

# HOUSE BILL No. 5306

November 15, 1989, Introduced by Reps. DeMars, Keith, Scott, Wallace, DeBeaussaert, Stallworth, Law, Pitoniak, Kosteva, Gubow, Kilpatrick, Joe Young, Jr., Martin, Bennane, Alley, Maynard, Profit, Varga, Emerson, Jonker, Webb, London, Trim, Sparks, Ostling, Griffin, Hertel, Perry Bullard, Rocca, Murphy, Stopczynski, Nye, Hoffman, Munsell, Camp, Randall, Knight, Willis Bullard, Joe Young, Sr., Leland, Crandall and Pridnia and referred to the Committee on Education.

A bill to amend sections 5, 81, 131, 951, 955, and 1027 of Act No. 451 of the Public Acts of 1976, entitled as amended "The school code of 1976,"

section 5 as amended by Act No. 215 of the Public Acts of 1981 and section 951 as amended by Act No. 508 of the Public Acts of 1988, being sections 380.5, 380.81, 380.131, 380.951, 380.955, and 380.1027 of the Michigan Compiled Laws; to add sections 81a, 81b, 131a, 131b, 901a, 902b, 903a, 904a, 905a, 906a, 907a, 908a, 909a, 910a, 911a, 912a, 913a, 914a, 915a, 916a, 917a, 918a, 919a, 920a, 921a, 922a, 923a, 924a, 925a, 926a, 927a, 928a, 949a, 950, 977, and 978; and to repeal certain parts of the act.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 5, 81, 131, 951, 955, and 1027 of Act  
2 No. 451 of the Public Acts of 1976, section 5 as amended by Act  
3 No. 215 of the Public Acts of 1981 and section 951 as amended by

1 Act No. 508 of the Public Acts of 1988, being sections 380.5,  
2 380.81, 380.131, 380.951, 380.955, and 380.1027 of the Michigan  
3 Compiled Laws, are amended and sections 81a, 81b, 131a, 131b,  
4 901a, 902b, 903a, 904a, 905a, 906a, 907a, 908a, 909a, 910a, 911a,  
5 912a, 913a, 914a, 915a, 916a, 917a, 918a, 919a, 920a, 921a, 922a,  
6 923a, 924a, 925a, 926a, 927a, 928a, 949a, 950, 977, and 978 are  
7 added to read as follows:

8       Sec. 5. (1) "Local act school district" or "special act  
9 school district" means a district governed by a special or local  
10 act or chapter of a local act. "Local school district" and  
11 "local school district board" as used in article 3 includes a  
12 local act school district and a local act school district board.

13       (2) "Membership" means the number of full-time equivalent  
14 pupils in a public school as determined by the number of pupils  
15 registered for attendance plus pupils received by transfer and  
16 minus pupils lost as defined by rules promulgated by the state  
17 board.

18       (3) "Modified school bus" means a school bus of any age with  
19 a factory installed fuel system ~~which~~ THAT has been modified to  
20 operate on a fuel source other than gasoline or diesel fuel.

21       (4) "Nonpublic school" means a private, denominational, or  
22 parochial school.

23       (5) "Nonregistration school district" means a school dis-  
24 trict in which registration as a general elector with the city or  
25 township clerk of the city or township in which the person  
26 resides is not required of school electors.

1 (6) "Pupil membership count day" of a school district means  
2 the fourth Friday following Labor day each school year, except  
3 that the membership count day of a school district maintaining  
4 school during the entire school year means the following days:

5 (a) Fourth Friday in July.

6 (b) Fourth Friday in October.

7 (c) Fourth Friday in January.

8 (d) Fourth Friday in April.

9 (7) "Pupil transportation vehicle" means any vehicle other  
10 than a school bus used by a school district to transport pupils  
11 to or from school or school-related events.

12 (8) "Rehabilitated school bus" means a bus ~~which~~ THAT is  
13 at least 4 years old and has accumulated at least 100,000 miles,  
14 or is 7 years old; and ~~which~~ THAT has been thoroughly inspected  
15 and had all systems repaired, replaced, or adjusted to meet the  
16 department of state police inspection requirements including, but  
17 not limited to:

18 (a) Engine overhaul of short block.

