



# HOUSE BILL No. 5121

October 12, 1993, Introduced by Reps. Bryant, Horton, Bender, Gilmer, London, Johnson, Bullard, DeLange, Bandstra, Dalman, Dobb, Munsell, Llewellyn and Martin and referred to the Committee on Education.

A bill to amend sections 5, 6, 132, 246, 248, 331, 346, 431a, 483a, 1148, 1204a, 1210, 1211, 1212, 1221, 1230, 1233b, 1247, 1261, 1277, 1278, 1280, 1282, 1283, 1284, 1300, 1311, 1321, 1351, 1356, 1421, 1422, 1451, 1531, and 1536 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. 263 of the Public Acts of 1992, section 6 as amended by Act No. 159 of the Public Acts of 1989, section 331 as amended by Act No. 127 of the Public Acts of 1990, section 431a as amended by Act No. 71 of the Public Acts of 1982, section 483a as added by Act No. 96 of the Public Acts of 1981, section 1204a as amended and sections 1233b, 1277, 1278, and 1280 as added by Act No. 25 of the Public Acts of 1990, section 1211 as amended by Act No. 236 of the Public Acts of 1992, section 1221 as amended by Act No. 132 of the Public Acts of 1986,

section 1230 as amended by Act No. 68 of the Public Acts of 1993, section 1284 as amended by Act No. 143 of the Public Acts of 1992, section 1321 as amended by Act No. 163 of the Public Acts of 1990, section 1351 as amended by Act No. 352 of the Public Acts of 1992, section 1356 as amended by Act No. 118 of the Public Acts of 1983, section 1531 as amended by Act No. 282 of the Public Acts of 1982, and section 1536 as amended by Act No. 63 of the Public Acts of 1991, being sections 380.5, 380.6, 380.132, 380.246, 380.248, 380.331, 380.346, 380.431a, 380.483a, 380.1148, 380.1204a, 380.1210, 380.1211, 380.1212, 380.1221, 380.1230, 380.1233b, 380.1247, 380.1261, 380.1277, 380.1278, 380.1280, 380.1282, 380.1283, 380.1284, 380.1300, 380.1311, 380.1321, 380.1351, 380.1356, 380.1421, 380.1422, 380.1451, 380.1531, and 380.1536 of the Michigan Compiled Laws; to add sections 1147a, 1211a, 1300a, 1305, 1602a, and 1727a; and to repeal certain parts of the act.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1 Section 1. Sections 5, 6, 132, 246, 248, 331, 346, 431a,  
 2 483a, 1148, 1204a, 1210, 1211, 1212, 1221, 1230, 1233b, 1247,  
 3 1261, 1277, 1278, 1280, 1282, 1283, 1284, 1300, 1311, 1321, 1351,  
 4 1356, 1421, 1422, 1451, 1531, and 1536 of Act No. 451 of the  
 5 Public Acts of 1976, section 5 as amended by Act No. 263 of the  
 6 Public Acts of 1992, section 6 as amended by Act No. 159 of the  
 7 Public Acts of 1989, section 331 as amended by Act No. 127 of the  
 8 Public Acts of 1990, section 431a as amended by Act No. 71 of the  
 9 Public Acts of 1982, section 483a as added by Act No. 96 of the  
 10 Public Acts of 1981, section 1204a as amended and sections 1233b,

1 1277, 1278, and 1280 as added by Act No. 25 of the Public Acts of  
2 1990, section 1211 as amended by Act No. 236 of the Public Acts  
3 of 1992, section 1221 as amended by Act No. 132 of the Public  
4 Acts of 1986, section 1230 as amended by Act No. 68 of the Public  
5 Acts of 1993, section 1284 as amended by Act No. 143 of the  
6 Public Acts of 1992, section 1321 as amended by Act No. 163 of  
7 the Public Acts of 1990, section 1351 as amended by Act No. 352  
8 of the Public Acts of 1992, section 1356 as amended by Act  
9 No. 118 of the Public Acts of 1983, section 1531 as amended by  
10 Act No. 282 of the Public Acts of 1982, and section 1536 as  
11 amended by Act No. 63 of the Public Acts of 1991, being sections  
12 380.5, 380.6, 380.132, 380.246, 380.248, 380.331, 380.346,  
13 380.431a, 380.483a, 380.1148, 380.1204a, 380.1210, 380.1211,  
14 380.1212, 380.1221, 380.1230, 380.1233b, 380.1247, 380.1261,  
15 380.1277, 380.1278, 380.1280, 380.1282, 380.1283, 380.1284,  
16 380.1300, 380.1311, 380.1321, 380.1351, 380.1356, 380.1421,  
17 380.1422, 380.1451, 380.1531, and 380.1536 of the Michigan  
18 Compiled Laws, are amended and sections 1147a, 1211a, 1300a,  
19 1305, 1602a, and 1727a are added to read as follows:

20       Sec. 5. (1) "Local act school district" or "special act  
21 school district" means a district governed by a special or local  
22 act or chapter of a local act. "Local school district" and  
23 "local school district board" as used in article 3 includes a  
24 local act school district and a local act school district board.

25       (2) "Membership" means the number of full-time equivalent  
26 pupils in a public school as determined by the number of pupils  
27 registered for attendance plus pupils received by transfer and

1 minus pupils lost as defined by rules promulgated by the state  
2 board.

3 (3) "Modified school bus" means a school bus of any age with  
4 a factory installed fuel system that has been modified to operate  
5 on a fuel source other than gasoline or diesel fuel.

6 (4) "Nonpublic school" means a private, denominational, or  
7 parochial school.

8 (5) "Pupil membership count day" of a school district means  
9 THAT TERM AS DEFINED IN SECTION 6 OF THE STATE SCHOOL AID ACT OF  
10 1979, BEING SECTION 388.1606 OF THE MICHIGAN COMPILED LAWS. ~~the~~  
11 ~~fourth Friday following Labor day each school year, except that~~  
12 ~~the membership count day of a school district maintaining school~~  
13 ~~during the entire school year means the following days:~~

- 14 ~~(a) Fourth Friday in July.~~  
15 ~~(b) Fourth Friday in October.~~  
16 ~~(c) Fourth Friday in January.~~  
17 ~~(d) Fourth Friday in April.~~

18 (6) "Pupil transportation vehicle" means any vehicle other  
19 than a school bus used by a school district to transport pupils  
20 to or from school or school-related events.

21 (7) "Rehabilitated school bus" means a bus that is at least  
22 4 years old and has accumulated at least 100,000 miles, or is at  
23 least 7 years old; and that has been thoroughly inspected and had  
24 all systems repaired, replaced, or adjusted to meet the depart-  
25 ment of state police inspection requirements including but not  
26 limited to any of the following:

- 1 (a) Engine overhaul of short block.
- 2 (b) New tires on the front axle.
- 3 (c) New recap tires on the rear axle.
- 4 (d) New brake linings and drums.
- 5 (e) New hydraulic brake lines.
- 6 (f) Front and rear springs.
- 7 (g) New paint in the interior.
- 8 (h) New exhaust system.

9 (8) "Reorganized intermediate school district" means an  
10 intermediate school district formed by consolidation or annexa-  
11 tion of 2 or more intermediate school districts under sections  
12 701 and 702.

13 (9) "Rule" means a rule promulgated pursuant to the adminis-  
14 trative procedures act of 1969, Act No. 306 of the Public Acts  
15 of 1969, as amended, being sections 24.201 to 24.328 of the  
16 Michigan Compiled Laws.

17 Sec. 6. (1) "SCHOOL BUILDING GOVERNING COMMITTEE" MEANS A  
18 SCHOOL BUILDING GOVERNING COMMITTEE ESTABLISHED IN SECTION  
19 1300A.

20 (2) ~~(1)~~ "School bus" means a motor vehicle, other than a  
21 station wagon or passenger van, with a manufacturer's rated seat-  
22 ing capacity of 17 or more pupils used for the transportation of  
23 school pupils to and from school which either is owned by a  
24 school district or, if privately owned, is transporting school  
25 pupils under a contract with a local school district, a local act  
26 school district, or an intermediate school district. As used in  
27 this subsection:

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

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

7 (3) ~~(2)~~ "School district" or "local school district"  
8 means:

9 (a) A primary school district.

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

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

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

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

14 (4) ~~(3)~~ "School elector" means a person qualified as an  
15 elector under section 492 of the Michigan election law, Act No.  
16 116 of the Public Acts of 1954, as amended, being section 168.492  
17 of the Michigan Compiled Laws, and resident of the school dis-  
18 trict, local act school district, or intermediate school district  
19 on or before the thirtieth day before the next ensuing annual or  
20 special school election.

21 (5) ~~(4)~~ "School month" means a 4-week period of 5 days  
22 each unless otherwise specified in the teacher's contract.

23 (6) ~~(5)~~ "Special education building and equipment" means a  
24 structure or portion of a structure or personal property accept-  
25 ed, leased, purchased, or otherwise acquired, prepared, or used  
26 for special education programs and services.

1       (7) ~~(6)~~ "Special education personnel" means persons  
2 engaged in and having professional responsibility for the  
3 training, care, and education of handicapped persons in special  
4 education programs and services including, but not limited to,  
5 teachers, aides, social workers, diagnostic personnel, physical  
6 therapists, occupational therapists, audiologists, teachers of  
7 speech and language, instructional media-curriculum specialists,  
8 mobility specialists, teacher consultants, supervisors, and  
9 directors.

10       (8) ~~(7)~~ "Special education programs and services" means  
11 educational and training services designed for handicappers and  
12 operated by local school districts, local act school districts,  
13 intermediate school districts, the Michigan school for the blind,  
14 the Michigan school for the deaf, the department of mental  
15 health, the department of social services, or a combination  
16 thereof, and ancillary professional services for handicappers  
17 rendered by agencies approved by the state board. The programs  
18 shall include vocational training, but need not include academic  
19 programs of college or university level.

20       (9) ~~(8)~~ "State approved nonpublic school" means a nonpub-  
21 lic school that complies with Act No. 302 of the Public Acts of  
22 1921, as amended, being sections 388.551 to 388.558 of the  
23 Michigan Compiled Laws.

24       (10) ~~(9)~~ "State board" means the state board of education  
25 unless clearly otherwise stated.

26       (11) ~~(10)~~ "Department" means the department of education  
27 created and operating under sections 300 to 305 of the executive

1 organization act of 1965, Act No. 380 of the Public Acts of 1965,  
2 being sections 16.400 to 16.405 of the Michigan Compiled Laws.

3 (12) ~~(11)~~ "State school aid" means allotments from the  
4 general appropriating act for the purpose of aiding in the sup-  
5 port of the public schools of the state.

6 (13) ~~(12)~~ "The state school aid act of 1979" means Act  
7 No. 94 of the Public Acts of 1979, being sections 388.1601 to  
8 388.1772 of the Michigan Compiled Laws.

9 (14) ~~(13)~~ "Type I school bus" means a school bus with a  
10 gross vehicle weight rating of more than 10,000 pounds.

11 (15) ~~(14)~~ "Type II school bus" means a school bus with a  
12 gross vehicle rating of 10,000 pounds or less.

13 (16) ~~(15)~~ "Type I premium school bus" means a school bus  
14 with a passenger capacity of more than 66 pupils and any other  
15 school bus purchased by a district at a cost for the vehicle,  
16 excluding interest and special equipment, that exceeds by more  
17 than 15% the average cost of a school bus meeting state minimum  
18 specifications of the same capacity purchased during the same  
19 year.

20 Sec. 132. (1) The board shall employ a superintendent of  
21 schools if 12 or more teachers are employed. If less than 12  
22 teachers are employed, the board may employ a superintendent of  
23 schools. The superintendent shall possess the qualifications  
24 prescribed in section 1246. The contract with the superintendent  
25 shall be for a term, not to exceed 3 years, fixed by the board.  
26 Notification of nonrenewal of contract shall be given in writing

1 at least 90 days before the contract termination date or the  
2 contract is renewed for an additional 1-year period.

3 (2) The board may employ assistant superintendents, princi-  
4 pals, assistant principals, guidance directors, and other admin-  
5 istrators who do not assume tenure in position, for terms, not to  
6 exceed 3 years, fixed by the board and shall define their  
7 duties. The employment shall be under written contract.

8 Notification of nonrenewal of contract shall be given in writing  
9 at least 60 days before the contract termination date or the con-  
10 tract is renewed for an additional 1-year period.

11 (3) A notification of nonrenewal of contract of a person  
12 described in this section may be given only for a reason that is  
13 not arbitrary or capricious. The board shall not issue a notice  
14 of nonrenewal under this section unless the affected person has  
15 been provided with not less than 30 days' advance notice that the  
16 board is considering the nonrenewal together with a written  
17 statement of the reasons the board is considering the  
18 nonrenewal. After the issuance of the written statement but  
19 before the nonrenewal statement is issued the affected person  
20 shall be given the opportunity to meet with not less than a  
21 majority of the board to discuss the reasons stated in the writ-  
22 ten statement. The meeting shall be open to the public or a  
23 closed session as the affected person elects under section 8 of  
24 THE OPEN MEETINGS ACT, Act No. 267 of the Public Acts of 1976,  
25 being section 15.268 of the Michigan Compiled Laws. The failure  
26 to provide for a meeting with the board or the finding of a court  
27 that the reason for nonrenewal is arbitrary or capricious shall

1 result in the renewal of the affected person's contract for an  
2 additional 1-year period. This subsection does not apply to the  
3 nonrenewal of the contract of a superintendent of schools.

4 (4) ~~The~~ SUBJECT TO SECTION 1300A, THE superintendent OF A  
5 SCHOOL DISTRICT OF THE FOURTH CLASS shall:

6 (a) Recommend in writing teachers necessary for the  
7 schools.

8 (b) Suspend a teacher for cause until the board may consider  
9 the suspension.

10 (c) Supervise and direct the work of the teachers and other  
11 employees of the board.

12 (d) Classify and control the promotion of pupils.

13 (e) Recommend to the board the best methods of arranging the  
14 course of study and the proper textbooks to be used.

15 (f) Make written reports to the board and to the state board  
16 at least once each year in regard to matters pertaining to the  
17 educational interests of the school district.

18 (g) Assist the board in matters pertaining to the general  
19 welfare of the school and perform other duties ~~which~~ THAT the  
20 board requires.

21 (h) Put into practice the educational policies of the state  
22 and of the board within the means provided by the board.

23 Sec. 246. ~~The~~ SUBJECT TO SECTION 1300A, THE board shall:

24 (a) Certify to the treasurer of the school district for pay-  
25 ment from the school funds claims and demands against the board  
26 or district, which shall be allowed by the board under  
27 regulations it establishes.

1 (b) Print and publish immediately after each meeting, in the  
2 manner determined by the board, proceedings of the board at the  
3 meeting.

4 (c) Make and publish annually, at the end of the fiscal  
5 year, in a daily or weekly newspaper of general circulation in  
6 the school district a complete report of receipts and  
7 expenditures.

8 (d) ~~Provide~~ IF CONSIDERED ADVISABLE BY THE BOARD, PROVIDE  
9 adequate facilities for transportation ~~within the school~~  
10 ~~district~~ of pupils from and to their homes. ~~if the board deems~~  
11 ~~it advisable.~~

12 ~~(e) Use money in the general fund or funds received from~~  
13 ~~state appropriations for aid to school districts for the purpose~~  
14 ~~of paying tuition and transportation to another district of resi-~~  
15 ~~dent pupils, even though the grades in which the pupils may be~~  
16 ~~enrolled are maintained within the school district.~~

17 (E) ~~(f)~~ Do anything not inconsistent with this act ~~which~~  
18 THAT is necessary for the proper establishment, maintenance, man-  
19 agement, and carrying on of the public schools of the district.

