

# HOUSE BILL No. 4735

April 22, 1991, Introduced by Reps. DeMars, Bartnik, Keith, Scott, Clack, Barns, Jonker, Clarke, Varga, Joe Young, Jr., Stallworth, Byrum, Weeks, Kosteva, Harder, Trim, Stopczynski, Martin, Saunders, Sikkema, Jaye, Emerson, Wallace, Pitoniak, Joe Young, Sr., Yokich and Alley and referred to the Committee on Education.

A bill to amend sections 5, 81, 131, 951, 955, and 1027 of Act No. 451 of the Public Acts of 1976, entitled as amended "The school code of 1976,"

section 5 as amended by Act No. 215 of the Public Acts of 1982 and section 951 as amended by Act No. 147 of the Public Acts of 1990, being sections 380.5, 380.81, 380.131, 380.951, 380.955, and 380.1027 of the Michigan Compiled Laws; to add sections 81a, 81b, 131a, 131b, 901a, 902b, 903a, 904a, 905a, 906a, 907a, 908a, 909a, 910a, 911a, 912a, 913a, 914a, 915a, 916a, 917a, 918a, 919a, 920a, 921a, 922a, 923a, 924a, 925a, 926a, 927a, 928a, 949a, 950, 977, and 978; and to repeal certain parts of the act.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Section 1. Sections 5, 81, 131, 951, 955, and 1027 of Act  
2 No. 451 of the Public Acts of 1976, section 5 as amended by Act  
3 No. 215 of the Public Acts of 1982 and section 951 as amended by

1 Act No. 147 of the Public Acts of 1990, being sections 380.5,  
2 380.81, 380.131, 380.951, 380.955, and 380.1027 of the Michigan  
3 Compiled Laws, are amended and sections 81a, 81b, 131a, 131b,  
4 901a, 902b, 903a, 904a, 905a, 906a, 907a, 908a, 909a, 910a, 911a,  
5 912a, 913a, 914a, 915a, 916a, 917a, 918a, 919a, 920a, 921a, 922a,  
6 923a, 924a, 925a, 926a, 927a, 928a, 949a, 950, 977, and 978 are  
7 added to read as follows:

8       Sec. 5. (1) "Local act school district" or "special act  
9 school district" means a district governed by a special or local  
10 act or chapter of a local act. "Local school district" and  
11 "local school district board" as used in article 3 includes a  
12 local act school district and a local act school district board.

13       (2) "Membership" means the number of full-time equivalent  
14 pupils in a public school as determined by the number of pupils  
15 registered for attendance plus pupils received by transfer and  
16 minus pupils lost as defined by rules promulgated by the state  
17 board.

18       (3) "Modified school bus" means a school bus of any age with  
19 a factory installed fuel system ~~which~~ THAT has been modified to  
20 operate on a fuel source other than gasoline or diesel fuel.

21       (4) "Nonpublic school" means a private, denominational, or  
22 parochial school.

23       (5) "Nonregistration school district" means a school dis-  
24 trict in which registration as a general elector with the city or  
25 township clerk of the city or township in which the person  
26 resides is not required of school electors.

1 (6) "Pupil membership count day" of a school district means  
2 the fourth Friday following Labor day each school year, except  
3 that the membership count day of a school district maintaining  
4 school during the entire school year means the following days:

- 5 (a) Fourth Friday in July.
- 6 (b) Fourth Friday in October.
- 7 (c) Fourth Friday in January.
- 8 (d) Fourth Friday in April.

9 (7) "Pupil transportation vehicle" means any vehicle other  
10 than a school bus used by a school district to transport pupils  
11 to or from school or school-related events.

12 (8) "Rehabilitated school bus" means a bus ~~which~~ THAT is  
13 at least 4 years old and has accumulated at least 100,000 miles,  
14 or is 7 years old; and ~~which~~ THAT has been thoroughly inspected  
15 and had all systems repaired, replaced, or adjusted to meet the  
16 department of state police inspection requirements including, but  
17 not limited to:

- 18 (a) Engine overhaul of short block.
- 19 (b) New tires on the front axle.
- 20 (c) New recap tires on the rear axle.
- 21 (d) New brake linings and drums.
- 22 (e) New hydraulic brake lines.
- 23 (f) Front and rear springs.
- 24 (g) New paint in the interior.
- 25 (h) New exhaust system.

26 (9) "Registration school district" means a school district  
27 ~~which~~ THAT conducts its elections under part 13.

1 (10) "Reorganized intermediate school district" means an  
2 intermediate school district ~~formed by consolidation or annexa-~~  
3 ~~tion of 2 or more intermediate school districts under sections~~  
4 ~~701 and 702~~ AFFECTED BY REORGANIZATION PURSUANT TO PART 9.

5 (11) "Rule" means a rule promulgated pursuant to Act No.  
6 306 of the Public Acts of 1969, as amended, being sections 24.201  
7 to ~~24.315~~ 24.328 of the Michigan Compiled Laws.

8 Sec. 81. (1) At an annual or special meeting of the school  
9 district, the school electors may vote to discontinue school in  
10 the district and direct the board to make provision to send the  
11 resident children to another school or schools ~~;~~ ~~or the school~~  
12 ~~electors may vote to direct the board to make provision to send~~  
13 OR the children of 1 or more grades to another school or  
14 schools. The board shall use funds, except debt retirement funds  
15 or building funds, to pay the tuition and transportation of all  
16 resident children enrolled in discontinued grades to another  
17 school or schools selected by the board unless the school elec-  
18 tors designate the school or schools in the ballot submitted at  
19 the annual or special district meeting. IF THE SCHOOL ELECTORS  
20 VOTE TO DISCONTINUE 1 OR MORE GRADES OR SCHOOLS IN THE DISTRICT,  
21 THE CLOSING OF 1 OR MORE GRADES OR SCHOOLS SHALL NOT TAKE EFFECT  
22 BEFORE 60 DAYS AFTER THE DATE OF THE ANNUAL OR SPECIAL MEETING  
23 UNLESS AN EARLIER DATE IS AGREED UPON BETWEEN THE AFFECTED SCHOOL  
24 DISTRICTS AND THEIR RESPECTIVE COLLECTIVE BARGAINING  
25 REPRESENTATIVES.

26 (2) ~~The~~ A discontinued grade or ~~grades~~ SCHOOL shall  
27 remain closed in the district until the school electors at a

1 subsequent annual or special meeting VOTE TO direct the board to  
2 reopen and operate the discontinued ~~grades~~ GRADE OR SCHOOL.  
3 IF THE SCHOOL ELECTORS VOTE TO REOPEN 1 OR MORE GRADES OR  
4 SCHOOLS, THE REOPENING SHALL NOT TAKE EFFECT BEFORE 60 DAYS AFTER  
5 THE DATE OF THE ANNUAL OR SPECIAL MEETING UNLESS AN EARLIER DATE  
6 IS AGREED UPON BETWEEN THE AFFECTED SCHOOL DISTRICTS AND THEIR  
7 RESPECTIVE COLLECTIVE BARGAINING REPRESENTATIVES.

8 (3) THIS SECTION DOES NOT APPLY WHEN A GRADE IS DISCONTINUED  
9 OR A SCHOOL BUILDING IS CLOSED AND THE BOARD SENDS THE RESIDENT  
10 CHILDREN TO 1 OR MORE BUILDINGS IN THE SAME SCHOOL DISTRICT.

11 SEC. 81A. (1) UPON DISCONTINUATION OF 1 OR MORE GRADES OR  
12 SCHOOLS PURSUANT TO SECTION 81(1), AN EMPLOYEE OF THE SCHOOL DIS-  
13 TRICT WHO IS LAID OFF OR WHOSE EMPLOYMENT IS TERMINATED AS THE  
14 RESULT OF A GRADE OR SCHOOL DISCONTINUATION HAS A RIGHT TO  
15 EMPLOYMENT BASED ON SENIORITY AND THOSE RIGHTS THAT ACCRUE BASED  
16 ON EMPLOYMENT IN ANY DISTRICT THAT ACCEPTS ALL OR A PART OF THE  
17 DISCONTINUED GRADE OR SCHOOL. WITHIN 20 DAYS AFTER THE ANNUAL OR  
18 SPECIAL MEETING AT WHICH THE SCHOOL ELECTORS VOTE TO DISCONTINUE  
19 1 OR MORE GRADES OR SCHOOLS IN THE DISTRICT, THE EMPLOYEE SHALL  
20 TEMPORARILY BE CONSIDERED AN EMPLOYEE OF THE DISTRICT THAT DIS-  
21 CONTINUED A GRADE OR SCHOOL AND OF THE DISTRICT THAT ACCEPTED ALL  
22 OR A PART OF THE DISCONTINUED GRADE OR SCHOOL.

23 (2) AN EMPLOYEE WHO HAS EMPLOYMENT RIGHTS UNDER SUBSECTION  
24 (1) RETAINS SENIORITY AND OTHER EMPLOYMENT RIGHTS IN THE  
25 EMPLOYEE'S ORIGINAL DISTRICT AND HAS SENIORITY AND THOSE RIGHTS  
26 THAT ACCRUE BASED ON SENIORITY IN ANY SCHOOL DISTRICT THAT  
27 ACCEPTS ALL OR A PART OF A DISCONTINUED GRADE OR SCHOOL. THESE

1 SENIORITY RIGHTS SHALL BE DETERMINED UNDER THE APPROPRIATE  
2 COLLECTIVE BARGAINING AGREEMENT OF THE DISTRICT THAT ACCEPTS ALL  
3 OR A PART OF THE DISCONTINUED GRADE OR SCHOOL OR, IF SUCH AN  
4 AGREEMENT DOES NOT EXIST, UNDER THAT DISTRICT'S STANDARDS FOR  
5 SENIORITY. THESE SENIORITY RIGHTS SHALL BE GRANTED AS IF THE  
6 EMPLOYEE WERE EMPLOYED ORIGINALLY BY THAT DISTRICT. THIS SUBSEC-  
7 TION DOES NOT PROHIBIT MODIFICATION OF SENIORITY IN ANY SUCCESSOR  
8 AGREEMENT CONSISTENT WITH THE PARTIES' OBLIGATIONS UNDER ACT  
9 NO. 336 OF THE PUBLIC ACTS OF 1947, BEING SECTIONS 423.201 TO  
10 423.216 OF THE MICHIGAN COMPILED LAWS.

11 (3) AN EMPLOYEE OF THE DISTRICT DISCONTINUING A GRADE OR  
12 SCHOOL WHO IS ON LAYOFF ON JUNE 1 OF THE SCHOOL YEAR IMMEDIATELY  
13 PRECEDING THE EFFECTIVE DATE OF THE DISCONTINUATION OF THE GRADE  
14 OR SCHOOL SHALL NOT DISPLACE AN ACTIVE EMPLOYEE IN ANY DISTRICT  
15 THAT ACCEPTS ALL OR A PART OF THE DISCONTINUED GRADE OR SCHOOL.  
16 HOWEVER, A TENURED TEACHER WHO IS GRANTED EMPLOYMENT RIGHTS PUR-  
17 SUANT TO THIS SECTION MAY REPLACE A PROBATIONARY TEACHER WHO IS  
18 EMPLOYED IN A POSITION FOR WHICH THE TENURED TEACHER IS  
19 CERTIFICATED. A DISTRICT SHALL NOT LAY OFF OR RECALL EMPLOYEES  
20 TO CIRCUMVENT THE PROTECTIONS PROVIDED BY THIS SUBSECTION.

21 (4) EXCEPT AS PROVIDED IN SECTION 81B, UPON ACCEPTANCE OF A  
22 POSITION WITH A SCHOOL DISTRICT THAT ACCEPTS ALL OR PART OF A  
23 DISCONTINUED GRADE OR SCHOOL, AN EMPLOYEE'S EMPLOYMENT RIGHTS IN  
24 ALL OTHER SCHOOL DISTRICTS TERMINATE.

25 (5) UNLESS OTHERWISE PROVIDED BY A COLLECTIVE BARGAINING  
26 AGREEMENT OF A SCHOOL DISTRICT THAT ACCEPTS ALL OR PART OF A  
27 DISCONTINUED GRADE OR SCHOOL, A PERSON EMPLOYED UNDER THIS

1 SECTION IS ENTITLED TO ALL RIGHTS AND BENEFITS TO WHICH THE  
2 PERSON OTHERWISE WOULD BE ENTITLED HAD THE PERSON BEEN EMPLOYED  
3 ORIGINALLY BY THE SCHOOL DISTRICT TO WHICH HE OR SHE  
4 TRANSFERRED.

5 (6) A PERSON EMPLOYED UNDER THIS SECTION IS ENTITLED TO ALL  
6 RIGHTS AND BENEFITS PROVIDED BY ACT NO. 4 OF THE PUBLIC ACTS OF  
7 THE EXTRA SESSION OF 1937, BEING SECTIONS 38.71 TO 38.191 OF THE  
8 MICHIGAN COMPILED LAWS, TO WHICH THE PERSON WOULD HAVE BEEN ENTI-  
9 TLED IF THE PERSON HAD BEEN EMPLOYED ORIGINALLY BY THE DISTRICT  
10 TO WHICH HE OR SHE TRANSFERRED, INCLUDING TENURE STATUS.

11 (7) UNLESS OTHERWISE PROVIDED BY A COLLECTIVE BARGAINING  
12 AGREEMENT, A SCHOOL DISTRICT THAT ACCEPTS ALL OR PART OF A DIS-  
13 CONTINUED GRADE OR SCHOOL HAS NO OBLIGATION TO PROVIDE SALARY OR  
14 OTHER MONETARY BENEFITS TO AN EMPLOYEE WHO OBTAINS EMPLOYMENT  
15 RIGHTS PURSUANT TO THIS SECTION UNTIL THE EMPLOYEE PROVIDES SERV-  
16 ICES TO THE SCHOOL DISTRICT.

