

**SUBSTITUTE FOR
HOUSE BILL NO. 6314**

A bill to amend 1976 PA 451, entitled
"The revised school code,"
by amending section 1284b (MCL 380.1284b), as amended by 2006 PA
235, and by adding sections 1173 and 1173a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 **SEC. 1173. (1) A BOARD OF A SCHOOL DISTRICT MAY APPLY TO THE**
2 **SUPERINTENDENT OF PUBLIC INSTRUCTION FOR PERMISSION TO OPERATE THE**
3 **SCHOOL DISTRICT OR A SCHOOL OF THE SCHOOL DISTRICT AS A PUBLIC**
4 **INNOVATIVE DISTRICT OR PUBLIC INNOVATIVE SCHOOL. AN APPLICATION**
5 **UNDER THIS SUBSECTION MUST BE SUBMITTED NO LATER THAN MARCH 1 OF**
6 **THE SCHOOL YEAR IMMEDIATELY PRECEDING THE SCHOOL YEAR IN WHICH THE**
7 **BOARD SEEKS TO BEGIN OPERATING THE SCHOOL DISTRICT OR SCHOOL AS A**
8 **PUBLIC INNOVATIVE DISTRICT OR PUBLIC INNOVATIVE SCHOOL AND MUST**
9 **INCLUDE AT LEAST ALL OF THE FOLLOWING:**

1 (A) A STATEMENT OF COMMITMENT FROM THE BOARD OUTLINING THE
2 SCHOOL DISTRICT'S VISION FOR COMPETENCY-BASED EDUCATION,
3 PERSONALIZED LEARNING, AND "ANY TIME, ANY PLACE, ANY WAY, ANY PACE"
4 LEARNING OR ANY OTHER INNOVATIVE APPROACHES TO LEARNING IN THE
5 SCHOOL DISTRICT OR SCHOOL.

6 (B) A DESCRIPTION OF THE INSTRUCTIONAL PROGRAM TO BE
7 IMPLEMENTED IN THE SCHOOL DISTRICT OR SCHOOL.

8 (C) A DESCRIPTION OF THE INTEREST AND SUPPORT FOR PARTNERSHIPS
9 BETWEEN THE SCHOOL DISTRICT OR SCHOOL, PARENTS, AND THE COMMUNITY.

10 (D) A DESCRIPTION OF THE EXPECTED BENEFITS OF THE INNOVATIVE
11 PRACTICES FOR PUPILS.

12 (E) AN EXPLANATION OF HOW PUPIL PERFORMANCE IN ACHIEVING
13 SPECIFIED OUTCOMES WILL BE MEASURED, EVALUATED, AND REPORTED USING
14 MULTIPLE MEASURES TO INFORM PUPIL PROGRESS.

15 (F) A COPY OF THE RESOLUTION TO SEEK PERMISSION TO OPERATE AS
16 A PUBLIC INNOVATIVE DISTRICT OR PUBLIC INNOVATIVE SCHOOL PASSED BY
17 THE BOARD.

18 (2) IF THE BOARD OF A SCHOOL DISTRICT SUBMITS AN APPLICATION
19 UNDER SUBSECTION (1), THE BOARD SHALL SEND WRITTEN NOTICE TO THE
20 PARENT OR LEGAL GUARDIAN OF EACH PUPIL ENROLLED IN THE SCHOOL
21 DISTRICT TO NOTIFY THE PUPIL'S PARENT OR LEGAL GUARDIAN THAT THE
22 APPLICATION HAS BEEN SUBMITTED. IF THE BOARD OF A SCHOOL DISTRICT
23 RECEIVES A NOTICE OF APPROVAL UNDER SUBSECTION (4) OR (6), THE
24 BOARD OF A SCHOOL DISTRICT SHALL SEND WRITTEN NOTICE OF THE
25 APPROVAL TO THE PARENT OR LEGAL GUARDIAN OF EACH PUPIL ENROLLED IN
26 THE SCHOOL DISTRICT.

27 (3) NOT LATER THAN 60 DAYS AFTER RECEIVING AN APPLICATION FOR

1 PERMISSION TO OPERATE THE SCHOOL DISTRICT OR A SCHOOL OF THE SCHOOL
2 DISTRICT AS A PUBLIC INNOVATIVE DISTRICT OR PUBLIC INNOVATIVE
3 SCHOOL UNDER SUBSECTION (1), THE SUPERINTENDENT OF PUBLIC
4 INSTRUCTION SHALL APPROVE OR DENY THE APPLICATION. THE
5 SUPERINTENDENT OF PUBLIC INSTRUCTION SHALL APPROVE AN APPLICATION
6 THAT IS IN COMPLIANCE WITH THIS SECTION OR DENY AN APPLICATION THAT
7 IS NOT IN COMPLIANCE WITH THIS SECTION.

