

HOUSE BILL No. 5005

July 3, 1997, Introduced by Rep. Gire 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 adding section 1280b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 1280B. (1) BEGINNING 3 YEARS AFTER THE EFFECTIVE DATE
2 OF THIS SECTION, IF THE SUPERINTENDENT OF PUBLIC INSTRUCTION
3 DETERMINES THAT, FOR THE IMMEDIATELY PRECEDING 3-YEAR PERIOD, 1
4 OR MORE OF THE SCHOOL BUILDINGS OPERATED BY A SCHOOL DISTRICT
5 HAVE NOT MET THE STANDARDS FOR SUMMARY ACCREDITATION UNDER SEC-
6 TION 1280, THE SCHOOL DISTRICT SHALL BE CONSIDERED A TRANSITIONAL
7 SCHOOL DISTRICT AND IS SUBJECT TO THE MEASURES UNDER THIS
8 SECTION.

9 (2) NOT LATER THAN JUNE 30 EACH YEAR, THE SUPERINTENDENT OF
10 PUBLIC INSTRUCTION SHALL REPORT TO THE STATE BOARD AND TO THE
11 GENERAL PUBLIC EACH SCHOOL DISTRICT THAT MEETS THE CONDITIONS FOR

1 BEING CONSIDERED A TRANSITIONAL SCHOOL DISTRICT UNDER SUBSECTION
2 (1).

3 (3) WITHIN 10 DAYS AFTER A SCHOOL DISTRICT IS IDENTIFIED AS
4 A TRANSITIONAL SCHOOL DISTRICT UNDER SUBSECTIONS (1) AND (2), THE
5 SUPERINTENDENT OF PUBLIC INSTRUCTION SHALL APPOINT A SCHOOL
6 IMPROVEMENT TRANSITION TEAM FOR THE SCHOOL DISTRICT. THE SCHOOL
7 IMPROVEMENT TRANSITION TEAM SHALL CONSIST OF THE SAME TYPES OF
8 PEOPLE THE DEPARTMENT USES FOR PROVIDING TECHNICAL ASSISTANCE TO
9 UNACCREDITED SCHOOLS UNDER SECTION 1280(10) AND SHALL ALSO CON-
10 SIST OF AT LEAST 1 REPRESENTATIVE OF EACH OF THE FOLLOWING:

11 (A) THE FAMILY INDEPENDENCE AGENCY.

12 (B) THE BEHAVIORAL HEALTH AGENCY OF THE DEPARTMENT OF COMMU-
13 NITY HEALTH.

14 (C) THE DEPARTMENT OF STATE POLICE.

15 (D) A STATE UNIVERSITY THAT HAS A TEACHER PREPARATION
16 PROGRAM.

17 (E) A COMMUNITY COLLEGE.

18 (F) THE INTERMEDIATE SCHOOL DISTRICT IN WHICH THE SCHOOL
19 DISTRICT IS LOCATED.

20 (4) A SCHOOL IMPROVEMENT TRANSITION TEAM APPOINTED UNDER
21 SUBSECTION (3) SHALL BEGIN ITS WORK UNDER THIS SECTION AS SOON AS
22 POSSIBLE AFTER APPOINTMENT. THE SCHOOL IMPROVEMENT TRANSITION
23 TEAM SHALL WORK WITH THE GOVERNING BOARD AND STAFF OF THE SCHOOL
24 DISTRICT AND WITH SCHOOL IMPROVEMENT PLAN PARTICIPANTS UNDER SEC-
25 TION 1277 TO DO ALL OF THE FOLLOWING:

26 (A) IDENTIFY REASONS WHY 1 OR MORE SCHOOLS OF THE SCHOOL
27 DISTRICT DO NOT MEET THE STANDARDS FOR SUMMARY ACCREDITATION

1 UNDER SECTION 1280, CONSIDERING AT LEAST ALL OF THE FOLLOWING
2 FACTORS:

3 (i) PARENTAL INVOLVEMENT.

4 (ii) SCHOOL SAFETY.

5 (iii) CURRICULUM.

6 (iv) TEACHING TECHNIQUES.

7 (v) ADMINISTRATION, ORGANIZATION, AND STAFFING OF THE SCHOOL
8 DISTRICT.

9 (vi) STATUS OF SCHOOL IMPROVEMENT PLANS UNDER SECTION 1277.