19 (b) New tires on the front axle.

20 (c) New recap tires on the rear axle.

21 (d) New brake linings and drums.

22 (e) New hydraulic brake lines.

23 (f) Front and rear springs.

24 (g) New paint in the interior.

25 (h) New exhaust system.

26 (9) "Registration school district" means a school district  
27 ~~which~~ THAT conducts its elections under part 13.

1 (10) "Reorganized intermediate school district" means an  
 2 intermediate school district ~~formed by consolidation or annexa-~~  
 3 ~~tion of 2 or more intermediate school districts under sections~~  
 4 ~~701 and 702~~ AFFECTED BY REORGANIZATION PURSUANT TO PART 9.

5 (11) "Rule" means a rule promulgated pursuant to Act No.  
 6 306 of the Public Acts of 1969, as amended, being sections 24.201  
 7 to ~~24.315~~ 24.328 of the Michigan Compiled Laws.

8 Sec. 81. (1) At an annual or special meeting of the school  
 9 district, the school electors may vote to discontinue school in  
 10 the district and direct the board to make provision to send the  
 11 resident children to another school or schools ~~, or the school~~  
 12 ~~electors may vote to direct the board to make provision to send~~  
 13 OR the children of 1 or more grades to another school or  
 14 schools. The board shall use funds, except debt retirement funds  
 15 or building funds, to pay the tuition and transportation of all  
 16 resident children enrolled in discontinued grades to another  
 17 school or schools selected by the board unless the school elec-  
 18 tors designate the school or schools in the ballot submitted at  
 19 the annual or special district meeting. IF THE SCHOOL ELECTORS  
 20 VOTE TO DISCONTINUE 1 OR MORE GRADES OR SCHOOLS IN THE DISTRICT,  
 21 THE CLOSING OF 1 OR MORE GRADES OR SCHOOLS SHALL TAKE EFFECT ON  
 22 THE FIRST JULY 1 OCCURRING 1 YEAR AFTER THE DATE OF THE ANNUAL OR  
 23 SPECIAL MEETING UNLESS AN EARLIER DATE IS AGREED UPON BETWEEN THE  
 24 AFFECTED SCHOOL DISTRICTS AND THEIR RESPECTIVE COLLECTIVE BAR-  
 25 GAINING REPRESENTATIVES.

26 (2) ~~The~~ A discontinued grade or ~~grades~~ SCHOOL shall  
 27 remain closed in the district until the school electors at a

1 subsequent annual or special meeting VOTE TO direct the board to  
2 reopen and operate the discontinued ~~grades~~ GRADE OR SCHOOL.  
3 IF THE SCHOOL ELECTORS VOTE TO REOPEN 1 OR MORE GRADES OR  
4 SCHOOLS, THE REOPENING SHALL TAKE EFFECT ON THE FIRST JULY 1  
5 OCCURRING 1 YEAR AFTER THE DATE OF THE ANNUAL OR SPECIAL MEETING  
6 UNLESS AN EARLIER DATE IS AGREED UPON BETWEEN THE AFFECTED SCHOOL  
7 DISTRICTS AND THEIR RESPECTIVE COLLECTIVE BARGAINING  
8 REPRESENTATIVES.

9 SEC. 81A. (1) UPON DISCONTINUATION OF 1 OR MORE GRADES OR  
10 SCHOOLS PURSUANT TO SECTION 81(1), AN EMPLOYEE OF THE SCHOOL DIS-  
11 TRICT WHO IS LAID OFF OR WHOSE EMPLOYMENT IS TERMINATED AS THE  
12 RESULT OF A GRADE OR SCHOOL DISCONTINUATION HAS A RIGHT TO  
13 EMPLOYMENT BASED ON SENIORITY AND THOSE RIGHTS THAT ACCRUE BASED  
14 ON EMPLOYMENT IN ANY DISTRICT THAT ACCEPTS ALL OR A PART OF THE  
15 DISCONTINUED GRADE OR SCHOOL. WITHIN 20 DAYS AFTER THE ANNUAL OR  
16 SPECIAL MEETING AT WHICH THE SCHOOL ELECTORS VOTE TO DISCONTINUE  
17 1 OR MORE GRADES OR SCHOOLS IN THE DISTRICT, THE EMPLOYEE SHALL  
18 TEMPORARILY BE CONSIDERED AN EMPLOYEE OF THE DISTRICT THAT DIS-  
19 CONTINUED A GRADE OR SCHOOL AND OF THE DISTRICT THAT ACCEPTED ALL  
20 OR A PART OF THE DISCONTINUED GRADE OR SCHOOL.

