

SENATE BILL No. 181

March 14, 1991, Introduced by Senator V. SMITH and referred to the Committee on Finance.

A bill to amend sections 6, 75, 341, 432, 627a, 628, 860, 1170, 1204a, 1215, 1277, 1278, 1280, 1323, and 1701 of Act No. 451 of the Public Acts of 1976, entitled as amended "The school code of 1976," section 6 as amended by Act No. 159 of the Public Acts of 1989, section 627a as added by Act No. 215 of the Public Acts of 1988, section 1204a as amended and sections 1277, 1278, and 1280 as added by Act No. 25 of the Public Acts of 1990, and section 1323 as added by Act No. 151 of the Public Acts of 1986, being sections 380.6, 380.75, 380.341, 380.432, 380.627a, 380.628, 380.860, 380.1170, 380.1204a, 380.1215, 380.1277, 380.1278, 380.1280, 380.1323, and 380.1701 of the Michigan Compiled Laws; to add sections 627b, 1278a, and 1279; and to repeal certain parts of the act on a specific date.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 6, 75, 341, 432, 627a, 628, 860, 1170,
2 1204a, 1215, 1277, 1278, 1280, 1323, and 1701 of Act No. 451 of
3 the Public Acts of 1976, section 6 as amended by Act No. 159 of
4 the Public Acts of 1989, section 627a as added by Act No. 215 of
5 the Public Acts of 1988, section 1204a as amended and sections
6 1277, 1278, and 1280 as added by Act No. 25 of the Public Acts of
7 1990, and section 1323 as added by Act No. 151 of the Public Acts
8 of 1986, being sections 380.6, 380.75, 380.341, 380.432,
9 380.627a, 380.628, 380.860, 380.1170, 380.1204a, 380.1215,
10 380.1277, 380.1278, 380.1280, 380.1323, and 380.1701 of the
11 Michigan Compiled Laws, are amended and sections 627b, 1278a, and
12 1279 are added to read as follows:

13 Sec. 6. (1) "School bus" means a motor vehicle, other than
14 a station wagon or passenger van, with a manufacturer's rated
15 seating capacity of 17 or more pupils used for the transportation
16 of school pupils to and from school which either is owned by a
17 school district or, if privately owned, is transporting school
18 pupils under a contract with a local school district, a local act
19 school district, or an intermediate school district. As used in
20 this subsection:

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

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

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

2 (a) A primary school district.

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

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

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

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

7 (3) "School elector" means a person qualified as an elector
8 under section 492 of the Michigan election law, Act No. 116 of
9 the Public Acts of 1954, as amended, being section 168.492 of the
10 Michigan Compiled Laws, and resident of the school district,
11 local act school district, or intermediate school district on or
12 before the thirtieth day before the next ensuing annual or spe-
13 cial school election.

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

16 (5) "Special education building and equipment" means a
17 structure or portion of a structure or personal property accept-
18 ed, leased, purchased, or otherwise acquired, prepared, or used
19 for special education programs and services.

20 (6) "Special education personnel" means persons engaged in
21 and having professional responsibility for the training, care,
22 and education of handicapped persons in special education pro-
23 grams and services including, but not limited to, teachers,
24 aides, social workers, diagnostic personnel, physical therapists,
25 occupational therapists, audiologists, teachers of speech and
26 language, instructional media-curriculum specialists, mobility
27 specialists, teacher consultants, supervisors, and directors.

1 (7) "Special education programs and services" means
2 educational and training services designed for handicappers and
3 operated by local school districts, local act school districts,
4 intermediate school districts, the Michigan school for the blind,
5 the Michigan school for the deaf, the department of mental
6 health, the department of social services, or a combination
7 thereof, and ancillary professional services for handicappers
8 rendered by agencies approved by the state board. The programs
9 shall include vocational training, but need not include academic
10 programs of college or university level.

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

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

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

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

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

1 (12) ~~-(13)-~~ "Type I school bus" means a school bus with a
2 gross vehicle weight rating of more than 10,000 pounds.

3 (13) ~~-(14)-~~ "Type II school bus" means a school bus with a
4 gross vehicle rating of 10,000 pounds or less.

5 (14) ~~-(15)-~~ "Type I premium school bus" means a school bus
6 with a passenger capacity of more than 66 pupils and any other
7 school bus purchased by a district at a cost for the vehicle,
8 excluding interest and special equipment, that exceeds by more
9 than 15% the average cost of a school bus meeting state minimum
10 specifications of the same capacity purchased during the same
11 year.

12 Sec. 75. (1) The school electors of a school district at
13 each annual meeting or adjournment, or at a special meeting law-
14 fully called, may:

15 (a) In the absence of the president appoint a chairperson
16 and, in the absence of the secretary appoint a school elector to
17 act in the secretary's stead, who shall keep minutes of the pro-
18 ceedings of the meeting. The secretary shall enter the minutes
19 in the records of the district.

20 (b) Adjourn from time to time.

21 (c) Elect district officers under section 73.

