

**SUBSTITUTE FOR
HOUSE BILL NO. 4301**

A bill to make appropriations for the department of education and certain other purposes relating to education for the fiscal year ending September 30, 2000; 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:

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PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. Subject to the conditions set forth in this act, the amounts listed in this part are appropriated for the department of education for the fiscal year ending September 30, 2000, from the funds indicated in this part. The following is a summary of the appropriations in this part:

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For Fiscal Year Ending
September 30, 2000

1 DEPARTMENT OF EDUCATION

2 APPROPRIATION SUMMARY:

3	Full-time equated unclassified positions.....	6.0	
4	Full-time equated classified positions.....	542.6	
5	GROSS APPROPRIATION.....		\$ 983,213,800
6	Interdepartmental grant revenues:		
7	Interdepartmental grant from consumer and industry		
8	services.....		404,600
9	Interdepartmental grant from corrections academy food		
10	service.....		450,000
11	Interdepartmental grant from career development.....		101,200
12	Interdepartmental grant from treasury.....		100,900
13	Total interdepartmental grants and intradepartmental		
14	transfers.....		1,056,700
15	ADJUSTED GROSS APPROPRIATION.....		\$ 982,157,100
16	Federal revenues:		
17	Total federal revenues.....		910,165,900
18	Special revenue funds:		
19	Local cost sharing (schools for blind/deaf).....		6,141,700
20	Local school district service fees.....		102,600
21	Total local revenues.....		6,244,300
22	Gifts, bequests, and donations.....		470,100
23	Private foundations.....		117,200
24	Total private revenues.....		587,300
25	Total local and private revenues.....		6,831,600
26	Defaulted school loan fees.....		100,000

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1	Certification fees.....	3,092,000
2	Commodity distribution fees.....	45,800
3	Driver fees.....	8,098,800
4	Lansing, Michigan school for the blind rent.....	767,000
5	Motorcycle license fees.....	1,007,500
6	Safety education fund.....	311,700
7	Student insurance revenues.....	205,100
8	Private occupational school license fees.....	268,300
9	School loan exception fees.....	32,900
10	Teacher testing fees.....	263,500
11	Michigan merit award trust fund.....	13,000,000
12	Training and orientation workshop fees.....	100,000
13	Total other state restricted revenues.....	27,292,600
14	State general fund/general purpose..... \$	37,867,000
15	Sec. 102. STATE BOARD OF EDUCATION/OFFICE OF THE SUPERINTENDENT	
16	Full-time equated unclassified positions.....6.0	
17	Full-time equated classified positions.....16.0	
18	State board of education, per diem payments..... \$	19,400
19	Unclassified positions--6.0 FTE positions.....	505,500
20	State board/superintendent operations--16.0 FTE	
21	positions.....	<u>2,369,500</u>
22	GROSS APPROPRIATION..... \$	2,894,400
23	Appropriated from:	
24	Federal revenues:	
25	Federal revenues.....	567,000
26	Special revenue funds:	

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1	Private foundations.....	8,000
2	State general fund/general purpose..... \$	2,319,400
3	Sec. 103. CENTRAL SUPPORT	
4	Full-time equated classified positions.....56.2	
5	Central support--47.2 FTE positions..... \$	5,369,500
6	Worker's compensation.....	76,500
7	Education commission of the states.....	92,700
8	Building occupancy charges - property management	
9	services.....	1,285,200
10	Training and orientation workshops.....	100,000
11	Terminal leave payments.....	500,000
12	State tenure commission, per diem.....	11,100
13	Administrative law operations--9.0 FTE positions.....	<u>817,000</u>
14	GROSS APPROPRIATION..... \$	8,252,000
15	Appropriated from:	
16	Interdepartmental grant revenues:	
17	Interdepartmental grant from consumer and industry	
18	services.....	2,300
19	Interdepartmental grant from Michigan jobs commission	1,200
20	Interdepartmental grant from treasury.....	900
21	Federal revenues:	
22	Federal revenues.....	4,082,200
23	Special revenue funds:	
24	Certification fees.....	139,700
25	Driver fees.....	17,800
26	Local cost sharing.....	60,800

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1	Commodity distribution fees.....	4,500
2	Motorcycle license fees.....	3,500
3	Private occupational school license fees.....	12,800
4	Safety education fund.....	2,100
5	School loan exception fees.....	32,900
6	Teacher testing fees.....	8,000
7	Training and orientation workshop fees.....	100,000
8	State general fund/general purpose.....	\$ 3,783,300
9	Sec. 104. SCHOOL SUPPORT SERVICES	
10	Full-time equated classified positions.....	41.4
11	School support operations--41.4 FTE positions.....	\$ <u>4,847,400</u>
12	GROSS APPROPRIATION.....	\$ 4,847,400
13	Appropriated from:	
14	Federal revenues:	
15	Federal revenues.....	3,879,500
16	Special revenue funds:	
17	Commodity distribution fees.....	41,300
18	Driver fees.....	470,400
19	Motorcycle license fees.....	136,700
20	Safety education fund.....	115,300
21	State general fund/general purpose.....	\$ 204,200
22	Sec. 105. DATA AND TECHNOLOGY SERVICES	
23	Technology and information operations--37.2 FTE	
24	positions.....	\$ <u>6,421,700</u>
25	GROSS APPROPRIATION.....	\$ 6,421,700
26	Appropriated from:	

