

SUBSTITUTE FOR  
HOUSE BILL NO. 4256

A bill to make appropriations for the department of education and certain other purposes relating to education for the fiscal year ending September 30, 2002; 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:

1 PART 1

2 LINE-ITEM APPROPRIATIONS

3 Sec. 101. Subject to the conditions set forth in this act, the  
4 amounts listed in this part are appropriated for the department of educa-  
5 tion for the fiscal year ending September 30, 2002, from the funds  
6 indicated in this part. The following is a summary of the appropriations  
7 in this part:

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For Fiscal Year Ending  
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## 1 DEPARTMENT OF EDUCATION

### 2 APPROPRIATION SUMMARY:

3	Full-time equated unclassified positions.....	6.0	
4	Full-time equated classified positions.....	457.3	
5	GROSS APPROPRIATION.....	\$	942,238,100
6	Interdepartmental grant revenues:		
7	Interdepartmental grant from corrections academy		
8	lease.....		518,000
9	Total interdepartmental grants and intradepartmental		
10	transfers.....		518,000
11	ADJUSTED GROSS APPROPRIATION.....	\$	941,720,100
12	Federal revenues:		
13	Total federal revenues.....		887,527,700
14	Special revenue funds:		
15	Local cost sharing (schools for blind/deaf).....		4,637,000
16	Local school district service fees.....		252,600
17	Total local revenues.....		4,889,600
18	Private gifts, bequests, and donations.....		470,100
19	Private foundations.....		147,200
20	Total private revenues.....		617,300
21	Total local and private revenues.....		5,506,900
22	Teacher certification revenues.....		2,812,700
23	Commodity distribution fees.....		49,800
24	Driver fees.....		8,129,100
25	Lansing, Michigan school for the blind rent.....		739,000
26	Motorcycle license fees.....		1,343,500

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1	Safety education fund.....	314,500
2	Student insurance revenues.....	205,100
3	School loan exception fees.....	64,200
4	Teacher testing fees.....	278,100
5	Training and orientation workshop fees.....	100,000
6	Total other state restricted revenues.....	14,036,000
7	State general fund/general purpose..... \$	34,649,500
8	<b>Sec. 102. STATE BOARD OF EDUCATION/OFFICE OF THE SUPERINTENDENT</b>	
9	Full-time equated unclassified positions.....6.0	
10	Full-time equated classified positions.....14.0	
11	State board of education, per diem payments..... \$	19,400
12	Unclassified positions--6.0 FTE positions.....	515,600
13	State board/superintendent operations--14.0 FTE	
14	positions.....	<u>2,066,800</u>
15	GROSS APPROPRIATION..... \$	2,601,800
16	Appropriated from:	
17	Federal revenues:	
18	Federal revenues.....	576,100
19	Special revenue funds:	
20	Private foundations.....	23,000
21	State general fund/general purpose..... \$	2,002,700
22	<b>Sec. 103. CENTRAL SUPPORT</b>	
23	Full-time equated classified positions.....45.2	
24	Central support--45.2 FTE positions..... \$	5,696,000
25	Worker's compensation.....	101,000
26	Education commission of the states.....	99,300

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1	Building occupancy charges-property management		
2	services.....		1,302,000
3	Training and orientation workshops.....		100,000
4	Terminal leave payments.....		<u>440,500</u>
5	GROSS APPROPRIATION.....	\$	7,738,800
6	Appropriated from:		
7	Interdepartmental grant revenues:		
8	Federal revenues:		
9	Federal revenues.....		4,203,600
10	Special revenue funds:		
11	Certification fees.....		171,400
12	Driver fees.....		22,600
13	Local cost sharing.....		60,800
14	Commodity distribution fees.....		5,500
15	Motorcycle license fees.....		4,400
16	Safety education fund.....		2,500
17	School loan exception fees.....		64,200
18	Teacher testing fees.....		9,800
19	Training and orientation workshop fees.....		100,000
20	State general fund/general purpose.....	\$	3,094,000
21	<b>Sec. 104. SCHOOL SUPPORT SERVICES</b>		
22	Full-time equated classified positions.....41.4		
23	School support operations--41.4 FTE positions.....	\$	<u>5,003,100</u>
24	GROSS APPROPRIATION.....	\$	5,003,100
25	Appropriated from:		
26	Federal revenues:		

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1	Federal revenues.....	3,977,600
2	Special revenue funds:	
3	Commodity distribution fees.....	44,300
4	Driver fees.....	495,900
5	Motorcycle license fees.....	139,100
6	Safety education fund.....	117,700
7	State general fund/general purpose..... \$	228,500
8	<b>Sec. 105. DATA AND TECHNOLOGY SERVICES</b>	
9	Full-time equated classified positions.....37.2	
10	Data and technology operations--37.2 FTE positions... \$	<u>5,243,100</u>
11	GROSS APPROPRIATION..... \$	5,243,100
12	Appropriated from:	
13	Interdepartmental grant revenues:	
14	Federal revenues:	
15	Federal revenues.....	2,811,000
16	Special revenue funds:	
17	Certification fees.....	261,700
18	Driver fees.....	10,600
19	State general fund/general purpose..... \$	2,159,800
20	<b>Sec. 106. SPECIAL EDUCATION SERVICES</b>	
21	Full-time equated classified positions.....68.6	
22	Special education operations--68.6 FTE positions..... \$	<u>7,405,800</u>
23	GROSS APPROPRIATION..... \$	7,405,800
24	Appropriated from:	
25	Federal revenues:	
26	Federal revenues.....	7,090,200

