



# SENATE BILL No. 891

October 14, 1993, Introduced by Senator DE GROW and  
referred to the Committee on Education Reform

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,  
1322, 1324, 1351, 1356, 1421, 1422 1451, 1531 1536 and 1561 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 1322, 380 1324 380 1351, 380 1356 380 1421, 380 1422, 380 1451 380 1531, 380 1536, and 380 1561 of the Michigan Compiled Laws to add sections 1147a 1211a, 1300a, 1305, 1602a, and 1727a and part 15a to repeal certain parts of the act and to repeal certain acts and parts of acts

**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, 1322,  
 4 1324, 1351, 1356, 1421, 1422, 1451, 1531, 1536, and 1561 of Act  
 5 No 451 of the Public Acts of 1976, section 5 as amended by Act  
 6 No 263 of the Public Acts of 1992, section 6 as amended by Act  
 7 No 159 of the Public Acts of 1989, section 331 as amended by Act  
 8 No 127 of the Public Acts of 1990 section 431a as amended by  
 9 Act No 71 of the Public Acts of 1982, section 483a as added by

1 Act No 96 of the Public Acts of 1981, section 1204a as amended  
 2 and sections 1233b, 1277, 1278, and 1280 as added by Act No 25  
 3 of the Public Acts of 1990 section 1211 as amended by Act  
 4 No 236 of the Public Acts of 1992, section 1221 as amended by  
 5 Act No 132 of the Public Acts of 1986, section 1230 as amended  
 6 by Act No 68 of the Public Acts of 1993, section 1284 as amended  
 7 by Act No 143 of the Public Acts of 1992, section 1321 as  
 8 amended by Act No 163 of the Public Acts of 1990, section 1351  
 9 as amended by Act No 352 of the Public Acts of 1992, section  
 10 1356 as amended by Act No 118 of the Public Acts of 1983, sec-  
 11 tion 1531 as amended by Act No 282 of the Public Acts of 1982,  
 12 and section 1536 as amended by Act No 63 of the Public Acts of  
 13 1991, being sections 380 5, 380 6 380 132 380 246 380 248,  
 14 380 331, 380 346, 380 431a 380 483a, 380 1148, 380 1204a,  
 15 380 1210, 380 1211, 380 1212, 380 1221, 380 1230, 380 1233b,  
 16 380 1247, 380 1261 380 1277, 380 1278, 380 1280, 380 1282,  
 17 380 1283, 380 1284, 380 1300 380 1311 380 1321, 380 1322,  
 18 380 1324, 380 1351 380 1356, 380 1421 380 1422, 380 1451,  
 19 380 1531 380 1536 and 380 1561 of the Michigan Compiled Laws,  
 20 are amended and sections 1147a, 1211a, 1300a 1305, 1602a, and  
 21 1727a and part 15a are added to read as follows

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

1       (2) "Membership" means the number of full-time equivalent  
2 pupils in a public school as determined by the number of pupils  
3 registered for attendance plus pupils received by transfer and  
4 minus pupils lost as defined by rules promulgated by the state  
5 board

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

9       (4) "Nonpublic school" means a ~~private, denominational, or~~  
10 ~~parochial~~ school THAT PROVIDES INSTRUCTION TO CHILDREN IN ANY  
11 GRADE FROM KINDERGARTEN THROUGH GRADE 12 THAT IS OPERATED BY A  
12 RELIGIOUS DENOMINATION, CHURCH, OR GROUP OF CHURCHES OR IS GOV-  
13 ERNED BY AN INDEPENDENT BOARD CONSISTING OF AT LEAST 5 MEMBERS

14       (5) "Pupil membership count day" of a school district means  
15 THAT TERM AS DEFINED IN SECTION 6 OF THE STATE SCHOOL AID ACT OF  
16 1979 BEING SECTION 388 1606 OF THE MICHIGAN COMPILED LAWS ~~the~~  
17 ~~fourth Friday following Labor day each school year except that~~  
18 ~~the membership count day of a school district maintaining school~~  
19 ~~during the entire school year means the following days:~~

20       ~~(a) Fourth Friday in July~~

21       ~~(b) Fourth Friday in October~~

22       ~~(c) Fourth Friday in January~~

23       ~~(d) Fourth Friday in April~~

24       (6) "Pupil transportation vehicle" means any vehicle other  
25 than a school bus used by a school district to transport pupils  
26 to or from school or school-related events

1       (7) "Rehabilitated school bus" means a bus that is at least  
2 4 years old and has accumulated at least 100 000 miles or is at  
3 least 7 years old and that has been thoroughly inspected and had  
4 all systems repaired, replaced, or adjusted to meet the depart-  
5 ment of state police inspection requirements including but not  
6 limited to any of the following

7       (a) Engine overhaul of short block

8       (b) New tires on the front axle

9       (c) New recap tires on the rear axle

10      (d) New brake linings and drums

11      (e) New hydraulic brake lines

12      (f) Front and rear springs

13      (g) New paint in the interior

14      (h) New exhaust system

15      (8) "Reorganized intermediate school district" means an  
16 intermediate school district formed by consolidation or annexa-  
17 tion of 2 or more intermediate school districts under sections  
18 701 and 702

19      (9) "Rule" means a rule promulgated pursuant to the adminis-  
20 trative procedures act of 1969 Act No 306 of the Public Acts  
21 of 1969, as amended being sections 24 201 to 24 328 of the  
22 Michigan Compiled Laws

23      Sec 6   (1) "SCHOOL BUILDING GOVERNING COMMITTEE" MEANS A  
24 SCHOOL BUILDING GOVERNING COMMITTEE ESTABLISHED IN SECTION  
25 1300A

26      (2) ~~-(1)-~~ "School bus" means a motor vehicle, other than a  
27 station wagon or passenger van, with a manufacturer's rated

1 seating capacity of 17 or more pupils used for the transportation  
 2 of school pupils to and from school which either is owned by a  
 3 school district or, if privately owned, is transporting school  
 4 pupils under a contract with a local school district, a local act  
 5 school district, or an intermediate school district As used in  
 6 this subsection

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

10 (b) "Station wagon" means a motor vehicle designed to carry  
 11 not more than 10 passengers and built on a passenger vehicle  
 12 chassis

13 (3) ~~-(2)-~~ "School district" or "local school district"  
 14 means

15 (a) A primary school district

16 (b) A school district of the fourth class

17 (c) A school district of the third class

18 (d) A school district of the second class

19 (e) A school district of the first class

20 (4) ~~-(3)-~~ "School elector" means a person qualified as an  
 21 elector under section 492 of the Michigan election law, Act No  
 22 116 of the Public Acts of 1954, as amended, being section 168 492  
 23 of the Michigan Compiled Laws, and resident of the school dis-  
 24 trict, local act school district, or intermediate school district  
 25 on or before the thirtieth day before the next ensuing annual or  
 26 special school election

1       (5) ~~-(4)-~~ "School month" means a 4-week period of 5 days  
2 each unless otherwise specified in the teacher's contract

3       (6) ~~-(5)-~~ "Special education building and equipment" means a  
4 structure or portion of a structure or personal property accept-  
5 ed, leased, purchased, or otherwise acquired, prepared, or used  
6 for special education programs and services

7       (7) ~~-(6)-~~ "Special education personnel" means persons  
8 engaged in and having professional responsibility for the train-  
9 ing, care, and education of handicapped persons in special educa-  
10 tion programs and services including, but not limited to, teach-  
11 ers, aides, social workers diagnostic personnel, physical thera-  
12 pists, occupational therapists, audiologists teachers of speech  
13 and language, instructional media-curriculum specialists, mobil-  
14 ity specialists, teacher consultants, supervisors, and  
15 directors

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

26       ~~-(8) "State approved nonpublic school" means a nonpublic~~  
27 ~~school that complies with Act No 302 of the Public Acts of 1921,~~

~~1 as amended, being sections 388 551 to 388 558 of the Michigan~~  
~~2 Compiled Laws~~

3 (9) "State board" means the state board of education unless  
4 clearly otherwise stated

5 (10) "Department" means the department of education created  
6 and operating under sections 300 to 305 of the executive organi-  
7 zation act of 1965, Act No 380 of the Public Acts of 1965, being  
8 sections 16 400 to 16 405 of the Michigan Compiled Laws

9 (11) "State school aid" means allotments from the general  
10 appropriating act for the purpose of aiding in the support of the  
11 public schools of the state

12 (12) "The state school aid act of 1979" means Act No 94 of  
13 the Public Acts of 1979, being sections 388 1601 to 388 1772 of  
14 the Michigan Compiled Laws

15 (13) "Type I school bus" means a school bus with a gross  
16 vehicle weight rating of more than 10,000 pounds

17 (14) "Type II school bus" means a school bus with a gross  
18 vehicle rating of 10,000 pounds or less

19 (15) "Type I premium school bus" means a school bus with a  
20 passenger capacity of more than 66 pupils and any other school  
21 bus purchased by a district at a cost for the vehicle, excluding  
22 interest and special equipment, that exceeds by more than 15% the  
23 average cost of a school bus meeting state minimum specifications  
24 of the same capacity purchased during the same year

25 Sec 132 (1) The board shall employ a superintendent of  
26 schools if 12 or more teachers are employed If less than 12  
27 teachers are employed, the board may employ a superintendent of



1 schools The superintendent shall possess the qualifications  
2 prescribed in section 1246 The contract with the superintendent  
3 shall be for a term, not to exceed 3 years, fixed by the board  
4 Notification of nonrenewal of contract shall be given in writing  
5 at least 90 days before the contract termination date or the con-  
6 tract is renewed for an additional 1-year period

7 (2) The board may employ assistant superintendents, princi-  
8 pals, assistant principals, guidance directors, and other admin-  
9 istrators who do not assume tenure in position, for terms, not to  
10 exceed 3 years, fixed by the board and shall define their  
11 duties The employment shall be under written contract  
12 Notification of nonrenewal of contract shall be given in writing  
13 at least 60 days before the contract termination date or the con-  
14 tract is renewed for an additional 1-year period

15 (3) A notification of nonrenewal of contract of a person  
16 described in this section may be given only for a reason that is  
17 not arbitrary or capricious The board shall not issue a notice  
18 of nonrenewal under this section unless the affected person has  
19 been provided with not less than 30 days' advance notice that the  
20 board is considering the nonrenewal together with a written  
21 statement of the reasons the board is considering the  
22 nonrenewal After the issuance of the written statement but  
23 before the nonrenewal statement is issued the affected person  
24 shall be given the opportunity to meet with not less than a  
25 majority of the board to discuss the reasons stated in the writ-  
26 ten statement The meeting shall be open to the public or a  
27 closed session as the affected person elects under section 8 of

1 THE OPEN MEETINGS ACT Act No 267 of the Public Acts of 1976,  
2 being section 15 268 of the Michigan Compiled Laws The failure  
3 to provide for a meeting with the board or the finding of a court  
4 that the reason for nonrenewal is arbitrary or capricious shall  
5 result in the renewal of the affected person's contract for an  
6 additional 1-year period This subsection does not apply to the  
7 nonrenewal of the contract of a superintendent of schools

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

10 (a) Recommend in writing teachers necessary for the  
11 schools

12 (b) Suspend a teacher for cause until the board may consider  
13 the suspension

14 (c) Supervise and direct the work of the teachers and other  
15 employees of the board

16 (d) Classify and control the promotion of pupils

17 (e) Recommend to the board the best methods of arranging the  
18 course of study and the proper textbooks to be used

19 (f) Make written reports to the board and to the state board  
20 at least once each year in regard to matters pertaining to the  
21 educational interests of the school district

22 (g) Assist the board in matters pertaining to the general  
23 welfare of the school and perform other duties ~~which~~ THAT the  
24 board requires

25 (h) Put into practice the educational policies of the state  
26 and of the board within the means provided by the board

1       Sec 246   ~~The~~ SUBJECT TO SECTION 1300A, THE board shall

2       (a) Certify to the treasurer of the school district for  
3 payment from the school funds claims and demands against the  
4 board or district, which shall be allowed by the board under reg-  
5 ulations it establishes

6       (b) Print and publish immediately after each meeting, in the  
7 manner determined by the board, proceedings of the board at the  
8 meeting

9       (c) Make and publish annually, at the end of the fiscal  
10 year, in a daily or weekly newspaper of general circulation in  
11 the school district a complete report of receipts and  
12 expenditures

13       (d) ~~Provide~~ IF CONSIDERED ADVISABLE BY THE BOARD, PROVIDE  
14 adequate facilities for transportation ~~within the school~~  
15 ~~district~~ of pupils from and to their homes ~~if the board deems~~  
16 ~~it advisable~~

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

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

25       Sec 248   ~~The~~ SUBJECT TO SECTION 1300A, THE superinten-  
26 dent OF A SCHOOL DISTRICT OF THE SECOND CLASS shall

1 (a) Recommend in writing teachers necessary for the  
2 schools

3 (b) Suspend a teacher for cause until the board may consider  
4 the suspension

5 (c) Supervise and direct the work of the teachers and other  
6 employees of the board

7 (d) Classify and control the promotion of pupils

8 (e) Recommend to the board the best methods of arranging the  
9 course of study and the proper textbooks to be used

10 (f) Make written reports to the board and to the state board  
11 annually and as otherwise required in regard to matters pertain-  
12 ing to the educational interests of the school district

13 (g) Assist the board in matters pertaining to the general  
14 welfare of the school and perform other duties ~~which~~ THAT the  
15 board ~~may require~~ REQUIRES

16 (h) Put into practice the educational policies of the state  
17 and of the board in accordance with means provided by the board

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

26 (2) Tax exemption of the school property ~~shall be~~ IS  
27 governed by section 1141

1       (3) The school district is the successor of a school  
2 corporation or corporations existing within the limits of the  
3 district and is vested with the title to all property, real and  
4 personal, vested in the school corporation to which it is the  
5 successor   The school district is liable to pay the indebtedness  
6 and obligations of the school corporation to which it is the suc-  
7 cessor, in the manner and to the extent provided in this act