17 (8) THIS SECTION DOES NOT APPLY WHEN A GRADE IS DISCONTINUED  
18 OR A SCHOOL BUILDING IS CLOSED AND THE BOARD SENDS THE RESIDENT  
19 CHILDREN TO 1 OR MORE BUILDINGS IN THE SAME SCHOOL DISTRICT.

20 SEC. 81B. (1) IF A SCHOOL DISTRICT REOPENS AND OPERATES 1  
21 OR MORE DISCONTINUED GRADES OR SCHOOLS PURSUANT TO SECTION 81(2),  
22 AN EMPLOYEE OF THE SCHOOL DISTRICT WHO TRANSFERRED TO ANOTHER  
23 SCHOOL DISTRICT WHEN A GRADE OR SCHOOL ORIGINALLY WAS DISCONTIN-  
24 UED MAY CHOOSE, ON THE BASIS OF SENIORITY, TO RETURN TO THE DIS-  
25 TRICT THAT REOPENS.

26 (2) IN ADDITION TO THOSE EMPLOYMENT RIGHTS PROVIDED IN  
27 SUBSECTION (1), AN EMPLOYEE OF A DISTRICT THAT ACCEPTED PUPILS

1 FROM THE DISCONTINUED GRADE OR SCHOOL WHO IS LAID OFF OR WHOSE  
2 EMPLOYMENT IS TERMINATED AS A RESULT OF THE REOPENING AND OPERA-  
3 TION OF THE DISCONTINUED GRADE OR SCHOOL HAS A RIGHT TO EMPLOY-  
4 MENT BASED ON SENIORITY AND THOSE RIGHTS THAT ACCRUE BASED ON  
5 EMPLOYMENT IN THE DISTRICT THAT REOPENS AND OPERATES THE DISCON-  
6 TINUED GRADE OR SCHOOL. WITHIN 20 DAYS AFTER THE ANNUAL OR SPE-  
7 CIAL MEETING AT WHICH THE SCHOOL ELECTORS VOTE TO REOPEN 1 OR  
8 MORE GRADES OR SCHOOLS IN THE DISTRICT, THE EMPLOYEE SHALL TEMPO-  
9 RARILY BE CONSIDERED AN EMPLOYEE OF THE DISTRICT THAT REOPENED A  
10 DISCONTINUED GRADE OR SCHOOL AND THE DISTRICT THAT ACCEPTED ALL  
11 OR A PART OF THE DISCONTINUED GRADE OR SCHOOL.

12 (3) AN EMPLOYEE WHO HAS EMPLOYMENT RIGHTS UNDER SUBSECTIONS  
13 (1) AND (2) RETAINS SENIORITY AND OTHER EMPLOYMENT RIGHTS IN THE  
14 EMPLOYEE'S ORIGINAL DISTRICT AND HAS SENIORITY AND THOSE RIGHTS  
15 THAT ACCRUE BASED ON SENIORITY IN THE SCHOOL DISTRICT THAT  
16 REOPENS AND OPERATES 1 OR MORE DISCONTINUED GRADES OR SCHOOLS.  
17 THESE SENIORITY RIGHTS SHALL BE DETERMINED UNDER THE APPROPRIATE  
18 COLLECTIVE BARGAINING AGREEMENT OF THAT DISTRICT OR, IF SUCH AN  
19 AGREEMENT DOES NOT EXIST, UNDER THAT DISTRICT'S STANDARDS FOR  
20 SENIORITY. THESE SENIORITY RIGHTS SHALL BE GRANTED AS IF THE  
21 EMPLOYEE WERE EMPLOYED ORIGINALLY BY THAT DISTRICT. THIS SUBSEC-  
22 TION DOES NOT PROHIBIT MODIFICATION OF SENIORITY IN ANY SUCCESSOR  
23 AGREEMENT CONSISTENT WITH THE PARTIES' OBLIGATIONS UNDER ACT  
24 NO. 336 OF THE PUBLIC ACTS OF 1947, BEING SECTIONS 423.201 TO  
25 423.216 OF THE MICHIGAN COMPILED LAWS.

26 (4) AN EMPLOYEE OF THE DISTRICT THAT ACCEPTED PUPILS FROM A  
27 DISCONTINUED GRADE OR SCHOOL WHO IS ON LAYOFF ON JUNE 1 OF THE



1 SCHOOL YEAR IMMEDIATELY PRECEDING THE EFFECTIVE DATE OF THE  
2 REOPENING OF THE DISCONTINUED GRADE OR SCHOOL SHALL NOT DISPLACE  
3 AN ACTIVE EMPLOYEE IN THE DISTRICT THAT REOPENS. HOWEVER, A TEN-  
4 URED TEACHER WHO IS GRANTED EMPLOYMENT RIGHTS PURSUANT TO THIS  
5 SECTION MAY REPLACE A PROBATIONARY TEACHER WHO IS EMPLOYED IN A  
6 POSITION FOR WHICH THE TENURED TEACHER IS CERTIFICATED. A DIS-  
7 TRICT SHALL NOT LAY OFF OR RECALL EMPLOYEES TO CIRCUMVENT THE  
8 PROTECTIONS PROVIDED BY THIS SUBSECTION.

9 (5) UPON ACCEPTANCE OF A POSITION WITH A SCHOOL DISTRICT  
10 THAT REOPENS AND OPERATES 1 OR MORE DISCONTINUED GRADES OR  
11 SCHOOLS, AN EMPLOYEE'S EMPLOYMENT RIGHTS IN ALL OTHER DISTRICTS  
12 TERMINATE.

13 (6) UNLESS OTHERWISE PROVIDED BY A COLLECTIVE BARGAINING  
14 AGREEMENT OF A SCHOOL DISTRICT THAT REOPENED A DISCONTINUED GRADE  
15 OR SCHOOL, A PERSON EMPLOYED UNDER THIS SECTION IS ENTITLED TO  
16 ALL RIGHTS AND BENEFITS TO WHICH THE PERSON OTHERWISE WOULD BE  
17 ENTITLED HAD THE PERSON BEEN EMPLOYED ORIGINALLY BY THE DISTRICT  
18 TO WHICH HE OR SHE TRANSFERRED.

19 (7) A PERSON EMPLOYED UNDER THIS SECTION IS ENTITLED TO ALL  
20 RIGHTS AND BENEFITS PROVIDED BY ACT NO. 4 OF THE PUBLIC ACTS OF  
21 THE EXTRA SESSION OF 1937, BEING SECTIONS 38.71 TO 38.191 OF THE  
22 MICHIGAN COMPILED LAWS, TO WHICH THE PERSON WOULD HAVE BEEN ENTI-  
23 TLED IF THE PERSON HAD BEEN EMPLOYED ORIGINALLY BY THE DISTRICT  
24 TO WHICH HE OR SHE TRANSFERRED, INCLUDING TENURE STATUS.

25 (8) UNLESS OTHERWISE PROVIDED BY A COLLECTIVE BARGAINING  
26 AGREEMENT, A SCHOOL DISTRICT THAT REOPENS AND OPERATES 1 OR MORE  
27 DISCONTINUED GRADES OR SCHOOLS HAS NO OBLIGATION TO PROVIDE

1 SALARY OR OTHER MONETARY BENEFITS TO AN EMPLOYEE WHO OBTAINS  
2 EMPLOYMENT RIGHTS PURSUANT TO THIS SECTION UNTIL THE EMPLOYEE  
3 PROVIDES SERVICES TO THE SCHOOL DISTRICT.

4 (9) THIS SECTION DOES NOT APPLY WHEN A GRADE IS DISCONTINUED  
5 OR A SCHOOL BUILDING IS CLOSED AND THE BOARD SENDS THE RESIDENT  
6 CHILDREN TO 1 OR MORE BUILDINGS IN THE SAME SCHOOL DISTRICT.

7 Sec. 131. (1) If directed by a majority vote of the school  
8 electors voting at an annual or special election, the board shall  
9 establish a high school and determine the qualifications for  
10 admission to the high school. The vote ~~shall~~ IS not ~~be~~  
11 required in a school district in which a high school ~~is~~ WAS  
12 established ~~at the time this act takes effect~~ ON OR BEFORE  
13 JANUARY 13, 1977 or in a school district in which a high school  
14 is established ~~prior to a consolidation or annexation~~ BEFORE A  
15 REORGANIZATION.

16 (2) If directed by a majority vote of the school electors,  
17 the board may discontinue the high school in the district. The  
18 board shall make provision to send the pupils of the high school  
19 to the high school of another school district or districts. The  
20 board shall use the necessary funds to pay the tuition as pro-  
21 vided in section 1406 and shall provide transportation for all  
22 resident high school pupils.

23 (3) At an annual or special election, the school electors  
24 may vote to discontinue school in the district and direct the  
25 board to make provision to send the resident children to another  
26 school or schools ~~; or the school electors may vote to direct~~  
27 ~~the board to make provision to send~~ OR the children of 1 or more

1 grades to another school or schools. If ~~this action is taken~~  
2 THE SCHOOL ELECTORS VOTE TO DISCONTINUE 1 OR MORE GRADES OR  
3 SCHOOLS IN THE DISTRICT, the board shall use funds, except debt  
4 retirement funds or building funds, to pay the tuition and trans-  
5 portation of resident children.

6 (4) THE DISCONTINUATION OF 1 OR MORE GRADES OR SCHOOLS PUR-  
7 SUANT TO THIS SECTION SHALL NOT TAKE EFFECT BEFORE 60 DAYS AFTER  
8 THE DATE OF THE ANNUAL OR SPECIAL ELECTION UNLESS AN EARLIER DATE  
9 IS AGREED UPON BETWEEN THE AFFECTED SCHOOL DISTRICTS AND THEIR  
10 RESPECTIVE COLLECTIVE BARGAINING REPRESENTATIVES.

11 (5) ~~(4) The~~ A discontinued ~~grades~~ GRADE OR SCHOOL shall  
12 remain closed in the school district until the school electors of  
13 the district at a subsequent annual or special election VOTE TO  
14 direct the board to reopen and operate the discontinued ~~grades~~  
15 GRADE OR SCHOOL. IF THE SCHOOL ELECTORS VOTE TO REOPEN 1 OR MORE  
16 GRADES OR SCHOOLS, THE REOPENING SHALL NOT TAKE EFFECT BEFORE 60  
17 DAYS AFTER THE DATE OF THE ANNUAL OR SPECIAL ELECTION UNLESS AN  
18 EARLIER DATE IS AGREED UPON BETWEEN THE AFFECTED SCHOOL DISTRICTS  
19 AND THEIR RESPECTIVE COLLECTIVE BARGAINING REPRESENTATIVE.

20 (6) THIS SECTION DOES NOT APPLY WHEN A GRADE IS DISCONTINUED  
21 OR A SCHOOL BUILDING IS CLOSED AND THE BOARD SENDS THE RESIDENT  
22 CHILDREN TO 1 OR MORE BUILDINGS IN THE SAME SCHOOL DISTRICT.

23 SEC. 131A. (1) UPON DISCONTINUATION OF 1 OR MORE GRADES OR  
24 SCHOOLS PURSUANT TO SECTION 131, AN EMPLOYEE OF THE SCHOOL DIS-  
25 TRICT WHO IS LAID OFF OR WHOSE EMPLOYMENT IS TERMINATED AS THE  
26 RESULT OF A GRADE OR SCHOOL DISCONTINUATION HAS A RIGHT TO  
27 EMPLOYMENT BASED ON SENIORITY AND THOSE RIGHTS THAT ACCRUE BASED

1 ON EMPLOYMENT IN ANY DISTRICT THAT ACCEPTS ALL OR A PART OF THE  
2 DISCONTINUED GRADE OR SCHOOL. WITHIN 20 DAYS AFTER THE OFFICIAL  
3 CANVASS OF THE VOTE TO DISCONTINUE 1 OR MORE GRADES OR SCHOOLS IN  
4 THE DISTRICT, THE EMPLOYEE SHALL TEMPORARILY BE CONSIDERED AN  
5 EMPLOYEE OF THE DISTRICT THAT DISCONTINUED A GRADE OR SCHOOL AND  
6 OF THE DISTRICT THAT ACCEPTED ALL OR A PART OF THE DISCONTINUED  
7 GRADE OR SCHOOL.

8 (2) AN EMPLOYEE WHO HAS EMPLOYMENT RIGHTS UNDER SUBSECTION  
9 (1) RETAINS SENIORITY AND OTHER EMPLOYMENT RIGHTS IN THE  
10 EMPLOYEE'S ORIGINAL DISTRICT AND HAS SENIORITY AND THOSE RIGHTS  
11 THAT ACCRUE BASED ON SENIORITY IN ANY SCHOOL DISTRICT THAT  
12 ACCEPTS ALL OR A PART OF A DISCONTINUED GRADE OR SCHOOL. THESE  
13 SENIORITY RIGHTS SHALL BE DETERMINED UNDER THE APPROPRIATE COL-  
14 LECTIVE BARGAINING AGREEMENT OF THE DISTRICT THAT ACCEPTS ALL OR  
15 A PART OF THE DISCONTINUED GRADE OR SCHOOL OR, IF SUCH AN AGREE-  
16 MENT DOES NOT EXIST, UNDER THAT DISTRICT'S STANDARDS FOR  
17 SENIORITY. THESE SENIORITY RIGHTS SHALL BE GRANTED AS IF THE  
18 EMPLOYEE WERE EMPLOYED ORIGINALLY BY THAT DISTRICT. THIS SUBSEC-  
19 TION DOES NOT PROHIBIT MODIFICATION OF SENIORITY IN ANY SUCCESSOR  
20 AGREEMENT CONSISTENT WITH THE PARTIES' OBLIGATIONS UNDER ACT  
21 NO. 336 OF THE PUBLIC ACTS OF 1947, BEING SECTIONS 423.201 TO  
22 423.216 OF THE MICHIGAN COMPILED LAWS.