20 Sec. 248. ~~The~~ SUBJECT TO SECTION 1300A, THE superinten-  
21 dent OF A SCHOOL DISTRICT OF THE SECOND CLASS shall:

22 (a) Recommend in writing teachers necessary for the  
23 schools.

24 (b) Suspend a teacher for cause until the board may consider  
25 the suspension.

26 (c) Supervise and direct the work of the teachers and other  
27 employees of the board.

1 (d) Classify and control the promotion of pupils.

2 (e) Recommend to the board the best methods of arranging the  
3 course of study and the proper textbooks to be used.

4 (f) Make written reports to the board and to the state board  
5 annually and as otherwise required in regard to matters pertain-  
6 ing to the educational interests of the school district.

7 (g) Assist the board in matters pertaining to the general  
8 welfare of the school and perform other duties ~~which~~ THAT the  
9 board ~~may require~~ REQUIRES.

10 (h) Put into practice the educational policies of the state  
11 and of the board in accordance with means provided by the board.

12 Sec. 331. (1) The school district ~~shall be~~ IS a body cor-  
13 porate, governed by a board of education; may sue and be sued;  
14 and may take, hold, lease, sell, and convey real and personal  
15 property, including property outside its corporate limits, and  
16 property received by gift, devise, or bequest, as the interest of  
17 the school district ~~may require~~ REQUIRES. Land outside the  
18 school district shall not be acquired unless approved by a 2/3  
19 vote of members elected to and serving on the board.

20 (2) Tax exemption of the school property ~~shall be~~ IS gov-  
21 erned by section 1141.

22 (3) The school district is the successor of a school corpo-  
23 ration or corporations existing within the limits of the district  
24 and is vested with the title to all property, real and personal,  
25 vested in the school corporation to which it is the successor.  
26 The school district is liable to pay the indebtedness and

1 obligations of the school corporation to which it is the  
2 successor, in the manner and to the extent provided in this act.

3 (4) ~~The~~ SUBJECT TO SECTION 1300A, THE board ~~shall have~~  
4 HAS power to purchase or lease property, erect and maintain or  
5 lease buildings, purchase personal property, employ and pay per-  
6 sons, and do other things in its judgment necessary for the  
7 proper establishment, maintenance, management, and carrying on of  
8 the public schools of the school district and for the protection  
9 of property of the district.

10 (5) The board may retain and employ legal counsel. If an  
11 entire city or township is located within a second class school  
12 district, the city or township attorney, upon request of the  
13 board, shall be the legal advisor of the board and shall repre-  
14 sent it in litigation.

15 (6) ~~The~~ SUBJECT TO SECTION 1300A, THE board may adopt  
16 bylaws and regulations for its own government and for the control  
17 and management of schools, school property, and pupils.

18 (7) The board may provide transportation and adequate facil-  
19 ities for transportation of pupils when and to the extent the  
20 board considers advisable.

21 (8) The board, by resolution, may authorize compensation for  
22 its members, which shall not exceed \$30.00 per meeting, subcom-  
23 mittee meeting, or authorized duty if the duty is related  
24 directly to the member's responsibility as a board member and if  
25 the duty is authorized in advance by the board. A board member  
26 shall not receive compensation for more than a total of 52  
27 meetings, subcommittee meetings, and authorized duties per year

1 unless the majority of the board votes to remove this  
2 limitation.

3 (9) A board member who wishes to increase the compensation  
4 per meeting of the board pursuant to subsection (8) shall intro-  
5 duce a resolution to that effect at a regularly scheduled meeting  
6 of the board. A public hearing on the merit of the resolution  
7 shall be held at the next regularly scheduled meeting of the  
8 board, and the board shall not vote on the resolution until after  
9 allowing for public testimony.

10 (10) An action of the board involving an incurrence of pecu-  
11 niary liabilities or expenditure of money shall be by yea and nay  
12 vote entered at large upon the record.

13 Sec. 346. (1) The board OF A SECOND CLASS SCHOOL DISTRICT  
14 by written contract shall appoint and employ a suitable person,  
15 not a member of the board, as superintendent of schools who shall  
16 meet the requirements prescribed in section 1246, and who shall  
17 hold office for a term established in the contract, but not to  
18 exceed 5 years. The contract shall prescribe the salary of the  
19 superintendent and may provide for an annual revision of salary.  
20 During the period of employment, SUBJECT TO SECTION 1300A, the  
21 superintendent shall have the executive management and adminis-  
22 trative control of the school system, under the policies adopted  
23 by the board. Notification of nonrenewal of contract shall be  
24 given in writing at least 90 days before the contract termination  
25 date or the contract is renewed for an additional 1-year period.

26 (2) The board may appoint a suitable person, not a member of  
27 the board, as fiscal agent, directly responsible to it, for a

1 period not to exceed 3 years and, SUBJECT TO SECTION 1300A,  
2 delegate to the fiscal agent rather than to the superintendent  
3 that part of the management and control of purchases, contracts,  
4 and other business matters the board determines in its  
5 regulations. The employment shall be under written contract.  
6 Notification of nonrenewal of contract shall be given in writing  
7 at least 60 days before the contract termination date or the con-  
8 tract is renewed for an additional 1-year period.

9 (3) Subject to the approval of the board, the superintendent  
10 may employ and fix the salaries of administrative assistants,  
11 including a fiscal agent if not appointed by the board, as the  
12 superintendent determines. Administrative assistants shall serve  
13 under and be responsible to the superintendent. The employment  
14 shall be under written contract. Notification of nonrenewal of  
15 contract shall be given in writing at least 60 days before the  
16 contract termination date or the contract is renewed for an addi-  
17 tional 1-year period.

18 (4) The board may employ assistant superintendents, princi-  
19 pals, assistant principals, guidance directors, and other admin-  
20 istrators who do not assume tenure in position for terms, not to  
21 exceed 3 years, fixed by the board and shall define their  
22 duties. The employment shall be under written contract.  
23 Notification of nonrenewal of contract shall be given in writing  
24 at least 60 days before the contract termination date or the con-  
25 tract is renewed for an additional 1-year period.

26 (5) A notification of nonrenewal of a contract of a person  
27 described in this section may be given only for a reason that is

1 not arbitrary or capricious. The board shall not issue a notice  
2 of nonrenewal under this section unless the affected person has  
3 been provided with not less than 30 days' advance notice that the  
4 board is considering the nonrenewal together with a written  
5 statement of the reasons the board is considering the  
6 nonrenewal. After the issuance of the written statement but  
7 before the nonrenewal statement is issued the affected person  
8 shall be given the opportunity to meet with not less than a  
9 majority of the board to discuss the reasons stated in the writ-  
10 ten statement. The meeting shall be open to the public or a  
11 closed session as the affected person elects under section 8 of  
12 THE OPEN MEETINGS ACT, Act No. 267 of the Public Acts of 1976.  
13 The failure to provide for a meeting with the board or the find-  
14 ing of a court that the reason for nonrenewal is arbitrary or  
15 capricious shall result in the renewal of the affected person's  
16 contract for an additional 1-year period. This subsection does  
17 not apply to the nonrenewal of the contract of a superintendent  
18 of schools.

19       Sec. 431a. (1) The first class school district board may  
20 take, use, hold, lease, sell, and convey real and personal prop-  
21 erty, including property received by gift, devise, or bequest,  
22 for the use of the public school within and without its corporate  
23 limits. Proceeds from the sale of real property shall be cred-  
24 ited to accounts of the school district as provided in section  
25 1262. The first class school district board ~~shall have the~~  
26 ~~power to~~ MAY purchase, lease, and take by the right of eminent  
27 domain all property; erect and maintain or lease all buildings;

1 employ and pay all persons; and, SUBJECT TO SECTION 1300A, do all  
2 other things in its judgment necessary for the proper establish-  
3 ment and management of the public schools.

4 (2) ~~The~~ SUBJECT TO SECTION 1300A, THE first class school  
5 district board shall adopt and revise as appropriate bylaws and  
6 regulations for its own government and for the control and gov-  
7 ernment of all schools, school property, and pupils in the first  
8 class school district.

9 (3) If property is sought to be taken by eminent domain,  
10 proceedings may be brought under Act No. 149 of the Public Acts  
11 of 1911, as amended, being sections 213.21 to 213.41 of the  
12 Michigan Compiled Laws, or THE UNIFORM CONDEMNATION PROCEDURES  
13 ACT, Act No. 87 of the Public Acts of 1980, as amended, being  
14 sections 213.51 to 213.77 of the Michigan Compiled Laws.

15 Sec. 483a. (1) ~~The~~ SUBJECT TO SECTION 1300A, THE first  
16 class school district board shall perform the following  
17 functions:

18 (a) Central purchasing.

19 (b) Payroll.

20 (c) Employment, discharge, assignment, and promotion of  
21 teachers and other employees of the district.

22 (d) Contract negotiations for all employees, subject to Act  
23 No. 336 of the Public Acts of 1947, as amended, being sections  
24 423.201 to 423.216 of the Michigan Compiled Laws, and subject to  
25 bargaining certification and the collective bargaining agreement  
26 pertaining to affected employees.

1 (e) Property management and maintenance and the use of  
2 educational facilities.

3 (f) Bonding.

4 (g) Special education programs.

5 (h) Allocation of funds for capital outlay and operations.

6 (i) Determination of the curriculum and the establishment of  
7 educational and testing programs.

8 (j) Adoption of a budget.

9 (2) All powers and duties formerly vested in the regional  
10 boards are transferred to the first class school board.

11 SEC. 1147A. (1) SUBJECT TO SUBSECTION (2), A SCHOOL-AGE  
12 CHILD RESIDING IN MICHIGAN MAY ATTEND ANY PUBLIC SCHOOL IN THE  
13 STATE OFFERING THE APPROPRIATE GRADE LEVEL FOR THE CHILD. THE  
14 BOARD OF A SCHOOL DISTRICT SHALL NOT INTERFERE WITH THE RIGHT  
15 UNDER THIS SECTION OF A SCHOOL-AGE CHILD RESIDING WITHIN ITS TER-  
16 RITORY TO ATTEND SCHOOL OUTSIDE THE SCHOOL DISTRICT BOUNDARIES OR  
17 TO CHANGE HIS OR HER SCHOOL OF ENROLLMENT DURING THE SCHOOL  
18 YEAR.

19 (2) SUBJECT TO SUBSECTION (6), THE BOARD OF A SCHOOL DIS-  
20 TRICT, BY ANNUAL RESOLUTION, MAY DECIDE NOT TO ENROLL SCHOOL-AGE  
21 CHILDREN NOT RESIDING IN THE SCHOOL DISTRICT IN ALL OR CERTAIN  
22 SPECIFIED SCHOOLS OR GRADES OF THE SCHOOL DISTRICT. IF THE BOARD  
23 OF A SCHOOL DISTRICT ADOPTS A RESOLUTION DESCRIBED IN THIS SUB-  
24 SECTION, THE SCHOOL DISTRICT SHALL NOT ENROLL ANY SCHOOL-AGE  
25 CHILDREN NOT RESIDING WITHIN THE SCHOOL DISTRICT IN A SCHOOL  
26 SPECIFIED IN THE RESOLUTION.

1 (3) IF A SCHOOL DISTRICT DOES NOT ADOPT A RESOLUTION  
2 DESCRIBED IN SUBSECTION (2), OR IF THE RESOLUTION DOES NOT  
3 INCLUDE ALL OF THE SCHOOLS OF THE SCHOOL DISTRICT, THE SCHOOL  
4 DISTRICT SHALL PROVIDE AN OPEN ENROLLMENT OPPORTUNITY FOR NONRES-  
5 IDENT SCHOOL-AGE CHILDREN IN EACH SCHOOL OR GRADE NOT COVERED BY  
6 A RESOLUTION. THE MAXIMUM NUMBER OF NONRESIDENT SCHOOL-AGE CHIL-  
7 DREN TO BE ENROLLED UNDER OPEN ENROLLMENT IN A PARTICULAR SCHOOL  
8 OR GRADE SHALL BE DETERMINED BY THE BOARD OF THE SCHOOL  
9 DISTRICT.

10 (4) IF THE NUMBER OF CHILDREN SEEKING TO ENROLL IN A SCHOOL  
11 OR GRADE EXCEEDS THE OPEN ENROLLMENT AVAILABILITY IN THE SCHOOL  
12 OR GRADE, THE BOARD OF THE SCHOOL DISTRICT SHALL ENSURE THAT  
13 CHILDREN ARE SELECTED ON A RANDOM BASIS FOR ENROLLMENT IN THE  
14 SCHOOL OR GRADE. HOWEVER, ENROLLMENT PRIORITY MAY BE GIVEN TO A  
15 SIBLING OF A PUPIL ENROLLED IN THE SCHOOL.

16 (5) NEITHER A SCHOOL DISTRICT PROVIDING AN OPEN ENROLLMENT  
17 OPPORTUNITY UNDER SUBSECTION (3) NOR THE PUPIL'S SCHOOL DISTRICT  
18 OF RESIDENCE IS REQUIRED TO PROVIDE TRANSPORTATION TO A PUPIL WHO  
19 ENROLLS UNDER THE OPEN ENROLLMENT, BUT EITHER OF THEM MAY PROVIDE  
20 TRANSPORTATION TO SUCH A PUPIL AND USE SCHOOL DISTRICT OPERATING  
21 FUNDS FOR THE TRANSPORTATION, INCLUDING TRANSPORTATION WITHIN THE  
22 BOUNDARIES OF ANOTHER SCHOOL DISTRICT.

23 (6) BEFORE DECIDING WHETHER OR NOT TO ENROLL SCHOOL-AGE  
24 CHILDREN NOT RESIDING IN THE SCHOOL DISTRICT IN ALL OR SPECIFIED  
25 SCHOOLS OR GRADES OF THE SCHOOL DISTRICT, THE BOARD OF A SCHOOL  
26 DISTRICT SHALL CONSIDER WHETHER THAT ENROLLMENT WOULD RESULT IN  
27 UNLAWFUL DISCRIMINATION UNDER STATE OR FEDERAL CIVIL RIGHTS LAW

1 AND WHETHER DECIDING NOT TO ALLOW THAT ENROLLMENT WOULD RESULT IN  
2 UNLAWFUL DISCRIMINATION UNDER STATE OR FEDERAL CIVIL RIGHTS LAW,  
3 AND THE BOARD SHALL NOT ACT IN A WAY THAT WOULD RESULT IN SUCH  
4 UNLAWFUL DISCRIMINATION. IN ADDITION, IF A SCHOOL DISTRICT IS  
5 SUBJECT TO A COURT-ORDERED DESEGREGATION PLAN, THE SCHOOL DIS-  
6 TRICT SHALL SEEK COURT APPROVAL FOR PARTICIPATION IN OPEN ENROLL-  
7 MENT UNDER THIS SECTION, AND THE SCHOOL DISTRICT'S DUTIES UNDER  
8 THIS SECTION ARE SUBJECT TO COURT APPROVAL.

