



HOUSE BILL No. 4279

February 17, 1993, Introduced by Reps. Keith, O'Neill, Sikkema, Dalman, Jondahl, Munsell, Gubow, Pitoniak, Bobier, Nye, Oxender, Dobb, Gilmer, Weeks, Martin, Bender, Horton, Byrum, Ciaramitaro, Emerson, Middleton, DeMars, Hoffman, Agee, Profit, Scott, Alley, Brown, Baade, Yokich, Stille, Hollister, Owen, Dolan, Wetters, Leland, DeLange, Harder, Walberg, Shepich, Curtis, Gernaat and Gire and referred to the Committee on Taxation.

A bill to amend sections 1204a, 1211, 1277, 1278, 1280, and 1451 of Act No. 451 of the Public Acts of 1976, entitled as amended

"The school code of 1976,"

section 1204a as amended and sections 1277, 1278, and 1280 as added by Act No. 25 of the Public Acts of 1990 and section 1211 as amended by Act No. 236 of the Public Acts of 1992, being sections 380.1204a, 380.1211, 380.1277, 380.1278, 380.1280, and 380.1451 of the Michigan Compiled Laws; and to repeal certain parts of the act on specific dates.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 1204a, 1211, 1277, 1278, 1280, and 1451
2 of Act No. 451 of the Public Acts of 1976, section 1204a as
3 amended and sections 1277, 1278, and 1280 as added by Act No. 25
4 of the Public Acts of 1990 and section 1211 as amended by Act

1 No. 236 of the Public Acts of 1992, being sections 380.1204a,
2 380.1211, 380.1277, 380.1278, 380.1280, and 380.1451 of the
3 Michigan Compiled Laws, are amended to read as follows:

4 Sec. 1204a. (1) ~~The~~ IF THE board of a school district
5 ~~that~~ does not want ~~to forfeit a percentage of the school~~
6 ~~district's state school aid as described in section 19 of the~~
7 ~~state school aid act of 1979, Act No. 94 of the Public Acts of~~
8 ~~1979, being section 388.1619 of the Michigan Compiled Laws, or~~
9 ~~that wants to receive and is eligible for additional state school~~
10 ~~aid for quality programs as provided in sections 21(1) and 21a of~~
11 ~~the state school aid act of 1979, being sections 388.1621 and~~
12 ~~388.1621a of the Michigan Compiled Laws,~~ THE SCHOOL DISTRICT TO
13 BE SUBJECT TO AN ADJUSTMENT IN ITS BASIC GRANT UNDER SECTION
14 21C(4)(E) OF THE STATE SCHOOL AID ACT OF 1979, BEING SECTION
15 388.1621C OF THE MICHIGAN COMPILED LAWS, THE BOARD shall prepare,
16 make available to the state board and the public, and provide
17 that each school in the school district distributes to the public
18 at an open meeting an annual educational report. The annual edu-
19 cational report shall include, but is not limited to, all of the
20 following information for each public school in the school
21 district:

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

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

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

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

9 (e) For the year in which the report is filed and the previ-
10 ous school year, the district ~~membership~~ PUPIL retention report
11 as defined in section 6 of the state school aid act of 1979, ~~Act~~
12 ~~No. 94 of the Public Acts of 1979,~~ being section 388.1606 of the
13 Michigan Compiled Laws.

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

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

21 (2) ~~Within 90 days after the effective date of the amenda-~~
22 ~~tory act that added this section~~ NOT LATER THAN JUNE 11, 1990,
23 the state board shall prepare and make available to school dis-
24 tricts suggestions for accumulating the information listed in
25 subsection (1) and a model ANNUAL educational report for school
26 districts to consider in the implementation of this section.

1 Sec. 1211. (1) ~~Subject to section 753, the~~ THE board of a
2 school district shall vote to levy PROPERTY taxes necessary for
3 school operating purposes to conduct the educational programs
4 authorized by the board AT A RATE NOT TO EXCEED THE RATE LEVIED
5 FOR THOSE TAXES IN 1992. ~~A vote under this subsection to levy~~
6 ~~operating millage greater than the millage allocated to the~~
7 ~~school district under section 5i or 1i of the property tax limi-~~
8 ~~tation act, Act No. 62 of the Public Acts of 1933, being~~
9 ~~sections 211.205i and 211.211 of the Michigan Compiled Laws,~~
10 ~~shall be considered a vote to comply with section 753.~~

11 (2) THE BOARD OF A SCHOOL DISTRICT MAY SEEK APPROVAL FROM
12 THE SCHOOL ELECTORS FOR A LOCAL SCHOOL DISTRICT INCOME TAX UNDER
13 THE LOCAL SCHOOL DISTRICT INCOME TAX ACT.

