

SENATE BILL No. 1005

February 15, 2000, Introduced by Senator STILLE and referred to the Committee on Education.

A bill to amend 1976 PA 451, entitled
"The revised school code,"
by amending section 376 (MCL 380.376), as added by 1999 PA 10,
and by adding part 4A and section 1206.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

PART 4A

APPOINTMENT OF CHIEF EXECUTIVE OFFICER FOR A SCHOOL DISTRICT UNDER COURT ORDER

SEC. 271. AS USED IN THIS PART:

(A) "CHIEF EXECUTIVE OFFICER" MEANS THE CHIEF EXECUTIVE
OFFICER APPOINTED FOR A QUALIFYING SCHOOL DISTRICT UNDER SECTION
272.

(B) "QUALIFYING SCHOOL DISTRICT" MEANS A SCHOOL DISTRICT
THAT IS SUBJECT TO A COURT DESEGREGATION ORDER.

1 SEC. 272. (1) NOT LATER THAN 60 DAYS AFTER THE EFFECTIVE
2 DATE OF THIS PART, A CHIEF EXECUTIVE OFFICER SHALL BE APPOINTED
3 FOR THE QUALIFYING SCHOOL DISTRICT AS PROVIDED IN THIS
4 SUBSECTION. THE APPOINTMENT SHALL BE BY A MAJORITY VOTE OF THE
5 FOLLOWING OFFICIALS:

6 (A) THE GOVERNOR OR THE GOVERNOR'S DESIGNEE.

7 (B) THE SUPERINTENDENT OF PUBLIC INSTRUCTION.

8 (C) THE INTERMEDIATE SUPERINTENDENT OF THE INTERMEDIATE
9 SCHOOL DISTRICT IN WHICH THE QUALIFYING SCHOOL DISTRICT IS
10 LOCATED.

11 (2) THE CHIEF EXECUTIVE OFFICER APPOINTED UNDER SUBSECTION
12 (1) SHALL PURSUE AND PROMOTE THE BEST INTERESTS OF THE QUALIFYING
13 SCHOOL DISTRICT AND HAS THE POWERS AND DUTIES PROVIDED UNDER THIS
14 PART. THE CHIEF EXECUTIVE OFFICER IS EMPLOYED AT THE WILL OF THE
15 OFFICIALS DESCRIBED IN SUBSECTION (1) AND MAY BE REMOVED BY
16 MAJORITY VOTE OF THOSE OFFICIALS.

17 (3) THE CHIEF EXECUTIVE OFFICER SHALL APPOINT FOR THE QUALI-
18 FYING SCHOOL DISTRICT A CHIEF FINANCIAL OFFICER, CHIEF ACADEMIC
19 OFFICER, CHIEF OPERATIONS OFFICER, AND CHIEF PURCHASING OFFICER.
20 THESE OFFICERS ARE EMPLOYED AT THE WILL OF THE CHIEF EXECUTIVE
21 OFFICER.

22 (4) IF A VACANCY OCCURS IN A POSITION DESCRIBED IN THIS SEC-
23 TION, A SUCCESSOR SHALL BE APPOINTED IN THE SAME MANNER AS THE
24 ORIGINAL APPOINTMENT.

25 SEC. 273. (1) UPON THE EFFECTIVE DATE OF THIS PART, THE
26 POWERS AND DUTIES OF THE ELECTED SCHOOL BOARD OF THE QUALIFYING
27 SCHOOL DISTRICT AND OF ITS OFFICERS ARE SUSPENDED UNLESS AND

1 UNTIL THE ELECTED SCHOOL BOARD IS REINSTATED UNDER SECTION 275,
2 EXCEPT THAT THE ELECTED SCHOOL BOARD SHALL CONTINUE TO MEET AS AN
3 ADVISORY BOARD TO PROVIDE INPUT TO THE CHIEF EXECUTIVE OFFICER ON
4 AN ADVISORY BASIS ONLY AND SHALL CONTINUE TO HOLD SCHOOL BOARD
5 ELECTIONS TO ELECT SCHOOL BOARD MEMBERS AS OTHERWISE PROVIDED BY
6 LAW. NOTWITHSTANDING ANY BOARD POLICY, BYLAW, OR RESOLUTION TO
7 THE CONTRARY, THESE ELECTED SCHOOL BOARD MEMBERS SHALL SERVE
8 WITHOUT COMPENSATION OR REIMBURSEMENT UNLESS AND UNTIL THE
9 ELECTED SCHOOL BOARD IS REINSTATED UNDER SECTION 275.