23 (3) AN EMPLOYEE OF THE DISTRICT DISCONTINUING A GRADE OR  
24 SCHOOL WHO IS ON LAYOFF ON JUNE 1 OF THE SCHOOL YEAR IMMEDIATELY  
25 PRECEDING THE EFFECTIVE DATE OF THE DISCONTINUATION OF THE GRADE  
26 OR SCHOOL SHALL NOT DISPLACE AN ACTIVE EMPLOYEE IN ANY DISTRICT  
27 THAT ACCEPTS ALL OR A PART OF THE DISCONTINUED GRADE OR SCHOOL.

1 HOWEVER, A TENURED TEACHER WHO IS GRANTED EMPLOYMENT RIGHTS  
2 PURSUANT TO THIS SECTION MAY REPLACE A PROBATIONARY TEACHER WHO  
3 IS EMPLOYED IN A POSITION FOR WHICH THE TENURED TEACHER IS  
4 CERTIFICATED. A DISTRICT SHALL NOT LAY OFF OR RECALL EMPLOYEES  
5 TO CIRCUMVENT THE PROTECTIONS PROVIDED BY THIS SUBSECTION.

6 (4) EXCEPT AS PROVIDED IN SECTION 131B, UPON ACCEPTANCE OF A  
7 POSITION WITH A SCHOOL DISTRICT THAT ACCEPTS ALL OR PART OF A  
8 DISCONTINUED GRADE OR SCHOOL, AN EMPLOYEE'S EMPLOYMENT RIGHTS IN  
9 ALL OTHER SCHOOL DISTRICTS TERMINATE.

10 (5) UNLESS OTHERWISE PROVIDED BY A COLLECTIVE BARGAINING  
11 AGREEMENT OF A SCHOOL DISTRICT THAT ACCEPTS ALL OR PART OF A DIS-  
12 CONTINUED GRADE OR SCHOOL, A PERSON EMPLOYED UNDER THIS SECTION  
13 IS ENTITLED TO ALL RIGHTS AND BENEFITS TO WHICH THE PERSON OTHER-  
14 WISE WOULD BE ENTITLED HAD THE PERSON BEEN EMPLOYED ORIGINALLY BY  
15 THE SCHOOL DISTRICT TO WHICH HE OR SHE TRANSFERRED.

16 (6) A PERSON EMPLOYED UNDER THIS SECTION IS ENTITLED TO ALL  
17 RIGHTS AND BENEFITS PROVIDED BY ACT NO. 4 OF THE PUBLIC ACTS OF  
18 THE EXTRA SESSION OF 1937, BEING SECTIONS 38.71 TO 38.191 OF THE  
19 MICHIGAN COMPILED LAWS, TO WHICH THE PERSON WOULD HAVE BEEN ENTI-  
20 TLED IF THE PERSON HAD BEEN EMPLOYED ORIGINALLY BY THE DISTRICT  
21 TO WHICH HE OR SHE TRANSFERRED, INCLUDING TENURE STATUS.

22 (7) UNLESS OTHERWISE PROVIDED BY A COLLECTIVE BARGAINING  
23 AGREEMENT, A SCHOOL DISTRICT THAT ACCEPTS ALL OR PART OF A DIS-  
24 CONTINUED GRADE OR SCHOOL HAS NO OBLIGATION TO PROVIDE SALARY OR  
25 OTHER MONETARY BENEFITS TO AN EMPLOYEE WHO OBTAINS EMPLOYMENT  
26 RIGHTS PURSUANT TO THIS SECTION UNTIL THE EMPLOYEE PROVIDES  
27 SERVICES TO THE SCHOOL DISTRICT.

1 (8) THIS SECTION DOES NOT APPLY WHEN A GRADE IS DISCONTINUED  
2 OR A SCHOOL BUILDING IS CLOSED AND THE BOARD SENDS THE RESIDENT  
3 CHILDREN TO 1 OR MORE BUILDINGS IN THE SAME SCHOOL DISTRICT.

4 SEC. 131B. (1) IF A SCHOOL DISTRICT REOPENS AND OPERATES 1  
5 OR MORE DISCONTINUED GRADES OR SCHOOLS PURSUANT TO SECTION  
6 131(5), AN EMPLOYEE OF THE SCHOOL DISTRICT WHO TRANSFERRED TO  
7 ANOTHER SCHOOL DISTRICT WHEN A GRADE OR SCHOOL ORIGINALLY WAS  
8 DISCONTINUED MAY CHOOSE, ON THE BASIS OF SENIORITY, TO RETURN TO  
9 THE DISTRICT THAT REOPENS.

10 (2) IN ADDITION TO THOSE EMPLOYMENT RIGHTS PROVIDED IN SUB-  
11 SECTION (1), AN EMPLOYEE OF A DISTRICT THAT ACCEPTED PUPILS FROM  
12 THE DISCONTINUED GRADE OR SCHOOL WHO IS LAID OFF OR WHOSE EMPLOY-  
13 MENT IS TERMINATED AS A RESULT OF THE REOPENING AND OPERATION OF  
14 THE DISCONTINUED GRADE OR SCHOOL HAS A RIGHT TO EMPLOYMENT BASED  
15 ON SENIORITY AND THOSE RIGHTS THAT ACCRUE BASED ON EMPLOYMENT IN  
16 THE DISTRICT THAT REOPENS AND OPERATES THE DISCONTINUED GRADE OR  
17 SCHOOL. WITHIN 20 DAYS AFTER THE OFFICIAL CANVASS OF THE VOTE TO  
18 REOPEN 1 OR MORE GRADES OR SCHOOLS IN THE DISTRICT, THE EMPLOYEE  
19 SHALL TEMPORARILY BE CONSIDERED AN EMPLOYEE OF THE DISTRICT THAT  
20 REOPENED A DISCONTINUED GRADE OR SCHOOL AND THE DISTRICT THAT  
21 ACCEPTED ALL OR A PART OF THE DISCONTINUED GRADE OR SCHOOL.

22 (3) AN EMPLOYEE WHO HAS EMPLOYMENT RIGHTS UNDER SUBSECTIONS  
23 (1) AND (2) RETAINS SENIORITY AND OTHER EMPLOYMENT RIGHTS IN THE  
24 EMPLOYEE'S ORIGINAL DISTRICT AND HAS SENIORITY AND THOSE RIGHTS  
25 THAT ACCRUE BASED ON SENIORITY IN THE SCHOOL DISTRICT THAT  
26 REOPENS AND OPERATES 1 OR MORE DISCONTINUED GRADES OR SCHOOLS.  
27 THESE SENIORITY RIGHTS SHALL BE DETERMINED UNDER THE APPROPRIATE

1 COLLECTIVE BARGAINING AGREEMENT OF THAT DISTRICT OR, IF SUCH AN  
2 AGREEMENT DOES NOT EXIST, UNDER THAT DISTRICT'S STANDARDS FOR  
3 SENIORITY. THESE SENIORITY RIGHTS SHALL BE GRANTED AS IF THE  
4 EMPLOYEE WERE EMPLOYED ORIGINALLY BY THAT DISTRICT. THIS SUBSEC-  
5 TION DOES NOT PROHIBIT MODIFICATION OF SENIORITY IN ANY SUCCESSOR  
6 AGREEMENT CONSISTENT WITH THE PARTIES' OBLIGATIONS UNDER ACT  
7 NO. 336 OF THE PUBLIC ACTS OF 1947, BEING SECTIONS 423.201 TO  
8 423.216 OF THE MICHIGAN COMPILED LAWS.

9 (4) AN EMPLOYEE OF THE DISTRICT THAT ACCEPTED PUPILS FROM A  
10 DISCONTINUED GRADE OR SCHOOL WHO IS ON LAYOFF ON JUNE 1 OF THE  
11 SCHOOL YEAR IMMEDIATELY PRECEDING THE EFFECTIVE DATE OF THE  
12 REOPENING OF THE DISCONTINUED GRADE OR SCHOOL SHALL NOT DISPLACE  
13 AN ACTIVE EMPLOYEE IN THE DISTRICT THAT REOPENS. HOWEVER, A TEN-  
14 URED TEACHER WHO IS GRANTED EMPLOYMENT RIGHTS PURSUANT TO THIS  
15 SECTION MAY REPLACE A PROBATIONARY TEACHER WHO IS EMPLOYED IN A  
16 POSITION FOR WHICH THE TENURED TEACHER IS CERTIFICATED. A DIS-  
17 TRICT SHALL NOT LAY OFF OR RECALL EMPLOYEES TO CIRCUMVENT THE  
18 PROTECTIONS PROVIDED BY THIS SUBSECTION.

19 (5) UPON ACCEPTANCE OF A POSITION WITH A SCHOOL DISTRICT  
20 THAT REOPENS AND OPERATES 1 OR MORE DISCONTINUED GRADES OR  
21 SCHOOLS, AN EMPLOYEE'S EMPLOYMENT RIGHTS IN ALL OTHER DISTRICTS  
22 TERMINATE.

23 (6) UNLESS OTHERWISE PROVIDED BY A COLLECTIVE BARGAINING  
24 AGREEMENT OF A SCHOOL DISTRICT TO WHICH THE EMPLOYEE TRANSFERRED,  
25 A PERSON EMPLOYED UNDER THIS SECTION IS ENTITLED TO ALL RIGHTS  
26 AND BENEFITS TO WHICH THE PERSON OTHERWISE WOULD BE ENTITLED HAD

1 THE PERSON BEEN EMPLOYED ORIGINALLY BY THE DISTRICT TO WHICH HE  
2 OR SHE TRANSFERRED.

3 (7) A PERSON EMPLOYED UNDER THIS SECTION IS ENTITLED TO ALL  
4 RIGHTS AND BENEFITS PROVIDED BY ACT NO. 4 OF THE PUBLIC ACTS OF  
5 THE EXTRA SESSION OF 1937, BEING SECTIONS 38.71 TO 38.191 OF THE  
6 MICHIGAN COMPILED LAWS, TO WHICH THE PERSON WOULD HAVE BEEN ENTI-  
7 TLED IF THE PERSON HAD BEEN EMPLOYED ORIGINALLY BY THE DISTRICT  
8 TO WHICH HE OR SHE TRANSFERRED, INCLUDING TENURE STATUS.

9 (8) UNLESS OTHERWISE PROVIDED BY A COLLECTIVE BARGAINING  
10 AGREEMENT, A SCHOOL DISTRICT THAT REOPENS AND OPERATES 1 OR MORE  
11 DISCONTINUED GRADES OR SCHOOLS HAS NO OBLIGATION TO PROVIDE  
12 SALARY OR OTHER MONETARY BENEFITS TO AN EMPLOYEE WHO OBTAINS  
13 EMPLOYMENT RIGHTS PURSUANT TO THIS SECTION UNTIL THE EMPLOYEE  
14 PROVIDES SERVICES TO THE SCHOOL DISTRICT.

15 (9) THIS SECTION DOES NOT APPLY WHEN A GRADE IS DISCONTINUED  
16 OR A SCHOOL BUILDING IS CLOSED AND THE BOARD SENDS THE RESIDENT  
17 CHILDREN TO 1 OR MORE BUILDINGS IN THE SAME SCHOOL DISTRICT.

18 PART 9

19 REORGANIZATION OF SCHOOL DISTRICTS

20 SEC. 901A. AS USED IN THIS PART:

21 (A) "ANNEXATION" MEANS THAT FORM OF REORGANIZATION IN WHICH  
22 1 OR MORE ORIGINAL, SENDING DISTRICTS ARE JOINED IN THEIR  
23 ENTIRETY TO AT LEAST 1 OF THE ORIGINAL, SENDING DISTRICTS.

24 (B) "ATTACHMENT" MEANS THAT FORM OF REORGANIZATION IN WHICH  
25 AN ORIGINAL, SENDING DISTRICT DIVIDES AND IS JOINED TO 2 OR MORE  
26 SCHOOL DISTRICTS CONTIGUOUS TO THE ORIGINAL, SENDING DISTRICT.



1 (C) "CONSOLIDATED DISTRICT" MEANS A SCHOOL DISTRICT CREATED  
2 BY CONSOLIDATION UNDER THIS PART.

3 (D) "CONSOLIDATION" MEANS THAT FORM OF REORGANIZATION IN  
4 WHICH 2 OR MORE ORIGINAL, SENDING DISTRICTS JOIN IN THEIR  
5 ENTIRETY TO FORM A NEW SCHOOL DISTRICT. A SCHOOL DISTRICT  
6 INVOLVED IN A CONSOLIDATION SHALL BE CONTIGUOUS TO AT LEAST 1  
7 OTHER SCHOOL DISTRICT INVOLVED IN THE CONSOLIDATION.

8 (E) "ORIGINAL DISTRICT" MEANS A SCHOOL DISTRICT INVOLVED IN  
9 A REORGANIZATION, WHICH SCHOOL DISTRICT EXISTED BEFORE THE  
10 REORGANIZATION.

11 (F) "PARTIAL DISTRICT TRANSFER" MEANS THAT FORM OF REORGANI-  
12 ZATION IN WHICH TERRITORY CONSISTING OF MORE THAN 10% BUT LESS  
13 THAN 100% OF THE ASSESSED VALUATION OF AN ORIGINAL, SENDING DIS-  
14 TRICT IS JOINED TO 1 OR MORE CONTIGUOUS SCHOOL DISTRICTS.

