

Act No. 155
Public Acts of 1995
Approved by the Governor
July 9, 1995
Filed with the Secretary of State
July 12, 1995

STATE OF MICHIGAN
88TH LEGISLATURE
REGULAR SESSION OF 1995

Introduced by Rep. Gilmer

ENROLLED HOUSE BILL No. 4419

AN ACT to make appropriations for the department of education and certain other purposes relating to education for the fiscal year ending September 30, 1996; to provide for the expenditure of the appropriations; to prescribe the powers and duties of certain state departments, school districts, and other governmental bodies; and to provide for the disposition of fees and other income received by certain legal entities and state agencies.

The People of the State of Michigan enact:

Sec. 101. There is appropriated for the department of education for the fiscal year ending September 30, 1996, from the following funds:

DEPARTMENT OF EDUCATION

APPROPRIATION SUMMARY:

Full-time equated unclassified positions	6.0	
Full-time equated classified positions	728.3	
GROSS APPROPRIATION		\$ 810,061,100
Interdepartmental grant revenues:		
IDG from civil service		6,200
IDG from corrections academy food service		274,300
IDG from corrections academy lease		304,300
IDG from commerce, ADP		404,600
IDG from Michigan jobs commission		212,900
IDG from social services		94,000
IDG from treasury		150,000
Total interdepartmental grants and intradepartmental transfers		1,446,300
ADJUSTED GROSS APPROPRIATION		\$ 808,614,800
Federal revenues:		
Total federal revenues		744,495,900
Special revenue funds:		
Local cost sharing (schools for blind/deaf)		7,488,200
Total local revenues		7,488,200
Local and private contingency revenue		500,000
Gifts, bequests, and donations		340,000
Private foundations		19,500
Student insurance revenue		100,000
Total private revenues		959,500

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Total local and private revenues.....	8,447,700
Certification fees.....	2,620,800
Commodity distribution fees	40,100
Driver fees	8,080,000
Living and learning resource center-rent	60,000
Motorcycle license fees	886,800
Safety education fund	307,200
Private occupational school license fees	148,100
School loan exception fees.....	51,500
State employee child care center.....	90,000
State restricted contingency revenue.....	700,000
Teacher testing fees	262,400
Training and orientation workshop fees.....	100,000
Total other state restricted revenues	13,346,900
State general fund/general purpose	\$ 42,324,300

STATE BOARD OF EDUCATION/OFFICE OF THE SUPERINTENDENT

Full-time equated unclassified positions	6.0
Full-time equated classified positions.....	20.0
State board of education, per diem payments.....	\$ 19,400
State board of education—5.0 FTE positions.....	557,200
Unclassified positions.....	471,200
Executive director programs—15.0 FTE positions.....	1,634,400
GROSS APPROPRIATION.....	\$ 2,682,200
Appropriated from:	
Federal revenues:	
DED-OESE, title VI, innovative strategies.....	517,400
DED-OSERS, handicapped program (IDEA).....	67,900
DED-OVAE, basic grants to states.....	108,900
Special revenue funds:	
State general fund/general purpose	\$ 1,988,000

FINANCE, PERSONNEL, AND TENURE ACTIVITIES

Full-time equated classified positions.....	71.0
Finance, personnel, and operations—71.0 FTE positions	\$ 3,917,700
State tenure commission, per diem	11,100
GROSS APPROPRIATION	\$ 3,928,800
Appropriated from:	
Federal revenues:	
DAG-FNS, national school lunch	152,000
DED-OESE, drug free schools and communities.....	6,800
DED-OESE, Eisenhower mathematics and science administration.....	4,700
DED-OESE, title 1, disadvantaged children.....	84,900
DED-OESE, title 1, migrant education.....	4,700
DED-OESE, title VI, innovative strategies.....	212,600
DED-OSERS, handicapped program (IDEA).....	46,200
DED-OVAE, basic grants to states	48,100
DOL, JTPA	8,900
Special revenue funds:	
Certification fees.....	57,100
School loan exception fees.....	51,000
State general fund/general purpose	\$ 3,251,800

CENTRAL SUPPORT

Worker's compensation.....	\$ 232,100
Federal contingency funds.....	6,500,000
Local and private contingency funds	500,000
State restricted contingency funds.....	700,000