10 (vii) SOCIOECONOMIC STATUS OF THE COMMUNITY.

11 (B) IDENTIFY SOLUTIONS FOR ENSURING THAT ALL SCHOOLS OF THE
12 SCHOOL DISTRICT MEET THE STANDARDS FOR SUMMARY ACCREDITATION
13 UNDER SECTION 1280 AND PROVIDE NECESSARY RESOURCES FOR DETERMIN-
14 ING THESE SOLUTIONS AND DEMONSTRATING HOW THEY CAN BE
15 IMPLEMENTED.

16 (C) PROVIDE MENTORING TO THE GOVERNING BOARD, STAFF, AND
17 SCHOOL IMPROVEMENT PLAN PARTICIPANTS ON IMPLEMENTATION OF CURRIC-
18 ULAR AND OTHER CHANGES DESIGNED TO ENSURE THAT ALL SCHOOLS OF THE
19 SCHOOL DISTRICT MEET THE STANDARDS FOR SUMMARY ACCREDITATION
20 UNDER SECTION 1280.

21 (D) ORGANIZE AND ESTABLISH A COMMUNITY ASSISTANCE TEAM THAT
22 WILL WORK IN TANDEM WITH THE SCHOOL IMPROVEMENT TRANSITION TEAM
23 TO ADDRESS COMMUNITY ISSUES THAT AFFECT ACCREDITATION STATUS, AS
24 IDENTIFIED UNDER SUBDIVISION (A), AND TO IMPLEMENT RECOMMENDA-
25 TIONS OF THE SCHOOL IMPROVEMENT TRANSITION TEAM THAT REQUIRE COM-
26 MUNITY INVOLVEMENT. A COMMUNITY ASSISTANCE TEAM SHALL INCLUDE
27 REPRESENTATIVES OF AT LEAST ALL OF THE FOLLOWING:

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1 (i) COUNTY OR LOCAL SOCIAL SERVICES AGENCIES.
2 (ii) COMMUNITY DEVELOPMENT OR URBAN DEVELOPMENT BOARDS.
3 (iii) LOCAL WORK FORCE DEVELOPMENT BOARDS. THIS REPRESENTA-
4 TIVE SHALL BE A PERSON INVOLVED IN SCHOOL-TO-WORK INITIATIVES.
5 (iv) LOCAL CHURCH GROUPS.
6 (v) THE SCHOOL IMPROVEMENT TRANSITION TEAM.
7 (5) THE GOVERNING BOARD, EMPLOYEES, AND SCHOOL IMPROVEMENT
8 PLAN PARTICIPANTS OF A SCHOOL DISTRICT FOR WHICH A SCHOOL
9 IMPROVEMENT TRANSITION TEAM HAS BEEN APPOINTED UNDER THIS SECTION
10 SHALL COOPERATE WITH THE SCHOOL IMPROVEMENT TRANSITION TEAM IN
11 ITS EFFORTS TO PROVIDE ASSISTANCE UNDER THIS SECTION.
12 (6) IT IS THE INTENT OF THE LEGISLATURE IN ENACTING THIS
13 SECTION THAT THE LEGISLATURE SHALL APPROPRIATE MONEY TO PAY FOR
14 THE COMPENSATION AND EXPENSES OF THE SCHOOL IMPROVEMENT TRANSI-
15 TION TEAM APPOINTED UNDER THIS SECTION, AND THAT FUNDS OF THE
16 SCHOOL DISTRICT SHALL NOT BE USED FOR THIS PURPOSE.
17 (7) IF A SCHOOL IMPROVEMENT TRANSITION TEAM APPOINTED UNDER
18 THIS SECTION HAS BEEN OPERATING IN A SCHOOL DISTRICT FOR 5 YEARS
19 AND IF 1 OR MORE OF THE SCHOOLS OPERATED BY THE SCHOOL DISTRICT
20 STILL DO NOT MEET THE STANDARDS FOR SUMMARY ACCREDITATION UNDER
21 SECTION 1280, AS DETERMINED BY THE SUPERINTENDENT OF PUBLIC
22 INSTRUCTION, THE SUPERINTENDENT OF PUBLIC INSTRUCTION SHALL
23 SUBMIT TO THE STATE BOARD THE NAMES OF NOT MORE THAN 3 NOMINEES
24 FOR CONSIDERATION FOR APPOINTMENT TO SERVE AS STATE TRUSTEE FOR
25 THE SCHOOL DISTRICT. FROM THESE NOMINEES, AND SUBJECT TO
26 SUBSECTION (8), THE STATE BOARD SHALL APPOINT A STATE TRUSTEE FOR
27 THE SCHOOL DISTRICT TO TAKE THE PLACE OF THE SCHOOL DISTRICT