22 (d) Vote taxes sufficient to purchase or lease sites or
23 build, hire, or purchase schools. These taxes, together with all
24 funds derived from sale of bonds for these purposes, and all
25 insurance money received for the loss of a school shall be
26 accounted for under the title of "building and site fund". Money
27 belonging to the building and site fund shall not be used for

1 purposes other than that for which it was raised without approval
2 of a majority of the school electors of the district voting on
3 the question.

4 ~~-(e) Determine the amount of money to be raised by tax for~~
5 ~~school operating purposes under section 1211.~~

6 (E) ~~-(f)~~ Authorize the sale of a school, site, building, or
7 other property belonging to the school district when no longer
8 needed by the district.

9 (2) Each person offering to vote before being given a ballot
10 shall identify himself or herself by executing before an election
11 official an application showing the person's signature, address
12 of residence, and qualifications as a school elector.

13 Sec. 341. (1) The board shall prepare annual estimates of
14 the amount of taxes necessary for its needs for the ensuing
15 fiscal year. The estimates shall specify the amount required
16 ~~for the "general fund", the amount required~~ for the "building
17 and sites fund" ~~—~~ and the amount required for the "debt retire-
18 ment fund", in accordance with THE MUNICIPAL FINANCE ACT, Act
19 No. 202 of the Public Acts of 1943, as amended, BEING SECTIONS
20 131.1 TO 139.3 OF THE MICHIGAN COMPILED LAWS, and outstanding
21 bonding resolutions.

22 (2) The board may include in the "building and sites fund"
23 an amount not exceeding in 1 year .01% of the state equalized
24 valuation to establish and maintain a school district insurance
25 reserve fund from which school buildings or other school property
26 damaged or destroyed by fire, lightning, or otherwise, may be
27 repaired, rebuilt, or replaced by other buildings or property to

1 be used in its place. Taxes shall not be levied for this purpose
2 while the insurance reserve fund exceeds or equals .1% of the
3 state equalized valuation. The board shall carry the insurance
4 reserves forward as an encumbered reserve and may add thereto in
5 the manner prescribed in this section. Insurance reserve funds
6 may be invested in the manner provided in section 1223. Income
7 shall be considered a part of the "general fund". If an emer-
8 gency is declared by a 2/3 vote of the members elected to and
9 serving on the board, the insurance reserve funds may be borrowed
10 for the emergency, but the funds shall be returned to the insur-
11 ance reserve fund from the collection of taxes in the next ensu-
12 ing fiscal year.

13 (3) The board shall adopt a budget in the same manner and
14 form as required for its estimates and determine the amount of
15 tax levy necessary for the budget. The board shall certify the
16 amount to the city and township before the date required by law.

17 (4) The proper officials of the city and township shall
18 apportion the school taxes in the district in the same manner as
19 the other taxes of the city or township are apportioned. The
20 amount apportioned shall be assessed, levied, collected, and
21 returned for each portion of the school district in the same
22 manner as taxes of the city or township in which the portion of
23 the school district is located. The tax levied by the board, in
24 the discretion of the legislative body of the city or township,
25 may be stated separately on each tax bill.

26 Sec. 432. (1) The first class school district board
27 annually shall prepare estimates of the amount of taxes necessary

1 for its needs for the ensuing fiscal year. The estimates shall
2 specify the amount required ~~for the "general fund", the amount~~
3 ~~required~~ for the "building and site fund" ~~—~~, and the amount
4 required for the "debt retirement fund". If the board causes the
5 appropriation for the "building and site fund" to be raised by
6 the issuance of bonds instead of raising the appropriation by
7 taxation, provision shall be made for the retirement of the bonds
8 in a debt retirement fund.

9 (2) The board shall adopt a budget in the same manner and
10 form as required for its estimates and determine the amount of
11 tax levy necessary for that budget and shall certify on or before
12 the date required by law the amount to the city.

13 (3) The proper officials of the city shall apportion the
14 school taxes in the same manner as the other taxes of the city
15 are apportioned, and the amount apportioned shall be assessed,
16 levied, collected, and returned for the school district in the
17 same manner as taxes of the city. The tax levied by the board,
18 in the discretion of the legislative body of the city, may be
19 stated separately on each tax bill.

20 Sec. 627a. (1) Upon the request of the board of 1 or more
21 constituent school districts, an intermediate school district may
22 coordinate the required educational services provided by 1 or
23 more constituent school districts to homebound or hospitalized
24 pupils, or both.

25 (2) IF EDUCATIONAL SERVICES ARE NOT PROVIDED UNDER
26 SUBSECTION (1), AN INTERMEDIATE DISTRICT SHALL MAKE AVAILABLE
27 APPROPRIATE INSTRUCTIONAL SERVICES TO A HOMEBOUND OR HOSPITALIZED

1 PUPIL WHO RESIDES WITHIN AND IS ENROLLED IN A CONSTITUENT
2 DISTRICT. THE INTERMEDIATE SCHOOL BOARD MAY PROVIDE THE SERVICES
3 OR MAY CONTRACT WITH A HOSPITAL, A CONSTITUENT OR NONCONSTITUENT
4 SCHOOL BOARD, OR ANOTHER INTERMEDIATE SCHOOL BOARD TO PROVIDE THE
5 SERVICES. THE CONSTITUENT DISTRICT IN WHICH THE PUPIL IS
6 ENROLLED SHALL PAY REASONABLE COSTS AS DETERMINED BY THE INTERME-
7 DIATE SCHOOL BOARD FOR SERVICES PROVIDED TO A PUPIL UNDER THIS
8 SECTION.

