SENATE BILL No. 775

March 3, 1992, Introduced by Senator BOUCHARD and
referred to the Committee on Education.

A bill to amend section 1211 of Act No. 451 of the Public

Acts of 1976, entitled as amended

"The school code of 1976,"

as amended by Act No. 108 of the Public Acts of 1991, being sec-

tion 380.1211 of the Michigan Compiled Laws; to add section 1305;

and to repeal certain parts of the act on specific dates.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1   Section 1. Section 1211 of Act No. 451 of the Public Acts

2 of 1976, as amended by Act No. 108 of the Public Acts of 1991,

3 being section 380.1211 of the Michigan Compiled Laws, is amended

4 and section 1305 is added to read as follows:

5   Sec. 1211. (1) Subject to section 753, the board of a

6 school district shall vote to levy taxes necessary for school

7 operating purposes to conduct the educational programs authorized

8 by the board. A vote under this subsection to levy operating

1 millage greater than the millage allocated to the school district

2 under section 5i or 11 of the property tax limitation act, Act

3 No. 62 of the Public Acts of 1933, being sections 211.205i and

4 211.211 of the Michigan Compiled Laws, shall be considered a vote

5 to comply with section 753.

6   (2) As used in this section, "school operating purposes"

7 includes expenditures for furniture and equipment, for alter-

8 ations necessary to maintain school facilities in a safe and san-

9 itary condition, for funding the cost of energy conservation

10 improvements in school facilities, for deficiencies in operating

11 expenses for the preceding year, FOR MAKING REIMBURSEMENT UNDER

12 SECTION 1305, and for making payments required or permitted to be

13 paid under section 752 or 753.