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Education commission of the states	82,000	
Rent.....	7,100	
Building occupancy charges - property management services	1,171,100	
Training and orientation workshops	100,000	
GROSS APPROPRIATION.....		\$ 9,292,300
Appropriated from:		
Interdepartmental grant revenues:		
IDG from civil service.....	6,200	
Federal revenues:		
DAG-FNS, national school lunch	30,800	
DAG-FNS, nutrition education and training.....	4,100	
DAG-TEFAP.....	2,100	
DED-OBEMLA, bilingual education	4,100	
DED-OERI, innovation in education	5,100	
DED-OERI, national diffusion network.....	3,100	
DED-OESE, civil rights (national origin).....	6,400	
DED-OESE, civil rights (race)	4,300	
DED-OESE, civil rights (sex).....	7,300	
DED-OESE, drug free school's and communities.....	4,600	
DED-OESE, Eisenhower mathematics and science administration.....	13,600	
DED-OESE, goals 2,000.....	10,000	
DED-OESE, title 1, disadvantaged children.....	56,000	
DED-OESE, title 1, even start.....	2,600	
DED-OESE, title 1, migrant education.....	17,400	
DED-OESE, title VI, innovative strategies.....	86,000	
DED-OSERS, handicapped infants and toddlers	12,000	
DED-OSERS, handicapped program (IDEA).....	104,700	
DED-OSERS, technology assistance program	4,100	
DED-OVAE, adult education, state administered program.....	19,300	
DED-OVAE, basic grants to states.....	77,500	
DED-OVAE, homeless children and youth	13,400	
DED-OVAE, state councils	8,200	
DOL, JTPA	18,900	
Federal contingency revenue	6,500,000	
HHS-CDC, AIDS education	13,800	
HHS-HCFA, medical assistance program, title XIX	1,500	
HHS-OHDS, dependent care block grant.....	500	
HHS-SSA, contract for services	7,500	
National science foundation	8,800	
Corporation for national and community service	2,600	
VA, contract	10,400	
Special revenue funds:		
Local and private contingency revenue.....	500,000	
Certification fees.....	81,200	
Driver fees	12,900	
Motorcycle license fees	4,100	
Private occupational school license fees	5,100	
Safety education fund	1,000	
School loan exception fees.....	500	
State restricted contingency revenue.....	700,000	
Teacher testing fees.....	5,000	
Training and orientation workshop fees.....	100,000	
State general fund/general purpose		\$ 815,600
SCHOOL MANAGEMENT SERVICES		
Full-time equated classified positions.....	46.6	
Child care audit.....		\$ 410,000
National highway safety.....		90,000

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Off road vehicle safety training—1.5 FTE positions	111,900
School management operations—44.1 FTE positions	3,345,600
Surplus commodity distribution expense—1.0 FTE position	121,200
GROSS APPROPRIATION.....	\$ 4,078,700
Appropriated from:	
Federal revenues:	
DAG-Commodity supplemental food program	52,600
DAG-FNS, national school lunch	2,844,900
DAG-TEFAP	68,600
DOT-NHTSA, highway safety	90,000
Special revenue funds:	
Commodity distribution fees	40,100
Driver fees	456,700
Motorcycle license fees	132,700
Safety education fund	111,900
State general fund/general purpose	\$ 281,200
OFFICE OF GRANTS AND TECHNOLOGY	
Full-time equated classified positions.....16.5	
Grants and technology operations—16.5 FTE positions	\$ 1,855,000
GROSS APPROPRIATION.....	\$ 1,855,000
Appropriated from:	
Federal revenues:	
DED-OERI, national diffusion network.....	215,000
DED-OESE, goals 2,000.....	577,900
DED-OESE, title VI, innovative strategies.....	990,900
Corporation for national and community service	66,500
State general fund/general purpose	\$ 4,700
INFORMATION MANAGEMENT SERVICES	
Full-time equated classified positions.....12.5	
Information management services operations—12.5 FTE positions	\$ 973,700
GROSS APPROPRIATION.....	\$ 973,700
Appropriated from:	
Federal revenues:	
DED-OESE, title 1, disadvantaged children.....	174,500
DED-OESE, title VI, innovative strategies.....	451,500
DED-national cooperative education statistics system	25,000
State general fund/general purpose	\$ 322,700
OFFICE OF ENRICHMENT AND COMMUNITY SERVICES	
Full-time equated classified positions.....34.6	
Enrichment and community services operations—34.6 FTE positions.....	\$ 2,807,900
GROSS APPROPRIATION.....	\$ 2,807,900
Appropriated from:	
Federal revenues:	
DED-OESE, title 1, disadvantaged children.....	1,641,500
DED-OESE, civil rights (race)	254,600
DED-OESE, civil rights (sex)	265,600
DED-OVAE, homeless children and youth	235,300
State general fund/general purpose	\$ 410,900
SCHOOL PROGRAM QUALITY SERVICES	
Full-time equated classified positions.....85.1	
Comprehensive school health—6.6 FTE positions	\$ 955,800
Early childhood education—16.7 FTE positions	1,737,900
Endorsed diploma retest.....	1,160,000
Michigan accreditation program—8.0 FTE positions	623,600

