

HOUSE BILL No. 4378

February 25, 1997, Introduced by Reps. Cropsey, McBryde, Kaza, Jelinek, Brewer, Tesanovich, Brater, Martinez, Emerson, Raczkowski, Wetters, Green, Geiger, Goschka, Gire and Llewellyn and referred to the Committee on Education.

A bill to amend 1976 PA 451, entitled
"The revised school code,"
(MCL 380.1 to 380.1852) by amending the title, as amended by 1995
PA 289, and by adding part 31a; and to repeal acts and parts of
acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 TITLE

2 An act to provide a system of public instruction and elemen-
3 tary and secondary schools; to revise, consolidate, and clarify
4 the laws relating to elementary and secondary education; to pro-
5 vide for the organization, regulation, and maintenance of
6 schools, school districts, public school academies, and interme-
7 diate school districts; to prescribe rights, powers, duties, and
8 privileges of schools, school districts, public school academies,
9 and intermediate school districts; to provide for the regulation

1 of school teachers and certain other school employees; to provide
2 for school elections and to prescribe powers and duties with
3 respect thereto; to provide for the levy and collection of taxes;
4 to provide for the borrowing of money and issuance of bonds and
5 other evidences of indebtedness; to establish a fund and provide
6 for expenditures from that fund; to provide for and prescribe the
7 powers and duties of certain state departments, the state board
8 of education, and certain other boards and officials; to provide
9 for licensure of boarding schools; TO PROVIDE FOR THE MICHIGAN
10 SCHOOL FOR THE BLIND AND MICHIGAN SCHOOL FOR THE DEAF AND THEIR
11 RESPECTIVE BOARDS, POWERS, AND DUTIES; to prescribe penalties;
12 and to repeal acts and parts of acts.

13 PART 31A

14 SCHOOL FOR THE BLIND AND SCHOOL FOR THE DEAF

15 SEC. 1781. AS USED IN THIS PART:

16 (A) "BLIND" MEANS ANY IMPAIRMENT IN VISION THAT, WITH OR
17 WITHOUT CORRECTION, INTERFERES WITH A PERSON'S DEVELOPMENT OR
18 ADVERSELY AFFECTS A PERSON'S EDUCATIONAL PERFORMANCE. BLIND
19 INCLUDES PARTIAL LOSS OF VISION, THE POTENTIAL OF PROGRESSIVE
20 LOSS OF VISION, AND TOTAL LOSS OF VISION.

21 (B) "BLIND PUPIL" INCLUDES ANY PUPIL WHO IS PRIMARILY OR
22 SECONDARILY CATEGORIZED AS BLIND OR VISUALLY IMPAIRED AND WHO IS
23 ENTITLED TO SPECIAL EDUCATION UNDER THE INDIVIDUALS WITH DISABIL-
24 ITIES EDUCATION ACT.

25 (C) "DEAF" OR "HARD OF HEARING" MEANS ANY TYPE OR DEGREE OF
26 HEARING LOSS THAT, WITH OR WITHOUT AMPLIFICATION, INTERFERES WITH

1 A PERSON'S DEVELOPMENT OR ADVERSELY AFFECTS A PERSON'S
2 EDUCATIONAL PERFORMANCE.

3 (D) "DEAF PERSON" INCLUDES A PERSON WHOSE HEARING IS TOTALLY
4 IMPAIRED OR WHOSE HEARING, WITH OR WITHOUT AMPLIFICATION, IS SO
5 SERIOUSLY IMPAIRED THAT THE PRIMARY MEANS OF RECEIVING SPOKEN
6 LANGUAGE IS THROUGH OTHER SENSORY INPUT, INCLUDING, BUT NOT
7 LIMITED TO, LIPREADING, SIGN LANGUAGE, FINGER SPELLING, OR
8 READING.

9 (E) "DEAF PUPIL", "HARD OF HEARING PUPIL", AND "HEARING
10 IMPAIRED PUPIL" INCLUDE ANY PUPIL WHO IS PRIMARILY OR SECONDARILY
11 CATEGORIZED FOR THE PURPOSE OF SPECIAL EDUCATION AS DEAF, HARD OF
12 HEARING, OR HEARING IMPAIRED, RESPECTIVELY, AND WHO IS ENTITLED
13 TO SPECIAL EDUCATION UNDER THE INDIVIDUALS WITH DISABILITIES EDU-
14 CATION ACT.

15 (F) "DEAF-BLIND PUPIL" INCLUDES ANY PUPIL WHO HAS AUDITORY
16 AND VISUAL HANDICAPS, THE COMBINATION OF WHICH CAUSES SUCH SEVERE
17 COMMUNICATION AND OTHER DEVELOPMENTAL AND EDUCATIONAL PROBLEMS
18 THAT THE PUPIL CANNOT BE ADEQUATELY ACCOMMODATED IN A SPECIAL
19 EDUCATION PROGRAM SOLELY FOR THE HEARING IMPAIRED PUPIL OR VISU-
20 ALLY IMPAIRED PUPIL.

21 (G) "HARD OF HEARING PERSON" OR "HARD OF HEARING PUPIL"
22 INCLUDES A PERSON OR PUPIL WITH PERMANENT OR FLUCTUATING HEARING
23 LOSS THAT GENERALLY ALLOWS THE USE OF THE AUDITORY CHANNEL AS THE
24 PRIMARY MEANS OF DEVELOPING SPEECH AND LANGUAGE SKILLS.

25 (H) "HEARING IMPAIRED" MEANS THAT A PERSON HAS A DEGREE OF
26 HEARING LOSS THAT RANGES FROM MILD TO PROFOUND. HEARING IMPAIRED
27 PERSON INCLUDES A DEAF PERSON.

1 (I) "INDIVIDUALIZED EDUCATION PROGRAM" AND "INDIVIDUALIZED
2 EDUCATION PLANNING COMMITTEE" MEAN THOSE TERMS AS DEFINED IN R
3 340.1701A OF THE MICHIGAN ADMINISTRATIVE CODE.