10 (2) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (1), UPON THE
11 EFFECTIVE DATE OF THIS PART, AND UNTIL APPOINTMENT OF A CHIEF
12 EXECUTIVE OFFICER UNDER SECTION 272, ALL PROVISIONS OF THIS ACT
13 THAT WOULD OTHERWISE APPLY TO THE SCHOOL BOARD OF THE QUALIFYING
14 SCHOOL DISTRICT OR TO THE CHIEF EXECUTIVE OFFICER APPLY TO THE
15 SUPERINTENDENT OF SCHOOLS OF THE QUALIFYING SCHOOL DISTRICT, AND
16 THE SUPERINTENDENT OF SCHOOLS OF THE QUALIFYING SCHOOL DISTRICT
17 IMMEDIATELY MAY EXERCISE ALL THE POWERS AND DUTIES OTHERWISE
18 VESTED BY LAW IN THE BOARD OF THE QUALIFYING SCHOOL DISTRICT AND
19 IN ITS OFFICERS, AND ALL POWERS AND DUTIES OF THE CHIEF EXECUTIVE
20 OFFICER AS PROVIDED UNDER THIS PART. WITHIN 30 DAYS AFTER THE
21 EFFECTIVE DATE OF THIS PART, THE SUPERINTENDENT OF SCHOOLS OF THE
22 QUALIFYING SCHOOL DISTRICT SHALL INITIATE A FINANCIAL AUDIT OF
23 THE QUALIFYING SCHOOL DISTRICT. THE RESULTS OF THIS AUDIT SHALL
24 BE PROVIDED TO THE CHIEF EXECUTIVE OFFICER APPOINTED UNDER
25 SECTION 272.

26 (3) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (1), UPON
27 APPOINTMENT OF A CHIEF EXECUTIVE OFFICER FOR A QUALIFYING SCHOOL

1 DISTRICT UNDER SECTION 272, ALL PROVISIONS OF THIS ACT THAT WOULD
2 OTHERWISE APPLY TO THE ELECTED SCHOOL BOARD OF THE QUALIFYING
3 SCHOOL DISTRICT APPLY TO THE CHIEF EXECUTIVE OFFICER; THE CHIEF
4 EXECUTIVE OFFICER IMMEDIATELY MAY EXERCISE ALL THE POWERS AND
5 DUTIES OTHERWISE VESTED BY LAW IN THE ELECTED SCHOOL BOARD OF THE
6 QUALIFYING SCHOOL DISTRICT AND IN ITS SECRETARY AND TREASURER,
7 AND ALL ADDITIONAL POWERS AND DUTIES PROVIDED UNDER THIS PART;
8 AND THE CHIEF EXECUTIVE OFFICER ACCEDES TO ALL THE RIGHTS,
9 DUTIES, AND OBLIGATIONS OF THE ELECTED SCHOOL BOARD OF THE QUALI-
10 FYING SCHOOL DISTRICT. THESE POWERS, RIGHTS, DUTIES, AND OBLIGA-
11 TIONS INCLUDE, BUT ARE NOT LIMITED TO, ALL OF THE FOLLOWING:

12 (A) AUTHORITY OVER THE EXPENDITURE OF ALL SCHOOL DISTRICT
13 FUNDS, INCLUDING PROCEEDS FROM BONDED INDEBTEDNESS AND OTHER
14 FUNDS DEDICATED TO CAPITAL PROJECTS.

15 (B) RIGHTS AND OBLIGATIONS UNDER COLLECTIVE BARGAINING
16 AGREEMENTS AND EMPLOYMENT CONTRACTS ENTERED INTO BY THE ELECTED
17 SCHOOL BOARD, EXCEPT FOR EMPLOYMENT CONTRACTS OF THOSE EMPLOYEES
18 DESCRIBED IN SUBSECTION (5).

19 (C) RIGHTS TO PROSECUTE AND DEFEND LITIGATION.

20 (D) OBLIGATIONS UNDER ANY JUDGMENTS OR ORDERS ENTERED INTO
21 BY OR ENTERED AGAINST THE ELECTED SCHOOL BOARD.

22 (E) RIGHTS AND OBLIGATIONS UNDER STATUTE, RULE, AND COMMON
23 LAW.

