

Act No. 413
Public Acts of 1994
Approved by the Governor
December 29, 1994
Filed with the Secretary of State
December 29, 1994

**STATE OF MICHIGAN
87TH LEGISLATURE
REGULAR SESSION OF 1994**

Introduced by Senator Bouchard

ENROLLED SENATE BILL No. 1301

AN ACT to amend sections 623 684 and 1246 of Act No 451 of the Public Acts of 1976 entitled as amended An act to provide a system of public instruction and elementary and secondary schools to revise consolidate and classify the laws relating to elementary and secondary education to provide for the classification organization regulation and maintenance of schools school districts and intermediate school districts to prescribe rights powers duties and privileges of schools school districts and intermediate school districts to provide for the regulation of school teachers and school administrators to provide for school elections and to prescribe powers and duties with respect thereto to provide for the levy and collection of taxes to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness to establish a fund and provide for expenditures from that fund to provide for and prescribe the powers and duties of certain state departments the state board of education and certain other boards and officials to provide for licensure of boarding schools to prescribe penalties and to repeal certain acts and parts of acts section 684 as amended by Act No 48 of the Public Acts of 1989 and section 1246 as amended by Act No 335 of the Public Acts of 1993 being sections 380 623 380 684 and 380 1246 of the Michigan Compiled Laws and to repeal acts and parts of acts

The People of the State of Michigan enact

Section 1 Sections 623 684 and 1246 of Act No 451 of the Public Acts of 1976 section 684 as amended by Act No 48 of the Public Acts of 1989 and section 1246 as amended by Act No 335 of the Public Acts of 1993 being sections 380 623 380 684 and 380 1246 of the Michigan Compiled Laws are amended to read as follows

Sec 623 (1) The intermediate school board shall do all of the following

(a) Perform duties required by law and by the state board but shall not supersede or replace the board of a constituent district or control or otherwise interfere with the rights of constituent districts except as provided in this part

(b) Employ a superintendent assistants and other employees the intermediate school board considers necessary and fix their compensation The compensation of the intermediate superintendent assistants and other employees shall include salaries travel expenses incurred in the discharge of their official duties and other benefits the board approves The necessary contingent expenses of the office of the intermediate school board and the intermediate superintendent shall be paid by the treasurer subject to the authorization of the intermediate school board A contract with the intermediate superintendent shall be for a term not to exceed 4 years The intermediate superintendent shall have the qualifications prescribed in section 1246 and perform the duties provided by law and by the intermediate school board

(2) The business the intermediate school board is authorized to perform shall be conducted at a public meeting of the board held in compliance with the open meetings act Act No 267 of the Public Acts of 1976 being sections 15 261 to 15 275 of the Michigan Compiled Laws An act of the board is not valid unless voted at a meeting by a majority vote of

the members elected and serving on the board and a record made of the vote. An action of an intermediate school board on matters of personnel, property transfers, bonding, expenditures of money, or other matters designated by the board's bylaws shall be by yeas and nays, vote entered upon its record. Public notice of the time, date, and place of the meeting shall be given in the manner required by section 5 of Act No. 267 of the Public Acts of 1976, being section 15.265 of the Michigan Compiled Laws.

Sec. 684. (1) An intermediate school board in which an area vocational technical education program has been established may operate area vocational technical education programs or may contract with local school districts or with community colleges for the operation of the programs or with a private degree-granting postsecondary institution if the intermediate school district is not within a community college district and if there existed on or before July 1, 1992, a written agreement for the operation of such a program. Area vocational technical education programs operated under sections 681 to 690 shall be approved by majority vote of the representatives of the constituent districts of the intermediate school district at an annual budget meeting held on or before March 1 under section 624.

(2) An intermediate school board may expend area vocational technical education funds for the operation of area vocational technical education programs approved by the state board for acquiring, purchasing, or constructing area vocational technical education buildings, acquiring sites for area vocational technical education buildings, and purchasing area vocational technical education equipment. An intermediate school board shall not expend area vocational technical education funds for purposes other than those set forth in sections 681 to 690.

(3) An intermediate school board operating under sections 681 to 690 may expend funds received under section 683 for the costs of a special election held to renew or increase the millage limit on the annual property tax levied for area vocational technical education purposes.

(4) The treasurer of an intermediate school board shall pay out area vocational technical education funds on order of the intermediate school board.

Sec. 1246. (1) Beginning in the 1995-96 school year, a school district or intermediate school district shall not employ a person as a superintendent, principal, assistant principal, or other person whose primary responsibility is administering instructional programs or as a chief business official unless the person has completed the continuing education requirements prescribed by state board rule under subsection (2).

(2) The state board shall promulgate rules establishing continuing education requirements as a condition for continued employment for persons employed in positions described in subsection (1). The rules shall prescribe a minimum amount of continuing education to be completed within a 5-year period.

Section 2. Section 651 of Act No. 451 of the Public Acts of 1976, being section 380.651 of the Michigan Compiled Laws, is repealed.

This act is ordered to take immediate effect.

Secretary of the Senate

Co. Clerk of the House of Representatives

Approved

Governor