4 (J) "INDIVIDUALS WITH DISABILITIES EDUCATION ACT" MEANS
5 TITLE VI OF THE PUBLIC LAW 91-230, 20 U.S.C. 1400 TO 1442, 1444
6 TO 1452, AND 1454 TO 1491o.

7 (K) "RESIDENTIAL SCHOOL" MEANS THE MICHIGAN SCHOOL FOR THE
8 BLIND OR THE MICHIGAN SCHOOL FOR THE DEAF.

9 (l) "SKILLS OF DEAFNESS AND BLINDNESS" MEANS THOSE SKILLS
10 THAT ALLOW BLIND, DEAF, HARD OF HEARING, HEARING IMPAIRED, OR
11 DEAF-BLIND PERSONS THE OPPORTUNITY TO COMPETE WITH THEIR HEARING
12 AND SIGHTED PEERS AND TO LIVE AND WORK INDEPENDENTLY AS ADULTS
13 WITHIN THEIR COMMUNITIES, INCLUDING, BUT NOT LIMITED TO, BRAILLE,
14 CANE TRAVEL, SIGN LANGUAGE, SPEECH, TELECOMMUNICATIONS, CULTURAL
15 VALUES, AND OTHER SKILLS TAUGHT OR USED BY THE COMMISSION FOR THE
16 BLIND, THE DIVISION ON DEAFNESS, REHABILITATION PROGRAMS, THE
17 RESIDENTIAL SCHOOLS, AND SPECIAL EDUCATION PROGRAM OUTCOMES
18 GUIDES.

19 (M) "VISUALLY IMPAIRED" MEANS THAT A PERSON HAS 1 OR MORE OF
20 THE FOLLOWING:

21 (i) A CENTRAL VISUAL ACUITY FOR NEAR OR FAR POINT VISION OF
22 20/70 OR LESS IN THE BETTER EYE AFTER ROUTINE REFRACTIVE
23 CORRECTION.

24 (ii) A PERIPHERAL FIELD OF VISION RESTRICTED TO NOT MORE
25 THAN 20 DEGREES.

26 (iii) A DIAGNOSED PROGRESSIVELY DETERIORATING EYE
27 CONDITION.

(N) "VISUALLY IMPAIRED PERSON" INCLUDES A BLIND PERSON.

SEC. 1782. THIS STATE SHALL MAINTAIN AND SUPPORT THE MICHIGAN SCHOOL FOR THE BLIND AND THE MICHIGAN SCHOOL FOR THE DEAF LOCATED ON COURT STREET IN FLINT IN GENESEE COUNTY. THIS STATE SHALL PROVIDE FULL OPPORTUNITY FOR ALL BLIND, DEAF, VISUALLY IMPAIRED, HARD OF HEARING, AND DEAF-BLIND PUPILS AND ENSURE THEM ACCESS TO THE MICHIGAN SCHOOL FOR THE BLIND AND THE MICHIGAN SCHOOL FOR THE DEAF AND ALL OTHER PROGRAMS IN THE CONTINUUM OF EDUCATIONAL OPTIONS FOR THESE PUPILS.

SEC. 1783. (1) EACH RESIDENTIAL SCHOOL SHALL BE GOVERNED BY AN INDEPENDENT BOARD.

(2) EACH BOARD SHALL CONSIST OF 7 VOTING MEMBERS AND CERTAIN NONVOTING MEMBERS. TO THE EXTENT POSSIBLE, DIVERSE GEOGRAPHIC AREAS OF THIS STATE SHALL BE REPRESENTED ON EACH BOARD.

(3) SIX MEMBERS OF EACH BOARD SHALL BE APPOINTED BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE. AT LEAST 4 OF THESE 6 MEMBERS OF THE BOARD OF THE MICHIGAN SCHOOL FOR THE BLIND SHALL BE PERSONS WHO ARE BLIND AND AT LEAST 2 OF THESE 6 MEMBERS OF THE BOARD OF THE MICHIGAN SCHOOL FOR THE BLIND SHALL BE PERSONS WHO ARE PARENTS OF A PUPIL WHO IS BLIND. AT LEAST 4 OF THESE 6 MEMBERS OF THE BOARD OF THE MICHIGAN SCHOOL FOR THE DEAF SHALL BE PERSONS WHO ARE DEAF AND AT LEAST 2 OF THESE 6 MEMBERS OF THE BOARD OF THE MICHIGAN SCHOOL FOR THE DEAF SHALL BE PERSONS WHO ARE PARENTS OF A PUPIL WHO IS DEAF.

(4) THE REMAINING VOTING MEMBER OF EACH BOARD SHALL BE A PARENT OF A PUPIL CURRENTLY ENROLLED IN THE PARTICULAR RESIDENTIAL SCHOOL, WHO SHALL BE ELECTED BY MAJORITY VOTE OF THE

1 PARENTS OF THE PUPILS CURRENTLY ENROLLED IN THAT RESIDENTIAL
2 SCHOOL.

3 (5) ALL VOTING MEMBERS OF EACH BOARD MUST MEET ALL OF THE
4 FOLLOWING REQUIREMENTS:

5 (A) AT LEAST 18 YEARS OF AGE AND NOT ENROLLED, OR ELIGIBLE
6 TO BE ENROLLED, IN A PUBLIC K-12 EDUCATION PROGRAM.

7 (B) A RESIDENT OF THIS STATE.

8 (C) HAS A DEMONSTRATED SERIOUS INTEREST IN PROMOTING AND
9 PROVIDING STATE OF THE ART EDUCATIONAL OPPORTUNITIES FOR BLIND,
10 VISUALLY IMPAIRED, DEAF, HARD OF HEARING, AND DEAF-BLIND CITIZENS
11 THROUGH RESIDENTIAL PROGRAMS. THIS SUBDIVISION SHALL NOT BE
12 INTERPRETED TO LIMIT APPOINTMENT TO PERSONS WITH ANY SPECIFIC
13 EDUCATIONAL OR VOCATIONAL QUALIFICATIONS.