1 SUPERINTENDENT. THE STATE TRUSTEE SHALL HOLD OFFICE FOR AN
2 INDEFINITE TERM AT THE PLEASURE OF THE STATE BOARD. THE STATE
3 BOARD SHALL REVIEW THE STATUS OF THE TRUSTEE AT LEAST ANNUALLY TO
4 DETERMINE WHETHER OR NOT THE STATE TRUSTEE SHOULD CONTINUE IN
5 OFFICE. THE APPOINTMENT OF THE STATE TRUSTEE UNDER THIS SUBSEC-
6 TION SHALL BE BY WRITTEN CONTRACT AND MAY BE RENEWED FOR A PERIOD
7 OF NOT MORE THAN 1 YEAR PER RENEWAL.

8 (8) A STATE TRUSTEE SHALL BE NOMINATED AND APPOINTED UNDER
9 SUBSECTION (7) SOLELY ON THE BASIS OF HIS OR HER ABILITY TO
10 ENSURE THAT THE SCHOOL DISTRICT IS ABLE TO PROVIDE TO ITS PUPILS
11 THE TEACHING AND LEARNING OF ACADEMIC AND VOCATIONAL-TECHNICAL
12 SKILLS AND KNOWLEDGE. THE SUPERINTENDENT OF PUBLIC INSTRUCTION,
13 A MEMBER OF THE STATE BOARD OF EDUCATION, OR A MEMBER OF A REVIEW
14 TEAM THAT HAS REVIEWED THE STATUS OF THE AFFECTED SCHOOL DISTRICT
15 FOR THE DEPARTMENT IS INELIGIBLE TO SERVE AS THE STATE TRUSTEE.
16 THE STATE TRUSTEE IS NOT REQUIRED TO BE A RESIDENT OF THIS
17 STATE. A PERSON WHO IS AN EMPLOYEE OR OFFICIAL OF THE AFFECTED
18 SCHOOL DISTRICT, OR OF A LOCAL UNIT OF GOVERNMENT THAT ENCOM-
19 PASSES SOME OR ALL OF THE SAME TERRITORY OF THE AFFECTED SCHOOL
20 DISTRICT, OR ANY OTHER PERSON NOT SPECIFICALLY DISQUALIFIED UNDER
21 THIS SUBSECTION, MAY SERVE AS THE STATE TRUSTEE.

22 (9) UPON APPOINTMENT OF A STATE TRUSTEE FOR A SCHOOL DIS-
23 TRICT UNDER SUBSECTION (7), THE EMPLOYMENT OF THE SCHOOL DISTRICT
24 SUPERINTENDENT IS AUTOMATICALLY TERMINATED UNLESS THE STATE
25 TRUSTEE ELECTS TO RETAIN THE INDIVIDUAL IN THE EMPLOY OF THE
26 SCHOOL DISTRICT IN ANOTHER CAPACITY. THE BOARD OF THE SCHOOL

1 DISTRICT SHALL NOT EMPLOY A SUPERINTENDENT OF THE SCHOOL DISTRICT
2 DURING THE TIME THE STATE TRUSTEE IS IN PLACE.

3 (10) IN ADDITION TO STAFF OTHERWISE AUTHORIZED BY LAW, WITH
4 THE APPROVAL OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION, A STATE
5 TRUSTEE APPOINTED UNDER THIS SECTION MAY EMPLOY OR CONTRACT WITH
6 OTHER STAFF OR PROFESSIONAL ASSISTANCE CONSIDERED NECESSARY TO
7 IMPLEMENT THIS ACT.

8 (11) IT IS THE INTENT OF THE LEGISLATURE IN ENACTING THIS
9 SECTION THAT THE LEGISLATURE SHALL APPROPRIATE MONEY TO PAY FOR
10 THE COMPENSATION AND EXPENSES OF A STATE TRUSTEE APPOINTED UNDER
11 THIS SECTION AND ANY ADDITIONAL STAFF OR ASSISTANCE EMPLOYED OR
12 CONTRACTED UNDER SUBSECTION (10), AND THAT FUNDS OF THE SCHOOL
13 DISTRICT SHALL NOT BE USED FOR THIS PURPOSE.