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1	Interdepartmental grant revenues:	
2	Interdepartmental grant from consumer and industry	
3	services.....	402,300
4	Interdepartmental grant from Michigan jobs commission	100,000
5	Interdepartmental grant from treasury.....	100,000
6	Federal revenues:	
7	Federal revenues.....	3,198,000
8	Special revenue funds:	
9	Certification fees.....	250,900
10	Driver fees.....	10,600
11	State general fund/general purpose..... \$	2,359,900
12	Sec. 106. STANDARDS, ASSESSMENT, AND ACCREDITATION SERVICES	
13	Full-time equated classified positions.....44.7	
14	Standards, assessment, and accreditation	
15	operations--44.7 FTE positions..... \$	3,548,300
16	Test development and administration.....	<u>13,000,000</u>
17	GROSS APPROPRIATION..... \$	16,548,300
18	Appropriated from:	
19	Federal revenues:	
20	Federal revenues.....	780,800
21	Special revenue funds:	
22	Michigan merit award trust fund.....	13,000,000
23	State general fund/general purpose..... \$	2,767,500
24	Sec. 107. SPECIAL EDUCATION SERVICES	
25	Full-time equated classified positions.....55.6	
26	Special education operations--55.6 FTE positions..... \$	<u>6,313,800</u>

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1	GROSS APPROPRIATION.....	\$	6,313,800
2	Appropriated from:		
3	Federal revenues:		
4	Federal revenues.....		6,150,100
5	Special revenue funds:		
6	Certification fees.....		19,500
7	State general fund/general purpose.....	\$	144,200
8	Sec. 108. LANSING, MICHIGAN SCHOOL FOR THE BLIND FORMER SITE		
9	General services.....	\$	<u>1,227,000</u>
10	GROSS APPROPRIATION.....	\$	1,227,000
11	Appropriated from:		
12	Interdepartmental grant revenues:		
13	Interdepartmental grant from corrections academy food		
14	service.....		450,000
15	Special revenue funds:		
16	Lansing, Michigan school for the blind rent.....		767,000
17	Gifts, bequests, and donations.....		10,000
18	State general fund/general purpose.....	\$	0
19	Sec. 109. MICHIGAN SCHOOLS FOR THE DEAF AND BLIND		
20	Full-time equated classified positions.....	120.3	
21	School for the deaf and blind operations--	117.0 FTE	
22	positions.....	\$	10,876,700
23	Technical resource and reproduction center.....		1,100,000
24	Summer institute.....		312,100
25	Michigan deaf/blind center--	2.3 FTE positions	306,400
26	Camp tuhsmeheeta--	1.0 FTE position	250,100

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1	Private gifts - blind.....	90,000
2	Private gifts - deaf.....	<u>50,000</u>
3	GROSS APPROPRIATION.....	\$ 12,985,300
4	Appropriated from:	
5	Federal revenues:	
6	Federal revenues.....	2,420,800
7	Special revenue funds:	
8	Local cost sharing (schools for blind/deaf).....	6,080,900
9	Local school district service fees.....	102,600
10	Gifts, bequests, and donations.....	460,100
11	Student insurance revenue.....	205,100
12	State general fund/general purpose.....	\$ 3,715,800
13	Sec. 110. CAREER, CURRICULUM, AND POSTSECONDARY SERVICES	
14	Full-time equated classified positions.....73.9	
15	Career and curriculum operations--51.9 FTE positions.	\$ 5,948,000
16	Community college services--9.0 FTE positions.....	807,200
17	Postsecondary services--2.0 FTE positions.....	188,100
18	Proprietary schools--3.0 FTE positions.....	255,500
19	Veterans education--4.0 FTE positions.....	557,300
20	King-Chavez-Parks initiative--3.5 FTE positions.....	296,300
21	Loan fees--0.5 FTE position.....	<u>100,000</u>
22	GROSS APPROPRIATION.....	\$ 8,152,400
23	Appropriated from:	
24	Federal revenues:	
25	Federal revenues.....	5,620,100
26	Special revenue funds:	

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1	Private foundations.....	14,400
2	Defaulted loan collection fees.....	100,000
3	Private occupational school license fees.....	255,500
4	State general fund/general purpose..... \$	2,162,400
5	Sec. 111. PROFESSIONAL PREPARATION SERVICES	
6	Full-time equated classified positions.....26.5	
7	Professional preparation operations--26.5 FTE	
8	positions..... \$	3,104,100
9	Teacher quality enhancement.....	2,500,000
10	Department of attorney general.....	<u>50,000</u>
11	GROSS APPROPRIATION..... \$	5,654,100
12	Appropriated from:	
13	Federal revenues:	
14	Federal revenues.....	2,716,700
15	Special revenue funds:	
16	Certification fees.....	2,681,900
17	Teacher testing fees.....	255,500
18	State general fund/general purpose..... \$	0
19	Sec. 112. FIELD SERVICES	
20	Full-time equated classified positions.....41.0	
21	Field services operations--41.0 FTE positions..... \$	<u>3,922,900</u>
22	GROSS APPROPRIATION..... \$	3,922,900
23	Appropriated from:	
24	Federal revenues:	
25	Federal revenues.....	3,511,500
26	State general fund/general purpose..... \$	411,400