9 SEC. 627B. IN ADDITION TO OTHER POWERS UNDER THIS ACT, AN
10 INTERMEDIATE SCHOOL DISTRICT OR CONSORTIUM OF INTERMEDIATE SCHOOL
11 DISTRICTS MAY PROVIDE 1 OR MORE OF THE FOLLOWING SERVICES TO A
12 CONSTITUENT DISTRICT OR THE PUPILS OF A CONSTITUENT DISTRICT IF
13 THE CONSTITUENT DISTRICTS PAY THE INTERMEDIATE SCHOOL DISTRICT OR
14 CONSORTIUM FOR THE REASONABLE COSTS AS DETERMINED BY THE INTERME-
15 DIATE SCHOOL BOARD OF PROVIDING THE SERVICE:

16 (A) SUPPORT SERVICES FOR THE EDUCATION OF GIFTED AND TAL-
17 ENTED PUPILS, SUMMER INSTITUTES FOR GIFTED AND TALENTED PUPILS
18 CONDUCTED IN COOPERATION WITH A LOCAL INSTITUTION OF HIGHER EDU-
19 CATION, OR DEVELOPMENT AND OPERATION OF COMPREHENSIVE PROGRAMS
20 FOR GIFTED AND TALENTED PUPILS.

21 (B) SUPPORT SERVICES FOR INSTRUCTION IN ARTS EDUCATION.

22 (C) DEVELOPMENT AND OPERATION OF PROFESSIONAL DEVELOPMENT
23 PROGRAMS APPROVED BY THE DEPARTMENT IN THE AREAS OF MATHEMATICS,
24 SCIENCE, COMPUTER LITERACY/COMPETENCY, STRUCTURED LINGUISTICS
25 TAUGHT THROUGH A MULTISENSORY APPROACH, READING, WRITING AND COM-
26 POSITION, OR OTHER CURRICULAR AREAS.

1 Sec. 628. The intermediate school board may:

2 (a) Establish a school for persons of school age who live in
3 children's homes operated by the juvenile division of the probate
4 court or who live at home but are assigned to the school by the
5 juvenile division of the probate court. The intermediate school
6 board may lease or purchase sites; build, lease, or rent housing
7 facilities; and employ the personnel necessary to operate the
8 schools. The intermediate school board may exclude a pupil for
9 persistent misbehavior; classify and promote pupils for instruc-
10 tional purposes; and do all things necessary to the proper con-
11 duct of the school.

12 (B) CONDUCT NONRESIDENTIAL ALTERNATIVE JUVENILE REHABILITA-
13 TION PROGRAMS FOR CHILDREN AND YOUTH WHO HAVE BEEN FOUND TO NEED
14 REMEDIAL ACADEMIC OR SOCIAL REHABILITATIVE SERVICES, OR BOTH.

15 (C) ~~-(b)-~~ Build or acquire real or personal property for use
16 for intermediate school district purposes by purchase, land con-
17 tract, lease or rental contract with or without option to pur-
18 chase, or title retaining contract. The intermediate school
19 board may pay for the property out of funds of the district which
20 will or may become lawfully available for these purposes.

21 (D) ~~-(e)-~~ Receive, by assignment, conveyance, gift, devise,
22 or bequest, any real or personal property or an interest therein
23 for use in maintaining scholarships or for other educational pur-
24 poses, and the intermediate school board may act as trustee or
25 custodian of the property. The property shall be used by the
26 intermediate school board solely for the educational purposes for
27 which it was assigned, conveyed, given, devised, or bequeathed,

1 whether by way of trust or otherwise. The treasurer of the board
2 may, when required, give bond to insure proper administration of
3 the property.

4 (E) ~~—(d)—~~ Sell, exchange, or lease real or personal property
5 of the district which is no longer required for school purposes;
6 give proper deeds or other instruments passing title to the prop-
7 erty; dedicate or sell and convey land for highway purposes to
8 the state or an agency or instrumentality of the state, including
9 municipalities and boards of county road commissioners; and give
10 an easement for public utilities. Proceeds from the sale of real
11 property shall be credited to accounts of the school district as
12 provided in section 1262.

13 Sec. 860. (1) If the petitions filed with an intermediate
14 superintendent under section 853 request submission of the ques-
15 tion of assuming the bonded indebtedness of 1 or more of the
16 school districts proposing consolidation ~~, or the question of~~
17 ~~increasing the constitutional limitation on taxes of the consoli-~~
18 ~~dated school district for operating purposes~~ to the school elec-
19 tors at the consolidation election, the intermediate superinten-
20 dent shall include the question or questions in the notice of the
21 election propositions filed with each of the election units under
22 section 857.