14 (D) NOT CURRENTLY EMPLOYED BY THE DEPARTMENT.

15 (E) IN ADDITION TO THE VOTING MEMBERS, THE GOVERNOR SHALL
16 APPOINT AS NONVOTING MEMBERS OF EACH BOARD A REPRESENTATIVE OF
17 EACH POSTSECONDARY INSTITUTION IN THIS STATE THAT OFFERS A
18 TEACHER TRAINING PROGRAM IN SPECIAL EDUCATION FOR THE BLIND OR
19 THE DEAF, AS APPLICABLE, AND A TEACHER WHO HAS AT LEAST 3 YEARS'
20 EXPERIENCE, IMMEDIATELY BEFORE THE APPOINTMENT, IN AN APPROPRIATE
21 DISCIPLINE. THE TEACHER REPRESENTATIVE SHALL SERVE A TERM OF 2
22 YEARS.

23 (6) THE BOARD MEMBERS APPOINTED UNDER SUBSECTION (3) SHALL
24 SERVE FOR TERMS OF 4 YEARS, OR UNTIL A SUCCESSOR IS APPOINTED,
25 WHICHEVER IS LATER, EXCEPT THAT OF THE MEMBERS FIRST APPOINTED TO
26 A PARTICULAR BOARD, 2 SHALL SERVE FOR 2 YEARS, 2 SHALL SERVE FOR
27 3 YEARS, AND 2 SHALL SERVE FOR 4 YEARS, AS SPECIFIED IN THE

1 APPOINTMENT. THESE BOARD MEMBERS MAY BE REAPPOINTED, EXCEPT THAT
2 A BOARD MEMBER DESCRIBED IN THIS SUBSECTION SHALL NOT SERVE MORE
3 THAN 2 CONSECUTIVE 4-YEAR TERMS AND SHALL NOT SERVE FOR MORE THAN
4 A TOTAL OF 12 YEARS. A VACANCY AMONG THESE MEMBERS SHALL BE
5 FILLED IN THE SAME MANNER AS THE ORIGINAL APPOINTMENT.

6 (7) THE PARENT REPRESENTATIVE FOR EACH BOARD DESCRIBED IN
7 SUBSECTION (4) SHALL SERVE FOR A TERM OF 2 YEARS. THE REQUIRED
8 ELECTION SHALL BE HELD AT LEAST 2 MONTHS BEFORE THE EXPIRATION OF
9 THE INCUMBENT'S TERM. IF A PARENT REPRESENTATIVE VACATES THE
10 OFFICE, AN ELECTION FOR A SUCCESSOR TO SERVE THE REMAINDER OF THE
11 UNEXPIRED TERM SHALL BE HELD WITHIN 1 MONTH AFTER THE VACANCY
12 OCCURS.

13 (8) EACH BOARD SHALL ELECT A VOTING MEMBER TO SERVE AS PRES-
14 IDENT AND ANOTHER TO SERVE AS VICE PRESIDENT. THE SUPERINTENDENT
15 OF EACH RESIDENTIAL SCHOOL SHALL SERVE AS SECRETARY FOR THE
16 RESPECTIVE BOARD.

17 (9) EACH BOARD SHALL HOLD REGULAR MEETINGS ON THE SECOND
18 FRIDAY OF EVERY ODD NUMBERED MONTH OR AT OTHER TIMES AS THE BOARD
19 PROVIDES BY RESOLUTION. EACH BOARD SHALL MEET AT LEAST 6 TIMES
20 PER YEAR. A BOARD MAY HOLD SPECIAL MEETINGS AT ANY TIME AT THE
21 CALL OF THE BOARD PRESIDENT OR UPON PETITION ADDRESSED TO THE
22 BOARD PRESIDENT BY AT LEAST 4 BOARD MEMBERS.

23 (10) EACH BOARD SHALL DETERMINE ITS OWN RULES OF PROCEDURE
24 THAT ARE CONSISTENT WITH THIS ACT.

25 (11) EACH BOARD, BY RESOLUTION, MAY AUTHORIZE COMPENSATION
26 FOR VOTING AND NONVOTING MEMBERS FOR MEETINGS, COMMITTEE OR
27 SUBCOMMITTEE MEETINGS, OR OTHER DUTIES THAT ARE DIRECTLY RELATED

1 TO THE MEMBER'S OFFICIAL DUTIES AS A BOARD MEMBER AND THAT ARE
2 AUTHORIZED IN ADVANCE BY THE BOARD. A BOARD MEMBER SHALL NOT BE
3 COMPENSATED FOR MORE THAN A TOTAL OF 52 MEETINGS, COMMITTEE OR
4 SUBCOMMITTEE MEETINGS, OR OTHER AUTHORIZED DUTIES PER CALENDAR
5 YEAR UNLESS A MAJORITY OF THE BOARD APPROVES AN EXCEPTION TO THIS
6 LIMITATION. HOWEVER, MEMBERS MAY BE REIMBURSED FOR THEIR TRAVEL
7 EXPENSES INCURRED IN THE PERFORMANCE OF THEIR OFFICIAL DUTIES AS
8 PROVIDED IN STANDARD DEPARTMENT OF MANAGEMENT AND BUDGET TRAVEL
9 REGULATIONS.

10 SEC. 1784. (1) EACH BOARD SHALL DO ALL OF THE FOLLOWING FOR
11 ITS RESPECTIVE RESIDENTIAL SCHOOL:

12 (A) SELECT AND EMPLOY THE SUPERINTENDENT AND OTHER SENIOR
13 ADMINISTRATIVE STAFF OF THE SCHOOL, AS THE BOARD DESIRES TO
14 EMPLOY, IN ACCORDANCE WITH QUALIFICATIONS AND OTHER REQUIREMENTS
15 SET BY APPLICABLE LAW.