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1	Special revenue funds:	
2	Certification fees.....	35,200
3	State general fund/general purpose..... \$	280,400
4	<b>Sec. 107. LANSING, MICHIGAN SCHOOL FOR THE BLIND FORMER SITE</b>	
5	General services..... \$	1,267,000
6	Interdepartmental grant revenues:	
7	Interdepartmental grant from corrections academy	
8	lease.....	518,000
9	Special revenue funds:	
10	Lansing, Michigan school for the blind rent.....	739,000
11	Gifts, bequests, and donations.....	10,000
12	State general fund/general purpose..... \$	0
13	<b>Sec. 108. MICHIGAN SCHOOLS FOR THE DEAF AND BLIND</b>	
14	Full-time equated classified positions.....98.3	
15	Michigan schools for the deaf and blind	
16	operations--95.0 FTE positions..... \$	9,578,500
17	Technical resource and reproduction center.....	1,250,000
18	Summer institute.....	312,100
19	Michigan deaf/blind center--2.3 FTE positions.....	306,400
20	Camp Tuhsmeheeta--1.0 FTE position.....	250,100
21	Private gifts - blind.....	90,000
22	Private gifts - deaf.....	<u>50,000</u>
23	GROSS APPROPRIATION..... \$	11,837,100
24	Appropriated from:	
25	Federal revenues:	
26	Federal revenues.....	2,466,900

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1	Special revenue funds:		
2	Local cost sharing (schools for blind/deaf).....		4,576,200
3	Local school district service fees.....		252,600
4	Gifts, bequests, and donations.....		460,100
5	Student insurance revenue.....		205,100
6	State general fund/general purpose.....	\$	3,876,200
7	<b>Sec. 109. PROFESSIONAL PREPARATION SERVICES</b>		
8	Full-time equated classified positions.....26.5		
9	Professional preparation operations--26.5 FTE		
10	positions.....	\$	2,736,300
11	Teacher quality enhancement.....		1,000
12	Department of attorney general.....		<u>50,000</u>
13	GROSS APPROPRIATION.....	\$	2,787,300
14	Appropriated from:		
15	Federal revenues:		
16	Federal revenues.....		224,600
17	Special revenue funds:		
18	Certification fees.....		2,294,400
19	Teacher testing fees.....		268,300
20	State general fund/general purpose.....	\$	0
21	<b>Sec. 110. FIELD SERVICES</b>		
22	Full-time equated classified positions.....41.0		
23	Field services operations--41.0 FTE positions.....	\$	<u>4,183,300</u>
24	GROSS APPROPRIATION.....	\$	4,183,300
25	Appropriated from:		
26	Federal revenues:		

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1	Federal revenues.....	3,747,600
2	State general fund/general purpose..... \$	435,700
3	<b>Sec. 111. OFFICE OF SCHOOL EXCELLENCE</b>	
4	Full-time equated classified positions.....54.0	
5	School excellence operations--54.0 FTE positions..... \$	<u>6,426,900</u>
6	GROSS APPROPRIATION..... \$	6,426,900
7	Appropriated from:	
8	Federal revenues:	
9	Federal revenues.....	4,102,300
10	Special revenue funds:	
11	Private foundations.....	29,400
12	State general fund/general purpose..... \$	2,295,200
13	<b>Sec. 112. GOVERNMENT SERVICES</b>	
14	Full-time equated classified positions.....12.3	
15	Government services operations--12.3 FTE positions... \$	<u>1,108,300</u>
16	GROSS APPROPRIATION..... \$	1,108,300
17	Appropriated from:	
18	Federal revenues:	
19	Federal revenues.....	650,300
20	Special revenue funds:	
21	State general fund/general purpose..... \$	458,000
22	<b>Sec. 113. SAFE SCHOOLS AND ADMINISTRATIVE LAW</b>	
23	Full-time equated classified positions.....11.0	
24	Safe schools operations--2.0 FTE positions..... \$	432,400
25	Administrative law operations--9.0 FTE positions.....	866,000
26	State tenure commission per diem.....	<u>11,100</u>

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1	GROSS APPROPRIATION.....	\$	1,309,500
2	Appropriated from:		
3	Federal revenues:		
4	Federal revenues.....		293,400
5	Special revenue funds:		
6	State general fund/general purpose.....	\$	1,016,100
7	<b>Sec. 114. EDUCATION OPTIONS, CHARTERS, AND CHOICE</b>		
8	Full-time equated classified positions.....7.8		
9	Education options operations--7.8 FTE positions.....	\$	<u>1,634,500</u>
10	GROSS APPROPRIATION.....	\$	1,634,500
11	Appropriated from:		
12	Federal revenues:		
13	Federal revenues.....		885,500
14	Special revenue funds:		
15	State general fund/general purpose.....	\$	749,000
16	<b>Sec. 115. GRANTS AND DISTRIBUTIONS</b>		
17	<b>FEDERAL PROGRAMS:</b>		
18	Acquired immunodeficiency syndrome education grants..	\$	600,000
19	Class size reduction grants.....		50,275,700
20	Competitive child care and development.....		976,000
21	Drug-free schools grant.....		16,758,400
22	Eisenhower mathematics and science grants.....		12,940,000
23	Emergency immigrant.....		1,455,000
24	Goals 2000 grants.....		17,082,200
25	Handicapped infants and toddlers.....		16,000,000
26	Homeless children and youth.....		1,041,000