9 (7) IF A SCHOOL DISTRICT OR SCHOOL IS NOT IN COMPLIANCE WITH  
10 SECTIONS 1204A, 1277, 1278, AND 1280, COMMONLY REFERRED TO AS  
11 "PUBLIC ACT 25 OF 1990", AND THE SCHOOL DISTRICT OR SCHOOL IS  
12 PROVIDING AN OPEN ENROLLMENT OPPORTUNITY UNDER SUBSECTION (3),  
13 THE SCHOOL DISTRICT OR SCHOOL SHALL NOTIFY THE PARENT OR LEGAL  
14 GUARDIAN OF A NONRESIDENT CHILD OF THAT NONCOMPLIANCE BEFORE  
15 ENROLLING THE CHILD.

16 (8) AS USED IN THIS SECTION, "SCHOOL-AGE CHILD" MEANS A  
17 CHILD WHO IS AT LEAST 6 YEARS OF AGE ON DECEMBER 1 OF THE PARTIC-  
18 ULAR SCHOOL YEAR AND WHO IS NOT OLDER THAN 18 YEARS OF AGE AS OF  
19 THE FIRST DAY OF THE PARTICULAR SCHOOL YEAR OR, FOR AN INDIVIDUAL  
20 WHO QUALIFIES FOR SPECIAL EDUCATION PROGRAMS AND SERVICES, WHO IS  
21 NOT OLDER THAN 26 YEARS OF AGE. FOR PURPOSES OF ENROLLING IN  
22 KINDERGARTEN, A CHILD WHO IS AT LEAST 5 YEARS OF AGE ON  
23 DECEMBER 1 OF THE PARTICULAR SCHOOL YEAR IS A SCHOOL-AGE CHILD.

24 Sec. 1148. Except as provided in section 1711, a child  
25 placed under the order or direction of a court or child placing  
26 agency in a licensed home, or a child whose parents or legal  
27 guardians are unable to provide a home for the child and who is

1 placed in a licensed home or in a home of relatives in the school  
 2 district for the purpose of securing a suitable home for the  
 3 child ~~and not for an educational purpose, shall be~~ IS consid-  
 4 ered a resident for education purposes of the school district  
 5 where the home in which the child is living is located. ~~The~~  
 6 ~~child shall be admitted to the school in the district.~~

7       Sec. 1204a. (1) ~~The~~ IF THE board of a school district  
 8 ~~that does not want to forfeit a percentage of the school~~  
 9 ~~district's state school aid as described in section 19 of the~~  
 10 ~~state school aid act of 1979, Act No. 94 of the Public Acts of~~  
 11 ~~1979, being section 388.1619 of the Michigan Compiled Laws, or~~  
 12 ~~that wants to receive and is eligible for additional state school~~  
 13 ~~aid for quality programs as provided in sections 21(1) and 21a of~~  
 14 ~~the state school aid act of 1979, being sections 388.1621 and~~  
 15 ~~388.1621a of the Michigan Compiled Laws, shall prepare, make~~  
 16 ~~available to the state board and the public,~~ WANTS ALL OF ITS  
 17 SCHOOLS TO BE ACCREDITED UNDER SECTION 1280, THE BOARD SHALL PRE-  
 18 PARE AND SUBMIT TO THE STATE BOARD NOT LATER THAN SEPTEMBER 1  
 19 EACH YEAR, and SHALL provide that each school in the school dis-  
 20 trict distributes to the public at an open meeting NOT LATER THAN  
 21 OCTOBER 15 EACH YEAR, an annual educational report. The annual  
 22 educational report shall include, but is not limited to, all of  
 23 the following information for each public school in the school  
 24 district:

25       (a) The accreditation status of each school within the  
 26 school district, the process by which pupils are assigned to

1 particular schools, and a description of each specialized  
2 school.

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

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

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

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

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

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

26 (H) THE MICHIGAN SCHOOL REPORT PUBLISHED BY THE DEPARTMENT  
27 FOR THE SCHOOL.

1 (2) ~~Within 90 days after the effective date of the~~  
2 ~~amendatory act that added this section~~ NOT LATER THAN JUNE 11,  
3 1990, the state board shall prepare and make available to school  
4 districts suggestions for accumulating the information listed in  
5 subsection (1) and a model ANNUAL educational report for school  
6 districts to consider in the implementation of this section.

7 Sec. 1210. The board of a school district, other than a  
8 primary school district, OR A SCHOOL BUILDING GOVERNING COMMITTEE  
9 may receive by assignment, conveyance, gift, device, or bequest,  
10 real or personal property, or an interest therein, for use in  
11 maintaining scholarships or for other educational purposes. The  
12 board OR COMMITTEE may act as trustee or custodian of the prop-  
13 erty which shall be used by the board OR SCHOOL BUILDING GOVERN-  
14 ING COMMITTEE solely for the educational purposes for which it  
15 was assigned, conveyed, given, devised, or bequeathed, whether by  
16 way of trust or otherwise. The treasurer of the board may give  
17 bond to insure proper administration of the property.

18 Sec. 1211. (1) ~~Subject to section 753,~~ BEGINNING  
19 JANUARY 1, 1994, the board of a school district ~~shall vote to~~  
20 THAT HAD COMBINED STATE AND LOCAL REVENUE PER MEMBERSHIP PUPIL  
21 FOR THE SCHOOL FISCAL YEAR ENDING IN 1994 OF MORE THAN \$6,500.00  
22 MAY levy PREVIOUSLY AUTHORIZED PROPERTY taxes ~~necessary~~ for  
23 school operating purposes to conduct the educational programs  
24 authorized by the board AT A RATE NOT TO EXCEED THE NUMBER OF  
25 MILLS REQUIRED FOR THE SCHOOL DISTRICT'S COMBINED STATE AND LOCAL  
26 REVENUE PER MEMBERSHIP PUPIL FOR THE SCHOOL FISCAL YEAR ENDING IN  
27 1995 TO EQUAL 101% OF THE SCHOOL DISTRICT'S COMBINED STATE AND

1 LOCAL REVENUE PER MEMBERSHIP PUPIL FOR THE SCHOOL FISCAL YEAR  
2 ENDING IN 1994. ~~A vote under this subsection to levy operating~~  
3 ~~millage greater than the millage allocated to the school district~~  
4 ~~under section 5i or 11 of the property tax limitation act, Act~~  
5 ~~No. 62 of the Public Acts of 1933, being sections 211.205i and~~  
6 ~~211.211 of the Michigan Compiled Laws, shall be considered a vote~~  
7 ~~to comply with section 753.~~ ALL OR PART OF THE MILLAGE LEVIED  
8 UNDER THIS SECTION MAY BE RENEWED WITH THE APPROVAL OF THE SCHOOL  
9 ELECTORS. HOWEVER, IF THE DEPARTMENT OF TREASURY DETERMINES THAT  
10 THE PERCENTAGE INCREASE FROM 1 SCHOOL FISCAL YEAR TO THE NEXT IN  
11 A SCHOOL DISTRICT'S COMBINED STATE AND LOCAL REVENUE PER MEMBER-  
12 SHIP PUPIL FOR A PARTICULAR SCHOOL FISCAL YEAR AFTER 1994-95  
13 EXCEEDS THE PERCENTAGE INCREASE IN THE GENERAL PRICE LEVEL IN THE  
14 IMMEDIATELY PRECEDING CALENDAR YEAR, THE NUMBER OF MILLS THE  
15 SCHOOL DISTRICT MAY LEVY UNDER THIS SECTION SHALL BE REDUCED TO  
16 LIMIT THE PERCENTAGE INCREASE IN THE SCHOOL DISTRICT'S COMBINED  
17 STATE AND LOCAL REVENUE PER MEMBERSHIP PUPIL TO THE SAME PERCENTAGE  
18 AS THE PERCENTAGE INCREASE IN THE GENERAL PRICE LEVEL IN THE  
19 IMMEDIATELY PRECEDING CALENDAR YEAR.

20 (2) IF A SCHOOL DISTRICT LEVIES MILLAGE FOR SCHOOL OPERATING  
21 PURPOSES THAT IS IN EXCESS OF THE LIMITS OF THIS SECTION, THE  
22 AMOUNT OF THE RESULTING EXCESS TAX REVENUE SHALL BE DEDUCTED FROM  
23 THE SCHOOL DISTRICT'S NEXT REGULAR TAX LEVY.

24 (3) IF A SCHOOL DISTRICT LEVIES MILLAGE FOR SCHOOL OPERATING  
25 PURPOSES THAT IS LESS THAN THE LIMITS OF THIS SECTION, THE BOARD  
26 OF THE SCHOOL DISTRICT MAY LEVY AT THE SCHOOL DISTRICT'S NEXT

1 REGULAR TAX LEVY AN ADDITIONAL NUMBER OF MILLS NOT TO EXCEED THE  
2 ADDITIONAL MILLAGE NEEDED TO MAKE UP THE SHORTFALL.

3 (4) ~~(2)~~ As used in this section: ~~,"school"~~

4 (A) "COMBINED STATE AND LOCAL REVENUE PER MEMBERSHIP PUPIL"  
5 MEANS THAT TERM AS DEFINED IN SECTION 20 OF THE STATE SCHOOL AID  
6 ACT OF 1979, BEING SECTION 388.1620 OF THE MICHIGAN COMPILED  
7 LAWS.

8 (B) "GENERAL PRICE LEVEL" MEANS THAT TERM AS DEFINED IN SEC-  
9 TION 33 OF ARTICLE IX OF THE STATE CONSTITUTION OF 1963.

10 (C) "MEMBERSHIP" MEANS THAT TERM AS DEFINED IN SECTION 6 OF  
11 THE STATE SCHOOL AID ACT OF 1979, BEING SECTION 388.1606 OF THE  
12 MICHIGAN COMPILED LAWS.

13 (D) "SCHOOL operating purposes" includes expenditures for  
14 furniture and equipment, for alterations necessary to maintain  
15 school facilities in a safe and sanitary condition, for funding  
16 the cost of energy conservation improvements in school facili-  
17 ties, for deficiencies in operating expenses for the preceding  
18 year, AND for paying the operating allowance due from the school  
19 district to a joint high school district in which the school dis-  
20 trict is a participating school district under part 3a. ~~and~~  
21 ~~for making payments required or permitted to be paid under sec-~~  
22 ~~tion 752 or 753.~~ TAXES LEVIED FOR SCHOOL OPERATING PURPOSES DO  
23 NOT INCLUDE ANY OF THE FOLLOWING:

24 (i) TAXES LEVIED UNDER SECTION 1602A FOR OPERATING A COMMU-  
25 NITY COLLEGE UNDER PART 25.

26 (ii) TAXES LEVIED UNDER SECTION 1212.

1 (iii) TAXES LEVIED UNDER SECTION 1356(4) FOR ELIMINATING AN  
2 OPERATING DEFICIT.

3 (iv) TAXES LEVIED FOR OPERATION OF A LIBRARY UNDER SECTION  
4 1451 THAT WERE NOT INCLUDED IN THE OPERATING MILLAGE REPORTED BY  
5 THE DISTRICT TO THE DEPARTMENT AS OF APRIL 1, 1993.

6 (v) TAXES PAID BY A SCHOOL DISTRICT OF THE FIRST CLASS TO A  
7 PUBLIC LIBRARY COMMISSION PURSUANT TO SECTION 11(D) OF THE PROP-  
8 ERTY TAX LIMITATION ACT, ACT NO. 62 OF THE PUBLIC ACTS OF 1933,  
9 BEING SECTION 211.211 OF THE MICHIGAN COMPILED LAWS.

10 SEC. 1211A. NOT LATER THAN JUNE 15, 1994 THE DEPARTMENT OF  
11 TREASURY SHALL CERTIFY EACH SCHOOL DISTRICT'S COMBINED STATE AND  
12 LOCAL REVENUE PER MEMBERSHIP PUPIL, AS DEFINED IN SECTION 1211  
13 FOR THE SCHOOL FISCAL YEAR ENDING IN 1994, AND NOT LATER THAN  
14 JULY 1, 1994 THE DEPARTMENT OF TREASURY SHALL CERTIFY THE NUMBER  
15 OF MILLS THE SCHOOL DISTRICT MAY LEVY BEGINNING IN 1994 UNDER  
16 SECTION 1211(1). THE DEPARTMENT OF EDUCATION SHALL PROVIDE TO  
17 THE DEPARTMENT OF TREASURY ALL INFORMATION NECESSARY FOR THE  
18 DEPARTMENT OF TREASURY TO MAKE THE CERTIFICATIONS UNDER THIS  
19 SECTION. IF A SCHOOL DISTRICT DOES NOT CHALLENGE THE DEPARTMENT  
20 OF TREASURY'S CERTIFICATION UNDER THIS SECTION BY JULY 7, 1994,  
21 THE DETERMINATIONS CONTAINED IN THE CERTIFICATION ARE PRESUMED TO  
22 BE CORRECT.

23 Sec. 1212. (1) ~~The~~ IF APPROVED BY THE SCHOOL ELECTORS OF  
24 THE SCHOOL DISTRICT, THE board of a school district may levy a  
25 tax of not to exceed 5 mills on the state equalized valuation of  
26 the school district each year for a period of not to exceed 20  
27 years, for the purpose of creating a sinking fund to be used for

1 the purchase of real estate for sites for, and the construction  
2 OR RENOVATION EQUALING AT LEAST 10% OF THE REPLACEMENT VALUE OF  
3 THE BUILDING OR \$500,000.00, WHICHEVER IS GREATER, or repair of,  
4 school buildings. HOWEVER, A SINKING FUND TAX APPROVED BY THE  
5 SCHOOL ELECTORS UNDER THIS SECTION AFTER JUNE 15, 1993, SHALL NOT  
6 BE USED FOR REPAIR OF SCHOOL BUILDINGS. The sinking fund tax levy  
7 ~~shall be~~ IS subject to the 15 mill tax limitation provisions of  
8 section 6 ~~7~~ OF article ~~9~~ IX of the state constitution of 1963  
9 and THE PROPERTY TAX LIMITATION ACT, Act No. 62 of the Public  
10 Acts of 1933, as amended, being sections 211.201 to 211.217a of  
11 the Michigan Compiled Laws. A SCHOOL DISTRICT THAT LEVIES A  
12 SINKING FUND TAX UNDER THIS SECTION SHALL HAVE AN INDEPENDENT  
13 AUDIT OF ITS SINKING FUND CONDUCTED ANNUALLY, INCLUDING A REVIEW  
14 OF THE USES OF THE SINKING FUND, AND SHALL SUBMIT THE AUDIT  
15 REPORT TO THE DEPARTMENT OF TREASURY. IF THE DEPARTMENT OF TREA-  
16 SURY DETERMINES FROM THE AUDIT REPORT THAT THE SINKING FUND HAS  
17 BEEN USED FOR A PURPOSE OTHER THAN THOSE AUTHORIZED FOR THE SINK-  
18 ING FUND UNDER THIS SECTION, THE SCHOOL DISTRICT SHALL REPAY THE  
19 MISUSED FUNDS TO THE SINKING FUND FROM THE SCHOOL DISTRICT'S  
20 OPERATING FUNDS AND SHALL NOT LEVY A SINKING FUND TAX UNDER THIS  
21 SECTION AFTER THE DATE THE DEPARTMENT OF TREASURY MAKES THAT  
22 DETERMINATION.

23 (2) The proposition of levying a sinking fund tax shall be  
24 submitted to the school electors of the school district at an  
25 annual or special meeting or election.

1 (3) The question of levying taxes for the purpose of  
 2 creating a sinking fund shall be by ballot in substantially the  
 3 following form:

4 "Shall \_\_\_\_\_ levy \_\_\_\_\_ mills  
 5 (legal name of school district)

6 to create a sinking fund for the purpose of \_\_\_\_\_  
 7 \_\_\_\_\_

8 for a period of \_\_\_\_\_ years?