8 (4) NOT LATER THAN 10 DAYS AFTER THE SUPERINTENDENT OF PUBLIC
9 INSTRUCTION HAS APPROVED OR DENIED AN APPLICATION UNDER SUBSECTION
10 (3), THE SUPERINTENDENT OF PUBLIC INSTRUCTION SHALL PROVIDE NOTICE
11 OF THE APPROVAL OR DENIAL OF PERMISSION TO OPERATE THE SCHOOL
12 DISTRICT OR A SCHOOL OF THE SCHOOL DISTRICT AS A PUBLIC INNOVATIVE
13 DISTRICT OR PUBLIC INNOVATIVE SCHOOL TO THE BOARD OF THE SCHOOL
14 DISTRICT THAT SUBMITTED THE APPLICATION AND THE EDUCATION
15 ACCOUNTABILITY POLICY COMMISSION, IN A FORM AND MANNER PRESCRIBED
16 BY THE SUPERINTENDENT OF PUBLIC INSTRUCTION.

17 (5) IF THE SUPERINTENDENT OF PUBLIC INSTRUCTION DENIES AN
18 APPLICATION FOR PERMISSION TO OPERATE THE SCHOOL DISTRICT OR A
19 SCHOOL OF THE SCHOOL DISTRICT AS A PUBLIC INNOVATIVE DISTRICT OR
20 PUBLIC INNOVATIVE SCHOOL UNDER SUBSECTION (3), THE EDUCATION
21 ACCOUNTABILITY POLICY COMMISSION SHALL HOLD A HEARING ON THE
22 APPLICATION NOT LATER THAN 30 DAYS AFTER THE SUPERINTENDENT OF
23 PUBLIC INSTRUCTION PROVIDES NOTICE OF THE DENIAL UNDER SUBSECTION
24 (4). THE EDUCATION ACCOUNTABILITY POLICY COMMISSION SHALL PROVIDE
25 REPRESENTATIVES OF THE BOARD OF THE SCHOOL DISTRICT THAT SUBMITTED
26 THE APPLICATION AN OPPORTUNITY TO PRESENT INFORMATION REFUTING THE
27 BASIS FOR THE DENIAL. NOT LATER THAN 30 DAYS BEFORE THE HEARING,

1 THE EDUCATION ACCOUNTABILITY POLICY COMMISSION SHALL PROVIDE NOTICE
2 OF THE HEARING TO THE BOARD OF THE SCHOOL DISTRICT THAT SUBMITTED
3 THE APPLICATION.

4 (6) NOT LATER THAN 60 DAYS AFTER THE HEARING UNDER SUBSECTION
5 (5), THE SUPERINTENDENT OF PUBLIC INSTRUCTION SHALL APPROVE THE
6 APPLICATION FOR PERMISSION TO OPERATE THE SCHOOL DISTRICT OR A
7 SCHOOL OF THE SCHOOL DISTRICT AS A PUBLIC INNOVATIVE DISTRICT OR
8 PUBLIC INNOVATIVE SCHOOL, DENY THE APPLICATION, OR ISSUE AN
9 APPROVAL OF THE APPLICATION THAT IS CONTINGENT ON COMPLIANCE WITH
10 CERTAIN CONDITIONS. THE SUPERINTENDENT OF PUBLIC INSTRUCTION SHALL
11 PROVIDE NOTICE OF HIS OR HER DECISION UNDER THIS SUBSECTION TO THE
12 BOARD OF THE SCHOOL DISTRICT THAT SUBMITTED THE APPLICATION,
13 INCLUDING ANY CONDITIONS ON WHICH AN APPROVAL IS CONTINGENT AND THE
14 DEADLINE BY WHICH THE CONDITIONS MUST BE MET, AS APPLICABLE. IF THE
15 BOARD OF THE SCHOOL DISTRICT FAILS TO MEET THE CONDITIONS BY THE
16 DEADLINE, THE SUPERINTENDENT OF PUBLIC INSTRUCTION SHALL DENY THE
17 APPLICATION.

18 (7) IF THE SUPERINTENDENT OF PUBLIC INSTRUCTION APPROVES AN
19 APPLICATION UNDER SUBSECTION (3) OR (6), THE BOARD OF THE SCHOOL
20 DISTRICT THAT SUBMITTED THE APPLICATION SHALL BEGIN OPERATING THE
21 SCHOOL DISTRICT AS A PUBLIC INNOVATIVE DISTRICT OR SCHOOL AS A
22 PUBLIC INNOVATIVE SCHOOL BEGINNING WITH THE SCHOOL YEAR IMMEDIATELY
23 FOLLOWING THE SCHOOL YEAR IN WHICH THE APPLICATION WAS APPROVED.

