

**SENATE 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

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amounts listed in this part are appropriated for the department of education for the fiscal year ending September 30, 2002, from the funds

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indicated in this part. The following is a summary of the appropriations in this part:

6

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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.....	455.0	
5	GROSS APPROPRIATION.....	\$	997,275,100
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.....	\$	996,757,100
12	Federal revenues:		
13	Total federal revenues.....		942,251,200
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	Gifts, bequests, and donations.....		484,200
19	Private foundations.....		197,200
20	Total private revenues.....		681,400
21	Total local and private revenues.....		5,571,000
22	Certification fees.....		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	School loan exception fees.....	64,200
3	Student insurance revenue.....	205,100
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..... \$	34,898,900
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..... \$	19,300
12	Unclassified positions--6.0 FTE positions.....	515,500
13	State board/ superintendent operations--14.0 FTE	
14	positions.....	<u>2,065,200</u>
15	GROSS APPROPRIATION..... \$	2,600,000
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..... \$	2,000,900
22	<b>Sec. 103. CENTRAL SUPPORT</b>	
23	Full-time equated classified positions.....45.2	
24	Central support--45.2 FTE positions..... \$	5,849,700
25	Worker's compensation.....	100,900
26	Education commission of the states.....	99,200

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1	Building occupancy charges - property management	
2	services.....	1,301,900
3	Training and orientation workshops.....	100,000
4	Terminal leave payments.....	<u>440,400</u>
5	GROSS APPROPRIATION.....	\$ 7,892,100
6	Appropriated from:	
7	Federal revenues:	
8	Federal revenues.....	4,433,200
9	Special revenue funds:	
10	Certification fees.....	171,400
11	Commodity distribution fees.....	5,500
12	Driver fees.....	22,600
13	Local cost sharing.....	60,800
14	Motorcycle license fees.....	4,400
15	Safety education fund.....	2,500
16	School loan exception fees.....	64,200
17	Teacher testing fees.....	9,800
18	Training and orientation workshop fees.....	100,000
19	State general fund/general purpose.....	\$ 3,017,700
20	<b>Sec. 104. SCHOOL SUPPORT SERVICES</b>	
21	Full-time equated classified positions.....41.4	
22	School support operations--41.4 FTE positions.....	\$ <u>5,002,600</u>
23	GROSS APPROPRIATION.....	\$ 5,002,600
24	Appropriated from:	
25	Federal revenues:	
26	Federal revenues.....	3,977,600

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1	Special revenue funds:	
2	Commodity distribution fees.....	44,300
3	Driver fees.....	495,900
4	Motorcycle license fees.....	139,100
5	Safety education fund.....	117,700
6	State general fund/general purpose..... \$	228,000
7	<b>Sec. 105. INFORMATION TECHNOLOGY SERVICES</b>	
8	Full-time equated classified positions.....37.2	
9	Information technology operations--37.2 FTE positions \$	<u>5,241,800</u>
10	GROSS APPROPRIATION..... \$	5,241,800
11	Appropriated from:	
12	Federal revenues:	
13	Federal revenues.....	2,811,000
14	Special revenue funds:	
15	Certification fees.....	261,700
16	Driver fees.....	10,600
17	State general fund/general purpose..... \$	2,158,500
18	<b>Sec. 106. SPECIAL EDUCATION SERVICES</b>	
19	Full-time equated classified positions.....68.6	
20	Special education operations--68.6 FTE positions..... \$	<u>7,405,700</u>
21	GROSS APPROPRIATION..... \$	7,405,700
22	Appropriated from:	
23	Federal revenues:	
24	Federal revenues.....	7,090,200
25	Special revenue funds:	
26	Certification fees.....	35,200