15 (G) "RECEIVING DISTRICT" MEANS AN ORIGINAL DISTRICT THAT  
16 RECEIVES ALL OR PART OF 1 OR MORE CONTIGUOUS, SENDING DISTRICTS  
17 THROUGH REORGANIZATION.

18 (H) "REORGANIZATION" MEANS AN ANNEXATION, ATTACHMENT, CON-  
19 SOLIDATION, OR PARTIAL DISTRICT TRANSFER OF A SCHOOL DISTRICT OR  
20 ANY COMBINATION THEREOF PURSUANT TO THIS PART.

21 (I) "REORGANIZED DISTRICT" MEANS A SCHOOL DISTRICT THAT  
22 RESULTED FROM AN ANNEXATION, ATTACHMENT, CONSOLIDATION, OR PAR-  
23 TIAL DISTRICT TRANSFER PURSUANT TO THIS PART.

24 (J) "SENDING DISTRICT" MEANS A SCHOOL DISTRICT OR PART OF A  
25 SCHOOL DISTRICT, AS APPROPRIATE, THAT IS ANNEXED, ATTACHED, OR  
26 CONSOLIDATED OR FROM WHICH PROPERTY IS TRANSFERRED PURSUANT TO  
27 THIS PART.

1 SEC. 902B. TWO OR MORE SCHOOL DISTRICTS MAY REORGANIZE  
2 PURSUANT TO THIS PART THROUGH ANNEXATION, ATTACHMENT, CONSOLIDA-  
3 TION, OR PARTIAL DISTRICT TRANSFER.

4 SEC. 903A. (1) REORGANIZATION OCCURS UNDER THIS PART IF  
5 EACH BOARD OF EACH ORIGINAL DISTRICT ADOPTS A RESOLUTION APPROV-  
6 ING REORGANIZATION AND A MAJORITY OF THE SCHOOL ELECTORS OF EACH  
7 ORIGINAL DISTRICT VOTING ON THE QUESTION APPROVES THE  
8 REORGANIZATION. THE VOTE ON THE QUESTION BY THE SCHOOL ELECTORS  
9 SHALL BE BY BALLOT. BEFORE THE ELECTION IS HELD, EACH BOARD OF  
10 AN AFFECTED ORIGINAL DISTRICT SHALL OBTAIN THE APPROVAL OF THE  
11 STATE BOARD OF THE PROPOSED REORGANIZATION PURSUANT TO THIS  
12 PART.

13 (2) THE RESOLUTION ADOPTED BY THE BOARD OF EACH ORIGINAL  
14 DISTRICT PURSUANT TO SUBSECTION (1) SHALL SPECIFY AT A MINIMUM  
15 ALL OF THE FOLLOWING INFORMATION:

16 (A) THE PROPOSED EFFECTIVE DATE OF THE REORGANIZATION.

17 (B) WHETHER THE PROPOSED REORGANIZATION IS AN ANNEXATION,  
18 ATTACHMENT, CONSOLIDATION, OR PARTIAL DISTRICT TRANSFER.

19 (C) THE TERRITORY THAT IS TO BE INVOLVED IN THE REORGANIZA-  
20 TION AND THE NAME OF EACH SCHOOL DISTRICT TO WHICH THE TERRITORY  
21 IS TO BE JOINED.

22 (D) SPECIFIC FINDINGS THAT THE REORGANIZATION IS IN THE BEST  
23 INTEREST OF THE EDUCATION OF THE PUPILS WITHIN THE AFFECTED  
24 SCHOOL DISTRICTS.

25 (3) A COPY OF THE RESOLUTIONS ADOPTED BY THE ORIGINAL DIS-  
26 TRICTS PURSUANT TO THIS SECTION SHALL BE PROMPTLY FILED WITH THE  
27 SUPERINTENDENT OF PUBLIC INSTRUCTION. UPON RECEIPT OF THE

1 RESOLUTIONS, THE SUPERINTENDENT OF PUBLIC INSTRUCTION SHALL  
2 SCHEDULE AND HOLD OR CAUSE TO BE HELD A PUBLIC HEARING CONCERNING  
3 THE REORGANIZATION OF THE SCHOOL DISTRICTS IN AT LEAST 1 OF THE  
4 SCHOOL DISTRICTS INVOLVED IN THE REORGANIZATION. THE HEARING  
5 SHALL BE HELD WITHIN 30 DAYS AFTER RECEIPT BY THE SUPERINTENDENT  
6 OF PUBLIC INSTRUCTION OF ALL OF THE RESOLUTIONS FROM THE BOARDS  
7 OF THE ORIGINAL DISTRICTS. THE SUPERINTENDENT OF PUBLIC INSTRU-  
8 TION SHALL GIVE NOT LESS THAN 10 DAYS' NOTICE OF THE TIME AND  
9 PLACE OF THE HEARING ON THE PROPOSED REORGANIZATION BY POSTING  
10 NOTICE IN AT LEAST 5 PUBLIC PLACES IN EACH OF THE ORIGINAL DIS-  
11 TRICTS, BY PUBLICATION AT LEAST ONCE BEFORE THE MEETING IN A  
12 NEWSPAPER OF GENERAL CIRCULATION IN THE TERRITORY OF THE ORIGINAL  
13 DISTRICTS, AND BY MAILING A COPY OF THE NOTICE TO THE SECRETARY  
14 OF THE BOARD OF EACH ORIGINAL DISTRICT. THE BOARD OF EACH ORIGI-  
15 NAL DISTRICT SHALL DESIGNATE A REPRESENTATIVE TO ATTEND THE  
16 HEARING.

17 (4) WITHIN 30 DAYS AFTER THE HEARING, IF THE SUPERINTENDENT  
18 OF PUBLIC INSTRUCTION DETERMINES THAT THE REORGANIZATION WOULD BE  
19 IN THE BEST INTEREST OF THE EDUCATION OF THE PUPILS WITHIN THE  
20 AFFECTED ORIGINAL DISTRICTS, INCLUDING, BUT NOT LIMITED TO, CON-  
21 sideration OF MATTERS SUCH AS CLASS SIZE, CERTIFIED AND NONCERTI-  
22 FIED STAFF, SCHOOL BUILDINGS, TRANSPORTATION, CURRICULUM, ADMIN-  
23 ISTRATION, LABOR RELATIONS, RACIAL COMPOSITION, AND COST EFFEC-  
24 TIVENESS, HE OR SHE SHALL ISSUE A PROPOSED WRITTEN ORDER TO THE  
25 BOARD OF EACH ORIGINAL DISTRICT REQUIRING SUBMISSION OF THE QUES-  
26 TION OF REORGANIZATION TO THE ELECTORS OF THE ORIGINAL  
27 DISTRICTS. IF THE SUPERINTENDENT OF PUBLIC INSTRUCTION

1 DETERMINES THAT THE REORGANIZATION WOULD NOT BE IN THE BEST  
2 INTEREST OF THE EDUCATION OF THE PUPILS WITHIN THE AFFECTED ORIG-  
3 INAL DISTRICTS, HE OR SHE SHALL ISSUE A PROPOSED WRITTEN ORDER TO  
4 THE BOARD OF EACH ORIGINAL DISTRICT DISAPPROVING THE  
5 REORGANIZATION. A COPY OF THE PROPOSED WRITTEN ORDER SHALL BE  
6 TRANSMITTED TO THE SECRETARY OF THE BOARD OF EACH ORIGINAL  
7 DISTRICT.

8 (5) WITHIN 20 DAYS AFTER RECEIPT OF A PROPOSED WRITTEN ORDER  
9 APPROVING OR DISAPPROVING A PROPOSED REORGANIZATION, THE BOARD OF  
10 AN ORIGINAL DISTRICT OR OTHER INTERESTED PARTY, INCLUDING, BUT  
11 NOT LIMITED TO, A TAXPAYER OR EMPLOYEE OF AN ORIGINAL DISTRICT OR  
12 A COLLECTIVE BARGAINING REPRESENTATIVE OF THE EMPLOYEES OF AN  
13 ORIGINAL DISTRICT, MAY APPEAL THE PROPOSED WRITTEN ORDER TO THE  
14 STATE BOARD UNDER RULES PROMULGATED BY THE STATE BOARD.

15 (6) IF AN APPEAL AS DESCRIBED IN SUBSECTION (5) IS NOT FILED  
16 WITHIN THE 20-DAY PERIOD, A PROPOSED WRITTEN ORDER BECOMES THE  
17 ORDER OF THE STATE BOARD AND BECOMES EFFECTIVE AS SPECIFIED IN  
18 THE ORDER.

19 (7) AN ORDER OF THE STATE BOARD CONCERNING A PROPOSED REOR-  
20 GANIZATION IS FINAL.

21 SEC. 904A. (1) WITHIN 60 DAYS AFTER RECEIPT OF CERTIFIED  
22 PETITIONS AS PROVIDED IN SECTIONS 905A TO 909A, THE BOARD OF AN  
23 ORIGINAL DISTRICT SHALL ADOPT A RESOLUTION AS SPECIFIED IN SEC-  
24 TION 903A.

25 (2) IF SCHOOL DISTRICTS SEEKING REORGANIZATION UNDER THIS  
26 PART ARE LOCATED IN 2 OR MORE INTERMEDIATE SCHOOL DISTRICTS, THE  
27 INTERMEDIATE SUPERINTENDENT OF THE INTERMEDIATE SCHOOL DISTRICT

1 IN WHICH THE ORIGINAL DISTRICT WITH THE LARGEST PUPIL MEMBERSHIP  
2 COUNT RESIDES SHALL PERFORM THE DUTIES OF THE INTERMEDIATE SUPER-  
3 INTENDENT IN SECTIONS 905A TO 909A.

4 SEC. 905A. AN INTERMEDIATE SUPERINTENDENT SHALL INITIATE  
5 PROCEEDINGS FOR REORGANIZATION UNDER THIS PART IMMEDIATELY UPON  
6 WRITTEN REQUEST OF NOT LESS THAN 10 SCHOOL ELECTORS OF EACH OF 2  
7 OR MORE SCHOOL DISTRICTS TO INITIATE PROCEEDINGS FOR REORGANIZA-  
8 TION OF THE SCHOOL DISTRICTS. A RESOLUTION OF THE BOARD OF AN  
9 ORIGINAL SCHOOL DISTRICT REQUESTING THIS ACTION BY THE INTERMEDI-  
10 ATE SUPERINTENDENT SHALL HAVE THE SAME EFFECT AS A WRITTEN  
11 REQUEST BY THE SCHOOL ELECTORS OF AN ORIGINAL DISTRICT.

12 SEC. 906A. (1) IMMEDIATELY UPON RECEIPT OF THE WRITTEN  
13 REQUEST TO INITIATE PROCEEDINGS FOR REORGANIZATION PURSUANT TO  
14 SECTION 905A, THE INTERMEDIATE SUPERINTENDENT SHALL REQUEST EACH  
15 APPROPRIATE CITY OR TOWNSHIP CLERK TO CERTIFY THE NUMBER OF REG-  
16 ISTERED GENERAL ELECTORS RESIDING IN EACH OF THE AFFECTED ORIGI-  
17 NAL DISTRICTS. EACH CITY OR TOWNSHIP CLERK SHALL MAKE THE CERTI-  
18 FICATION WITHOUT DELAY. THE NUMBER OF REGISTERED GENERAL ELEC-  
19 TORS CERTIFIED SHALL BE THE BASIS FOR DETERMINING THE REQUIRED  
20 NUMBER OF SIGNATURES FOR CALLING AN ELECTION ON THE QUESTION OF  
21 REORGANIZATION.

22 (2) IN A REGISTRATION SCHOOL DISTRICT, THE SIGNATURE OF A  
23 PERSON REGISTERED AFTER THE DATE OF CERTIFICATION BY THE APPRO-  
24 PRIATE CITY OR TOWNSHIP CLERK SHALL BE A VALID SIGNATURE IF THE  
25 PERSON IS REGISTERED AT THE TIME HE OR SHE SIGNS THE PETITION.  
26 ADDITIONAL REGISTRATIONS SHALL NOT AFFECT THE NUMBER OF  
27 REGISTERED GENERAL ELECTORS ORIGINALLY CERTIFIED TO BY THE

1 RESPECTIVE CITY OR TOWNSHIP CLERKS. IN A REGISTRATION DISTRICT,  
2 ONLY A REGISTERED SCHOOL ELECTOR IS ELIGIBLE TO SIGN A PETITION  
3 AND TO VOTE ON THE QUESTION OF REORGANIZATION.

4 (3) REGISTRATION IS NOT A REQUIREMENT FOR A SCHOOL ELECTOR  
5 IN A NONREGISTRATION DISTRICT TO SIGN A PETITION.

6 SEC. 907A. WITHIN 30 DAYS AFTER THE RECEIPT OF CERTIFICA-  
7 TION REQUIRED BY SECTION 906A FROM EACH APPROPRIATE CITY OR TOWN-  
8 SHIP CLERK, THE INTERMEDIATE SUPERINTENDENT SHALL HAVE PETITIONS  
9 REGARDING THE ANNEXATION, ATTACHMENT, CONSOLIDATION, OR PARTIAL  
10 DISTRICT TRANSFER, AS APPROPRIATE, PREPARED FOR CIRCULATION  
11 WITHIN THE AFFECTED ORIGINAL DISTRICTS.

