

Act No. 555
Public Acts of 2014
Approved by the Governor
January 15, 2015
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**STATE OF MICHIGAN
97TH LEGISLATURE
REGULAR SESSION OF 2014**

Introduced by Senators Pappageorge, Marleau, Kowall and Meekhof

ENROLLED SENATE BILL No. 423

AN ACT to amend 1976 PA 451, entitled “An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, intermediate school districts, and other public school entities; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, intermediate school districts, and other public school entities; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts,” (MCL 380.1 to 380.1852) by adding section 1281a.

The People of the State of Michigan enact:

Sec. 1281a. (1) The legislature finds and declares all of the following:

(a) Section 2 of article VIII of the state constitution of 1963 requires that “The legislature shall maintain and support a system of free public elementary and secondary schools as defined by law.”. That section further requires that “Every school district shall provide for the education of its pupils without discrimination as to religion, creed, race, color or national origin.”.

(b) Since at least 1970, this state has required the statewide assessment of educational progress in local public elementary and secondary schools under 1970 PA 38, MCL 388.1081 to 388.1086.

(c) In addition to long-standing state requirements, this state is also subject to various federal requirements with respect to elementary and secondary education, including the requirement that Michigan students be proficient and make adequate yearly progress as provided under title 20 of the United States Code.

(d) Under the state constitution of 1963, long-standing state law, and federal law, Michigan children have the right to a free, quality, equitable public education.

(2) The department of technology, management, and budget shall enter into a contract for a comprehensive statewide cost study to determine the sufficient resources per pupil to provide a public education that enables a pupil to demonstrate successful completion, in terms of proficiency, of all of the credit requirements of the Michigan merit standard under sections 1278a and 1278b. The department of technology, management, and budget shall also ensure that the study meets all of the following:

(a) Considers whether public resources being committed to public education are distributed in such a way that all children have an equal opportunity to succeed in school.

(b) Is conducted by a vendor who is qualified to conduct the study. The vendor must have proven experience in utilizing multiple national-level research approaches, including at least all of the following types of analysis: successful school district, professional judgment, and evidence-based. The vendor must have a proven ability to combine the data generated from these research approaches to assess at least all of the following:

(i) How strongly the identified data or costs are associated with achieving this state's student performance goals including, but not limited to, required proficiency in reading and mathematics, and whether this association is sufficient to establish a cause-and-effect relationship.

(ii) The degree to which the data or costs took into consideration efficiency and lowest possible cost of resource delivery.

(iii) The transparency and reliability of the data generated.

(iv) How well the data could be applied to recognize existing public school and pupil cost pressure differences.

(c) Includes at least all of the following:

(i) A determination of the educational resources and related expenditures that are required to provide a quality elementary and secondary education for each pupil in the public schools. The study shall include examining exemplary school districts that are high-performing and low-spending school districts. As part of the determination under this subparagraph, a review shall be conducted of school district efforts in support of public schools.

(ii) An examination of the potential utility of geographic cost-of-education indexing in this state.

(iii) An investigation of additional categories of funding that may be necessary to meet needs unique to schools and pupils, including, but not limited to, the following:

(A) Socioeconomic status.

(B) Limited English proficiency.

(C) Pupils with special education needs.

(D) Scarcity and density of population.

(E) Issues related to the rural, urban, or suburban nature of the school district.

(iv) An examination of the impact of food service costs, transportation costs, costs associated with community services, adult education costs, school building construction and maintenance and other capital costs, and debt service costs.

(v) A determination of the cost impact of pupil population growth and decline.

(3) Not later than 30 days after the completion of the study required under this section, the department of technology, management, and budget shall submit to the legislature, the governor, and the legislative auditor general a report containing a detailed summary of the findings from the study.

(4) The department of technology, management, and budget shall ensure that the study required under this section is completed within 1 year after the effective date of this section. The department of technology, management, and budget shall develop a request for proposals and award the contract required under this section in time for this deadline for completion of the study to be met and shall include this deadline in the request for proposals and in the contract.

Carol Morey Viventi

Secretary of the Senate

Ray E. Randall

Clerk of the House of Representatives

Approved

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Governor