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1	State general fund/general purpose.....	\$	280,300
2	<b>Sec. 107. LANSING, MICHIGAN SCHOOL FOR THE BLIND FORMER SITE</b>		
3	General services.....	\$	<u>1,267,000</u>
4	GROSS APPROPRIATION.....	\$	1,267,000
5	Appropriated from:		
6	Interdepartmental grant revenues:		
7	Interdepartmental grant from corrections academy		
8	lease.....		518,000
9	Special revenue funds:		
10	Gifts, bequests, and donations.....		10,000
11	Lansing, Michigan school for the blind rent.....		739,000
12	State general fund/general purpose.....	\$	0
13	<b>Sec. 107. MICHIGAN SCHOOLS FOR THE DEAF AND BLIND</b>		
14	Full-time equated classified positions.....96.0		
15	Michigan schools for the deaf and blind		
16	operations--95.0 FTE positions.....	\$	9,577,700
17	Technical resource and reproduction center.....		1,250,000
18	Summer institute.....		312,000
19	Camp Tuhsmeheeta--1.0 FTE position.....		250,100
20	Private gifts - blind.....		90,000
21	Private gifts - deaf.....		<u>50,000</u>
22	GROSS APPROPRIATION.....	\$	11,529,800
23	Appropriated from:		
24	Federal revenues:		
25	Federal revenues.....		2,146,400
26	Special revenue funds:		

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1	Local cost sharing (schools for blind/deaf).....	4,576,200
2	Local school district service fees.....	252,600
3	Gifts, bequests, and donations.....	474,200
4	Student insurance revenue.....	205,100
5	State general fund/general purpose..... \$	3,875,300
6	<b>Sec. 108. PROFESSIONAL PREPARATION SERVICES</b>	
7	Full-time equated classified positions.....26.5	
8	Professional preparation operations--26.5 FTE	
9	positions..... \$	2,736,300
10	Teacher quality enhancement.....	1,000
11	Department of attorney general.....	<u>50,000</u>
12	GROSS APPROPRIATION..... \$	2,787,300
13	Appropriated from:	
14	Federal revenues:	
15	Federal revenues.....	224,600
16	Special revenue funds:	
17	Certification fees.....	2,294,400
18	Teacher testing fees.....	268,300
19	State general fund/general purpose..... \$	0
20	<b>Sec. 109. FIELD SERVICES</b>	
21	Full-time equated classified positions.....41.0	
22	Field services operations--41.0 FTE positions..... \$	<u>4,183,200</u>
23	GROSS APPROPRIATION..... \$	4,183,200
24	Appropriated from:	
25	Federal revenues:	
26	Federal revenues.....	3,747,600

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1	State general fund/general purpose.....	\$	435,600
2	<b>Sec. 110. OFFICE OF SCHOOL EXCELLENCE</b>		
3	Full-time equated classified positions.....	54.0	
4	School excellence operations--54.0 FTE positions.....	\$	<u>6,386,500</u>
5	GROSS APPROPRIATION.....	\$	6,386,500
6	Appropriated from:		
7	Federal revenues:		
8	Federal revenues.....		4,102,300
9	Private foundations.....		79,400
10	State general fund/general purpose.....	\$	2,204,800
11	<b>Sec. 111. GOVERNMENT SERVICES</b>		
12	Full-time equated classified positions.....	12.3	
13	Government services operations--12.3 FTE positions...	\$	<u>1,107,600</u>
14	GROSS APPROPRIATION.....	\$	1,107,600
15	Appropriated from:		
16	Federal revenues:		
17	Federal revenues.....		650,300
18	State general fund/general purpose.....	\$	457,300
19	<b>Sec. 112. SAFE SCHOOLS AND ADMINISTRATIVE LAW</b>		
20	Full-time equated classified positions.....	11.0	
21	Safe schools operations--2.0 FTE positions.....	\$	432,300
22	Administrative law operations--9.0 FTE positions.....		864,500
23	State tenure commission per diem.....		<u>11,000</u>
24	GROSS APPROPRIATION.....	\$	1,307,800
25	Appropriated from:		
26	Federal revenues:		



