

**SENATE BILL NO. 1337**

September 24, 1998, Introduced by Senator EMMONS 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. THIS STATE SHALL MAINTAIN AND SUPPORT THE  
16 MICHIGAN SCHOOL FOR THE BLIND AND THE MICHIGAN SCHOOL FOR THE  
17 DEAF LOCATED ON COURT STREET IN FLINT IN GENESEE COUNTY.

18 SEC. 1782. (1) THE MICHIGAN SCHOOL FOR THE BLIND AND THE  
19 MICHIGAN SCHOOL FOR THE DEAF SHALL EACH BE GOVERNED BY AN INDE-  
20 PENDENT BOARD.

21 (2) THE BOARD OF EACH SCHOOL SHALL CONSIST OF 7 VOTING MEM-  
22 BERS AND CERTAIN NONVOTING MEMBERS. TO THE EXTENT POSSIBLE,  
23 DIVERSE GEOGRAPHIC AREAS OF THIS STATE SHALL BE REPRESENTED ON  
24 EACH BOARD.

25 (3) SIX MEMBERS OF EACH BOARD SHALL BE APPOINTED BY THE GOV-  
26 ERNOR WITH THE ADVICE AND CONSENT OF THE SENATE. AT LEAST 4 OF  
27 THESE 6 MEMBERS OF THE BOARD OF THE MICHIGAN SCHOOL FOR THE BLIND

1 SHALL BE PERSONS WHO ARE BLIND AND AT LEAST 2 OF THESE 6 MEMBERS  
2 OF THE BOARD OF THE MICHIGAN SCHOOL FOR THE BLIND SHALL BE PER-  
3 SONS WHO ARE PARENTS OF A PUPIL WHO IS BLIND. AT LEAST 4 OF  
4 THESE 6 MEMBERS OF THE BOARD OF THE MICHIGAN SCHOOL FOR THE DEAF  
5 SHALL BE PERSONS WHO ARE DEAF AND AT LEAST 2 OF THESE 6 MEMBERS  
6 OF THE BOARD OF THE MICHIGAN SCHOOL FOR THE DEAF SHALL BE PERSONS  
7 WHO ARE PARENTS OF A PUPIL WHO IS DEAF.

8 (4) THE REMAINING VOTING MEMBER OF EACH BOARD SHALL BE A  
9 PARENT OF A PUPIL CURRENTLY ENROLLED IN THE PARTICULAR RESIDEN-  
10 TIAL SCHOOL, WHO SHALL BE ELECTED BY MAJORITY VOTE OF THE PARENTS  
11 OF THE PUPILS CURRENTLY ENROLLED IN THAT RESIDENTIAL SCHOOL.

12 (5) ALL VOTING MEMBERS OF EACH BOARD MUST MEET ALL OF THE  
13 FOLLOWING REQUIREMENTS:

14 (A) AT LEAST 18 YEARS OF AGE.

15 (B) A RESIDENT OF THIS STATE.

16 (C) NOT CURRENTLY EMPLOYED BY THE DEPARTMENT.

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

25 (7) THE BOARD MEMBERS APPOINTED UNDER SUBSECTION (3) SHALL  
26 SERVE FOR TERMS OF 4 YEARS, OR UNTIL A SUCCESSOR IS APPOINTED,  
27 WHICHEVER IS LATER, EXCEPT THAT OF THE MEMBERS FIRST APPOINTED TO

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

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

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

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

25 (11) EACH BOARD SHALL DETERMINE ITS OWN RULES OF PROCEDURE,  
26 CONSISTENT WITH APPLICABLE LAW.

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

13       SEC. 1783. (1) THE BOARD OF THE MICHIGAN SCHOOL FOR THE  
14 BLIND AND THE BOARD OF THE MICHIGAN SCHOOL FOR THE DEAF EACH  
15 SHALL DO ALL OF THE FOLLOWING FOR ITS RESPECTIVE SCHOOL:

16       (A) SELECT AND EMPLOY THE SUPERINTENDENT AND OTHER SENIOR  
17 ADMINISTRATIVE STAFF OF THE SCHOOL, AS THE BOARD DESIRES TO  
18 EMPLOY, IN ACCORDANCE WITH QUALIFICATIONS AND OTHER REQUIREMENTS  
19 SET BY APPLICABLE LAW.