24 (8) AN APPROVAL TO OPERATE AS A PUBLIC INNOVATIVE DISTRICT OR
25 PUBLIC INNOVATIVE SCHOOL GRANTED UNDER THIS SECTION IS VALID FOR 3
26 SCHOOL YEARS, BEGINNING WITH THE SCHOOL YEAR IMMEDIATELY FOLLOWING
27 THE SCHOOL YEAR IN WHICH AN APPLICATION WAS APPROVED, AND MAY BE

1 RENEWED EVERY 3 YEARS. NOT LATER THAN 90 DAYS BEFORE THE EXPIRATION
2 OF AN APPROVAL TO OPERATE AS A PUBLIC INNOVATIVE DISTRICT OR PUBLIC
3 INNOVATIVE SCHOOL, THE BOARD OF A SCHOOL DISTRICT MAY SUBMIT A
4 RENEWAL APPLICATION TO THE SUPERINTENDENT OF PUBLIC INSTRUCTION FOR
5 PERMISSION TO CONTINUE OPERATING THE SCHOOL DISTRICT OR SCHOOL AS A
6 PUBLIC INNOVATIVE DISTRICT OR PUBLIC INNOVATIVE SCHOOL FOR AN
7 ADDITIONAL 3 SCHOOL YEARS. A RENEWAL APPLICATION SUBMITTED UNDER
8 THIS SUBSECTION MUST INCLUDE AT LEAST ALL OF THE FOLLOWING:

9 (A) EVIDENCE THAT THE PUPILS ENROLLED IN THE SCHOOL DISTRICT
10 OR SCHOOL MET THE STANDARDS ON THE APPLICABLE STATE ASSESSMENTS, OR
11 AN ALTERNATIVE ASSESSMENT ADOPTED UNDER SUBSECTION (15), DURING THE
12 CURRENT PERIOD OF OPERATION AS A PUBLIC INNOVATIVE DISTRICT OR
13 PUBLIC INNOVATIVE SCHOOL.

14 (B) EVIDENCE THAT THE SCHOOL DISTRICT OR SCHOOL HAS
15 DEMONSTRATED IMPROVEMENT IN ITS COURSE COMPLETION RATE DURING THE
16 CURRENT PERIOD OF OPERATION AS A PUBLIC INNOVATIVE DISTRICT OR
17 PUBLIC INNOVATIVE SCHOOL.

18 (C) EVIDENCE OF PROGRESS MADE BY THE SCHOOL DISTRICT OR SCHOOL
19 IN ACHIEVING THE GOALS, OUTCOMES, AND COMPETENCIES DESCRIBED IN THE
20 APPLICATION UNDER SUBSECTION (1).

21 (9) THE SUPERINTENDENT OF PUBLIC INSTRUCTION SHALL APPROVE A
22 RENEWAL APPLICATION IF THE SUPERINTENDENT OF PUBLIC INSTRUCTION
23 FINDS THAT THE EVIDENCE PROVIDED IN THE APPLICATION DESCRIBED IN
24 SUBSECTION (8) IS SUFFICIENT OR DENY A RENEWAL APPLICATION IF THE
25 SUPERINTENDENT OF PUBLIC INSTRUCTION FINDS THAT THE EVIDENCE
26 PROVIDED IN THE APPLICATION DESCRIBED IN SUBSECTION (8) IS
27 INSUFFICIENT. NOT LATER THAN 10 DAYS AFTER THE SUPERINTENDENT OF

1 PUBLIC INSTRUCTION HAS APPROVED OR DENIED A RENEWAL APPLICATION,
2 THE SUPERINTENDENT OF PUBLIC INSTRUCTION SHALL PROVIDE NOTICE OF
3 THE APPROVAL OR DENIAL TO THE BOARD OF THE SCHOOL DISTRICT THAT
4 SUBMITTED THE RENEWAL APPLICATION AND THE EDUCATION ACCOUNTABILITY
5 POLICY COMMISSION, IN A FORM AND MANNER PRESCRIBED BY THE
6 SUPERINTENDENT OF PUBLIC INSTRUCTION.

7 (10) IF THE SUPERINTENDENT OF PUBLIC INSTRUCTION DENIES A
8 RENEWAL APPLICATION UNDER SUBSECTION (9), THE EDUCATION
9 ACCOUNTABILITY POLICY COMMISSION SHALL HOLD A HEARING ON THE
10 RENEWAL APPLICATION NOT LATER THAN 30 DAYS AFTER THE SUPERINTENDENT
11 OF PUBLIC INSTRUCTION PROVIDES NOTICE OF THE DENIAL UNDER
12 SUBSECTION (9). THE EDUCATION ACCOUNTABILITY POLICY COMMISSION
13 SHALL PROVIDE REPRESENTATIVES OF THE BOARD OF THE SCHOOL DISTRICT
14 THAT SUBMITTED THE RENEWAL APPLICATION AN OPPORTUNITY TO PRESENT
15 INFORMATION REFUTING THE BASIS FOR THE DENIAL. NOT LATER THAN 30
16 DAYS BEFORE THE HEARING, THE EDUCATION ACCOUNTABILITY POLICY
17 COMMISSION SHALL PROVIDE NOTICE OF THE HEARING TO THE BOARD OF THE
18 SCHOOL DISTRICT THAT SUBMITTED THE RENEWAL APPLICATION.