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1	Federal revenues.....	293,400
2	Special revenue funds:	
3	State general fund/general purpose..... \$	1,014,400
4	<b>Sec. 113. EDUCATION OPTIONS, CHARTERS, AND CHOICE</b>	
5	Full-time equated classified positions.....7.8	
6	Education options operations--7.8 FTE positions..... \$	<u>1,633,800</u>
7	GROSS APPROPRIATION..... \$	1,633,800
8	Appropriated from:	
9	Federal revenues:	
10	Federal revenues.....	885,500
11	State general fund/general purpose..... \$	748,300
12	<b>Sec. 114. GRANTS AND DISTRIBUTIONS</b>	
13	FEDERAL PROGRAMS:	
14	Acquired immunodeficiency syndrome education grants.. \$	600,000
15	At-risk child care.....	976,000
16	Class size reduction grants.....	50,275,700
17	Drug-free schools grant.....	16,758,400
18	Eisenhower mathematics and science grants.....	12,940,000
19	Emergency immigrant.....	1,455,000
20	Goals 2000 grants.....	17,082,200
21	Handicapped infants and toddlers.....	16,000,000
22	Homeless children and youth.....	1,041,000
23	Michigan charter school subgrant program.....	9,000,000
24	Michigan model partnership for character education...	247,600
25	Preschool grants (PL 94-142).....	13,500,000
26	Refugee children school impact grant.....	950,000

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1	School-age child care grants.....	857,500
2	School lunch program-federal share.....	256,725,000
3	Serve America grants.....	840,000
4	Special education.....	29,214,800
5	Surplus commodity.....	2,506,000
6	Technology literacy challenge grants.....	17,784,300
7	Title I, comprehensive school reform.....	5,889,200
8	Title I, disadvantaged children.....	346,000,000
9	Title I, even start.....	5,500,000
10	Title I, migrant.....	12,000,000
11	Title VI, innovative strategies.....	13,480,900
12	Unspecified federal grants.....	1,000
13	Urgent school renovation.....	45,688,400
14	STATE PROGRAMS:	
15	Autism coordinated services..... \$	250,000
16	Christa McAuliffe grants.....	94,800
17	Driver education.....	7,600,000
18	Motorcycle safety education.....	1,200,000
19	National board certification.....	50,000
20	Off-road vehicle safety training grant.....	194,300
21	Reading plan for Michigan grants.....	34,000,000
22	School breakfast programs.....	5,327,900
23	School readiness grants.....	<u>12,899,900</u>
24	GROSS APPROPRIATION..... \$	938,929,900
25	Appropriated from:	
26	Federal revenues:	

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1	DAG-food and nutrition service, national school lunch	256,725,000
2	DAG-the emergency food assistance program.....	2,506,000
3	DED-OBEMLA, emergency immigrant education assistance.	1,455,000
4	DED-OESE, charter schools.....	9,000,000
5	DED-OESE, class size reduction.....	50,275,700
6	DED-OESE, drug-free schools and communities.....	16,758,400
7	DED-OESE, goals 2000.....	22,082,200
8	DED-OESE, Eisenhower mathematics and science	
9	administration.....	12,940,000
10	DED-OESE, reading excellence act.....	29,000,000
11	DED-OESE, technology literacy challenge fund.....	17,784,300
12	DED-OESE, title I, comprehensive school reform.....	5,031,900
13	DED-OESE, title I, disadvantaged children.....	346,000,000
14	DED-OESE, title I, even start.....	5,500,000
15	DED-OESE, title I, migrant education.....	12,000,000
16	DED-OESE, title VI, innovative strategies.....	13,480,900
17	DED-OESE, title X, comprehensive school reform.....	857,300
18	DED-OESE, title X, fund for improvement of education.	247,600
19	DED-OESE, urgent school renovation.....	45,688,400
20	DED-OSERS, handicapped infants and toddlers.....	16,000,000
21	DED-OSERS, handicapped preschool incentive grants....	13,500,000
22	DED-OSERS, handicapped program, individuals with dis-	
23	abilities act.....	29,214,800
24	DED-OVAE, homeless children and youth.....	1,041,000
25	HHS-ACF, at-risk child care.....	976,000
26	HHS-ACF, refugee children.....	950,000