14 (3) ~~(2)~~ As used in this section, "school operating
15 purposes" includes expenditures for furniture and equipment, for
16 alterations necessary to maintain school facilities in a safe and
17 sanitary condition, for funding the cost of energy conservation
18 improvements in school facilities, for deficiencies in operating
19 expenses for the preceding year, AND for paying the operating
20 allowance due from the school district to a joint high school
21 district in which the school district is a participating school
22 district under part 3a. ~~, and for making payments required or~~
23 ~~permitted to be paid under section 752 or 753.~~

24 Sec. 1277. (1) Considering criteria established by the
25 state board, IF the board of a school district ~~that wants to~~
26 ~~receive and is eligible for additional state school aid for~~
27 ~~quality programs as provided in sections 21(1) and 21a of the~~

~~1 state school aid act of 1979, Act No. 94 of the Public Acts of~~
~~2 1979, being sections 388.1621 and 388.1621a of the Michigan~~
~~3 Compiled Laws,~~ DOES NOT WANT THE SCHOOL DISTRICT TO BE SUBJECT
4 TO AN ADJUSTMENT IN ITS BASIC GRANT UNDER SECTION 21C(4)(E) OF
5 THE STATE SCHOOL AID ACT OF 1979, BEING SECTION 388.1621C OF THE
6 MICHIGAN COMPILED LAWS, THE BOARD shall adopt and implement a 3-
7 to 5-year school improvement plan and continuing school improve-
8 ment process for each school within the school district. The
9 school improvement plan shall include, but is not limited to, a
10 mission statement, goals based on student outcomes for all stu-
11 dents, curriculum alignment corresponding with those goals, eval-
12 uation processes, staff development, and building level decision
13 making. School board members, school building administrators,
14 teachers and other school employees, pupils, parents of pupils
15 attending that school, and other residents of the school district
16 shall participate in the planning, development, implementation,
17 and evaluation of the district's school improvement plan. Upon
18 request of the board of a school district, the department shall
19 assist the school district in the development and implementation
20 of a district school improvement plan. Intermediate school dis-
21 tricts and educational organizations may also provide assistance
22 for these purposes. A school improvement plan described in this
23 section shall be updated annually by the board of the school
24 district.

25 (2) The school improvement plan of a school district shall
26 be maintained on file with the intermediate school district to
27 which the school district is constituent.

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

7 Sec. 1278. (1) ~~The~~ IF THE board of ~~each~~ A school dis-
 8 trict ~~that wants to receive and is eligible for additional state~~
 9 ~~school aid for quality programs as provided in sections 21(1) and~~
 10 ~~21a of the state school aid act of 1979, Act No. 94 of the Public~~
 11 ~~Acts of 1979, being sections 388.1621 and 388.1621a of the~~
 12 ~~Michigan Compiled Laws,~~ DOES NOT WANT THE SCHOOL DISTRICT TO BE
 13 SUBJECT TO AN ADJUSTMENT IN ITS BASIC GRANT UNDER SECTION
 14 21C(4)(E) OF THE STATE SCHOOL AID ACT OF 1979, BEING SECTION
 15 388.1621C OF THE MICHIGAN COMPILED LAWS, THE BOARD shall make
 16 available to all pupils attending public school in the district a
 17 core curriculum in compliance with subsection (3).

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

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

26 (a) Establish a core curriculum for its pupils at the
 27 elementary, middle, and secondary school levels. The core

1 curriculum shall define outcomes to be achieved by all pupils and
2 be based upon the school district's educational mission,
3 long-range student goals, and student performance objectives.
4 The core curriculum may vary from the model core curriculum rec-
5 ommended by the state board pursuant to subsection (2).

6 (b) After consulting with teachers and school building
7 administrators, determine the instructional program for deliver-
8 ing the core curriculum and identify the courses and programs in
9 which the core curriculum will be taught.

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

12 (5) A subject or course required by the core curriculum pur-
13 suant to subsection (3) shall be made available to all pupils in
14 the school district by a school district, a consortium of school
15 districts, or a consortium of 1 or more school districts and 1 or
16 more intermediate school districts.