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1	Michigan charter school subgrant.....	9,000,000
2	Michigan model partnership for character education...	247,600
3	Refugee children school impact grant.....	950,000
4	Preschool grants (PL 94-142).....	13,500,000
5	School-age child care grants.....	857,500
6	School lunch program-federal share.....	256,725,000
7	Serve America grants.....	840,000
8	Special education.....	20,089,800
9	Surplus commodity.....	2,506,000
10	Technology literacy challenge fund.....	17,784,300
11	Title I, disadvantaged children.....	346,000,000
12	Title I, even start.....	5,500,000
13	Title I, migrant.....	12,000,000
14	Title I, comprehensive school reform.....	5,889,200
15	Title VI, innovative strategies.....	13,480,900
16	STATE PROGRAMS:	
17	Christa McAuliffe grants..... \$	94,800
18	Driver education.....	7,600,000
19	Motorcycle safety education.....	1,200,000
20	National board certification.....	50,000
21	Off-road vehicle safety training grant.....	194,300
22	School readiness grants.....	12,900,000
23	Reading plan for Michigan grants.....	34,000,000
24	School breakfast program.....	<u>5,328,000</u>
25	GROSS APPROPRIATION..... \$	883,865,700
26	Appropriated from:	

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1	Federal revenues:	
2	DAG, food and nutrition service, national school	
3	lunch.....	256,725,000
4	DAG, the emergency food assistance program.....	2,506,000
5	DED-OBEMLA, emergency immigrant education assistance.	1,455,000
6	DED-OESE, charter schools.....	9,000,000
7	DED-OESE, class size reduction.....	50,275,700
8	DED-OESE, drug-free schools and communities.....	16,758,400
9	DED-OESE, goals 2000.....	22,082,200
10	DED-OESE, Eisenhower mathematics and science	
11	administration.....	12,940,000
12	DED-OESE, reading excellence act.....	29,000,000
13	DED-OESE, technology literacy challenge fund.....	17,784,300
14	DED-OESE, title I, disadvantaged children.....	346,000,000
15	DED-OESE, title I, even start.....	5,500,000
16	DED-OESE, title I, migrant education.....	12,000,000
17	DED-OESE, title I, comprehensive school reform.....	5,031,900
18	DED-OESE, title VI, innovative strategies.....	13,480,900
19	DED-OESE, title X, comprehensive school reform.....	857,300
20	DED-OESE, title X, fund for improvement of education.	247,600
21	DED-OSERS, handicapped infants and toddlers.....	16,000,000
22	DED-OSERS, handicapped preschool incentive grants....	13,500,000
23	DED-OSERS, handicapped program, individuals with dis-	
24	abilities act.....	20,089,800
25	DED-OVAE, homeless children and youth.....	1,041,000
26	HHS-ACF, at-risk child care.....	976,000

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1	HHS-center for disease control, acquired	
2	immunodeficiency syndrome education.....	600,000
3	HHS-ACF, refugee children school impact.....	950,000
4	HHS-ACF, dependent care block grant.....	857,500
5	Corporation for national and community service.....	840,000
6	Special revenue funds:	
7	Driver fees.....	7,600,000
8	Certification fees.....	50,000
9	Motorcycle license fees.....	1,200,000
10	Private foundations.....	94,800
11	Safety education fees.....	194,300
12	State general fund/general purpose..... \$	18,228,000
13	<b>Sec. 116. BUDGETARY SAVINGS</b>	
14	Budgetary savings..... \$	<u>(174,100)</u>
15	GROSS APPROPRIATION..... \$	(174,100)
16	Appropriated from:	
17	Special revenue funds:	
18	State general fund/general purpose..... \$	(174,100)

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## PART 2

22

## PROVISIONS CONCERNING APPROPRIATIONS

### 23 GENERAL SECTIONS

24 Sec. 201. Pursuant to section 30 of article IX of the state consti-  
25 tution of 1963, total state spending from state resources under part 1  
26 for fiscal year 2001-2002 is \$48,685,500.00 and state spending from state  
27 resources to be paid to local units of government for fiscal year

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1 2001-2002 is \$15,299,200.00. The itemized statement below identifies  
2 appropriations from which spending to units of local government will  
3 occur:

## 4 GRANTS AND DISTRIBUTIONS

### 5 STATE PROGRAMS:

6	Driver education.....	\$	7,600,000
7	School readiness grants.....		1,457,700
8	Motorcycle safety education.....		826,800
9	Off-road vehicle safety training grant.....		86,700
10	School lunch and breakfast.....		<u>5,328,000</u>
11	TOTAL.....	\$	15,299,200

12 Sec. 202. The appropriations authorized under this act are subject  
13 to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

14 Sec. 203. As used in this act:

15 (a) "DAG" means the United States department of agriculture.

16 (b) "DED" means the United States department of education.

17 (c) "DED-OBEMLA" means the DED office of bilingual education and  
18 minority languages affairs.

19 (d) "DED-OESE" means the DED office of elementary and secondary  
20 education.

21 (e) "DED-OSERS" means the DED office of special education and  
22 rehabilitative services.

23 (f) "DED-OVAE" means the DED office of vocational and adult  
24 education.

25 (g) "Department" means the Michigan department of education.

26 (h) "District" means a local school district as defined in section  
27 6 of the revised school code, 1976 PA 451, MCL 380.6, or a public school

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1 academy as defined in section 5 of the revised school code, 1976 PA 451,  
2 MCL 380.5.

3 (i) "FTE" means full-time equated.

4 (j) "HHS" means the United States department of health and human  
5 services.

6 (k) "HHS-ACF" means the HHS administration for children and  
7 families.

8 (l) "HHS-CDCP" means the HHS center for disease control and  
9 prevention.

10 (m) "RPM" means reading plan for Michigan.