	For Fiscal Year Ending Sept. 30, 1996
Michigan educational assessment program—14.0 FTE positions.....	1,480,800
Michigan educational assessment program tests.....	1,500,300
Proficiency test development	500,000
Proficiency test administration	2,380,000
School program quality operations—39.8 FTE positions.....	5,319,700
GROSS APPROPRIATION.....	\$ 15,658,100
Appropriated from:	
Federal revenues:	
DED-OERI, national math and science.....	152,000
DAG-FNS, nutrition education and training.....	191,600
DED-OERI, innovation in education	153,000
DED-OESE, Christa McAuliffe fellowships.....	2,400
DED-OESE, drug free schools and communities.....	158,900
DED-OESE, goals 2,000.....	1,480,600
DED-OESE, foreign language assistance.....	47,100
DED-OESE, Eisenhower mathematics and science administration	641,200
DED-OESE, title 1, disadvantaged children.....	102,200
DED-OESE, title 1, even start.....	216,400
DED-OESE, title VI, innovative strategies.....	849,300
DED-OSERS, handicapped infants and toddlers	623,900
DED-OSERS, handicapped preschool incentive grants	308,000
HHS-ACF at risk child care.....	51,800
HHS-CDC, AIDS education	701,000
HHS-OHDS, dependent care block grant	34,000
National science foundation	217,000
Special revenue funds:	
Private foundations	19,500
State general fund/general purpose	\$ 9,708,200
SPECIAL EDUCATION SERVICES	
Full-time equated classified positions.....	48.1
Special education operations—48.1 FTE positions.....	\$ 4,155,100
GROSS APPROPRIATION.....	\$ 4,155,100
Appropriated from:	
Federal revenues:	
DED-OESE, title 1, disadvantaged children.....	82,800
DED-OSERS, handicapped program (IDEA).....	3,769,000
HHS-HCFA, medical assistance program, title XIX	25,000
Special revenue funds:	
Certification fees.....	19,000
State general fund/general purpose	\$ 259,300
MICHIGAN SCHOOL FOR THE BLIND	
Corrections academy lease.....	\$ 304,300
Corrections food service.....	274,300
State employee child care center.....	90,000
GROSS APPROPRIATION.....	\$ 668,600
Appropriated from:	
Interdepartmental grant revenues:	
IDG from corrections academy food service.....	274,300
IDG from corrections academy lease	304,300
Special revenue funds:	
State employee child care center.....	90,000
State general fund/general purpose	\$ 0
MICHIGAN SCHOOL FOR THE DEAF AND BLIND	
Full-time equated classified positions.....	193.0
School for the deaf/blind operations—190.7 FTE positions.....	\$ 13,140,900

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Summer institute	211,200
Michigan deaf/blind center—2.3 FTE position.....	153,900
Camp tuhsmeheta.....	150,000
Private gifts-blind.....	82,800
Private gifts-deaf.....	50,000
GROSS APPROPRIATION.....	\$ 13,788,800

Appropriated from:

Federal revenues:

DAG-FNS, national school lunch	63,100
DED-OESE, drug free schools and communities.....	4,000
DED-OSERS, captioned films.....	14,000
DED-OSERS, handicapped children, ECIA chapter 1	95,000
DED-OSERS, handicapped innovative programs	153,900
DED-OSERS, handicapped program (IDEA).....	921,700

Special revenue funds:

Local cost sharing (schools for blind/deaf)	7,488,200
Gifts, bequests, and donations.....	340,000
Living and learning resource center-rent.....	60,000
Student insurance revenue	100,000
State general fund/general purpose	\$ 4,548,900

CAREER AND TECHNICAL EDUCATION

Full-time equated classified positions.....44.0

Career and technical education operations—38.5 FTE positions	\$ 2,721,400
Michigan council on vocational education—4.0 FTE positions	340,500
Operation graduation oversight—1.5 FTE positions	118,300
GROSS APPROPRIATION.....	\$ 3,180,200

Appropriated from:

Federal revenues:

DED-OVAE, basic grants to states	1,988,100
DED-OVAE, state councils	340,500
State general fund/general purpose	\$ 851,600

HIGHER EDUCATION MANAGEMENT SERVICES

Full-time equated classified positions.....56.0

Higher education management operations—43.5 FTE positions	\$ 3,213,700
Office of minority equity—12.5 FTE positions	911,000
GROSS APPROPRIATION.....	\$ 4,124,700

Appropriated from:

Federal revenues:

DED-OBEMLA, bilingual education	145,300
DED-OBEMLA, emergency immigrant education assistance	4,400
DED-OESE, civil rights (national origin).....	226,700
DED-OPSE, postsecondary review	814,900
DED-OVAE, basic grants to states	702,600
DOL, JTPA	670,800
VA, contract	511,700

Special revenue funds:

Certification fees.....	106,500
Private occupational school license fees	143,000
State general fund/general purpose	\$ 798,800

TEACHER PREPARATION AND CERTIFICATION SERVICES

Full-time equated classified positions.....31.5

Teacher certification operations—24.0 FTE positions.....	\$ 1,858,500
Teacher preparation operations—6.0 FTE positions	487,400
Mathematics and science program—1.5 FTE position	172,800
Department of attorney general	40,000
GROSS APPROPRIATION.....	\$ 2,558,700