19 (11) NOT LATER THAN 60 DAYS AFTER THE HEARING UNDER SUBSECTION
20 (10), THE SUPERINTENDENT OF PUBLIC INSTRUCTION SHALL APPROVE THE
21 RENEWAL APPLICATION, DENY THE RENEWAL APPLICATION, OR ISSUE AN
22 APPROVAL OF THE RENEWAL APPLICATION THAT IS CONTINGENT ON
23 COMPLIANCE WITH CERTAIN CONDITIONS. THE SUPERINTENDENT OF PUBLIC
24 INSTRUCTION SHALL PROVIDE NOTICE OF HIS OR HER DECISION UNDER THIS
25 SUBSECTION TO THE BOARD OF THE SCHOOL DISTRICT THAT SUBMITTED THE
26 RENEWAL APPLICATION, INCLUDING ANY CONDITIONS ON WHICH AN APPROVAL
27 IS CONTINGENT AND THE DEADLINE BY WHICH THE CONDITIONS MUST BE MET,

1 AS APPLICABLE. IF THE BOARD OF THE SCHOOL DISTRICT FAILS TO MEET
2 THE CONDITIONS BY THE DEADLINE, THE SUPERINTENDENT OF PUBLIC
3 INSTRUCTION SHALL DENY THE RENEWAL APPLICATION FOR PERMISSION TO
4 CONTINUE OPERATING THE SCHOOL DISTRICT OR SCHOOL AS A PUBLIC
5 INNOVATIVE DISTRICT OR PUBLIC INNOVATIVE SCHOOL.

6 (12) THE BOARD OF A SCHOOL DISTRICT THAT OPERATES THE SCHOOL
7 DISTRICT AS A PUBLIC INNOVATIVE DISTRICT UNDER THIS SECTION OR
8 OPERATES A SCHOOL OF THE SCHOOL DISTRICT AS A PUBLIC INNOVATIVE
9 SCHOOL UNDER THIS SECTION SHALL DEVELOP OR ADOPT, AND IMPLEMENT, AN
10 INSTRUCTIONAL PROGRAM THAT INCLUDES, BUT IS NOT LIMITED TO, ALL OF
11 THE FOLLOWING FOR THE SCHOOL DISTRICT OR SCHOOL:

12 (A) PROCEDURES FOR DIAGNOSING PUPIL LEARNING NEEDS.

13 (B) METHODS AND STRATEGIES FOR TEACHING THAT INCORPORATE
14 LEARNER NEEDS.

15 (C) RESOURCE-BASED LEARNING OPPORTUNITIES.

16 (D) TECHNIQUES FOR EVALUATING PUPIL OUTCOMES.

17 (E) THE PROVISION OF REMEDIAL INSTRUCTION, AS NEEDED.

18 (13) THE BOARD OF A SCHOOL DISTRICT OPERATING THE SCHOOL
19 DISTRICT AS A PUBLIC INNOVATIVE DISTRICT UNDER THIS SECTION OR
20 OPERATING A SCHOOL OF THE SCHOOL DISTRICT AS A PUBLIC INNOVATIVE
21 SCHOOL UNDER THIS SECTION MAY OFFER EXTENDED LEARNING OPPORTUNITIES
22 THAT MEET AT LEAST ALL OF THE FOLLOWING:

23 (A) INCLUDE ACTIVITIES DESIGNED TO PROVIDE CREDIT OR
24 SUPPLEMENT REGULAR ACADEMIC COURSES.

25 (B) INCLUDE ACTIVITIES DESIGNED TO PROMOTE THE EDUCATIONAL
26 GOALS AND OBJECTIVES OF THE PUPIL AND THE SCHOOL IN WHICH THE PUPIL
27 IS ENROLLED.

1 (C) INCORPORATE PUPILS IN SELECTING, ORGANIZING, AND
2 IMPLEMENTING EXTENDED LEARNING ACTIVITIES.

3 (D) PROVIDE OPPORTUNITIES FOR PUPILS TO ACQUIRE KNOWLEDGE AND
4 SKILL DEVELOPMENT COMPARABLE TO KNOWLEDGE AND SKILL DEVELOPMENT IN
5 COURSES OFFERED AT THE SCHOOL.

6 (E) ARE AVAILABLE TO ALL PUPILS.

7 (F) INCLUDE ACTIVITIES THAT SUPPLEMENT AND ENRICH REGULAR
8 ACADEMIC COURSES.