23 (2) A request for including assumption by the consolidated
24 school district of the bonded indebtedness of 1 or more of the
25 districts proposing consolidation shall be stated on the petition
26 after the names of the school districts to be consolidated in
27 substantially the following form:

1 "We petition that the question of assumption and payment by
 2 the proposed consolidated school district of the bonded indebted-
 3 ness of _____ be submitted to
 4 (name of school district or districts)
 5 the electors at the same election in which the proposed consoli-
 6 dation is submitted". ~~, and if applicable,~~

7 ~~"We petition that the question of increasing the constitu-~~
 8 ~~tional limitation on taxes which may be assessed against all~~
 9 ~~property in the proposed consolidated school district by _____~~
 10 ~~mills for a period of _____ years, 19__ to 19__, inclusive, for~~
 11 ~~operating purposes, be submitted to the electors at the same~~
 12 ~~election with the question of consolidating the above listed~~
 13 ~~districts".~~

14 (3) If the school electors approve the consolidation of
 15 school districts and the assumption of the bonded indebtedness of
 16 an original district, the consolidated school district shall
 17 assume the obligation of the bonded indebtedness. The consoli-
 18 dated school district shall pay the bonded indebtedness by
 19 spreading debt retirement taxes uniformly over the territory of
 20 the consolidated district. Section 864 shall apply to the debt
 21 retirement tax levies, the continuing obligations of the original
 22 school districts, and the rights and remedies of a bondholder.

23 Sec. 1170. (1) Instruction shall be given in physiology and
 24 hygiene, with special reference to substance abuse, including the
 25 abusive use of tobacco, alcohol, and drugs, and their effect upon
 26 the human system.

27 (2) Comprehensive health education programs shall be
 28 developed as prescribed by THE CRITICAL HEALTH PROBLEMS EDUCATION

1 ACT, Act No. 226 of the Public Acts of 1969, being sections
2 388.381 to 388.385 of the Michigan Compiled Laws.

3 (3) ~~A child upon~~ UPON the written statement of parent or
4 guardian that instruction in the characteristics or symptoms of
5 disease is in conflict with his or her sincerely held religious
6 beliefs, A CHILD shall be excused from attending classes where
7 ~~such~~ THAT instruction is being given and no penalties as to
8 credit or graduation shall result ~~therefrom~~ FROM THE EXCUSED
9 ABSENCE.

10 (4) PROVISION OF A SCHOOL HEALTH EDUCATION CURRICULUM SHALL
11 BE IN ACCORDANCE WITH THE PLAN ESTABLISHED BY THE MICHIGAN MODEL
12 FOR COMPREHENSIVE SCHOOL HEALTH EDUCATION STATE STEERING
13 COMMITTEE. THE STATE STEERING COMMITTEE SHALL BE COMPRISED OF A
14 REPRESENTATIVE FROM EACH OF THE FOLLOWING OFFICES AND
15 DEPARTMENTS:

16 (A) THE DEPARTMENT OF EDUCATION.

17 (B) THE OFFICE OF HEALTH AND MEDICAL AFFAIRS IN THE DEPART-
18 MENT OF MANAGEMENT AND BUDGET.

19 (C) THE DEPARTMENT OF MENTAL HEALTH.

20 (D) THE DEPARTMENT OF PUBLIC HEALTH.

21 (E) THE OFFICE OF SUBSTANCE ABUSE SERVICES IN THE DEPARTMENT
22 OF PUBLIC HEALTH.

23 (F) THE DEPARTMENT OF SOCIAL SERVICES.

24 (G) THE DEPARTMENT OF STATE POLICE.

25 (5) UPON WRITTEN OR ORAL REQUEST, A PUPIL NOT LESS THAN 18
26 YEARS OF AGE OR A PARENT OR LEGAL GUARDIAN OF A PUPIL LESS THAN
27 18 YEARS OF AGE, WITHIN A REASONABLE PERIOD OF TIME AFTER THE

1 REQUEST IS MADE, SHALL BE INFORMED OF THE CONTENT OF A COURSE IN
2 THE HEALTH EDUCATION CURRICULUM AND MAY EXAMINE TEXTBOOKS AND
3 OTHER CLASSROOM MATERIALS THAT ARE PROVIDED TO THE PUPIL OR MATE-
4 RIALS THAT ARE PRESENTED TO THE PUPIL IN THE CLASSROOM. THIS
5 SUBSECTION DOES NOT REQUIRE A SCHOOL BOARD TO PERMIT PUPIL OR
6 PARENTAL EXAMINATION OF TEST QUESTIONS AND ANSWERS, SCORING KEYS,
7 OR OTHER EXAMINATION INSTRUMENTS OR DATA USED TO ADMINISTER AN
8 ACADEMIC EXAMINATION.

9 Sec. 1204a. (1) The board of a school district that does
10 not want to forfeit a percentage of the school district's state
11 school aid as described in section ~~19 of the state school aid~~
12 ~~act of 1979, Act No. 94 of the Public Acts of 1979, being~~
13 ~~section 388.1619 of the Michigan Compiled Laws, or that wants to~~
14 ~~receive and is eligible for additional state school aid for qual-~~
15 ~~ity programs as provided in sections 21(1) and 21a of the state~~
16 ~~school aid act of 1979, being sections 388.1621 and 388.1621a of~~
17 ~~the Michigan Compiled Laws,~~ 38 OF THE STATE SCHOOL AID ACT OF
18 1991 shall prepare, make available to the state board and the
19 public, and provide that each school in the school district dis-
20 tributes to the public at an open meeting an annual educational
21 report. The annual educational report shall include, but is not
22 limited to, all of the following information for each public
23 school in the school district:

24 (a) The accreditation status of each school within the
25 school district, the process by which pupils are assigned to par-
26 ticular schools, and a description of each specialized school.