Appropriated from:	
Federal revenues:	
DED-OESE, Eisenhower mathematics and science administration	172,800
DED-OPSE, teacher corps	17,600
Special revenue funds:	
Certification fees	2,110,900
Teacher testing fees	257,400
State general fund/general purpose	\$ 0
ADULT EXTENDED LEARNING SERVICES	
Full-time equated classified positions	26.0
Adult extended learning operations—26.0 FTE positions	\$ 2,114,200
GROSS APPROPRIATION	\$ 2,114,200
Appropriated from:	
Federal revenues:	
DED-OESE, migrant even start	1,500
DED-OESE, title 1, disadvantaged children	186,200
DED-OESE, title 1, migrant education	791,800
DED-OVAE, adult education, state administered program	889,700
DOL, JTPA	103,400
State general fund/general purpose	\$ 141,600
INFORMATION SERVICE CENTER	
Full-time equated classified positions	43.4
Information service center operations—43.4 FTE positions	\$ 2,939,900
GROSS APPROPRIATION	\$ 2,939,900
Appropriated from:	
Interdepartmental grant revenues:	
IDG from commerce, ADP	404,600
IDG from Michigan jobs commission	212,900
IDG from treasury	150,000
Federal revenues:	
DAG-FNS, national school lunch	63,400
DED-OESE, title VI, innovative strategies	293,200
Special revenue funds:	
Certification fees	246,100
Driver fees	10,400
State general fund/general purpose	\$ 1,559,300
GRANTS AND DISTRIBUTIONS	
FEDERAL PROGRAMS:	
Adult basic education	\$ 8,024,100
AIDS education grants	150,000
Christa McAuliffe grants	77,600
Competitive child care and development	480,000
Curriculum framework grants	1,136,900
Drug free schools grant	14,000,000
ECIA, chapter 1, handicapped	5,000,000
Eisenhower mathematics and science grants	13,000,000
Emergency immigrant	300,000
Foreign language grants	593,600
Goals 2,000 grants	13,359,600
Handicapped infants and toddlers	16,000,000
Homeless children and youth	833,000
Job training partnership act	7,952,700
Migrant even start	282,300
National math/science education	150,000
Pre-school grants (PL 94-142)	12,136,800

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School age child care grants (87,900 GF/GP).....	349,600
School lunch program-federal share.....	216,000,000
School to work.....	1,800,000
Serve America grants.....	680,000
Special education	10,189,800
State literacy resource center	263,600
Statewide systemic initiative grant	1,900,000
Surplus commodity.....	2,506,000
Systems change for inclusive education	266,400
Teacher corps scholarships	158,400
Title 1, disadvantaged children.....	313,500,000
Title 1, even start	3,990,000
Title 1, migrant	12,000,000
Title VI, innovative strategies.....	13,480,900
Training personnel for education of the handicapped.....	253,600
Vocational education act of 1963.....	38,507,200

STATE PROGRAMS:

Communities first pilot projects	\$ 95,000
Driver education	7,600,000
School readiness grants.....	10,528,000
Motorcycle safety education	750,000
National geographic alliance.....	36,800
Off road vehicle safety training grant	194,300
School lunch program-state share	2,275,600
School lunch program-supplemental state grants.....	2,032,100
State breakfast program	2,420,300
GROSS APPROPRIATION.....	\$ 735,254,200

Appropriated from:

Interdepartmental grant revenues:

IDG from social services	94,000
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Federal revenues:

DAG-FNS, national school lunch.....	216,000,000
DAG-TEFAP.....	2,506,000
DED-grants and contracts service, school to work.....	1,800,000
DED-OBEMLA, emergency immigrant education assistance	300,000
DED-OERI, innovation in education.....	1,136,900
DED-OERI, national math and science.....	150,000
DED-OESE, Christa McAuliffe fellowships.....	77,600
DED-OESE, drug free schools and communities.....	14,000,000
DED-OESE, foreign language assistance.....	593,600
DED-OESE, goals 2,000.....	13,359,600
DED-OESE, Eisenhower mathematics and science administration.....	13,000,000
DED-OESE, migrant even start	282,300
DED-OESE, title 1, disadvantaged children.....	313,500,000
DED-OESE, title 1, even start.....	3,990,000
DED-OESE, title 1, migrant education.....	12,000,000
DED-OESE, title VI, innovative strategies.....	13,480,900
DED-OPSE, teacher corps	158,400
DED-OSERS, handicapped children, ECIA chapter 1	5,000,000
DED-OSERS, handicapped infants and toddlers	16,000,000
DED-OSERS, handicapped preschool incentive grants.....	12,136,800
DED-OSERS, handicapped program (IDEA).....	10,189,800
DED-OSERS, personnel development	253,600
DED-OSERS, severely handicapped	266,400
DED-OVAE, adult education, state administered program.....	8,024,100
DED-OVAE, basic grants to states.....	38,507,200
DED-OVAE, homeless children and youth	833,000

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DED-OVAE, state literacy resource center.....	263,600
DOL, JTPA	7,952,700
HHS-ACF at risk child care.....	480,000
HHS-CDC, AIDS education	150,000
HHS-OHDS, dependent care block grant	261,700
National science foundation	1,900,000
Corporation for national and community service	680,000
Special revenue funds:	
Driver fees	7,600,000
Motorcycle license fees	750,000
Safety education fund	194,300
State general fund/general purpose	\$ 17,381,700

