a regular classroom
9 teacher.

10 (8) Except as otherwise provided in subsections ~~(11) and (12)~~,
11 **(10), (13), and (14)**, the department shall apply the guidelines
12 under subsection (7) in calculating the full-time equivalency of
13 pupils.

14 (9) Upon application by the district for a particular fiscal
15 year, the superintendent shall waive for a district the minimum
16 number of hours and days of pupil instruction requirement of
17 subsection (3) for a department-approved alternative education
18 program or another innovative program approved by the department,
19 including a 4-day school week. If a district applies for and
20 receives a waiver under this subsection and complies with the terms
21 of the waiver, the district is not subject to forfeiture under this
22 section for the specific program covered by the waiver. If the
23 district does not comply with the terms of the waiver, the amount
24 of the forfeiture is calculated based upon a comparison of the
25 number of hours and days of pupil instruction actually provided to
26 the minimum number of hours and days of pupil instruction required
27 under subsection (3). A district shall report pupils enrolled in a
28 department-approved alternative education program under this
29 subsection to the center in a form and manner determined by the

1 center. All of the following apply to a waiver granted under this
2 subsection:

3 (a) If the waiver is for a blended model of delivery, a waiver
4 that is granted for the 2011-2012 fiscal year or a subsequent
5 fiscal year remains in effect unless it is revoked by the
6 superintendent.

7 (b) If the waiver is for a 100% online model of delivery and
8 the educational program for which the waiver is granted makes
9 educational services available to pupils for a minimum of at least
10 1,098 hours during a school year and ensures that each pupil is on
11 track for course completion at proficiency level, a waiver that is
12 granted for the 2011-2012 fiscal year or a subsequent fiscal year
13 remains in effect unless it is revoked by the superintendent.

14 (c) A waiver that is not a waiver described in subdivision (a)
15 or (b) is valid for 1 fiscal year and must be renewed annually to
16 remain in effect.

17 **(10) For the 2020-2021 school year, the department shall waive**
18 **the required minimum number of hours and days of pupil instruction**
19 **under subsection (3) for each district that is providing**
20 **instruction under an extended continuity of learning plan that has**
21 **been approved by an intermediate district or authorizing body, as**
22 **applicable, under subsection (11). It is the intent of the**
23 **legislature that extended continuity of learning plans described in**
24 **this subsection provide districts with maximum flexibility to adapt**
25 **their educational programs for some or all pupils at some or all of**
26 **the schools operated by the district to respond to the COVID-19**
27 **pandemic. An extended continuity of learning plan described in this**
28 **subsection must contain all of the elements required for inclusion**
29 **in a continuity of learning and COVID-19 response plan under**

1 Executive Order No. 2020-65 and must include all of the following
2 additional elements:

3 (a) A statement indicating why an extended continuity of
4 learning plan is necessary to increase pupil engagement and
5 achievement for the 2020-2021 school year.

6 (b) The educational goals expected to be achieved. All of the
7 following apply to the goals described in this subdivision:

8 (i) The goals must include increased pupil achievement on the
9 Michigan student test for educational progress (M-STEP) or the
10 Michigan merit examination, as applicable, for all subgroups of
11 pupils.

12 (ii) The goals must include an assurance that the district
13 shall select a benchmark assessment that is aligned to state
14 standards and an assurance that the district shall administer the
15 benchmark assessment to all pupils in the fall, winter, and spring
16 of the school year to determine whether pupils are making
17 meaningful progress toward mastery of these standards.

18 (iii) The goals must be measurable through the Michigan student
19 test of educational progress (M-STEP), the Michigan merit
20 examination, or a benchmark assessment described in subparagraph
21 (ii).

22 (c) A description of how instruction will be delivered.
23 Instruction, as described in this subdivision, may be delivered at
24 school or at a different location, in person, online, digitally, by
25 other remote means, in a synchronous or asynchronous format, or any
26 combination thereof.

27 (d) A description of how instruction for core academic areas
28 provided under the extended continuity of learning plan will expose
29 each pupil to the academic standards that apply for each pupil's

1 grade level or courses in the same scope and sequence as the
2 district had planned for that exposure to occur for in-person
3 instruction and a description of how pupil progress toward mastery
4 of the standards described in this subdivision will be graded or
5 otherwise reported to the pupil and the pupil's parent or legal
6 guardian.

7 (e) An assurance and description of how pupils will be
8 provided with equitable access to technology and the internet
9 necessary to participate in instruction.

10 (f) A description of how the district will ensure that
11 students with disabilities will be provided with equitable access
12 to instruction accommodation in accordance with applicable state
13 and federal laws, rules, and regulations.

14 (g) A requirement that, if the district provides in-person
15 instruction for the 2020-2021 school year, the district consults
16 with the local health department regarding any applicable
17 guidelines issued by the department or department of health and
18 human services concerning providing in-person instruction at school
19 for the 2020-2021 school year, including, but not limited to,
20 guidelines for school building cleaning and school building
21 occupancy and a requirement that the district implement the
22 guidelines, if any, described in this subdivision.