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1	HHS-CDCP, AIDS education.....	600,000
2	HHS-ACF, dependent care block grant.....	857,500
3	Corporation for national and community service.....	840,000
4	Unspecified federal revenues.....	1,000
5	Special revenue funds:	
6	Certification fees.....	50,000
7	Driver fees.....	7,600,000
8	Motorcycle license fees.....	1,200,000
9	Safety education fund.....	194,300
10	Private foundations.....	94,800
11	State general fund/general purpose..... \$	18,477,800

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### PART 2

15

### PROVISIONS CONCERNING APPROPRIATIONS

#### 16 GENERAL SECTIONS

17 Sec. 201. Pursuant to section 30 of article IX of the state consti-  
18 tution of 1963, total state spending from state resources under part 1  
19 for fiscal year 2001-2002 is \$48,685,400.00 and state spending from state  
20 resources to be paid to local units of government for fiscal year  
21 2001-2002 is \$15,299,100.00. The itemized statement below identifies  
22 appropriations from which spending to units of local government will  
23 occur:

#### 24 GRANTS AND DISTRIBUTIONS

#### 25 STATE PROGRAMS:

26	Driver education..... \$	7,600,000
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1	School readiness grants.....	1,457,700
2	Motorcycle safety education.....	826,800
3	Off-road vehicle safety training grant.....	86,700
4	School lunch and breakfast.....	<u>5,327,900</u>
5	TOTAL..... \$	15,299,100

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

8       Sec. 203. As used in this act:

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

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

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

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

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

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

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

20       (h) "District" means a local school district as defined in section  
21 6 of the revised school code, 1976 PA 451, MCL 380.6, or a public school  
22 academy as defined in section 5 of the revised school code, 1976 PA 451,  
23 MCL 380.5.

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

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

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1 (k) "HHS-ACF" means the HHS administration for children and  
2 families.

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

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

6 Sec. 204. The department of civil service shall bill departments  
7 and agencies at the end of the first fiscal quarter for the 1% charge  
8 authorized by section 5 of article XI of the state constitution of 1963.  
9 Payments shall be made for the total amount of the billing by the end of  
10 the second fiscal quarter.

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

17 (2) The state budget director shall grant exceptions to this hiring  
18 freeze when the state budget director believes that the hiring freeze  
19 will result in rendering a state department or agency unable to deliver  
20 basic services, cause loss of revenue to the state, result in the inabil-  
21 ity of the state to receive federal funds, or would necessitate addi-  
22 tional expenditures that exceed any savings from maintaining a vacancy.  
23 The state budget director shall report by the thirtieth of each month to  
24 the chairpersons of the senate and house subcommittees on appropriations  
25 the number of exceptions to the hiring freeze approved during the previ-  
26 ous month and the reasons to justify the exception.

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1       Sec. 206. The departments and state agencies receiving  
2 appropriations under this act shall receive and retain copies of all  
3 reports funded from appropriations in part 1. The departments and state  
4 agencies shall follow federal and state guidelines for short-term and  
5 long-term retention of these reports and records.

6       Sec. 207. (1) In addition to the funds appropriated in part 1,  
7 there is appropriated an amount not to exceed \$20,000,000.00 for federal  
8 contingency funds. These funds are not available for expenditure until  
9 they have been transferred to another line item in this act under  
10 section 393(2) of the management and budget act, 1984 PA 431,  
11 MCL 18.1393. The funds appropriated under this subsection shall not be  
12 transferred to the unspecified federal grants line item.

13       (2) In addition to the funds appropriated in part 1, there is appro-  
14 priated an amount not to exceed \$100,000,000.00 for federal contingency  
15 funds. These funds are not available for expenditure until they have  
16 been transferred to unspecified federal grants under section 393(2) of  
17 the management and budget act, 1984 PA 431, MCL 18.1393. The purpose of  
18 this subsection is to appropriate federal contingency funds for antici-  
19 pated new federal grants that are not yet specifically identified.

