

HOUSE BILL No. 4706

April 16, 1991, Introduced by Rep. Bryant and referred to the Committee on Education.

A bill to amend section 6 of Act No. 451 of the Public Acts of 1976, entitled as amended

"The school code of 1976,"

as amended by Act No. 159 of the Public Acts of 1989, being section 380.6 of the Michigan Compiled Laws; and to add part 6a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 6 of Act No. 451 of the Public Acts of
2 1976, as amended by Act No. 159 of the Public Acts of 1989, being
3 section 380.6 of the Michigan Compiled Laws, is amended and
4 part 6a is added to read as follows:

5 Sec. 6. (1) "School bus" means a motor vehicle, other than
6 a station wagon or passenger van, with a manufacturer's rated
7 seating capacity of 17 or more pupils used for the transportation
8 of school pupils to and from school which either is owned by a
9 school district or, if privately owned, is transporting school

1 pupils under a contract with a local school district, a local act
2 school district, or an intermediate school district. As used in
3 this subsection:

4 (a) "Passenger van" means a motor vehicle designed to carry
5 not more than 16 passengers, built on a truck chassis, and regis-
6 tered and titled by the secretary of state as a station wagon.

7 (b) "Station wagon" means a motor vehicle designed to carry
8 not more than 10 passengers and built on a passenger vehicle
9 chassis.

10 (2) "School district" or "local school district" means:

11 (a) A primary school district.

12 (b) A school district of the fourth class.

13 (c) A school district of the third class.

14 (d) A school district of the second class.

15 (e) A school district of the first class.

16 (F) AN ENTITY OR COMBINATION OF ENTITIES OPERATING 1 OR MORE
17 PUBLIC SCHOOLS AS A PUBLIC SCHOOL CORPORATION UNDER PART 6A.

18 (3) "School elector" means a person qualified as an elector
19 under section 492 of the Michigan election law, Act No. 116 of
20 the Public Acts of 1954, as amended, being section 168.492 of the
21 Michigan Compiled Laws, and resident of the school district,
22 local act school district, or intermediate school district on or
23 before the thirtieth day before the next ensuing annual or spe-
24 cial school election.

25 (4) "School month" means a 4-week period of 5 days each
26 unless otherwise specified in the teacher's contract.

1 (5) "Special education building and equipment" means a
2 structure or portion of a structure or personal property
3 accepted, leased, purchased, or otherwise acquired, prepared, or
4 used for special education programs and services.

5 (6) "Special education personnel" means persons engaged in
6 and having professional responsibility for the training, care,
7 and education of handicapped persons in special education pro-
8 grams and services including, but not limited to, teachers,
9 aides, social workers, diagnostic personnel, physical therapists,
10 occupational therapists, audiologists, teachers of speech and
11 language, instructional media-curriculum specialists, mobility
12 specialists, teacher consultants, supervisors, and directors.

13 (7) "Special education programs and services" means educa-
14 tional and training services designed for handicappers and oper-
15 ated by local school districts, local act school districts,
16 intermediate school districts, the Michigan school for the blind,
17 the Michigan school for the deaf, the department of mental
18 health, the department of social services, or a combination
19 thereof, and ancillary professional services for handicappers
20 rendered by agencies approved by the state board. The programs
21 shall include vocational training, but need not include academic
22 programs of college or university level.

23 (8) "State approved nonpublic school" means a nonpublic
24 school that complies with Act No. 302 of the Public Acts of 1921,
25 as amended, being sections 388.551 to 388.558 of the Michigan
26 Compiled Laws.

1 (9) "State board" means the state board of education unless
2 clearly otherwise stated.

3 (10) "Department" means the department of education created
4 and operating under sections 300 to 305 of the executive organi-
5 zation act of 1965, Act No. 380 of the Public Acts of 1965, being
6 sections 16.400 to 16.405 of the Michigan Compiled Laws.

7 (11) "State school aid" means allotments from the general
8 appropriating act for the purpose of aiding in the support of the
9 public schools of the state.

10 (12) "The state school aid act of 1979" means Act No. 94 of
11 the Public Acts of 1979, being sections 388.1601 to 388.1772 of
12 the Michigan Compiled Laws.

13 (13) "Type I school bus" means a school bus with a gross
14 vehicle weight rating of more than 10,000 pounds.

15 (14) "Type II school bus" means a school bus with a gross
16 vehicle rating of 10,000 pounds or less.

17 (15) "Type I premium school bus" means a school bus with a
18 passenger capacity of more than 66 pupils and any other school
19 bus purchased by a district at a cost for the vehicle, excluding
20 interest and special equipment, that exceeds by more than 15% the
21 average cost of a school bus meeting state minimum specifications
22 of the same capacity purchased during the same year.

23 PART 6A

24 PUBLIC SCHOOL CORPORATIONS

25 SEC. 501. A PUBLIC SCHOOL CORPORATION IS GOVERNED BY THIS
26 PART, BY THE PROVISIONS OF ARTICLE 2 THAT ARE NOT INCONSISTENT
27 WITH THIS PART, AND BY ARTICLES 3 AND 4. A SCHOOL OPERATED BY A

1 PUBLIC SCHOOL CORPORATION IS A PUBLIC SCHOOL FOR ALL PURPOSES
2 UNDER STATE LAW, INCLUDING, BUT NOT LIMITED TO, SECTION 2 OF
3 ARTICLE VIII OF THE STATE CONSTITUTION OF 1963.

4 SEC. 502. A PUBLIC SCHOOL MAY BE ORGANIZED AND OPERATED BY
5 ANY OF THE FOLLOWING ENTITIES OR A COMBINATION OF THEM ACTING AS
6 A PUBLIC SCHOOL CORPORATION:

7 (A) A STATE UNIVERSITY DESCRIBED IN SECTION 4, 5, OR 6 OF
8 ARTICLE VIII OF THE STATE CONSTITUTION OF 1963.

9 (B) A PUBLIC COMMUNITY OR JUNIOR COLLEGE ESTABLISHED UNDER
10 SECTION 7 OF ARTICLE VIII OF THE STATE CONSTITUTION OF 1963 OR
11 PART 25 OF THIS ACT.

12 (C) AN INTERMEDIATE SCHOOL DISTRICT.

13 (D) A SCHOOL DISTRICT ORGANIZED UNDER PART 2, 3, 4, 5, OR 6,
14 WHEN IT IS OPERATING A PUBLIC SCHOOL OUTSIDE ITS OWN BOUNDARIES.

15 SEC. 503. A PUBLIC SCHOOL CORPORATION MAY OPERATE 1 OR MORE
16 SCHOOLS ENCOMPASSING GRADES K TO 12 OR ANY COMBINATION OF THOSE
17 GRADES.

18 Section 2. This amendatory act shall not take effect unless
19 Senate Bill No. ____ or House Bill No. 4707 (request
20 no. 01563'91a) of the 86th Legislature is enacted into law.