11 Sec. 204. The department of civil service shall bill departments  
12 and agencies at the end of the first fiscal quarter for the 1% charge  
13 authorized by section 5 of article XI of the state constitution of 1963.  
14 Payments shall be made for the total amount of the billing by the end of  
15 the second fiscal quarter.

16 Sec. 205. (1) A hiring freeze is imposed on the state classified  
17 civil service. State departments and agencies are prohibited from hiring  
18 any new full-time state classified civil service employees and prohibited  
19 from filling any vacant state classified civil service positions. This  
20 hiring freeze does not apply to internal transfers of classified employ-  
21 ees from 1 position to another within a department.

22 (2) The state budget director shall grant exceptions to this hiring  
23 freeze when the state budget director believes that the hiring freeze  
24 will result in rendering a state department or agency unable to deliver  
25 basic services, cause loss of revenue to the state, result in the inabil-  
26 ity of the state to receive federal funds, or would necessitate  
27 additional expenditures that exceed any savings from maintaining a

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1 vacancy. The state budget director shall report by the thirtieth of each  
2 month to the chairpersons of the senate and house subcommittees on appro-  
3 priations the number of exceptions to the hiring freeze approved during  
4 the previous month and the reasons to justify the exception.

5       Sec. 206. (1) The negative appropriation for budgetary savings in  
6 part 1 shall be satisfied by savings from the hiring freeze imposed in  
7 section 205 and, if necessary, by other savings identified by the depart-  
8 ment director and approved by the state budget director.

9       (2) Appropriation authorizations shall be adjusted after the  
10 approval of transfers by the legislature under section 393(2) of the man-  
11 agement and budget act, 1984 PA 431, MCL 18.1393.

12       Sec. 207. (1) In addition to the funds appropriated in part 1,  
13 there is appropriated an amount not to exceed \$20,000,000.00 for federal  
14 contingency funds. These funds are not available for expenditure until  
15 they have been transferred to another line item in this act under  
16 section 393(2) of the management and budget act, 1984 PA 431,  
17 MCL 18.1393.

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

24       (3) In addition to the funds appropriated in part 1, there is appro-  
25 priated an amount not to exceed \$250,000.00 for local contingency funds.  
26 These funds are not available for expenditure until they have been

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1 transferred to another line item in this act under section 393(2) of the  
2 management and budget act, 1984 PA 431, MCL 18.1393.

3 (4) In addition to the funds appropriated in part 1, there is appro-  
4 priated an amount not to exceed \$3,000,000.00 for private contingency  
5 funds. These funds are not available for expenditure until they have  
6 been transferred to another line item in this act under section 393(2) of  
7 the management and budget act, 1984 PA 431, MCL 18.1393.

8 Sec. 208. At least 60 days before beginning any effort to privati-  
9 ze, the department shall submit a complete project plan to the appropri-  
10 ate senate and house of representatives appropriations subcommittees and  
11 the senate and house fiscal agencies. The plan shall include the cri-  
12 teria under which the privatization initiative will be evaluated. The  
13 evaluation shall be completed and submitted to the appropriate senate and  
14 house of representatives appropriations subcommittees and the senate and  
15 house fiscal agencies within 30 months.

16 Sec. 209. Unless otherwise specified, the department shall continue  
17 to pilot the use of the Internet to fulfill the reporting requirements of  
18 this act. This may include transmission of reports via electronic mail  
19 to the recipients identified for each reporting requirement or it may  
20 include placement of reports on the Internet or Intranet site. Quarterly  
21 the department shall provide to the appropriations subcommittee members,  
22 the state budget office, and the house and senate fiscal agencies an  
23 electronic and paper copy listing the reports submitted during the most  
24 recent 3-month period along with the Internet or Intranet site of each  
25 report, if any.

26 Sec. 210. Funds appropriated in part 1 should not be used for the  
27 purchase of foreign goods or services, or both, if competitively priced



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1 and of comparable quality American goods or services, or both, are  
2 available. Preference should be given to goods and services, or both,  
3 manufactured or provided by Michigan businesses if they are competitively  
4 priced and of comparable value.

5       Sec. 211. The director of each department receiving appropriations  
6 in part 1 shall take all reasonable steps to ensure businesses in  
7 deprived and depressed communities compete for and perform contracts to  
8 provide services or supplies, or both. Each director shall strongly  
9 encourage firms with which the department contracts to subcontract with  
10 certified businesses in depressed and deprived communities for services,  
11 supplies, or both.

12       Sec. 212. The department may carry into the succeeding fiscal year  
13 unexpended federal pass-through funds to local institutions and govern-  
14 ments that do not require additional state matching funds. Federal  
15 pass-through funds to local institutions and governments that are  
16 received in amounts in addition to those included in part 1 and that do  
17 not require additional state matching funds are appropriated for the pur-  
18 poses intended.

19       Sec. 213. The department shall provide the state budget director  
20 and the senate and house fiscal agencies with copies of the state board  
21 of education agenda and all supporting documents at the time the agenda  
22 and supporting documents are provided to state board of education  
23 members.

24       Sec. 214. Money in the school loan exception fee fund that is unex-  
25 pended at the end of the fiscal year shall not revert to the general fund  
26 but shall be carried over to the succeeding fiscal year.

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1       Sec. 215. (1) From the amount appropriated in part 1 for the office  
2 for safe schools, the department is allocated an amount not to exceed  
3 \$200,000.00 to continue the office for safe schools within the  
4 department. The office for safe schools shall work with local school  
5 boards, law enforcement agencies, community leaders, and the office of  
6 drug control policy for the prevention of school violence. The office  
7 for safe schools shall develop and implement, and serve as coordinator  
8 of, a statewide clearinghouse for information, program development, model  
9 programs and policies, and technical assistance on school violence  
10 prevention.