23 (11) Except as otherwise provided in this subsection, a
24 district that is not a public school academy shall submit an
25 extended continuity of learning plan described in subsection (10)
26 to the intermediate district in which the district is located by
27 not later than August 1, 2020, and a district that is a public
28 school academy shall submit an extended continuity of learning plan
29 described in subsection (10) to its authorizing body by not later

1 than August 1, 2020, for approval. The intermediate district or
 2 authorizing body shall apply the same approval procedure used for
 3 the approval of a continuity of learning and COVID-19 response plan
 4 under Executive Order No. 2020-65. If a district's extended
 5 continuity of learning plan is approved under this subsection, the
 6 district shall transmit copies of its plan to the superintendent of
 7 public instruction and the state treasurer in the same manner that
 8 copies of a continuity of learning and COVID-19 response plan are
 9 required to be transmitted to the superintendent of public
 10 instruction and state treasurer under Executive Order No. 2020-65.
 11 To assess progress toward educational goals, an intermediate
 12 district or authorizing body may require a district to provide the
 13 intermediate district or authorizing body with access to benchmark
 14 assessment data as a condition to approval of an extended
 15 continuity of learning plan under this subsection. An intermediate
 16 district or authorizing body that approves an extended continuity
 17 of learning plan under this subsection is responsible for all of
 18 the following:

19 (a) Monitoring the district's implementation of the extended
 20 continuity of learning plan.

21 (b) Assessment and public reporting regarding the district's
 22 progress toward the educational goals established in the extended
 23 continuity of learning plan.

24 (12) ~~(10)~~—A district may count up to 38 hours of qualifying
 25 professional development for teachers as hours of pupil
 26 instruction. All of the following apply to the counting of
 27 qualifying professional development as pupil instruction under this
 28 subsection:

29 (a) If qualifying professional development exceeds 5 hours in

1 a single day, that day may be counted as a day of pupil
2 instruction.

3 (b) At least 8 hours of the qualifying professional
4 development counted as hours of pupil instruction under this
5 subsection must be recommended by a districtwide professional
6 development advisory committee appointed by the district board. The
7 advisory committee must be composed of teachers employed by the
8 district who represent a variety of grades and subject matter
9 specializations, including special education; nonteaching staff;
10 parents; and administrators. The majority membership of the
11 committee ~~shall~~**must** be composed of teaching staff.

12 (c) Professional development provided online is allowable and
13 encouraged, as long as the instruction has been approved by the
14 district. The department shall issue a list of approved online
15 professional development providers, which must include the Michigan
16 Virtual School.

17 (d) Qualifying professional development may only be counted as
18 hours of pupil instruction for the pupils of those teachers
19 scheduled to participate in the qualifying professional
20 development.

21 (e) For professional development to be considered qualifying
22 professional development under this subsection, the professional
23 development must meet all of the following:

24 (i) Is aligned to the school or district improvement plan for
25 the school or district in which the professional development is
26 being provided.

27 (ii) Is linked to 1 or more criteria in the evaluation tool
28 developed or adopted by the district or intermediate district under
29 section 1249 of the revised school code, MCL 380.1249.

1 (iii) Has been approved by the department as counting for state
2 continuing education clock hours. The number of hours of
3 professional development counted as hours of pupil instruction may
4 not exceed the number of state continuing education clock hours for
5 which the qualifying professional development was approved.

6 (iv) Not more than a combined total of 10 hours of the
7 professional development takes place before the first scheduled day
8 of school for the school year ending in the fiscal year and after
9 the last scheduled day of school for that school year.

10 (v) No more than 10 hours of qualifying professional
11 development takes place in a single month.

12 (vi) At least 75% of teachers scheduled to participate in the
13 professional development are in attendance.

14 **(13)** ~~(11)~~—Subsections (3) and (8) do not apply to a school of
15 excellence that is a cyber school, as **that term is** defined in
16 section 551 of the revised school code, MCL 380.551, and is in
17 compliance with section 553a of the revised school code, MCL
18 380.553a.

19 **(14)** ~~(12)~~—Subsections (3) and (8) do not apply to eligible
20 pupils enrolled in a dropout recovery program that meets the
21 requirements of section 23a. As used in this subsection, "eligible
22 pupil" means that term as defined in section 23a.

23 **(15)** ~~(13)~~—At least every 2 years the superintendent shall
24 review the waiver standards set forth in the pupil accounting and
25 auditing manuals to ensure that the waiver standards and waiver
26 process continue to be appropriate and responsive to changing
27 trends in online learning. The superintendent shall solicit and
28 consider input from stakeholders as part of this review.

29 **(16) An extended continuity of learning plan described in**

1 subsection (10) and approved under subsection (11) must be made
2 accessible through the transparency reporting link located on the
3 district's website.

4 Enacting section 1. This amendatory act does not take effect
5 unless all of the following bills of the 100th Legislature are
6 enacted into law:

7 (a) Senate Bill No. 1011.

8

9 (b) Senate Bill No. 1013.

10