9 (G) INCLUDE ACTIVITIES THAT PROVIDE OPPORTUNITIES FOR SOCIAL
10 DEVELOPMENT.

11 (H) INCLUDE ACTIVITIES THAT ENCOURAGE PARTICIPATION IN THE
12 ARTS, ATHLETICS, AND OTHER COOPERATIVE GROUPS.

13 (I) INCLUDE ACTIVITIES THAT ENCOURAGE SERVICE TO SCHOOL AND
14 COMMUNITY.

15 (14) IF THE BOARD OF A SCHOOL DISTRICT OPERATING THE SCHOOL
16 DISTRICT AS A PUBLIC INNOVATIVE DISTRICT UNDER THIS SECTION OR
17 OPERATING A SCHOOL OF THE SCHOOL DISTRICT AS A PUBLIC INNOVATIVE
18 SCHOOL UNDER THIS SECTION OFFERS EXTENDED LEARNING OPPORTUNITIES
19 UNDER SUBSECTION (13), THE BOARD SHALL ADOPT A POLICY ON EXTENDED
20 LEARNING OPPORTUNITIES FOR THE SCHOOL DISTRICT OR SCHOOL THAT MEETS
21 AT LEAST ALL OF THE FOLLOWING:

22 (A) PROVIDES FOR THE ADMINISTRATION AND SUPERVISION OF THE
23 EXTENDED LEARNING OPPORTUNITIES.

24 (B) UTILIZES CERTIFIED EDUCATORS TO OVERSEE AN INDIVIDUAL
25 PUPIL'S EXTENDED LEARNING OPPORTUNITY.

26 (C) REQUIRES THAT EACH EXTENDED LEARNING PROPOSAL MEET
27 RIGOROUS STANDARDS AND BE APPROVED BY THE SCHOOL BEFORE

1 IMPLEMENTATION. EACH EXTENDED LEARNING PROPOSAL MUST ADDRESS THE 4
2 ELEMENTS OF RIGOR IN EXTENDED LEARNING OPPORTUNITIES: RESEARCH,
3 REFLECTION, PRODUCT, AND PRESENTATION.

4 (D) SPECIFIES THAT CREDITS CAN BE GRANTED FOR EXTENDED
5 LEARNING ACTIVITIES, INCLUDING, BUT NOT LIMITED TO, INDEPENDENT
6 STUDY, PRIVATE INSTRUCTION, TEAM SPORTS, PERFORMING GROUPS,
7 INTERNSHIPS, COMMUNITY SERVICE, AND WORK STUDY.

8 (E) REQUIRES THAT ANY CREDIT GRANTED TO A PUPIL IS BASED ON A
9 PUPIL'S DEMONSTRATION OF COMPETENCIES, AS APPROVED BY CERTIFICATED
10 EDUCATORS.

11 (15) THE BOARD OF A SCHOOL DISTRICT OPERATING THE SCHOOL
12 DISTRICT AS A PUBLIC INNOVATIVE DISTRICT UNDER THIS SECTION OR
13 OPERATING A SCHOOL OF THE SCHOOL DISTRICT AS A PUBLIC INNOVATIVE
14 SCHOOL UNDER THIS SECTION MAY DO ALL OF THE FOLLOWING:

15 (A) ADOPT AND IMPLEMENT AN ALTERNATIVE ASSESSMENT OF PUPIL
16 PROGRESS THAT MEETS THE REQUIREMENTS OF THE EVERY STUDENT SUCCEEDS
17 ACT, PUBLIC LAW 114-95.

18 (B) OPERATE A YEAR-ROUND PROGRAM.

19 (C) UTILIZE COMMUNITY EXPERTS IN THE EDUCATIONAL PROCESS.

20 (D) DESIGN COURSES BASED ON THE INTERESTS OF INDIVIDUAL
21 PUPILS.

22 (16) THE BOARD OF A SCHOOL DISTRICT OPERATING THE SCHOOL
23 DISTRICT AS A PUBLIC INNOVATIVE DISTRICT UNDER THIS SECTION OR
24 OPERATING A SCHOOL OF THE SCHOOL DISTRICT AS A PUBLIC INNOVATIVE
25 SCHOOL UNDER THIS SECTION SHALL DO AT LEAST BOTH OF THE FOLLOWING:

26 (A) MEASURE AND TRACK PUPIL COMPETENCIES, RATHER THAN
27 INSTRUCTIONAL HOURS, AS THE BASIS FOR AWARDED CREDIT.

1 (B) ASSIGN A MENTOR TO EACH PUPIL.