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

13       (a) Evaluate the effectiveness of, and make recommendations to local  
14 school boards concerning, public school violence prevention programs,  
15 including, but not limited to, programs aimed at reducing the possession  
16 of weapons and the incidence of other violent behaviors on school cam-  
17 puses, violence prevention curricula, conflict resolution and peer media-  
18 tion training, interagency cooperative referral and treatment programs,  
19 parental involvement programs, and school safety planning.

20       (b) In consultation with appropriate organizations, develop and dis-  
21 tribute to school districts and public school academies a model code of  
22 conduct for pupils.

23       (c) Coordinate with the office of drug control policy in the depart-  
24 ment of community health to ensure that there is a meaningful linkage  
25 between the efforts under this act to provide safe schools and the ini-  
26 tiatives undertaken through that office, including, but not limited to,

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1 school districts' safe and drug-free school plans, and to facilitate  
2 timely applications for and distribution of available grant money.

3 (d) Provide through the Internet the availability to and information  
4 regarding the state model policy on locker searches, the state model  
5 policy on firearm safety and awareness, and any other state or local  
6 safety policies that the office considers exemplary.

7 (e) Work in collaboration with the department of state police in  
8 establishing a toll-free school violence hotline.

9 (f) From the funds appropriated in part 1 for safe schools opera-  
10 tions, the department shall expend at least \$50,000.00 to advertise the  
11 toll-free school violence hotline.

12 Sec. 216. The department shall require all public school districts  
13 to maintain complete records within the personnel file of a teacher or  
14 school employee of any disciplinary actions taken by the local school  
15 board against the teacher or employee for sexual misconduct. The records  
16 shall not be destroyed or removed from the teacher's or employee's per-  
17 sonnel file except as required by a court order.

18 Sec. 217. For fiscal year 2001-2002, the department shall contract  
19 with and provide administration for the same local sponsors that partici-  
20 pated in the emergency food assistance program under an agreement that  
21 was agreed to by the department for fiscal year 1999-2000, unless the  
22 local sponsor elects not to participate in the program.

23 Sec. 218. (1) The department of management and budget and each  
24 principal executive department and agency shall provide to the senate and  
25 house of representatives standing committees on appropriations and the  
26 senate and house fiscal agencies a monthly report on all personal service

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1 contracts awarded without competitive bidding, pricing, or rate-setting.

2 The notification shall include all of the following:

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

4 (b) The duration of the contract.

5 (c) The name of the vendor.

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

7 (2) For personal service contracts of \$100,000.00 or more, the

8 department of management and budget shall provide a monthly report

9 including all of the following:

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

11 (b) The duration of the contract.

12 (c) The name of the vendor.

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

14 (3) The department of management and budget shall provide a monthly

15 listing of all bid requests or requests for proposal that were issued.

16 (4) Each principal executive department and agency shall provide a

17 monthly summary listing of information that identifies any authorization

18 for personal service contracts that are provided to the department of

19 civil service pursuant to delegated authority granted to each principal

20 executive department and agency related to personal service contracts.

21 Sec. 219. From the funds appropriated in part 1, the department

22 shall establish a position of school health services consultant, to be

23 filled by a certified school nurse or an individual with comparable edu-

24 cation and experience.

25 Sec. 221. Any funds appropriated for the fiscal year 1999-2000

26 under section 94a of the school aid act of 1979, 2000 PA 297,

27 MCL 388.1694a, that are carried forward to the fiscal year 2000-2001

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1 shall be used to reimburse school districts for implementation of the  
2 database for educational performance and information at \$2.50 per  
3 student.

4 Sec. 222. By February 15, 2002, the department shall provide the  
5 state budget director, the subcommittees on department of education of  
6 the house and senate appropriations committees, and the senate and house  
7 fiscal agencies with an annual report on restricted fund balances,  
8 projected revenues, and expenditures for the fiscal years ending  
9 September 30, 2001 and September 30, 2002.

10 **STATE BOARD/OFFICE OF THE SUPERINTENDENT**

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

18 (a) State board of education - president..... \$ 110.00 per day

19 (b) State board of education - member other than  
20 president..... \$ 100.00 per day

21 (c) State tenure commission - member..... \$ 50.00 per day

22 (2) A state board of education member shall not be paid a per diem  
23 for more than 30 days per year.

24 (3) The administrative secretary of the state board of education  
25 shall report to the public, the senate and house fiscal agencies, and the

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1 state budget director the previous quarter's expenses by fund source for  
2 members of the state board of education related to the performance of  
3 their responsibilities.

4 Sec. 302. From the amount appropriated in part 1 to the state board  
5 of education, not more than \$35,000.00 shall be expended for travel.

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

7 Sec. 401. The employees at the Michigan schools for the deaf and  
8 blind who work on a school year basis shall be considered annual employ-  
9 ees for purposes of service credits, retirement, and insurance benefits.

10 Sec. 402. For each student enrolled at the Michigan schools for the  
11 deaf and blind, the department shall assess the intermediate school dis-  
12 trict of residence 100% of the cost of operating the student's instruc-  
13 tional program. The amount shall exclude room and board related costs  
14 and the cost of weekend transportation between the school and the  
15 student's home.

16 Sec. 403. (1) The department may assess rent to any state agency  
17 for the use of any facility at the Michigan school for the blind's former  
18 site in Lansing. The rental rates and all leasing arrangements shall be  
19 subject to the approval of the department of management and budget.