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

26       (4) In addition to the funds appropriated in part 1, there is  
27 appropriated an amount not to exceed \$250,000.00 for local contingency

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

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

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

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



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1       Sec. 210. Funds appropriated in part 1 should not be used for the  
2 purchase of foreign goods or services, or both, if competitively priced  
3 and of comparable quality American goods or services, or both, are  
4 available. Preference should be given to goods and services, or both,  
5 manufactured or provided by Michigan businesses if they are competitively  
6 priced and of comparable value.

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

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

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

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1       Sec. 214. Money in the school loan exception fee fund that is  
2 unexpended at the end of the fiscal year shall not revert to the general  
3 fund but shall be carried over to the succeeding fiscal year.

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

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

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

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

26       (c) Coordinate with the office of drug control policy in the  
27 department of community health to ensure that there is a meaningful

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1 linkage between the efforts under this act to provide safe schools and  
2 the initiatives undertaken through that office, including, but not  
3 limited to, school districts' safe and drug-free school plans, and to  
4 facilitate timely applications for and distribution of available grant  
5 money.

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

10 (e) Work in collaboration with the department of state police in  
11 establishing a 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 may  
22 establish a special education quality assessment panel.

23 Sec. 222. By February 15, 2002, the department shall provide the  
24 state budget director, the subcommittees on department of education of  
25 the house and senate appropriations committees, and the senate and house  
26 fiscal agencies with an annual report on restricted fund balances,

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1 projected revenues, and expenditures for the fiscal years ending  
2 September 30, 2001 and September 30, 2002.

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

4       Sec. 301. (1) The appropriations in part 1 may be used for per diem  
5 payments to members of boards, committees, and commissions for each day's  
6 board, committee, or commission work at which a quorum is present; for  
7 attending a hearing as authorized by the respective board, committee, or  
8 commission; or for performing official business as authorized by the  
9 respective board, committee, or commission. The per diem payments shall  
10 be at a rate as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

24       (2) In addition to those funds appropriated in part 1, the depart-  
25 ment may receive and expend additional funds from lease agreements at the  
26 Michigan schools for the deaf and blind Flint campus that have been  
27 negotiated with the approval of the department of management and budget.

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1 These funds are appropriated to the department for the operation,  
2 maintenance, and renovation expenses associated with the leased space.

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

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

17 (5) The department shall request the department of civil service to  
18 conduct a review of all positions within the Michigan schools for the  
19 deaf and blind and consider any appropriate reclassifications.

20 Sec. 405. The department may assist the department of community  
21 health, other departments, and local school districts to secure reim-  
22 bursement for eligible services provided in Michigan schools from the  
23 federal Medicaid program. The department may submit reports of direct  
24 expenses related to this effort to the department of community health for  
25 reimbursement.

26 Sec. 406. (1) The Michigan schools for the deaf and blind may  
27 promote its residential program as a possible appropriate option for



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1 children who are deaf or hard of hearing or who are blind or visually  
2 impaired. The Michigan schools for the deaf and blind shall distribute  
3 information detailing its services to all intermediate school districts  
4 in the state.

5       (2) Upon knowledge of or recognition by an intermediate school dis-  
6 trict that a child in the district is deaf or hard of hearing or blind or  
7 visually impaired, the intermediate school district shall provide to the  
8 parents of the child the literature distributed by the Michigan schools  
9 for the deaf and blind to intermediate school districts under  
10 subsection (1).

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

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

18       Sec. 408. In addition to those funds appropriated in part 1, the  
19 department may receive and expend funds from the mid-Michigan academy for  
20 capital improvements. These additional funds are appropriated specifi-  
21 cally for capital improvements authorized by the department of management  
22 and budget and shall be negotiated as part of the lease agreement. The  
23 department shall report such expenditures to the house and senate fiscal  
24 agencies quarterly.