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1	Sec. 113. INNOVATION AND COMMUNITY SERVICES		
2	Full-time equated classified positions.....	29.8	
3	Innovation and community services operations--	29.8	
4	FTE positions.....	\$	<u>3,310,000</u>
5	GROSS APPROPRIATION.....	\$	3,310,000
6	Appropriated from:		
7	Federal revenues:		
8	Federal revenues.....		2,442,100
9	State general fund/general purpose.....	\$	867,900
10	GRANTS AND DISTRIBUTIONS		
11	Adult basic education.....	\$	10,024,100
12	Acquired immunodeficiency syndrome education grants..		600,000
13	Class size reduction grants.....		50,275,700
14	Competitive child care and development.....		500,000
15	Drug-free schools grant.....		16,758,400
16	Eisenhower mathematics and science grants.....		12,940,000
17	Emergency immigrant.....		1,455,000
18	Gear-up grants.....		2,000,000
19	Goals 2000 grants.....		17,082,200
20	Handicapped infants and toddlers.....		16,000,000
21	Homeless children and youth.....		1,041,000
22	Job training partnership act.....		7,952,700
23	Michigan charter school subgrant.....		5,000,000
24	Migrant technology.....		576,300
25	Preschool grants (PL 94-142).....		12,400,000
26	School-age child care grants.....		301,500

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1	School lunch program - federal share.....	237,300,000
2	School-to-work.....	1,800,000
3	Serve America grants.....	840,000
4	Special education.....	20,089,800
5	Statewide systemic initiative grant.....	50,000
6	Surplus commodity.....	2,506,000
7	Technology literacy challenge fund.....	17,784,300
8	Title I, disadvantaged children.....	346,000,000
9	Title I, even start.....	5,300,000
10	Title I, migrant.....	12,000,000
11	Title I, comprehensive school reform.....	5,889,200
12	Title VI, innovative strategies.....	13,480,900
13	Vocational education act of 1963.....	39,500,000
14	STATE PROGRAMS	
15	Christa McAuliffe grants.....	\$ 94,800
16	Driver education.....	7,600,000
17	School readiness grants.....	12,083,000
18	Motorcycle safety education.....	867,300
19	National board certification.....	20,000
20	Off-road vehicle safety training grant.....	194,300
21	Reading plan for Michigan grants.....	17,350,000
22	School lunch and breakfast.....	6,728,000
23	Fast track program.....	<u>300,000</u>
24	GROSS APPROPRIATION.....	\$ 902,684,500
25	Appropriated from:	
26	Interdepartmental grant revenues:	

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1	Federal revenues:	
2	DAG, food and nutrition service, national school	
3	lunch.....	237,300,000
4	DAG, the emergency food assistance program.....	2,506,000
5	DED, grants and contracts service, school to work....	1,800,000
6	DED-OBEMLA, emergency immigrant education assistance.	1,455,000
7	DED-OESE, charter schools.....	5,000,000
8	DED-OESE, class size reduction.....	50,275,700
9	DED-OESE, drug-free schools and communities.....	16,758,400
10	DED-OESE, gear-up.....	2,000,000
11	DED-OESE, goals 2000.....	22,082,200
12	DED-OESE, Eisenhower mathematics and science	
13	administration.....	12,940,000
14	DED-OESE, migrant technology.....	576,300
15	DED-OESE, reading excellence act.....	12,350,000
16	DED-OESE, technology literacy challenge fund.....	17,784,300
17	DED-OESE, title I, disadvantaged children.....	346,000,000
18	DED-OESE, title I, even start.....	5,300,000
19	DED-OESE, title I, migrant education.....	12,000,000
20	DED-OESE, title I, comprehensive school reform.....	5,031,900
21	DED-OESE, title VI, innovative strategies.....	13,480,900
22	DED-OESE, title X, comprehensive school reform.....	857,300
23	DED-OSERS, handicapped infants and toddlers.....	16,000,000
24	DED-OSERS, handicapped preschool incentive grants....	12,400,000
25	DED-OSERS, handicapped program, individuals with	
26	disabilities act.....	20,089,800

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1	DED-OVAE, adult education, state administered program	10,024,100
2	DED-OVAE, basic grants to states.....	39,500,000
3	DED-OVAE, homeless children and youth.....	1,041,000
4	DOL, job training partnership act.....	7,952,700
5	HHS-administration of child and family, at risk-child	
6	care.....	500,000
7	HHS-center for disease control, acquired immunodefi-	
8	ciency syndrome education.....	600,000
9	HHS-OHDS, dependent care block grant.....	301,500
10	National science foundation.....	50,000
11	Corporation for national and community service.....	840,000
12	Special revenue funds:	
13	Driver fees.....	7,600,000
14	Motorcycle license fees.....	867,300
15	Private foundations.....	94,800
16	Safety education fund.....	194,300
17	State general fund/general purpose..... \$	19,131,000

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PART 2

21

PROVISIONS CONCERNING APPROPRIATIONS

22 **GENERAL SECTIONS**

23

Sec. 201. (1) Pursuant to section 30 of article IX of the state

24

constitution of 1963, total state spending under part 1 for fiscal year

25

1999-2000 is estimated at \$65,159,600.00 and state appropriations to be

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paid to local units of government are as follows:

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1 GRANTS AND DISTRIBUTIONS

2 STATE PROGRAMS:

3	Driver education.....	\$	7,600,000
4	School readiness grants.....		12,083,000
5	Motorcycle safety education.....		867,300
6	National board certification.....		20,000
7	Off-road vehicle safety training grant.....		194,300
8	School lunch and breakfast.....		<u>6,728,000</u>
9	TOTAL.....	\$	27,492,600

10 (2) If it appears to the principal executive officer of a department
11 or branch that state spending to local units of government will be less
12 than the amount that was projected to be expended under subsection (1),
13 the principal executive officer shall immediately give notice of the
14 approximate shortfall to the state budget director.