14   SEC. 1305. (1) IF AN EMPLOYER IN THIS STATE EMPLOYS AN

15 INDIVIDUAL WHO HAS RECEIVED A HIGH SCHOOL DIPLOMA FROM A SCHOOL

16 DISTRICT AND DETERMINES THROUGH AN ASSESSMENT ADMINISTERED WITHIN

17 2 YEARS AFTER THE INDIVIDUAL RECEIVED THE DIPLOMA THAT THE INDI-

18 VIDUAL IS DEFICIENT IN 1 OR MORE BASIC SKILL AREAS, THE EMPLOYER

19 AND THE INDIVIDUAL MAY APPLY FOR AN EDUCATIONAL WARRANTY CERTIFI-

20 CATE ENTITLING THE INDIVIDUAL TO RECEIVE REMEDIAL INSTRUCTION IN

21 EACH BASIC SKILL AREA IN WHICH THE INDIVIDUAL WAS FOUND BY THE

22 TESTING TO BE DEFICIENT. AN EMPLOYER SHALL USE ONLY A PROFI-

23 CIENCY ASSESSMENT INSTRUMENT DESCRIBED IN SUBSECTION (2) TO MEA-

24 SURE AN INDIVIDUAL'S PROFICIENCY FOR THE PURPOSES OF THIS

25 SECTION. THE EMPLOYER AND THE INDIVIDUAL SHALL APPLY JOINTLY TO

26 THE DEPARTMENT FOR THE EDUCATIONAL WARRANTY CERTIFICATE IN THE

27 FORM AND MANNER PRESCRIBED BY THE DEPARTMENT.

1   (2) THE DEPARTMENT SHALL MAKE AVAILABLE TO EMPLOYERS FOR THE

2 PURPOSES OF THIS SECTION THE PROFICIENCY ASSESSMENT INSTRUMENTS

3 DEVELOPED BY THE DEPARTMENT AND APPROVED BY THE STATE BOARD FOR A

4 STATE ENDORSED DIPLOMA UNDER SECTION 104A(7) OF THE STATE SCHOOL

5 AID ACT OF 1979, BEING SECTION 388.1704A OF THE MICHIGAN COMPILED

6 LAWS.

7   (3) UPON RECEIPT OF AN APPLICATION FOR AN EDUCATIONAL WAR-

8 RANTY CERTIFICATE DESCRIBED IN SUBSECTION (1), THE DEPARTMENT

9 SHALL ISSUE AN EDUCATIONAL WARRANTY CERTIFICATE TO THE INDIVIDUAL

10 AND SHALL NOTIFY THE SCHOOL DISTRICT FROM WHICH THE INDIVIDUAL

11 RECEIVED HIS OR HER HIGH SCHOOL DIPLOMA THAT THE EDUCATIONAL WAR-

12 RANTY CERTIFICATE HAS BEEN ISSUED.

13   (4) AN INDIVIDUAL WHO IS ISSUED AN EDUCATIONAL WARRANTY CER-

14 TIFICATE MAY PRESENT THE EDUCATIONAL WARRANTY CERTIFICATE TO ANY

15 SCHOOL DISTRICT IN THIS STATE AND RECEIVE AT NO COST TO THE INDI-

16 VIDUAL OR HIS OR HER EMPLOYER THE REMEDIAL INSTRUCTION NECESSARY

17 TO PERMIT THE INDIVIDUAL TO ACHIEVE PROFICIENCY IN EACH BASIC

18 SKILL AREA IN WHICH HE OR SHE WAS ASSESSED TO BE DEFICIENT.

19   (5) IF THE REMEDIAL INSTRUCTION DESCRIBED IN SUBSECTION (4)

20 IS PROVIDED BY A SCHOOL DISTRICT OTHER THAN THE SCHOOL DISTRICT

21 FROM WHICH THE INDIVIDUAL RECEIVED HIS OR HER HIGH SCHOOL DIPLO-

22 MA, THE PROVIDING SCHOOL DISTRICT SHALL CHARGE THE SCHOOL DIS-

23 TRICT THAT ISSUED THE DIPLOMA FOR REIMBURSEMENT FOR THE REMEDIAL

24 INSTRUCTION. UPON BEING CHARGED FOR REIMBURSEMENT UNDER THIS

25 SUBSECTION, THE SCHOOL DISTRICT THAT ISSUED THE DIPLOMA SHALL

26 REIMBURSE THE PROVIDING SCHOOL DISTRICT FOR THE REMEDIAL

27 INSTRUCTION. THE AMOUNT OF THE REIMBURSEMENT SHALL BE COMPUTED

1 IN THE SAME MANNER AS THE TUITION RATE IS COMPUTED UNDER

2 SECTION 1401.

3   (6) BEGINNING IN 1994, THE DEPARTMENT ANNUALLY SHALL COMPILE

4 AND REPORT TO THE LEGISLATURE BY NOT LATER THAN JUNE 30 INFORMA-

5 TION DETAILING ACTIVITY UNDER THIS SECTION. THE REPORT SHALL

6 INCLUDE AT LEAST ALL OF THE FOLLOWING:

7   (A) A LISTING BY SCHOOL DISTRICT OF THE NUMBER OF INDIVIDU-

8 ALS RECEIVING A HIGH SCHOOL DIPLOMA FROM THE SCHOOL DISTRICT THAT

9 HAVE BEEN ISSUED AN EDUCATIONAL WARRANTY CERTIFICATE.

10   (B) A LISTING BY SCHOOL DISTRICT OF THE NUMBER OF INDIVIDU-

11 ALS FOR WHOM THE SCHOOL DISTRICT HAS PROVIDED REMEDIAL INSTRUC-

12 TION UNDER THIS SECTION.

13   (C) A RECOMMENDATION ON WHETHER THERE EXISTS A NEED FOR CON-

14 TINUATION OF THE EDUCATIONAL WARRANTY PROGRAM UNDER THIS

15 SECTION.

16   (7) AS USED IN THIS SECTION:

17   (A) "BASIC SKILL AREA" MEANS COMMUNICATION SKILLS, MATHEMAT-

18 ICS, SCIENCE, AND OTHER SUBJECT AREAS SPECIFIED BY THE STATE

19 BOARD AS PART OF THE STATE BOARD MODEL CORE CURRICULUM UNDER

20 SECTION 1278.

21   (B) "EMPLOYER" MEANS A PERSON WHO EMPLOYS 1 OR MORE

22 INDIVIDUALS.

23   (C) "SCHOOL DISTRICT" INCLUDES A SCHOOL DISTRICT, LOCAL ACT

24 SCHOOL DISTRICT, CHARTER SCHOOL, OR INTERMEDIATE SCHOOL DISTRICT.

25   Section 2. This amendatory act shall take effect June 1,

26 1993.

1   Section 3.   Section 1305 of Act No. 451 of the Public Acts

2 of 1976, being section 380.1305 of the Michigan Compiled Laws, is

3 repealed effective September 30, 1997.

4   Section 4.   This amendatory act shall not take effect unless

5 Senate Bill No. 776

6   of the 86th Legislature is enacted into law.