2 (17) IT IS THE INTENT OF THE LEGISLATURE TO APPROPRIATE
3 FUNDING FOR A STATEWIDE AUDITOR TO PERFORM AUDITS FOR EACH SCHOOL
4 DISTRICT OPERATING AS A PUBLIC INNOVATIVE DISTRICT AND EACH SCHOOL
5 OPERATING AS A PUBLIC INNOVATIVE SCHOOL. THE EDUCATION
6 ACCOUNTABILITY POLICY COMMISSION SHALL SELECT THE AUDITOR AND SHALL
7 ENSURE THAT THE AUDITOR HAS A BACKGROUND IN BOTH ACCOUNTING AND
8 EDUCATION. THE AUDITOR SHALL REPLACE THE SERVICES PROVIDED BY THE
9 AUDITOR OF THE INTERMEDIATE SCHOOL DISTRICT OF WHICH THE SCHOOL
10 DISTRICT IS CONSTITUENT. THE BOARD OF A SCHOOL DISTRICT OPERATING
11 THE SCHOOL DISTRICT AS A PUBLIC INNOVATIVE DISTRICT OR OPERATING A
12 SCHOOL OF THE SCHOOL DISTRICT AS A PUBLIC INNOVATIVE SCHOOL THAT IS
13 SUBJECT TO AN AUDIT PERFORMED BY THE STATEWIDE AUDITOR DESCRIBED IN
14 THIS SUBSECTION SHALL PROVIDE ANY INFORMATION TO THE STATEWIDE
15 AUDITOR THAT THE STATEWIDE AUDITOR DETERMINES IS NECESSARY FOR THE
16 PURPOSES OF PERFORMING AUDITS DESCRIBED IN THIS SUBSECTION.

17 (18) THE SUPERINTENDENT OF PUBLIC INSTRUCTION AND THE
18 DEPARTMENT'S INNOVATION COUNCIL SHALL PROVIDE TECHNICAL ADVICE AND
19 ASSISTANCE TO THE BOARD OF A SCHOOL DISTRICT COMPLETING AN
20 APPLICATION UNDER SUBSECTION (1) .

21 (19) IF THE PARENT OR LEGAL GUARDIAN OF A PUPIL RECEIVES A
22 NOTICE UNDER SUBSECTION (2) INDICATING THAT THE BOARD OF THE SCHOOL
23 DISTRICT RECEIVED A NOTICE OF APPROVAL UNDER SUBSECTION (4) OR (6)
24 FOR PERMISSION TO OPERATE A SCHOOL OF THE SCHOOL DISTRICT AS A
25 PUBLIC INNOVATIVE SCHOOL AND THE PUPIL IS CURRENTLY ENROLLED IN THE
26 SCHOOL FOR WHICH THE BOARD RECEIVED PERMISSION TO OPERATE AS A
27 PUBLIC INNOVATIVE SCHOOL OR THE PUPIL IS DESIGNATED TO ATTEND THAT

1 SCHOOL, THE PUPIL'S PARENT OR LEGAL GUARDIAN MAY, BEFORE THE
2 BEGINNING OF THE SCHOOL YEAR, ELECT TO ENROLL THE PUPIL IN ANOTHER
3 SCHOOL OF THE SCHOOL DISTRICT THAT OFFERS AN APPROPRIATE GRADE
4 LEVEL. IF THE BOARD OF A SCHOOL DISTRICT RECEIVES THE NOTICE OF
5 APPROVAL UNDER SUBSECTION (4) OR (6) FOR PERMISSION TO OPERATE A
6 SCHOOL OF THE SCHOOL DISTRICT AS A PUBLIC INNOVATIVE SCHOOL, THE
7 BOARD SHALL ENSURE THAT THE SCHOOLS OF THE SCHOOL DISTRICT THAT ARE
8 NOT OPERATED AS PUBLIC INNOVATIVE SCHOOLS ENROLL PUPILS SEEKING TO
9 ENROLL UNDER THIS SUBSECTION.

10 (20) AS USED IN THIS SECTION:

11 (A) "EDUCATION ACCOUNTABILITY POLICY COMMISSION" MEANS THE
12 EDUCATION ACCOUNTABILITY POLICY COMMISSION CREATED UNDER SECTION
13 1173A.

14 (B) "EXTENDED LEARNING OPPORTUNITY" MEANS A LEARNING PROGRAM
15 THAT OCCURS OUTSIDE OF A SCHOOL SETTING.

16 (C) "INNOVATIVE PRACTICES" MEANS APPROACHES TO LEARNING THAT
17 ARE PUPIL-CENTERED, LEARNING-BASED, AND NOT BOUND BY MEASURES OF
18 TIME OR PLACE.