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

22 (7) Any course that would have been considered a nonessen-
23 tial elective course under Snyder v Charlotte Schools, 421 Mich
24 517 (1984) on ~~the effective date of the amendatory act that~~
25 ~~added this section~~ APRIL 13, 1990 shall continue to be offered
26 to resident pupils of nonpublic schools on a shared time basis.

1 Sec. 1280. (1) ~~The~~ IF THE board of a school district
2 ~~that wants to receive and is eligible for additional state~~
3 ~~school aid for quality programs as provided in sections 21(1) and~~
4 ~~21a of the state school aid act of 1979, Act No. 94 of the Public~~
5 ~~Acts of 1979, being sections 388.1621 and 388.1621a of the~~
6 ~~Michigan Compiled Laws,~~ DOES NOT WANT THE SCHOOL DISTRICT TO BE
7 SUBJECT TO AN ADJUSTMENT IN ITS BASIC GRANT UNDER SECTION
8 21C(4)(E) OF THE STATE SCHOOL AID ACT OF 1979, BEING SECTION
9 388.1621C OF THE MICHIGAN COMPILED LAWS, and ~~that~~ does not want
10 to be subject to the measures described in subsection (6), THE
11 BOARD shall ensure that each public school within the school dis-
12 trict is accredited.

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

23 (3) The department shall develop and distribute to all
24 public schools proposed accreditation standards. Upon distribu-
25 tion of the proposed standards, the department shall hold state-
26 wide public hearings for the purpose of receiving testimony
27 concerning the standards. After a review of the testimony, the

1 department shall revise and submit the proposed standards to the
2 state board. After a review and revision, if appropriate, of the
3 proposed standards, the state board shall submit the proposed
4 standards to the senate and house committees that have the
5 responsibility for education legislation. Upon approval by these
6 committees, the department shall distribute to all public schools
7 the standards to be applied to each school for accreditation
8 purposes.

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

14 (5) The department shall, and the intermediate school dis-
15 trict to which a school district is constituent, a consortium of
16 intermediate school districts, or any combination thereof may,
17 provide technical assistance, as appropriate, to a school that is
18 not accredited upon request of the board of the unaccredited
19 school.

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

23 (a) The superintendent of public instruction or his or her
24 designee shall appoint at the expense of the affected school dis-
25 trict an administrator of the school until the school meets
26 accreditation standards.

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

5 (c) The school shall be closed.

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

14 Sec. 1451. (1) A school district other than a primary
15 school district, by a majority vote of the school electors at an
16 annual or special election, may establish a public library.

17 (2) The school electors of a school district in which a
18 library is established may vote a district tax for the support of
19 the public library at an annual or special election of the
20 district. The board of the school district may vote a tax AND
21 MAY USE PART OF ITS STATE SCHOOL AID REVENUE OR LOCAL SCHOOL DIS-
22 TRICT INCOME TAX REVENUE for the maintenance and support of the
23 public library.

24 (3) A tax authorized or voted under this part shall be
25 levied and collected in the same manner as other school district
26 taxes are levied and collected.

1 Section 2. Sections 751 to 756 of Act No. 451 of the Public
2 Acts of 1976, being sections 380.751 to 380.756 of the Michigan
3 Compiled Laws, are repealed effective October 1, 1993.

4 Section 3. This amendatory act shall not take effect unless
5 all of the following bills of the 87th Legislature are enacted
6 into law:

7 (a) Senate Bill No. _____ or House Bill No. 4277 (request
8 no. 02189'93).

9 (b) Senate Bill No. _____ or House Bill No. 4280 (request
10 no. 02189'93 a).

11 (c) Senate Bill No. _____ or House Bill No. 4282 (request
12 no. 02193'93).

13 (d) Senate Bill No. _____ or House Bill No. 4278 (request
14 no. 02194'93).

15 (e) Senate Bill No. _____ or House Bill No. 4281 (request
16 no. 02196'93).

17 (f) Senate Bill No. _____ or House Bill No. 4283 (request
18 no. 02197'93*).

19 (g) Senate Bill No. _____ or House Bill No. 4286 (request
20 no. 02198'93).

21 (h) Senate Bill No. _____ or House Bill No. 4285 (request
22 no. 02199'93).

23 (i) Senate Bill No. _____ or House Bill No. 4284 (request
24 no. 02200'93).

25 Section 4. This amendatory act shall not take effect unless
26 Senate Joint Resolution _____ or House Joint Resolution G
27 (request no. 02190'93*) of the 87th Legislature is submitted to

1 the qualified electors of the state for approval as provided in
2 section 1 of article XII of the state constitution of 1963.