GENERAL SECTIONS

Sec. 201. (1) In accordance with the provisions of section 30 of article IX of the state constitution of 1963, total state spending from state resources in this appropriation act is \$55,671,200.00, and state appropriations to be paid to local units of government in section 101 are as follows:

	For Fiscal Year Ending Sept. 30, 1996
DEPARTMENT OF EDUCATION	
State school breakfast program.....	\$ 2,420,300
School lunch program—state share.....	2,275,600
School lunch program—supplemental state grants.....	2,032,100
Motorcycle safety.....	750,000
Driver education	7,600,000
Total	\$ 15,078,000

(2) If it appears to the principal executive officers of each department that state spending to local units of government will be less than the amount that was projected to be expended for any quarter, the principal executive officer shall immediately give notice of the approximate shortfall to the department of management and budget, the senate and house appropriations subcommittees responsible for the department's budget, and the senate and house fiscal agencies.

Sec. 202. The appropriations made and the expenditures authorized under this act and the departments, agencies, commissions, boards, offices, and programs for which an appropriation is made under this act are subject to the management and budget act, Act No. 431 of the Public Acts of 1984, being sections 18.1101 to 18.1594 of the Michigan Compiled Laws.

Sec. 203. As used in this act:

- (a) "AIDS" means acquired immunodeficiency syndrome.
- (b) "ADP" means automated data processing.
- (c) "CDC" means center for disease control.
- (d) "DAG" means the United States department of agriculture.
- (e) "DED" means the United States department of education.
- (f) "Department" means the Michigan department of education.
- (g) "District" means a local school district established under part 2, 3, 4, 5, or 6 of the school code of 1976, Act No. 451 of the Public Acts of 1976, being sections 380.71 to 380.485 of the Michigan Compiled Laws, a local act school district, or a public school academy.
- (h) "DOL" means the United States department of labor.
- (i) "ECIA" means the education consolidation and improvement act.
- (j) "FNS" means food and nutrition service of the USDA.

- (k) "HCFA" means the health care financing administration.
- (l) "HHS" means the United States department of health and human services.
- (m) "IASA" means improving America's schools act.
- (n) "IDEA" means the individuals with disabilities education act.
- (o) "IDG" means interdepartmental grant.
- (p) "JTPA" means the job training partnership act.
- (q) "MSB" means the Michigan school for the blind.
- (r) "MSD" means the Michigan school for the deaf.
- (s) "MSDB" means the Michigan school for the deaf and blind.
- (t) "NHTSA" means the national highway traffic safety administration.
- (u) "OBEMLA" means office of bilingual education and minority languages affairs.
- (v) "OERI" means office of educational research and improvement.
- (w) "OESE" means office of elementary and secondary education.
- (x) "OHDS" means office of human development services.
- (y) "OPSE" means office of postsecondary education.
- (z) "OSERS" means the office of special education rehabilitation service.
- (aa) "OVAE" means office of vocational and adult education.
- (bb) "SSA" means the social security administration.
- (cc) "TEFAP" means the emergency food assistance program.
- (dd) "USDA" means the United States department of agriculture.
- (ee) "VA" means the United States veterans administration.

Sec. 204. (1) Except as otherwise provided in this section, beginning October 1, 1994, there shall be a hiring freeze imposed on the state classified civil service. State departments and agencies shall be prohibited from hiring any new full-time state classified civil service employees or prohibited from filling any vacant state classified civil service positions. This hiring freeze does not apply to internal transfers of classified employees from 1 position to another within a department or to positions that are funded with 80% or more federal or restricted funds.

(2) The director of the department of management and budget shall grant exceptions to the hiring freeze when the director believes that the hiring freeze will result in rendering a state department or agency unable to deliver basic services. The director of the department of management and budget shall report by the fifteenth of each month to the chairpersons of the senate and house of representatives appropriations committees the number of exceptions to the hiring freeze approved during the previous month and the reasons to justify the exception.

Sec. 205. None of the funds appropriated in section 101 in the line item identified as "Federal contingency funds", "state restricted contingency funds", or "local and private contingency funds" are available for expenditure until they have been transferred to another line item in this act pursuant to section 393(2) of the management and budget act, Act No. 431 of the Public Acts of 1984, being section 18.1393 of the Michigan Compiled Laws.

Sec. 207. A department or agency billed by the department of civil service for the 1% charge authorized by section 5 of article XI of the state constitution of 1963 by the end of the first fiscal quarter shall pay the total amount of the billing by the end of the second fiscal quarter.

Sec. 208. The department may carry into the succeeding fiscal year unexpended federal pass-through funds to local institutions and governments that do not require additional state matching funds. Federal pass-through funds to local institutions and governments that are received in amounts in addition to those included in section 101 and that do not require additional state matching funds are appropriated for the purposes intended.