9 Yes ( )

10 No ( )"

11 Sec. 1221. (1) The treasurer of a board of a school dis-  
 12 trict shall deposit the funds of the SCHOOL district OR OF A  
 13 SCHOOL OF THE SCHOOL DISTRICT in a bank, savings and loan associ-  
 14 ation, or credit union having its principal office in this state  
 15 or in a joint investment authorized by section 1223. The deposit  
 16 shall be made in the name of the treasurer as an officer of the  
 17 school district. The board shall designate a depository or  
 18 depositories in which the funds of the school district shall be  
 19 deposited. The treasurer shall deposit funds of the school dis-  
 20 trict in 1 or more depositories in the proportion and manner  
 21 determined by the board.

22 (2) Notwithstanding subsection (1), additional funds of a  
 23 school district shall not be deposited or invested in a bank,  
 24 savings and loan association, or credit union ~~which~~ THAT is not  
 25 eligible to be a depository of surplus funds belonging to this  
 26 state under section 5 or 6 of Act No. 105 of the Public Acts of  
 27 1855, being sections 21.145 and 21.146 of the Michigan Compiled  
 28 Laws.

1 (3) As used in this section, "deposit" includes purchases of  
2 or investment in shares of a credit union.

3 Sec. 1230. (1) Beginning with hiring for the 1993-94 school  
4 year and subject to subsections (2), (4), and (5), upon an offer  
5 of initial employment being made by the board of a school dis-  
6 trict, local act school district, or intermediate school district  
7 or the governing body of a CHARTER PUBLIC SCHOOL OR nonpublic  
8 school to an individual for a position as a teacher or a school  
9 administrator or for a position requiring state board approval,  
10 the district, CHARTER PUBLIC SCHOOL, or nonpublic school shall  
11 request from the criminal records division of the department of  
12 state police a criminal history check on the individual and,  
13 before employing the individual as a regular employee, shall have  
14 received from the department of state police the report described  
15 in subsection (8).

16 (2) If the board of a school district, local act school dis-  
17 trict, or intermediate school district or the governing body of a  
18 CHARTER PUBLIC SCHOOL OR nonpublic school determines it necessary  
19 to employ an individual for a position described in  
20 subsection (1) for a particular school year during that school  
21 year or within 30 days before the beginning of that school year,  
22 the board or governing body may employ the individual as a condi-  
23 tional employee under this subsection without first receiving the  
24 report described in subsection (8) if all of the following  
25 apply:

1 (a) The board or governing body requests the criminal  
2 history check required under subsection (1) before conditionally  
3 employing the individual.

4 (b) The individual signs a statement that identifies all  
5 crimes for which he or she has been convicted, if any, and agree-  
6 ing that, if the report described in subsection (8) is not the  
7 same as the individual's statement, his or her employment con-  
8 tract will be voidable at the option of the board or governing  
9 body. Not later ~~than 30 days after the effective date of the~~  
10 ~~amendatory act that added this subsection~~ JULY 28, 1993, the  
11 department shall develop and distribute to districts and nonpub-  
12 lic schools a model form for the statement required under this  
13 subdivision. THE DEPARTMENT SHALL MAKE THE MODEL FORM AVAILABLE  
14 TO CHARTER PUBLIC SCHOOLS. A district, CHARTER PUBLIC SCHOOL, or  
15 nonpublic school shall use the model form for the purposes of  
16 this subsection.

17 (3) If an individual is employed as a conditional employee  
18 under subsection (2) and the report described in subsection (8)  
19 is not the same as the individual's statement under subsection  
20 (2), the board or governing body may void the individual's  
21 employment contract. If an employment contract is voided under  
22 this subsection, the individual's employment is terminated, a  
23 collective bargaining agreement that would otherwise apply to the  
24 individual's employment does not apply to the termination, and  
25 the district, CHARTER PUBLIC SCHOOL, or nonpublic school or the  
26 board or governing body is not liable for the termination.

1 (4) For an applicant for a position as a substitute teacher,  
2 instead of requesting a criminal history check under  
3 subsection (1), a school district, local act school district,  
4 intermediate school district, CHARTER PUBLIC SCHOOL, or nonpublic  
5 school may use a report received by another district, CHARTER  
6 PUBLIC SCHOOL, or ~~intermediate district~~ NONPUBLIC SCHOOL or  
7 maintained by the department to confirm that the individual does  
8 not have any criminal history. If that confirmation is not  
9 available, subsection (1) applies to an applicant for a position  
10 as a substitute teacher.

11 (5) If an applicant for a position described in  
12 subsection (1) is being considered for employment in such a posi-  
13 tion by more than 1 school district, local act school district,  
14 intermediate school district, CHARTER PUBLIC SCHOOL, or nonpublic  
15 school and if the applicant agrees in writing to allow a  
16 district, CHARTER PUBLIC SCHOOL, or nonpublic school to share the  
17 report described in subsection (8) with another district, CHARTER  
18 PUBLIC SCHOOL, or nonpublic school, a district, CHARTER PUBLIC  
19 SCHOOL, or nonpublic school may satisfy the requirements of  
20 subsection (1) by obtaining a copy of the report described in  
21 subsection (8) from another district, CHARTER PUBLIC SCHOOL, or  
22 nonpublic school.

23 (6) An applicant for a position described in subsection (1)  
24 shall give written consent at the time of application for the  
25 criminal records division of the department of state police to  
26 conduct the criminal history check required under this section.

1 (7) A school district, local act school district, ~~or~~  
2 intermediate school district, CHARTER PUBLIC SCHOOL, or ~~a~~  
3 nonpublic school shall make a request to the criminal records  
4 division of the department of state police for a criminal history  
5 check required under this section on a form and in a manner pre-  
6 scribed by the criminal records division of the department of  
7 state police.

8 (8) Within 30 days after receiving a proper request by a  
9 school district, local act school district, ~~or~~ intermediate  
10 school district, CHARTER PUBLIC SCHOOL, or ~~a~~ nonpublic school  
11 for a criminal history check on an applicant under this section,  
12 the criminal records division of the department of state police  
13 shall conduct the criminal history check and, after conducting  
14 the criminal history check and within that time period, provide a  
15 report of the results of the criminal history check to the  
16 district, CHARTER PUBLIC SCHOOL, or nonpublic school. The report  
17 shall contain any criminal history record information on the  
18 applicant maintained by the criminal records division of the  
19 department of state police.

20 (9) Criminal history record information received from the  
21 criminal records division of the department of state police under  
22 subsection (8) shall be used by a school district, local act  
23 school district, ~~or~~ intermediate school district, CHARTER  
24 PUBLIC SCHOOL, or ~~a~~ nonpublic school only for the purpose of  
25 evaluating an applicant's qualifications for employment in the  
26 position for which he or she has applied and for the purposes of  
27 subsection (3). A member of the board of a district or of the

1 governing body of a CHARTER PUBLIC SCHOOL OR nonpublic school or  
2 an employee of a district, CHARTER PUBLIC SCHOOL, or nonpublic  
3 school shall not disclose the report or its contents except any  
4 felony conviction or a misdemeanor conviction involving sexual or  
5 physical abuse to any person who is not directly involved in  
6 evaluating the applicant's qualifications for employment.  
7 However, for the purposes of subsection (4), a person described  
8 in this subsection may confirm to an employee of another  
9 district, CHARTER PUBLIC SCHOOL, or nonpublic school that a  
10 report under subsection (8) has revealed that an individual does  
11 not have any criminal history or may disclose that no report  
12 under subsection (8) has been received concerning the individu-  
13 al, and for the purposes of subsection (5), a person described in  
14 this subsection may provide a copy of the report under  
15 subsection (8) concerning the individual to an appropriate repre-  
16 sentative of another district, CHARTER PUBLIC SCHOOL, or nonpub-  
17 lic school. A person who violates this subsection is guilty of a  
18 misdemeanor punishable by a fine of not more than \$10,000.00, but  
19 is not subject to the penalties under section 1804.

20 (10) As used in this section:

21 (a) "Criminal history record information" means that term as  
22 defined in section 1a of Act No. 289 of the Public Acts of 1925,  
23 being section 28.241a of the Michigan Compiled Laws.

24 (b) "State board approval" means that term as defined in  
25 section 1539b.

26 Sec. 1233b. (1) ~~Except as provided in~~ SUBJECT TO  
27 subsection ~~(3)~~ (4), the board of a ~~local~~ SCHOOL DISTRICT or

1 intermediate school district OR THE GOVERNING BODY OF A CHARTER  
2 PUBLIC SCHOOL may engage a full-time or part-time noncertifi-  
3 cated, nonendorsed teacher QUALIFIED UNDER THIS SECTION to teach  
4 ~~a course in computer science, a foreign language, mathematics,~~  
5 ~~biology, chemistry, engineering, physics, robotics, or any combi-~~  
6 ~~nation of these subject areas~~ in grades 9 through 12.

7 (2) Subject to subsection ~~(3)~~ (4), a noncertificated, non-  
8 endorsed teacher is qualified to teach pursuant to this section  
9 if he or she meets all of the following minimum requirements:

10 (a) Possesses an earned bachelor's degree from an accredited  
11 postsecondary institution.

12 (b) Has a major or a graduate degree in the field of spe-  
13 cialization in which he or she will teach.

14 (c) If the teacher desires to teach for more than 1 year,  
15 has passed both a basic skills examination and a subject area  
16 examination, if a subject area examination exists, in the field  
17 of specialization in which he or she will teach.

18 (d) Except in the case of persons engaged to teach a foreign  
19 language, has not less than ~~2~~ 5 years of occupational  
20 experience in the field of specialization in which he or she will  
21 teach.

22 ~~(3) The requirements listed in subsection (2) for a teacher~~  
23 ~~engaged to teach pursuant to this section shall be in addition to~~  
24 ~~any other requirements established by the board of a local or~~  
25 ~~intermediate school district, as applicable.~~

26 ~~(4) Except as provided in subsection (5), the board of a~~  
27 ~~local or intermediate school district shall not engage a~~

~~1 full time or part time noncertificated, nonendorsed teacher to  
2 teach a course identified in subsection (1) if the district is  
3 able to engage a certificated, endorsed teacher.~~

~~4 (5) If the board of a local or intermediate school district  
5 is able to engage a certificated, endorsed teacher to teach a  
6 course identified in subsection (1), the local or intermediate  
7 school board may continue to employ a noncertificated, nonen-  
8 dorsed teacher to teach the course if both of the following con-  
9 ditions are met.~~

~~10 (a) The noncertificated, nonendorsed teacher is annually  
11 and continually enrolled and completing credit in an approved  
12 teacher preparation program leading to a provisional teaching  
13 certificate.~~

~~14 (b) The noncertificated, nonendorsed teacher has a planned  
15 program leading to teacher certification on file with the employ-  
16 ing school district or intermediate school district, his or her  
17 teacher preparation institution, and the department of  
18 education.~~

~~19 (3) (6) If the board of a local or intermediate school dis-  
20 trict is not able to engage a certificated, endorsed teacher to  
21 teach a course identified in subsection (1), the department of  
22 education and a teacher preparation institution shall utilize the  
23 teaching experience of a noncertificated, nonendorsed teacher for  
24 the purpose of waiving student teaching as a condition for  
25 receiving a continued employment authorization in the school dis-  
26 trict and~~ UPON PROPER APPLICATION, THE STATE BOARD SHALL ISSUE a  
27 provisional teaching certificate TO AN INDIVIDUAL WHO MEETS THE

1 REQUIREMENTS OF THIS SECTION AND WHO MEETS BOTH OF THE FOLLOWING  
2 REQUIREMENTS:

3 (A) HAS TAUGHT IN A SCHOOL DISTRICT, INTERMEDIATE SCHOOL  
4 DISTRICT, OR CHARTER PUBLIC SCHOOL FOR AT LEAST 1 FULL SCHOOL  
5 YEAR.

6 (B) HAS PASSED THE APPROPRIATE EXAMINATIONS SPECIFIED IN  
7 SECTION 1531(2).

8 (4) THE REQUIREMENTS LISTED IN SUBSECTION (2) FOR A TEACHER  
9 ENGAGED TO TEACH PURSUANT TO THIS SECTION ARE IN ADDITION TO ANY  
10 OTHER REQUIREMENTS ESTABLISHED BY THE BOARD OF THE EMPLOYING  
11 SCHOOL DISTRICT OR INTERMEDIATE SCHOOL DISTRICT OR THE GOVERNING  
12 BODY OF THE EMPLOYING CHARTER PUBLIC SCHOOL.

13 Sec. 1247. The board of a school district other than a pri-  
14 mary school district may employ by written contract an adminis-  
15 trator or administrators, usually called a building principal,  
16 who shall:

17 (a) Supervise the operation and management of school build-  
18 ings and property as the board ~~determines~~ AND SCHOOL BUILDING  
19 GOVERNING COMMITTEE DETERMINE.

20 (b) Be assigned administrative responsibilities and coordi-  
21 nate instructional leadership, under the supervision of the  
22 superintendent AND SCHOOL BUILDING GOVERNING COMMITTEE, for the  
23 planning, management, operation, and evaluation of the educa-  
24 tional program and services.

25 (c) Submit recommendations to the superintendent for the  
26 appointment, assignment, promotion, or dismissal of personnel  
27 assigned to supervision of the administrator.

1 (D) PERFORM THE FUNCTIONS DESCRIBED IN SECTION 1300A(3).

2 Sec. 1261. ~~the~~ SUBJECT TO SECTION 1300A, THE board of a  
3 school district ~~shall have~~ HAS the general care and custody of  
4 the schools and property of the district and shall make and  
5 enforce suitable regulations for the general management of the  
6 schools and the preservation of the property of the district.

7 Sec. 1277. (1) Considering criteria established by the  
8 state board, IF the board of a school district ~~that wants to~~  
9 ~~receive and is eligible for additional state school aid for qual-~~  
10 ~~ity programs as provided in sections 21(1) and 21a of the state~~  
11 ~~school aid act of 1979, Act No. 94 of the Public Acts of 1979,~~  
12 ~~being sections 388.1621 and 388.1621a of the Michigan Compiled~~  
13 ~~Laws,~~ WANTS ALL OF THE SCHOOLS OF THE SCHOOL DISTRICT TO BE  
14 ACCREDITED UNDER SECTION 1280, THE BOARD shall adopt and imple-  
15 ment AND, NOT LATER THAN SEPTEMBER 1 EACH YEAR, SHALL SUBMIT TO  
16 THE DEPARTMENT A COPY OF a 3- to 5-year school improvement plan  
17 and continuing school improvement process for each school within  
18 the school district. The school improvement plan shall include,  
19 but is not limited to, a mission statement, goals based on stu-  
20 dent outcomes for all students, curriculum alignment correspond-  
21 ing with those goals, evaluation processes, staff development,  
22 and building level decision making. School board members, school  
23 building administrators, teachers and other school employees,  
24 pupils, parents of pupils attending that school, and other resi-  
25 dents of the school district shall participate in the planning,  
26 development, implementation, and evaluation of the district's  
27 school improvement plan. Upon request of the board of a school

1 district, the department shall assist the school district in the  
2 development and implementation of a district school improvement  
3 plan. Intermediate school districts and educational organi-  
4 zations may also provide assistance for these purposes. A school  
5 improvement plan described in this section shall be updated annu-  
6 ally by the board of the school district.