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

15       (5) The board may retain and employ legal counsel   If an  
16 entire city or township is located within a second class school  
17 district, the city or township attorney, upon request of the  
18 board, shall be the legal advisor of the board and shall repre-  
19 sent it in litigation

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

23       (7) The board may provide transportation and adequate facil-  
24 ities for transportation of pupils when and to the extent the  
25 board considers advisable

26       (8) The board, by resolution, may authorize compensation for  
27 its members, which shall not exceed \$30 00 per meeting,

1 subcommittee meeting, or authorized duty if the duty is related  
2 directly to the member's responsibility as a board member and if  
3 the duty is authorized in advance by the board A board member  
4 shall not receive compensation for more than a total of 52 meet-  
5 ings, subcommittee meetings, and authorized duties per year  
6 unless the majority of the board votes to remove this  
7 limitation

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

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

18 Sec 346 (1) The board OF A SECOND CLASS SCHOOL DISTRICT  
19 by written contract shall appoint and employ a suitable person,  
20 not a member of the board, as superintendent of schools who shall  
21 meet the requirements prescribed in section 1246, and who shall  
22 hold office for a term established in the contract but not to  
23 exceed 5 years The contract shall prescribe the salary of the  
24 superintendent and may provide for an annual revision of salary  
25 During the period of employment, SUBJECT TO SECTION 1300A, the  
26 superintendent shall have the executive management and  
27 administrative control of the school system, under the policies

1 adopted by the board Notification of nonrenewal of contract  
2 shall be given in writing at least 90 days before the contract  
3 termination date or the contract is renewed for an additional  
4 1-year period

5 (2) The board may appoint a suitable person, not a member of  
6 the board, as fiscal agent, directly responsible to it, for a  
7 period not to exceed 3 years and, SUBJECT TO SECTION 1300A, dele-  
8 gate to the fiscal agent rather than to the superintendent that  
9 part of the management and control of purchases, contracts, and  
10 other business matters the board determines in its regulations  
11 The employment shall be under written contract Notification of  
12 nonrenewal of contract shall be given in writing at least 60 days  
13 before the contract termination date or the contract is renewed  
14 for an additional 1-year period

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

24 (4) The board may employ assistant superintendents, princi-  
25 pals, assistant principals, guidance directors, and other admin-  
26 istrators who do not assume tenure in position for terms, not to  
27 exceed 3 years, fixed by the board and shall define their

1 duties The employment shall be under written contract  
2 Notification of nonrenewal of contract shall be given in writing  
3 at least 60 days before the contract termination date or the con-  
4 tract is renewed for an additional 1-year period

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

25 Sec 431a (1) The first class school district board may  
26 take, use, hold, lease, sell, and convey real and personal  
27 property, including property received by gift, devise, or



1 bequest, for the use of the public school within and without its  
2 corporate limits Proceeds from the sale of real property shall  
3 be credited to accounts of the school district as provided in  
4 section 1262 The first class school district board ~~shall have~~  
5 ~~the power to~~ MAY purchase, lease, and take by the right of emi-  
6 nent domain all property erect and maintain or lease all build-  
7 ings employ and pay all persons and, SUBJECT TO SECTION 1300A,  
8 do all other things in its judgment necessary for the proper  
9 establishment and management of the public schools

10 (2) ~~The~~ SUBJECT TO SECTION 1300A, THE first class school  
11 district board shall adopt and revise as appropriate bylaws and  
12 regulations for its own government and for the control and gov-  
13 ernment of all schools, school property and pupils in the first  
14 class school district

15 (3) If property is sought to be taken by eminent domain,  
16 proceedings may be brought under Act No 149 of the Public Acts  
17 of 1911, as amended, being sections 213 21 to 213 41 of the  
18 Michigan Compiled Laws, or THE UNIFORM CONDEMNATION PROCEDURES  
19 ACT Act No 87 of the Public Acts of 1980, as amended, being  
20 sections 213 51 to 213 77 of the Michigan Compiled Laws

21 Sec 483a (1) ~~The~~ SUBJECT TO SECTION 1300A, THE first  
22 class school district board shall perform the following  
23 functions

24 (a) Central purchasing

25 (b) Payroll

26 (c) Employment, discharge, assignment, and promotion of  
27 teachers and other employees of the district

1 (d) Contract negotiations for all employees, subject to Act  
2 No 336 of the Public Acts of 1947, as amended, being sections  
3 423 201 to 423 216 of the Michigan Compiled Laws, and subject to  
4 bargaining certification and the collective bargaining agreement  
5 pertaining to affected employees

6 (e) Property management and maintenance and the use of edu-  
7 cational facilities

8 (f) Bonding

9 (g) Special education programs

10 (h) Allocation of funds for capital outlay and operations

11 (i) Determination of the curriculum and the establishment of  
12 educational and testing programs

13 (j) Adoption of a budget

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

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

24 (2) SUBJECT TO SUBSECTION (6) THE BOARD OF A SCHOOL DIS-  
25 TRICT, BY ANNUAL RESOLUTION, MAY DECIDE NOT TO ENROLL SCHOOL-AGE  
26 CHILDREN NOT RESIDING IN THE SCHOOL DISTRICT IN ALL OR CERTAIN  
27 SPECIFIED SCHOOLS OR GRADES OF THE SCHOOL DISTRICT IF THE BOARD

1 OF A SCHOOL DISTRICT ADOPTS A RESOLUTION DESCRIBED IN THIS  
2 SUBSECTION, THE SCHOOL DISTRICT SHALL NOT ENROLL ANY SCHOOL-AGE  
3 CHILDREN NOT RESIDING WITHIN THE SCHOOL DISTRICT IN A SCHOOL  
4 SPECIFIED IN THE RESOLUTION

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

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

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

1           (6) BEFORE DECIDING WHETHER OR NOT TO ENROLL SCHOOL-AGE  
2 CHILDREN NOT RESIDING IN THE SCHOOL DISTRICT IN ALL OR SPECIFIED  
3 SCHOOLS OR GRADES OF THE SCHOOL DISTRICT THE BOARD OF A SCHOOL  
4 DISTRICT SHALL CONSIDER WHETHER THAT ENROLLMENT WOULD RESULT IN  
5 UNLAWFUL DISCRIMINATION UNDER STATE OR FEDERAL CIVIL RIGHTS LAW  
6 AND WHETHER DECIDING NOT TO ALLOW THAT ENROLLMENT WOULD RESULT IN  
7 UNLAWFUL DISCRIMINATION UNDER STATE OR FEDERAL CIVIL RIGHTS LAW,  
8 AND THE BOARD SHALL NOT ACT IN A WAY THAT WOULD RESULT IN SUCH  
9 UNLAWFUL DISCRIMINATION IN ADDITION, IF A SCHOOL DISTRICT IS  
10 SUBJECT TO A COURT-ORDERED DESEGREGATION PLAN THE SCHOOL DIS-  
11 TRICT SHALL SEEK COURT APPROVAL FOR PARTICIPATION IN OPEN ENROLL-  
12 MENT UNDER THIS SECTION, AND THE SCHOOL DISTRICT'S DUTIES UNDER  
13 THIS SECTION ARE SUBJECT TO COURT APPROVAL

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

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

## NONPUBLIC SCHOOLS POWERS AND DUTIES GENERALLY

(A) AT LEAST ANNUALLY MAKE AVAILABLE ACCURATE INFORMATION  
ING TO THE NONPUBLIC SCHOOL FOR THAT YEAR TO THE PARENT OR  
GUARDIAN OF ANY STUDENT ENROLLED IN THE NONPUBLIC SCHOOL OR  
Y PROSPECTIVE STUDENT, INCLUDING AT LEAST ALL OF THE  
WING

(111) A STATEMENT OF THE LENGTH OF THE SCHOOL YEAR AND THE  
SCHOOL CALENDAR

1        (iv) AGGREGATE STUDENT ACHIEVEMENT DATA BASED UPON THE  
2 RESULTS OF ANY STUDENT COMPETENCY TESTS, STATEWIDE ASSESSMENT  
3 TESTS, OR NATIONALLY NORMED ACHIEVEMENT TESTS THAT WERE GIVEN TO  
4 STUDENTS ENROLLED IN THE SCHOOL

5        (v) ANNUAL ENROLLMENT DATA

6        (B) PROVIDE TO THE STATE BOARD THE ATTENDANCE REPORT  
7 REQUIRED UNDER SECTION 1578 AND, UPON WRITTEN REQUEST BY THE  
8 STATE BOARD, THE INFORMATION SPECIFIED IN SUBDIVISION (A)

9        SEC 1192     A NONPUBLIC SCHOOL SHALL COMPLY WITH FIRE,  
10 SAFETY, AND PHYSICAL HEALTH STANDARDS UNDER FEDERAL, STATE, AND  
11 LOCAL LAW THAT ARE GENERALLY APPLICABLE TO SCHOOLS

12       SEC 1193     UPON RECEIPT OF A WRITTEN COMPLAINT ALLEGING A  
13 VIOLATION OF SECTION 1191 THE STATE BOARD SHALL INVESTIGATE THE  
14 ALLEGATIONS MADE IN THE COMPLAINT THE STATE BOARD SHALL FORWARD  
15 A COPY OF THE COMPLAINT TO THE NONPUBLIC SCHOOL NAMED IN THE COM-  
16 PLAIN AND THE NONPUBLIC SCHOOL SHALL COOPERATE WITH THE STATE  
17 BOARD IN THE INVESTIGATION IF THE STATE BOARD DETERMINES AFTER  
18 AN INVESTIGATION THAT THERE IS REASONABLE CAUSE TO BELIEVE THAT A  
19 NONPUBLIC SCHOOL HAS VIOLATED SECTION 1191 THE STATE BOARD SHALL  
20 NOTIFY THE NONPUBLIC SCHOOL AND GIVE THE NONPUBLIC SCHOOL AN  
21 OPPORTUNITY TO CORRECT THE VIOLATION IF THE NONPUBLIC SCHOOL  
22 DOES NOT CORRECT THE VIOLATION WITHIN 60 DAYS AFTER BEING NOTI-  
23 FIED BY THE STATE BOARD THE STATE BOARD MAY CONDUCT A HEARING  
24 PURSUANT TO THE ADMINISTRATIVE PROCEDURES ACT OF 1969, ACT  
25 NO 306 OF THE PUBLIC ACTS OF 1969, BEING SECTIONS 24 201 TO  
26 24 328 OF THE MICHIGAN COMPILED LAWS, TO DETERMINE WHETHER A  
27 VIOLATION HAS OCCURRED

1        SEC 1194    (1) IF THE STATE BOARD DETERMINES AFTER A  
2 HEARING CONDUCTED UNDER SECTION 1193 THAT A NONPUBLIC SCHOOL HAS  
3 VIOLATED SECTION 1191, THE STATE BOARD MAY ORDER THE NONPUBLIC  
4 SCHOOL TO PAY AN ADMINISTRATIVE FINE AS FOLLOWS

5        (A) FOR A FIRST WILLFUL VIOLATION, NOT MORE THAN \$1,000 00

6        (B) FOR A SECOND OR SUBSEQUENT WILLFUL VIOLATION NOT MORE  
7 THAN \$5,000 00

8        (C) FOR A VIOLATION THAT IS NOT FOUND TO BE WILLFUL NOT  
9 MORE THAN \$500 00

10       (2) FOR THE PURPOSES OF THIS SECTION, A DISTRIBUTION BY A  
11 NONPUBLIC SCHOOL OF THE SAME INACCURATE INFORMATION TO MORE THAN  
12 1 PARENT OR LEGAL GUARDIAN CONSTITUTES A SINGLE VIOLATION OF  
13 SECTION 1191(A)

14       SEC 1195    (1) EXCEPT AS SPECIFICALLY PROVIDED IN THIS ACT,  
15 A NONPUBLIC SCHOOL IS GOVERNED BY THIS PART ONLY AND IS NOT  
16 SUBJECT TO THE OTHER PROVISIONS OF THIS ACT

17       (2) THIS PART DOES NOT PROHIBIT A NONPUBLIC SCHOOL FROM VOL-  
18 UNTARILY COMPLYING WITH ANY STATE LAW APPLICABLE TO THE PUBLIC  
19 SCHOOLS AND DOES NOT DENY TO A NONPUBLIC SCHOOL ANY AUXILIARY  
20 SERVICE AVAILABLE TO THE NONPUBLIC SCHOOL BEFORE THE EFFECTIVE  
21 DATE OF THIS PART

22       Sec 1204a    (1) ~~The~~ IF THE board of a school district  
23 ~~that does not want to forfeit a percentage of the school~~  
24 ~~district's state school aid as described in section 19 of the~~  
25 ~~state school aid act of 1979 Act No 94 of the Public Acts of~~  
26 ~~1979, being section 388 1619 of the Michigan Compiled Laws, or~~  
27 ~~that wants to receive and is eligible for additional state school~~

~~1 aid for quality programs as provided in sections 21(1) and 21a of~~  
~~2 the state school aid act of 1979, being sections 388-1621 and~~  
~~3 388-1621a of the Michigan Compiled Laws, shall prepare, make~~  
~~4 available to the state board and the public,~~ WANTS ALL OF ITS  
5 SCHOOLS TO BE ACCREDITED UNDER SECTION 1280, THE BOARD SHALL PRE-  
6 PARE AND SUBMIT TO THE STATE BOARD NOT LATER THAN SEPTEMBER 1  
7 EACH YEAR, and SHALL provide that each school in the school dis-  
8 trict distributes to the public at an open meeting NOT LATER THAN  
9 OCTOBER 15 EACH YEAR, an annual educational report The annual  
10 educational report shall include, but is not limited to, all of  
11 the following information for each public school in the school  
12 district

13 (a) The accreditation status of each school within the  
14 school district, the process by which pupils are assigned to par-  
15 ticular schools, and a description of each specialized school

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

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

22 (d) A report for each school of aggregate student achieve-  
23 ment based upon the results of any locally-administered student  
24 competency tests, statewide assessment tests, or nationally  
25 normed achievement tests that were given to pupils attending  
26 school in the school district