15 Sec. 202. The appropriations made and the expenditures authorized
16 under this act and the departments, agencies, commissions, boards,
17 offices, and programs for which an appropriation is made under this act
18 are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to
19 18.1594.

20 Sec. 203. As used in this act:

- 21 (a) "DAG" means the United States department of agriculture.
- 22 (b) "DAG-FCS" means the DAG food and consumer service.
- 23 (c) "DED" means the United States department of education.
- 24 (d) "DED-OBEMLA" means the DED office of bilingual education and
25 minority languages affairs.
- 26 (e) "DED-OERI" means the DED office of educational research and
27 improvement.

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1 (f) "DED-OESE" means the DED office of elementary and secondary
2 education.

3 (g) "DED-OPSE" means the DED office of postsecondary education.

4 (h) "DED-OSERS" means the DED office of special education and
5 rehabilitative services.

6 (i) "DED-OVAE" means the DED office of vocational and adult
7 education.

8 (j) "Department" means the Michigan department of education.

9 (k) "District" means a local school district as defined in section
10 6 of the revised school code, 1976 PA 451, MCL 380.6.

11 (l) "DOL" means the United States department of labor.

12 (m) "DOL-ETA" means the DOL employment and training act.

13 (n) "HHS" means the United States department of health and human
14 services.

15 (o) "HHS-ACF" means the HHS administration for children and
16 families.

17 (p) "HHS-CDCP" means the HHS center for disease control and
18 prevention.

19 (q) "HHS-OHDS" means the HHS office of human development services.

20 (r) "RPM" means reading plan for Michigan.

21 Sec. 204. (1) Beginning October 1, 1999, a hiring freeze is imposed
22 on the state classified civil service. State departments and agencies
23 are prohibited from hiring any new full-time state classified civil serv-
24 ice employees and prohibited from filling any vacant state classified
25 civil service positions. This hiring freeze does not apply to internal
26 transfers of classified employees from 1 position to another within a

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1 department or to positions that are funded with 80% or more federal or
2 restricted funds.

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

10 Sec. 205. (1) In addition to the funds appropriated in part 1,
11 there is appropriated an amount not to exceed \$20,000,000.00 for federal
12 contingency funds. These funds are not available for expenditure until
13 they have been transferred to another line item in this act under section
14 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

15 (2) In addition to the funds appropriated in part 1, there is appro-
16 priated an amount not to exceed \$700,000.00 for state restricted contin-
17 gency funds. These funds are not available for expenditure until they
18 have been transferred to another line item in this act under
19 section 393(2) of the management and budget act, 1984 PA 431,
20 MCL 18.1393.

21 (3) In addition to the funds appropriated in part 1, there is appro-
22 priated an amount not to exceed \$250,000.00 for local contingency funds.
23 These funds are not available for expenditure until they have been trans-
24 ferred to another line item in this act under section 393(2) of the man-
25 agement and budget act, 1984 PA 431, MCL 18.1393.

26 (4) In addition to the funds appropriated in part 1, there is
27 appropriated an amount not to exceed \$3,000,000.00 for private

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1 contingency funds. These funds are not available for expenditure until
2 they have been transferred to another line item in this act under
3 section 393(2) of the management and budget act, 1984 PA 431,
4 MCL 18.1393.

5 Sec. 206. The department of civil service shall bill each depart-
6 ment and agency at the end of the first fiscal quarter the 1% charge
7 authorized by section 5 of article XI of the state constitution of 1963.
8 Payments shall be made for the total amount of the billings by the end of
9 the second fiscal quarter.

10 Sec. 207. The department may carry into the succeeding fiscal year
11 unexpended federal pass-through funds to local institutions and govern-
12 ments that do not require additional state matching funds. Federal
13 pass-through funds to local institutions and governments that are
14 received in amounts in addition to those included in part 1 and that do
15 not require additional state matching funds are appropriated for the pur-
16 poses intended.

17 Sec. 208. The department shall provide the state budget director
18 and the senate and house fiscal agencies with copies of the state board
19 of education agenda and all supporting documents at the time the agenda
20 and supporting documents are provided to state board of education
21 members.

22 Sec. 209. (1) The department shall submit to the department of man-
23 agement and budget, the house and senate appropriations committees, the
24 house and senate fiscal agencies, and the house and senate standing com-
25 mittees with jurisdiction over technology issues periodic reports on the
26 department's efforts to change the department's computer software and
27 hardware as necessary to perform properly in the year 2000 and beyond.

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1 These reports shall identify actual progress in comparison to the
2 department's approved work plan for these efforts.

3 (2) The department may present progress billings to the department
4 of management and budget for the costs incurred in changing computer
5 software and hardware as necessary to perform properly in the year 2000
6 and beyond. At the time progress billings are presented for reimburse-
7 ment, the department shall identify and forward as appropriate the fund-
8 ing sources that should support the work performed.