24 (F) AUTHORITY TO DELEGATE ANY OF THE CHIEF EXECUTIVE
25 OFFICER'S POWERS AND DUTIES TO 1 OR MORE DESIGNEES.

26 (4) IN ADDITION TO HIS OR HER OTHER POWERS, THE CHIEF
27 EXECUTIVE OFFICER APPOINTED UNDER THIS PART MAY TERMINATE ANY

1 CONTRACT ENTERED INTO BY THE ELECTED SCHOOL BOARD OF THE
2 QUALIFYING SCHOOL DISTRICT EXCEPT FOR A COLLECTIVE BARGAINING
3 AGREEMENT. HOWEVER, THIS SUBSECTION DOES NOT ALLOW ANY TERMINA-
4 TION OR DIMINISHMENT OF OBLIGATIONS TO PAY DEBT SERVICE ON
5 LEGALLY AUTHORIZED BONDS. A CONTRACT TERMINATED BY A CHIEF EXEC-
6 UTIVE OFFICER UNDER THIS SUBSECTION IS VOID.

7 (5) BEGINNING ON THE EFFECTIVE DATE OF THIS PART AND UNTIL
8 APPOINTMENT OF A CHIEF EXECUTIVE OFFICER FOR A QUALIFYING SCHOOL
9 DISTRICT UNDER SECTION 272, EACH EMPLOYEE OF THE QUALIFYING
10 SCHOOL DISTRICT WHOSE POSITION IS NOT COVERED BY A COLLECTIVE
11 BARGAINING AGREEMENT IS EMPLOYED AT THE WILL OF THE SUPERINTEN-
12 DENT OF SCHOOLS OF THE QUALIFYING SCHOOL DISTRICT. UPON APPOINT-
13 MENT OF A CHIEF EXECUTIVE OFFICER FOR A QUALIFYING SCHOOL DIS-
14 TRICT UNDER SECTION 272, EACH EMPLOYEE OF THE QUALIFYING SCHOOL
15 DISTRICT WHOSE POSITION IS NOT COVERED BY A COLLECTIVE BARGAINING
16 AGREEMENT IS EMPLOYED AT THE WILL OF THE CHIEF EXECUTIVE
17 OFFICER.

18 (6) NOT LATER THAN 90 DAYS AFTER THE INITIAL APPOINTMENT OF
19 A CHIEF EXECUTIVE OFFICER UNDER THIS PART, AND AT LEAST ANNUALLY
20 THEREAFTER, THE CHIEF EXECUTIVE OFFICER SHALL DEVELOP AND SUBMIT
21 TO THE SCHOOL DISTRICT ACCOUNTABILITY BOARD CREATED IN
22 SECTION 376 A SCHOOL DISTRICT IMPROVEMENT PLAN THAT INCLUDES AT
23 LEAST DETAILED ACADEMIC, FINANCIAL, CAPITAL, AND OPERATIONAL
24 GOALS AND BENCHMARKS FOR IMPROVEMENT AND A DESCRIPTION OF STRATE-
25 GIES TO BE USED TO ACCOMPLISH THOSE GOALS AND BENCHMARKS. IF THE
26 QUALIFYING SCHOOL DISTRICT HAS DEVELOPED A 5-YEAR SCHOOL
27 IMPROVEMENT PLAN FOR THE SCHOOL DISTRICT, THE CHIEF EXECUTIVE

1 OFFICER SHALL GIVE SUBSTANTIAL CONSIDERATION TO THAT PROGRESS
2 PLAN IN DEVELOPING THE ACADEMIC GOALS AND BENCHMARKS INCLUDED IN
3 THE SCHOOL DISTRICT IMPROVEMENT PLAN UNDER THIS SUBSECTION. THE
4 PLAN UNDER THIS SUBSECTION ALSO SHALL INCLUDE AN ASSESSMENT OF
5 AVAILABLE RESOURCES AND RECOMMENDATIONS CONCERNING ADDITIONAL
6 RESOURCES OR CHANGES IN STATUTE OR RULE, IF ANY, NEEDED TO MEET
7 THOSE GOALS AND BENCHMARKS. THE PLAN UNDER THIS SUBSECTION ALSO
8 SHALL INCLUDE AN EVALUATION OF LOCAL SCHOOL GOVERNANCE ISSUES,
9 INCLUDING CRITERIA FOR ESTABLISHING BUILDING-LEVEL GOVERNANCE.