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**1 PROFESSIONAL PREPARATION SERVICES**

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

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

**12 EDUCATION OPTIONS, CHARTERS, AND CHOICE**

13       Sec. 601. (1) From the amount appropriated in part 1 for education  
14 options, charters, and choice, there is allocated \$350,000.00 to operate  
15 a charter public school academy office to administer charter public  
16 school academy legislation and associated regulations, and to coordinate  
17 the activities of the department relating to charter public school  
18 academies.

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

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**1 GRANTS AND DISTRIBUTIONS**

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

13       Sec. 702. The funds appropriated in part 1 for school breakfast  
14 programs shall be made available to all eligible applicant public school  
15 districts as follows:

16       (a) The public school district participates in the federal school  
17 breakfast program and meets all standards as prescribed by 7 C.F.R. parts  
18 220 and 245.

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

21       (c) The payment for a public school district is at a per meal rate  
22 equal to the lesser of the district's actual cost, or 100% of the cost of  
23 a breakfast served by an efficiently operated breakfast program as deter-  
24 mined by the department, less federal reimbursement, participant pay-  
25 ments, and other state reimbursement. Determination of efficient cost by  
26 the department shall be determined by using a statistical sampling of

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1 statewide and regional cost as reported in a manner approved by the  
2 department for the preceding school year.

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

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

9 (a) An applicant may be any public or private nonprofit legal entity  
10 or agency other than a local or intermediate school district except a  
11 local or intermediate school district acting as a fiscal agent for a  
12 child caring organization regulated under 1973 PA 116, MCL 722.111 to  
13 722.128.

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

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

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

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

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

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

4       (iv) Evidence of collaboration with the community of providers in  
5 early childhood development programs including documentation of the total  
6 number of children in the community who would meet the criteria estab-  
7 lished in subparagraph (vi), and who are being served by other providers,  
8 and the number of children who will remain unserved by other community  
9 early childhood programs if this program is funded.

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

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

18       (e) Whether the application contains a comprehensive evaluation plan  
19 that includes implementation of all program components required and an  
20 assessment of the gains of children participating in an early childhood  
21 development program.

22       (f) Applications shall provide for the establishment of a school  
23 readiness advisory committee that shall be involved in the planning and  
24 evaluation of the program and provides for the involvement of parents and  
25 appropriate community, volunteer, and social service agencies and  
26 organizations. There shall be on the committee at least 1 parent or  
27 guardian of a program participant for every 18 children enrolled in the

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1 program, with a minimum of 2 parent or guardian representatives. The  
2 committee shall do all of the following:

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

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

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

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

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

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

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

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

26 (3) Except as otherwise provided, an applicant that receives a  
27 2001-2002 grant under this section shall also receive priority for fiscal

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1 years 2002-2003 and 2003-2004 funding. However, after 3 fiscal years of  
2 continuous funding, an applicant will be required to compete openly with  
3 new programs and other programs completing their third year. All grant  
4 awards are contingent on the availability of funds and documented evi-  
5 dence of grantee compliance with standards for early childhood develop-  
6 ment consistent with programs for 4-year-olds, as approved by the state  
7 board of education, and with all operational, fiscal, administrative, and  
8 other program requirements. A program which offers supplementary day  
9 care and thereby offers full-day programs as part of its early childhood  
10 development program shall receive priority in the allocation of competi-  
11 tive funds.

12       Sec. 704. (1) The reading plan for Michigan (RPM) is a series of  
13 elementary education strategies created for the purpose of improving  
14 reading skills of K-3 students so that all students are reading at an  
15 appropriate grade level prior to the start of the fourth grade. The RPM  
16 shall be developed by the department in consultation with the RPM  
17 advisory council as created by Executive Order 1998-4.

18       (2) The RPM program may award federal reading program grants as  
19 allowable for the purposes of the RPM.