1 (e) For the year in which the report is filed and the  
2 previous school year the district ~~membership~~ PUPIL retention  
3 report as defined in section 6 of the state school aid act of  
4 1979, ~~Act No 94 of the Public Acts of 1979,~~ being  
5 section 388 1606 of the Michigan Compiled Laws

6 (f) The number and percentage of parents, legal guardians,  
7 or persons in loco parentis with pupils enrolled in the school  
8 district who participate in parent-teacher conferences for pupils  
9 at the elementary, middle, and secondary school level, as  
10 appropriate

11 (g) A comparison with the immediately preceding school year  
12 of the information required by subdivisions (a) through (f)

13 (H) THE MICHIGAN SCHOOL REPORT PUBLISHED BY THE DEPARTMENT  
14 FOR THE SCHOOL

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

21 Sec 1210 The board of a school district other than a  
22 primary school district, OR A SCHOOL BUILDING GOVERNING COMMITTEE  
23 may receive by assignment, conveyance, gift, device, or bequest,  
24 real or personal property, or an interest therein, for use in  
25 maintaining scholarships or for other educational purposes The  
26 board OR COMMITTEE may act as trustee or custodian of the  
27 property which shall be used by the board OR SCHOOL BUILDING

1 GOVERNING COMMITTEE solely for the educational purposes for which  
 2 it was assigned, conveyed, given, devised, or bequeathed, whether  
 3 by way of trust or otherwise The treasurer of the board may  
 4 give bond to insure proper administration of the property

5 Sec 1211 (1) ~~Subject to section 753,~~ BEGINNING  
 6 JANUARY 1, 1994, the board of a school district ~~shall vote to~~  
 7 THAT HAD COMBINED STATE AND LOCAL REVENUE PER MEMBERSHIP PUPIL  
 8 FOR THE SCHOOL FISCAL YEAR ENDING IN 1994 OF MORE THAN \$6,500 00  
 9 MAY levy PREVIOUSLY AUTHORIZED PROPERTY taxes ~~necessary~~ for  
 10 school operating purposes to conduct the educational programs  
 11 authorized by the board AT A RATE NOT TO EXCEED THE NUMBER OF  
 12 MILLS REQUIRED FOR THE SCHOOL DISTRICT'S COMBINED STATE AND LOCAL  
 13 REVENUE PER MEMBERSHIP PUPIL FOR THE SCHOOL FISCAL YEAR ENDING IN  
 14 1995 TO EQUAL 101<sup>1</sup>/<sub>100</sub> OF THE SCHOOL DISTRICT'S COMBINED STATE AND  
 15 LOCAL REVENUE PER MEMBERSHIP PUPIL FOR THE SCHOOL FISCAL YEAR  
 16 ENDING IN 1994 ~~A vote under this subsection to levy operating~~  
 17 ~~millage greater than the millage allocated to the school district~~  
 18 ~~under section 51 or 11 of the property tax limitation act Act~~  
 19 ~~No 62 of the Public Acts of 1933 being sections 211 2051 and~~  
 20 ~~211 211 of the Michigan Compiled Laws, shall be considered a vote~~  
 21 ~~to comply with section 753~~ ALL OR PART OF THE MILLAGE LEVIED  
 22 UNDER THIS SECTION MAY BE RENEWED WITH THE APPROVAL OF THE SCHOOL  
 23 ELECTORS HOWEVER, IF THE DEPARTMENT OF TREASURY DETERMINES THAT  
 24 THE PERCENTAGE INCREASE FROM 1 SCHOOL FISCAL YEAR TO THE NEXT IN  
 25 A SCHOOL DISTRICT'S COMBINED STATE AND LOCAL REVENUE PER MEMBER-  
 26 SHIP PUPIL FOR A PARTICULAR SCHOOL FISCAL YEAR AFTER 1994-95  
 27 EXCEEDS THE PERCENTAGE INCREASE IN THE GENERAL PRICE LEVEL IN THE

1 IMMEDIATELY PRECEDING CALENDAR YEAR, THE NUMBER OF MILLS THE  
2 SCHOOL DISTRICT MAY LEVY UNDER THIS SECTION SHALL BE REDUCED TO  
3 LIMIT THE PERCENTAGE INCREASE IN THE SCHOOL DISTRICT'S COMBINED  
4 STATE AND LOCAL REVENUE PER MEMBERSHIP PUPIL TO THE SAME PERCENTAGE AS THE PERCENTAGE INCREASE IN THE GENERAL PRICE LEVEL IN THE  
5 IMMEDIATELY PRECEDING CALENDAR YEAR

7 (2) IF A SCHOOL DISTRICT LEVIES MILLAGE FOR SCHOOL OPERATING  
8 PURPOSES THAT IS IN EXCESS OF THE LIMITS OF THIS SECTION, THE  
9 AMOUNT OF THE RESULTING EXCESS TAX REVENUE SHALL BE DEDUCTED FROM  
10 THE SCHOOL DISTRICT'S NEXT REGULAR TAX LEVY

11 (3) IF A SCHOOL DISTRICT LEVIES MILLAGE FOR SCHOOL OPERATING  
12 PURPOSES THAT IS LESS THAN THE LIMITS OF THIS SECTION, THE BOARD  
13 OF THE SCHOOL DISTRICT MAY LEVY AT THE SCHOOL DISTRICT'S NEXT  
14 REGULAR TAX LEVY AN ADDITIONAL NUMBER OF MILLS NOT TO EXCEED THE  
15 ADDITIONAL MILLAGE NEEDED TO MAKE UP THE SHORTFALL

16 (4) ~~-(2)-~~ As used in this section ~~-, "school-~~

17 (A) "COMBINED STATE AND LOCAL REVENUE PER MEMBERSHIP PUPIL"  
18 MEANS THAT TERM AS DEFINED IN SECTION 20 OF THE STATE SCHOOL AID  
19 ACT OF 1979 BEING SECTION 388 1620 OF THE MICHIGAN COMPILED  
20 LAWS

21 (B) "GENERAL PRICE LEVEL" MEANS THAT TERM AS DEFINED IN SECTION 33 OF ARTICLE IX OF THE STATE CONSTITUTION OF 1963

23 (C) "MEMBERSHIP" MEANS THAT TERM AS DEFINED IN SECTION 6 OF  
24 THE STATE SCHOOL AID ACT OF 1979, BEING SECTION 388 1606 OF THE  
25 MICHIGAN COMPILED LAWS

26 (D) "SCHOOL operating purposes" includes expenditures for  
27 furniture and equipment, for alterations necessary to maintain

1 school facilities in a safe and sanitary condition, for funding  
 2 the cost of energy conservation improvements in school facili-  
 3 ties, for deficiencies in operating expenses for the preceding  
 4 year, AND for paying the operating allowance due from the school  
 5 district to a joint high school district in which the school dis-  
 6 trict is a participating school district under part 3a ~~and~~  
 7 ~~for making payments required or permitted to be paid under sec-~~  
 8 ~~tion 752 or 753~~ TAXES LEVIED FOR SCHOOL OPERATING PURPOSES DO  
 9 NOT INCLUDE ANY OF THE FOLLOWING

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

12 (ii) TAXES LEVIED UNDER SECTION 1212

13 (iii) TAXES LEVIED UNDER SECTION 1356(4) FOR ELIMINATING AN  
 14 OPERATING DEFICIT

15 (iv) TAXES LEVIED FOR OPERATION OF A LIBRARY UNDER SECTION  
 16 1451 THAT WERE NOT INCLUDED IN THE OPERATING MILLAGE REPORTED BY  
 17 THE DISTRICT TO THE DEPARTMENT AS OF APRIL 1 1993

18 (v) TAXES PAID BY A SCHOOL DISTRICT OF THE FIRST CLASS TO A  
 19 PUBLIC LIBRARY COMMISSION PURSUANT TO SECTION 11(D) OF THE PROP-  
 20 ERTY TAX LIMITATION ACT ACT NO 62 OF THE PUBLIC ACTS OF 1933  
 21 BEING SECTION 211 211 OF THE MICHIGAN COMPILED LAWS

22 SEC 1211A NOT LATER THAN JUNE 15, 1994 THE DEPARTMENT OF  
 23 TREASURY SHALL CERTIFY EACH SCHOOL DISTRICT'S COMBINED STATE AND  
 24 LOCAL REVENUE PER MEMBERSHIP PUPIL, AS DEFINED IN SECTION 1211  
 25 FOR THE SCHOOL FISCAL YEAR ENDING IN 1994, AND NOT LATER THAN  
 26 JULY 1, 1994 THE DEPARTMENT OF TREASURY SHALL CERTIFY THE NUMBER  
 27 OF MILLS THE SCHOOL DISTRICT MAY LEVY BEGINNING IN 1994 UNDER

1 SECTION 1211(1) THE DEPARTMENT OF EDUCATION SHALL PROVIDE TO  
 2 THE DEPARTMENT OF TREASURY ALL INFORMATION NECESSARY FOR THE  
 3 DEPARTMENT OF TREASURY TO MAKE THE CERTIFICATIONS UNDER THIS  
 4 SECTION IF A SCHOOL DISTRICT DOES NOT CHALLENGE THE DEPARTMENT  
 5 OF TREASURY'S CERTIFICATION UNDER THIS SECTION BY JULY 7, 1994,  
 6 THE DETERMINATIONS CONTAINED IN THE CERTIFICATION ARE PRESUMED TO  
 7 BE CORRECT

8 Sec 1212 (1) ~~The~~ IF APPROVED BY THE SCHOOL ELECTORS OF  
 9 THE SCHOOL DISTRICT, THE board of a school district may levy a  
 10 tax of not to exceed 5 mills on the state equalized valuation of  
 11 the school district each year for a period of not to exceed 20  
 12 years, for the purpose of creating a sinking fund to be used for  
 13 the purchase of real estate for sites for, and the construction  
 14 OR RENOVATION EQUALING AT LEAST 10% OF THE REPLACEMENT VALUE OF  
 15 THE BUILDING OR \$500,000 00, WHICHEVER IS GREATER, or repair of,  
 16 school buildings HOWEVER, A SINKING FUND TAX APPROVED BY THE  
 17 SCHOOL ELECTORS UNDER THIS SECTION AFTER JUNE 15, 1993, SHALL NOT  
 18 BE USED FOR REPAIR OF SCHOOL BUILDINGS The sinking fund tax levy  
 19 ~~shall be~~ IS subject to the 15 mill tax limitation provisions of  
 20 section 6 ~~—~~ OF article ~~—9—~~ IX of the state constitution of 1963  
 21 and THE PROPERTY TAX LIMITATION ACT, Act No 62 of the Public  
 22 Acts of 1933 as amended, being sections 211 201 to 211 217a of  
 23 the Michigan Compiled Laws A SCHOOL DISTRICT THAT LEVIES A  
 24 SINKING FUND TAX UNDER THIS SECTION SHALL HAVE AN INDEPENDENT  
 25 AUDIT OF ITS SINKING FUND CONDUCTED ANNUALLY, INCLUDING A REVIEW  
 26 OF THE USES OF THE SINKING FUND, AND SHALL SUBMIT THE AUDIT  
 27 REPORT TO THE DEPARTMENT OF TREASURY IF THE DEPARTMENT OF

1 TREASURY DETERMINES FROM THE AUDIT REPORT THAT THE SINKING FUND  
 2 HAS BEEN USED FOR A PURPOSE OTHER THAN THOSE AUTHORIZED FOR THE  
 3 SINKING FUND UNDER THIS SECTION, THE SCHOOL DISTRICT SHALL REPAY  
 4 THE MISUSED FUNDS TO THE SINKING FUND FROM THE SCHOOL DISTRICT'S  
 5 OPERATING FUNDS AND SHALL NOT LEVY A SINKING FUND TAX UNDER THIS  
 6 SECTION AFTER THE DATE THE DEPARTMENT OF TREASURY MAKES THAT  
 7 DETERMINATION

8 (2) The proposition of levying a sinking fund tax shall be  
 9 submitted to the school electors of the school district at an  
 10 annual or special meeting or election

11 (3) The question of levying taxes for the purpose of creat-  
 12 ing a sinking fund shall be by ballot in substantially the fol-  
 13 lowing form

14 "Shall \_\_\_\_\_ levy \_\_\_\_\_ mills  
 15 (legal name of school district)

16 to create a sinking fund for the purpose of \_\_\_\_\_

17 \_\_\_\_\_

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

19 Yes ( )

20 No ( )"

21 Sec 1221 (1) The treasurer of a board of a school dis-  
 22 trict shall deposit the funds of the SCHOOL district OR OF A  
 23 SCHOOL OF THE SCHOOL DISTRICT in a bank, savings and loan associ-  
 24 ation, or credit union having its principal office in this state  
 25 or in a joint investment authorized by section 1223 The deposit  
 26 shall be made in the name of the treasurer as an officer of the  
 27 school district The board shall designate a depository or  
 28 depositories in which the funds of the school district shall be

1 deposited The treasurer shall deposit funds of the school  
2 district in 1 or more depositories in the proportion and manner  
3 determined by the board

4 (2) Notwithstanding subsection (1), additional funds of a  
5 school district shall not be deposited or invested in a bank,  
6 savings and loan association, or credit union ~~which~~ THAT is not  
7 eligible to be a depository of surplus funds belonging to this  
8 state under section 5 or 6 of Act No 105 of the Public Acts of  
9 1855, being sections 21 145 and 21 146 of the Michigan Compiled  
10 Laws

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

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

26 (2) If the board of a school district, local act school  
27 district, or intermediate school district or the governing body

1 of a CHARTER PUBLIC SCHOOL OR nonpublic school determines it  
2 necessary to employ an individual for a position described in  
3 subsection (1) for a particular school year during that school  
4 year or within 30 days before the beginning of that school year,  
5 the board or governing body may employ the individual as a condi-  
6 tional employee under this subsection without first receiving the  
7 report described in subsection (8) if all of the following  
8 apply

9       (a) The board or governing body requests the criminal his-  
10 tory check required under subsection (1) before conditionally  
11 employing the individual

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

25       (3) If an individual is employed as a conditional employee  
26 under subsection (2) and the report described in subsection (8)  
27 is not the same as the individual's statement under subsection