9 Sec. 210. Money appropriated in part 1 shall not be used for the
10 purchase of foreign goods or services when competitively priced and of
11 comparable quality American goods or services are available. By May 1,
12 2000, the department shall submit a report to the state budget director,
13 the speaker and minority leader of the house of representatives, the
14 majority and minority leaders of the senate, and the chairpersons of the
15 house and senate appropriations committees on efforts to comply with this
16 section.

17 Sec. 211. The department shall receive and retain copies of all
18 reports from the appropriations in part 1.

19 Sec. 212. Of the amounts appropriated in part 1 for higher educa-
20 tion management operations, \$250,000.00 of private occupational school
21 license fees shall fund 3.0 FTE positions and related administrative
22 costs of the proprietary schools oversight unit within the department.

23 Sec. 213. Money in the school loan exception fee fund that is unex-
24 pended at the end of the fiscal year shall not revert to the general fund
25 but shall be carried over to the succeeding fiscal year.

26 Sec. 214. (1) The department of management and budget and each
27 principal executive department and agency shall provide to the senate and

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1 house of representatives standing committees on appropriations and the
2 senate and house fiscal agencies a monthly report on all personal service
3 contracts awarded without competitive bidding, pricing, or rate-setting.

4 The notification shall include all of the following:

5 (a) The total dollar amount of the contract.

6 (b) The duration of the contract.

7 (c) The name of the vendor.

8 (d) The type of service to be provided.

9 (2) For personal service contracts of \$100,000.00 or more, the
10 department of management and budget shall provide a monthly report
11 including all of the following:

12 (a) The total dollar amount of the contract.

13 (b) The duration of the contract.

14 (c) The name of the vendor.

15 (d) The type of service to be provided.

16 (3) The department of management and budget shall provide a monthly
17 listing of all bid requests or requests for proposal that were issued.

18 (4) Each principal executive department and agency shall provide a
19 monthly summary listing of information that identifies any authorization
20 for personal service contracts that are provided to the department of
21 civil service pursuant to delegated authority granted to each principal
22 executive department and agency related to personal service contracts.

[Sec. 214a. The department shall provide a report prepared by the department's internal auditor on the activities of the internal auditor for the prior fiscal year. This report shall include a listing of each audit or investigation performed by the internal auditor pursuant to sections 486(4) and 487 of the management and budget act, 1984, PA 431, MCL 18.1486 and 18.1487. The report shall identify the proportion of time spent on each of the statutory responsibilities listed in sections 485(4), 486(4), and 487, of the management and budget act, 1984, PA 431, MCL 18.1485, 18.1486, and 18.1487, and the time spent on all other activities performed in the internal audit function. The first report shall be due on March 1, 2000 and biennially thereafter beginning on May 1, 2001 and shall be submitted to the governor, auditor general, the senate and house appropriations committees, the senate and house fiscal agencies, and the director.]

23 Sec. 215. Sixty days before beginning any effort to privatize, the
24 department shall submit a complete project plan to the appropriate house
25 and senate appropriations subcommittees and the house and senate fiscal
26 agencies. The plan shall include the criteria under which the
27 privatization initiative will be evaluated. The evaluation shall be

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1 completed and submitted to the appropriate house and senate
2 appropriations subcommittees and the house and senate fiscal agencies
3 within 30 months.

4 Sec. 216. The department is appropriated an amount not to exceed
5 \$100,000.00 from collection of defaulted loans in the Martin Luther King,
6 Jr. - Cesar Chavez - Rosa Parks programs to offset costs of administer-
7 ing the loan collections.

8 Sec. 217. (1) From the amount appropriated in part 1 [for drug-free
9 schools grants, \$200,000.00 shall fund 2.0 FTEs and] the depart-
10 ment shall establish an office for safe schools within the department.
11 The office for safe schools shall work with local school boards, law
12 enforcement agencies, community leaders, and [the office of drug control
13 policy] for the prevention of school violence. The office for safe
14 schools shall develop and implement, and serve as coordinator of, a
15 statewide clearinghouse for information, program development, model pro-
16 grams and policies, and technical assistance on school violence
17 prevention.

18 (2) To accomplish its functions under this section, the office for
19 safe schools shall do all of the following:

20 (a) Evaluate the effectiveness of, and make recommendations to local
21 school boards concerning, public school violence prevention programs,
22 including but not limited to programs aimed at reducing the possession of
23 weapons and the incidence of other violent behaviors on school campuses,
24 violence prevention curricula, conflict resolution and peer mediation
25 training, interagency cooperative referral and treatment programs, paren-
26 tal involvement programs, and school safety planning.

27 (b) Develop and distribute to local school boards a model memorandum
of understanding with local law enforcement officials and appropriate

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1 state agencies to facilitate reporting of incidents affecting school
2 safety that should appropriately be reported to law enforcement officials
3 and provide technical assistance as requested for implementation of the
4 memorandum of understanding and procedures to be followed.

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10 [(c)] In consultation with appropriate organizations, develop and dis-
11 tribute to school districts and public school academies a model code of
12 conduct for pupils.

13 [(d)] Coordinate with the office of drug control policy in the depart-
14 ment of community health to ensure that there is a meaningful linkage
15 between the efforts under this act to provide safe schools and the ini-
16 tiatives undertaken through that office, including, but not limited to,
17 school districts' safe and drug-free school plans, and to facilitate
18 timely applications for and distribution of available grant money.