7 (2) The school improvement plan of a school district shall  
8 be maintained on file with the intermediate school district to  
9 which the school district is constituent.

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

16 Sec. 1278. (1) ~~The~~ IF THE board of ~~each~~ A school dis-  
17 trict ~~that wants to receive and is eligible for additional state~~  
18 ~~school aid for quality programs as provided in sections 21(1) and~~  
19 ~~21a of the state school aid act of 1979, Act No. 94 of the Public~~  
20 ~~Acts of 1979, being sections 388.1621 and 388.1621a of the~~  
21 ~~Michigan Compiled Laws,~~ WANTS ALL OF THE SCHOOLS OF THE SCHOOL  
22 DISTRICT TO BE ACCREDITED UNDER SECTION 1280, THE BOARD shall  
23 make available to all pupils attending public school in the dis-  
24 trict a core curriculum in compliance with subsection (3) IN EACH  
25 OF THE CURRICULAR AREAS SPECIFIED IN THE STATE BOARD MODEL CORE  
26 CURRICULUM DEVELOPED UNDER SUBSECTION (2).

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

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

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

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

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

22 (5) A subject or course required by the core curriculum pur-  
23 suant to subsection (3) shall be made available to all pupils in  
24 the school district by a school district, a consortium of school  
25 districts, or a consortium of 1 or more school districts and 1 or  
26 more intermediate school districts.

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

6 (7) Any course that would have been considered a nonessen-  
7 tial elective course under Snyder v Charlotte Schools, 421 Mich  
8 517 (1984) on ~~the effective date of the amendatory act that~~  
9 ~~added this section~~ APRIL 13, 1990 shall continue to be offered  
10 to resident pupils of nonpublic schools on a shared time basis.

11 Sec. 1280. (1) The board of a school district ~~that wants~~  
12 ~~to receive and is eligible for additional state school aid for~~  
13 ~~quality programs as provided in sections 21(1) and 21a of the~~  
14 ~~state school aid act of 1979, Act No. 94 of the Public Acts of~~  
15 ~~1979, being sections 388.1621 and 388.1621a of the Michigan~~  
16 ~~Compiled Laws, and~~ that does not want to be subject to the mea-  
17 sures described in ~~subsection (6)~~ THIS SECTION shall ensure  
18 that each public school within the school district is  
19 accredited.

20 (2) As used in subsection (1), AND SUBJECT TO SUBSECTION  
21 (5), "accredited" means certified by the state board as having  
22 met or exceeded state board-approved standards established for 6  
23 areas of school operation: administration and school organi-  
24 zation, curricula, staff, school plant and facilities, school and  
25 community relations, and school improvement plans and student  
26 outcomes. The building-level evaluation used in the  
27 accreditation process shall include, but is not limited to,

1 school data collection, self-study, visitation and validation,  
2 determination of outcomes data to be used, and the development of  
3 a school improvement plan.

4 (3) The department shall develop and distribute to all  
5 public schools proposed accreditation standards. Upon distribu-  
6 tion of the proposed standards, the department shall hold state-  
7 wide public hearings for the purpose of receiving testimony con-  
8 cerning the standards. After a review of the testimony, the  
9 department shall revise and submit the proposed standards to the  
10 state board. After a review and revision, if appropriate, of the  
11 proposed standards, the state board shall submit the proposed  
12 standards to the senate and house committees that have the  
13 responsibility for education legislation. Upon approval by these  
14 committees, the department shall distribute to all public schools  
15 the standards to be applied to each school for accreditation  
16 purposes.

17 (4) THE DEPARTMENT SHALL DEVELOP AND DISTRIBUTE TO ALL  
18 PUBLIC SCHOOLS STANDARDS FOR DETERMINING THAT A SCHOOL IS ELIGI-  
19 BLE FOR SUMMARY ACCREDITATION UNDER SUBSECTION (5). THE STAN-  
20 DARDS SHALL INCLUDE, BUT ARE NOT LIMITED TO, ASSESSMENT OF THE  
21 SCHOOL'S SUCCESS IN THOSE ITEMS MEASURED IN THE SCHOOL REPORT  
22 CARD AND IN MEETING THE OBJECTIVES ESTABLISHED BY THE SCHOOL IN  
23 ITS SCHOOL IMPROVEMENT PLAN UNDER SECTION 1277. THE STANDARDS  
24 SHALL BE DEVELOPED, REVIEWED, APPROVED, AND DISTRIBUTED USING THE  
25 SAME PROCESS AS PRESCRIBED IN SUBSECTION (3) FOR ACCREDITATION  
26 STANDARDS, AND SHALL BE FINALLY DISTRIBUTED AND IMPLEMENTED NOT  
27 LATER THAN DECEMBER 31, 1994.

1 (5) IF, BASED ON THE ANNUAL EDUCATION REPORTS AND OTHER  
2 INFORMATION SUBMITTED BY A SCHOOL DISTRICT PURSUANT TO LAW AND ON  
3 THE SCHOOL REPORT CARD ISSUED FOR THE SCHOOL, THE DEPARTMENT  
4 DETERMINES THAT A PUBLIC SCHOOL HAS MET THE STANDARDS ESTABLISHED  
5 UNDER SUBSECTION (4) FOR SUMMARY ACCREDITATION, THE SCHOOL IS  
6 CONSIDERED TO BE ACCREDITED WITHOUT THE NECESSITY FOR A FULL  
7 BUILDING-LEVEL EVALUATION UNDER SUBSECTION (2).

8 (6) IF, BASED ON THE FACTORS DESCRIBED IN SUBSECTION (5),  
9 THE DEPARTMENT DETERMINES THAT A SCHOOL HAS NOT MET THE STANDARDS  
10 ESTABLISHED UNDER SUBSECTION (4) FOR SUMMARY ACCREDITATION BUT  
11 THAT THE SCHOOL IS MAKING PROGRESS TOWARD MEETING THOSE STAN-  
12 DARDS, OR IF, BASED ON A FULL BUILDING-LEVEL EVALUATION UNDER  
13 SUBSECTION (2), THE DEPARTMENT DETERMINES THAT A SCHOOL HAS NOT  
14 MET THE STANDARDS FOR ACCREDITATION BUT IS MAKING PROGRESS TOWARD  
15 MEETING THOSE STANDARDS, THE SCHOOL IS IN INTERIM STATUS AND IS  
16 SUBJECT TO A FULL BUILDING-LEVEL EVALUATION AS PROVIDED IN THIS  
17 SECTION.

18 (7) IF, BASED ON THE FACTORS DESCRIBED IN SUBSECTION (5) OR  
19 ON A FULL BUILDING-LEVEL EVALUATION UNDER SUBSECTION (2), THE  
20 DEPARTMENT DETERMINES THAT A SCHOOL IS NEITHER ACCREDITED NOR IN  
21 INTERIM STATUS, THE SCHOOL IS UNACCREDITED AND SUBJECT TO THE  
22 MEASURES PROVIDED IN THIS SECTION.

23 (8) ~~(4)~~ The department shall annually review and evaluate  
24 for accreditation purposes the performance of ~~a portion of the~~  
25 ~~public schools in the state, including, but not limited to,~~ each  
26 school that ~~did not meet accreditation standards the immediately~~

1 ~~Preceding school year~~ IS UNACCREDITED AND \_\_\_% OF THE SCHOOLS  
2 THAT ARE IN INTERIM STATUS.

3 (9) ~~(5)~~ The department shall, and the intermediate school  
4 district to which a school district is constituent, a consortium  
5 of intermediate school districts, or any combination thereof may,  
6 provide technical assistance, as appropriate, to a school that is  
7 ~~not accredited~~ UNACCREDITED OR THAT IS IN INTERIM STATUS upon  
8 request of the board of the ~~unaccredited~~ SCHOOL DISTRICT IN  
9 WHICH THE school IS LOCATED. IF REQUESTS TO THE DEPARTMENT FOR  
10 TECHNICAL ASSISTANCE EXCEED THE CAPACITY, PRIORITY SHALL BE GIVEN  
11 TO UNACCREDITED SCHOOLS.

12 (10) ~~(6)~~ A school that has ~~not met accreditation~~  
13 ~~standards~~ BEEN UNACCREDITED for 3 consecutive years is subject  
14 to 1 or more of the following measures, as determined by the  
15 state board:

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

20 (b) A parent, legal guardian, or person in loco parentis of  
21 a child who attends the school ~~shall have the right to~~ MAY send  
22 his or her child to any accredited public school with an appro-  
23 priate grade level within the school district.

24 (c) The school shall be closed.

25 (11) ~~(7)~~ The department shall evaluate the school accred-  
26 itation program and the status of schools ~~accredited~~ UNDER THIS  
27 SECTION and shall submit an annual report based upon the

1 evaluation to the senate and house committees that have the  
2 responsibility for education legislation. The report shall  
3 address the reasons each unaccredited school is not accredited  
4 and shall recommend legislative action that will result in the  
5 accreditation of all public schools in this state.

6 Sec. 1282. ~~The~~ SUBJECT TO SECTION 1300A, THE board of a  
7 school district shall establish and carry on the grades, schools,  
8 and departments it ~~deems~~ CONSIDERS necessary or desirable for  
9 the maintenance and improvement of ~~the~~ ITS schools ~~—~~ AND  
10 determine the courses of study to be pursued. ~~— and cause the~~  
11 ~~pupils attending school in the district to be taught in the~~  
12 ~~schools or departments the board deems expedient.~~

13 Sec. 1283. ~~The~~ SUBJECT TO SECTION 1147A, THE board of a  
14 school district may establish attendance areas within the school  
15 district.

16 Sec. 1284. (1) The board of a school district shall deter-  
17 mine the length of the school term. ~~The~~ HOWEVER, IF THE BOARD  
18 DOES NOT WANT THE SCHOOL DISTRICT'S STATE SCHOOL AID PAYMENTS TO  
19 BE WITHHELD AS DESCRIBED IN SECTION 101 OF THE STATE SCHOOL AID  
20 ACT OF 1979, BEING SECTION 388.1701 OF THE MICHIGAN COMPILED  
21 LAWS, THE BOARD SHALL ENSURE THAT THE minimum number of days of  
22 ~~student~~ PUPIL instruction ~~shall be~~ IN A SCHOOL YEAR IS 180  
23 AND THAT THE MINIMUM NUMBER OF HOURS OF PUPIL INSTRUCTION IN A  
24 SCHOOL YEAR IS 990. ~~Except as provided in section 101 of the~~  
25 ~~state school aid act of 1979, being section 388.1701 of the~~  
26 ~~Michigan Compiled Laws, a district failing to hold 180 days of~~  
27 ~~student instruction shall forfeit 1/180 of its total state school~~

1 ~~aid for each day of failure.~~ Not later than August 1, the board  
2 of each district shall certify to the state board the number of  
3 days of ~~student~~ PUPIL instruction in the previous school year.  
4 ~~If the district did not hold at least 180 days of student~~  
5 ~~instruction, the deduction of state school aid shall be made in~~  
6 ~~the following fiscal year from the first payment of state school~~  
7 ~~aid.~~ Days lost because of strikes or teachers' conferences shall  
8 not be counted as days of ~~student~~ PUPIL instruction.

9 (2) The state board shall promulgate rules for the implemen-  
10 tation of this section.

11 Sec. 1300. ~~The~~ SUBJECT TO SECTION 1300A, THE board of a  
12 school district shall make reasonable regulations relative to  
13 anything necessary for the proper establishment, maintenance,  
14 management, and carrying on of the public schools of the dis-  
15 trict, including regulations relative to the conduct of pupils  
16 ~~concerning their safety~~ while in attendance at school or  
17 ~~enroute~~ EN ROUTE to and from school.

18 SEC. 1300A. (1) NOT LATER THAN SEPTEMBER 1, 1994, THE BOARD  
19 OF EACH SCHOOL DISTRICT SHALL APPOINT AN EDUCATIONAL ADVISORY  
20 BOARD IN EACH PUBLIC SCHOOL IN THE SCHOOL DISTRICT. AN EDUCA-  
21 TIONAL ADVISORY BOARD SHALL CONSIST OF 5 TO 11 MEMBERS, COMPRISED  
22 OF REPRESENTATIVES OF PARENTS OR LEGAL GUARDIANS OF PUPILS IN THE  
23 SCHOOL, BUILDING ADMINISTRATORS, AND TEACHERS, AND SHALL BE  
24 CHAIRED BY THE SCHOOL'S PRINCIPAL. THE INDIVIDUALS PARTICIPATING  
25 IN THE PLANNING, DEVELOPMENT, IMPLEMENTATION, AND EVALUATION OF A  
26 PARTICULAR SCHOOL'S SCHOOL IMPROVEMENT PLAN AND CONTINUING SCHOOL  
27 IMPROVEMENT PROCESS UNDER SECTION 1277 MAY SERVE AS THE

1 EDUCATIONAL ADVISORY BOARD FOR THAT SCHOOL. A MAJORITY OF THE  
2 MEMBERS OF AN EDUCATIONAL ADVISORY BOARD SHALL BE PARENTS OR  
3 LEGAL GUARDIANS OF PUPILS IN THE SCHOOL.

4 (2) AN EDUCATIONAL ADVISORY BOARD SHALL SET EDUCATIONAL  
5 GOALS FOR THE SCHOOL, PARTICIPATE IN THE SCHOOL'S SCHOOL IMPROVE-  
6 MENT PROCESS AND SCHOOL IMPROVEMENT PLAN UNDER SECTION 1277, AND  
7 ENSURE THAT INFORMATION ABOUT SCHOOL PROGRAMS AND EDUCATIONAL  
8 OUTCOMES IS AVAILABLE TO THE COMMUNITY. THE DEPARTMENT SHALL  
9 NOTIFY THE EDUCATIONAL ADVISORY COMMITTEE OF THE TOTAL VALUE OF  
10 STUDENT EDUCATION ACCOUNT WITHDRAWALS FOR A SCHOOL YEAR FOR  
11 INSTRUCTION AT THE SCHOOL, AS DETERMINED UNDER THE STUDENT EDUCA-  
12 TION ACCOUNT ACT.

13 (3) NOT LATER THAN THE BEGINNING OF THE 1997-1998 SCHOOL  
14 YEAR, THE BOARD OF EACH SCHOOL DISTRICT SHALL ENSURE THAT A  
15 SCHOOL BUILDING GOVERNING COMMITTEE IS ESTABLISHED IN EACH PUBLIC  
16 SCHOOL IN THE SCHOOL DISTRICT. A SCHOOL BUILDING GOVERNING COM-  
17 MITTEE SHALL CONSIST OF THE FOLLOWING 7 TO 11 MEMBERS, OF WHOM A  
18 MAJORITY SHALL BE PARENTS OR LEGAL GUARDIANS OF PUPILS ENROLLED  
19 IN THE SCHOOL:

20 (A) THE PRINCIPAL OF THE SCHOOL.

21 (B) 4 TO 6 PARENTS OR LEGAL GUARDIANS OF PUPILS ENROLLED AT  
22 THE SCHOOL, ELECTED ANNUALLY BY A MAJORITY VOTE OF THE PARENTS  
23 AND LEGAL GUARDIANS OF PUPILS ENROLLED AT THE SCHOOL VOTING AT A  
24 MEETING HELD FOR THAT PURPOSE. A MEMBER DESCRIBED IN THIS SUBDI-  
25 VISION MAY BE REELECTED.