21 (2) AN EMPLOYEE WHO HAS EMPLOYMENT RIGHTS UNDER SUBSECTION  
22 (1) RETAINS SENIORITY AND OTHER EMPLOYMENT RIGHTS IN THE  
23 EMPLOYEE'S ORIGINAL DISTRICT AND HAS SENIORITY AND THOSE RIGHTS  
24 THAT ACCRUE BASED ON SENIORITY IN ANY SCHOOL DISTRICT THAT  
25 ACCEPTS ALL OR A PART OF A DISCONTINUED GRADE OR SCHOOL. THESE  
26 SENIORITY RIGHTS SHALL BE DETERMINED UNDER THE APPROPRIATE  
27 COLLECTIVE BARGAINING AGREEMENT OF THE DISTRICT THAT ACCEPTS ALL

1 OR A PART OF THE DISCONTINUED GRADE OR SCHOOL OR, IF SUCH AN  
2 AGREEMENT DOES NOT EXIST, UNDER THAT DISTRICT'S STANDARDS FOR  
3 SENIORITY. THESE SENIORITY RIGHTS SHALL BE GRANTED AS IF THE  
4 EMPLOYEE WERE EMPLOYED ORIGINALLY BY THAT DISTRICT. THIS SUBSEC-  
5 TION DOES NOT PROHIBIT MODIFICATION OF SENIORITY IN ANY SUCCESSOR  
6 AGREEMENT CONSISTENT WITH THE PARTIES' OBLIGATIONS UNDER ACT  
7 NO. 336 OF THE PUBLIC ACTS OF 1947, BEING SECTIONS 423.201 TO  
8 423.216 OF THE MICHIGAN COMPILED LAWS.

9 (3) AN EMPLOYEE OF THE DISTRICT DISCONTINUING A GRADE OR  
10 SCHOOL WHO IS ON LAYOFF ON JUNE 1 OF THE SCHOOL YEAR IMMEDIATELY  
11 PRECEDING THE DISCONTINUATION OF THE GRADE OR SCHOOL SHALL NOT  
12 DISPLACE AN ACTIVE EMPLOYEE IN ANY DISTRICT THAT ACCEPTS ALL OR A  
13 PART OF THE DISCONTINUED GRADE OR SCHOOL. HOWEVER, A TENURED  
14 TEACHER WHO IS GRANTED EMPLOYMENT RIGHTS PURSUANT TO THIS SECTION  
15 MAY REPLACE A PROBATIONARY TEACHER WHO IS EMPLOYED IN A POSITION  
16 FOR WHICH THE TENURED TEACHER IS CERTIFIED. A DISTRICT SHALL NOT  
17 LAY OFF OR RECALL EMPLOYEES TO CIRCUMVENT THE PROTECTIONS PRO-  
18 VIDED BY THIS SUBSECTION.

19 (4) EXCEPT AS PROVIDED IN SECTION 81B, UPON ACCEPTANCE OF A  
20 POSITION WITH A SCHOOL DISTRICT THAT ACCEPTS ALL OR PART OF A  
21 DISCONTINUED GRADE OR SCHOOL, AN EMPLOYEE'S EMPLOYMENT RIGHTS IN  
22 ALL OTHER SCHOOL DISTRICTS TERMINATE.

23 (5) UNLESS MODIFIED BY A COLLECTIVE BARGAINING AGREEMENT, A  
24 PERSON EMPLOYED UNDER THIS SECTION IS ENTITLED TO ALL RIGHTS AND  
25 BENEFITS TO WHICH THE PERSON OTHERWISE WOULD BE ENTITLED HAD THE  
26 PERSON BEEN EMPLOYED ORIGINALLY BY THE SCHOOL DISTRICT TO WHICH  
27 HE OR SHE TRANSFERRED.