12 SEC. 908A. THE INTERMEDIATE SUPERINTENDENT SHALL CANVASS  
13 THE PETITIONS DESCRIBED IN SECTION 907A TO DETERMINE THE NUMBER  
14 OF SCHOOL ELECTORS WHO HAVE SIGNED THEM. FOR THE PURPOSE OF  
15 DETERMINING THE VALIDITY OF DOUBTFUL SIGNATURES, THE INTERMEDIATE  
16 SUPERINTENDENT MAY CAUSE THE SIGNATURES TO BE CHECKED AGAINST THE  
17 REGISTRATION RECORDS BY THE CLERK OF A POLITICAL SUBDIVISION IN  
18 WHICH PETITIONS WERE CIRCULATED OR MAY USE OTHER METHODS THE  
19 INTERMEDIATE SUPERINTENDENT CONSIDERS PROPER. IN THE ABSENCE OF  
20 FRAUD ON THE PART OF THE INTERMEDIATE SUPERINTENDENT IN THE  
21 DETERMINATION OF THE VALIDITY OF THE SIGNATURES TO A PETITION OR  
22 ERROR IN THE DETERMINATION OF THE NUMBER OF QUALIFIED SIGNATURES,  
23 DETERMINATION OF THE ADEQUACY OF THE NUMBER OF SCHOOL ELECTORS  
24 SIGNING EACH PETITION IS FINAL.

25 SEC. 909A. IF THE INTERMEDIATE SUPERINTENDENT IS PRESENTED  
26 WITH PETITIONS SIGNED BY SCHOOL ELECTORS IN EACH SCHOOL DISTRICT  
27 IN WHICH AN ELECTION IS TO BE HELD THAT EQUAL NOT LESS THAN 50%

1 OF THE NUMBER OF REGISTERED GENERAL ELECTORS RESIDING IN EACH  
2 PRIMARY SCHOOL DISTRICT AS OF THE DATE THE INTERMEDIATE SUPERIN-  
3 TENDENT RELEASES PETITIONS, AND BY SCHOOL ELECTORS OF NOT LESS  
4 THAN 5% OF THE NUMBER OF REGISTERED GENERAL ELECTORS RESIDING IN  
5 OTHER SCHOOL DISTRICTS, THE INTERMEDIATE SUPERINTENDENT SHALL  
6 NOTIFY THE SECRETARY OF THE BOARD OF EACH AFFECTED ORIGINAL DIS-  
7 TRICT THAT HE OR SHE HAS CERTIFIED THE PETITIONS AND THAT EACH  
8 BOARD MUST ADOPT A RESOLUTION AS SPECIFIED IN SECTION 903A.

9       SEC. 910A. UPON RECEIPT OF AN ORDER TRANSMITTED PURSUANT TO  
10 SECTION 903A APPROVING AN ELECTION FOR REORGANIZATION OF THE  
11 ORIGINAL DISTRICTS, THE BOARD OF EACH ORIGINAL DISTRICT SHALL  
12 PROVIDE BY RESOLUTION AS PROVIDED IN SECTION 904A FOR THE ELEC-  
13 TION ON THE QUESTION OF REORGANIZATION, WHICH ELECTION SHALL BE  
14 CONDUCTED IN EACH AFFECTED ORIGINAL DISTRICT WITHIN 60 DAYS AFTER  
15 APPROVAL OF THE RESOLUTION, AND CANVASSED IN THE ORIGINAL DIS-  
16 TRICTS AS DESCRIBED IN SECTION 1010.

17       SEC. 911A. (1) THE QUESTION OF CONSOLIDATION SHALL BE SUB-  
18 MITTED TO THE SCHOOL ELECTORS AT A SPECIAL ELECTION HELD FOR THAT  
19 PURPOSE. IN VOTING TO FORM THE CONSOLIDATED SCHOOL DISTRICT,  
20 EACH ORIGINAL DISTRICT SHALL VOTE SEPARATELY AS A UNIT. EACH  
21 ORIGINAL DISTRICT SHALL HOLD AN ELECTION ON THE QUESTION OF CON-  
22 SOLIDATION ON THE SAME DAY AND DURING THE SAME HOURS.

23       (2) THE QUESTION OF ANNEXATION, ATTACHMENT, OR PARTIAL DIS-  
24 TRICT TRANSFER SHALL BE SUBMITTED TO THE SCHOOL ELECTORS OF THE  
25 SENDING DISTRICT AT A SPECIAL ELECTION HELD FOR THAT PURPOSE.

26       (3) THE BOARD OF EACH ORIGINAL DISTRICT IN WHICH AN ELECTION  
27 IS TO BE HELD SHALL CONDUCT THE ELECTION IN ITS SCHOOL DISTRICT.

1 (4) EACH ORIGINAL DISTRICT IN WHICH AN ELECTION IS TO BE  
2 HELD SHALL VOTE IN THE MANNER OF A REGISTRATION SCHOOL DISTRICT  
3 UNDER PART 13.

4 SEC. 912A. (1) THE INTERMEDIATE SUPERINTENDENT SHALL GIVE  
5 NOTICE OF THE LAST DAY OF REGISTRATION AND NOTICE OF THE DATE,  
6 PLACE, THE PROPOSITIONS TO BE SUBMITTED, AND THE HOURS THE POLLS  
7 WILL BE OPEN FOR THE SPECIAL ELECTION TO THE SCHOOL ELECTORS OF  
8 THE SCHOOL DISTRICTS OPERATING LESS THAN 12 GRADES IN THE MANNER  
9 AND AT THE TIMES PRESCRIBED BY SECTIONS 1002 AND 1058.

10 (2) THE INTERMEDIATE SUPERINTENDENT SHALL GIVE WRITTEN  
11 NOTICE TO THE SECRETARY OF THE BOARD OF EACH AFFECTED ORIGINAL  
12 DISTRICT OPERATING 12 GRADES OF THE DAY AND HOURS FOR HOLDING THE  
13 SPECIAL ELECTION. EACH SECRETARY SHALL GIVE THE STATUTORY NOTICE  
14 OF THE DAY, PLACE OR PLACES, AND THE HOURS FOR HOLDING THE ELEC-  
15 TION AND OF THE LAST DAY OF REGISTRATION. THE INTERMEDIATE  
16 SUPERINTENDENT SHALL NOTIFY THE SECRETARY OF THE BOARD OF EACH  
17 REGISTRATION SCHOOL DISTRICT OF THE DATE OF THE REORGANIZATION  
18 ELECTION AT LEAST 60 DAYS BEFORE THE ELECTION.

19 SEC. 913A. (1) THE PROPOSITION SHALL BE IN SUBSTANTIALLY  
20 THE FOLLOWING FORM:

21 "SHALL THE TERRITORY OF THE FOLLOWING SCHOOL DISTRICTS BE  
22 REORGANIZED AS FOLLOWS:

23 (NAME OF SCHOOL DISTRICTS, FORM AND DESCRIPTION OF REORGANI-  
24 ZATION TO BE LISTED HERE)

25 YES ( )



1 NO ( )"

2 (2) PRINTED BALLOTS, VOTING MACHINES, OR OTHER VOTING  
3 DEVICES SHALL BE USED.

4 (3) THE SECRETARY OF THE BOARD OF EACH ORIGINAL DISTRICT IN  
5 WHICH AN ELECTION IS TO BE HELD SHALL PROVIDE PRINTED BALLOTS FOR  
6 THE ELECTION AND SUPPLY ALL ELECTION MATERIALS NECESSARY FOR THE  
7 ELECTION. THE BOARD OF EACH SUCH SCHOOL DISTRICT SHALL APPOINT  
8 THE NECESSARY SCHOOL ELECTORS TO THE BOARD OF ELECTION  
9 INSPECTORS.

10 (4) EACH MEMBER OF A BOARD OF ELECTION INSPECTORS SHALL TAKE  
11 THE CONSTITUTIONAL OATH OF OFFICE BEFORE BEGINNING THE DUTIES OF  
12 AN ELECTION INSPECTOR.

13 (5) IF A MAJORITY OF THE SCHOOL ELECTORS VOTING ON THE QUES-  
14 TION PRESENTED IN SUBSECTION (1) IN EACH OF THE ORIGINAL DIS-  
15 TRICTS IN WHICH AN ELECTION WAS HELD APPROVES THE QUESTION, THE  
16 SCHOOL DISTRICTS SHALL BE REORGANIZED.

17 SEC. 914A. WITHIN 10 DAYS AFTER THE ELECTION, THE SECRETARY  
18 OF THE BOARD OF EACH ORIGINAL DISTRICT IN WHICH AN ELECTION WAS  
19 HELD SHALL FILE A CERTIFIED STATEMENT OF THE VOTE FOR REORGANIZA-  
20 TION WITH THE SECRETARY OF THE BOARD OF EACH ORIGINAL DISTRICT,  
21 THE INTERMEDIATE SUPERINTENDENT, AND THE SUPERINTENDENT OF PUBLIC  
22 INSTRUCTION.

23 SEC. 915A. (1) AN ANNEXATION SHALL NOT TAKE EFFECT BEFORE  
24 60 DAYS AFTER THE DATE OF THE OFFICIAL CANVASS UNLESS AN EARLIER  
25 DATE IS AGREED UPON BETWEEN THE AFFECTED ORIGINAL DISTRICTS AND  
26 THEIR RESPECTIVE COLLECTIVE BARGAINING REPRESENTATIVES.

1 (2) IN AN ANNEXATION, WITHIN 20 DAYS AFTER THE DATE OF THE  
2 OFFICIAL CANVASS, AN EMPLOYEE OF A SENDING DISTRICT SHALL BE  
3 CONSIDERED AN EMPLOYEE OF THE RECEIVING DISTRICT.

4 (3) AN EMPLOYEE WHO HAS EMPLOYMENT RIGHTS UNDER SUBSECTION  
5 (1) HAS SENIORITY AND THOSE RIGHTS THAT ACCRUE BASED ON SENIORITY  
6 IN THE RECEIVING DISTRICT. THESE SENIORITY RIGHTS SHALL BE  
7 DETERMINED UNDER THE APPROPRIATE COLLECTIVE BARGAINING AGREEMENT  
8 OF THE RECEIVING DISTRICT OR, IF SUCH AN AGREEMENT DOES NOT  
9 EXIST, UNDER THE RECEIVING DISTRICT'S STANDARDS FOR SENIORITY.  
10 THE SENIORITY RIGHTS SHALL BE GRANTED AS IF THE EMPLOYEE WERE  
11 EMPLOYED ORIGINALLY BY THE RECEIVING DISTRICT. THIS SUBSECTION  
12 DOES NOT PROHIBIT MODIFICATION OF SENIORITY IN ANY SUCCESSOR  
13 AGREEMENT CONSISTENT WITH THE PARTIES' OBLIGATIONS UNDER ACT  
14 NO. 336 OF THE PUBLIC ACTS OF 1947, BEING SECTIONS 423.201 TO  
15 423.216 OF THE MICHIGAN COMPILED LAWS.

16 (4) AN EMPLOYEE OF A SENDING DISTRICT WHO IS ON LAYOFF ON  
17 JUNE 1 OF THE SCHOOL YEAR IMMEDIATELY PRECEDING THE EFFECTIVE  
18 DATE OF THE ANNEXATION SHALL NOT DISPLACE AN ACTIVE EMPLOYEE IN  
19 THE RECEIVING DISTRICT. HOWEVER, A TENURED TEACHER WHO IS  
20 GRANTED EMPLOYMENT RIGHTS PURSUANT TO THIS SECTION MAY REPLACE A  
21 PROBATIONARY TEACHER WHO IS EMPLOYED IN A POSITION FOR WHICH THE  
22 TENURED TEACHER IS CERTIFICATED. A SCHOOL DISTRICT SHALL NOT LAY  
23 OFF OR RECALL EMPLOYEES TO CIRCUMVENT THE PROTECTIONS PROVIDED BY  
24 THIS SUBSECTION.

25 (5) UNLESS OTHERWISE PROVIDED BY A COLLECTIVE BARGAINING  
26 AGREEMENT, A RECEIVING DISTRICT HAS NO OBLIGATION TO PROVIDE  
27 SALARY OR OTHER MONETARY BENEFITS TO AN EMPLOYEE WHO OBTAINS

1 EMPLOYMENT RIGHTS PURSUANT TO THIS SECTION UNTIL THE EMPLOYEE  
2 PROVIDES SERVICES TO THE SCHOOL DISTRICT.

3 SEC. 916A. (1) AN ATTACHMENT SHALL NOT TAKE EFFECT BEFORE  
4 60 DAYS AFTER THE DATE OF THE OFFICIAL CANVASS UNLESS AN EARLIER  
5 DATE IS AGREED UPON BETWEEN THE AFFECTED ORIGINAL DISTRICTS AND  
6 THEIR RESPECTIVE COLLECTIVE BARGAINING REPRESENTATIVES.

7 (2) IN AN ATTACHMENT, WITHIN 20 DAYS AFTER THE DATE OF THE  
8 OFFICIAL CANVASS, AN EMPLOYEE OF A SENDING DISTRICT SHALL BE CON-  
9 sidered AN EMPLOYEE OF THE SENDING DISTRICT AND EACH RECEIVING  
10 DISTRICT.

11 (3) AN EMPLOYEE WHO HAS EMPLOYMENT RIGHTS UNDER SUBSECTION  
12 (1) HAS SENIORITY AND THOSE RIGHTS THAT ACCRUE BASED ON SENIORITY  
13 IN EACH RECEIVING DISTRICT. THESE SENIORITY RIGHTS SHALL BE  
14 DETERMINED UNDER THE APPROPRIATE COLLECTIVE BARGAINING AGREEMENT  
15 OF THE RECEIVING DISTRICT OR, IF SUCH AN AGREEMENT DOES NOT  
16 EXIST, UNDER THE RECEIVING DISTRICT'S STANDARDS FOR SENIORITY.  
17 THE SENIORITY RIGHTS SHALL BE GRANTED AS IF THE EMPLOYEE WERE  
18 EMPLOYED ORIGINALLY BY THE RECEIVING DISTRICT. THIS SUBSECTION  
19 DOES NOT PROHIBIT MODIFICATION OF SENIORITY IN ANY SUCCESSOR  
20 AGREEMENT CONSISTENT WITH THE PARTIES' OBLIGATIONS UNDER ACT  
21 NO. 336 OF THE PUBLIC ACTS OF 1947, BEING SECTIONS 423.201 TO  
22 423.216 OF THE MICHIGAN COMPILED LAWS.

