

**SUBSTITUTE FOR
HOUSE BILL NO. 5912**

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,
7 the number of pupils enrolled and in regular daily attendance,
8 including identification of tuition-paying pupils, in the district
9 as of the pupil membership count day and as of the supplemental



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

24 (2) To be eligible to receive state aid under this article,
 25 not later than the twenty-fourth Wednesday after the pupil
 26 membership count day and not later than the twenty-fourth Wednesday
 27 after the supplemental count day, an intermediate district shall
 28 submit to the center, in a form and manner prescribed by the
 29 center, the audited enrollment and attendance data for the pupils



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

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

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

23 (b) Except as otherwise provided in this article, a district
24 failing to comply with the required minimum hours and days of pupil
25 instruction under this subsection forfeits from its total state aid
26 allocation an amount determined by applying a ratio of the number
27 of hours or days the district was in noncompliance in relation to
28 the required minimum number of hours and days under this
29 subsection. Not later than August 1, the board of each district



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

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

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

22 (e) If a district adds 1 or more days of pupil instruction to
23 the end of its instructional calendar for a school year to comply
24 with subdivision (a) because the district otherwise would fail to
25 provide the required minimum number of days of pupil instruction
26 even after the operation of subsection (4) due to conditions not
27 within the control of school authorities, then subdivision (d) does
28 not apply for any day of pupil instruction that is added to the end
29 of the instructional calendar. Instead, for any of those days, if



1 the district does not have at least 60% of the district's
2 membership in attendance on that day, the department shall pay the
3 district state aid in that proportion of 1/180 that the actual
4 percentage of attendance bears to 60%. For any day of pupil
5 instruction added to the instructional calendar as described in
6 this subdivision, the district shall report to the department the
7 percentage of the district's membership that is in attendance, in
8 the form and manner prescribed by the department.

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

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

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

24 (iii) The district tests each pupil to determine academic
25 progress at regular intervals and records the results of those
26 tests in that pupil's individual education plan.

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

29 (i) If the waiver is for a blended model of delivery, a waiver



1 that is granted for the 2011-2012 fiscal year or a subsequent
2 fiscal year remains in effect unless it is revoked by the
3 superintendent.

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

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

15 (h) The superintendent shall promulgate rules for the
16 implementation of this subsection.

17 (i) If a district is providing remote instruction to pupils
18 and that remote instruction exposes those pupils to the academic
19 standards that apply for the pupil's grade level or courses in the
20 same scope and sequence as the district provides for in-person
21 instruction, then subdivision (d) does not apply to that district.
22 Instead, for that district, if the district does not have an
23 average of at least 75% of the district's membership in attendance
24 for each attendance period in the school year, the department shall
25 pay the district state aid in that proportion of 10/180 that the
26 actual average percentage of attendance for that attendance period
27 bears to 75%. As used in this subdivision, "attendance period"
28 means each period of 10 consecutive school days in a school year.

29 (4) All of the following apply to the provision of pupil



1 **instruction:**

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

29 (b) **Days or the equivalent number of hours, not to exceed a**



1 total of 7 days or the equivalent number of hours for those days
2 each school year, for which pupil instruction is provided as an e-
3 learning day as described in section 1851b(9) (a) of the revised
4 school code, MCL 380.1851b, are counted as hours and days of pupil
5 instruction. The hours and days counted under this subdivision are
6 in addition to the hours and days counted under subdivisions (a),
7 (c), and (d).

8 (c) Days or the equivalent number of hours, not to exceed a
9 total of 20 days or the equivalent number of hours for those days
10 each school year, for which pupil instruction is provided as an e-
11 learning day as described in section 1851b(9) (b) of the revised
12 school code, MCL 380.1851b, are counted as hours and days of pupil
13 instruction. The hours and days counted under this subdivision are
14 in addition to the hours and days counted under subdivisions (a),
15 (b), and (d).