Sec. 211. The department shall provide the department of management and budget and the senate and house fiscal agencies with copies of the state board of education agenda and all supporting documents at the time the agenda and supporting documents are provided to state board of education members.

Sec. 212. (1) The department may receive and expend federal funds for purposes allowed by the federal government and these funds are appropriated, if the the funds are provided as "block grants" or other similar replacements for or consolidations of prior federal funding sources.

(2) The department may use the funds described in subsection (1) to continue existing programs and shall not establish new programs utilizing these funds, unless the legislature has enacted a modification to the existing program or enacted a new program.

Sec. 213. The amounts appropriated from 1 fund to another fund shall be authorized pursuant to annual appropriations within the departments responsible for each fund's appropriation.

Sec. 214. A branch of government, a principal executive department, or a state agency that is appropriated funds in section 101 shall not use any of the funds for the purchase of foreign goods or services if competitively priced American goods or services of comparable quality are available.

Sec. 215. (1) The director of the department shall take all reasonable steps to ensure that businesses in deprived and depressed communities compete for and perform contracts to provide services or supplies, or both, for the department.

(2) The director of the department shall strongly encourage firms with which the department contracts to subcontract with businesses certified by the department of civil rights in depressed and deprived communities for services or supplies, or both.

STATE BOARD/OFFICE OF THE SUPERINTENDENT

Sec. 301. (1) The appropriations in section 101 may be used for per diem payments to members of boards, committees, and commissions for each day's board, committee, or commission work at which a quorum is present; for attending a hearing as authorized by the respective board, committee, or commission; or for performing official business as authorized by the respective board, committee, or commission. The per diem payments shall be at a rate as follows:

- | | |
|--|-------------------|
| (a) State board of education-president | \$ 110.00 per day |
| (b) State board of education-member other than president | \$ 100.00 per day |
| (c) State tenure commission-member..... | \$ 50.00 per day |

(2) A state board of education member shall not be paid a per diem for more than 24 days per year.

(3) The administrative secretary of the state board of education shall report to the public, the senate and house fiscal agencies, and the department of management and budget the previous month's expenses by fund source for members of the state board of education related to the performance of their responsibilities.

Sec. 302. (1) From the amount appropriated in section 101 to the state board of education, not more than \$27,500.00 shall be expended for travel.

(2) The state board of education shall not expend amounts for travel appropriated from DED-OVAE, basic grants to states.

Sec. 303. From the amount appropriated in section 101 for executive director programs, there is allocated \$421,000.00 and 5.0 FTE positions to establish and operate a charter school office to administer charter school legislation and associated regulations, and to coordinate the activities of the department relating to charter schools.

SCHOOL PROGRAM QUALITY SERVICES

Sec. 501. (1) From the general fund allocations in section 101, the department may provide tests to nonpublic schools. The department shall notify nonpublic schools that they are eligible to receive the tests without cost to them.

(2) The department shall release test results at the same time to all private schools and public school districts taking the tests at the same time.

Sec. 502. The department shall provide a progress report to the chairpersons of the senate and house of representatives education appropriations subcommittees, the senate and house fiscal agencies, and the department of management and budget no later than May 15 of each year describing the activities of the department during the previous fiscal year and the current status relative to the implementation of sections 1204a, 1277, 1278, and 1280 of the school code of 1976, Act No. 451 of the Public Acts of 1976, being sections 380.1204a, 380.1277, 380.1278, and 380.1280 of the Michigan Compiled Laws.

SPECIAL EDUCATION SERVICES/MSB/MSD/MSDB PROGRAMS

Sec. 601. The employees at the Michigan school for the deaf and blind who work on a school year basis shall be considered annual employees for purposes of service credits, retirement, and insurance benefits.

Sec. 602. For each student enrolled at the Michigan school for the deaf and blind, the department shall assess the intermediate school district of residence 100% of the cost of operating the student's instructional program. The amount shall exclude room and board related costs and the cost of weekend transportation between the school and the student's home.

Sec. 603. (1) The department may assess rent to the department of corrections for Michigan school for the blind space occupied by the corrections staff training academy. The rental rates and all leasing arrangements shall be subject to the approval of the department of management and budget. Amounts received under section 101 for the corrections academy lease program may be expended by the department for operation, maintenance, and renovation expenses associated with the lease space.

(2) In addition, the department may receive and expend funds in addition to those authorized in section 101 for the rental of facilities at the Michigan school for the blind to private or publicly funded organizations.

Sec. 604. The department shall assess rent to the state employee child care center for the rental of space it occupies at the Michigan school for the blind. The rental rates and all leasing arrangements shall be subject to the approval of the department of management and budget. Amounts received under section 101 for the child care center may be expended by the department for the operation, maintenance, and renovation of the leased space.

Sec. 605. Proceeds from the sale of surplus property and facilities at the Michigan school for the deaf are hereby appropriated for the purposes of repairs, renovations, and maintenance of the school's campus. Any unexpended and unencumbered funds remaining on September 30, 1996 from such proceeds shall be carried forward as a work project for the purposes of repairs, renovations, and maintenance of the school's campus at a total estimated cost not to exceed the proceeds of the sales. The work is to be completed by September 30, 1997.

