

# SENATE BILL NO. 1220

November 10, 2022, Introduced by Senator SCHMIDT and referred to the Committee on Education and Career Readiness.

A bill to amend 1976 PA 451, entitled  
"The revised school code,"  
by amending section 553a (MCL 380.553a), as amended by 2018 PA 619.

## **THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 553a. (1) An authorizing body may issue a contract to  
2       establish a school of excellence that is a cyber school. A cyber  
3       school shall provide full-time instruction to pupils through online  
4       learning or otherwise on a computer or other technology, and this  
5       instruction and learning may occur remote from a school facility.

1 Subject to section 559(3), a cyber school may develop and implement  
2 personalized, nontraditional, or flexible learning opportunities  
3 that include, but are not limited to, project-based learning or  
4 competency-based education.

5 (2) A contract for a school of excellence that is a cyber  
6 school must include all of the provisions required under section  
7 553 and both of the following:

8 (a) A requirement that a teacher who holds appropriate  
9 certification according to state board rule or who is engaged to  
10 teach under section 1233b will be responsible for all of the  
11 following for each course in which a pupil is enrolled:

12 (i) Improving learning by planned instruction.

13 (ii) Diagnosing the pupil's learning needs.

14 (iii) Assessing learning, assigning grades, and determining  
15 advancement.

16 (iv) Reporting outcomes to administrators and parents or legal  
17 guardians.

18 (b) A requirement that the cyber school will make educational  
19 services available to pupils for a minimum of at least 1,098 hours  
20 during a school year. ~~The cyber school shall track a pupil's~~  
21 ~~participation through attendance in the educational program offered~~  
22 ~~by the cyber school for the proportionate number of instructional~~  
23 ~~hours from the date of enrollment of the pupil.~~ **This subdivision**  
24 **does not require that a cyber school ensure that each pupil**  
25 **participate in all of the educational hours made available to the**  
26 **pupil by the cyber school or that the cyber school track a pupil's**  
27 **participation in the educational program offered by the cyber**  
28 **school through attendance.**

29 (3) Notwithstanding any other provision of this act or any

1 rule, if a school of excellence that is a cyber school is in  
2 compliance with the requirements of subsection (2)(a) regarding a  
3 certificated teacher or a teacher engaged to teach under section  
4 1233b, any other adult assisting with the oversight of a pupil  
5 during the pupil's participation in the cyber school's education  
6 program is not required to be a certificated teacher, a teacher  
7 engaged to teach under section 1233b, or an employee of the school.

8 (4) Notwithstanding any rule to the contrary, a cyber school  
9 is not required to comply with any rule that would require a  
10 pupil's physical presence or attendance in a classroom.

11 (5) At the end of a cyber school's second complete school year  
12 of operations, the authorizing body of a school of excellence that  
13 is a cyber school shall submit to the superintendent of public  
14 instruction and the legislature, in the form and manner prescribed  
15 by the superintendent of public instruction, a report detailing the  
16 operation of the cyber school, providing statistics of pupil  
17 participation and academic performance, and making recommendations  
18 for any further statutory or rule change related to cyber schools  
19 and online learning in this state.