16 (d) Days or the equivalent number of hours for which pupil
17 instruction is provided as an e-learning day as described in
18 section 1851b(9) (c) of the revised school code, MCL 380.1851b, are
19 counted as hours and days of pupil instruction. The hours and days
20 counted under this subdivision are in addition to the hours and
21 days counted under subdivisions (a), (b), and (c).

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

28 (5) A district does not forfeit part of its state aid
29 appropriation because it adopts or has in existence an alternative



1 scheduling program for pupils in kindergarten if the program
2 provides at least the number of hours required under subsection (3)
3 for a full-time equated membership for a pupil in kindergarten as
4 provided under section 6(4).

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

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

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

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

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



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

4 (c) Except as otherwise provided in this subdivision, a pupil
5 in grades 9 to 12 for whom a reduced schedule is determined to be
6 in the individual pupil's best educational interest must be
7 scheduled for a number of hours equal to at least 80% of the
8 required minimum number of hours of pupil instruction to be
9 considered a full-time equivalent pupil. A pupil in grades 9 to 12
10 who is scheduled in a 4-block schedule may receive a reduced
11 schedule under this subsection if the pupil is scheduled for a
12 number of hours equal to at least 75% of the required minimum
13 number of hours of pupil instruction to be considered a full-time
14 equivalent pupil.

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

28 (e) In grades 7 through 12, instructional time that is part of
29 a Junior Reserve Officer Training Corps (JROTC) program is



1 considered to be pupil instruction time regardless of whether the
2 instructor is a certificated teacher if all of the following are
3 met:

4 (i) The instructor has met all of the requirements established
5 by the United States Department of Defense and the applicable
6 branch of the armed services for serving as an instructor in the
7 Junior Reserve Officer Training Corps program.

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

14 (8) Except as otherwise provided in subsections ~~(11) and (12)~~,
15 **(10), (13), and (14)**, the department shall apply the guidelines
16 under subsection (7) in calculating the full-time equivalency of
17 pupils.

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



1 the minimum number of hours and days of pupil instruction required
 2 under subsection (3). A district shall report pupils enrolled in a
 3 department-approved alternative education program under this
 4 subsection to the center in a form and manner determined by the
 5 center. All of the following apply to a waiver granted under this
 6 subsection:

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

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

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

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



1 the schools operated by the district to respond to the COVID-19
 2 pandemic. An extended continuity of learning plan described in this
 3 subsection must contain all of the elements required for inclusion
 4 in a continuity of learning and COVID-19 response plan under
 5 Executive Order No. 2020-65 and must include all of the following
 6 additional elements:

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

10 (b) The educational goals expected to be achieved. An extended
 11 continuity of learning plan described in this subsection must
 12 specify which educational goals described in this subdivision are
 13 expected to be achieved by the middle of the school year and which
 14 goals are expected to be achieved by the end of the school year.
 15 All of the following apply to the educational goals described in
 16 this subdivision:

17 (i) The goals must include increased pupil achievement or
 18 growth on a benchmark assessment described in subparagraph (ii) in
 19 the aggregate and for all subgroups of pupils.

20 (ii) The goals must include an assurance that the district
 21 shall select a benchmark assessment that is aligned to state
 22 standards and an assurance that the district shall administer the
 23 benchmark assessment to all pupils in the fall, winter, and spring
 24 of the school year to determine whether pupils are making
 25 meaningful progress toward mastery of these standards.

26 (iii) The goals must be measurable through a benchmark
 27 assessment described in subparagraph (ii).

28 (c) A description of how instruction will be delivered.
 29 Instruction, as described in this subdivision, may be delivered at



1 school or at a different location, in person, online, digitally, by
2 other remote means, in a synchronous or asynchronous format, or any
3 combination thereof.

4 (d) A description of how instruction for core academic areas
5 provided under the extended continuity of learning plan will expose
6 each pupil to the academic standards that apply for each pupil's
7 grade level or courses in the same scope and sequence as the
8 district had planned for that exposure to occur for in-person
9 instruction and a description of how pupil progress toward mastery
10 of the standards described in this subdivision will be graded or
11 otherwise reported to the pupil and the pupil's parent or legal
12 guardian.