10 (7) A CHIEF EXECUTIVE OFFICER SHALL SUBMIT AN ANNUAL REPORT
11 TO THE GOVERNOR, SCHOOL DISTRICT ACCOUNTABILITY BOARD CREATED IN
12 SECTION 376, AND LEGISLATURE AND SHALL MAKE THE ANNUAL REPORT
13 AVAILABLE TO THE COMMUNITY IN THE QUALIFYING SCHOOL DISTRICT.

14 THE ANNUAL REPORT SHALL CONTAIN AT LEAST ALL OF THE FOLLOWING:

15 (A) A SUMMARY OF THE INITIATIVES THAT HAVE BEEN IMPLEMENTED
16 TO IMPROVE SCHOOL QUALITY IN THE QUALIFYING SCHOOL DISTRICT.

17 (B) MEASUREMENTS THAT ARE RELATED TO ATTAINMENT OF THE
18 BENCHMARKS FOR IMPROVEMENT IN SCHOOL QUALITY IN THE QUALIFYING
19 SCHOOL DISTRICT. THESE MEASUREMENTS SHALL INDICATE CHANGES FROM
20 BASELINE DATA FROM THE SCHOOL YEAR BEFORE THE APPOINTMENT OF THE
21 CHIEF EXECUTIVE OFFICER, AND SHALL INCLUDE AT LEAST ALL OF THE
22 FOLLOWING:

23 (i) STANDARDIZED TEST SCORES OF PUPILS.

24 (ii) DROPOUT RATES.

25 (iii) DAILY ATTENDANCE FIGURES.

26 (iv) ENROLLMENT FIGURES.

1 (v) HIGH SCHOOL COMPLETION AND OTHER PERTINENT COMPLETION
2 RATES.

3 (vi) CHANGES MADE IN COURSE OFFERINGS.

4 (vii) PROPORTION OF SCHOOL DISTRICT RESOURCES DEVOTED TO
5 DIRECT EDUCATIONAL SERVICES.

6 (c) A DESCRIPTION OF LONG-TERM PERFORMANCE GOALS THAT MAY
7 INCLUDE STATEWIDE AVERAGES OR COMPARABLE MEASURES OF LONG-TERM
8 IMPROVEMENT.

9 (8) IN ADDITION TO THE MEMBERS OF THE ELECTED SCHOOL BOARD
10 SERVING ON THE ADVISORY BOARD DESCRIBED IN SUBSECTION (1), EACH
11 OF THE OFFICIALS DESCRIBED IN SECTION 272(1) SHALL APPOINT A
12 MEMBER TO THE ADVISORY BOARD. THESE ADDITIONAL 3 MEMBERS OF THE
13 ADVISORY BOARD EACH SHALL SERVE AT THE WILL OF THE APPOINTING
14 OFFICIAL, AND A VACANCY AMONG THEM SHALL BE FILLED IN THE SAME
15 MANNER AS THE ORIGINAL APPOINTMENT. THESE ADDITIONAL MEMBERS
16 SHALL SERVE WITHOUT COMPENSATION OR REIMBURSEMENT. IF THE
17 ELECTED SCHOOL BOARD IS REINSTATED UNDER SECTION 275, THE SERVICE
18 OF THESE ADDITIONAL MEMBERS ON THE ADVISORY BOARD SHALL CEASE
19 EFFECTIVE UPON THE REINSTATEMENT.

20 (9) THE GOVERNOR, SUPERINTENDENT OF PUBLIC INSTRUCTION,
21 STATE BOARD, SCHOOL DISTRICT ACCOUNTABILITY BOARD CREATED IN
22 SECTION 376, THIS STATE, OR A CHIEF EXECUTIVE OFFICER OR OTHER
23 OFFICER APPOINTED UNDER THIS PART IS NOT LIABLE FOR ANY OBLIGA-
24 TION OF OR CLAIM AGAINST A QUALIFYING SCHOOL DISTRICT RESULTING
25 FROM AN ACTION TAKEN UNDER THIS PART.

1 SEC. 274. IF A QUALIFYING SCHOOL DISTRICT IS SUBJECT TO A
2 COURT-ORDERED DESEGREGATION PLAN, THIS PART IS SUBJECT TO THAT
3 COURT ORDER.