19 SEC. 1173A. (1) THE EDUCATION ACCOUNTABILITY POLICY COMMISSION
20 IS CREATED IN THE DEPARTMENT. THE COMMISSION CONSISTS OF THE
21 FOLLOWING 13 MEMBERS:

22 (A) THREE MEMBERS APPOINTED BY THE GOVERNOR WHO REPRESENT
23 BUSINESS SECTORS THAT ARE IMPORTANT TO THIS STATE'S ECONOMY AND
24 RELY ON A COLLEGE- OR CAREER-READY WORKFORCE, NONPROFIT
25 ORGANIZATIONS AND ASSOCIATIONS THAT PROMOTE COLLEGE AND CAREER
26 EDUCATION, K-12 AND POSTSECONDARY INSTITUTIONS INVOLVED IN COLLEGE
27 AND CAREER EDUCATION, OR OTHER SECTORS AS DETERMINED APPROPRIATE BY

1 THE GOVERNOR.

2 (B) ONE MEMBER APPOINTED BY THE SENATE MAJORITY LEADER, IN
3 CONSULTATION WITH THE CHAIRPERSON OF THE SENATE STANDING COMMITTEE
4 ON EDUCATION.

5 (C) ONE MEMBER APPOINTED BY THE SPEAKER OF THE HOUSE OF
6 REPRESENTATIVES, IN CONSULTATION WITH THE CHAIRPERSON OF THE HOUSE
7 STANDING COMMITTEE ON EDUCATION.

8 (D) THE SUPERINTENDENT OF PUBLIC INSTRUCTION, OR HIS OR HER
9 DESIGNEE.

10 (E) ONE MEMBER APPOINTED BY THE SUPERINTENDENT OF PUBLIC
11 INSTRUCTION FROM AMONG NOMINEES SUBMITTED BY STATEWIDE
12 ORGANIZATIONS REPRESENTING PUBLIC SCHOOL ACADEMIES.

13 (F) ONE MEMBER APPOINTED BY THE SUPERINTENDENT OF PUBLIC
14 INSTRUCTION FROM AMONG NOMINEES SUBMITTED BY STATEWIDE
15 ORGANIZATIONS REPRESENTING SCHOOL ADMINISTRATORS WORKING IN SCHOOL
16 DISTRICTS.

17 (G) A CURRENTLY SERVING SCHOOL BOARD MEMBER APPOINTED BY THE
18 SUPERINTENDENT OF PUBLIC INSTRUCTION FROM AMONG NOMINEES SUBMITTED
19 BY STATEWIDE ORGANIZATIONS REPRESENTING SCHOOL BOARDS.

20 (H) ONE MEMBER APPOINTED BY THE GOVERNOR FROM AMONG NOMINEES
21 SUBMITTED BY STATEWIDE ORGANIZATIONS REPRESENTING URBAN SCHOOL
22 DISTRICTS.

23 (I) ONE MEMBER APPOINTED BY THE GOVERNOR FROM AMONG NOMINEES
24 SUBMITTED BY STATEWIDE ORGANIZATIONS REPRESENTING RURAL SCHOOL
25 DISTRICTS.

26 (J) ONE MEMBER APPOINTED BY THE GOVERNOR FROM AMONG NOMINEES
27 SUBMITTED BY STATEWIDE ORGANIZATIONS REPRESENTING PARENTS OF

1 PUPILS.

2 (K) ONE MEMBER APPOINTED BY THE GOVERNOR FROM AMONG NOMINEES
3 SUBMITTED BY STATEWIDE ORGANIZATIONS REPRESENTING TEACHERS.

4 (2) INITIAL EDUCATION ACCOUNTABILITY POLICY COMMISSION MEMBERS
5 MUST BE APPOINTED UNDER SUBSECTION (1) NOT LATER THAN JULY 1, 2019.

6 (3) THE MEMBERS OF THE EDUCATION ACCOUNTABILITY POLICY
7 COMMISSION SHALL ELECT A CHAIRPERSON OF THE COMMISSION AND OTHER
8 OFFICERS THE COMMISSION DETERMINES APPROPRIATE.

9 (4) MEMBERS OF THE EDUCATION ACCOUNTABILITY POLICY COMMISSION
10 SHALL BE APPOINTED FOR 4-YEAR TERMS.

11 (5) A VACANCY ON THE EDUCATION ACCOUNTABILITY POLICY
12 COMMISSION MUST BE FILLED IN THE SAME MANNER AS THE ORIGINAL
13 APPOINTMENT. A MEMBER APPOINTED TO FILL A VACANCY CAUSED BY A
14 RESIGNATION OR DEATH SHALL BE APPOINTED FOR THE BALANCE OF THE
15 UNEXPIRED TERM.

16 (6) THE GOVERNOR MAY REMOVE A MEMBER OF THE EDUCATION
17 ACCOUNTABILITY POLICY COMMISSION FOR INCOMPETENCE, DERELICTION OF
18 DUTY, MALFEASANCE, MISFEASANCE, OR NONFEASANCE IN OFFICE, OR ANY
19 OTHER GOOD CAUSE.

