

**THE STATE SCHOOL AID ACT OF 1979 (EXCERPT)**  
**Act 94 of 1979**

\*\*\*\*\* 388.1766c.amended THIS AMENDED SECTION IS EFFECTIVE OCTOBER 1, 2010 \*\*\*\*\*

**388.1766c.amended Basic instructional supplies; access; claims.**

Sec. 166c. (1) The board of a district or intermediate district shall develop and implement a policy addressing adequate access to basic instructional supplies. For the purposes of this section, the department shall develop and publish on its website a model policy.

(2) If a teacher or principal determines that he or she does not have adequate access to basic instructional supplies, he or she may file a claim with the principal of the school or superintendent of the district or intermediate district, as applicable, asserting the failure of the district or intermediate district to provide adequate access to basic instructional supplies, along with an explanation of the basis for making this assertion. The principal or superintendent, as applicable, shall attempt to resolve the problem at that level within a reasonable amount of time. If the teacher files a claim with a principal and determines that the principal has failed to resolve the problem, he or she may file a claim with the district or intermediate district superintendent. The principal or superintendent, as applicable, shall attempt to resolve the problem at that level within a reasonable amount of time. If the principal or teacher files a claim with a superintendent and determines that the superintendent has failed to resolve the problem, he or she may file a claim with the board of the district or intermediate district. The board of the district or intermediate district shall attempt to resolve the problem at that level within a reasonable amount of time. If the teacher or principal determines that the problem has not been resolved by the board, he or she may file a claim with the department asserting the failure of the district or intermediate district to provide adequate access to basic instructional supplies along with an explanation of the basis for making this assertion. However, if a teacher works in a school that has been placed under the supervision of the state school reform/redesign officer under section 1280c of the revised school code, MCL 380.1280c, then, instead of following the procedures under this subsection, the teacher may file a claim directly with the state school reform/redesign officer.

(3) Subject to subsection (4), if the department receives a claim under this section, the department shall contact the district or intermediate district in which the teacher or principal is employed to provide notification of the claim. Within 3 business days after receiving this notification, the district or intermediate district shall contact the department in order to resolve the problem. If the department is not satisfied with the response of the district or intermediate district, the department shall further investigate and may elect to take action.

(4) If the department does not have sufficient resources to address all claims under this section, the department may prioritize claims based on need.

(5) The board of a district or intermediate district shall ensure that a teacher or principal who files a claim with the department under this section is not subject to any adverse treatment for filing the claim.

(6) Failure of a district or intermediate district to meet the requirements of this section does not create a cause of action or constitute a breach of any legal duty in a civil action.

**History:** Add. 2009, Act 203, Imd. Eff. Jan. 4, 2010;—Am. 2010, Act 110, Eff. Oct. 1, 2010.