4 SEC. 275. (1) AFTER THE EXPIRATION OF 5 YEARS AFTER THE
5 INITIAL APPOINTMENT OF A CHIEF EXECUTIVE OFFICER IN A QUALIFYING
6 SCHOOL DISTRICT UNDER THIS PART, THE QUESTION OF WHETHER TO
7 RETAIN THE CHIEF EXECUTIVE OFFICER AND THE AUTHORITY UNDER THIS
8 PART TO APPOINT THE CHIEF EXECUTIVE OFFICER SHALL BE PLACED ON
9 THE BALLOT IN THE QUALIFYING SCHOOL DISTRICT UNDER THIS SECTION.

10 (2) THE QUESTION UNDER SUBSECTION (1) SHALL BE PLACED ON THE
11 BALLOT IN THE QUALIFYING SCHOOL DISTRICT AT THE NEXT SCHOOL ELEC-
12 TION OCCURRING AT LEAST 90 DAYS AFTER THE EXPIRATION OF 5 YEARS
13 AFTER THE DATE OF THE INITIAL APPOINTMENT OF THE CHIEF EXECUTIVE
14 OFFICER.

15 (3) THE QUESTION UNDER SUBSECTION (1) SHALL BE IN SUBSTAN-
16 Tially THE FOLLOWING FORM:

17 "SHALL THE CHIEF EXECUTIVE OFFICER SERVING IN
18 _____ (NAME OF QUALIFYING SCHOOL DISTRICT) UNDER
19 PART 4A OF THE REVISED SCHOOL CODE BE RETAINED AND SHALL STATE
20 OFFICIALS RETAIN THE AUTHORITY TO APPOINT A CHIEF EXECUTIVE
21 OFFICER? A VOTE IN THE AFFIRMATIVE CONTINUES THE CHIEF EXECUTIVE
22 OFFICER IN PLACE IN THE SCHOOL DISTRICT AND CONTINUES THE AUTHOR-
23 ITY OF STATE OFFICIALS TO APPOINT A CHIEF EXECUTIVE OFFICER FOR
24 THE SCHOOL DISTRICT. A VOTE IN THE NEGATIVE WILL RESULT IN THE
25 ELECTION OF A NEW ELECTED SCHOOL BOARD AS THE GOVERNING BODY OF
26 THE SCHOOL DISTRICT AND WILL RENDER THE PROVISIONS OF LAW

1 ESTABLISHING AUTHORITY TO APPOINT A CHIEF EXECUTIVE OFFICER
2 INAPPLICABLE FOR THIS SCHOOL DISTRICT.

3 YES ()

4 NO ()" .

5 (4) IF THE QUESTION UNDER SUBSECTION (1) IS APPROVED BY A
6 MAJORITY OF THE SCHOOL ELECTORS VOTING ON THE QUESTION EITHER
7 UNDER SUBSECTION (1) OR PURSUANT TO SUBDIVISION (C), ALL OF THE
8 FOLLOWING APPLY:

9 (A) THE CHIEF EXECUTIVE OFFICER CONTINUES IN PLACE IN THE
10 QUALIFYING SCHOOL DISTRICT.

11 (B) THE AUTHORITY OF THE OFFICIALS DESCRIBED IN
12 SECTION 272(1) TO APPOINT A CHIEF EXECUTIVE OFFICER CONTINUES IN
13 THE QUALIFYING SCHOOL DISTRICT.

14 (C) THE QUESTION MAY NOT BE PLACED ON THE BALLOT AGAIN IN
15 THE QUALIFYING SCHOOL DISTRICT UNTIL THE EXPIRATION OF 5 YEARS
16 AFTER THE ELECTION AT WHICH THE QUESTION WAS APPROVED. THE QUES-
17 TION MAY BE PLACED ON THE BALLOT AGAIN IN THE QUALIFYING SCHOOL
18 DISTRICT UNDER THIS SUBDIVISION IF PETITIONS CALLING FOR THE
19 QUESTION TO BE PLACED ON THE BALLOT ARE FILED WITH THE COUNTY
20 CLERK FOR THE COUNTY IN WHICH THE QUALIFYING SCHOOL DISTRICT IS
21 LOCATED NOT SOONER THAN 4 YEARS AFTER THE QUESTION WAS MOST
22 RECENTLY ON THE BALLOT AND IF THE PETITIONS ARE SIGNED BY A
23 NUMBER OF SCHOOL ELECTORS OF THE QUALIFYING SCHOOL DISTRICT AT
24 LEAST EQUAL TO 10% OF THE NUMBER OF VOTES CAST WITHIN THE CITY IN
25 WHICH THE QUALIFYING SCHOOL DISTRICT IS LOCATED FOR SECRETARY OF
26 STATE IN THE MOST RECENT NOVEMBER GENERAL ELECTION IN WHICH A
27 SECRETARY OF STATE WAS ELECTED. IF THOSE PETITIONS ARE SUBMITTED