1 (6) A PERSON EMPLOYED UNDER THIS SECTION IS ENTITLED TO ALL  
2 RIGHTS AND BENEFITS PROVIDED BY ACT NO. 4 OF THE PUBLIC ACTS OF  
3 THE EXTRA SESSION OF 1937, BEING SECTIONS 38.71 TO 38.191 OF THE  
4 MICHIGAN COMPILED LAWS, TO WHICH THE PERSON WOULD HAVE BEEN ENTI-  
5 TLED IF THE PERSON HAD BEEN EMPLOYED ORIGINALLY BY THE DISTRICT  
6 TO WHICH HE OR SHE TRANSFERRED, INCLUDING TENURE STATUS.

7 SEC. 81B. (1) IF A SCHOOL DISTRICT REOPENS AND OPERATES 1  
8 OR MORE DISCONTINUED GRADES OR SCHOOLS PURSUANT TO SECTION 81(2),  
9 AN EMPLOYEE OF THE SCHOOL DISTRICT WHO TRANSFERRED TO ANOTHER  
10 SCHOOL DISTRICT WHEN A GRADE OR SCHOOL ORIGINALLY WAS DISCONTIN-  
11 UED MAY CHOOSE, ON THE BASIS OF SENIORITY, TO RETURN TO THE DIS-  
12 TRICT THAT REOPENS.

13 (2) IN ADDITION TO THOSE EMPLOYMENT RIGHTS PROVIDED IN SUB-  
14 SECTION (1), AN EMPLOYEE OF A DISTRICT THAT ACCEPTED PUPILS FROM  
15 THE DISCONTINUED GRADE OR SCHOOL WHO IS LAID OFF OR WHOSE EMPLOY-  
16 MENT IS TERMINATED AS A RESULT OF THE REOPENING AND OPERATION OF  
17 THE DISCONTINUED GRADE OR SCHOOL HAS A RIGHT TO EMPLOYMENT BASED  
18 ON SENIORITY AND THOSE RIGHTS THAT ACCRUE BASED ON EMPLOYMENT IN  
19 THE DISTRICT THAT REOPENS AND OPERATES THE DISCONTINUED GRADE OR  
20 SCHOOL. WITHIN 20 DAYS AFTER THE ANNUAL OR SPECIAL MEETING AT  
21 WHICH THE SCHOOL ELECTORS VOTE TO REOPEN 1 OR MORE GRADES OR  
22 SCHOOLS IN THE DISTRICT, THE EMPLOYEE SHALL TEMPORARILY BE CON-  
23 SIDERED AN EMPLOYEE OF THE DISTRICT THAT REOPENED A DISCONTINUED  
24 GRADE OR SCHOOL AND THE DISTRICT THAT ACCEPTED ALL OR A PART OF  
25 THE DISCONTINUED GRADE OR SCHOOL.

26 (3) AN EMPLOYEE WHO HAS EMPLOYMENT RIGHTS UNDER SUBSECTIONS  
27 (1) AND (2) RETAINS SENIORITY AND OTHER EMPLOYMENT RIGHTS IN THE

1 EMPLOYEE'S ORIGINAL DISTRICT AND HAS SENIORITY AND THOSE RIGHTS  
2 THAT ACCRUE BASED ON SENIORITY IN THE SCHOOL DISTRICT THAT  
3 REOPENS AND OPERATES 1 OR MORE DISCONTINUED GRADES OR SCHOOLS.  
4 THESE SENIORITY RIGHTS SHALL BE DETERMINED UNDER THE APPROPRIATE  
5 COLLECTIVE BARGAINING AGREEMENT OF THAT DISTRICT OR, IF SUCH AN  
6 AGREEMENT DOES NOT EXIST, UNDER THAT DISTRICT'S STANDARDS FOR  
7 SENIORITY. THESE SENIORITY RIGHTS SHALL BE GRANTED AS IF THE  
8 EMPLOYEE WERE EMPLOYED ORIGINALLY BY THAT DISTRICT. THIS SUBSEC-  
9 TION DOES NOT PROHIBIT MODIFICATION OF SENIORITY IN ANY SUCCESSOR  
10 AGREEMENT CONSISTENT WITH THE PARTIES' OBLIGATIONS UNDER ACT  
11 NO. 336 OF THE PUBLIC ACTS OF 1947, BEING SECTIONS 423.201 TO  
12 423.216 OF THE MICHIGAN COMPILED LAWS.