1 (2), the board or governing body may void the individual's  
2 employment contract If an employment contract is voided under  
3 this subsection, the individual's employment is terminated, a  
4 collective bargaining agreement that would otherwise apply to the  
5 individual's employment does not apply to the termination, and  
6 the district, CHARTER PUBLIC SCHOOL, or nonpublic school or the  
7 board or governing body is not liable for the termination

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

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

1 subsection (8) from another district, CHARTER PUBLIC SCHOOL, or  
2 nonpublic school

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

7       (7) A school district, local act school district, ~~or~~  
8 intermediate school district, CHARTER PUBLIC SCHOOL, or ~~a~~ non-  
9 public school shall make a request to the criminal records divi-  
10 sion of the department of state police for a criminal history  
11 check required under this section on a form and in a manner pre-  
12 scribed by the criminal records division of the department of  
13 state police

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

26       (9) Criminal history record information received from the  
27 criminal records division of the department of state police under

1 subsection (8) shall be used by a school district, local act  
2 school district, ~~or~~ intermediate school district, CHARTER  
3 PUBLIC SCHOOL, or ~~a~~ nonpublic school only for the purpose of  
4 evaluating an applicant's qualifications for employment in the  
5 position for which he or she has applied and for the purposes of  
6 subsection (3) A member of the board of a district or of the  
7 governing body of a CHARTER PUBLIC SCHOOL OR nonpublic school or  
8 an employee of a district, CHARTER PUBLIC SCHOOL, or nonpublic  
9 school shall not disclose the report or its contents except any  
10 felony conviction or a misdemeanor conviction involving sexual or  
11 physical abuse to any person who is not directly involved in  
12 evaluating the applicant's qualifications for employment  
13 However, for the purposes of subsection (4), a person described  
14 in this subsection may confirm to an employee of another  
15 district, CHARTER PUBLIC SCHOOL, or nonpublic school that a  
16 report under subsection (8) has revealed that an individual does  
17 not have any criminal history or may disclose that no report  
18 under subsection (8) has been received concerning the individu-  
19 al and for the purposes of subsection (5) a person described in  
20 this subsection may provide a copy of the report under  
21 subsection (8) concerning the individual to an appropriate repre-  
22 sentative of another district, CHARTER PUBLIC SCHOOL, or nonpub-  
23 lic school A person who violates this subsection is guilty of a  
24 misdemeanor punishable by a fine of not more than \$10,000 00, but  
25 is not subject to the penalties under section 1804  
26 (10) As used in this section

1 (a) "Criminal history record information" means that term as  
 2 defined in section 1a of Act No 289 of the Public Acts of 1925,  
 3 being section 28 241a of the Michigan Compiled Laws

4 (b) "State board approval" means that term as defined in  
 5 section 1539b

6 Sec 1233b (1) ~~Except as provided in~~ SUBJECT TO subsec-  
 7 tion ~~(3)~~ (4), the board of a ~~local~~ SCHOOL DISTRICT or inter-  
 8 mediate school district OR THE GOVERNING BODY OF A CHARTER PUBLIC  
 9 SCHOOL may engage a full-time or part-time noncertificated, non-  
 10 endorsed teacher QUALIFIED UNDER THIS SECTION to teach ~~a course~~  
 11 ~~in computer science, a foreign language, mathematics, biology,~~  
 12 ~~chemistry, engineering, physics, robotics, or any combination of~~  
 13 ~~these subject areas~~ in grades 9 through 12

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

17 (a) Possesses an earned bachelor's degree from an accredited  
 18 postsecondary institution

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

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

25 (d) Except in the case of persons engaged to teach a foreign  
 26 language, has not less than ~~2~~ 5 years of occupational

1 experience in the field of specialization in which he or she will  
2 teach

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

7 ~~(4) Except as provided in subsection (5), the board of a~~  
8 ~~local or intermediate school district shall not engage a~~  
9 ~~full-time or part-time noncertificated, nonendorsed teacher to~~  
10 ~~teach a course identified in subsection (1) if the district is~~  
11 ~~able to engage a certificated endorsed teacher~~

12 ~~(5) If the board of a local or intermediate school district~~  
13 ~~is able to engage a certificated endorsed teacher to teach a~~  
14 ~~course identified in subsection (1), the local or intermediate~~  
15 ~~school board may continue to employ a noncertificated nonen-~~  
16 ~~dorsed teacher to teach the course if both of the following con-~~  
17 ~~ditions are met.~~

18 ~~-(a) The noncertificated, nonendorsed teacher is annually~~  
19 ~~and continually enrolled and completing credit in an approved~~  
20 ~~teacher preparation program leading to a provisional teaching~~  
21 ~~certificate~~

22 ~~-(b) The noncertificated, nonendorsed teacher has a planned~~  
23 ~~program leading to teacher certification on file with the employ-~~  
24 ~~ing school district or intermediate school district, his or her~~  
25 ~~teacher preparation institution, and the department of~~  
26 ~~education~~

1       (3) ~~-(6) If the board of a local or intermediate school~~  
2 ~~district is not able to engage a certificated endorsed teacher~~  
3 ~~to teach a course identified in subsection (1), the department of~~  
4 ~~education and a teacher preparation institution shall utilize the~~  
5 ~~teaching experience of a noncertificated, nonendorsed teacher for~~  
6 ~~the purpose of waiving student teaching as a condition for~~  
7 ~~receiving a continued employment authorization in the school dis-~~  
8 ~~trict and~~ UPON PROPER APPLICATION, THE STATE BOARD SHALL ISSUE a  
9 provisional teaching certificate TO AN INDIVIDUAL WHO MEETS THE  
10 REQUIREMENTS OF THIS SECTION AND WHO MEETS BOTH OF THE FOLLOWING  
11 REQUIREMENTS

12       (A) HAS TAUGHT IN A SCHOOL DISTRICT, INTERMEDIATE SCHOOL  
13 DISTRICT, OR CHARTER PUBLIC SCHOOL FOR AT LEAST 1 FULL SCHOOL  
14 YEAR

15       (B) HAS PASSED THE APPROPRIATE EXAMINATIONS SPECIFIED IN  
16 SECTION 1531(2)

17       (4) THE REQUIREMENTS LISTED IN SUBSECTION (2) FOR A TEACHER  
18 ENGAGED TO TEACH PURSUANT TO THIS SECTION ARE IN ADDITION TO ANY  
19 OTHER REQUIREMENTS ESTABLISHED BY THE BOARD OF THE EMPLOYING  
20 SCHOOL DISTRICT OR INTERMEDIATE SCHOOL DISTRICT OR THE GOVERNING  
21 BODY OF THE EMPLOYING CHARTER PUBLIC SCHOOL

22       Sec 1247   The board of a school district other than a pri-  
23 mary school district may employ by written contract an adminis-  
24 trator or administrators, usually called a building principal  
25 who shall

1 (a) Supervise the operation and management of school  
 2 buildings and property as the board ~~determines~~ AND SCHOOL  
 3 BUILDING GOVERNING COMMITTEE DETERMINE

4 (b) Be assigned administrative responsibilities and coordi-  
 5 nate instructional leadership, under the supervision of the  
 6 superintendent AND SCHOOL BUILDING GOVERNING COMMITTEE, for the  
 7 planning, management, operation, and evaluation of the educa-  
 8 tional program and services

9 (c) Submit recommendations to the superintendent for the  
 10 appointment, assignment, promotion, or dismissal of personnel  
 11 assigned to supervision of the administrator

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

13 Sec 1261 ~~The~~ SUBJECT TO SECTION 1300A THE board of a  
 14 school district ~~shall have~~ HAS the general care and custody of  
 15 the schools and property of the district and shall make and  
 16 enforce suitable regulations for the general management of the  
 17 schools and the preservation of the property of the district

18 Sec 1277 (1) Considering criteria established by the  
 19 state board, IF the board of a school district ~~that wants to~~  
 20 ~~receive and is eligible for additional state school aid for qual-~~  
 21 ~~ity programs as provided in sections 21(1) and 21a of the state~~  
 22 ~~school aid act of 1979, Act No 94 of the Public Acts of 1979,~~  
 23 ~~being sections 388 1621 and 388 1621a of the Michigan Compiled~~  
 24 ~~Laws,~~ WANTS ALL OF THE SCHOOLS OF THE SCHOOL DISTRICT TO BE  
 25 ACCREDITED UNDER SECTION 1280, THE BOARD shall adopt and imple-  
 26 ment AND, NOT LATER THAN SEPTEMBER 1 EACH YEAR, SHALL SUBMIT TO  
 27 THE DEPARTMENT A COPY OF a 3- to 5-year school improvement plan

1 and continuing school improvement process for each school within  
2 the school district The school improvement plan shall include,  
3 but is not limited to, a mission statement, goals based on stu-  
4 dent outcomes for all students, curriculum alignment correspond-  
5 ing with those goals, evaluation processes, staff development,  
6 and building level decision making School board members school  
7 building administrators teachers and other school employees,  
8 pupils, parents of pupils attending that school, and other resi-  
9 dents of the school district shall participate in the planning,  
10 development, implementation, and evaluation of the district's  
11 school improvement plan Upon request of the board of a school  
12 district, the department shall assist the school district in the  
13 development and implementation of a district school improvement  
14 plan Intermediate school districts and educational organi-  
15 zations may also provide assistance for these purposes A school  
16 improvement plan described in this section shall be updated annu-  
17 ally by the board of the school district

18 (2) The school improvement plan of a school district shall  
19 be maintained on file with the intermediate school district to  
20 which the school district is constituent

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



1       Sec 1278   (1) ~~The~~ IF THE board of ~~each~~ A school  
2 district ~~that wants to receive and is eligible for additional~~  
3 ~~state school aid for quality programs as provided in~~  
4 ~~sections 21(1) and 21a of the state school aid act of 1979, Act~~  
5 ~~No 94 of the Public Acts of 1979, being sections 388 1621 and~~  
6 ~~388 1621a of the Michigan Compiled Laws,~~ WANTS ALL OF THE  
7 SCHOOLS OF THE SCHOOL DISTRICT TO BE ACCREDITED UNDER  
8 SECTION 1280, THE BOARD shall make available to all pupils  
9 attending public school in the district a core curriculum in com-  
10 pliance with subsection (3) IN EACH OF THE CURRICULAR AREAS SPEC-  
11 IFIED IN THE STATE BOARD MODEL CORE CURRICULUM DEVELOPED UNDER  
12 SUBSECTION (2)

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

18       (3) The board of each school district   considering the cur-  
19 ricular outcomes defined and recommended pursuant to subsection  
20 (2), shall do both of the following

21       (a) Establish a core curriculum for its pupils at the ele-  
22 mentary, middle   and secondary school levels   The core curricu-  
23 lum shall define outcomes to be achieved by all pupils and be  
24 based upon the school district's educational mission   long-range  
25 student goals   and student performance objectives   The core cur-  
26 riculum may vary from the model core curriculum recommended by  
27 the state board pursuant to subsection (2)

1 (b) After consulting with teachers and school building  
 2 administrators, determine the instructional program for deliver-  
 3 ing the core curriculum and identify the courses and programs in  
 4 which the core curriculum will be taught

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

7 (5) A subject or course required by the core curriculum pur-  
 8 suant to subsection (3) shall be made available to all pupils in  
 9 the school district by a school district, a consortium of school  
 10 districts, or a consortium of 1 or more school districts and 1 or  
 11 more intermediate school districts

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

17 (7) Any course that would have been considered a nonessen-  
 18 tial elective course under Snyder v Charlotte Schools, 421 Mich  
 19 517 (1984) on ~~the effective date of the amendatory act that~~  
 20 ~~added this section~~ APRIL 13 1990 shall continue to be offered  
 21 to resident pupils of nonpublic schools on a shared time basis

22 Sec 1280 (1) The board of a school district ~~that wants~~  
 23 ~~to receive and is eligible for additional state school aid for~~  
 24 ~~quality programs as provided in sections 21(1) and 21a of the~~  
 25 ~~state school aid act of 1979, Act No 94 of the Public Acts of~~  
 26 ~~1979, being sections 388 1621 and 388 1621a of the Michigan~~  
 27 ~~Compiled Laws, and~~ that does not want to be subject to the

1 measures described in ~~subsection (6)~~ THIS SECTION shall ensure  
2 that each public school within the school district is  
3 accredited

4 (2) As used in subsection (1), AND SUBJECT TO SUBSECTION  
5 (5), "accredited" means certified by the state board as having  
6 met or exceeded state board-approved standards established for 6  
7 areas of school operation administration and school organi-  
8 zation, curricula, staff, school plant and facilities, school and  
9 community relations, and school improvement plans and student  
10 outcomes The building-level evaluation used in the accredit-  
11 ation process shall include, but is not limited to, school data  
12 collection, self-study, visitation and validation, determination  
13 of outcomes data to be used, and the development of a school  
14 improvement plan

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

1       (4) THE DEPARTMENT SHALL DEVELOP AND DISTRIBUTE TO ALL  
2 PUBLIC SCHOOLS STANDARDS FOR DETERMINING THAT A SCHOOL IS ELIGI-  
3 BLE FOR SUMMARY ACCREDITATION UNDER SUBSECTION (5) THE STAN-  
4 DARDS SHALL INCLUDE, BUT ARE NOT LIMITED TO, ASSESSMENT OF THE  
5 SCHOOL'S SUCCESS IN THOSE ITEMS MEASURED IN THE SCHOOL REPORT  
6 CARD AND IN MEETING THE OBJECTIVES ESTABLISHED BY THE SCHOOL IN  
7 ITS SCHOOL IMPROVEMENT PLAN UNDER SECTION 1277 THE STANDARDS  
8 SHALL BE DEVELOPED, REVIEWED, APPROVED, AND DISTRIBUTED USING THE  
9 SAME PROCESS AS PRESCRIBED IN SUBSECTION (3) FOR ACCREDITATION  
10 STANDARDS, AND SHALL BE FINALLY DISTRIBUTED AND IMPLEMENTED NOT  
11 LATER THAN DECEMBER 31, 1994