20 (2) In addition to those funds appropriated in part 1, the depart-  
21 ment may receive and expend additional funds from lease agreements at the  
22 Michigan school for the blind's former site in Lansing that have been  
23 negotiated with the approval of the department of management and budget.  
24 These funds are appropriated to the department for operation,  
25 maintenance, and renovation expenses associated with the leased space.

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1       (3) The department shall not rent, lease, or declare as surplus  
2 property the superintendent's house on the Michigan school for the  
3 blind's former site without prior consent from the house and senate  
4 appropriations subcommittees on education. Amounts received under  
5 section 107 for general services may be expended by the department for  
6 operation, maintenance, and renovation expenses associated with the  
7 superintendent's house.

8       (4) Security guards or other patrols at the Michigan school for the  
9 blind's former site shall not be funded through section 108 funds appro-  
10 priated for the Michigan schools for the deaf and blind.

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

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

18       (7) The unexpended balances of appropriations and any surplus  
19 restricted revenue for the former school for the blind site in Lansing  
20 shall not lapse to the state general fund at the end of the fiscal year.  
21 Any unexpended and unencumbered funds remaining on September 30, 2002,  
22 shall be carried forward as a work project or as restricted revenue and  
23 expended for special maintenance and repairs of facilities at the former  
24 Michigan school for the blind site in Lansing. The work project shall be  
25 performed by state employees or by contract when necessary at an esti-  
26 mated cost of \$100,000.00. The estimated completion date of the work  
27 project is September 30, 2003.

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1       (8) The department shall request the department of civil service to  
2 conduct a review of all positions within the Michigan schools for the  
3 deaf and blind and consider any appropriate reclassifications.

4       Sec. 404. (1) The department may assess rent or lease excess prop-  
5 erty located on the campus of the Michigan schools for the deaf and blind  
6 in Flint to private or publicly funded organizations.

7       (2) In addition to those funds appropriated in part 1, the depart-  
8 ment may receive and expend additional funds from lease agreements at the  
9 Michigan schools for the deaf and blind Flint campus that have been nego-  
10 tiated with the approval of the department of management and budget.  
11 These funds are appropriated to the department for the operation, mainte-  
12 nance, and renovation expenses associated with the leased space.

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

16       (4) The unexpended balances of appropriations for school for deaf  
17 and blind operations, and from proceeds of the sale of surplus property  
18 and facilities at the Michigan schools for the deaf and blind shall not  
19 lapse to the state general fund at the end of the fiscal year. Any unex-  
20 pended and unencumbered funds remaining on September 30, 2002, shall be  
21 carried forward as a work project or as restricted revenue and expended  
22 for special maintenance and repairs of facilities at the campus of the  
23 Michigan schools for the deaf and blind in Flint. The work shall be car-  
24 ried out by state employees, or by contract as necessary, at an estimated  
25 cost of \$250,000.00. The estimated completion date of the work is  
26 September 30, 2003.



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1       Sec. 405. The department may assist the department of community  
2 health, other departments, and local school districts to secure  
3 reimbursement for eligible services provided in Michigan schools from the  
4 federal Medicaid program. The department may submit reports of direct  
5 expenses related to this effort to the department of community health for  
6 reimbursement.

7       Sec. 406. (1) The Michigan schools for the deaf and blind may pro-  
8 mote its residential program as a possible appropriate option for chil-  
9 dren who are deaf or hard of hearing or who are blind or visually  
10 impaired. The Michigan schools for the deaf and blind shall distribute  
11 information detailing its services to all intermediate school districts  
12 in the state.

13       (2) Upon knowledge of or recognition by an intermediate school dis-  
14 trict that a child in the district is deaf or hard of hearing or blind or  
15 visually impaired, the intermediate school district shall provide to the  
16 parents of the child the literature distributed by the Michigan schools  
17 for the deaf and blind to intermediate school districts under  
18 subsection (1).

19       (3) It is the intent of the legislature that parents continue to  
20 have a choice regarding the educational placement of their deaf or hard  
21 of hearing children.

22       Sec. 407. The department shall report to the house and senate  
23 appropriations subcommittees on education detailed information on the  
24 expenditures made from the amount authorized in part 1 quarterly for gen-  
25 eral services for the Michigan school for the blind's former site.

26       Sec. 408. In addition to those funds appropriated in part 1, the  
27 department may receive and expend funds from the mid-Michigan academy for

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1 capital improvements. These additional funds are appropriated  
2 specifically for capital improvements authorized by the department of  
3 management and budget and shall be negotiated as part of the lease  
4 agreement. The department shall report such expenditures to the house  
5 and senate fiscal agencies quarterly.

### 6 PROFESSIONAL PREPARATION SERVICES

7 Sec. 501. From the funds appropriated in part 1 for professional  
8 preparation services, the department shall maintain the professional per-  
9 sonnel register and certificate revocation/felony conviction files.

10 Sec. 502. The department shall authorize teacher preparation insti-  
11 tutions to provide an alternative program by which up to 1/2 of the  
12 required student internship or student teaching credits may be earned  
13 through substitute teaching. The department shall require that teacher  
14 preparation institutions collaborate with school districts to ensure that  
15 the quality of instruction provided to student teachers is comparable to  
16 that required in a traditional student teaching program.

### 17 EDUCATION OPTIONS, CHARTERS, AND CHOICE

18 Sec. 601. (1) From the amount appropriated in part 1 for education  
19 options, charters, and choice, there is allocated \$350,000.00 and 3.5 FTE  
20 positions to operate a charter school office to administer charter school  
21 legislation and associated regulations, and to coordinate the activities  
22 of the department relating to charter schools.