1 (b) The status of the 3- to 5-year school improvement plan
2 as described in section 1277 for each school within the school
3 district.

4 (c) A copy of the core curriculum and a description of its
5 implementation and the variances from the model core curriculum
6 developed by the state board pursuant to section 1278(2).

7 (d) A report for each school of aggregate student achieve-
8 ment based upon the results of any locally-administered student
9 competency tests, statewide assessment tests, or nationally
10 normed achievement tests that were given to pupils attending
11 school in the school district.

12 (e) For the year in which the report is filed and the previ-
13 ous school year, the district ~~membership~~ PUPIL retention report
14 as defined in section ~~6 of the state school aid act of 1979, Act~~
15 ~~No. 94 of the Public Acts of 1979, being section 388.1606 of the~~
16 ~~Michigan Compiled Laws~~ 3 OF THE STATE SCHOOL AID ACT OF 1991.

17 (f) The number and percentage of parents, legal guardians,
18 or persons in loco parentis with pupils enrolled in the school
19 district who participate in parent-teacher conferences for pupils
20 at the elementary, middle, and secondary school level, as
21 appropriate.

22 (g) A comparison with the immediately preceding school year
23 of the information required by subdivisions (a) through (f).

24 (2) Within 90 days after the effective date of the amenda-
25 tory act that added this section, the state board shall prepare
26 and make available to school districts suggestions for
27 accumulating the information listed in subsection (1) and a model

1 educational report for school districts to consider in the
2 implementation of this section.

3 Sec. 1215. (1) Operating ~~taxes~~ REVENUE shall be accounted
4 for under the title of "general fund". The state board may
5 establish other fund designations to clarify further the expendi-
6 ture classifications for which general fund ~~moneys~~ MONEY may be
7 used.

8 (2) Library money shall be accounted for under the title of
9 "library fund".

10 (3) Building and site money shall be accounted for under the
11 title of "building and site fund".

12 (4) Taxes collected for retiring bonded indebtedness shall
13 be accounted for as required by chapter 7 of THE MUNICIPAL
14 FINANCE ACT, Act No. 202 of the Public Acts of 1943, as amended,
15 being sections 137.1 to 137.3 of the Michigan Compiled Laws.

16 Sec. 1277. (1) Considering criteria established by the
17 state board, the board of a school district ~~that wants to~~
18 ~~receive and is eligible for additional state school aid for qual-~~
19 ~~ity programs as provided in sections 21(1) and 21a of the state~~
20 ~~school aid act of 1979, Act No. 94 of the Public Acts of 1979,~~
21 ~~being sections 388.1621 and 388.1621a of the Michigan Compiled~~
22 ~~Laws,~~ shall adopt and implement a 3- to 5-year school improve-
23 ment plan and continuing school improvement process for each
24 school within the school district. The school improvement plan
25 shall include, but is not limited to, a mission statement, goals
26 based on student outcomes for all students, curriculum alignment
27 corresponding with those goals, evaluation processes, staff

1 development, and building level decision making. School board
2 members, school building administrators, teachers and other
3 school employees, pupils, parents of pupils attending that
4 school, and other residents of the school district shall partici-
5 pate in the planning, development, implementation, and evaluation
6 of the district's school improvement plan. Upon request of the
7 board of a school district, the department shall assist the
8 school district in the development and implementation of a dis-
9 trict school improvement plan. Intermediate school districts and
10 educational organizations may also provide assistance for these
11 purposes. A school improvement plan described in this section
12 shall be updated annually by the board of the school district.

13 (2) The school improvement plan of a school district shall
14 be maintained on file with the intermediate school district to
15 which the school district is constituent.

16 (3) The state board shall annually review a random sampling
17 of school improvement plans. Based on its review, the state
18 board shall annually submit a report on school improvement activ-
19 ities planned and accomplished by each of the school districts
20 that were part of the sampling to the senate and house committees
21 that have the responsibility for education legislation.

22 Sec. 1278. (1) The board of each school district ~~that~~
23 ~~wants to receive and is eligible for additional state school aid~~
24 ~~for quality programs as provided in sections 21(1) and 21a of the~~
25 ~~state school aid act of 1979, Act No. 94 of the Public Acts of~~
26 ~~1979, being sections 388.1621 and 388.1621a of the Michigan~~
27 ~~Compiled Laws,~~ shall make available to all pupils attending

1 public school in the district a core curriculum in compliance
2 with subsection (3).

3 (2) A recommended model core curriculum shall be developed
4 by the state board and distributed to each school district in the
5 state. The recommended core curriculum shall define the outcomes
6 to be achieved by all pupils and be based upon the "Michigan K-12
7 program standards of quality" published by the state board.