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

19       (6) IF, BASED ON THE FACTORS DESCRIBED IN SUBSECTION (5),  
20 THE DEPARTMENT DETERMINES THAT A SCHOOL HAS NOT MET THE STANDARDS  
21 ESTABLISHED UNDER SUBSECTION (4) FOR SUMMARY ACCREDITATION BUT  
22 THAT THE SCHOOL IS MAKING PROGRESS TOWARD MEETING THOSE STAN-  
23 DARDS, OF IF, BASED ON A FULL BUILDING-LEVEL EVALUATION UNDER  
24 SUBSECTION (2), THE DEPARTMENT DETERMINES THAT A SCHOOL HAS NOT  
25 MET THE STANDARDS FOR ACCREDITATION BUT IS MAKING PROGRESS TOWARD  
26 MEETING THOSE STANDARDS, THE SCHOOL IS IN INTERIM STATUS AND IS

1 SUBJECT TO A FULL BUILDING-LEVEL EVALUATION AS PROVIDED IN THIS  
2 SECTION

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

8 (8) ~~-(4)-~~ The department shall annually review and evaluate  
9 for accreditation purposes the performance of ~~a portion of the~~  
10 ~~public schools in the state, including, but not limited to,~~ each  
11 school that ~~did not meet accreditation standards the immediately~~  
12 ~~preceding school year~~ IS UNACCREDITED AND \_\_\_\_ OF THE SCHOOLS  
13 THAT ARE IN INTERIM STATUS

14 (9) ~~-(5)-~~ The department shall, and the intermediate school  
15 district to which a school district is constituent a consortium  
16 of intermediate school districts, or any combination thereof may,  
17 provide technical assistance as appropriate, to a school that is  
18 ~~not accredited~~ UNACCREDITED OR THAT IS IN INTERIM STATUS upon  
19 request of the board of the ~~unaccredited~~ SCHOOL DISTRICT IN  
20 WHICH THE school IS LOCATED IF REQUESTS TO THE DEPARTMENT FOR  
21 TECHNICAL ASSISTANCE EXCEED THE CAPACITY, PRIORITY SHALL BE GIVEN  
22 TO UNACCREDITED SCHOOLS

23 (10) ~~-(6)-~~ A school that has ~~not met accreditation~~  
24 ~~standards~~ BEEN UNACCREDITED for 3 consecutive years is subject  
25 to 1 or more of the following measures, as determined by the  
26 state board

1 (a) The superintendent of public instruction or his or her  
 2 designee shall appoint at the expense of the affected school  
 3 district an administrator of the school until the school ~~meets~~  
 4 ~~accreditation standards~~ BECOMES ACCREDITED

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

9 (c) The school shall be closed

10 (11) ~~(7)~~ The department shall evaluate the school accred-  
 11 itation program and the status of schools ~~accredited~~ UNDER THIS  
 12 SECTION and shall submit an annual report based upon the evalu-  
 13 ation to the senate and house committees that have the responsi-  
 14 bility for education legislation The report shall address the  
 15 reasons each unaccredited school is not accredited and shall rec-  
 16 ommend legislative action that will result in the accreditation  
 17 of all public schools in this state

18 Sec 1282 ~~The~~ SUBJECT TO SECTION 1300A, THE board of a  
 19 school district shall establish and carry on the grades, schools,  
 20 and departments it ~~deems~~ CONSIDERS necessary or desirable for  
 21 the maintenance and improvement of ~~the~~ ITS schools ~~,~~ AND  
 22 determine the courses of study to be pursued ~~,~~ ~~and cause the~~  
 23 ~~pupils attending school in the district to be taught in the~~  
 24 ~~schools or departments the board deems expedient~~

25 Sec 1283 ~~The~~ SUBJECT TO SECTION 1147A, THE board of a  
 26 school district may establish attendance areas within the school  
 27 district

1       Sec 1284   (1) The board of a school district shall  
2 determine the length of the school term ~~The~~ HOWEVER, IF THE  
3 BOARD DOES NOT WANT THE SCHOOL DISTRICT'S STATE SCHOOL AID PAY-  
4 MENTS TO BE WITHHELD AS DESCRIBED IN SECTION 101 OF THE STATE  
5 SCHOOL AID ACT OF 1979, BEING SECTION 388 1701 OF THE MICHIGAN  
6 COMPILED LAWS, THE BOARD SHALL ENSURE THAT THE minimum number of  
7 days of ~~student~~ PUPIL instruction ~~shall be~~ IN A SCHOOL YEAR  
8 IS 180 AND THAT THE MINIMUM NUMBER OF HOURS OF PUPIL INSTRUCTION  
9 IN A SCHOOL YEAR IS 990 ~~Except as provided in section 101 of~~  
10 ~~the state school aid act of 1979, being section 388 1701 of the~~  
11 ~~Michigan Compiled Laws, a district failing to hold 180 days of~~  
12 ~~student instruction shall forfeit 1/180 of its total state school~~  
13 ~~aid for each day of failure~~ Not later than August 1, the board  
14 of each district shall certify to the state board the number of  
15 days of ~~student~~ PUPIL instruction in the previous school year  
16 ~~If the district did not hold at least 180 days of student~~  
17 ~~instruction, the deduction of state school aid shall be made in~~  
18 ~~the following fiscal year from the first payment of state school~~  
19 ~~aid~~ Days lost because of strikes or teachers' conferences shall  
20 not be counted as days of ~~student~~ PUPIL instruction

21       (2) The state board shall promulgate rules for the implemen-  
22 tation of this section

23       Sec 1300 ~~The~~ SUBJECT TO SECTION 1300A, THE board of a  
24 school district shall make reasonable regulations relative to  
25 anything necessary for the proper establishment, maintenance,  
26 management, and carrying on of the public schools of the  
27 district, including regulations relative to the conduct of pupils

1 ~~concerning their safety~~ while in attendance at school or  
2 ~~enroute~~ EN ROUTE to and from school

3 SEC 1300A (1) NOT LATER THAN SEPTEMBER 1, 1994 THE BOARD  
4 OF EACH SCHOOL DISTRICT SHALL APPOINT AN EDUCATIONAL ADVISORY  
5 BOARD IN EACH PUBLIC SCHOOL IN THE SCHOOL DISTRICT AN EDUCA-  
6 TIONAL ADVISORY BOARD SHALL CONSIST OF 5 TO 11 MEMBERS, COMPRISED  
7 OF REPRESENTATIVES OF PARENTS OR LEGAL GUARDIANS OF PUPILS IN THE  
8 SCHOOL, BUILDING ADMINISTRATORS, AND TEACHERS, AND SHALL BE  
9 CHAIRED BY THE SCHOOL'S PRINCIPAL THE INDIVIDUALS PARTICIPATING  
10 IN THE PLANNING DEVELOPMENT, IMPLEMENTATION, AND EVALUATION OF A  
11 PARTICULAR SCHOOL'S SCHOOL IMPROVEMENT PLAN AND CONTINUING SCHOOL  
12 IMPROVEMENT PROCESS UNDER SECTION 1277 MAY SERVE AS THE EDUCA-  
13 TIONAL ADVISORY BOARD FOR THAT SCHOOL A MAJORITY OF THE MEMBERS  
14 OF AN EDUCATIONAL ADVISORY BOARD SHALL BE PARENTS OR LEGAL GUARD-  
15 IANS OF PUPILS IN THE SCHOOL

16 (2) AN EDUCATIONAL ADVISORY BOARD SHALL SET EDUCATIONAL  
17 GOALS FOR THE SCHOOL, PARTICIPATE IN THE SCHOOL'S SCHOOL IMPROVE-  
18 MENT PROCESS AND SCHOOL IMPROVEMENT PLAN UNDER SECTION 1277, AND  
19 ENSURE THAT INFORMATION ABOUT SCHOOL PROGRAMS AND EDUCATIONAL  
20 OUTCOMES IS AVAILABLE TO THE COMMUNITY THE DEPARTMENT SHALL  
21 NOTIFY THE EDUCATIONAL ADVISORY COMMITTEE OF THE TOTAL VALUE OF  
22 STUDENT EDUCATION ACCOUNT WITHDRAWALS FOR A SCHOOL YEAR FOR  
23 INSTRUCTION AT THE SCHOOL, AS DETERMINED UNDER THE STUDENT EDUCA-  
24 TION ACCOUNT ACT

25 (3) NOT LATER THAN THE BEGINNING OF THE 1997-1998 SCHOOL  
26 YEAR, THE BOARD OF EACH SCHOOL DISTRICT SHALL ENSURE THAT A  
27 SCHOOL BUILDING GOVERNING COMMITTEE IS ESTABLISHED IN EACH PUBLIC



1 SCHOOL IN THE SCHOOL DISTRICT A SCHOOL BUILDING GOVERNING  
2 COMMITTEE SHALL CONSIST OF THE FOLLOWING 7 TO 11 MEMBERS, OF WHOM  
3 A MAJORITY SHALL BE PARENTS OR LEGAL GUARDIANS OF PUPILS ENROLLED  
4 IN THE SCHOOL

5 (A) THE PRINCIPAL OF THE SCHOOL

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

11 (C) AT LEAST 1 MEMBER OF THE LOCAL COMMUNITY WHO IS NOT A  
12 PARENT OR LEGAL GUARDIAN OF A PUPIL ENROLLED AT THE SCHOOL AND IS  
13 NOT AN EMPLOYEE OF THE SCHOOL DISTRICT, APPOINTED ANNUALLY BY THE  
14 BOARD OF THE SCHOOL DISTRICT A MEMBER DESCRIBED IN THIS SUBDI-  
15 VISION MAY BE REAPPOINTED

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

20 (4) THE SCHOOL BUILDING GOVERNING COMMITTEE OF EACH PUBLIC  
21 SCHOOL HAS THE AUTHORITY TO MAKE DECISIONS AND ESTABLISH POLICIES  
22 THAT ARE CONSISTENT WITH THIS ACT REGARDING A BUDGET FOR THE  
23 SCHOOL, EXPENDITURE OF FUNDS ALLOCATED TO THE SCHOOL, APPROVAL OF  
24 CONTRACTS WITH VENDORS, DETERMINING EDUCATIONAL PROGRAMS AND  
25 SERVICES TO BE PROVIDED TO PUPILS AT THE SCHOOL, RECOMMENDING  
26 PERSONNEL FOR THE SCHOOL, AND OTHER MATTERS RELATED TO THE  
27 FUNCTIONS OF TEACHING AND LEARNING AT THE SCHOOL TO THE EXTENT

1 THAT THE DECISIONS AND POLICIES OF THE SCHOOL BOARD GOVERNING  
2 COMMITTEE ARE CONSISTENT WITH THIS ACT, THOSE DECISIONS AND POLI-  
3 CIES ARE NOT SUBJECT TO REVIEW BY THE BOARD OF A SCHOOL  
4 DISTRICT

5 (5) THE PRINCIPAL OF A SCHOOL IS THE CHIEF EXECUTIVE OFFICER  
6 OF THE SCHOOL HE OR SHE SHALL MAKE RECOMMENDATIONS TO THE  
7 SCHOOL BUILDING GOVERNING COMMITTEE AND SHALL EXECUTE THE LAWFUL  
8 DECISIONS AND POLICIES OF THE SCHOOL BUILDING GOVERNING COMMITTEE  
9 AND OF THE BOARD OF THE SCHOOL DISTRICT

10 SEC 1305 (1) IF AN EMPLOYER IN THIS STATE EMPLOYS AN  
11 INDIVIDUAL WHO HAS RECEIVED A NONENDORSED HIGH SCHOOL DIPLOMA  
12 FROM A SCHOOL DISTRICT AND REQUESTS THE SCHOOL DISTRICT WITHIN 2  
13 YEARS AFTER THE INDIVIDUAL RECEIVED THE DIPLOMA TO CONDUCT AN  
14 ASSESSMENT OF THE INDIVIDUAL'S PROFICIENCY IN 1 OR MORE SPECIFIC  
15 BASIC SKILL AREAS, THE SCHOOL DISTRICT SHALL CONDUCT THE  
16 ASSESSMENT IF THE EMPLOYER DETERMINES THROUGH THE ASSESSMENT  
17 THAT THE INDIVIDUAL IS DEFICIENT IN 1 OR MORE OF THOSE BASIC  
18 SKILL AREAS, THE EMPLOYER AND THE INDIVIDUAL MAY APPLY TO THE  
19 SCHOOL DISTRICT FOR AN EDUCATIONAL WARRANTY CERTIFICATE ENTITLING  
20 THE INDIVIDUAL TO RECEIVE REMEDIAL INSTRUCTION IN EACH OF THOSE  
21 BASIC SKILL AREAS IN WHICH THE INDIVIDUAL WAS FOUND BY THE  
22 ASSESSMENT TO BE DEFICIENT THE SCHOOL DISTRICT SHALL USE ONLY A  
23 PROFICIENCY ASSESSMENT INSTRUMENT DESCRIBED IN SUBSECTION (2) TO  
24 MEASURE AN INDIVIDUAL'S PROFICIENCY FOR THE PURPOSES OF THIS  
25 SUBSECTION THE EMPLOYER AND THE INDIVIDUAL SHALL APPLY JOINTLY  
26 TO THE SCHOOL DISTRICT THAT ADMINISTERED THE ASSESSMENT FOR THE