20 (7) MEMBERS OF THE EDUCATION ACCOUNTABILITY POLICY COMMISSION
21 SHALL SERVE WITHOUT COMPENSATION. HOWEVER, MEMBERS OF THE
22 COMMISSION MAY BE REIMBURSED FOR THEIR ACTUAL AND NECESSARY
23 EXPENSES INCURRED IN THE PERFORMANCE OF THEIR OFFICIAL DUTIES AS
24 MEMBERS OF THE COMMISSION.

25 (8) THE EDUCATION ACCOUNTABILITY POLICY COMMISSION MAY
26 ESTABLISH SUBCOMMITTEES THAT MAY CONSIST OF INDIVIDUALS WHO ARE NOT
27 MEMBERS OF THE COMMISSION, INCLUDING, BUT NOT LIMITED TO, EXPERTS

1 IN MATTERS OF INTEREST TO THE COMMISSION.

2 (9) A MAJORITY OF THE MEMBERS OF THE EDUCATION ACCOUNTABILITY
3 POLICY COMMISSION CONSTITUTE A QUORUM FOR CONDUCTING BUSINESS. A
4 VOTE OF A MAJORITY OF THE MEMBERS OF THE COMMISSION PRESENT AND
5 SERVING IS REQUIRED FOR THE OFFICIAL ACTION OF THE COMMISSION.

6 Sec. 1284b. (1) Until subsection (2) applies to the school
7 district, public school academy, or intermediate school district,
8 the board of a school district or intermediate school district or
9 board of directors of a public school academy shall ensure that the
10 district's or public school academy's schools are not in session on
11 the Friday before Labor ~~day~~-DAY.

12 (2) Except as otherwise provided in this section **AND EXCEPT**
13 **FOR THE BOARD OF A SCHOOL DISTRICT OPERATING THE SCHOOL DISTRICT AS**
14 **A PUBLIC INNOVATIVE DISTRICT OR, WITH RESPECT TO THAT SCHOOL ONLY,**
15 **OPERATING A SCHOOL OF THE SCHOOL DISTRICT AS A PUBLIC INNOVATIVE**
16 **SCHOOL UNDER SECTION 1173,** the board of a school district or
17 intermediate school district or board of directors of a public
18 school academy shall ensure that the district's or public school
19 academy's school year does not begin before Labor ~~day~~-DAY.

20 (3) If a collective bargaining agreement that provides a
21 complete school calendar is in effect for employees of a school
22 district, public school academy, or intermediate school district as
23 ~~of the effective date of the amendatory act that added subsection~~
24 ~~(2),~~ **SEPTEMBER 29, 2005,** and if that school calendar is not in
25 compliance with subsection (2), then subsection (2) does not apply
26 to that school district, public school academy, or intermediate
27 school district until after the expiration of that collective

1 bargaining agreement.

2 (4) If a school district, intermediate school district, or
3 public school academy is operating a year-round school or program
4 as of September 29, 2005 or is operating as of that date a school
5 that is an international baccalaureate academy that provides 1,160
6 hours of pupil instruction per school year, then subsection (2)
7 does not apply to that school or program. If a school district,
8 intermediate school district, or public school academy begins
9 operating a year-round school or program after September 29, 2005,
10 the school district, intermediate school district, or public school
11 academy may apply to the superintendent of public instruction for a
12 waiver from the requirements of subsection (2). Upon application,
13 if the superintendent of public instruction determines that a
14 school or program is a bona fide year-round school or program
15 established for educational reasons, the superintendent of public
16 instruction shall grant the waiver. The superintendent of public
17 instruction shall establish standards for determining a bona fide
18 year-round school or program for the purposes of this subsection.

19 (5) If an intermediate school district contracts with a
20 constituent district or public school academy to provide programs
21 or services for pupils of the constituent district or public school
22 academy; operates a program or service within a building owned by a
23 constituent district or a public school academy located within the
24 intermediate school district's boundaries; or otherwise provides
25 instructional programs or services for pupils of a constituent
26 district or public school academy, and if the school district's or
27 public school academy's school year begins before Labor ~~day~~**DAY**

1 under subsection (3) or (4), then the intermediate school district
2 may provide programs or services according to the school district's
3 or public school academy's calendar.

4 (6) This section does not apply to a public school that
5 operates all of grades 6 to 12 at a single site, that aligns its
6 high school curriculum with advanced placement courses as the
7 capstone of the curriculum, and that ends its second academic
8 semester concurrently with the end of the advanced placement
9 examination period.

10 (7) This section does not prohibit a school district,
11 intermediate school district, or public school academy from
12 offering or requiring professional development for its personnel
13 that is conducted before Labor ~~day~~**DAY**.

14 (8) As used in this section, "Labor ~~day~~**DAY**" means the first
15 Monday in September.

16 Enacting section 1. This amendatory act takes effect 90 days
17 after the date it is enacted into law.

18 Enacting section 2. This amendatory act does not take effect
19 unless House Bill No. 6315 of the 99th Legislature is enacted into
20 law.