8 (3) The board of each school district, considering the cur-
9 ricular outcomes defined and recommended pursuant to subsection
10 (2), shall do both of the following:

11 (a) Establish a core curriculum for its pupils at the ele-
12 mentary, middle, and secondary school levels. The core curricu-
13 lum shall define outcomes to be achieved by all pupils and be
14 based upon the school district's educational mission, long-range
15 student goals, and student performance objectives. The core cur-
16 riculum may vary from the model core curriculum recommended by
17 the state board pursuant to subsection (2).

18 (b) After consulting with teachers and school building
19 administrators, determine the instructional program for deliver-
20 ing the core curriculum and identify the courses and programs in
21 which the core curriculum will be taught.

22 (4) The board may supplement the core curriculum by provid-
23 ing instruction through additional classes and programs.

24 (5) A subject or course required by the core curriculum pur-
25 suant to subsection (3) shall be made available to all pupils in
26 the school district by a school district, a consortium of school

1 districts, or a consortium of 1 or more school districts and 1 or
2 more intermediate school districts.

3 (6) The state board shall make available to all nonpublic
4 schools in this state, as a resource for their consideration, the
5 model core curriculum developed for public schools pursuant to
6 subsection (2) for the purpose of assisting the governing body of
7 a nonpublic school in developing its own core curriculum.

8 (7) Any course that would have been considered a nonessen-
9 tial elective course under Snyder v Charlotte Schools, 421 Mich
10 517 (1984) on the effective date of the amendatory act that added
11 this section shall continue to be offered to resident pupils of
12 nonpublic schools on a shared time basis.

13 SEC. 1278A. (1) THE BOARD OF EACH SCHOOL DISTRICT SHALL
14 REQUIRE EACH PUPIL TO HAVE COMPLETED AS A CONDITION FOR GRADUA-
15 TION ALL OF THE FOLLOWING:

16 (A) A TOTAL OF 10 YEARS OF ENGLISH OR COMMUNICATION SKILLS,
17 MATHEMATICS, SCIENCE, AND SOCIAL SCIENCE, WITH NOT LESS THAN 2
18 YEARS OF EACH SUBJECT SPECIFIED IN THIS SUBDIVISION.

19 (B) ONE YEAR OF HEALTH, OR CONSUMER HOME ECONOMICS ESSENTIAL
20 HEALTH AND LIVING SKILLS, OR PHYSICAL EDUCATION, OR ANY COMBINA-
21 TION THEREOF.

22 (C) ONE YEAR OF FINE OR PERFORMING ARTS, FOREIGN LANGUAGE,
23 OR OF VOCATIONAL EDUCATION OR PRACTICAL ARTS, OR ANY COMBINATION
24 THEREOF.

25 (D) ONE SEMESTER OF COMPUTER EDUCATION OR THE EQUIVALENT,
26 WHICH MAY BE DEMONSTRATED BY THE PASSAGE OF AN APPROPRIATE
27 COMPUTER COMPETENCY TEST, AS APPROVED BY THE DEPARTMENT.

1 (2) IF A CLASS TAUGHT IN A SCHOOL DISTRICT REASONABLY FALLS
2 WITHIN MORE THAN 1 OF THE SUBJECT CATEGORIES LISTED IN SUBSECTION
3 (1), THE DISTRICT MAY DETERMINE WHICH SUBJECT CATEGORY THE CLASS
4 FALLS WITHIN AS LONG AS TEACHER CERTIFICATION REQUIREMENTS ARE
5 NOT VIOLATED.

6 (3) A SCHOOL DISTRICT SHALL PROVIDE EACH SCHOOL DAY FOR ITS
7 PUPILS IN GRADES 9 THROUGH 12 AT LEAST SIX CLASSES, EACH CONSIST-
8 ING OF AT LEAST 50 MINUTES OF CLASSROOM INSTRUCTION, OR A TOTAL
9 OF NOT LESS THAN 300 MINUTES OF CLASSROOM INSTRUCTION. IN EITHER
10 CASE, AT LEAST 30% OF THE PUPILS IN GRADES 9 THROUGH 12 SHALL BE
11 ENROLLED IN THE LAST PERIOD, WITH THE LAST PERIOD BEING A CLASS
12 OF AN ACADEMIC NATURE THAT NORMALLY WOULD BE CREDITED TOWARD HIGH
13 SCHOOL GRADUATION. THIS SUBSECTION DOES NOT APPLY TO PUPILS IN
14 GRADE 9 WHO DO NOT ATTEND CLASSES IN THE SAME BUILDING AS PUPILS
15 IN GRADES 10 THROUGH 12. THE DEPARTMENT MAY WAIVE THE REQUIRE-
16 MENTS OF THIS SUBSECTION FOR A SCHOOL DISTRICT WITH UNUSUAL CIR-
17 CUMSTANCES THAT IS MAKING A GOOD FAITH EFFORT TO COMPLY WITH THIS
18 SUBSECTION AND HAS A PLAN IN PLACE TO MEET THE REQUIREMENTS
19 DURING THE FOLLOWING YEAR.

20 SEC. 1279. (1) IN EACH SCHOOL YEAR, A SCHOOL DISTRICT SHALL
21 DO 1 OR BOTH OF THE FOLLOWING:

22 (A) MAINTAIN AN AVERAGE CLASS SIZE OF NOT MORE THAN 25
23 PUPILS FOR GRADES K, 1, 2, AND 3, TAKEN COLLECTIVELY.