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1       (2) From the amount appropriated in part 1 for education options,  
2 charters, and choice, there is allocated up to \$250,000.00 to fund an  
3 exchange program between teachers in Michigan school districts and teach-  
4 ers in Michigan's sister state of Shiga in Japan.

5       (3) If an audit finds that a public school district has signifi-  
6 cantly misrepresented its enrollment membership or financial data to the  
7 department, its funding shall be withheld and the public school district  
8 shall be required to reimburse the state any appropriations made as a  
9 result of the misrepresentations.

**10 GRANTS AND DISTRIBUTIONS**

11       Sec. 701. The department shall disburse the funds to a general fund  
12 grantee in accordance with the same standards of timing and amount that  
13 apply to disbursements made by the department to a federal fund grantee.  
14 The disbursement shall be restricted to the minimum amount needed for  
15 immediate disbursement by the grantee. The department may waive this  
16 section if extenuating circumstances warrant and are substantiated in the  
17 grantee's application or other appropriate documentation. A waiver  
18 granted pursuant to this section shall not be effective until 15 days  
19 after written notice of the proposed waiver is given to the state budget  
20 director and the chairpersons of the senate and house appropriations sub-  
21 committees having jurisdiction over the department budget.

22       Sec. 702. The funds appropriated in part 1 for school breakfast  
23 programs shall be made available to all eligible applicant public school  
24 districts and public school academies as follows:

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1 (a) The public school district or public school academy participates  
2 in the federal school breakfast program and meets all standards as  
3 prescribed by 7 C.F.R. parts 220 and 245.

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

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

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

18 Sec. 703. (1) The funds appropriated in part 1 for school readiness  
19 programs shall be made available through a competitive application pro-  
20 cess as follows:

21 (a) An applicant may be any public or private nonprofit legal entity  
22 or agency other than a local or intermediate school district except a  
23 local or intermediate school district acting as a fiscal agent for a  
24 child caring organization regulated under 1973 PA 116, MCL 722.111 to  
25 722.128.

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

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1 (c) Applications shall be reviewed by a diverse interagency  
2 committee composed of representatives of the department, appropriate com-  
3 munity, volunteer, and social service agencies and organizations, and  
4 parents.

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

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

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

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

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

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

24 (vi) The extent to which these funds will be targeted to children  
25 who will be at least 4, but less than 5, years of age as of December 1 of  
26 the year in which the programs are offered and who show evidence of 2 or  
27 more "at-risk" factors as defined in the state board of education report

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1 entitled, "children at risk" that was adopted by the state board on  
2 April 5, 1988.

3 (e) Whether the application contains a comprehensive evaluation plan  
4 that includes implementation of all program components required and an  
5 assessment of the gains of children participating in an early childhood  
6 development program.

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

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

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

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

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

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

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

26 (g) More than 50% of the children participating in the program shall  
27 meet the income eligibility criteria for free or reduced price lunch, as

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1 determined under the national school lunch act, chapter 281, 60  
2 Stat. 230, 42 U.S.C. 1751 to 1753, 1755 to 1761, 1762a, 1765 to 1766b,  
3 and 1769 to 1769h, or meet income and all other eligibility criteria for  
4 participation in the Michigan family independence agency unified child  
5 day care program.

6 (2) Grant awards by the superintendent of public instruction may be  
7 at whatever level the superintendent determines appropriate. A grant,  
8 when combined with other sources of state revenue for this program, shall  
9 not exceed \$3,300.00 per child or the cost of the program, whichever is  
10 less.

11 (3) Except as otherwise provided, an applicant that receives a  
12 2001-2002 grant under this section shall also receive priority for fiscal  
13 years 2002-2003 and 2003-2004 funding. However, after 3 fiscal years of  
14 continuous funding, an applicant will be required to compete openly with  
15 new programs and other programs completing their third year. All grant  
16 awards are contingent on the availability of funds and documented evi-  
17 dence of grantee compliance with standards for early childhood develop-  
18 ment consistent with programs for 4-year-olds, as approved by the state  
19 board of education, and with all operational, fiscal, administrative, and  
20 other program requirements. A program which offers supplementary day  
21 care and thereby offers full-day programs as part of its early childhood  
22 development program shall receive priority in the allocation of competi-  
23 tive funds.

24 Sec. 704. (1) The reading plan for Michigan (RPM) is a series of  
25 elementary education strategies created for the purpose of improving  
26 reading skills of K-3 students so that all students are reading at an  
27 appropriate grade level prior to the start of the fourth grade. The RPM

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1 shall be developed by the department in consultation with the RPM  
2 advisory council as created by Executive Order 1998-4.

3 (2) Not later than November 15, 2001, the department shall submit a  
4 report to the governor, the legislature, the state budget director, and  
5 the senate and house fiscal agencies on their progress in achieving the  
6 goals of the RPM. The report shall include detailed results of each RPM  
7 strategy as implemented, as well as an assessment of the state's overall  
8 progress towards having every student read at an appropriate grade level  
9 by the start of fourth grade, the impact of early intervention services  
10 on special education referrals, and the end of social promotion.

11 Sec. 705. From the funds appropriated in part 1 for national board  
12 certification, the department shall pay 1/2 of the application fee for  
13 teachers who are deemed by the department by March 1, 2000, to be quali-  
14 fied to apply to the national board for professional teaching standards  
15 for professional teaching certificates or licenses and to provide grants  
16 to recognize and reward teachers who receive certification or licensure.