1 EDUCATIONAL WARRANTY CERTIFICATE IN THE FORM AND MANNER  
2 PRESCRIBED BY THE DEPARTMENT

3 (2) THE DEPARTMENT SHALL MAKE AVAILABLE TO SCHOOL DISTRICTS  
4 FOR THE PURPOSES OF THIS SECTION THE PROFICIENCY ASSESSMENT  
5 INSTRUMENTS USED FOR A STATE ENDORSED HIGH SCHOOL DIPLOMA UNDER  
6 SECTION 104A OF THE STATE SCHOOL AID ACT OF 1979, BEING  
7 SECTION 388 1704A OF THE MICHIGAN COMPILED LAWS UNTIL JULY 1,  
8 1995, A SCHOOL DISTRICT SHALL USE A PROFICIENCY ASSESSMENT  
9 INSTRUMENT DESCRIBED IN SECTION 104A(1) OF THE STATE SCHOOL AID  
10 ACT OF 1979 TO MEASURE AN INDIVIDUAL'S PROFICIENCY FOR THE PUR-  
11 POSE OF SUBSECTION (1) BEGINNING JULY 1, 1995, A SCHOOL DIS-  
12 TRICT SHALL USE THE PROFICIENCY ASSESSMENT INSTRUMENTS DESCRIBED  
13 IN SECTION 104A(2) OF THE STATE SCHOOL AID ACT OF 1979 TO MEASURE  
14 AN INDIVIDUAL'S PROFICIENCY FOR THE PURPOSES OF SUBSECTION (1)

15 (3) THE STATE BOARD MAY EXEMPT SPECIAL EDUCATION PUPILS FROM  
16 THIS SECTION IF THE STATE BOARD EXEMPTS SPECIAL EDUCATION  
17 PUPILS FROM THIS SECTION, THE STATE BOARD SHALL PROVIDE FOR SPE-  
18 CIAL EDUCATION PUPILS TO HAVE AVAILABLE AN ASSESSMENT AND CERTI-  
19 FICATION OF THEIR PROFICIENCY IN VARIOUS SUBJECTS AND SKILLS  
20 BEFOPE COMPLETION OF THEIR EDUCATION IN THEIR DISTRICT OR OTHER  
21 PUBLICLY SUPPORTED PROGRAM THE INDIVIDUALIZED EDUCATIONAL PLAN-  
22 NING COMMITTEE FOR A SPECIAL EDUCATION PUPIL SHALL COOPERATE IN  
23 THE IMPLEMENTATION OF THIS SUBSECTION

24 (4) UPON RECEIPT OF AN APPLICATION FOR AN EDUCATIONAL WAR-  
25 RANTY CERTIFICATE AS DESCRIBED IN SUBSECTION (1), A SCHOOL DIS-  
26 TRICT SHALL ISSUE AN EDUCATIONAL WARRANTY CERTIFICATE TO THE

1 INDIVIDUAL AND SHALL NOTIFY THE DEPARTMENT THAT THE EDUCATIONAL  
2 WARRANTY CERTIFICATE HAS BEEN ISSUED

3       (5) AN INDIVIDUAL WHO IS ISSUED AN EDUCATIONAL WARRANTY CER-  
4 TIFICATE UNDER SUBSECTION (4) MAY PRESENT THE EDUCATIONAL WAR-  
5 RANTY CERTIFICATE TO THE SCHOOL DISTRICT FROM WHICH THE INDIVID-  
6 UAL RECEIVED HIS OR HER DIPLOMA, THE SCHOOL DISTRICT IN WHICH HE  
7 OR SHE RESIDES, OR THE SCHOOL DISTRICT IN WHICH HIS OR HER PLACE  
8 OF EMPLOYMENT IS LOCATED AND RECEIVE AT NO COST TO THE INDIVIDUAL  
9 OR HIS OR HER EMPLOYER THE REMEDIAL INSTRUCTION NECESSARY TO  
10 PERMIT THE INDIVIDUAL TO ACHIEVE PROFICIENCY IN EACH SPECIFIC  
11 BASIC SKILL AREA IN WHICH HE OR SHE WAS ASSESSED TO BE DEFICIENT  
12 UNDER SUBSECTION (1) IF THE INDIVIDUAL PRESENTS THE EDUCATIONAL  
13 WARRANTY CERTIFICATE TO THE SCHOOL DISTRICT FROM WHICH THE INDI-  
14 VIDUAL RECEIVED HIS OR HER DIPLOMA, THAT SCHOOL DISTRICT PROMPTLY  
15 SHALL PROVIDE THE REMEDIAL INSTRUCTION IF THE INDIVIDUAL  
16 PRESENTS THE EDUCATIONAL WARRANTY CERTIFICATE TO ANOTHER SCHOOL  
17 DISTRICT DESCRIBED IN THIS SUBSECTION THE SCHOOL DISTRICT MAY  
18 PROVIDE THE REMEDIAL INSTRUCTION BASED ON AVAILABLE SPACE AND  
19 RESOURCES A SCHOOL DISTRICT IS REQUIRED TO PROVIDE THE REMEDIAL  
20 INSTRUCTION UNDER THIS SECTION AT NO COST TO THE INDIVIDUAL ONLY  
21 WHILE THE INDIVIDUAL CONTINUES TO BE EMPLOYED BY THE EMPLOYER  
22 THAT APPLIED FOR THE EDUCATIONAL WARRANTY CERTIFICATE

23       (6) IF THE REMEDIAL INSTRUCTION DESCRIBED IN SUBSECTION (5)  
24 IS PROVIDED BY A SCHOOL DISTRICT OTHER THAN THE SCHOOL DISTRICT  
25 FROM WHICH THE INDIVIDUAL RECEIVED HIS OR HER DIPLOMA, THE PRO-  
26 VIDING SCHOOL DISTRICT SHALL CHARGE THE SCHOOL DISTRICT THAT  
27 ISSUED THE DIPLOMA FOR REIMBURSEMENT FOR THE COST OF PROVIDING

1 THE REMEDIAL INSTRUCTION UPON BEING CHARGED FOR REIMBURSEMENT  
2 UNDER THIS SUBSECTION, THE SCHOOL DISTRICT THAT ISSUED THE  
3 DIPLOMA SHALL REIMBURSE THE SCHOOL DISTRICT PROVIDING THE REME-  
4 DIAL INSTRUCTION THE AMOUNT OF THE REIMBURSEMENT SHALL BE COM-  
5 PUTED IN A MANNER PRESCRIBED BY THE STATE BOARD

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

10 (A) A LISTING BY SCHOOL DISTRICT OF THE NUMBER OF INDIVIDU-  
11 ALS RECEIVING A NONENDORSED HIGH SCHOOL DIPLOMA FROM THE SCHOOL  
12 DISTRICT THAT HAVE BEEN ISSUED AN EDUCATIONAL WARRANTY  
13 CERTIFICATE

14 (B) A LISTING BY SCHOOL DISTRICT OF THE NUMBER OF INDIVIDU-  
15 ALS FOR WHOM THE SCHOOL DISTRICT HAS PROVIDED REMEDIAL INSTRUC-  
16 TION UNDER THIS SECTION

17 (C) A RECOMMENDATION ON WHETHER THERE EXISTS A NEED FOR CON-  
18 TINUATION OF THE EDUCATIONAL WARRANTY PROGRAM UNDER THIS  
19 SECTION

20 (8) AS USED IN THIS SECTION

21 (A) "BASIC SKILL AREA" MEANS THE OUTCOMES WITHIN A CONTENT  
22 AREA IN MATHEMATICS SCIENCE OR READING THAT IS ASSESSED IN THE  
23 APPLICABLE PROFICIENCY ASSESSMENT FOR A STATE ENDORSED DIPLOMA  
24 UNDER SECTION 104A OF THE STATE SCHOOL AID ACT OF 1979

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

1 (C) "NONENDORSED HIGH SCHOOL DIPLOMA" MEANS A HIGH SCHOOL  
2 DIPLOMA AWARDED IN 1994 OR THEREAFTER TO AN INDIVIDUAL WHO HAS  
3 NOT MET THE APPLICABLE REQUIREMENTS FOR A STATE ENDORSED HIGH  
4 SCHOOL DIPLOMA UNDER SECTION 104A OF THE STATE SCHOOL AID ACT OF  
5 1979

6 (D) "SCHOOL DISTRICT" INCLUDES A SCHOOL DISTRICT, LOCAL ACT  
7 SCHOOL DISTRICT, CHARTER SCHOOL, OR INTERMEDIATE SCHOOL DISTRICT

8 Sec 1311 The board OR A SCHOOL BUILDING GOVERNING COMMIT-  
9 TEE, OR A SCHOOL BUILDING PRINCIPAL IF DESIGNATED BY THE BOARD OR  
10 SCHOOL BUILDING GOVERNING COMMITTEE, may authorize or order the  
11 suspension or expulsion from school of a pupil guilty of gross  
12 misdemeanor or persistent disobedience ~~when~~ IF, in the  
13 ~~board's~~ judgment OF THE BOARD, COMMITTEE, OR PRINCIPAL AS  
14 APPLICABLE, the interest of the school ~~may demand~~ IS SERVED BY  
15 the authorization or order If there is reasonable cause to  
16 believe that the pupil is handicapped and the school district  
17 has not evaluated the pupil in accordance with rules of the state  
18 board, the pupil shall be evaluated immediately by the intermedi-  
19 ate school district of which the school district is constituent  
20 in accordance with section 1711

21 Sec 1321 (1) Subject to the balance of this section AND  
22 TO SECTION 1147A, the board of a school district providing trans-  
23 portation for its resident pupils other than handicapped pupils  
24 transported under article 3 or other pupils who cannot safely  
25 walk to school, shall provide transportation for each resident  
26 public or nonpublic school pupil if all of the following  
27 requirements are met

1 (a) The school district provides transportation for the  
2 elementary school level, middle or junior high school level, or  
3 high school level, as defined by the local school board, in which  
4 the pupil is enrolled

5 (b) The pupil is a person for whom the school district is  
6 eligible to receive state school aid for transportation

7 (c) The pupil is attending either the public or the nearest  
8 ~~state-approved~~ nonpublic school in the school district to which  
9 the pupil is eligible to be admitted

10 (2) Transportation provided under subsection (1) shall be  
11 without charge to the resident pupil, the parent, guardian, or  
12 person standing in loco parentis to the pupil

13 (3) A school district is not required to transport or pay  
14 for transportation of a resident pupil living within 1-1/2 miles,  
15 by the nearest traveled route, to the public or ~~state-approved~~  
16 nonpublic school in which the pupil is enrolled A school dis-  
17 trict is not required to transport or pay for the transportation  
18 of a resident pupil attending a nonpublic school who lives in an  
19 area less than 1-1/2 miles from a public school in which public  
20 school pupils are not transported except that the school dis-  
21 trict is required to transport or pay for the transportation of  
22 the resident pupil from the public school within the area to the  
23 nonpublic school the pupil attends

24 (4) A school district is not required to transport or pay  
25 for the transportation of resident pupils to ~~state-approved~~  
26 nonpublic schools located outside the district unless the school  
27 district transports some of its resident pupils, other than

1 handicapped pupils under article 3, to public schools located  
2 outside the district, in which case the school district shall  
3 transport or pay for the transportation of resident pupils  
4 attending a ~~state approved~~ nonpublic school LOCATED OUTSIDE THE  
5 DISTRICT at least to the distance of the public schools located  
6 outside the district to which the district transports resident  
7 pupils and in the same general direction

8       Sec 1322 (1) A pupil attending public school or the  
9 nearest ~~state approved~~ nonpublic school available to which  
10 nonpublic school the pupil may be admitted, shall be transported  
11 along the regular routes as determined by the board to public and  
12 ~~state approved~~ nonpublic schools Transportation to public and  
13 the nearest ~~state approved~~ nonpublic school located within or  
14 outside the district to which nonpublic school the pupil is eli-  
15 gible to be admitted shall be provided under the rules promul-  
16 gated by the state board Rules shall not require the transpor-  
17 tation or payment for transportation for nonpublic school pupils  
18 on days when public school pupils are not transported

19       (2) This section shall not be construed to require or permit  
20 transportation of pupils ATTENDING THE ELEMENTARY GRADES to a  
21 ~~state approved~~ nonpublic school ~~attending in the elementary~~  
22 ~~grades~~ when transportation is furnished by the school district  
23 for secondary pupils only, nor to require or permit the transpor-  
24 tation of pupils ATTENDING THE SECONDARY GRADES to a ~~state~~  
25 ~~approved~~ nonpublic school ~~attending the secondary grades~~ when  
26 transportation is furnished by the district for elementary pupils  
27 only



1 (3) Vehicles used for the transportation of pupils shall be  
2 adequate and of ample capacity

3 Sec 1324 The board of a school district may enter into a  
4 contract with the board of another district or with private per-  
5 sons to furnish transportation for nonresident pupils attending  
6 public and ~~state approved~~ nonpublic schools located within the  
7 district or in other districts The price paid for the transpor-  
8 tation shall not be less than the actual cost ~~thereof~~ OF THE  
9 TRANSPORTATION to the district furnishing transportation

10 Sec 1351 (1) A school district may borrow money and issue  
11 bonds of the district to defray all or a part of the cost of pur-  
12 chasing, erecting completing, ~~remodeling, improving, furnish-~~  
13 ~~ing, refurnishing equipping or reequipping~~ OR RENOVATING  
14 school buildings, including library buildings, structures ath-  
15 letic fields, playgrounds, or other facilities, or ~~parts of or~~  
16 additions to those facilities FURNISHING OR REFURNISHING NEW OR  
17 COMPLETELY RENOVATED SCHOOL BUILDINGS acquiring, preparing,  
18 developing, or improving sites, or parts of or additions to  
19 sites for school buildings including library buildings, struc-  
20 tures, athletic fields playgrounds or other facilities  
21 ~~purchasing school buses participating in the administrative~~  
22 ~~costs of an urban renewal program through which the school dis-~~  
23 ~~trict desires to acquire a site or addition to a site for school~~  
24 ~~purposes~~ refunding all or part of existing bonded indebtedness  
25 or accomplishing a combination of the purposes set forth in this  
26 subsection ~~In addition, until December 31 1991 a school~~

~~1 district may borrow money and issue bonds to defray all or part  
2 of the cost of purchasing textbooks~~

3       (2) Except as otherwise provided in this subsection, a  
4 school district shall not borrow money or issue bonds for a sum  
5 that, together with the total outstanding bonded indebtedness of  
6 the district, exceeds 5% of the state equalized valuation of the  
7 taxable property within the district, unless the proposition of  
8 borrowing the money or issuing the bonds is submitted to a vote  
9 of the school electors of the district at an annual or special  
10 election and approved by the majority of the school electors  
11 voting on the question   Regardless of the amount of outstanding  
12 bonded indebtedness of the school district, a vote of the school  
13 electors is not necessary in order to issue bonds for a purpose  
14 described in section 1274a