Sec. 606. The department may assist the department of social services, other departments, and local school districts to secure reimbursement for eligible services provided in Michigan schools from the federal medicaid program. The department may submit reports of direct expenses related to this effort to the department of social services for reimbursement.

Sec. 607. The unexpended balances of appropriations for the school for the deaf operations shall not lapse to the state general fund at the end of the fiscal year but shall be carried forward as a work project and expended for special maintenance and repairs of facilities at the Michigan school for the deaf.

Sec. 608. (1) By October 1, 1995, the department shall co-locate the Michigan school for the blind from Lansing to the campus of the Michigan school for the deaf in Flint, unless the Michigan school for the blind is able to demonstrate, by September 11, 1995, that not less than 25 visually impaired students are enrolled in the residential program at the Lansing campus. The co-located school shall be known as the Michigan school for the deaf and blind. As used in this section, "co-locate" means to establish on 1 campus 2 distinct educational and residential programs for the deaf and the blind and shall include all of the following:

(a) A unified budget for the school.

(b) Assurance of the continuity of programs and services for students of the school including, but not limited to, appropriate individualized educational programs, ongoing evaluations, and instructional methods.

(c) Continuation of outreach services to visually impaired school age children, parents, caregivers, and professionals.

(d) A plan for the use of part of the campus of the MSB for commemorating the services provided by MSB in Lansing.

(e) Assurance that the funds currently held by the MSB and MSD as gifts, trusts, and bequests shall not be commingled and shall be separately accounted annually to the state board of education and the house and senate appropriation subcommittees on education.

(f) A plan for the continued development of Camp Tuhsmeheeta as an environmental education and camping facility for use by visually and other impaired persons.

(2) If there are 25 students enrolled at the MSB as specified in subsection (1), then the schools shall not be co-located during the 1995-96 school year, but it is the legislature's intent that the schools be co-located by October 1, 1996. Not later than March 1, 1996, the department shall submit a report on co-locating the Michigan school for the blind and Michigan school for the deaf in Flint to the house and senate committees on education and appropriations, addressing all of the elements in subsection (1)(a) through (f).

(3) In the event of co-location, the MSDB may expend appropriations for temporary facilities.

Sec. 609. The department of management and budget shall enter into a contract for, or conduct with internal resources, a study of the disposition of property and facilities associated with the Michigan school for the blind in Lansing. The department shall make a recommendation regarding the disposition of the property and facilities, including a recommendation regarding the feasibility of sale or conversion to other state purposes, to the joint capital outlay subcommittee, and the senate and house appropriation subcommittees on education before October 1, 1996.

Sec. 610. (1) The department shall determine what the savings will be for fiscal year 1996-97 as a result of co-locating the Michigan school for the blind and the Michigan school for the deaf. The savings will be appropriated for a summer institute to teach braille and life skills.

(2) The line item appropriation for a summer institute shall be expended for an expanded summer program to teach students braille and life skills.

TEACHER PREPARATION AND CERTIFICATION SERVICES

Sec. 701. From the funds appropriated in section 101 for teacher preparation and certification services, the department shall maintain the professional personnel register and certificate revocation/felony conviction files.

Sec. 702. Not later than November 30, 1995, the department shall submit to the senate and house of representatives appropriations subcommittees responsible for the department's budget, the senate and house fiscal agencies, and the department of management and budget, a report on the status of activities to meet the requirements of section 1531 of the school code of 1976, Act No. 451 of the Public Acts of 1976, being section 380.1531 of the Michigan Compiled Laws, relating to teacher test development, validation, and implementation.

INFORMATION SERVICE CENTER/HIGHER EDUCATION MANAGEMENT SERVICES

Sec. 801. Included in the appropriation for information service center operations in section 101 is \$50,000.00 to publish and distribute the Michigan school report.

GRANTS AND DISTRIBUTIONS

Sec. 902. The department shall disburse the funds to a general fund grantee in accordance with the same standards of timing and amount that apply to disbursements made by the department to a federal fund grantee. The disbursement shall be restricted to the minimum amount needed for immediate disbursement by the grantee. The department may waive this section if extenuating circumstances warrant and are substantiated in the grantee's application or other appropriate documentation. A waiver granted pursuant to this section shall not be effective until 15 days after written notice of the proposed waiver is given to the chairpersons of the senate and house appropriations subcommittees having jurisdiction over the department budget.

Sec. 903. (1) The funds appropriated in section 101 for school breakfast programs shall be made available to all eligible applicant public school districts and public school academies as follows:

(a) The district or public school academy participates in the federal school breakfast program and meets all standards as prescribed by 7 C.F.R. parts 220 and 245.

(b) Payment is made for each breakfast served meeting standards prescribed in subdivision (a).