23 (4) AN EMPLOYEE OF A SENDING DISTRICT WHO IS ON LAYOFF ON  
24 JUNE 1 OF THE SCHOOL YEAR IMMEDIATELY PRECEDING THE EFFECTIVE  
25 DATE OF THE ATTACHMENT SHALL NOT DISPLACE AN ACTIVE EMPLOYEE IN A  
26 RECEIVING DISTRICT. HOWEVER, A TENURED TEACHER WHO IS GRANTED  
27 EMPLOYMENT RIGHTS PURSUANT TO THIS SECTION MAY REPLACE A

1 PROBATIONARY TEACHER WHO IS EMPLOYED IN A POSITION FOR WHICH THE  
2 TENURED TEACHER IS CERTIFICATED. A DISTRICT SHALL NOT LAY OFF OR  
3 RECALL EMPLOYEES TO CIRCUMVENT THE PROTECTIONS PROVIDED BY THIS  
4 SUBSECTION.

5 (5) UPON ACCEPTANCE OF A POSITION WITH A RECEIVING DISTRICT,  
6 THE EMPLOYEE'S EMPLOYMENT RIGHTS IN ALL OTHER SCHOOL DISTRICTS  
7 TERMINATE.

8 (6) UNLESS OTHERWISE PROVIDED BY A COLLECTIVE BARGAINING  
9 AGREEMENT, A RECEIVING DISTRICT HAS NO OBLIGATION TO PROVIDE  
10 SALARY OR OTHER MONETARY BENEFITS TO AN EMPLOYEE WHO OBTAINS  
11 EMPLOYMENT RIGHTS PURSUANT TO THIS SECTION UNTIL THE EMPLOYEE  
12 PROVIDES SERVICES TO THE SCHOOL DISTRICT.

13 SEC. 917A. (1) A CONSOLIDATION SHALL NOT TAKE EFFECT BEFORE  
14 1 YEAR AFTER THE DATE OF THE OFFICIAL CANVASS UNLESS AN EARLIER  
15 DATE IS AGREED UPON BETWEEN THE AFFECTED ORIGINAL DISTRICTS AND  
16 THEIR RESPECTIVE COLLECTIVE BARGAINING REPRESENTATIVES.

17 (2) IF THE ELECTORS APPROVE A CONSOLIDATION, WITHIN 10 DAYS  
18 AFTER THE DATE OF THE OFFICIAL CANVASS, THE INTERMEDIATE SUPERIN-  
19 TENDENT SHALL CALL A SPECIAL ELECTION OF THE SCHOOL ELECTORS OF  
20 THE CONSOLIDATED DISTRICT TO ELECT BY BALLOT A BOARD OF 7 MEMBERS  
21 FROM THE CONSOLIDATED DISTRICT. OF THE MEMBERS FIRST ELECTED, 2  
22 SHALL SERVE UNTIL 1 YEAR AFTER THE FIRST JULY 1 AFTER THE DATE OF  
23 THE OFFICIAL CANVASS, 2 FOR 2 YEARS AFTER THE FIRST JULY 1 AFTER  
24 THE DATE OF THE OFFICIAL CANVASS, 2 FOR 3 YEARS AFTER THE FIRST  
25 JULY 1 AFTER THE DATE OF THE OFFICIAL CANVASS, AND 1 FOR 4 YEARS  
26 AFTER THE FIRST JULY 1 AFTER THE DATE OF THE OFFICIAL CANVASS.  
27 AT THE ANNUAL SCHOOL ELECTION IMMEDIATELY PRECEDING THE

1 EXPIRATION OF THE RESPECTIVE TERMS OF THESE BOARD MEMBERS,  
2 SUCCESSORS SHALL BE ELECTED TO SERVE FOR TERMS OF 4 YEARS.

3 (3) THE BOARD OF A CONSOLIDATED DISTRICT HAS AUTHORITY TO  
4 BORROW AND ACCEPT TRANSFERS OF FUNDS FROM THE ORIGINAL DISTRICTS  
5 OR OTHER SOURCES, AS NECESSARY, TO OPERATE THE CONSOLIDATED DIS-  
6 TRICT BETWEEN THE TIME OF THE CREATION OF THE BOARD OF THE CON-  
7 SOLIDATED DISTRICT AND THE EFFECTIVE DATE OF THE CONSOLIDATED  
8 DISTRICT. THE BOARD OF A CONSOLIDATED DISTRICT ALSO HAS AUTHOR-  
9 ITY REGARDING THE OPERATION OF THE CONSOLIDATED DISTRICT THAT IS  
10 GRANTED OTHER BOARDS OF THE SAME CLASS DISTRICT UNDER THIS ACT,  
11 INCLUDING, BUT NOT LIMITED TO, THE ABILITY TO NEGOTIATE AND EXE-  
12 CUTE CONTRACTS.

13 (4) IN A CONSOLIDATION, WITHIN 20 DAYS AFTER THE DATE OF THE  
14 OFFICIAL CANVASS, AN EMPLOYEE OF A SENDING DISTRICT SHALL BE CON-  
15 SIDERED AN EMPLOYEE OF THE SENDING DISTRICT AND THE CONSOLIDATED  
16 DISTRICT.

17 (5) AN EMPLOYEE WHO HAS EMPLOYMENT RIGHTS UNDER SUBSECTION  
18 (1) HAS SENIORITY AND THOSE RIGHTS THAT ACCRUE BASED ON SENIORITY  
19 IN THE CONSOLIDATED DISTRICT. THESE SENIORITY RIGHTS SHALL BE  
20 DETERMINED UNDER THE APPROPRIATE COLLECTIVE BARGAINING AGREEMENT  
21 OF THE SENDING DISTRICT WITH THE LARGEST PUPIL MEMBERSHIP COUNT  
22 ON THE DATE OF THE OFFICIAL CANVASS OR, IF SUCH AN AGREEMENT DOES  
23 NOT EXIST, UNDER THAT SCHOOL DISTRICT'S STANDARDS FOR SENIORITY.  
24 THESE SENIORITY RIGHTS SHALL BE GRANTED AS IF THE EMPLOYEE WERE  
25 EMPLOYED ORIGINALLY BY THE CONSOLIDATED DISTRICT. THIS SUBSEC-  
26 TION DOES NOT PROHIBIT MODIFICATION OF SENIORITY IN ANY SUCCESSOR  
27 AGREEMENT CONSISTENT WITH THE PARTIES' OBLIGATIONS UNDER ACT

1 NO. 336 OF THE PUBLIC ACTS OF 1947, BEING SECTIONS 423.201 TO  
2 423.216 OF THE MICHIGAN COMPILED LAWS.

3 (6) AN EMPLOYEE OF A SENDING DISTRICT WHO IS ON LAYOFF ON  
4 JUNE 1 OF THE SCHOOL YEAR IMMEDIATELY PRECEDING THE EFFECTIVE  
5 DATE OF THE CONSOLIDATION SHALL NOT DISPLACE AN ACTIVE EMPLOYEE  
6 IN ANY SENDING DISTRICT. HOWEVER, A TENURED TEACHER WHO IS  
7 GRANTED EMPLOYMENT RIGHTS PURSUANT TO THIS SECTION MAY REPLACE A  
8 PROBATIONARY TEACHER WHO IS EMPLOYED IN A POSITION FOR WHICH THE  
9 TENURED TEACHER IS CERTIFICATED. A SCHOOL DISTRICT SHALL NOT LAY  
10 OFF OR RECALL EMPLOYEES TO CIRCUMVENT THE PROTECTIONS PROVIDED BY  
11 THIS SUBSECTION.

12 (7) UNLESS OTHERWISE PROVIDED BY A COLLECTIVE BARGAINING  
13 AGREEMENT, A CONSOLIDATED DISTRICT HAS NO OBLIGATION TO PROVIDE  
14 SALARY OR OTHER MONETARY BENEFITS TO AN EMPLOYEE WHO OBTAINS  
15 EMPLOYMENT RIGHTS PURSUANT TO THIS SECTION UNTIL THE EMPLOYEE  
16 PROVIDES SERVICES TO THE SCHOOL DISTRICT.

17 SEC. 918A. (1) A PARTIAL DISTRICT TRANSFER SHALL NOT TAKE  
18 EFFECT BEFORE 60 DAYS AFTER THE DATE OF THE OFFICIAL CANVASS  
19 UNLESS AN EARLIER DATE IS AGREED UPON BETWEEN THE AFFECTED ORIGI-  
20 NAL DISTRICTS AND THEIR RESPECTIVE COLLECTIVE BARGAINING  
21 REPRESENTATIVES.

22 (2) IN A PARTIAL DISTRICT TRANSFER, WITHIN 20 DAYS AFTER THE  
23 DATE OF THE OFFICIAL CANVASS, AN EMPLOYEE OF A SENDING DISTRICT  
24 SHALL BE CONSIDERED AN EMPLOYEE OF THE SENDING DISTRICT AND EACH  
25 RECEIVING DISTRICT.

26 (3) AN EMPLOYEE WHO HAS EMPLOYMENT RIGHTS UNDER SUBSECTION  
27 (1) RETAINS SENIORITY AND OTHER EMPLOYMENT RIGHTS IN THE SENDING

1 DISTRICT AND HAS SENIORITY AND THOSE RIGHTS THAT ACCRUE BASED ON  
2 SENIORITY IN EACH RECEIVING DISTRICT. THESE SENIORITY RIGHTS  
3 SHALL BE DETERMINED UNDER THE APPROPRIATE COLLECTIVE BARGAINING  
4 AGREEMENT OF THE RECEIVING DISTRICT OR, IF SUCH AN AGREEMENT DOES  
5 NOT EXIST, UNDER THE RECEIVING DISTRICT'S STANDARDS FOR  
6 SENIORITY. THE SENIORITY RIGHTS SHALL BE GRANTED AS IF THE  
7 EMPLOYEE WERE EMPLOYED ORIGINALLY BY THE RECEIVING DISTRICT.  
8 THIS SUBSECTION DOES NOT PROHIBIT MODIFICATION OF SENIORITY IN  
9 ANY SUCCESSOR AGREEMENT CONSISTENT WITH THE PARTIES' OBLIGATIONS  
10 UNDER ACT NO. 336 OF THE PUBLIC ACTS OF 1947, BEING SECTIONS  
11 423.201 TO 423.216 OF THE MICHIGAN COMPILED LAWS.

12 (4) AN EMPLOYEE OF A SENDING DISTRICT WHO IS ON LAYOFF ON  
13 JUNE 1 OF THE SCHOOL YEAR IMMEDIATELY PRECEDING THE EFFECTIVE  
14 DATE OF THE PARTIAL DISTRICT TRANSFER SHALL NOT DISPLACE AN  
15 ACTIVE EMPLOYEE IN A RECEIVING DISTRICT. HOWEVER, A TENURED  
16 TEACHER WHO IS GRANTED EMPLOYMENT RIGHTS PURSUANT TO THIS SECTION  
17 MAY REPLACE A PROBATIONARY TEACHER WHO IS EMPLOYED IN A POSITION  
18 FOR WHICH THE TENURED TEACHER IS CERTIFICATED. A SCHOOL DISTRICT  
19 SHALL NOT LAY OFF OR RECALL EMPLOYEES TO CIRCUMVENT THE PROTEC-  
20 TIONS PROVIDED BY THIS SUBSECTION.

21 (5) UPON ACCEPTANCE OF A POSITION WITH A RECEIVING DISTRICT,  
22 OR REEMPLOYMENT IN THE SENDING DISTRICT, THE EMPLOYEE'S EMPLOY-  
23 MENT RIGHTS IN ALL OTHER SCHOOL DISTRICTS TERMINATE.

24 (6) UNLESS OTHERWISE PROVIDED BY A COLLECTIVE BARGAINING  
25 AGREEMENT, A RECEIVING DISTRICT HAS NO OBLIGATION TO PROVIDE  
26 SALARY OR OTHER MONETARY BENEFITS TO AN EMPLOYEE WHO OBTAINS

1 EMPLOYMENT RIGHTS PURSUANT TO THIS SECTION UNTIL THE EMPLOYEE  
2 PROVIDES SERVICES TO THE SCHOOL DISTRICT.

3 SEC. 919A. (1) UNLESS OTHERWISE PROVIDED BY A COLLECTIVE  
4 BARGAINING AGREEMENT OF THE RECEIVING DISTRICT, A PERSON EMPLOYED  
5 UNDER SECTIONS 915A THROUGH 918A IS ENTITLED TO ALL RIGHTS AND  
6 BENEFITS TO WHICH THE PERSON OTHERWISE WOULD BE ENTITLED HAD THE  
7 PERSON BEEN EMPLOYED ORIGINALLY BY THE SCHOOL DISTRICT TO WHICH  
8 HIS OR HER EMPLOYMENT RIGHTS ATTACH.