16 (B) ESTABLISH, IN ACCORDANCE WITH APPLICABLE LAW AND WITH
17 THE INPUT OF THE SUPERINTENDENT, THE STANDARD COURSES OF STUDY
18 FOR THE RESIDENTIAL SCHOOL, INCLUDING SUBJECTS TO BE TAUGHT,
19 TEXTS, AND OTHER EDUCATIONAL MATERIAL TO BE USED IN EACH GRADE,
20 AS NECESSARY TO PROVIDE PUPILS WITH THE OPPORTUNITY TO ACHIEVE A
21 STATE ENDORSED HIGH SCHOOL DIPLOMA.

22 (C) ESTABLISH REGULATIONS GOVERNING CLASS SIZE, INSTRUCC-
23 TIONAL CALENDAR, AND LENGTH OF THE INSTRUCTIONAL DAY, WHICH SHALL
24 MEET AT LEAST THE MINIMUM REQUIREMENTS OF APPLICABLE LAW.

25 (D) ESTABLISH A PUPIL CODE OF CONDUCT THAT PROVIDES FOR DIS-
26 CIPLINE IN ACCORDANCE WITH APPLICABLE LAW.

1 (E) IN ACCORDANCE WITH STATE CIVIL SERVICE RULES AND
2 PROCEDURES AND OTHER APPLICABLE LAW, ESTABLISH POLICIES AND
3 CRITERIA FOR EMPLOYMENT, ASSIGNMENT, SUPERVISION, AND MANAGEMENT
4 OF EMPLOYEES OF THE SCHOOL. CONSISTENT WITH APPLICABLE LAW, ALL
5 RESIDENTIAL STAFF SHALL BE GENDER APPROPRIATE TO ENSURE THE DIG-
6 NITY AND PRIVACY OF PUPILS.

7 (F) CONSISTENT WITH APPLICABLE LAW, ACTIVELY RECRUIT PERSONS
8 WHO ARE BLIND OR DEAF, AS APPLICABLE, AS EMPLOYEES IN ALL OCCUPA-
9 TIONAL AREAS. IN ORDER TO ENSURE STABLE AND QUALIFIED STAFFING
10 OF THE RESIDENTIAL SCHOOLS, ALL EMPLOYEES OF EACH RESIDENTIAL
11 SCHOOL SHALL BE STATE EMPLOYEES HIRED AND EMPLOYED UNDER CIVIL
12 SERVICE RULES AND PROCEDURES. HOWEVER, THIS REQUIREMENT DOES NOT
13 PROHIBIT THE BOARD FROM EMPLOYING SHORT-TERM NONCLASSIFIED PER-
14 SONNEL FOR SPECIALIZED EDUCATIONAL PROGRAMMING ON AN OCCASIONAL
15 BASIS OR FOR OTHER SHORT-TERM PROJECTS APPROVED BY THE BOARD.

16 (G) DELEGATE, AS THE BOARD CONSIDERS APPROPRIATE, BOARD
17 DUTIES TO COMMITTEES OR SUBCOMMITTEES OF THE BOARD.

18 (H) DEVELOP, PREPARE, AND PRESENT TO THE LEGISLATURE BUDGET
19 RECOMMENDATIONS REGARDING APPROPRIATIONS FOR THE RESIDENTIAL
20 SCHOOL.

21 (I) ACQUIRE, HOLD, CONVEY OR OTHERWISE DISPOSE OF, AND
22 INVEST OR REINVEST ANY AND ALL REAL AND PERSONAL PROPERTY OF THE
23 RESIDENTIAL SCHOOL, INCLUDING EXISTING GIFT FUNDS, EXCEPT THAT
24 THE BOARD OR ANY OTHER STATE AGENCY MAY NOT CONVEY ANY OF THE
25 LAND CONSTITUTING THE CAMPUS OF THE RESIDENTIAL SCHOOL, EXCEPT
26 FOR NECESSARY EASEMENTS, WITHOUT THE APPROVAL OF THE
27 LEGISLATURE. FOR THE PURPOSES OF THIS SUBDIVISION, CAMP

1 TUSHMEHETA IS CONSIDERED TO BE PART OF THE CAMPUS OF A
2 RESIDENTIAL SCHOOL.

3 (J) ACCEPT, RECEIVE, AND USE ANY FEDERAL, LOCAL, STATE, OR
4 PRIVATE FUNDS THAT MAY BE MADE AVAILABLE BY ANY ENTITY, AS CON-
5 sidered BY THE BOARD TO BE BENEFICIAL TO THE OPERATION OF THE
6 RESIDENTIAL SCHOOL.

7 (K) ESTABLISH POLICIES AND REGULATIONS REGARDING THE SALE OF
8 GOODS AND SERVICES PROVIDED BY THE RESIDENTIAL SCHOOL.

9 (2) IN ADDITION TO THE DUTIES UNDER SUBSECTION (1), EACH
10 BOARD MAY ESTABLISH A PERMANENT ENDOWMENT FUND FOR THE RESIDEN-
11 TIAL SCHOOL AND ACCEPT GIFTS AND BEQUESTS TO THE FUND IF ESTAB-
12 LISHING THE FUND AND ACCEPTING MONEY FOR THE FUND DOES NOT VIO-
13 LATE OR RESULT IN THE VIOLATION OF ANY STATE OR FEDERAL LAW.

14 SEC. 1785. (1) THE SUPERINTENDENT OF EACH RESIDENTIAL
15 SCHOOL SHALL PERFORM ALL DUTIES ASSIGNED BY THE RESIDENTIAL
16 SCHOOL'S BOARD, INCLUDING AT LEAST ALL OF THE FOLLOWING:

17 (A) ACT AS THE RESIDENTIAL SCHOOL'S CHIEF ADMINISTRATIVE
18 OFFICER.

19 (B) ASSIST THE BOARD IN MATTERS PERTAINING TO THE GENERAL
20 WELFARE OF THE RESIDENTIAL SCHOOL AND PERFORM OTHER DUTIES AS
21 DIRECTED BY THE BOARD.

22 (C) SERVE AS SECRETARY TO THE BOARD.