15       (3) A school district shall not issue bonds under this part  
16 for an amount greater than 15% of the total assessed valuation of  
17 the district   except as provided in section 1356   The bonded  
18 indebtedness of a district shall not extend beyond a period of 30  
19 years   Refunding bonds or the refunding part of a bond issue  
20 shall not be considered to be within the 15% limitation but shall  
21 be considered to be authorized in addition to the 15%  
22 limitation   A bond qualified under section 16 of article IX of  
23 the state constitution of 1963 and implementing legislation shall  
24 not be included for purposes of calculating the 15% limitation  
25 Bonds issued pursuant to this section are subject to the municipi-  
26 pal finance act   Act No   202 of the Public Acts of 1943, being  
27 sections 131 1 to 139 3 of the Michigan Compiled Laws   except

1 that bonds issued for a purpose described in section 1274a may be  
 2 sold at a public or publicly negotiated sale at the time or  
 3 times, at the price or prices, and at a discount as determined by  
 4 the board of the school district

5 (4) Bonds or notes issued by a school district or intermedi-  
 6 ate school district pursuant to ~~sections~~ SECTION 144 251, 335  
 7 442, or 629 for the purposes authorized by this section and sec-  
 8 tion 1274a shall be full faith and credit tax limited obligations  
 9 of the district pledging the general funds voted and allocated  
 10 tax levies, or any other money available for such a purpose and  
 11 shall not allow or provide for the levy of additional millage for  
 12 payment of the bond or note without a vote of the qualified elec-  
 13 torate of the district

14 ~~(5) If a bond proposal for bonds to be used in whole or~~  
 15 ~~part to defray all or part of the cost of purchasing textbooks~~  
 16 ~~has been approved by a majority of the school electors voting on~~  
 17 ~~the question before the effective date of the amendatory act that~~  
 18 ~~added this subsection, and the bonds otherwise meet the require-~~  
 19 ~~ments of this section the issuance of those bonds for a period~~  
 20 ~~not to exceed 5 years is ratified and confirmed and the bonds are~~  
 21 ~~considered to be issued under this section~~

22 Sec 1356 (1) Notwithstanding section 1351 a school dis-  
 23 trict ~~which~~ THAT has an operating or projected operating defi-  
 24 cit in excess of \$100 00 per membership pupil may borrow and  
 25 issue its negotiable interest bearing notes or bonds for the pur-  
 26 pose of funding the deficit in accordance with this section  
 27 This authority ~~shall be~~ IS in addition to and not in derogation

1 of any power granted to a school district by any other provision  
2 of this act     HOWEVER, A SCHOOL DISTRICT SHALL NOT INITIATE THE  
3 PROCEDURES TO BORROW MONEY OR ISSUE NOTES OR BONDS UNDER THIS  
4 SECTION AFTER JANUARY 1, 1994

5        (2) Before a board of a school district issues notes or  
6 bonds under this section, ~~it~~ THE BOARD shall provide — by  
7 resolution —, for the submission of the following certified and  
8 substantiated information to the municipal finance commission or  
9 its successor agency for school districts

10        (a) There exists or will exist an operating deficit in the  
11 school district in excess of \$100 00 per membership pupil

12        (b) During or ~~prior to~~ BEFORE the fiscal year in which the  
13 application is made, the school district has made every available  
14 effort to offset the deficit, including submission of a question  
15 to the school electors of the district to increase the rate of ad  
16 valorem property taxes levied in the school district

17        (c) The school district has a plan ~~that has been~~ approved  
18 by the school board —, ~~which plan~~ THAT outlines actions to be  
19 taken to balance future expenditures with anticipated revenues

20        (d) The maximum interest rate as described in  
21 subsection (6)

22        (3) The existence of the operating or projected operating  
23 deficit and the amount ~~thereof~~ OF THE OPERATING OR PROJECTED  
24 OPERATING DEFICIT shall be determined by the department of trea-  
25 sury, using normal school accounting practices     If a financial  
26 audit is required to arrive at a conclusive determination as to  
27 the amount of the deficit, the state treasurer shall charge all

1 necessary expenses FOR THE AUDIT, including per diem and travel  
2 expenses, to the school district, and the school district shall  
3 make payment to the state treasurer for these expenses The  
4 determination by the department of treasury ~~shall be~~ IS final  
5 and conclusive as to the existence of an operating or projected  
6 operating deficit, the amount ~~thereof~~ OF THE DEFICIT, and the  
7 amount ~~thereof~~ OF THE DEFICIT per membership pupil

8 (4) The notes or bonds may be issued in 1 or more series by  
9 resolution adopted by the school board, which resolution in each  
10 case shall make reference to the determination of the department  
11 of treasury The amount of a note or bond issued shall not  
12 exceed the amount of the operating deficit as shown by the  
13 determination The school district shall levy sufficient taxes  
14 annually, in addition to all other taxes without limitation as  
15 to rate or amount in order to meet payments of principal and  
16 interest on the notes or bonds coming due before the next collec-  
17 tion of taxes

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

21 (6) The notes or bonds shall mature serially with annual  
22 maturities not more than 10 years from their date and shall bear  
23 interest, payable annually or semiannually at a rate or rates  
24 not exceeding a rate determined by the school board in the school  
25 district's borrowing resolution The first principal installment  
26 on the notes or bonds shall be due not more than 18 months from  
27 the date of the notes or bonds, and a principal installment on

1 the notes shall not be less than 1/3 of the principal amount of a  
2 subsequent principal installment The notes or bonds may be made  
3 subject to redemption ~~prior to~~ BEFORE maturity with or without  
4 premium in a manner and at times provided in the resolution  
5 authorizing the issuance of the notes or bonds

6 (7) Notes or bonds issued under this section ~~shall be~~ ARE  
7 valid and binding general obligations of the school district, it  
8 being the intent and purpose that the notes or bonds and the  
9 interest on the notes or bonds be promptly paid when due from the  
10 first money available to the district not pledged for other  
11 indebtedness and except to the extent that the use is restricted  
12 by the state constitution of 1963 or the laws of the United  
13 States

14 (8) Unless an exception from prior approval is available  
15 pursuant to subsection (11), before a school district issues  
16 notes or bonds under this section the school district shall make  
17 sworn application to the municipal finance commission or its suc-  
18 cessor agency for school districts on forms to be furnished by  
19 the municipal finance commission or its successor agency for  
20 school districts for permission to do so and shall attach to the  
21 application the determination of the department of treasury and a  
22 certified copy of the resolution authorizing the notes or bonds  
23 Unless an exception from prior approval is available pursuant to  
24 subsection (11), notes or bonds shall not be issued under this  
25 section until the district has first secured approval ~~of~~ FOR  
26 THE ISSUANCE FROM the municipal finance commission or its  
27 successor agency for school districts ~~to the issuance~~ In

1 determining whether a proposed issue of notes or bonds shall be  
2 approved, the municipal finance commission or its successor  
3 agency for school districts shall take into consideration whether  
4 the notes or bonds conform to this section and whether the  
5 amounts pledged for the payment of the notes or bonds will be  
6 sufficient to pay the principal and interest as the notes or  
7 bonds become due If prior approval is required, the municipal  
8 finance commission or its successor agency for school districts  
9 may require the district to reduce the amount of the note or bond  
10 issue or to alter the schedule of repayment Chapter II of the  
11 municipal finance act, Act No 202 of the Public Acts of 1943, as  
12 amended, being sections 132 1 to 132 3 of the Michigan Compiled  
13 Laws, ~~shall govern~~ GOVERNS with respect to the notes or bonds  
14 authorized by this section

15 (9) The notes or bonds shall be sold at not less than par  
16 and at public sale after notice by publication at least 7 days  
17 before the sale in a publication printed in the English language  
18 and circulated in this state ~~which publication~~ THAT carries  
19 as part of its regular service notices of sale of municipal bonds  
20 and ~~which~~ is approved by the department of treasury as a publi-  
21 cation complying with the foregoing qualifications or at private  
22 sale as authorized by the department of treasury The proceeds  
23 of THE sale of notes authorized under this section, after payment  
24 of the costs of issuance of the notes or bonds and interest on  
25 the notes or bonds for a period not to exceed 9 months, shall be  
26 used solely for the purpose of paying necessary operating  
27 expenses of the school district, including the payment of

1 principal of and interest on notes or bonds of the school  
2 district issued for operating purposes under this or any other  
3 act

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

12 (11) The requirement of subsection (8) for obtaining the  
13 prior approval of the municipal finance commission or its succes-  
14 sor agency before issuing bonds or notes under this section  
15 ~~shall be~~ IS subject to sections 10 and 11 of chapter III of Act  
16 No 202 of the Public Acts of 1943 being sections 133 10 and  
17 133 11 of the Michigan Compiled Laws, and the department of trea-  
18 sury ~~shall have~~ HAS the same authority as provided by section  
19 11 of chapter III of Act No 202 of the Public Acts of 1943 to  
20 issue an order providing or denying an exception from the prior  
21 approval required by subsection (8) for bonds or notes authorized  
22 by this section

23 Sec 1421 As used in this part, "textbook" means a book  
24 ~~which~~ THAT is selected and approved by the board of a school  
25 district OR THE SCHOOL BUILDING GOVERNING COMMITTEE OF A SCHOOL  
26 and ~~which~~ THAT contains a presentation of principles of a



1 subject, or ~~which~~ THAT is a literary work relevant to the study  
2 of a subject required for the use of classroom pupils

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

7       (2) The textbooks shall be the property of the school dis-  
8 trict purchasing them and shall be loaned to pupils without  
9 charge   A board may require a reasonable and refundable deposit  
10 on textbooks

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

14       (2) ~~The~~ UNTIL MARCH 1, 1994, THE school electors of a  
15 school district in which a library is established may vote a dis-  
16 trict tax for the support of the public library at an annual or  
17 special election of the district   ~~The~~ UNTIL MARCH 1, 1994, THE  
18 board of the school district may vote a tax for the maintenance  
19 and support of the public library

20       (3) A tax authorized or voted under this part shall be  
21 levied and collected in the same manner as other school district  
22 taxes are levied and collected

23       (4) FOR THE PURPOSES OF SECTION 27A OF THE GENERAL PROPERTY  
24 TAX ACT, ACT NO 206 OF THE PUBLIC ACTS OF 1893 BEING  
25 SECTION 211 27A OF THE MICHIGAN COMPILED LAWS, A TAX LEVIED UNDER  
26 THIS SECTION IS NOT LEVIED FOR LOCAL SCHOOL DISTRICT OPERATING  
27 PURPOSES

1       Sec 1531   (1) Except as provided in this section AND IN  
2 SECTION 1233B, the state board shall determine the requirements  
3 for and issue all licenses and certificates for teachers, includ-  
4 ing preprimary teachers, and the requirements for an endorsement  
5 of teachers as qualified counselors and an endorsement of teach-  
6 ers for teaching a foreign language in an elementary grade in the  
7 public schools of the state

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

11       (a) For a secondary level teaching certificate, has passed  
12 both the basic skills examination and the appropriate available  
13 subject area examination for each subject area in which he or she  
14 applies to be certified

15       (b) For an elementary level teaching certificate, has passed  
16 the basic skills examination and if it is available, the elemen-  
17 tary certification examination and has passed the appropriate  
18 available subject area examination for each subject area, if any,  
19 in which he or she applies to be certified

20       (3) Beginning July 1 1992, a person holding a certificate  
21 from another state or a teaching degree from an out-of-state  
22 teacher preparation institution who applies for a Michigan teach-  
23 ing certificate shall be required to pass appropriate examina-  
24 tions as follows

25       (a) For a secondary level teaching certificate, pass both  
26 the basic skills examination and the appropriate available  
27 subject area examination for each subject area in which he or she

1 applies to be certified The state board may accept passage of  
2 an equivalent examination approved by the state board to meet 1  
3 or both of these requirements

4 (b) For an elementary level teaching certificate, pass the  
5 basic skills examination and, if it is available, the elementary  
6 certification examination, and pass the appropriate available  
7 subject area examination for each subject area, if any, in which  
8 he or she applies to be certified The state board may accept  
9 passage of an equivalent examination approved by the state board  
10 to meet 1 or more of these requirements

11 (4) Not later than June 1, 1988, the department, based upon  
12 criteria recommended pursuant to subsection (6), shall provide to  
13 state board approved teacher education institutions state board  
14 approved guidelines and criteria for use in the development or  
15 selection of a basic skills examination, and not later than  
16 June 1, 1989, approved guidelines and criteria for use in the  
17 development or selection of subject area examinations

18 (5) For the purposes of this section, not later than  
19 January 1, 1989, the state board, based upon criteria recommended  
20 pursuant to subsection (6), shall develop select or develop and  
21 select 1 or more basic skills examinations, and not later than  
22 January 1, 1990 subject area examinations In addition, the  
23 state board, based upon criteria recommended pursuant to subsec-  
24 tion (6), shall approve an elementary certification examination  
25 not later than October 1, 1992 and a reading subject area exami-  
26 nation not later than October 1, 1993

1       (6) Not later than January 18, 1987 the state board shall  
2 appoint an 11-member teacher examination advisory committee  
3 comprised of representatives of approved teacher education insti-  
4 tutions and Michigan education organizations and associations  
5 Not more than 1/2 of the members comprising this committee shall  
6 be certified teachers Not later than January 1, 1988, this com-  
7 mittee shall recommend criteria to be used by the state board in  
8 the development, selection, or development and selection of 1 or  
9 more basic skills examinations and not later than January 1,  
10 1989, criteria to be used by the state board in the development,  
11 selection, or development and selection of subject area  
12 examinations In addition, by those dates, the committee shall  
13 recommend guidelines for the use and administration of those  
14 examinations The basic skills examinations referred to in this  
15 subsection may be developed by the state board or selected by the  
16 state board from commercially or university developed  
17 examinations In addition, an approved teacher education insti-  
18 tution, pursuant to guidelines and criteria described in subsec-  
19 tion (4), may develop an examination at its own expense for  
20 approval by the state board An approved teacher education  
21 institution that develops its own examination is liable for any  
22 litigation that results from the use of its examination