9 (2) AN EMPLOYEE OF A SENDING DISTRICT EMPLOYED BY A REORGA-  
10 NIZED DISTRICT PURSUANT TO THIS PART IS ENTITLED TO ALL RIGHTS  
11 AND BENEFITS PROVIDED BY ACT NO. 4 OF THE PUBLIC ACTS OF THE  
12 EXTRA SESSION OF 1937, BEING SECTIONS 38.71 TO 38.191 OF THE  
13 MICHIGAN COMPILED LAWS, TO WHICH THE PERSON WOULD HAVE BEEN ENTI-  
14 TLED IF THE PERSON HAD BEEN EMPLOYED ORIGINALLY BY THE REORGA-  
15 NIZED DISTRICT, INCLUDING TENURE STATUS.

16 SEC. 920A. ANY QUESTION AS TO AN APPROPRIATE COLLECTIVE  
17 BARGAINING REPRESENTATIVE OR UNIT COMPOSITION INVOLVING EMPLOYEES  
18 OF A REORGANIZED SCHOOL DISTRICT SHALL BE FILED WITH THE EMPLOY-  
19 MENT RELATIONS COMMISSION, CREATED BY SECTION 3 OF ACT NO. 176 OF  
20 THE PUBLIC ACTS OF 1939, BEING SECTION 423.3 OF THE MICHIGAN  
21 COMPILED LAWS, PURSUANT TO ITS RULES AND PROCEDURES. IF FILED  
22 WITHIN 60 DAYS AFTER THE DATE OF THE OFFICIAL CANVASS OF THE  
23 REORGANIZATION ELECTION, THE EMPLOYMENT RELATIONS COMMISSION,  
24 PURSUANT TO ITS AUTHORITY UNDER ACT NO. 336 OF THE PUBLIC ACTS OF  
25 1947, BEING SECTIONS 423.201 TO 423.216 OF THE MICHIGAN COMPILED  
26 LAWS, SHALL HOLD A HEARING, IF REQUIRED, WITHIN 30 DAYS AFTER THE  
27 FILING AND SHALL ISSUE A DECISION WITHIN 30 DAYS AFTER THE



1 HEARING. IF AN ELECTION IS REQUIRED BY ORDER OF THE EMPLOYMENT  
2 RELATIONS COMMISSION, THE ELECTION SHALL BE HELD WITHIN 30 DAYS  
3 AFTER THE ISSUANCE OF THE ORDER TO HOLD THE ELECTION.

4 SEC. 921A. (1) NOT LATER THAN 4 MONTHS AFTER THE DATE OF  
5 THE OFFICIAL CANVASS, BUT EARLIER UPON REQUEST OF EITHER PARTY,  
6 THE INTERIM BOARD OF A REORGANIZED DISTRICT SHALL MEET AND BAR-  
7 GAIN WITH THE RESPECTIVE COLLECTIVE BARGAINING REPRESENTATIVES OF  
8 EMPLOYEES OF THE REORGANIZED DISTRICT OVER WAGES, HOURS, AND  
9 OTHER TERMS AND CONDITIONS OF EMPLOYMENT FOR EMPLOYEES AFTER THE  
10 EFFECTIVE DATE OF THE REORGANIZATION.

11 (2) IN A CONSOLIDATION, IF AN AGREEMENT HAS NOT BEEN REACHED  
12 WITH THE RESPECTIVE COLLECTIVE BARGAINING REPRESENTATIVES OF THE  
13 EMPLOYEES OF THE CONSOLIDATED DISTRICT BEFORE THE EFFECTIVE DATE  
14 OF THE CONSOLIDATION, THE CONSOLIDATED DISTRICT SHALL IMPLEMENT,  
15 ON AN INTERIM BASIS UNTIL AN AGREEMENT IS REACHED, THE COLLECTIVE  
16 BARGAINING AGREEMENT OF THE SENDING DISTRICT WITH THE LARGEST  
17 PUPIL MEMBERSHIP COUNT ON THE DATE OF THE OFFICIAL CANVASS. IN  
18 THIS SITUATION, AN EMPLOYEE IS ENTITLED TO ALL RIGHTS AND BENE-  
19 FITS ARISING UNDER THE INTERIM AGREEMENT AS IF THE EMPLOYEE HAD  
20 BEEN EMPLOYED ORIGINALLY BY THE SCHOOL DISTRICT WITH THE LARGEST  
21 PUPIL MEMBERSHIP.

22 (3) IN AN ATTACHMENT, ANNEXATION, OR PARTIAL DISTRICT TRANS-  
23 FER, IF AN AGREEMENT HAS NOT BEEN REACHED WITH THE RESPECTIVE  
24 COLLECTIVE BARGAINING REPRESENTATIVES OF THE EMPLOYEES OF THE  
25 RECEIVING DISTRICT BEFORE THE EFFECTIVE DATE OF THE REORGANIZA-  
26 TION, THE RECEIVING DISTRICT SHALL IMPLEMENT ITS EXISTING  
27 COLLECTIVE BARGAINING AGREEMENT. IN THIS SITUATION, AN EMPLOYEE

1 IS ENTITLED TO ALL RIGHTS AND BENEFITS ARISING UNDER THE INTERIM  
2 AGREEMENT AS IF THE EMPLOYEE HAD BEEN EMPLOYED ORIGINALLY BY THE  
3 RECEIVING DISTRICT.

4 SEC. 922A. (1) UPON THE EFFECTIVE DATE OF AN ANNEXATION OR  
5 CONSOLIDATION, ALL ASSETS AND LIABILITIES OF EACH SENDING DIS-  
6 TRICT, WITH THE EXCEPTION OF ITS BONDED INDEBTEDNESS, BECOME THE  
7 ASSETS AND LIABILITIES OF THE REORGANIZED RECEIVING DISTRICT.

8 (2) UPON THE EFFECTIVE DATE OF AN ATTACHMENT OR PARTIAL DIS-  
9 TRICT TRANSFER, ALL ASSETS AND LIABILITIES OF THE SENDING DIS-  
10 TRICT, WITH THE EXCEPTION OF ITS BONDED INDEBTEDNESS, SHALL BE  
11 DIVIDED BY AGREEMENT OF THE SENDING AND RECEIVING DISTRICTS.

12 SEC. 923A. (1) WITHIN 20 DAYS AFTER THE EFFECTIVE DATE OF A  
13 REORGANIZATION, THE BOARD OF EACH SENDING DISTRICT SHALL ACCOUNT  
14 TO THE BOARD OF THE REORGANIZED DISTRICT FOR ALL RECORDS, FUNDS,  
15 AND PROPERTY BELONGING TO THE SENDING DISTRICT AND SHALL GIVE THE  
16 RECORDS, FUNDS, AND PROPERTY TO THE BOARD OF THE REORGANIZED  
17 DISTRICT.

18 (2) UPON RECEIPT OF THE RECORDS, FUNDS, AND PROPERTY  
19 DESCRIBED IN SUBSECTION (1) BY THE BOARD OF THE REORGANIZED DIS-  
20 TRICT, THE OFFICERS OF EACH SENDING DISTRICT ARE RELEASED FROM  
21 LIABILITY FOR THE RECORDS, FUNDS, AND PROPERTY AND THEIR OFFICES  
22 ARE TERMINATED.

23 SEC. 924A. (1) IF A SCHOOL DISTRICT BECOMING PART OF A  
24 REORGANIZED DISTRICT HAS BONDED INDEBTEDNESS OR HAS OUTSTANDING  
25 TAX ANTICIPATION NOTES AT THE TIME OF REORGANIZATION, THE IDEN-  
26 TITY OF THE SCHOOL DISTRICT SHALL NOT BE LOST BY VIRTUE OF THE  
27 REORGANIZATION. TERRITORY OF THE ORIGINAL SCHOOL DISTRICT SHALL

1 REMAIN AS AN ASSESSING UNIT FOR PURPOSES OF BONDED INDEBTEDNESS  
2 AND TAX ANTICIPATION NOTES UNTIL THE INDEBTEDNESS IS RETIRED OR  
3 THE OUTSTANDING BONDS ARE REFUNDED BY THE REORGANIZED SCHOOL  
4 DISTRICT. THE BOARD OF THE REORGANIZED SCHOOL DISTRICT SHALL  
5 CONSTITUTE THE BOARD OF TRUSTEES FOR THE ORIGINAL SCHOOL DISTRICT  
6 HAVING BONDED INDEBTEDNESS OR TAX ANTICIPATION NOTES. THE OFFI-  
7 CERS OF THE REORGANIZED SCHOOL DISTRICT SHALL BE THE OFFICERS FOR  
8 THE ORIGINAL SCHOOL DISTRICT FOR THIS PURPOSE.

9 (2) THE BOARD OF THE REORGANIZED SCHOOL DISTRICT SHALL CER-  
10 TIFY AND ORDER THE LEVY OF TAXES FOR THE BONDED INDEBTEDNESS AND  
11 TAX ANTICIPATION NOTES IN THE NAME OF THE ORIGINAL SCHOOL DIS-  
12 TRICT AND SHALL NOT COMMINGLE THE DEBT RETIREMENT FUNDS OF THE  
13 ORIGINAL SCHOOL DISTRICT WITH FUNDS OF THE REORGANIZED SCHOOL  
14 DISTRICT. THE BOARD OF THE REORGANIZED DISTRICT SHALL DO ALL  
15 THINGS RELATIVE TO THE BONDED INDEBTEDNESS AND TAX ANTICIPATION  
16 NOTES REQUIRED BY LAW AND BY THE TERMS UNDER WHICH THE ISSUE AND  
17 SALE OF THE BONDS AND TAX ANTICIPATION NOTES WERE ORIGINALLY  
18 AUTHORIZED.

19 (3) OTHER TAXES OF ANY NATURE FOR PURPOSES OF THE REORGA-  
20 NIZED SCHOOL DISTRICT SHALL BE SPREAD UNIFORMLY OVER THE ENTIRE  
21 AREA OF THE REORGANIZED DISTRICT.

22 SEC. 925A. (1) IF 1 OR MORE OF THE ORIGINAL DISTRICTS  
23 INVOLVED IN A REORGANIZATION HAVE BONDED INDEBTEDNESS, THE RESO-  
24 LUTION REQUIRED BY SECTION 903A MAY PROVIDE THAT THE REORGANIZA-  
25 TION DOES NOT BECOME EFFECTIVE UNLESS THE SCHOOL ELECTORS OF EACH  
26 ORIGINAL DISTRICT APPROVE THE ASSUMPTION OF EACH ORIGINAL  
27 DISTRICT'S BONDED INDEBTEDNESS.

1 (2) IF THE ASSUMPTION OF THE BONDED INDEBTEDNESS IS APPROVED  
2 BY THE SCHOOL ELECTORS, THE REORGANIZED SCHOOL DISTRICT ASSUMES  
3 THE OBLIGATION OF THE BONDED INDEBTEDNESS OF EACH APPLICABLE  
4 ORIGINAL DISTRICT AND PAY THE BONDED INDEBTEDNESS BY LEVYING DEBT  
5 RETIREMENT TAXES UNIFORMLY OVER THE TERRITORY OF THE REORGANIZED  
6 DISTRICT. THE ASSUMPTION OF BONDED INDEBTEDNESS OF AN ORIGINAL  
7 DISTRICT DOES NOT RELEASE THE TERRITORY OF THE ORIGINAL DISTRICT  
8 FROM THE FINAL RESPONSIBILITY OF PAYING THE BONDED OBLIGATION.

9 (3) OTHER TAXES OF ANY NATURE FOR PURPOSES OF THE REORGA-  
10 NIZED DISTRICT SHALL BE SPREAD UNIFORMLY OVER THE ENTIRE AREA OF  
11 THE REORGANIZED DISTRICT.

12 SEC. 926A. (1) BEGINNING 3 YEARS AFTER THE EFFECTIVE DATE  
13 OF A REORGANIZATION IN WHICH 1 OR MORE OF THE ORIGINAL SCHOOL  
14 DISTRICTS HAVE OUTSTANDING BONDED INDEBTEDNESS, THE REORGANIZED  
15 SCHOOL DISTRICT MAY ASSUME THE OBLIGATION OF THE BONDED INDEBTED-  
16 NESS AND PAY THE BONDED DEBT BY LEVYING DEBT RETIREMENT TAX  
17 LEVIES UNIFORMLY OVER THE TERRITORY OF THE REORGANIZED SCHOOL  
18 DISTRICT IF THE SCHOOL ELECTORS OF THE REORGANIZED SCHOOL DIS-  
19 TRICT APPROVE THE ASSUMPTION OF THE BONDED INDEBTEDNESS. THE  
20 ASSUMPTION OF THE INDEBTEDNESS DOES NOT RELEASE THE TERRITORY OF  
21 THE SCHOOL DISTRICT ORIGINALLY INCURRING THE BONDED INDEBTEDNESS  
22 FROM THE FINAL RESPONSIBILITY OF PAYING THE BONDED OBLIGATION.

23 (2) THE ELECTION DESCRIBED IN SUBSECTION (1) MAY BE HELD  
24 AFTER THE EFFECTIVE DATE OF A REORGANIZATION WHEN A PROPOSAL TO  
25 ISSUE NEW BONDS OF THE REORGANIZED SCHOOL DISTRICT IS SUBMITTED  
26 TO THE SCHOOL ELECTORS. THE ASSUMPTION OF INDEBTEDNESS, IF  
27 APPROVED, BECOMES EFFECTIVE IMMEDIATELY.

1 (3) AT AN ELECTION TO ISSUE NEW BONDS OF THE REORGANIZED  
2 DISTRICT, OUTSTANDING BOND ISSUES OF 1 OR MORE OF THE ORIGINAL  
3 DISTRICTS MAY BE REFUNDED AS A PART OF THE NEW BOND ISSUE. IT IS  
4 NOT NECESSARY TO PRESENT THE QUESTION OF ASSUMPTION OF THE  
5 INDEBTEDNESS AS A SEPARATE PROPOSITION.