26 (C) AT LEAST 1 MEMBER OF THE LOCAL COMMUNITY WHO IS NOT A  
27 PARENT OR LEGAL GUARDIAN OF A PUPIL ENROLLED AT THE SCHOOL AND IS

1 NOT AN EMPLOYEE OF THE SCHOOL DISTRICT, APPOINTED ANNUALLY BY THE  
2 BOARD OF THE SCHOOL DISTRICT. A MEMBER DESCRIBED IN THIS SUBDI-  
3 VISION MAY BE REAPPOINTED.

4 (D) 1 TO 3 TEACHERS WHO TEACH AT THE SCHOOL, ELECTED ANNU-  
5 ALLY BY A MAJORITY VOTE OF THE TEACHERS VOTING AT A MEETING HELD  
6 FOR THAT PURPOSE. A MEMBER DESCRIBED IN THIS SUBDIVISION MAY BE  
7 REELECTED.

8 (4) THE SCHOOL BUILDING GOVERNING COMMITTEE OF EACH PUBLIC  
9 SCHOOL HAS THE AUTHORITY TO MAKE DECISIONS AND ESTABLISH POLICIES  
10 THAT ARE CONSISTENT WITH THIS ACT REGARDING A BUDGET FOR THE  
11 SCHOOL, EXPENDITURE OF FUNDS ALLOCATED TO THE SCHOOL, APPROVAL OF  
12 CONTRACTS WITH VENDORS, DETERMINING EDUCATIONAL PROGRAMS AND  
13 SERVICES TO BE PROVIDED TO PUPILS AT THE SCHOOL, RECOMMENDING  
14 PERSONNEL FOR THE SCHOOL, AND OTHER MATTERS RELATED TO THE FUNC-  
15 TIONS OF TEACHING AND LEARNING AT THE SCHOOL. TO THE EXTENT THAT  
16 THE DECISIONS AND POLICIES OF THE SCHOOL BOARD GOVERNING COMMIT-  
17 TEE ARE CONSISTENT WITH THIS ACT, THOSE DECISIONS AND POLICIES  
18 ARE NOT SUBJECT TO REVIEW BY THE BOARD OF A SCHOOL DISTRICT.

19 (5) THE PRINCIPAL OF A SCHOOL IS THE CHIEF EXECUTIVE OFFICER  
20 OF THE SCHOOL. HE OR SHE SHALL MAKE RECOMMENDATIONS TO THE  
21 SCHOOL BUILDING GOVERNING COMMITTEE AND SHALL EXECUTE THE LAWFUL  
22 DECISIONS AND POLICIES OF THE SCHOOL BUILDING GOVERNING COMMITTEE  
23 AND OF THE BOARD OF THE SCHOOL DISTRICT.

24 SEC. 1305. (1) IF AN EMPLOYER IN THIS STATE EMPLOYS AN  
25 INDIVIDUAL WHO HAS RECEIVED A NONENDORSED HIGH SCHOOL DIPLOMA  
26 FROM A SCHOOL DISTRICT AND REQUESTS THE SCHOOL DISTRICT WITHIN 2  
27 YEARS AFTER THE INDIVIDUAL RECEIVED THE DIPLOMA TO CONDUCT AN

1 ASSESSMENT OF THE INDIVIDUAL'S PROFICIENCY IN 1 OR MORE SPECIFIC  
2 BASIC SKILL AREAS, THE SCHOOL DISTRICT SHALL CONDUCT THE  
3 ASSESSMENT. IF THE EMPLOYER DETERMINES THROUGH THE ASSESSMENT  
4 THAT THE INDIVIDUAL IS DEFICIENT IN 1 OR MORE OF THOSE BASIC  
5 SKILL AREAS, THE EMPLOYER AND THE INDIVIDUAL MAY APPLY TO THE  
6 SCHOOL DISTRICT FOR AN EDUCATIONAL WARRANTY CERTIFICATE ENTITLING  
7 THE INDIVIDUAL TO RECEIVE REMEDIAL INSTRUCTION IN EACH OF THOSE  
8 BASIC SKILL AREAS IN WHICH THE INDIVIDUAL WAS FOUND BY THE  
9 ASSESSMENT TO BE DEFICIENT. THE SCHOOL DISTRICT SHALL USE ONLY A  
10 PROFICIENCY ASSESSMENT INSTRUMENT DESCRIBED IN SUBSECTION (2) TO  
11 MEASURE AN INDIVIDUAL'S PROFICIENCY FOR THE PURPOSES OF THIS  
12 SUBSECTION. THE EMPLOYER AND THE INDIVIDUAL SHALL APPLY JOINTLY  
13 TO THE SCHOOL DISTRICT THAT ADMINISTERED THE ASSESSMENT FOR THE  
14 EDUCATIONAL WARRANTY CERTIFICATE IN THE FORM AND MANNER PRE-  
15 SCRIBED BY THE DEPARTMENT.

16 (2) THE DEPARTMENT SHALL MAKE AVAILABLE TO SCHOOL DISTRICTS  
17 FOR THE PURPOSES OF THIS SECTION THE PROFICIENCY ASSESSMENT  
18 INSTRUMENTS USED FOR A STATE ENDORSED HIGH SCHOOL DIPLOMA UNDER  
19 SECTION 104A OF THE STATE SCHOOL AID ACT OF 1979, BEING  
20 SECTION 388.1704A OF THE MICHIGAN COMPILED LAWS. UNTIL JULY 1,  
21 1995, A SCHOOL DISTRICT SHALL USE A PROFICIENCY ASSESSMENT  
22 INSTRUMENT DESCRIBED IN SECTION 104A(1) OF THE STATE SCHOOL AID  
23 ACT OF 1979 TO MEASURE AN INDIVIDUAL'S PROFICIENCY FOR THE PUR-  
24 POSE OF SUBSECTION (1). BEGINNING JULY 1, 1995, A SCHOOL DIS-  
25 TRICT SHALL USE THE PROFICIENCY ASSESSMENT INSTRUMENTS DESCRIBED  
26 IN SECTION 104A(2) OF THE STATE SCHOOL AID ACT OF 1979 TO MEASURE  
27 AN INDIVIDUAL'S PROFICIENCY FOR THE PURPOSES OF SUBSECTION (1).

1 (3) THE STATE BOARD MAY EXEMPT SPECIAL EDUCATION PUPILS FROM  
2 THIS SECTION. IF THE STATE BOARD EXEMPTS SPECIAL EDUCATION  
3 PUPILS FROM THIS SECTION, THE STATE BOARD SHALL PROVIDE FOR SPE-  
4 CIAL EDUCATION PUPILS TO HAVE AVAILABLE AN ASSESSMENT AND CERTI-  
5 FICATION OF THEIR PROFICIENCY IN VARIOUS SUBJECTS AND SKILLS  
6 BEFORE COMPLETION OF THEIR EDUCATION IN THEIR DISTRICT OR OTHER  
7 PUBLICLY SUPPORTED PROGRAM. THE INDIVIDUALIZED EDUCATIONAL PLAN-  
8 NING COMMITTEE FOR A SPECIAL EDUCATION PUPIL SHALL COOPERATE IN  
9 THE IMPLEMENTATION OF THIS SUBSECTION.

10 (4) UPON RECEIPT OF AN APPLICATION FOR AN EDUCATIONAL WAR-  
11 RANTY CERTIFICATE AS DESCRIBED IN SUBSECTION (1), A SCHOOL DIS-  
12 TRICT SHALL ISSUE AN EDUCATIONAL WARRANTY CERTIFICATE TO THE  
13 INDIVIDUAL AND SHALL NOTIFY THE DEPARTMENT THAT THE EDUCATIONAL  
14 WARRANTY CERTIFICATE HAS BEEN ISSUED.

15 (5) AN INDIVIDUAL WHO IS ISSUED AN EDUCATIONAL WARRANTY CER-  
16 TIFICATE UNDER SUBSECTION (4) MAY PRESENT THE EDUCATIONAL WAR-  
17 RANTY CERTIFICATE TO THE SCHOOL DISTRICT FROM WHICH THE INDIVID-  
18 UAL RECEIVED HIS OR HER DIPLOMA, THE SCHOOL DISTRICT IN WHICH HE  
19 OR SHE RESIDES, OR THE SCHOOL DISTRICT IN WHICH HIS OR HER PLACE  
20 OF EMPLOYMENT IS LOCATED AND RECEIVE AT NO COST TO THE INDIVIDUAL  
21 OR HIS OR HER EMPLOYER THE REMEDIAL INSTRUCTION NECESSARY TO  
22 PERMIT THE INDIVIDUAL TO ACHIEVE PROFICIENCY IN EACH SPECIFIC  
23 BASIC SKILL AREA IN WHICH HE OR SHE WAS ASSESSED TO BE DEFICIENT  
24 UNDER SUBSECTION (1). IF THE INDIVIDUAL PRESENTS THE EDUCATIONAL  
25 WARRANTY CERTIFICATE TO THE SCHOOL DISTRICT FROM WHICH THE INDI-  
26 VIDUAL RECEIVED HIS OR HER DIPLOMA, THAT SCHOOL DISTRICT PROMPTLY  
27 SHALL PROVIDE THE REMEDIAL INSTRUCTION. IF THE INDIVIDUAL

1 PRESENTS THE EDUCATIONAL WARRANTY CERTIFICATE TO ANOTHER SCHOOL  
2 DISTRICT DESCRIBED IN THIS SUBSECTION, THE SCHOOL DISTRICT MAY  
3 PROVIDE THE REMEDIAL INSTRUCTION BASED ON AVAILABLE SPACE AND  
4 RESOURCES. A SCHOOL DISTRICT IS REQUIRED TO PROVIDE THE REMEDIAL  
5 INSTRUCTION UNDER THIS SECTION AT NO COST TO THE INDIVIDUAL ONLY  
6 WHILE THE INDIVIDUAL CONTINUES TO BE EMPLOYED BY THE EMPLOYER  
7 THAT APPLIED FOR THE EDUCATIONAL WARRANTY CERTIFICATE.

8 (6) IF THE REMEDIAL INSTRUCTION DESCRIBED IN SUBSECTION (5)  
9 IS PROVIDED BY A SCHOOL DISTRICT OTHER THAN THE SCHOOL DISTRICT  
10 FROM WHICH THE INDIVIDUAL RECEIVED HIS OR HER DIPLOMA, THE PRO-  
11 VIDING SCHOOL DISTRICT SHALL CHARGE THE SCHOOL DISTRICT THAT  
12 ISSUED THE DIPLOMA FOR REIMBURSEMENT FOR THE COST OF PROVIDING  
13 THE REMEDIAL INSTRUCTION. UPON BEING CHARGED FOR REIMBURSEMENT  
14 UNDER THIS SUBSECTION, THE SCHOOL DISTRICT THAT ISSUED THE  
15 DIPLOMA SHALL REIMBURSE THE SCHOOL DISTRICT PROVIDING THE REME-  
16 DIAL INSTRUCTION. THE AMOUNT OF THE REIMBURSEMENT SHALL BE COM-  
17 PUTED IN A MANNER PRESCRIBED BY THE STATE BOARD.

18 (7) BEGINNING IN 1995, THE DEPARTMENT ANNUALLY SHALL COMPILE  
19 AND REPORT TO THE LEGISLATURE BY NOT LATER THAN JUNE 30 INFORMA-  
20 TION DETAILING ACTIVITY UNDER THIS SECTION. THE REPORT SHALL  
21 INCLUDE AT LEAST ALL OF THE FOLLOWING:

22 (A) A LISTING BY SCHOOL DISTRICT OF THE NUMBER OF INDIVIDU-  
23 ALS RECEIVING A NONENDORSED HIGH SCHOOL DIPLOMA FROM THE SCHOOL  
24 DISTRICT THAT HAVE BEEN ISSUED AN EDUCATIONAL WARRANTY  
25 CERTIFICATE.

1 (B) A LISTING BY SCHOOL DISTRICT OF THE NUMBER OF  
2 INDIVIDUALS FOR WHOM THE SCHOOL DISTRICT HAS PROVIDED REMEDIAL  
3 INSTRUCTION UNDER THIS SECTION.

4 (C) A RECOMMENDATION ON WHETHER THERE EXISTS A NEED FOR CON-  
5 TINUATION OF THE EDUCATIONAL WARRANTY PROGRAM UNDER THIS  
6 SECTION.

7 (8) AS USED IN THIS SECTION:

8 (A) "BASIC SKILL AREA" MEANS THE OUTCOMES WITHIN A CONTENT  
9 AREA IN MATHEMATICS, SCIENCE, OR READING THAT IS ASSESSED IN THE  
10 APPLICABLE PROFICIENCY ASSESSMENT FOR A STATE ENDORSED DIPLOMA  
11 UNDER SECTION 104A OF THE STATE SCHOOL AID ACT OF 1979.

12 (B) "EMPLOYER" MEANS A PERSON WHO EMPLOYS 3 OR MORE INDIVID-  
13 UALS ON A FULL-TIME BASIS.

14 (C) "NONENDORSED HIGH SCHOOL DIPLOMA" MEANS A HIGH SCHOOL  
15 DIPLOMA AWARDED IN 1994 OR THEREAFTER TO AN INDIVIDUAL WHO HAS  
16 NOT MET THE APPLICABLE REQUIREMENTS FOR A STATE ENDORSED HIGH  
17 SCHOOL DIPLOMA UNDER SECTION 104A OF THE STATE SCHOOL AID ACT OF  
18 1979.

19 (D) "SCHOOL DISTRICT" INCLUDES A SCHOOL DISTRICT, LOCAL ACT  
20 SCHOOL DISTRICT, CHARTER SCHOOL, OR INTERMEDIATE SCHOOL DISTRICT.

21 Sec. 1311. The board OR A SCHOOL BUILDING GOVERNING COMMIT-  
22 TEE, OR A SCHOOL BUILDING PRINCIPAL IF DESIGNATED BY THE BOARD OR  
23 SCHOOL BUILDING GOVERNING COMMITTEE, may authorize or order the  
24 suspension or expulsion from school of a pupil guilty of gross  
25 misdemeanor or persistent disobedience ~~when~~ IF, in the  
26 ~~board's~~ judgment OF THE BOARD, COMMITTEE, OR PRINCIPAL, AS  
27 APPLICABLE, the interest of the school ~~may demand~~ IS SERVED BY

1 the authorization or order. If there is reasonable cause to  
2 believe that the pupil is handicapped, and the school district  
3 has not evaluated the pupil in accordance with rules of the state  
4 board, the pupil shall be evaluated immediately by the intermedi-  
5 ate school district of which the school district is constituent  
6 in accordance with section 1711.

7       Sec. 1321. (1) Subject to the balance of this section AND  
8 TO SECTION 1147A, the board of a school district providing trans-  
9 portation for its resident pupils, other than handicapped pupils  
10 transported under article 3 or other pupils who cannot safely  
11 walk to school, shall provide transportation for each resident  
12 public or nonpublic school pupil if all of the following require-  
13 ments are met:

14       (a) The school district provides transportation for the ele-  
15 mentary school level, middle or junior high school level, or high  
16 school level, as defined by the local school board, in which the  
17 pupil is enrolled.

18       (b) The pupil is a person for whom the school district is  
19 eligible to receive state school aid for transportation.

20       (c) The pupil is attending either the public or the nearest  
21 state approved nonpublic school in the school district to which  
22 the pupil is eligible to be admitted.

23       (2) Transportation provided under subsection (1) shall be  
24 without charge to the resident pupil, the parent, guardian, or  
25 person standing in loco parentis to the pupil.