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4 Sec. 218. (1) In the expenditure of funds appropriated under this
5 act, the department shall take all reasonable steps to ensure that busi-
6 nesses in deprived and depressed communities are given the opportunity to
7 compete for and perform contracts to provide services or supplies, or
8 both, for the department.

9 (2) The department shall strongly encourage firms with which the
10 department contracts to subcontract with businesses in depressed and
11 deprived communities for services or supplies, or both.

12 STATE BOARD/OFFICE OF THE SUPERINTENDENT

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

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

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

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

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

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

11 Sec. 303. (1) From the amount appropriated in part 1 for innovation
12 and community service, there is allocated \$500,000.00 and 5.0 FTE posi-
13 tions to operate a charter school office to administer charter school
14 legislation and associated regulations, and to coordinate the activities
15 of the department relating to charter schools.

16 (2) From the amount appropriated in part 1 for state
17 board/superintendent operations, there is allocated up to \$250,000.00 to
18 fund an exchange program between teachers in Michigan school districts
19 and public school academies and teachers in Michigan's sister state of
20 Shiga in Japan.

21 (3) If an audit finds that a public school academy has significantly
22 misrepresented its enrollment membership or financial data to the depart-
23 ment, its funding shall be withheld and the public school academy shall
24 be required to reimburse the state any appropriations made as a result of
25 the misrepresentations.

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1 (4) A public school academy found to have misrepresented its
2 enrollment membership may utilize the same appeal process as a school
3 district.

4 TECHNOLOGY AND INFORMATION SERVICES

5 Sec. 401. Included in the appropriation for technology and informa-
6 tion services in part 1 is \$50,000.00 to publish and distribute the
7 Michigan school report.

8 Sec. 402. The department shall coordinate with the Michigan infor-
9 mation center on the development of an educational information system.

10 STANDARDS, ASSESSMENT, AND ACCREDITATION SERVICES

11 Sec. 501. (1) From the allocations in part 1 for test development
12 and administration, the department shall provide tests to nonpublic
13 schools and home-schooled students upon request. The department shall
14 notify nonpublic schools that they are eligible to receive the tests
15 without cost to them.

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

18 (3) From the amount appropriated in section 106 for test development
19 and administration, \$200,000.00 shall be expended to expedite the report-
20 ing of Michigan educational assessment program high school test results
21 and to improve the method of reporting the results to enable pupils to
22 accurately interpret the information. Not later than 6 weeks after the
23 Michigan educational assessment program test results are first published,

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1 the department shall submit to the senate and house appropriations
2 committees the method used to report those test results to the school
3 districts.

4 Sec. 502. The funds appropriated in section 106 shall include a
5 fine arts consultant.

6 Sec. 503. If it appears to the director of the department that
7 there is not sufficient revenue to administer the Michigan educational
8 assessment program, the department shall immediately notify the senate
9 and house appropriations committee. The Michigan educational assessment
10 program tests shall still be administered on a timely basis.

11 **MICHIGAN SCHOOLS FOR THE DEAF AND BLIND**

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

15 Sec. 602. For each student enrolled at the Michigan schools for the
16 deaf and blind, the department shall assess the intermediate school dis-
17 trict of residence 100% of the cost of operating the student's instruc-
18 tional program. The amount shall exclude room and board related costs
19 and the cost of weekend transportation between the school and the
20 student's home.

21 Sec. 603. (1) The department may assess rent to any state agency
22 for the use of any facility at the Michigan school for the blind's former
23 site in Lansing. The rental rates and all leasing arrangements shall be
24 subject to the approval of the department of management and budget. In

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1 addition, the facilities at the Lansing site may also be available for
2 rent to private or publicly funded organizations.

3 (2) In addition to those funds appropriated in part 1, the depart-
4 ment may receive and expend additional funds from lease agreements at the
5 Michigan school for the blind's former site in Lansing that have been
6 negotiated with the approval of the department of management and budget.
7 These funds are appropriated to the department for operation, mainte-
8 nance, and renovation expenses associated with the leased space.

9 (3) The department shall not rent, lease, or declare as surplus
10 property the superintendent's house on the Michigan school for the
11 blind's former site without prior consent from the house and senate
12 appropriations subcommittees on education. Amounts received under
13 section 108 for general services may be expended by the department for
14 operation, maintenance, and renovation expenses associated with the
15 superintendent's house.

16 (4) Security guards or other patrols at the Michigan school for the
17 blind's former site shall not be funded through section 109 funds appro-
18 priated for the Michigan schools for the deaf and blind.

19 (5) If the department leases real property to a person or organiza-
20 tion that is not a department of state government, the department shall
21 not expend funds in excess of the lease revenue received to replace, ren-
22 ovate, or repair that real property. This section shall not apply to
23 emergency repairs or costs associated with technological renovations.

24 (6) The department shall not lease real property for less than fair
25 market value.

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1 Sec. 604. (1) The department may assess rent or lease excess
2 property located on the campus of the Michigan schools for the deaf and
3 blind in Flint to private or publicly funded organizations.

4 (2) In addition to those funds appropriated in part 1, the depart-
5 ment may receive and expend additional funds from lease agreements at the
6 Michigan schools for the deaf and blind Flint campus that have been nego-
7 tiated with the approval of the department of management and budget.