(c) The payment for a district or public school academy is at a per meal rate equal to the lesser of the district's or public school academy's actual cost, or 100% of the cost of a breakfast served by an efficiently operated breakfast program as determined by the department, less federal reimbursement, participant payments, and other state reimbursement. Determination of efficient cost by the department shall be determined by using a statistical sampling of statewide and regional cost as reported in a manner approved by the department for the preceding school year.

(d) The payment determined under subdivision (c) is prorated if the appropriation in section 101 is not sufficient to fund all payments determined under this section.

(2) Of the appropriation of federal funds in section 101 for the national school lunch program, expenditures shall not be made in FY 1995-96 for any programs other than those authorized by the department and funded from this line item in FY 1994-95.

Sec. 904. (1) The funds appropriated in section 101 for school readiness programs shall be made available through a competitive application process as follows:

(a) An applicant may be any public or private nonprofit legal entity or agency other than a local or intermediate school district except a local or intermediate school district acting as a fiscal agent for a child caring organization regulated under Act No. 116 of the Public Acts of 1973, being sections 722.111 to 722.128 of the Michigan Compiled Laws.

(b) Applications shall be submitted in a form and manner as required by the department.

(c) Applications shall be reviewed by a diverse interagency committee composed of representatives of the department, appropriate community, volunteer, social service agencies and organizations, and parents.

(d) Priority in the recommendation for awarding of grants by the state board of education to applicants shall be based upon the following criteria:

(i) Compliance with standards for early childhood development consistent with programs for 4-year-olds, as approved by the state board of education.

(ii) Active and continuous involvement of the parents or guardians of the children participating in the program.

(iii) Employment of teachers possessing proper training in early childhood development, including an early childhood (ZA) endorsement or child development associate, and trained support staff.

(iv) Evidence of collaboration with the community of providers in early childhood development programs including documentation of the total number of children in the community who would meet the criteria established in subparagraph (vi), and who are being served by other providers, and the number of children who will remain unserved by other community early childhood programs if this program is funded.

(v) The extent to which these funds will supplement other federal, state, local, or private funds.

(vi) The extent to which these funds will be targeted to children who will be at least 4, but less than 5, years of age as of December 1 of the year in which the programs are offered and who show evidence of 2 or more "at risk" factors as defined in the state board of education report entitled, "children at risk" that was adopted by the state board on April 5, 1988.

(e) Whether the application contains a comprehensive evaluation plan that includes implementation of all program components required and an assessment of the gains of children participating in an early childhood development program.

(f) Applications shall provide for the establishment of a school readiness advisory committee that shall be involved in the planning and evaluation of the program and provides for the involvement of parents and appropriate community, volunteer, and social service agencies and organizations. At least 50% of the committee members shall be parents or legal guardians of current or former program participants. The committee shall do all of the following:

(i) Review the mechanisms and criteria used to determine referrals for participation in the school readiness program.

(ii) Review the health screening program for all participants.

(iii) Review the nutritional services provided to all participants.

(iv) Review the mechanisms in place for the referral of families to community social service agencies, as appropriate.

(v) Review the collaboration with and the involvement of appropriate community, volunteer, and social service agencies and organizations in addressing all aspects of education disadvantage.

(vi) Review, evaluate, and make recommendations for changes in the school readiness program.

(g) More than 50% of the children participating in the program shall meet the income eligibility criteria for free or reduced price lunch, as determined under the national school lunch act, chapter 281, 60 Stat. 230, 42 U.S.C. 1751 to 1753, 1755 to 1761, 1762a, 1765 to 1766b, and 1769 to 1769h, or meet income and all other eligibility criteria for participation in the Michigan department of social services unified child day care program.

(2) Grant awards by the state board of education may be at whatever level the board determines appropriate. A grant, when combined with other sources of state revenue for this program, shall not exceed \$3,000.00 per child or the cost of the program, whichever is less. However, in order to achieve the goals and objectives of the early childhood development programs, it is the intent of the legislature to fund these programs at the maximum optimum per pupil level.

(3) Except as otherwise provided, an applicant that received a grant under this section in the 1994-95 fiscal year shall receive priority for funding in 1995-96. However, continuation of funding is contingent on the availability of funds and

documented evidence of grantee compliance with standards for early childhood development consistent with programs for 4-year-olds, as approved by the state board of education, and with all operational, fiscal, administrative, and other program requirements. After 3 years of funding, a program that received a grant under this section may reapply for funding, but will compete for available funds with other new programs and other programs also completing their third year of funding under this section.

(4) From the appropriation in section 101 for school readiness grants, not more than \$25,000.00 may be expended for project first step.

Sec. 905. Subject to the provisions of applicable federal law, in order to more fully integrate all job training programs for the state, the Michigan jobs commission shall be the lead agency responsible for programs funded under the federal job training partnership act, Public Law 97-300, 96 Stat. 1322, and grants distributed under that act shall be subject to the approval of the Michigan jobs commission. Changes in federal law or regulation permitting, the Michigan jobs commission shall be the state agency responsible for administering this federal program.

This act is ordered to take immediate effect.

Clerk of the House of Representatives.

Secretary of the Senate.

Approved -----

Governor.