23 (D) PREPARE AND SUBMIT TO THE BOARD AND TO THE STATE BOARD
24 AN ANNUAL REPORT REGARDING MATTERS PERTAINING TO THE EDUCATIONAL
25 INTERESTS OF THE RESIDENTIAL SCHOOL AND OF BLIND OR DEAF AND HARD
26 OF HEARING PUPILS, AS APPLICABLE, THROUGHOUT THIS STATE. THE

1 REPORT SHALL BE BASED, IN PART, ON DATA REQUIRED UNDER THIS ACT
2 TO BE PROVIDED TO THE RESIDENTIAL SCHOOL.

3 (E) MAKE RECOMMENDATIONS TO THE BOARD CONCERNING THE BEST
4 METHODS OF ARRANGING THE COURSE OF STUDY AND SUITABLE TEXTBOOKS.

5 (F) PUT INTO PRACTICE THE EDUCATIONAL POLICIES OF THIS
6 STATE, THE STATE BOARD, AND THE BOARD, WITHIN THE MEANS PROVIDED
7 BY THIS STATE.

8 (2) THE SUPERINTENDENT OF A RESIDENTIAL SCHOOL MAY SUSPEND A
9 TEACHER OR OTHER EMPLOYEE FOR JUST CAUSE.

10 SEC. 1786. (1) THIS STATE SHALL FULLY SUPPORT EACH RESIDEN-
11 TIAL SCHOOL, INCLUDING PROVIDING ADEQUATE AND APPROPRIATE STAFF-
12 ING LEVELS AND PROPER RESTORATIVE AND PREVENTIVE MAINTENANCE OF
13 BUILDINGS AND GROUNDS FOR EACH SEPARATE RESIDENTIAL SCHOOL, IN
14 ORDER TO ENSURE THAT THE RESIDENTIAL SCHOOLS ARE ABLE TO PROVIDE
15 ALL PROGRAMS AND SERVICES UNDER THIS ACT AND ANY OTHER PROGRAMS
16 AND SERVICES ESTABLISHED BY THEIR BOARDS.

17 (2) AT A MINIMUM, THE LEGISLATURE SHALL APPROPRIATE EACH
18 FISCAL YEAR TO EACH RESIDENTIAL SCHOOL, EXCLUSIVE OF ANY TUITION,
19 FEDERAL FUNDS, OR PRIVATE FUNDS PAID OR OTHERWISE PROVIDED TO THE
20 RESIDENTIAL SCHOOL, AN AMOUNT EQUAL TO THE PRODUCT OF 50% OF THE
21 BASIC FOUNDATION ALLOWANCE FOR THAT FISCAL YEAR UNDER SECTION 20
22 OF THE STATE SCHOOL AID ACT OF 1979, MCL 388.1620, TIMES THE
23 TOTAL STATEWIDE NUMBER OF PUPILS WHO ARE BLIND, VISUALLY
24 IMPAIRED, DEAF, HARD OF HEARING, OR DEAF-BLIND ENROLLED IN THE
25 PUBLIC SCHOOLS FOR THE SCHOOL YEAR ENDING IN THE IMMEDIATELY PRE-
26 CEDING FISCAL YEAR, AS DETERMINED BY THE DEPARTMENT, AND SHALL

1 APPROPRIATE TO EACH RESIDENTIAL SCHOOL ALL FEDERAL FUNDS AND
2 OTHER STATE FUNDS DUE TO THE RESIDENTIAL SCHOOL.

3 (3) A RESIDENTIAL SCHOOL MAY CHARGE TUITION TO THE LOCAL
4 SCHOOL DISTRICT IN WHICH A RESIDENT PUPIL'S PARENT OR LEGAL
5 GUARDIAN RESIDES. THE AMOUNT OF TUITION CHARGED UNDER THIS SUB-
6 SECTION FOR A PARTICULAR SCHOOL YEAR SHALL NOT EXCEED THE PRODUCT
7 OF 2 TIMES THE SCHOOL DISTRICT'S FOUNDATION ALLOWANCE UNDER SEC-
8 TION 20 OF THE STATE SCHOOL AID ACT OF 1979, MCL 388.1620, FOR
9 THE FISCAL YEAR IN WHICH THAT SCHOOL YEAR ENDS.

10 (4) A PROGRAM THAT IS NOT DIRECTLY RELATED TO THE EDUCATION
11 OF PUPILS WHO ARE BLIND SHALL NOT BE CO-LOCATED OR OTHERWISE
12 HOUSED AT THE MICHIGAN SCHOOL FOR THE BLIND CAMPUS. A PROGRAM
13 THAT IS NOT DIRECTLY RELATED TO THE EDUCATION OF PUPILS WHO ARE
14 DEAF OR HARD OF HEARING SHALL NOT BE CO-LOCATED OR OTHERWISE
15 HOUSED AT THE MICHIGAN SCHOOL FOR THE DEAF.

16 SEC. 1787. (1) EACH RESIDENTIAL SCHOOL SHALL OFFER ON ITS
17 CAMPUS A FULL RANGE OF ACADEMIC PROGRAMS. THESE ACADEMIC PRO-
18 GRAMS SHALL INCLUDE, BUT ARE NOT LIMITED TO, BIOLOGY, CIVICS,
19 CHEMISTRY, INDUSTRIAL ARTS, GOVERNMENT, HOME ECONOMICS, MUSIC,
20 MATH, ENGLISH, GEOGRAPHY, HISTORY, SOCIAL STUDIES, SCIENCE,
21 HEALTH AND PHYSICAL EDUCATION, AND ANY OTHER SUBJECT NECESSARY
22 FOR EARNING A STATE-ENDORSED HIGH SCHOOL DIPLOMA. THE ACADEMIC
23 PROGRAMS AT THE MICHIGAN SCHOOL FOR THE DEAF ALSO SHALL INCLUDE
24 AMERICAN SIGN LANGUAGE AND DEAF HISTORY AND CULTURE. ALL
25 INSTRUCTION AT A RESIDENTIAL SCHOOL SHALL BE BY CERTIFIED SPECIAL
26 EDUCATION TEACHERS WHO MEET ALL APPLICABLE STATE BOARD
27 REQUIREMENTS. A RESIDENTIAL SCHOOL MAY COOPERATE WITH AND USE

1 AREA SCHOOL DISTRICTS, INTERMEDIATE SCHOOL DISTRICTS, COMMUNITY
2 COLLEGES, COLLEGES, OR VOCATIONAL SCHOOLS FOR AUXILIARY OR
3 ENRICHMENT PROGRAMS. ALL INSTRUCTION AT A RESIDENTIAL SCHOOL
4 SHALL FULLY INTEGRATE, AT ALL GRADE LEVELS AND IN ALL ACTIVITIES,
5 THE SKILLS OF BLINDNESS OR DEAFNESS, AS APPLICABLE.