23       (7) Not later than January 18, 1987, the state board shall  
24 appoint a 7-member standing technical advisory council comprised  
25 of persons who are experts in measurement and assessment This  
26 council shall advise the state board and the teacher examination  
27 committee on the validity, reliability, and other technical

1 standards of the examinations that will be used or are being used  
2 and of the administration and use of those examinations

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

12 (9) The basic skills examination, the elementary certifica-  
13 tion examination, and the subject area examinations required by  
14 this section may be taken at different times during an approved  
15 teacher preparation program, but, subject to subsection (11), the  
16 basic skills examination must be passed before a person is  
17 enrolled for student teaching and the elementary certification  
18 examination and the subject area examinations, as applicable,  
19 must be passed before a person is recommended for certification

20 (10) The department, or if approved by the state board, a  
21 private testing service, may assess fees for taking the basic  
22 skills examination, elementary certification examination, and the  
23 subject area examinations The fees, which shall be set by the  
24 state board, shall not exceed \$50 00 for a basic skills examina-  
25 tion or \$75 00 for an elementary certification examination or a  
26 subject area examination However, if a subject area examination  
27 for vocational education includes a performance examination, an

1 additional fee may be assessed for taking the performance  
2 examination, not to exceed the actual cost of administering the  
3 performance examination Fees received by the department shall  
4 be expended solely for administrative expenses that it incurs in  
5 implementing subsections (2) to (15)

6 (11) For persons who took an examination administered under  
7 this section in February 1992 or April 1992, the department shall  
8 make available not later than June 30, 1992 the results of the  
9 examination indicating both the person's score on the examination  
10 and whether the person has passed or failed the examination If  
11 a person failed a basic skills examination administered in  
12 February 1992 or 1 or more subject area examinations administered  
13 in April 1992, the department shall allow the person to retake  
14 the failed examination once without charge to the person  
15 Subsequent reexaminations shall be subject to the fees described  
16 in subsection (10) A person who failed a basic skills examina-  
17 tion administered in February 1992 or April 1992 may be enrolled  
18 for student teaching before passing the basic skills examination  
19 but must pass the basic skills examination before he or she may  
20 be recommended for certification

21 (12) Until September 1, 1993, a person holding a teaching  
22 certificate that was in effect on January 1, 1992 who applies for  
23 an elementary level teaching certificate or for certification in  
24 a subject area, and who meets the other applicable requirements  
25 is not required to pass the elementary certification examination  
26 or appropriate subject area examination, as applicable, in order

1 to receive the elementary level teaching certificate or to be  
2 certified in the subject area

3 (13) As used in this section

4 (a) "Basic skills examination" means an examination devel-  
5 oped or selected by the state board or developed pursuant to sub-  
6 section (6) by an approved teacher education institution for the  
7 purpose of demonstrating the applicant's knowledge and under-  
8 standing of basic language and mathematical skills and other  
9 skills necessary for the certificate sought, and for determining  
10 whether or not an applicant is eligible for a provisional  
11 Michigan teaching certificate Not later than June 30, 1987, the  
12 department shall advise the state board and the legislature  
13 whether or not the department recommends that the basic skills  
14 examination include an examination of a person's knowledge and  
15 understanding of 1 or more of the following brain function,  
16 learning styles, and learning processes

17 (b) "Elementary certification examination" means a compre-  
18 hensive examination for elementary certification that has been  
19 developed or selected by the state board for demonstrating the  
20 applicant's knowledge and understanding of the core subjects nor-  
21 mally taught in elementary classrooms and for determining whether  
22 or not an applicant is eligible for an elementary level teaching  
23 certificate

24 (c) "Subject area examination" means an examination related  
25 to a specific area of certification, which examination has been  
26 developed or selected by the state board for the purpose of  
27 demonstrating the applicant's knowledge and understanding of the

1 subject matter and determining whether or not an applicant is  
2 eligible for a Michigan teaching certificate

3 (14) The state board shall certify as qualified the supervi-  
4 sors required in section 1506 The state board shall certify  
5 teachers as qualified to teach the class described in section  
6 1507(1), based upon the recommendation of a teacher training  
7 institution, upon an evaluation of the teacher's educational  
8 qualifications and experience, and upon any additional require-  
9 ments the state board considers necessary

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

12 Sec 1536 (1) The state board shall develop a school  
13 administrator's certificate which ~~shall~~ MAY be issued to all  
14 school district and intermediate school district superintendents,  
15 principals, assistant principals, and other persons whose primary  
16 responsibility is administering instructional programs and to  
17 school district and intermediate school district chief business  
18 officials

19 ~~(2) A school administrator's certificate developed under~~  
20 ~~subsection (1) shall be issued not later than July 1 1990 to all~~  
21 ~~persons who are employed by the department of education, the~~  
22 ~~department of mental health, the department of social services,~~  
23 ~~and the department of corrections in a position the state board~~  
24 ~~determines to be equivalent to a position specified in subsection~~  
25 ~~(1) —~~

26 (2) ~~(3)~~ The state board also shall develop appropriate  
27 certificate endorsements for school district and intermediate



1 school district superintendents chief business officials  
2 building administrators, by elementary school middle school, and  
3 high school level and for persons who are employed by the  
4 department of education, the department of mental health, the  
5 department of social services, and the department of corrections  
6 in a position the state board determines to be equivalent to a  
7 position specified in this subsection or whose primary responsi-  
8 bility is administering instructional programs for K to 12  
9 pupils The state board shall determine the educational and pro-  
10 fessional experience requirements for and issue all certificates  
11 for these administrators and shall determine how these adminis-  
12 trators may obtain renewal units for periodic recertification

13 (3) IN ADDITION TO OTHER REQUIREMENTS ESTABLISHED UNDER THIS  
14 SECTION BY THE STATE BOARD, TO BE ELIGIBLE FOR AN INITIAL SCHOOL  
15 ADMINISTRATOR'S CERTIFICATE FOR ADMINISTERING INSTRUCTIONAL PRO-  
16 GRAMS AND FOR AN INITIAL ENDORSEMENT AS A BUILDING ADMINISTRATOR,  
17 OR, IF THE REQUIREMENTS OF THIS SUBSECTION WERE NOT MET FOR THE  
18 INDIVIDUAL'S INITIAL CERTIFICATE OR ENDORSEMENT, FOR RENEWAL OF  
19 SUCH A CERTIFICATE OR ENDORSEMENT AN INDIVIDUAL SHALL PROVIDE  
20 EVIDFNCE SATISFACTORY TO THE DEPARTMENT THAT HE OR SHE HAS SUC-  
21 CESSFULLY COMPLETED POSTGRADUATE COURSEWORK OR TRAINING IN BUD-  
22 GETING AND FINANCIAL MANAGEMENT, CURRICULUM AND PERSONNEL EVALU-  
23 ATION, AS SPECIFIED BY STATE BOARD RULE

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

1           (5) The state board shall issue an initial school  
2 administrator's certificate to any person who is employed by the  
3 department of education, the department of mental health, the  
4 department of social services, or the department of corrections  
5 in a position the state board determines to be equivalent to a  
6 position specified in subsection (1) and who does not meet the  
7 certification requirements for the position the person holds on  
8 July 1, 1990    A school administrator's certificate issued under  
9 this subsection is valid only while the person is employed by  
10 that department in such a position    A person who holds a school  
11 administrator's certificate issued under this subsection must  
12 meet the certification requirements of subsections (1) and (8)  
13 and section 1531a if the person desires to transfer to a differ-  
14 ent position within that department that requires a school  
15 administrator's certificate or to a position that requires a  
16 school administrator's certificate in another department, a  
17 school district, or an intermediate school district

18           (6) Until July 1, 1996, the state board shall issue a school  
19 administrator's certificate to a person with temporary or full  
20 approval as a special education director or supervisor even if  
21 the person does not possess a valid teaching certificate, if the  
22 person applies for and meets all of the other requirements for a  
23 school administrator's certificate under this section or rules  
24 promulgated pursuant to this section    A school administrator's  
25 certificate issued under this subsection is subject to the  
26 requirements for renewal of a school administrator's certificate  
27 under this section

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

4 (8) The state board shall promulgate rules to implement this  
 5 section

6 Sec 1561 (1) Except as provided in subsections (2) and  
 7 (3), every parent, guardian, or other person in this state having  
 8 control and charge of a child from the age of 6 to the child's  
 9 sixteenth birthday ~~—~~ shall send that child to ~~the~~ A public  
 10 ~~schools~~ SCHOOL during the entire school year The child's  
 11 attendance shall be continuous and consecutive for the school  
 12 year fixed by the school district in which the child is  
 13 enrolled In a school district ~~which~~ THAT maintains school  
 14 during the entire calendar year and in which the school year is  
 15 divided into quarters, a child shall not be compelled to attend  
 16 the public school more than 3 quarters in 1 calendar year, but a  
 17 child shall not be absent for 2 OR MORE consecutive quarters

18 (2) A child becoming 6 years of age before December 1 shall  
 19 be enrolled on the first school day of the school year in which  
 20 the child's sixth birthday occurs A child becoming 6 years of  
 21 age on or after December 1 shall be enrolled on the first school  
 22 day of the school year following the school year in which the  
 23 child's sixth birthday occurs

24 (3) A child ~~shall~~ IS not ~~be~~ required to attend ~~the~~ A  
 25 public ~~schools~~ SCHOOL in ANY OF the following cases

26 (a) ~~A~~ THE child ~~who~~ is attending regularly and is being  
 27 taught in a ~~state approved~~ nonpublic school ~~—, which~~ THAT

1 teaches subjects comparable to those taught in the public schools  
2 to children of corresponding age and grade, as determined by the  
3 course of study for the public schools of the district within  
4 which the nonpublic school is located

5 (b) ~~A~~ THE child ~~who~~ is regularly employed as a page or  
6 messenger in either house of the legislature during the period of  
7 the employment

8 (c) ~~A~~ THE child IS under 9 years of age ~~who~~ AND does not  
9 reside within 2-1/2 miles by the nearest traveled road of a  
10 public school If transportation is furnished for pupils in the  
11 school district of the child's residence, this exemption does not  
12 apply

13 (d) ~~A~~ THE child from the age of 12 to the child's four-  
14 teenth birthday ~~while~~ IS in attendance at confirmation classes  
15 conducted for a period of ~~not to exceed~~ 5 months OR LESS in  
16 either of those years

17 (e) ~~A~~ THE child ~~who~~ is regularly enrolled in ~~the~~ A  
18 public ~~schools~~ SCHOOL while in attendance at religious instruc-  
19 tion classes for not more than 2 class hours per week, off public  
20 school property during public school hours, upon written request  
21 of the parent, guardian, or person in loco parentis under rules  
22 promulgated by the state board

23 SEC 1602A (1) THE BOARD OF A SCHOOL DISTRICT OPERATING A  
24 COMMUNITY COLLEGE UNDER THIS PART MAY LEVY TAXES FOR THE OPERA-  
25 TION OF THE COMMUNITY COLLEGE AT A MILLAGE RATE NOT TO EXCEED THE  
26 NUMBER OF MILLS DETERMINED BY THE DEPARTMENT TO EQUAL THE NUMBER  
27 OF MILLS AUTHORIZED UNDER SECTION 1211 AS OF THE EFFECTIVE DATE

1 OF THE AMENDATORY ACT THAT ADDED THIS SECTION FOR OPERATING THE  
2 COMMUNITY COLLEGE AND REPORTED TO THE DEPARTMENT FOR THE PURPOSE  
3 OF COMPILING THE ACTIVITY CLASSIFICATION STRUCTURE DATA UNDER  
4 SECTION 204 OF ACT NO 163 OF THE PUBLIC ACTS OF 1993 THE MILL-  
5 AGE ALLOWED UNDER THIS SUBSECTION MAY BE LEVIED WITHOUT A VOTE OF  
6 THE SCHOOL ELECTORS OF THE SCHOOL DISTRICT UNTIL THE MILLAGE  
7 AUTHORIZATION EXPIRES

8 (2) WITH THE APPROVAL OF THE SCHOOL ELECTORS OF THE SCHOOL  
9 DISTRICT, THE BOARD OF A SCHOOL DISTRICT MAY RENEW THE MILLAGE  
10 AUTHORIZED UNDER SUBSECTION (1) OR LEVY ADDITIONAL MILLAGE FOR  
11 THE OPERATION OF THE COMMUNITY COLLEGE, OR BOTH

12 (3) FOR THE PURPOSES OF SECTION 27A OF THE GENERAL PROPERTY  
13 TAX ACT, ACT NO 206 OF THE PUBLIC ACTS OF 1893, BEING  
14 SECTION 211 27A OF THE MICHIGAN COMPILED LAWS, MILLAGE LEVIED  
15 UNDER THIS SECTION IS NOT MILLAGE LEVIED FOR LOCAL SCHOOL DIS-  
16 TRICT OPERATING PURPOSES

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

24 (2) FOR THE PURPOSES OF SECTION 27A OF THE GENERAL PROPERTY  
25 TAX ACT, ACT NO 206 OF THE PUBLIC ACTS OF 1893, BEING  
26 SECTION 211 27A OF THE MICHIGAN COMPILED LAWS, MILLAGE LEVIED

1 UNDER THIS SECTION IS NOT LEVIED FOR INTERMEDIATE SCHOOL DISTRICT  
2 OPERATING PURPOSES

3 Section 2 The following acts and parts of acts are  
4 repealed

5 (1) Section 1147 and parts 7a and 18 of Act No 451 of the  
6 Public Acts of 1976, being sections 380 751, 380 752, 380 753,  
7 380 754, 380 755, 380 756, 380 1147, 380 1401, 380 1406,  
8 380 1407, 380 1408, 380 1411, 380 1415, and 380 1416 of the  
9 Michigan Compiled Laws  
10 (2) Act No 302 of the Public Acts of 1921, being sections  
11 388 551 to 388 558 of the Michigan Compiled Laws