24 (B) REDUCE ITS AVERAGE CLASS SIZE IN GRADES K, 1, 2, AND 3,
25 TAKEN COLLECTIVELY, BY AT LEAST 1% FROM THE AVERAGE CLASS SIZE IN
26 THE IMMEDIATELY PRECEDING SCHOOL YEAR.

1 (2) IN COMPUTING AVERAGE CLASS SIZE UNDER THIS SECTION, ONLY
2 THE FOLLOWING STAFF SHALL BE COUNTED:

3 (A) GENERAL SUBJECT CLASSROOM TEACHERS, SUCH AS TEACHERS OF
4 READING, LANGUAGE ARTS, MATHEMATICS, SCIENCE OR SOCIAL STUDIES,
5 AND KINDERGARTEN TEACHERS.

6 (B) SPECIAL SUBJECT TEACHERS, SUCH AS TEACHERS OF ART,
7 MUSIC, OR PHYSICAL EDUCATION, TO THE EXTENT THAT THEY PROVIDE
8 INSTRUCTION TO ELIGIBLE PUPILS.

9 (C) SPECIAL NEEDS TEACHERS, IN AREAS SUCH AS COMPENSATORY
10 EDUCATION, BILINGUAL EDUCATION, MIGRANT EDUCATION, OR GIFTED AND
11 TALENTED EDUCATION, TO THE EXTENT THAT THEY PROVIDE INSTRUCTION
12 TO ELIGIBLE PUPILS.

13 (3) IN COMPUTING AVERAGE CLASS SIZE UNDER THIS SECTION, THE
14 FOLLOWING STAFF SHALL NOT BE COUNTED:

15 (A) SPECIAL EDUCATION TEACHERS.

16 (B) ADULT EDUCATION TEACHERS.

17 (C) PROFESSIONAL OR NONPROFESSIONAL SUPPORT STAFF.

18 (D) TEACHER AIDES, PARAPROFESSIONALS, OR VOLUNTEERS.

19 (E) ADMINISTRATORS OR SUPERVISORS.

20 (4) THE DEPARTMENT MAY WAIVE THE REQUIREMENTS OF
21 SUBSECTION (1) FOR A SCHOOL DISTRICT WITH UNUSUAL CIRCUMSTANCES
22 THAT IS MAKING A GOOD FAITH EFFORT TO COMPLY WITH THAT SUBSECTION
23 AND HAS A PLAN IN PLACE TO MEET THE REQUIREMENTS FOR THE FOLLOW-
24 ING YEAR. HOWEVER, THE DEPARTMENT SHALL NOT GRANT WAIVERS TO A
25 DISTRICT IN MORE THAN 2 CONSECUTIVE SCHOOL YEARS.

26 Sec. 1280. (1) The board of a school district ~~that wants~~
27 ~~to receive and is eligible for additional state school aid for~~

1 ~~quality programs as provided in sections 21(1) and 21a of the~~
2 ~~state school aid act of 1979, Act No. 94 of the Public Acts of~~
3 ~~1979, being sections 388.1621 and 388.1621a of the Michigan~~
4 ~~Compiled Laws, and~~ that does not want to be subject to the mea-
5 sures described in subsection (6) shall ensure that each public
6 school within the school district is accredited.

7 (2) As used in subsection (1), "accredited" means certified
8 by the state board as having met or exceeded state board-approved
9 standards established for 6 areas of school operation: adminis-
10 tration and school organization, curricula, staff, school plant
11 and facilities, school and community relations, and school
12 improvement plans and student outcomes. The building-level eval-
13 uation used in the accreditation process shall include, but is
14 not limited to, school data collection, self-study, visitation
15 and validation, determination of outcomes data to be used, and
16 the development of a school improvement plan.

17 (3) The department shall develop and distribute to all
18 public schools proposed accreditation standards. Upon distribu-
19 tion of the proposed standards, the department shall hold state-
20 wide public hearings for the purpose of receiving testimony con-
21 cerning the standards. After a review of the testimony, the
22 department shall revise and submit the proposed standards to the
23 state board. After a review and revision, if appropriate, of the
24 proposed standards, the state board shall submit the proposed
25 standards to the senate and house committees that have the
26 responsibility for education legislation. Upon approval by these
27 committees, the department shall distribute to all public schools

1 the standards to be applied to each school for accreditation
2 purposes.

3 (4) The department shall annually review and evaluate for
4 accreditation purposes the performance of a portion of the public
5 schools in the state, including, but not limited to, each school
6 that did not meet accreditation standards the immediately preced-
7 ing school year.

8 (5) ~~The~~ UPON REQUEST OF THE BOARD OF A SCHOOL THAT IS NOT
9 ACCREDITED, THE department shall, and the intermediate school
10 district to which a school district is constituent, a consortium
11 of intermediate school districts, or any combination thereof may,
12 provide technical assistance, as appropriate, to ~~a~~ THE
13 UNACCREDITED school. ~~that is not accredited upon request of the~~
14 ~~board of the unaccredited school.~~

15 (6) A school that has not met accreditation standards for 3
16 consecutive years is subject to 1 or more of the following mea-
17 sures, as determined by the state board:

18 (a) The superintendent of public instruction or his or her
19 designee shall appoint at the expense of the affected school dis-
20 trict an administrator of the school until the school meets
21 accreditation standards.