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

26       (C) ESTABLISH REGULATIONS GOVERNING CLASS SIZE,  
27 INSTRUCTIONAL CALENDAR, AND LENGTH OF THE INSTRUCTIONAL DAY,

1 WHICH SHALL MEET AT LEAST THE MINIMUM REQUIREMENTS OF APPLICABLE  
2 LAW.

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

5 (E) IN ACCORDANCE WITH STATE CIVIL SERVICE RULES AND PROCE-  
6 DURES AND OTHER APPLICABLE LAW, ESTABLISH POLICIES AND CRITERIA  
7 FOR EMPLOYMENT, ASSIGNMENT, SUPERVISION, AND MANAGEMENT OF  
8 EMPLOYEES OF THE SCHOOL.

9 (F) DELEGATE, AS THE BOARD CONSIDERS APPROPRIATE, BOARD  
10 DUTIES TO COMMITTEES OR SUBCOMMITTEES OF THE BOARD.

11 (G) DEVELOP, PREPARE, AND PRESENT TO THE LEGISLATURE BUDGET  
12 RECOMMENDATIONS REGARDING APPROPRIATIONS FOR THE SCHOOL.

13 (H) ACQUIRE, HOLD, CONVEY OR OTHERWISE DISPOSE OF, AND  
14 INVEST OR REINVEST ANY AND ALL REAL AND PERSONAL PROPERTY OF THE  
15 SCHOOL, INCLUDING EXISTING GIFT FUNDS.

16 (I) ACCEPT, RECEIVE, AND USE ANY FEDERAL, LOCAL, STATE, OR  
17 PRIVATE FUNDS THAT MAY BE MADE AVAILABLE BY ANY ENTITY, AS CON-  
18 SIDERED BY THE BOARD TO BE BENEFICIAL TO THE OPERATION OF THE  
19 SCHOOL.

20 (J) ESTABLISH POLICIES AND REGULATIONS REGARDING THE SALE OF  
21 GOODS AND SERVICES PROVIDED BY THE SCHOOL.

22 (2) IN ADDITION TO THE DUTIES UNDER SUBSECTION (1), EACH  
23 BOARD MAY ESTABLISH A PERMANENT ENDOWMENT FUND FOR THE SCHOOL AND  
24 ACCEPT GIFTS AND BEQUESTS TO THE FUND.

25 SEC. 1784. THE SUPERINTENDENT OF THE MICHIGAN SCHOOL FOR  
26 THE BLIND AND THE SUPERINTENDENT OF THE MICHIGAN SCHOOL FOR THE  
27 DEAF EACH SHALL PERFORM ALL DUTIES ASSIGNED BY HIS OR HER

1 RESPECTIVE SCHOOL'S BOARD, INCLUDING AT LEAST ALL OF THE  
2 FOLLOWING:

3 (A) ACT AS THE SCHOOL'S CHIEF ADMINISTRATIVE OFFICER.

4 (B) ASSIST THE BOARD IN MATTERS PERTAINING TO THE GENERAL  
5 WELFARE OF THE SCHOOL AND PERFORM OTHER DUTIES AS DIRECTED BY THE  
6 BOARD.

7 (C) SERVE AS SECRETARY TO THE BOARD.

8 (D) MAKE RECOMMENDATIONS TO THE BOARD CONCERNING THE BEST  
9 METHODS OF ARRANGING THE COURSE OF STUDY AND SUITABLE TEXTBOOKS.

10 (E) PUT INTO PRACTICE THE EDUCATIONAL POLICIES OF THIS  
11 STATE, THE STATE BOARD, AND THE BOARD, WITHIN THE MEANS PROVIDED  
12 BY THIS STATE.

13 Enacting section 1. The following acts and parts of acts  
14 are repealed:

15 (a) 1893 PA 116, MCL 393.51 to 393.69.

16 (b) 1893 PA 123, MCL 393.101 to 393.111.

17 (c) 1917 PA 148, MCL 393.21.

18 (d) Section 8b of 1984 PA 287, MCL 388.1008b.