1 AND VERIFIED, THE QUESTION SHALL BE PLACED ON THE BALLOT IN THE
2 QUALIFYING SCHOOL DISTRICT AT THE NEXT NOVEMBER GENERAL ELECTION
3 OCCURRING AT LEAST 5 YEARS AFTER THE QUESTION WAS MOST RECENTLY
4 ON THE BALLOT AND AT LEAST 90 DAYS AFTER THE PETITIONS ARE SUB-
5 MITTED AND VERIFIED.

6 (5) IF THE QUESTION UNDER SUBSECTION (1) IS NOT APPROVED BY
7 A MAJORITY OF THE SCHOOL ELECTORS VOTING ON THE QUESTION EITHER
8 UNDER SUBSECTION (1) OR PURSUANT TO SUBSECTION (4)(C), ALL OF THE
9 FOLLOWING APPLY EFFECTIVE JULY 1 FOLLOWING THE ELECTION:

10 (A) EFFECTIVE ON THE NEXT JULY 1 FOLLOWING THE ELECTION, THE
11 ELECTED SCHOOL BOARD OF THE QUALIFYING SCHOOL DISTRICT IS REIN-
12 STATED AS THE GOVERNING BODY OF THE QUALIFYING SCHOOL DISTRICT
13 AND AS OF THAT DATE THE ELECTED SCHOOL BOARD AND ITS OFFICERS
14 AGAIN SHALL BE FULLY VESTED WITH ALL POWERS AND DUTIES THAT THEY
15 HAD BEFORE THE EFFECTIVE DATE OF THIS PART.

16 (B) THE POWERS OF THE CHIEF EXECUTIVE OFFICER APPOINTED FOR
17 THE QUALIFYING SCHOOL DISTRICT UNDER THIS PART AND OF ALL OTHER
18 OFFICERS APPOINTED UNDER SECTION 272 SHALL CEASE.

19 (C) THE PROVISIONS OF THIS PART SHALL NOT APPLY TO THAT
20 QUALIFYING SCHOOL DISTRICT.

21 Sec. 376. (1) The school district accountability board is
22 created in the department. The school district accountability
23 board consists of the following 5 members:

24 (a) The superintendent of public instruction.

25 (b) The state treasurer.

26 (c) The state budget director.

1 (d) Two members of the general public appointed by the
2 governor with the advice and consent of the senate.

3 (2) The state treasurer shall serve as chairperson of the
4 school district accountability board.

5 (3) The school district accountability board shall do all of
6 the following with respect to a qualifying school district in
7 which a school reform board has been established under this part
8 OR UNDER PART 4A:

9 (a) Receive and review the district improvement plan submit-
10 ted under section 373 OR SECTION 273.

11 (b) Monitor the progress being made by the school reform
12 board in achieving the goals and benchmarks identified in the
13 district improvement plan submitted under section 373 OR SECTION
14 273.

15 (c) Based on the experience of the school reform board in
16 its efforts to achieve reform, make recommendations to the gover-
17 nor for additional resources for the qualifying school district
18 and on changes in statute or rule, if any, needed to achieve
19 reform.

20 (4) The powers and duties of the school district account-
21 ability board are limited to a qualifying school district in
22 which a school reform board is in place UNDER EITHER THIS PART OR
23 PART 4A.

24 (5) The business that the school district accountability
25 board may perform shall be conducted at a public meeting of the
26 school district accountability board held in compliance with the
27 open meetings act, 1976 PA 267, MCL 15.261 to 15.275.

1 (6) A writing prepared, owned, used, in the possession of,
2 or retained by the school district accountability board in the
3 performance of an official function is subject to the freedom of
4 information act, 1976 PA 442, MCL 15.231 to 15.246.

5 SEC. 1206. IF A SCHOOL DISTRICT BECOMES A QUALIFYING SCHOOL
6 DISTRICT UNDER PART 4A, ALL POWERS AND DUTIES OF THE SCHOOL BOARD
7 OF THE SCHOOL DISTRICT AND OF ITS OFFICERS ARE SUBJECT TO PART
8 4A.