6 SEC. 927A. IF AN ORIGINAL DISTRICT THAT VOTES TO INCREASE  
7 THE CONSTITUTIONAL LIMITATION ON TAXES FOR EITHER BUILDING AND  
8 SITE OR GENERAL FUND PURPOSES AND THE TERM OF YEARS FOR WHICH THE  
9 MILLAGE WAS VOTED HAS NOT EXPIRED PROPOSES TO TAKE PART IN A  
10 REORGANIZATION, THE RESOLUTION REQUIRED BY SECTION 903A MAY PRO-  
11 VIDE THAT THE REORGANIZATION BECOMES EFFECTIVE ONLY IF THE SCHOOL  
12 ELECTORS OF THE ORIGINAL DISTRICTS APPROVE AN INCREASE IN THE  
13 CONSTITUTIONAL LIMITATION ON TAXES FOR THE SAME AMOUNTS, FOR THE  
14 SAME PURPOSES, AND FOR THE SAME YEARS AS ARE IN EFFECT IN THE  
15 ORIGINAL DISTRICT THAT PREVIOUSLY HAD VOTED TO INCREASE THE CON-  
16 STITUTIONAL LIMITATION ON TAXES.

17 SEC. 928A. (1) AN INTERESTED PERSON MAY SEEK A WRIT OF MAN-  
18 DAMUS IN THE CIRCUIT COURT FOR THE COUNTY IN WHICH A MAJORITY OF  
19 THE RESIDENTS OF THE REORGANIZED DISTRICT RESIDE OR THE COUNTY OF  
20 INGHAM TO ENFORCE ANY PROVISION OF THIS PART. THIS SECTION DOES  
21 NOT LIMIT REMEDIES AVAILABLE TO THE COURT PURSUANT TO ANOTHER  
22 SECTION OF THIS ACT.

23 (2) AS AN ALTERNATIVE TO SEEKING A COURT REMEDY, AN INTER-  
24 ESTED PERSON ALLEGING A VIOLATION OF AN EMPLOYMENT RIGHT CREATED  
25 BY THIS PART OR BY SECTION 81A, 81B, 131A, OR 131B MAY ELECT TO  
26 RESOLVE THE DISPUTE THROUGH BINDING ARBITRATION. THE PARTIES  
27 SHALL SELECT THE ARBITRATOR PURSUANT TO A MUTUALLY AGREED UPON

1 SELECTION PROCESS, AND THE COST OF THE ARBITRATION SHALL BE BORNE  
2 EQUALLY BY THE PARTIES.

3 (3) AN ORDER OF AN ARBITRATOR ISSUED PURSUANT TO SUBSECTION  
4 (2) IS REVIEWABLE BY THE CIRCUIT COURT FOR THE COUNTY IN WHICH A  
5 MAJORITY OF THE RESIDENTS OF THE REORGANIZED DISTRICT RESIDE, BUT  
6 ONLY FOR THE REASON THAT THE ARBITRATOR WAS WITHOUT OR EXCEEDED  
7 HIS OR HER JURISDICTION; THE ORDER IS UNSUPPORTED BY COMPETENT,  
8 MATERIAL, OR SUBSTANTIAL EVIDENCE ON THE WHOLE RECORD; OR THE  
9 ORDER WAS PROCURED BY FRAUD, COLLUSION, OR OTHER SIMILAR AND  
10 UNLAWFUL MEANS. THE PENDENCY OF THE PROCEEDING FOR REVIEW DOES  
11 NOT AUTOMATICALLY STAY THE ORDER OF THE ARBITRATOR.

12 (4) NOTHING IN THIS ACT SHALL BE CONSTRUED TO PRECLUDE A  
13 COURT OR ARBITRATOR FROM AWARDING BACK PAY OR OTHER APPROPRIATE  
14 RELIEF, OR BOTH, FOR A VIOLATION OF AN EMPLOYMENT RIGHT CREATED  
15 BY THIS PART OR BY SECTION 81A, 81B, 131A, OR 131B.

16 SEC. 949A. THE STATE BOARD SHALL PROMULGATE, AS NECESSARY,  
17 RULES TO IMPLEMENT THIS PART.

18 SEC. 950. AS USED IN THIS PART:

19 (A) "RECEIVING DISTRICT" MEANS A SCHOOL DISTRICT THAT  
20 RECEIVES PROPERTY PURSUANT TO THIS PART.

21 (B) "SENDING DISTRICT" MEANS A SCHOOL DISTRICT FROM WHICH  
22 PROPERTY IS DETACHED PURSUANT TO THIS PART.

23 Sec. 951. (1) ~~An~~ EXCEPT AS PROVIDED IN THIS SECTION, AN  
24 intermediate school board may detach territory from 1 school dis-  
25 trict and attach the territory to another school district if  
26 requested to do so by resolution of the board of a school  
27 district whose boundaries would be changed by the action; subject

1 to subsection (2), by resolution of the board of a condominium  
2 association acting pursuant to a petition signed by not less than  
3 2/3 of the co-owners of the condominium association who reside on  
4 the land to be transferred; or if petitioned by not less than 2/3  
5 of the persons who own and reside on the land to be transferred.  
6 The intermediate school board shall take final action within 60  
7 days after the receipt of the resolution or petition. The terri-  
8 tory to be detached shall be contiguous to the school district to  
9 which it is attached. If the latest assessed valuation of the  
10 territory to be detached is more than 10% of the latest assessed  
11 valuation of the entire school district from which the territory  
12 is to be detached, the ~~action of the intermediate school board~~  
13 ~~shall not be effective unless approved by an affirmative vote of~~  
14 ~~a majority of the school electors of the school district from~~  
15 ~~which the territory is to be detached~~ PROVISIONS RELATING TO A  
16 PARTIAL DISTRICT TRANSFER UNDER PART 9 APPLY.

17 (2) The board of a condominium association may request that  
18 an intermediate school board detach territory from 1 school dis-  
19 trict and attach the territory to another school district as  
20 described in subsection (1) only if the board of the condominium  
21 association represents the co-owners of a condominium project  
22 that is completed and not less than 75% of the units are sold and  
23 occupied.

24 Sec. 955. The ~~intermediate school board or joint interme-~~  
25 ~~diate school boards shall determine the effective date of the~~  
26 ~~transfer, which shall not be less than 10 days after the date of~~  
27 ~~the determination, and~~ TRANSFER SHALL NOT TAKE EFFECT BEFORE 60

1 DAYS AFTER THE DATE OF THE ADOPTION OF THE RESOLUTION OF THE  
2 INTERMEDIATE SCHOOL BOARD OR JOINT INTERMEDIATE SCHOOL BOARDS  
3 AFFIRMING THE PROPERTY TRANSFER UNLESS AN EARLIER DATE IS AGREED  
4 UPON BY ALL AFFECTED SCHOOL DISTRICTS AND THEIR RESPECTIVE COL-  
5 LECTIVE BARGAINING REPRESENTATIVES. BEFORE THE EFFECTIVE DATE OF  
6 THE TRANSFER, THE INTERMEDIATE SCHOOL BOARD OR JOINT INTERMEDIATE  
7 SCHOOL BOARDS shall determine whether personal property of a  
8 school district is to be transferred. If real property owned by  
9 a school district is transferred to another school district, the  
10 intermediate school board shall determine an equitable payment  
11 for the loss of the property. The intermediate school board or  
12 joint intermediate school boards may require an accounting from  
13 the affected boards of education and, for the purpose of making  
14 the determination, may adjourn subject to the call of the presi-  
15 dent of the intermediate school board or chairperson of the joint  
16 intermediate school boards.

17 SEC. 977. (1) AN EMPLOYEE OF A SENDING DISTRICT WHO IS LAID  
18 OFF OR WHOSE EMPLOYMENT IS TERMINATED AS A RESULT OF A PROPERTY  
19 TRANSFER HAS A RIGHT TO EMPLOYMENT BASED ON SENIORITY AND THOSE  
20 RIGHTS THAT ACCRUE BASED ON EMPLOYMENT IN EACH RECEIVING  
21 DISTRICT. WITHIN 20 DAYS AFTER ADOPTION OF THE RESOLUTION  
22 DESCRIBED IN SECTION 951, THE EMPLOYEE SHALL TEMPORARILY BE CON-  
23 sidered AN EMPLOYEE OF THE SENDING DISTRICT AND EACH RECEIVING  
24 DISTRICT.

25 (2) AN EMPLOYEE WHO HAS EMPLOYMENT RIGHTS UNDER SUBSECTION  
26 (1) RETAINS SENIORITY AND OTHER EMPLOYMENT RIGHTS IN THE SENDING  
27 DISTRICT AND HAS SENIORITY AND OTHER RIGHTS THAT ACCRUE BASED ON



1 SENIORITY IN EACH RECEIVING DISTRICT. THESE SENIORITY RIGHTS  
2 SHALL BE DETERMINED UNDER THE APPROPRIATE COLLECTIVE BARGAINING  
3 AGREEMENT OF THE RECEIVING DISTRICT OR, IF SUCH AN AGREEMENT DOES  
4 NOT EXIST, UNDER THAT SCHOOL DISTRICT'S STANDARDS FOR SENIORITY.  
5 THESE SENIORITY RIGHTS SHALL BE GRANTED AS IF THE EMPLOYEE WERE  
6 EMPLOYED ORIGINALLY BY THAT SCHOOL DISTRICT. THIS SUBSECTION  
7 DOES NOT PROHIBIT MODIFICATION OF SENIORITY IN ANY SUCCESSOR  
8 AGREEMENT CONSISTENT WITH THE PARTIES' OBLIGATIONS UNDER ACT  
9 NO. 336 OF THE PUBLIC ACTS OF 1947, BEING SECTIONS 423.201 TO  
10 423.216 OF THE MICHIGAN COMPILED LAWS.

11 (3) AN EMPLOYEE OF A SENDING DISTRICT WHO IS ON LAYOFF ON  
12 JUNE 1 OF THE SCHOOL YEAR IMMEDIATELY PRECEDING THE EFFECTIVE  
13 DATE OF THE PROPERTY TRANSFER SHALL NOT DISPLACE AN ACTIVE  
14 EMPLOYEE IN A RECEIVING DISTRICT. HOWEVER, A TENURED TEACHER WHO  
15 IS GRANTED EMPLOYMENT RIGHTS PURSUANT TO THIS SECTION MAY REPLACE  
16 A PROBATIONARY TEACHER WHO IS EMPLOYED IN A POSITION FOR WHICH  
17 THE TENURED TEACHER IS CERTIFICATED. A SCHOOL DISTRICT SHALL NOT  
18 LAY OFF OR RECALL EMPLOYEES TO CIRCUMVENT THE PROTECTIONS PRO-  
19 VIDED BY THIS SUBSECTION.

20 (4) UPON ACCEPTANCE OF A POSITION WITH A RECEIVING DISTRICT  
21 OR REEMPLOYMENT IN THE SENDING DISTRICT, THE EMPLOYEE'S EMPLOY-  
22 MENT RIGHTS IN ALL OTHER SCHOOL DISTRICTS TERMINATE.

23 SEC. 978. (1) UNLESS MODIFIED BY A COLLECTIVE BARGAINING  
24 AGREEMENT, AN EMPLOYEE OF A SENDING DISTRICT EMPLOYED BY A  
25 RECEIVING DISTRICT PURSUANT TO THIS PART IS ENTITLED TO ALL  
26 RIGHTS AND BENEFITS TO WHICH THE EMPLOYEE OTHERWISE WOULD BE

1 ENTITLED HAD THE EMPLOYEE BEEN EMPLOYED ORIGINALLY BY THE  
2 RECEIVING DISTRICT.

3 (2) AN EMPLOYEE OF A SENDING DISTRICT EMPLOYED BY A RECEIV-  
4 ING DISTRICT PURSUANT TO THIS PART IS ENTITLED TO ALL RIGHTS AND  
5 BENEFITS PROVIDED BY ACT NO. 4 OF THE PUBLIC ACTS OF THE EXTRA  
6 SESSION OF 1937, BEING SECTIONS 38.71 TO 38.191 OF THE MICHIGAN  
7 COMPILED LAWS, TO WHICH THE EMPLOYEE WOULD HAVE BEEN ENTITLED IF  
8 THE EMPLOYEE HAD BEEN EMPLOYED ORIGINALLY BY THE RECEIVING DIS-  
9 TRICT, INCLUDING TENURE STATUS.

10 Sec. 1027. In a nonregistration school district, issues of  
11 bonding ~~, annexation, and consolidation~~ REORGANIZATION to  
12 which the consent of the school electors is required shall be  
13 decided by elections held in the manner of elections in registra-  
14 tion school districts under part 13.

15 Section 2. Sections 851, 852, 853, 854, 855, 856, 857, 858,  
16 859, 860, 861, 862, 863, 864, 901, 902, 902a, 903, 904, 905, 906,  
17 907, 908, 911, 912, 921, 922, 931, 932, 933, 941, 942, 943, 944,  
18 945, 946, 947, 948, and 949 of Act No. 451 of the Public Acts of  
19 1976, being sections 380.851, 380.852, 380.853, 380.854, 380.855,  
20 380.856, 380.857, 380.858, 380.859, 380.860, 380.861, 380.862,  
21 380.863, 380.864, 380.901, 380.902, 380.902a, 380.903, 380.904,  
22 380.905, 380.906, 380.907, 380.908, 380.911, 380.912, 380.921,  
23 380.922, 380.931, 380.932, 380.933, 380.941, 380.942, 380.943,  
24 380.944, 380.945, 380.946, 380.947, 380.948, and 380.949 of the  
25 Michigan Compiled Laws, are repealed.