26       (3) A school district is not required to transport or pay  
27 for transportation of a resident pupil living within 1-1/2 miles,

1 by the nearest traveled route, to the public or state approved  
2 nonpublic school in which the pupil is enrolled. A school dis-  
3 trict is not required to transport or pay for the transportation  
4 of a resident pupil attending a nonpublic school who lives in an  
5 area less than 1-1/2 miles from a public school in which public  
6 school pupils are not transported, except that the school dis-  
7 trict is required to transport or pay for the transportation of  
8 the resident pupil from the public school within the area to the  
9 nonpublic school the pupil attends.

10 (4) A school district is not required to transport or pay  
11 for the transportation of resident pupils to state approved non-  
12 public schools located outside the district unless the school  
13 district transports some of its resident pupils, other than hand-  
14 icapped pupils under article 3, to public schools located outside  
15 the district, in which case the school district shall transport  
16 or pay for the transportation of resident pupils attending a  
17 state approved nonpublic school LOCATED OUTSIDE THE DISTRICT at  
18 least to the distance of the public schools located outside the  
19 district to which the district transports resident pupils and in  
20 the same general direction.

21 Sec. 1351. (1) A school district may borrow money and issue  
22 bonds of the district to defray all or a part of the cost of pur-  
23 chasing, erecting, completing, ~~remodeling, improving, furnish-~~  
24 ~~ing, refurnishing, equipping, or reequipping~~ OR RENOVATING  
25 school buildings, including library buildings, structures, ath-  
26 letic fields, playgrounds, or other facilities, or ~~parts of or~~  
27 additions to those facilities; FURNISHING OR REFURNISHING NEW OR

1 COMPLETELY RENOVATED SCHOOL BUILDINGS; acquiring, preparing,  
2 developing, or improving sites, or parts of or additions to  
3 sites, for school buildings, including library buildings, struc-  
4 tures, athletic fields, playgrounds, or other facilities;  
5 ~~purchasing school buses; participating in the administrative~~  
6 ~~costs of an urban renewal program through which the school dis-~~  
7 ~~trict desires to acquire a site or addition to a site for school~~  
8 ~~purposes;~~ refunding all or part of existing bonded indebtedness;  
9 or accomplishing a combination of the purposes set forth in this  
10 subsection. ~~In addition, until December 31, 1991 a school dis-~~  
11 ~~trict may borrow money and issue bonds to defray all or part of~~  
12 ~~the cost of purchasing textbooks.~~

13 (2) Except as otherwise provided in this subsection, a  
14 school district shall not borrow money or issue bonds for a sum  
15 that, together with the total outstanding bonded indebtedness of  
16 the district, exceeds 5% of the state equalized valuation of the  
17 taxable property within the district, unless the proposition of  
18 borrowing the money or issuing the bonds is submitted to a vote  
19 of the school electors of the district at an annual or special  
20 election and approved by the majority of the school electors  
21 voting on the question. Regardless of the amount of outstanding  
22 bonded indebtedness of the school district, a vote of the school  
23 electors is not necessary in order to issue bonds for a purpose  
24 described in section 1274a.

25 (3) A school district shall not issue bonds under this part  
26 for an amount greater than 15% of the total assessed valuation of  
27 the district, except as provided in section 1356. The bonded

1 indebtedness of a district shall not extend beyond a period of 30  
2 years. Refunding bonds or the refunding part of a bond issue  
3 shall not be considered to be within the 15% limitation but shall  
4 be considered to be authorized in addition to the 15%  
5 limitation. A bond qualified under section 16 of article IX of  
6 the state constitution of 1963 and implementing legislation shall  
7 not be included for purposes of calculating the 15% limitation.  
8 Bonds issued pursuant to this section are subject to the munici-  
9 pal finance act, Act No. 202 of the Public Acts of 1943, being  
10 sections 131.1 to 139.3 of the Michigan Compiled Laws, except  
11 that bonds issued for a purpose described in section 1274a may be  
12 sold at a public or publicly negotiated sale at the time or  
13 times, at the price or prices, and at a discount as determined by  
14 the board of the school district.

15 (4) Bonds or notes issued by a school district or intermedi-  
16 ate school district pursuant to ~~sections~~ SECTION 144, 251, 335,  
17 442, or 629 for the purposes authorized by this section and sec-  
18 tion 1274a shall be full faith and credit tax limited obligations  
19 of the district pledging the general funds, voted and allocated  
20 tax levies, or any other money available for such a purpose and  
21 shall not allow or provide for the levy of additional millage for  
22 payment of the bond or note without a vote of the qualified elec-  
23 torate of the district.

24 ~~(5) If a bond proposal for bonds to be used in whole or~~  
25 ~~part to defray all or part of the cost of purchasing textbooks~~  
26 ~~has been approved by a majority of the school electors voting on~~  
27 ~~the question before the effective date of the amendatory act that~~

1 ~~added this subsection, and the bonds otherwise meet the~~  
2 ~~requirements of this section, the issuance of those bonds for a~~  
3 ~~period not to exceed 5 years is ratified and confirmed and the~~  
4 ~~bonds are considered to be issued under this section.~~

5       Sec. 1356. (1) Notwithstanding section 1351, a school dis-  
6 trict ~~which~~ THAT has an operating or projected operating defi-  
7 cit in excess of \$100.00 per membership pupil may borrow and  
8 issue its negotiable interest bearing notes or bonds for the pur-  
9 pose of funding the deficit in accordance with this section.  
10 This authority ~~shall be~~ IS in addition to and not in derogation  
11 of any power granted to a school district by any other provision  
12 of this act. HOWEVER, A SCHOOL DISTRICT SHALL NOT INITIATE THE  
13 PROCEDURES TO BORROW MONEY OR ISSUE NOTES OR BONDS UNDER THIS  
14 SECTION AFTER JANUARY 1, 1994.

15       (2) Before a board of a school district issues notes or  
16 bonds under this section, ~~it~~ THE BOARD shall provide ~~—~~ by  
17 resolution ~~—~~ for the submission of the following certified and  
18 substantiated information to the municipal finance commission or  
19 its successor agency for school districts:

20       (a) There exists or will exist an operating deficit in the  
21 school district in excess of \$100.00 per membership pupil.

22       (b) During or ~~prior to~~ BEFORE the fiscal year in which the  
23 application is made, the school district has made every available  
24 effort to offset the deficit, including submission of a question  
25 to the school electors of the district to increase the rate of ad  
26 valorem property taxes levied in the school district.

1 (c) The school district has a plan ~~that has been~~ approved  
2 by the school board ~~, which plan~~ THAT outlines actions to be  
3 taken to balance future expenditures with anticipated revenues.

4 (d) The maximum interest rate as described in  
5 subsection (6).

6 (3) The existence of the operating or projected operating  
7 deficit and the amount ~~thereof~~ OF THE OPERATING OR PROJECTED  
8 OPERATING DEFICIT shall be determined by the department of trea-  
9 sury, using normal school accounting practices. If a financial  
10 audit is required to arrive at a conclusive determination as to  
11 the amount of the deficit, the state treasurer shall charge all  
12 necessary expenses FOR THE AUDIT, including per diem and travel  
13 expenses, to the school district, and the school district shall  
14 make payment to the state treasurer for these expenses. The  
15 determination by the department of treasury ~~shall be~~ IS final  
16 and conclusive as to the existence of an operating or projected  
17 operating deficit, the amount ~~thereof~~ OF THE DEFICIT, and the  
18 amount ~~thereof~~ OF THE DEFICIT per membership pupil.

19 (4) The notes or bonds may be issued in 1 or more series by  
20 resolution adopted by the school board, which resolution in each  
21 case shall make reference to the determination of the department  
22 of treasury. The amount of a note or bond issued shall not  
23 exceed the amount of the operating deficit as shown by the  
24 determination. The school district shall levy sufficient taxes  
25 annually, in addition to all other taxes, without limitation as  
26 to rate or amount in order to meet payments of principal and

1 interest on the notes or bonds coming due before the next  
2 collection of taxes.

3 (5) The school district shall pledge as secondary security  
4 for the notes or bonds future state school aid payments, if any,  
5 and other funds of the district legally available as security.

6 (6) The notes or bonds shall mature serially with annual  
7 maturities not more than 10 years from their date and shall bear  
8 interest, payable annually or semiannually, at a rate or rates  
9 not exceeding a rate determined by the school board in the school  
10 district's borrowing resolution. The first principal installment  
11 on the notes or bonds shall be due not more than 18 months from  
12 the date of the notes or bonds, and a principal installment on  
13 the notes shall not be less than 1/3 of the principal amount of a  
14 subsequent principal installment. The notes or bonds may be made  
15 subject to redemption ~~prior to~~ BEFORE maturity with or without  
16 premium in a manner and at times provided in the resolution  
17 authorizing the issuance of the notes or bonds.

18 (7) Notes or bonds issued under this section ~~shall be~~ ARE  
19 valid and binding general obligations of the school district, it  
20 being the intent and purpose that the notes or bonds and the  
21 interest on the notes or bonds be promptly paid when due from the  
22 first money available to the district not pledged for other  
23 indebtedness and except to the extent that the use is restricted  
24 by the state constitution of 1963 or the laws of the United  
25 States.

26 (8) Unless an exception from prior approval is available  
27 pursuant to subsection (11), before a school district issues

1 notes or bonds under this section, the school district shall make  
2 sworn application to the municipal finance commission or its suc-  
3 cessor agency for school districts on forms to be furnished by  
4 the municipal finance commission or its successor agency for  
5 school districts for permission to do so and shall attach to the  
6 application the determination of the department of treasury and a  
7 certified copy of the resolution authorizing the notes or bonds.  
8 Unless an exception from prior approval is available pursuant to  
9 subsection (11), notes or bonds shall not be issued under this  
10 section until the district has first secured approval ~~of~~ FOR  
11 THE ISSUANCE FROM the municipal finance commission or its succes-  
12 sor agency for school districts. ~~to the issuance.~~ In determin-  
13 ing whether a proposed issue of notes or bonds shall be approved,  
14 the municipal finance commission or its successor agency for  
15 school districts shall take into consideration whether the notes  
16 or bonds conform to this section and whether the amounts pledged  
17 for the payment of the notes or bonds will be sufficient to pay  
18 the principal and interest as the notes or bonds become due. If  
19 prior approval is required, the municipal finance commission or  
20 its successor agency for school districts may require the dis-  
21 trict to reduce the amount of the note or bond issue or to alter  
22 the schedule of repayment. Chapter II of the municipal finance  
23 act, Act No. 202 of the Public Acts of 1943, as amended, being  
24 sections 132.1 to 132.3 of the Michigan Compiled Laws, ~~shall~~  
25 ~~govern~~ GOVERNS with respect to the notes or bonds authorized by  
26 this section.

1 (9) The notes or bonds shall be sold at not less than par  
2 and at public sale after notice by publication at least 7 days  
3 before the sale in a publication printed in the English language  
4 and circulated in this state ~~, which publication~~ THAT carries  
5 as part of its regular service notices of sale of municipal bonds  
6 and ~~which~~ is approved by the department of treasury as a publi-  
7 cation complying with the foregoing qualifications, or at private  
8 sale as authorized by the department of treasury. The proceeds  
9 of THE sale of notes authorized under this section, after payment  
10 of the costs of issuance of the notes or bonds and interest on  
11 the notes or bonds for a period not to exceed 9 months, shall be  
12 used solely for the purpose of paying necessary operating  
13 expenses of the school district, including the payment of princi-  
14 pal of and interest on notes or bonds of the school district  
15 issued for operating purposes under this or any other act.

16 (10) A board of a school district ~~which~~ THAT borrows pur-  
17 suant to subsections (1) to (9) shall submit its budget for  
18 review and approval to the department of education. The depart-  
19 ment of education shall take necessary steps, subject to the  
20 school district's contracts and statutory obligations, to assure  
21 that the expenditures of a school district ~~which~~ THAT receives  
22 money under this part shall not exceed revenues on an annual  
23 basis and that the school district maintains a balanced budget.

24 (11) The requirement of subsection (8) for obtaining the  
25 prior approval of the municipal finance commission or its succes-  
26 sor agency before issuing bonds or notes under this section  
27 ~~shall be~~ IS subject to sections 10 and 11 of chapter III of Act

1 No. 202 of the public Acts of 1943, being sections 133.10 and  
2 133.11 of the Michigan Compiled Laws, and the department of trea-  
3 sury ~~shall have~~ HAS the same authority as provided by section  
4 11 of chapter III of Act No. 202 of the Public Acts of 1943 to  
5 issue an order providing or denying an exception from the prior  
6 approval required by subsection (8) for bonds or notes authorized  
7 by this section.

8 Sec. 1421. As used in this part, "textbook" means a book  
9 ~~which~~ THAT is selected and approved by the board of a school  
10 district OR THE SCHOOL BUILDING GOVERNING COMMITTEE OF A SCHOOL  
11 and ~~which~~ THAT contains a presentation of principles of a  
12 subject, or ~~which~~ THAT is a literary work relevant to the study  
13 of a subject required for the use of classroom pupils.

14 Sec. 1422. (1) The board of each school district, WITH THE  
15 ADVICE AND CONSENT OF SCHOOL BUILDING GOVERNING COMMITTEES, shall  
16 select, approve, and purchase the textbooks to be used by the  
17 pupils of the schools on the subjects taught in the district.

18 (2) The textbooks shall be the property of the school dis-  
19 trict purchasing them and shall be loaned to pupils without  
20 charge. A board may require a reasonable and refundable deposit  
21 on textbooks.

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

25 (2) ~~The~~ UNTIL MARCH 1, 1994, THE school electors of a  
26 school district in which a library is established may vote a  
27 district tax for the support of the public library at an annual

1 or special election of the district. ~~The~~ UNTIL MARCH 1, 1994,  
2 THE board of the school district may vote a tax for the mainte-  
3 nance and support of the public library.

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

7 (4) FOR THE PURPOSES OF SECTION 27A OF THE GENERAL PROPERTY  
8 TAX ACT, ACT NO. 206 OF THE PUBLIC ACTS OF 1893, BEING  
9 SECTION 211.27A OF THE MICHIGAN COMPILED LAWS, A TAX LEVIED UNDER  
10 THIS SECTION IS NOT LEVIED FOR LOCAL SCHOOL DISTRICT OPERATING  
11 PURPOSES.

12 Sec. 1531. (1) Except as provided in this section AND IN  
13 SECTION 1233B, the state board shall determine the requirements  
14 for and issue all licenses and certificates for teachers, includ-  
15 ing preprimary teachers, and the requirements for an endorsement  
16 of teachers as qualified counselors and an endorsement of teach-  
17 ers for teaching a foreign language in an elementary grade in the  
18 public schools of the state.

19 (2) Beginning July 1, 1992 and subject to subsection (12),  
20 the state board shall only issue a teaching certificate to a  
21 person who has passed appropriate examinations as follows:

22 (a) For a secondary level teaching certificate, has passed  
23 both the basic skills examination and the appropriate available  
24 subject area examination for each subject area in which he or she  
25 applies to be certified.

26 (b) For an elementary level teaching certificate, has passed  
27 the basic skills examination and, if it is available, the

1 elementary certification examination, and has passed the  
2 appropriate available subject area examination for each subject  
3 area, if any, in which he or she applies to be certified.