8 These funds are appropriated to the department for the operation, mainte-
9 nance, and renovation expenses associated with the leased space.

10 (3) Proceeds from the sale of surplus property and facilities at the
11 Michigan schools for the deaf and blind are appropriated for the purposes
12 of repairs, renovations, and maintenance of the Flint campus.

13 (4) The unexpended balances of appropriations for school for deaf
14 and blind operations, and from proceeds of the sale of surplus property
15 and facilities at the Michigan schools for the deaf and blind shall not
16 lapse to the state general fund at the end of the fiscal year. Any unex-
17 pended and unencumbered funds remaining on September 30, 2000 shall be
18 carried forward as a work project or as restricted revenue and expended
19 for special maintenance and repairs of facilities at the campus of the
20 Michigan schools for the deaf and blind in Flint. The work shall be car-
21 ried out by state employees, or by contract as necessary, at an estimated
22 cost of \$250,000.00. The estimated completion date of the work is
23 September 30, 2001.

24 Sec. 605. The department may assist the department of community
25 health, other departments, and local school districts to secure reim-
26 bursement for eligible services provided in Michigan schools from the
27 federal Medicaid program. The department may submit reports of direct

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1 expenses related to this effort to the department of community health for
2 reimbursement.

3 Sec. 606. (1) The unexpended balances of appropriations and any
4 surplus restricted revenue for the former school for the blind site in
5 Lansing shall not lapse to the state general fund at the end of the
6 fiscal year. Any unexpended and unencumbered funds remaining on
7 September 30, 2000, shall be carried forward as a work project or as
8 restricted revenue and expended for special maintenance and repairs of
9 facilities at the former Michigan school for the blind site in Lansing.

10 (2) The work project carried out under this section shall be per-
11 formed by state employees or by contract when necessary at an estimated
12 cost of \$100,000.00. The estimated completion date of the work project
13 is September 30, 2001.

14 Sec. 607. (1) The Michigan schools for the deaf and blind may pro-
15 mote its residential program as a possible appropriate option for chil-
16 dren who are deaf or hard of hearing or who are blind or visually
17 impaired. The Michigan schools for the deaf and blind shall distribute
18 information detailing its services to all intermediate school districts
19 in the state.

20 (2) Upon knowledge of or recognition by an intermediate school dis-
21 trict that a child in the district is deaf or hard of hearing or blind or
22 visually impaired, the intermediate school district shall provide to the
23 parents of the child the literature distributed by the Michigan schools
24 for the deaf and blind to intermediate school districts under
25 subsection (1).

26 Sec. 608. The department shall report to the house and senate
27 appropriations subcommittees on education detailed information on the

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1 expenditures made from the amount authorized in part 1 for general
2 services for the Michigan school for the blind's former site.

3 Sec. 609. In addition to those funds appropriated in part 1, the
4 department may receive and expend funds from the mid-Michigan academy for
5 capital improvements. These additional funds are appropriated specifi-
6 cally for capital improvements authorized by the department of management
7 and budget and shall be negotiated as part of the lease agreement.

8 PROFESSIONAL PREPARATION SERVICES

9 Sec. 701. From the funds appropriated in part 1 for professional
10 preparation services, the department shall maintain the professional per-
11 sonnel register and certificate revocation/felony conviction files.

12 GRANTS AND DISTRIBUTIONS

13 Sec. 801. The department shall disburse the funds to a general fund
14 grantee in accordance with the same standards of timing and amount that
15 apply to disbursements made by the department to a federal fund grantee.
16 The disbursement shall be restricted to the minimum amount needed for
17 immediate disbursement by the grantee. The department may waive this
18 section if extenuating circumstances warrant and are substantiated in the
19 grantee's application or other appropriate documentation. A waiver
20 granted pursuant to this section shall not be effective until 15 days
21 after written notice of the proposed waiver is given to the state budget
22 director and the chairpersons of the senate and house appropriations
23 subcommittees having jurisdiction over the department budget.

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1 Sec. 802. The funds appropriated in part 1 for school breakfast
2 programs shall be made available to all eligible applicant public school
3 districts and public school academies as follows:

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

7 (b) Payment is made for each breakfast served meeting standards pre-
8 scribed in subdivision (a).

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

18 (d) The payment determined under subdivision (c) is prorated if the
19 appropriation in part 1 is not sufficient to fund all payments determined
20 under this section.

21 Sec. 803. (1) The funds appropriated in part 1 for school readiness
22 programs shall be made available through a competitive application pro-
23 cess as follows:

24 (a) An applicant may be any public or private nonprofit legal entity
25 or agency other than a local or intermediate school district except a
26 local or intermediate school district acting as a fiscal agent for a

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1 child caring organization regulated under 1973 PA 116, MCL 722.111 to
2 722.128.

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

5 (c) Applications shall be reviewed by a diverse interagency commit-
6 tee composed of representatives of the department, appropriate community,
7 volunteer, and social service agencies and organizations, and parents.