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

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1       Sec. 705. From the funds appropriated in part 1 for national board  
2 certification, the department shall pay 1/2 of the application fee for  
3 teachers who are deemed by the department by March 1, 2001, to be quali-  
4 fied to apply to the national board for professional teaching standards  
5 for professional teaching certificates or licenses and to provide grants  
6 to recognize and reward teachers who receive certification or licensure.

7       Sec. 706. (1) From the \$400,000.00 appropriated in part 1 of 2000  
8 PA 263 for innovative program demonstration grants, \$200,000.00 shall be  
9 used for the fiscal year 2000-2001 and the remaining \$200,000.00 for the  
10 fiscal year 2001-2002. The balance of the \$400,000.00 not expended in  
11 fiscal year 2000-2001 shall not revert to the general fund but continue  
12 to be available in fiscal year 2001-2002 for the awarding of grants under  
13 this section. The department may use up to 4% of the funds appropriated  
14 for this section for administration of the innovative program demonstra-  
15 tion grants awarded under this section. The department shall use the  
16 balance of the appropriation to provide grants to local school districts  
17 and intermediate school districts to develop the following innovative  
18 programs:

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

24       (b) Parental involvement programs to explore ways to increase paren-  
25 tal and community involvement in schools. A funded program should focus  
26 on developing ways to utilize parents and community members as volunteers  
27 in the schools, increasing parent and teacher attendance at



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1 parent/teacher conferences, and provide training to teachers and  
2 administrators on utilizing parents as a valuable resource.

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

11 (2) The following are the primary goals for the innovative programs  
12 development grants:

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

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

18 (c) To increase parental and community involvement in their  
19 schools.

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

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

25 (a) The state shall be divided into 5 regions to ensure equality of  
26 funding. Each region shall receive at least 1 grant in each of the  
27 program areas.

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

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

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

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

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

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

13 (4) No later than September 30, 2002, a district receiving funding  
14 under this section shall report to the department on the results achieved  
15 by each innovative program. The report filed under this subsection shall  
16 include all of the following for each program:

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

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

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

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

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

26 (5) No later than November 29, 2002, the department shall compile  
27 the information received under subsection (3) and submit a report to the

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1 house and senate standing committees on education, the house and senate  
2 appropriations subcommittees on the department of education, the house  
3 and senate fiscal agencies, the state budget director, and the state  
4 board of education. The reports shall be posted on the department's  
5 website.

6       Sec. 707. The department shall require the application of a dis-  
7 trict or intermediate school district applying for new state funding for  
8 birth to age 5 programs to be in agreement with the comprehensive commu-  
9 nity plan created to meet the application requirements of section 32b of  
10 the state school aid act of 1979, 1979 PA 94, MCL 388.1632b.

11       Sec. 708. Any unexpended funds appropriated in fiscal year 2001 for  
12 the autism teacher certification program at Grand Valley State University  
13 shall not revert back to the general fund. The department shall carry  
14 forward any remaining funds to the succeeding fiscal year. The depart-  
15 ment shall continue to work with Grand Valley State University to enhance  
16 its autism teacher certification program.

### **17 INNOVATIVE CURRICULUM DEVELOPMENT GRANT PROGRAM**

18       Sec. 801. The house and senate appropriations subcommittees for the  
19 department of education shall continue to review the findings of the  
20 innovative curriculum development grant program which awarded grants  
21 under 2000 PA 263 to organizations that promoted systemic reform in the  
22 areas of curriculum development, pilot alternative education programs,  
23 civic education, special education, teacher certification, math and  
24 science education, and other innovative programs.

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**1 TECHNOLOGY AND INFORMATION SERVICES**

**2**       Sec. 901. The Michigan school report shall be posted on the  
**3** department's website.

**4**       Sec. 902. In accordance with Executive Order No. 2000-9, the  
**5** department shall coordinate with the center for educational performance  
**6** and information on the development of a comprehensive educational infor-  
**7** mation system.