6 (2) EACH RESIDENTIAL SCHOOL SHALL OFFER PREVOCATIONAL AND
7 VOCATIONAL PROGRAMS AND SERVICES ON-CAMPUS AND OFF-CAMPUS.

8 (3) EACH RESIDENTIAL SCHOOL SHALL PROVIDE WEEKEND AND SUMMER
9 SERVICES FOR PUPILS CHOOSING TO RESIDE AT THE RESIDENTIAL SCHOOL
10 WHO STAY ON CAMPUS ON WEEKENDS, OR THE SUMMER, AND SHALL OFFER
11 ALL PUPILS THE OPPORTUNITY TO STAY ON CAMPUS DURING WEEKENDS TO
12 PROMOTE PARTICIPATION IN EXTRACURRICULAR AND EDUCATIONAL
13 ACTIVITIES.

14 (4) EACH RESIDENTIAL SCHOOL SHALL FULLY UTILIZE THE
15 RESOURCES AVAILABLE TO THEM IN THE SURROUNDING COMMUNITIES TO
16 PROVIDE THE BROADEST RANGE OF LEARNING EXPERIENCES FOR PUPILS OF
17 THE RESIDENTIAL SCHOOL.

18 (5) EACH RESIDENTIAL SCHOOL SHALL ESTABLISH AND PROVIDE OUT-
19 REACH AND COMMUNITY EDUCATIONAL PROGRAMS, INCLUDING ON-CAMPUS
20 ACTIVITIES AND PROGRAMS, TO SERVE THE NEEDS OF THE BLIND OR DEAF
21 AND HARD OF HEARING, AS APPLICABLE, RESIDENTS OF THIS STATE, PAR-
22 ENTS, AND PROFESSIONALS AND PARAPROFESSIONALS INVOLVED WITH
23 BLIND, DEAF, AND HARD OF HEARING PUPILS. OUTREACH SERVICES MAY
24 INCLUDE, BUT ARE NOT LIMITED TO, SERVICES TO FAMILIES, PROFES-
25 SIONAL DEVELOPMENT TRAINING, VOCATIONAL EXPLORATION AND TRAINING,
26 COMPREHENSIVE DIAGNOSTIC ASSESSMENT, COLLABORATION IN THE

1 PLANNING OF PUPIL PROGRAMS, AND NETWORKING OF RESOURCES ACROSS
2 THE STATE AND NATION.

3 (6) A RESIDENTIAL SCHOOL SHALL OFFER ON CAMPUS AND IN CON-
4 JUNCTION WITH AREA SCHOOLS EXTRACURRICULAR ACTIVITIES, SUCH AS
5 SPORTS, MUSIC, AND ACADEMIC COMPETITIONS, AND SOCIAL ACTIVITIES,
6 THAT ARE SIMILAR TO THE OPPORTUNITIES AND EXPERIENCES AVAILABLE
7 TO THE PUPILS' SIGHTED AND HEARING PEERS. THE RESIDENTIAL
8 SCHOOLS SHALL ALSO TEACH AND ENCOURAGE PUPILS TO TRAVEL INDEPEN-
9 DENTLY IN THE LOCAL COMMUNITIES SO THAT THEY MAY EXPERIENCE SHOP-
10 PING, RECREATION, AND OTHER APPROPRIATE YOUTH-ORIENTED ACTIVITIES
11 OF THEIR PEERS.

12 (7) EACH RESIDENTIAL SCHOOL SHALL DEVELOP ON-CAMPUS RESIDEN-
13 TIAL AND NONRESIDENTIAL VOCATIONAL PROGRAMS TO TRAIN INDIVIDUALS
14 INTENDING TO WORK WITH BLIND, DEAF, OR HARD OF HEARING RESIDENTS
15 OF THIS STATE.

16 (8) EACH RESIDENTIAL SCHOOL, IN CONJUNCTION WITH SCHOOL DIS-
17 TRICTS, INTERMEDIATE SCHOOL DISTRICTS, AND COMMUNITY COLLEGES AND
18 OTHER POSTSECONDARY INSTITUTIONS, SHALL DEVELOP PREVOCATIONAL
19 PROGRAMS, INCLUDING, BUT NOT LIMITED TO, WORKSHOPS, INTERNSHIPS,
20 AND SEMINARS, TO PREPARE AND TRAIN HIGH SCHOOL STUDENTS TO WORK
21 WITH THE BLIND, DEAF, AND HARD OF HEARING IN THIS STATE IN SUCH
22 PROFESSIONS AS SPECIAL EDUCATION TEACHERS, SOCIAL WORKERS, AND
23 INTERPRETERS.

24 (9) EACH RESIDENTIAL SCHOOL SHALL OFFER TO THE PUBLIC PRO-
25 GRAMS AND SERVICES FOR ASSESSING AND EVALUATING THE EDUCATIONAL
26 NEEDS OF BLIND, DEAF, AND HARD OF HEARING PUPILS IN THIS STATE.