22 (b) A parent, legal guardian, or person in loco parentis of
23 a child who attends the school shall have the right to send his
24 or her child to any accredited public school with an appropriate
25 grade level within the school district.

26 (c) The school shall be closed.

1 (7) The department shall evaluate the school accreditation
2 program and the status of schools accredited and shall submit an
3 annual report based upon the evaluation to the senate and house
4 committees that have the responsibility for education
5 legislation. The report shall address the reasons each unaccred-
6 ited school is not accredited and shall recommend legislative
7 action that will result in the accreditation of all public
8 schools in this state.

9 Sec. 1323. (1) Except as otherwise provided in this sec-
10 tion, the board of a school district that provides auxiliary
11 services to pupils pursuant to section 1296 shall provide trans-
12 portation from the nonpublic school to and from the site where
13 the auxiliary services are provided to resident and nonresident
14 nonpublic school pupils receiving those services. ~~—, to the~~
15 ~~extent the reasonable costs of the transportation of nonspecial~~
16 ~~education pupils are paid for by the state, except for pupils~~
17 ~~whose transportation costs are being reimbursed under section 71~~
18 ~~of the state school aid act of 1979, Act No. 94 of the Public~~
19 ~~Acts of 1979, being section 388.1671 of the Michigan Compiled~~
20 ~~Laws.—~~

21 (2) The board of a school district that does not provide
22 transportation for public school pupils, other than special edu-
23 cation pupils, is not required to transport nonpublic school
24 pupils to and from auxiliary service sites for nonspecial educa-
25 tion auxiliary services.

26 (3) The requirements of subsection (1) do not apply if the
27 superintendent of public instruction determines that a school

1 district is in substantial compliance with section 1296 without
2 the provision of transportation between the nonpublic school and
3 the site where the auxiliary services are provided.

4 Sec. 1701. The state board shall:

5 (a) Develop, establish, and continually evaluate and modify
6 in cooperation with intermediate school boards, a state plan for
7 special education ~~which~~ THAT shall provide for the delivery of
8 special education programs and services designed to develop the
9 maximum potential of every handicapped person. The plan shall
10 coordinate all special education programs and services. IF THE
11 STATE SCHOOL AID ACT OF 1991 IS ENACTED, THE STATE BOARD SHALL
12 MODIFY THE STATE PLAN TO TAKE INTO ACCOUNT THE CHANGES IN SPECIAL
13 EDUCATION FUNDING UNDER THAT ACT.

14 (b) Require each intermediate school board to submit a plan
15 pursuant to section 1711, in accordance with the state plan, to
16 be approved by the state board.

17 (c) Promulgate rules setting forth the requirements of the
18 plans and procedures for submitting them.

19 Sec. 1729. (1) An intermediate school board operating under
20 sections 1722 to 1729 shall expend funds received under section
21 1728 ~~for special education purposes~~ ONLY FOR BUILDING AND SITE
22 PURPOSES OR DEBT RETIREMENT RELATED TO SPECIAL EDUCATION PROGRAMS
23 AND SERVICES in accordance with rules promulgated by the state
24 board AND SHALL NOT EXPEND ANY OF THOSE FUNDS FOR OPERATION OF
25 SPECIAL EDUCATION PROGRAMS AND SERVICES.

26 (2) An intermediate school board operating under sections
27 1722 to 1729 may expend funds received under section 1728 for the

1 costs of a special election held to renew or increase the millage
2 limit on the annual property tax levied for special education
3 purposes.

4 (3) Special education funds held by the treasurer of the
5 intermediate school board shall be paid on order of the interme-
6 diate school board.

7 Section 2. Sections 966, 1211, and 1416 of Act No. 451 of
8 the Public Acts of 1976, being sections 380.966, 380.1211, and
9 380.1416 of the Michigan Compiled Laws, are repealed effective
10 January 1, 1993.

11 Section 3. This amendatory act shall take effect January 1,
12 1993.

13 Section 4. This amendatory act shall not take effect unless
14 Senate Joint Resolution G
15 of the 86th Legislature becomes a part of
16 the state constitution of 1963 as provided in section 1 of arti-
17 cle XII of the state constitution of 1963.

18 Section 5. This amendatory act shall not take effect unless
19 all of the following bills of the 86th Legislature are enacted
20 into law:

21 (a) Senate Bill No. 180.

22

23 (b) Senate Bill No. 182.

24

25 (c) Senate Bill No. 183.

26

1 (d) Senate Bill No. 184.

2

3 (e) Senate Bill No. 185.

4

5 (f) Senate Bill No. 186.

6

7 (g) Senate Bill No. 187.

8

9 (h) Senate Bill No. 188.

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11 (i) Senate Bill No. 189.

12

13 (j) Senate Bill No. 190.

14

15 (k) Senate Bill No. 191.

16

17 (l) Senate Bill No. 192.

18

19 (m) Senate Bill No. 193.

20

21 (n) Senate Bill No. 194.

22

23 (o) Senate Bill No. 195.

24