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

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

20 (g) A requirement that, if the district provides in-person
21 instruction for the 2020-2021 school year, the district consults
22 with the local health department regarding any applicable
23 guidelines issued by the department or department of health and
24 human services concerning providing in-person instruction at school
25 for the 2020-2021 school year, including, but not limited to,
26 guidelines for school building cleaning and school building
27 occupancy and a requirement that the district, except as otherwise
28 provided in this subdivision, implement the guidelines, if any,
29 described in this subdivision. If the guidelines described in this



1 subdivision include a recommendation that a district close 1 or
2 more of its school buildings, the ultimate decision concerning
3 whether or not to close those school buildings remains with the
4 district.

5 (h) A requirement that the district offer in-person pupil
6 instruction to all pupils enrolled in grades K to 5 for the 2020-
7 2021 school year.

8 (i) A requirement that, if the district provides in-person
9 pupil instruction to pupils in any of grades K to 5 for the 2020-
10 2021 school year, the district shall ensure that both of the
11 following are met:

12 (i) Either of the following:

13 (A) Plastic or plexiglass barriers are placed between pupils'
14 desks, as applicable.

15 (B) Teachers are provided with moveable plastic or plexiglass
16 partitions.

17 (ii) If needed, masks and gloves are provided to teachers and
18 pupils.

19 (11) A district that is not a public school academy that
20 intends to provide instruction under an extended continuity of
21 learning plan shall submit its extended continuity of learning plan
22 described in subsection (10) to the intermediate district in which
23 the district is located by not later than August 15, 2020, and a
24 district that is a public school academy that intends to provide
25 instruction under an extended continuity of learning plan shall
26 submit its extended continuity of learning plan described in
27 subsection (10) to its authorizing body by not later than August
28 15, 2020, for approval. The intermediate district or authorizing
29 body shall apply the same approval procedure used for the approval



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

17 (a) Monitoring the district's implementation of the extended
 18 continuity of learning plan.

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

22 (12) ~~(10)~~—A district may count up to 38 hours of qualifying
 23 professional development for teachers as hours of pupil
 24 instruction. All of the following apply to the counting of
 25 qualifying professional development as pupil instruction under this
 26 subsection:

27 (a) If qualifying professional development exceeds 5 hours in
 28 a single day, that day may be counted as a day of pupil
 29 instruction.



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

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

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

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

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

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

28 (iii) Has been approved by the department as counting for state
 29 continuing education clock hours. The number of hours of



1 professional development counted as hours of pupil instruction may
 2 not exceed the number of state continuing education clock hours for
 3 which the qualifying professional development was approved.

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

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

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

12 (13) ~~(11)~~ Subsections (3) and (8) do not apply to a school of
 13 excellence that is a cyber school, as **that term is** defined in
 14 section 551 of the revised school code, MCL 380.551, and is in
 15 compliance with section 553a of the revised school code, MCL
 16 380.553a.

17 (14) ~~(12)~~ Subsections (3) and (8) do not apply to eligible
 18 pupils enrolled in a dropout recovery program that meets the
 19 requirements of section 23a. As used in this subsection, "eligible
 20 pupil" means that term as defined in section 23a.

21 (15) ~~(13)~~ At least every 2 years the superintendent shall
 22 review the waiver standards set forth in the pupil accounting and
 23 auditing manuals to ensure that the waiver standards and waiver
 24 process continue to be appropriate and responsive to changing
 25 trends in online learning. The superintendent shall solicit and
 26 consider input from stakeholders as part of this review.

27 (16) **An extended continuity of learning plan described in**
 28 **subsection (10) and approved under subsection (11) must be made**
 29 **accessible through the transparency reporting link located on the**



1 **district's website.**

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

5 (a) House Bill No. 5910.

6 (b) House Bill No. 5913.