1 (10) TO FACILITATE ACCESS TO INFORMATION AND FACILITATE
2 COMPETITIVENESS FOR PERSONS WHO ARE BLIND OR DEAF, EACH
3 RESIDENTIAL SCHOOL SHALL DO ALL OF THE FOLLOWING, AS APPLICABLE:

4 (A) DEVELOP MODERN AND UP-TO-DATE LIBRARIES. THESE LIBRAR-
5 IES SHALL UTILIZE STATE OF THE ART TECHNOLOGY AND SHALL INCLUDE
6 ON-CAMPUS, LOCAL, STATE, NATIONAL, AND INTERNATIONAL INFORMATION
7 NETWORKS AND SERVICES.

8 (B) THE MICHIGAN SCHOOL FOR THE BLIND LIBRARY SHALL CONTAIN
9 OR MAKE AVAILABLE BRAILLE BOOKS AND MAPS, COMPUTER SOFTWARE,
10 DESCRIPTIVE VIDEOTAPES, LARGE PRINT AND RECORDED MATERIALS, AND
11 OTHER MATERIALS ADAPTED ESPECIALLY FOR THE USE OF THE BLIND, WITH
12 EMPHASIS ON THOSE TYPES OF MATERIALS NOT ORDINARILY AVAILABLE IN
13 LOCAL LIBRARIES OR SCHOOLS.

14 (C) THE MICHIGAN SCHOOL FOR THE DEAF LIBRARY SHALL CONTAIN
15 OR MAKE AVAILABLE COMPUTER SOFTWARE, CLOSED AND OPEN CAPTIONED
16 MATERIALS, AND OTHER MATERIALS ADAPTED ESPECIALLY FOR USE BY DEAF
17 OR HARD OF HEARING PERSONS.

18 (11) EACH RESIDENTIAL SCHOOL SHALL DEVELOP, CATALOG, COL-
19 LECT, DISSEMINATE, AND MODEL PROGRAMS USING STATE OF THE ART
20 METHODS AND TECHNOLOGIES FOR EVALUATING, TEACHING, AND ASSESSING
21 BLIND OR DEAF AND HARD OF HEARING CHILDREN, AS APPLICABLE.

22 (12) THE MICHIGAN SCHOOL FOR THE BLIND SHALL DEVELOP EXPER-
23 TISE IN INTEGRATING VISUAL AND NONVISUAL SKILLS, INCLUDING, BUT
24 NOT LIMITED TO, BRAILLE AND LOW-VISION TECHNIQUES. BRAILLE
25 INSTRUCTION AT THE MICHIGAN SCHOOL FOR THE BLIND SHALL EMPHASIZE
26 HIGH PROFICIENCY IN BRAILLE READING AND WRITING WITH EMPHASIS ON
27 USE OF THE SLATE AND STYLUS FOR WRITING BRAILLE.

1 (13) THE MICHIGAN SCHOOL FOR THE DEAF SHALL DEVELOP
2 EXPERTISE IN SIGN LANGUAGE SKILLS, ADAPTIVE EQUIPMENT AND MATERI-
3 ALS, AND INSTRUCTION IN DEAF CULTURE.

4 (14) EACH RESIDENTIAL SCHOOL SHALL ADMINISTER A MEDIA CENTER
5 FOR OBTAINING, DISTRIBUTING, AND PRODUCING ADAPTIVE MATERIALS,
6 INCLUDING TEXTBOOKS, AUDIOVISUAL MATERIALS, COMPUTER SOFTWARE,
7 AND OTHER MATERIAL NECESSARY TO PROVIDE A STATE-OF-THE-ART EDUCA-
8 TION FOR BLIND, DEAF, AND HARD OF HEARING CHILDREN.

9 (15) THE MICHIGAN SCHOOL FOR THE BLIND IS THE STATE AGENCY
10 RESPONSIBLE FOR COORDINATING ALL MEDIA AND TEXTBOOK PROGRAMS,
11 INCLUDING QUOTA FUNDS, PROVIDED THROUGH THE AMERICAN PRINTING
12 HOUSE FOR THE BLIND.

13 (16) THE MICHIGAN SCHOOL FOR THE DEAF IS RESPONSIBLE FOR
14 ADMINISTERING THE SIGN COMMUNICATION PROFICIENCY INTERVIEW FOR
15 ALL SCHOOL PERSONNEL STATEWIDE WHO ARE INVOLVED WITH DEAF AND
16 HARD OF HEARING PUPILS USING SIGN LANGUAGE.

17 SEC. 1788. (1) SUBJECT TO FEDERAL LAW, NOT LATER THAN JULY
18 1 OF EACH YEAR, A SCHOOL DISTRICT, PUBLIC SCHOOL ACADEMY, OR
19 INTERMEDIATE SCHOOL DISTRICT ANNUALLY SHALL PROVIDE THE NAME,
20 AGE, ADDRESS, PARENT'S OR LEGAL GUARDIAN'S NAME, AND PERTINENT
21 OPHTHALMOLOGICAL INFORMATION OF EACH OF ITS PUPILS ENROLLED FOR
22 AT LEAST 1 DAY DURING THE IMMEDIATELY PRECEDING 12 MONTHS WHO IS
23 BLIND OR VISUALLY IMPAIRED TO THE MICHIGAN SCHOOL FOR THE BLIND
24 AND ANNUALLY SHALL PROVIDE THE NAME, AGE, ADDRESS, PARENT'S OR
25 LEGAL GUARDIAN'S NAME, AND PERTINENT AUDIOLOGICAL INFORMATION OF
26 EACH OF ITS PUPILS ENROLLED FOR AT LEAST 1 DAY DURING THE