14 (12) AFTER APPOINTMENT UNDER SUBSECTION (7), THE STATE
15 TRUSTEE SHALL EXERCISE THE POWERS AND DUTIES OF A SCHOOL DISTRICT
16 SUPERINTENDENT AND SHALL WORK WITH THE BOARD OF THE SCHOOL DIS-
17 TRICT AND THE SCHOOL IMPROVEMENT TRANSITION TEAM TO DEVELOP AND
18 IMPLEMENT A WRITTEN EDUCATIONAL IMPROVEMENT PLAN FOR EACH SCHOOL
19 OF THE SCHOOL DISTRICT THAT DOES NOT MEET THE REQUIREMENTS FOR
20 SUMMARY ACCREDITATION UNDER SECTION 1280. THE PLAN SHALL SPECIF-
21 ICALLY DESCRIBE THE MEANS BY WHICH THE SCHOOL WILL ACHIEVE THE
22 STANDARDS FOR SUMMARY ACCREDITATION UNDER SECTION 1280. THE
23 STATE TRUSTEE MAY AMEND THE PLAN ANY TIME AS NECESSARY. THE
24 STATE TRUSTEE SHALL PUBLISH THE PLAN AND ANY AMENDMENTS TO THE
25 PLAN IN A NEWSPAPER OF GENERAL CIRCULATION IN THE SCHOOL
26 DISTRICT. THIS SUBSECTION DOES NOT REQUIRE THE STATE TRUSTEE TO
27 OBTAIN ANY KIND OF PUBLIC APPROVAL BEFORE IMPLEMENTING THE

1 EDUCATIONAL IMPROVEMENT PLAN OR A MODIFICATION OF THE PLAN. THIS
2 SUBSECTION DOES NOT REQUIRE THE STATE TRUSTEE TO PUBLISH THE EDU-
3 CATIONAL IMPROVEMENT PLAN BEFORE EXERCISING THE AUTHORITY GRANTED
4 TO THE STATE TRUSTEE UNDER THIS SECTION.

5 (13) A SCHOOL DISTRICT FOR WHICH A STATE TRUSTEE HAS BEEN
6 APPOINTED UNDER SUBSECTION (7) SHALL CONTINUE TO BE ADMINISTERED
7 BY A STATE TRUSTEE UNTIL THE SUPERINTENDENT OF PUBLIC INSTRUCTION
8 DETERMINES THAT ALL OF THE SCHOOLS OF THE SCHOOL DISTRICT MEET
9 THE REQUIREMENTS FOR SUMMARY ACCREDITATION UNDER SECTION 1280.
10 AT THIS TIME, THE STATE BOARD SHALL REMOVE THE STATE TRUSTEE FROM
11 THE SCHOOL DISTRICT AND THE BOARD OF THE SCHOOL DISTRICT MAY
12 EMPLOY A SUPERINTENDENT OF THE SCHOOL DISTRICT.

13 (14) UPON REQUEST OF A SCHOOL IMPROVEMENT TRANSITION TEAM OR
14 STATE TRUSTEE APPOINTED UNDER THIS SECTION, THE SUPERINTENDENT OF
15 PUBLIC INSTRUCTION, THE DEPARTMENT, OR ANOTHER STATE DEPARTMENT,
16 AGENCY, OR OFFICIAL SHALL PROVIDE ASSISTANCE AND INFORMATION CON-
17 SIDERED NECESSARY BY THE SCHOOL IMPROVEMENT TRANSITION TEAM OR
18 STATE TRUSTEE TO CARRY OUT THE TEAM'S OR TRUSTEE'S POWERS AND
19 DUTIES UNDER THIS SECTION.

20 (15) THE GOVERNOR, SUPERINTENDENT OF PUBLIC INSTRUCTION,
21 STATE BOARD OF EDUCATION, THIS STATE, A MEMBER OF A SCHOOL
22 IMPROVEMENT TRANSITION TEAM APPOINTED UNDER THIS SECTION, OR A
23 STATE TRUSTEE APPOINTED UNDER THIS SECTION IS NOT LIABLE FOR ANY
24 OBLIGATION OF OR CLAIM AGAINST A SCHOOL DISTRICT RESULTING FROM
25 AN ACTION TAKEN UNDER THIS SECTION.