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

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

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

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

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

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

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

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

11 (f) Applications shall provide for the establishment of a school
12 readiness advisory committee that shall be involved in the planning and
13 evaluation of the program and provides for the involvement of parents and
14 appropriate community, volunteer, and social service agencies and
15 organizations. There shall be on the committee at least 1 parent or
16 guardian of a program participant for every 18 children enrolled in the
17 program, with a minimum of 2 parent or guardian representatives. The
18 committee shall do all of the following:

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

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

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

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

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

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

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

10 (2) Grant awards by the state board of education may be at whatever
11 level the board determines appropriate. A grant, when combined with
12 other sources of state revenue for this program, shall not exceed
13 \$3,100.00 per child or the cost of the program, whichever is less.

14 (3) Except as otherwise provided, an applicant that received a grant
15 under this section in the 1998-1999 fiscal year shall receive priority
16 for funding in 1999-2000. However, continuation of funding is contingent
17 on the availability of funds and documented evidence of grantee compli-
18 ance with standards for early childhood development consistent with pro-
19 grams for 4-year-olds, as approved by the state board of education, and
20 with all operational, fiscal, administrative, and other program
21 requirements. After 3 years of funding, a program that received a grant
22 under this section may reapply for funding, but will compete for avail-
23 able funds with other new programs and other programs also completing
24 their third year of funding under this section. A program which offers
25 supplementary day care and thereby offers full-day programs as part of
26 its early childhood development program shall receive priority in the
27 allocation of these competitive funds.

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1 Sec. 804. (1) The reading plan for Michigan (RPM) is a series of
2 elementary education strategies created for the purpose of improving
3 reading skills of K-3 students so that all students are reading at an
4 appropriate grade level prior to the start of the fourth grade. The RPM
5 shall be developed by the department in consultation with the RPM
6 advisory council as created by Executive Order 1998-4.

7 (2) In order to implement the RPM, the department shall do at least
8 all of the following:

9 (a) Develop a model summer reading program for students who will be
10 attending grades 1 through 4 in the following school year and who have
11 demonstrated the need for additional reading skills training, as evi-
12 denced by standardized test results on tests approved by the department
13 for this purpose. The model reading program shall be in conformance with
14 the national education goals and shall also meet criteria for DED-OESE,
15 Title I program funding.

16 (b) Recommend diagnostic tools and student assessments to local dis-
17 tricts to determine reading readiness and ensure progress in reading
18 skills.

19 (c) Develop and disseminate reading readiness kits to parents of
20 students in preschool and kindergarten to provide parents with informa-
21 tion about how they can prepare their children for reading success.

22 (d) Develop and make available a statewide resource guide of public
23 and private service providers to assist parents in improving their
24 children's reading skills.

25 (3) The funds appropriated in part 1 for the reading plan for
26 Michigan grants shall be allocated by the department on a competitive

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1 grant basis to districts, intermediate districts, or consortia of
2 districts which meet the following criteria:

3 (a) The district must offer a summer reading program based upon the
4 model reading program developed by the department under subsection (2)
5 beginning after the close of the 1998-99 school year.

6 (b) The district must identify money from other sources available to
7 the district which will be used to support at least 50% of the total
8 costs of the summer reading program.

9 (4) Applications for funding must be submitted to the department no
10 later than December 31, 1999. The department shall notify recipients of
11 the grants no later than March 30, 2000.

12 (5) Not later than the 2002-2003 school year, a pupil shall not be
13 promoted to the next grade level at the end of the school year if the
14 pupil has not met the standards for pupil promotion adopted by the local
15 school district.

16 Sec. 805. If there is appropriated for fiscal year 1999-2000 not
17 more than \$2,000,000.00 from the general fund/general purpose revenues
18 from the state school aid fund to develop early childhood education pro-
19 grams for children ages 0 to 3, the department shall administer the grant
20 program in accordance with the criteria stated for the early childhood
21 education program in the state school aid act.

22 Sec. 806. From the funds appropriated in part 1 for national board
23 certification, the department shall pay 1/2 of the application fee for
24 teachers who are deemed by the department by March 1, 1998 to be quali-
25 fied to apply to the national board for professional teaching standards
26 for professional teaching certificates or licenses and to provide grants
27 to recognize and reward teachers who receive certification or licensure.

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1 Sec. 807. (1) Of the funds appropriated in part 1, the department
2 shall make up to \$900,000.00 available to school districts, intermediate
3 school districts, or multipurpose collaborative boards (FIA language) for
4 the purpose of collaborative community efforts to increase parent
5 involvement in their children's education and to enhance parent education
6 programs regarding the role of parents as a child's first teacher.

7 (2) The department shall develop a competitive grant program for the
8 expenditure of the funds. No single application may be awarded more than
9 \$100,000.00 for the proposed programs, and grant awards must be matched
10 on a 1-to-1 ratio with local funding. The program should target families
11 with preschool children between the ages of 0 and 5 years.

12 (3) The department shall report to the house and senate appropria-
13 tions committees on the total applications received, the grants awarded,
14 and the programs proposed.

[Sec. 808. With the advice and consent of the state board of education, the department shall establish a parent involvement and community empowerment initiative. The parent involvement and community empowerment initiative shall focus on the following:

(a) Providing assistance to school districts, intermediate school districts, and individual schools in their efforts to enhance parent and family involvement in education.

(b) Encouragement of voluntary parenting education programs.

(c) Promoting adult and family literacy, which contributes to the overall improvement of educational and workplace skills for children and families.

(d) Planning with other public, community, civic, and business organizations to foster successful transitions from school-to-work or other post-secondary options.

(e) Identification of policies that enable local communities to coordinate resources that serve the needs of students and families.]