17 Sec. 706. (1) From the \$400,000.00 appropriated in part 1 of 2000  
18 PA 263 for innovative program demonstration grants, \$200,000.00 shall be  
19 used for the fiscal year 2000-2001 and the remaining \$200,000.00 for the  
20 fiscal year 2001-2002. The balance of the \$400,000.00 not expended in  
21 fiscal year 2000-2001 shall not revert to the general fund but continue  
22 to be available in fiscal year 2001-2002 for the awarding of grants under  
23 this section. The department may use up to 4% of the funds appropriated  
24 for this section for administration of the innovative program demonstra-  
25 tion grants awarded under this section. The department shall use the  
26 balance of the appropriation to provide grants to local school districts



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1 and intermediate school districts to develop the following innovative  
2 programs:

3 (a) School safety programs to examine creative ways to ensure safe  
4 schools in this state. The measures the program should examine include,  
5 but are not limited to, school uniforms, identification tags for staff,  
6 students, and volunteers, a school safety hotline, and the use of a  
7 school resource officer.

8 (b) Parental involvement programs to explore ways to increase paren-  
9 tal and community involvement in schools. A funded program should focus  
10 on developing ways to utilize parents and community members as volunteers  
11 in the schools, increasing parent and teacher attendance at  
12 parent/teacher conferences, and provide training to teachers and adminis-  
13 trators on utilizing parents as a valuable resource.

14 (c) Expanding curriculum programs to identify additions to the  
15 curriculum. A program shall have the approval of the local school board  
16 before applying for a grant. Programs such as stress management, con-  
17 flict resolution, and character education are areas that can be included  
18 in a proposal under this subdivision and should be targeted at each grade  
19 level. A program can also look at parent/student/school contracts and  
20 should include expanding or implementing a gifted and talented program or  
21 hiring a resource coordinator for existing gifted and talented programs.

22 (2) The following are the primary goals for the innovative programs  
23 development grants:

24 (a) To provide the means for schools to experiment with new and  
25 innovative programs to improve school safety, parental involvement, and  
26 curriculum development.

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1 (b) To demonstrate the value of the programs to justify continued  
2 local funding once the grant program has ended.

3 (c) To increase parental and community involvement in their  
4 schools.

5 (d) To share information between the schools regarding successful  
6 innovative programs. This should include the posting of the information  
7 on the school's and department's website.

8 (3) The department shall use the following criteria in determining  
9 the awarding of grants under this section:

10 (a) The state shall be divided into 5 regions to ensure equality of  
11 funding. Each region shall receive at least 1 grant in each of the pro-  
12 gram areas.

13 (b) Although a school may apply for funding under all 3 program  
14 areas, it can be awarded grant funds in only 1 of the program areas.

15 (c) A program shall be funded for 2 years.

16 (d) Although the focus of the programs should be on new programs, it  
17 may include innovative programs already in place.

18 (e) Each program shall receive \$10,000.00 for each fiscal year.

19 (f) Of the \$200,000.00 appropriated each fiscal year, \$10,000.00  
20 each fiscal year shall be earmarked for each of the 5 regions for the  
21 development of parental involvement programs. These funds shall be used  
22 to hire a volunteer coordinator.

23 (g) Any other criteria the department considers necessary to imple-  
24 ment this section.

25 (4) No later than September 30, 2002, a district receiving funding  
26 under this section shall report to the department on the results achieved

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1 by each innovative program. The report filed under this subsection shall  
2 include all of the following for each program:

3 (a) A description of the program and what steps were taken to imple-  
4 ment the program.

5 (b) Any statistical data available before and after the funding  
6 period regarding the target area of the program.

7 (c) An analysis of the effectiveness of each program component.

8 (d) An analysis of the overall impact the program had on the stu-  
9 dents, school, community, and parents.

10 (e) The decision and reasoning as to why the program will be either  
11 continued or terminated after grant funding has ended.

12 (5) No later than November 29, 2002, the department shall compile  
13 the information received under subsection (3) and submit a report to the  
14 house and senate standing committees on education, the house and senate  
15 appropriations subcommittees on the department of education, the house  
16 and senate fiscal agencies, the state budget director, and the state  
17 board of education. The reports shall be posted on the department's  
18 website.

19 Sec. 707. The department shall require the application of a dis-  
20 trict or intermediate school district applying for new federal, state, or  
21 local funding for birth to age 5 programs to be in agreement with the  
22 comprehensive community plan created to meet the application requirements  
23 of section 32b of the state school aid act of 1979, 1979 PA 94,  
24 MCL 388.1832b.

[Sec. 708. Any unexpended funds appropriated in fiscal year 2001  
for the autism teacher certification program at Grand Valley State  
University shall not revert back to the general fund. The department  
shall carry forward any remaining funds to the succeeding fiscal year.]

**1 INNOVATIVE CURRICULUM DEVELOPMENT GRANT PROGRAM**

2       Sec. 801. The house and senate appropriations subcommittees for the  
3 department of education shall continue to review the findings of the  
4 innovative curriculum development grant program which awarded grants  
5 under 2000 PA 263 to organizations that promoted systemic reform in the  
6 areas of curriculum development, pilot alternative education programs,  
7 civic education, special education, teacher certification, math and  
8 science education, and other innovative programs.

**9 TECHNOLOGY AND INFORMATION SERVICES**

10       Sec. 901. The Michigan school report shall be posted on the  
11 department's website.

12       Sec. 902. In accordance with Executive Order No. 2000-9, the  
13 department shall support and coordinate with the center for educational  
14 performance and information on the development of a comprehensive educa-  
15 tional information system.