1 IMMEDIATELY PRECEDING 12 MONTHS WHO IS DEAF OR HARD OF HEARING TO
2 THE MICHIGAN SCHOOL FOR THE DEAF.

3 (2) IN ORDER FOR PARENTS OR GUARDIANS OF BLIND, DEAF, AND
4 HARD OF HEARING PUPILS TO GIVE CONSENT AND BE INFORMED PARTICI-
5 PANTS IN THE EVALUATION AND INDIVIDUALIZED EDUCATIONAL PLAN PRO-
6 CESS, THE DISTRICT IN WHICH THE PUPIL IS ENROLLED SHALL PROVIDE
7 TO THE PARENT OR GUARDIAN WRITTEN INFORMATION COMPILED BY THE
8 RESIDENTIAL SCHOOLS AT LEAST 1 MONTH BEFORE EACH CHILD'S INITIAL
9 EVALUATION AND YEARLY INDIVIDUALIZED EDUCATIONAL PLANNING COMMIT-
10 TEE MEETINGS. THIS INFORMATION SHALL INCLUDE, BUT IS NOT LIMITED
11 TO, THE RANGE OF SERVICES PROVIDED AT THE SCHOOL FOR THE BLIND
12 AND SCHOOL FOR THE DEAF, AND ALL OTHER SERVICES AVAILABLE
13 THROUGHOUT THIS STATE FOR BLIND, DEAF, AND HARD OF HEARING
14 CHILDREN. SUBJECT TO FEDERAL LAW, THE EVALUATION AND INDIVIDUAL-
15 IZED EDUCATIONAL PLANNING COMMITTEE FINDINGS AND RECOMMENDATIONS
16 SHALL NOT BE VALID UNLESS THE PARENTS HAVE RECEIVED THIS
17 INFORMATION. THE EVALUATION AND INDIVIDUALIZED EDUCATIONAL PLAN-
18 NING COMMITTEE FORMS SHALL REQUIRE PARENTS OF BLIND, DEAF, AND
19 HARD OF HEARING CHILDREN TO ACKNOWLEDGE THE RECEIPT OF THIS
20 INFORMATION.

21 (3) IN ORDER TO MONITOR THE EFFECTIVENESS OF SPECIAL EDUCA-
22 TION PROGRAMS, ALL PUBLIC SCHOOLS SHALL PROVIDE THAT BLIND, DEAF,
23 AND HARD OF HEARING PUPILS TAKE ALL ACHIEVEMENT, PROFICIENCY, AND
24 SIMILAR TESTS AS REQUIRED OF, AND PROVIDED TO, REGULAR EDUCATION
25 PUPILS AND THAT THE RESULTS OF THESE TESTS SHALL BE PROVIDED TO
26 THE PUPILS' PARENTS. SUBJECT TO FEDERAL PRIVACY LAW, A PUBLIC

1 SCHOOL SHALL PROVIDE RESULTS OF THESE TESTS TO THE RESIDENTIAL
2 SCHOOLS AND STATE BOARD FOR ANALYTICAL AND RESEARCH PURPOSES.

3 (4) IF A BLIND, DEAF, OR HARD OF HEARING CHILD IS NOT READ-
4 ING OR WRITING, OR DOES NOT HAVE THE SKILLS OF BLINDNESS OR DEAF-
5 NESS, AT THE LEVEL APPROPRIATELY DETERMINED BY THE PUPIL'S INDI-
6 VIDUALIZED EDUCATION PLAN, THE PARENTS OF THE CHILD SHALL BE
7 INFORMED, AT LEAST 1 MONTH BEFORE THE PUPIL'S NEXT SCHEDULED
8 INDIVIDUALIZED EDUCATIONAL PLANNING COMMITTEE MEETING, OF THEIR
9 RIGHT TO HAVE THEIR CHILD EVALUATED BY THE RESIDENTIAL SCHOOLS OR
10 OTHER STATE PROGRAM. SUBJECT TO FEDERAL LAW, THE INDIVIDUALIZED
11 EDUCATIONAL PLANNING COMMITTEE FINDINGS AND RECOMMENDATIONS SHALL
12 NOT BE VALID UNLESS THE PARENTS HAVE RECEIVED THIS INFORMATION.
13 THE INDIVIDUALIZED EDUCATIONAL PLANNING COMMITTEE FORMS SHALL
14 REQUIRE PARENTS TO ACKNOWLEDGE THAT THEY HAVE RECEIVED THIS
15 INFORMATION AT LEAST 1 MONTH BEFORE THE MEETING.

16 (5) THE BOARD OR AN OFFICIAL OF A SCHOOL DISTRICT, PUBLIC
17 SCHOOL ACADEMY, OR INTERMEDIATE SCHOOL DISTRICT SHALL NOT
18 RESTRICT OR INTERFERE WITH A PERSON'S PARTICIPATION IN ANY EDUCA-
19 TIONAL PROGRAM OFFERED BY THE MICHIGAN SCHOOL FOR THE BLIND OR
20 MICHIGAN SCHOOL FOR THE DEAF OR IN ANY OTHER EDUCATIONAL PROGRAM
21 OR ACTIVITY THAT MAY BENEFIT A BLIND, DEAF, OR HARD OF HEARING
22 PERSON, OR WITH ANY ACTIVITY OF A REPRESENTATIVE OF THE MICHIGAN
23 SCHOOL FOR THE BLIND OR OF THE MICHIGAN SCHOOL FOR THE DEAF THAT
24 IS REQUIRED OR AUTHORIZED UNDER THIS PART.

25 (6) AFTER RECEIVING INDIVIDUALIZED EDUCATIONAL PLANNING COM-
26 MITTEE FINDINGS AND RECOMMENDATIONS, THE PARENT OR LEGAL GUARDIAN
27 OF A BLIND, DEAF, OR HARD OF HEARING PUPIL MAY SELECT A SCHOOL

1 PROGRAM FOR THE PUPIL. SUBJECT TO FEDERAL LAW, THE SCHOOL
2 DISTRICT OR INTERMEDIATE SCHOOL DISTRICT IN WHICH THE PUPIL IS
3 ENROLLED SHALL COMPLY WITH THE DECISION OF THE PARENT OR LEGAL
4 GUARDIAN.

5 Enacting section 1. The following acts and parts of acts
6 are repealed:

- 7 (a) 1893 PA 116, MCL 393.51 to 393.69.
- 8 (b) 1893 PA 123, MCL 393.101 to 393.111.
- 9 (c) 1917 PA 148, MCL 393.21.
- 10 (d) Section 8b of 1984 PA 287, MCL 388.1008b.