4 (3) Beginning July 1, 1992, a person holding a certificate  
5 from another state or a teaching degree from an out-of-state  
6 teacher preparation institution who applies for a Michigan teach-  
7 ing certificate shall be required to pass appropriate examina-  
8 tions as follows:

9 (a) For a secondary level teaching certificate, pass both  
10 the basic skills examination and the appropriate available  
11 subject area examination for each subject area in which he or she  
12 applies to be certified. The state board may accept passage of  
13 an equivalent examination approved by the state board to meet 1  
14 or both of these requirements.

15 (b) For an elementary level teaching certificate, pass the  
16 basic skills examination and, if it is available, the elementary  
17 certification examination, and pass the appropriate available  
18 subject area examination for each subject area, if any, in which  
19 he or she applies to be certified. The state board may accept  
20 passage of an equivalent examination approved by the state board  
21 to meet 1 or more of these requirements.

22 (4) Not later than June 1, 1988, the department, based upon  
23 criteria recommended pursuant to subsection (6), shall provide to  
24 state board approved teacher education institutions state board  
25 approved guidelines and criteria for use in the development or  
26 selection of a basic skills examination, and not later than

1 June 1, 1989, approved guidelines and criteria for use in the  
2 development or selection of subject area examinations.

3 (5) For the purposes of this section, not later than  
4 January 1, 1989, the state board, based upon criteria recommended  
5 pursuant to subsection (6), shall develop, select, or develop and  
6 select 1 or more basic skills examinations, and not later than  
7 January 1, 1990, subject area examinations. In addition, the  
8 state board, based upon criteria recommended pursuant to subsec-  
9 tion (6), shall approve an elementary certification examination  
10 not later than October 1, 1992 and a reading subject area exami-  
11 nation not later than October 1, 1993.

12 (6) Not later than January 18, 1987, the state board shall  
13 appoint an 11-member teacher examination advisory committee com-  
14 prised of representatives of approved teacher education institu-  
15 tions and Michigan education organizations and associations. Not  
16 more than 1/2 of the members comprising this committee shall be  
17 certified teachers. Not later than January 1, 1988, this commit-  
18 tee shall recommend criteria to be used by the state board in the  
19 development, selection, or development and selection of 1 or more  
20 basic skills examinations, and not later than January 1, 1989,  
21 criteria to be used by the state board in the development, selec-  
22 tion, or development and selection of subject area examinations.  
23 In addition, by those dates, the committee shall recommend guide-  
24 lines for the use and administration of those examinations. The  
25 basic skills examinations referred to in this subsection may be  
26 developed by the state board or selected by the state board from  
27 commercially or university developed examinations. In addition,

1 an approved teacher education institution, pursuant to guidelines  
2 and criteria described in subsection (4), may develop an examina-  
3 tion at its own expense for approval by the state board. An  
4 approved teacher education institution that develops its own  
5 examination is liable for any litigation that results from the  
6 use of its examination.

7 (7) Not later than January 18, 1987, the state board shall  
8 appoint a 7-member standing technical advisory council comprised  
9 of persons who are experts in measurement and assessment. This  
10 council shall advise the state board and the teacher examination  
11 committee on the validity, reliability, and other technical stan-  
12 dards of the examinations that will be used or are being used and  
13 of the administration and use of those examinations.

14 (8) Not later than November 30, 1992 and each year thereaf-  
15 ter, the state board shall submit in writing a report on the  
16 development or selection and use of the basic skills examination,  
17 the elementary certification examination, and the subject area  
18 examinations to the house and senate education committees. The  
19 report shall also contain a financial statement regarding revenue  
20 received from the assessment of fees levied pursuant to subsec-  
21 tion (10) and the amount of and any purposes for which that reve-  
22 nue was expended.

23 (9) The basic skills examination, the elementary certifica-  
24 tion examination, and the subject area examinations required by  
25 this section may be taken at different times during an approved  
26 teacher preparation program, but, subject to subsection (11), the  
27 basic skills examination must be passed before a person is

1 enrolled for student teaching and the elementary certification  
2 examination and the subject area examinations, as applicable,  
3 must be passed before a person is recommended for certification.

4 (10) The department, or if approved by the state board, a  
5 private testing service, may assess fees for taking the basic  
6 skills examination, elementary certification examination, and the  
7 subject area examinations. The fees, which shall be set by the  
8 state board, shall not exceed \$50.00 for a basic skills examina-  
9 tion or \$75.00 for an elementary certification examination or a  
10 subject area examination. However, if a subject area examination  
11 for vocational education includes a performance examination, an  
12 additional fee may be assessed for taking the performance exami-  
13 nation, not to exceed the actual cost of administering the per-  
14 formance examination. Fees received by the department shall be  
15 expended solely for administrative expenses that it incurs in  
16 implementing subsections (2) to (15).

17 (11) For persons who took an examination administered under  
18 this section in February 1992 or April 1992, the department shall  
19 make available not later than June 30, 1992 the results of the  
20 examination indicating both the person's score on the examination  
21 and whether the person has passed or failed the examination. If  
22 a person failed a basic skills examination administered in  
23 February 1992 or 1 or more subject area examinations administered  
24 in April 1992, the department shall allow the person to retake  
25 the failed examination once without charge to the person.  
26 Subsequent reexaminations shall be subject to the fees described  
27 in subsection (10). A person who failed a basic skills

1 examination administered in February 1992 or April 1992 may be  
2 enrolled for student teaching before passing the basic skills  
3 examination but must pass the basic skills examination before he  
4 or she may be recommended for certification.

5 (12) Until September 1, 1993, a person holding a teaching  
6 certificate that was in effect on January 1, 1992 who applies for  
7 an elementary level teaching certificate or for certification in  
8 a subject area, and who meets the other applicable requirements,  
9 is not required to pass the elementary certification examination  
10 or appropriate subject area examination, as applicable, in order  
11 to receive the elementary level teaching certificate or to be  
12 certified in the subject area.

13 (13) As used in this section:

14 (a) "Basic skills examination" means an examination devel-  
15 oped or selected by the state board or developed pursuant to sub-  
16 section (6) by an approved teacher education institution for the  
17 purpose of demonstrating the applicant's knowledge and under-  
18 standing of basic language and mathematical skills and other  
19 skills necessary for the certificate sought, and for determining  
20 whether or not an applicant is eligible for a provisional  
21 Michigan teaching certificate. Not later than June 30, 1987, the  
22 department shall advise the state board and the legislature  
23 whether or not the department recommends that the basic skills  
24 examination include an examination of a person's knowledge and  
25 understanding of 1 or more of the following: brain function,  
26 learning styles, and learning processes.

1 (b) "Elementary certification examination" means a  
2 comprehensive examination for elementary certification that has  
3 been developed or selected by the state board for demonstrating  
4 the applicant's knowledge and understanding of the core subjects  
5 normally taught in elementary classrooms and for determining  
6 whether or not an applicant is eligible for an elementary level  
7 teaching certificate.

8 (c) "Subject area examination" means an examination related  
9 to a specific area of certification, which examination has been  
10 developed or selected by the state board for the purpose of  
11 demonstrating the applicant's knowledge and understanding of the  
12 subject matter and determining whether or not an applicant is  
13 eligible for a Michigan teaching certificate.

14 (14) The state board shall certify as qualified the supervi-  
15 sors required in section 1506. The state board shall certify  
16 teachers as qualified to teach the class described in section  
17 1507(1), based upon the recommendation of a teacher training  
18 institution, upon an evaluation of the teacher's educational  
19 qualifications and experience, and upon any additional require-  
20 ments the state board considers necessary.

21 (15) The state board shall promulgate rules for the imple-  
22 mentation of this section AND OF SECTION 1233B.

23 Sec. 1536. (1) The state board shall develop a school  
24 administrator's certificate which ~~shall~~ MAY be issued to all  
25 school district and intermediate school district superintendents,  
26 principals, assistant principals, and other persons whose primary  
27 responsibility is administering instructional programs and to

1 school district and intermediate school district chief business  
2 officials.

3 ~~(2) A school administrator's certificate developed under~~  
4 ~~subsection (1) shall be issued not later than July 1, 1990 to all~~  
5 ~~persons who are employed by the department of education, the~~  
6 ~~department of mental health, the department of social services,~~  
7 ~~and the department of corrections in a position the state board~~  
8 ~~determines to be equivalent to a position specified in subsection~~  
9 ~~(1).~~

10 (2) ~~(3)~~ The state board also shall develop appropriate  
11 certificate endorsements for school district and intermediate  
12 school district superintendents; chief business officials; build-  
13 ing administrators, by elementary school, middle school, and high  
14 school level; and for persons who are employed by the department  
15 of education, the department of mental health, the department of  
16 social services, and the department of corrections in a position  
17 the state board determines to be equivalent to a position speci-  
18 fied in this subsection or whose primary responsibility is admin-  
19 istering instructional programs for K to 12 pupils. The state  
20 board shall determine the educational and professional experience  
21 requirements for and issue all certificates for these administra-  
22 tors and shall determine how these administrators may obtain  
23 renewal units for periodic recertification.

24 (3) IN ADDITION TO OTHER REQUIREMENTS ESTABLISHED UNDER THIS  
25 SECTION BY THE STATE BOARD, TO BE ELIGIBLE FOR AN INITIAL SCHOOL  
26 ADMINISTRATOR'S CERTIFICATE FOR ADMINISTERING INSTRUCTIONAL  
27 PROGRAMS AND FOR AN INITIAL ENDORSEMENT AS A BUILDING

1 ADMINISTRATOR, OR, IF THE REQUIREMENTS OF THIS SUBSECTION WERE  
2 NOT MET FOR THE INDIVIDUAL'S INITIAL CERTIFICATE OR ENDORSEMENT,  
3 FOR RENEWAL OF SUCH A CERTIFICATE OR ENDORSEMENT, AN INDIVIDUAL  
4 SHALL PROVIDE EVIDENCE SATISFACTORY TO THE DEPARTMENT THAT HE OR  
5 SHE HAS SUCCESSFULLY COMPLETED POSTGRADUATE COURSEWORK OR TRAIN-  
6 ING IN BUDGETING AND FINANCIAL MANAGEMENT, CURRICULUM, AND PER-  
7 SONNEL EVALUATION, AS SPECIFIED BY STATE BOARD RULE.

8 (4) The state board may provide a waiver for any person who  
9 is not able to meet the requirements described in this section,  
10 including a requirement that an administrator must possess a  
11 valid teaching certificate, due to unusual circumstances.

12 (5) The state board shall issue an initial school  
13 administrator's certificate to any person who is employed by the  
14 department of education, the department of mental health, the  
15 department of social services, or the department of corrections  
16 in a position the state board determines to be equivalent to a  
17 position specified in subsection (1) and who does not meet the  
18 certification requirements for the position the person holds on  
19 July 1, 1990. A school administrator's certificate issued under  
20 this subsection is valid only while the person is employed by  
21 that department in such a position. A person who holds a school  
22 administrator's certificate issued under this subsection must  
23 meet the certification requirements of subsections (1) and (8)  
24 and section 1531a if the person desires to transfer to a differ-  
25 ent position within that department that requires a school  
26 administrator's certificate or to a position that requires a

1 school administrator's certificate in another department, a  
2 school district, or an intermediate school district.

3 (6) Until July 1, 1996, the state board shall issue a school  
4 administrator's certificate to a person with temporary or full  
5 approval as a special education director or supervisor even if  
6 the person does not possess a valid teaching certificate, if the  
7 person applies for and meets all of the other requirements for a  
8 school administrator's certificate under this section or rules  
9 promulgated pursuant to this section. A school administrator's  
10 certificate issued under this subsection is subject to the  
11 requirements for renewal of a school administrator's certificate  
12 under this section.

13 (7) A school administrator's certificate issued under this  
14 section is valid for 5 years and shall be renewed upon completion  
15 of renewal units as determined by the state board.

16 (8) The state board shall promulgate rules to implement this  
17 section.

18 SEC. 1602A. (1) THE BOARD OF A SCHOOL DISTRICT OPERATING A  
19 COMMUNITY COLLEGE UNDER THIS PART MAY LEVY TAXES FOR THE OPERA-  
20 TION OF THE COMMUNITY COLLEGE AT A MILLAGE RATE NOT TO EXCEED THE  
21 NUMBER OF MILLS DETERMINED BY THE DEPARTMENT TO EQUAL THE NUMBER  
22 OF MILLS AUTHORIZED UNDER SECTION 1211 AS OF THE EFFECTIVE DATE  
23 OF THE AMENDATORY ACT THAT ADDED THIS SECTION FOR OPERATING THE  
24 COMMUNITY COLLEGE AND REPORTED TO THE DEPARTMENT FOR THE PURPOSE  
25 OF COMPILING THE ACTIVITY CLASSIFICATION STRUCTURE DATA UNDER  
26 SECTION 204 OF ACT NO. 163 OF THE PUBLIC ACTS OF 1993. THE  
27 MILLAGE ALLOWED UNDER THIS SUBSECTION MAY BE LEVIED WITHOUT A

1 VOTE OF THE SCHOOL ELECTORS OF THE SCHOOL DISTRICT UNTIL THE  
2 MILLAGE AUTHORIZATION EXPIRES.

3 (2) WITH THE APPROVAL OF THE SCHOOL ELECTORS OF THE SCHOOL  
4 DISTRICT, THE BOARD OF A SCHOOL DISTRICT MAY RENEW THE MILLAGE  
5 AUTHORIZED UNDER SUBSECTION (1) OR LEVY ADDITIONAL MILLAGE FOR  
6 THE OPERATION OF THE COMMUNITY COLLEGE, OR BOTH.

7 (3) FOR THE PURPOSES OF SECTION 27A OF THE GENERAL PROPERTY  
8 TAX ACT, ACT NO. 206 OF THE PUBLIC ACTS OF 1893, BEING  
9 SECTION 211.27A OF THE MICHIGAN COMPILED LAWS, MILLAGE LEVIED  
10 UNDER THIS SECTION IS NOT MILLAGE LEVIED FOR LOCAL SCHOOL DIS-  
11 TRICT OPERATING PURPOSES.

12 SEC. 1727A. (1) BEGINNING JANUARY 1, 1994, THE BOARD OF AN  
13 INTERMEDIATE SCHOOL DISTRICT MAY LEVY AD VALOREM PROPERTY TAXES  
14 FOR SPECIAL EDUCATION PURPOSES UNDER SECTIONS 1722 TO 1729 AT A  
15 RATE NOT TO EXCEED THE NUMBER OF MILLS OF THOSE TAXES LEVIED IN  
16 THE INTERMEDIATE SCHOOL DISTRICT IN 1993. ALL OR PART OF THE  
17 MILLAGE LEVIED UNDER THIS SECTION MAY BE RENEWED AS PROVIDED IN  
18 THIS ARTICLE.

19 (2) FOR THE PURPOSES OF SECTION 27A OF THE GENERAL PROPERTY  
20 TAX ACT, ACT NO. 206 OF THE PUBLIC ACTS OF 1893, BEING  
21 SECTION 211.27A OF THE MICHIGAN COMPILED LAWS, MILLAGE LEVIED  
22 UNDER THIS SECTION IS NOT LEVIED FOR INTERMEDIATE SCHOOL DISTRICT  
23 OPERATING PURPOSES.

24 Section 2. Section 1147 and parts 7a and 18 of Act No. 451  
25 of the Public Acts of 1976, being sections 380.751, 380.752,  
26 380.753, 380.754, 380.755, 380.756, 380.1147, 380.1401, 380.1406,

1 380.1407, 380.1408, 380.1411, 380.1415, and 380.1416 of the  
2 Michigan Compiled Laws, are repealed.