13 (4) AN EMPLOYEE OF THE DISTRICT THAT ACCEPTED PUPILS FROM A  
14 DISCONTINUED GRADE OR SCHOOL WHO IS ON LAYOFF ON JUNE 1 OF THE  
15 SCHOOL YEAR IMMEDIATELY PRECEDING THE REOPENING OF THE DISCONTIN-  
16 UED GRADE OR SCHOOL SHALL NOT DISPLACE AN ACTIVE EMPLOYEE IN THE  
17 DISTRICT THAT REOPENS. HOWEVER, A TENURED TEACHER WHO IS GRANTED  
18 EMPLOYMENT RIGHTS PURSUANT TO THIS SECTION MAY REPLACE A PROBA-  
19 TIONARY TEACHER WHO IS EMPLOYED IN A POSITION FOR WHICH THE TEN-  
20 URED TEACHER IS CERTIFIED. A DISTRICT SHALL NOT LAY OFF OR  
21 RECALL EMPLOYEES TO CIRCUMVENT THE PROTECTIONS PROVIDED BY THIS  
22 SUBSECTION.

23 (5) UPON ACCEPTANCE OF A POSITION WITH A SCHOOL DISTRICT  
24 THAT REOPENS AND OPERATES 1 OR MORE DISCONTINUED GRADES OR  
25 SCHOOLS, AN EMPLOYEE'S EMPLOYMENT RIGHTS IN ALL OTHER DISTRICTS  
26 TERMINATE.



1 (6) UNLESS MODIFIED BY A COLLECTIVE BARGAINING AGREEMENT, A  
2 PERSON EMPLOYED UNDER THIS SECTION IS ENTITLED TO ALL RIGHTS AND  
3 BENEFITS TO WHICH THE PERSON OTHERWISE WOULD BE ENTITLED HAD THE  
4 PERSON BEEN EMPLOYED ORIGINALLY BY THE DISTRICT TO WHICH HE OR  
5 SHE TRANSFERRED.

6 (7) A PERSON EMPLOYED UNDER THIS SECTION IS ENTITLED TO ALL  
7 RIGHTS AND BENEFITS PROVIDED BY ACT NO. 4 OF THE PUBLIC ACTS OF  
8 THE EXTRA SESSION OF 1937, BEING SECTIONS 38.71 TO 38.191 OF THE  
9 MICHIGAN COMPILED LAWS, TO WHICH THE PERSON WOULD HAVE BEEN ENTI-  
10 TLED IF THE PERSON HAD BEEN EMPLOYED ORIGINALLY BY THE DISTRICT  
11 TO WHICH HE OR SHE TRANSFERRED, INCLUDING TENURE STATUS.

12 Sec. 131. (1) If directed by a majority vote of the school  
13 electors voting at an annual or special election, the board shall  
14 establish a high school and determine the qualifications for  
15 admission to the high school. The vote ~~shall~~ IS not ~~be~~  
16 required in a school district in which a high school ~~is~~ WAS  
17 established ~~at the time this act takes effect~~ ON JANUARY 13,  
18 1977 or in a school district in which a high school is estab-  
19 lished ~~prior to a consolidation or annexation~~ BEFORE A  
20 REORGANIZATION.

21 (2) If directed by a majority vote of the school electors,  
22 the board may discontinue the high school in the district. The  
23 board shall make provision to send the pupils of the high school  
24 to the high school of another school district or districts. The  
25 board shall use the necessary funds to pay the tuition as pro-  
26 vided in section 1406 and shall provide transportation for all  
27 resident high school pupils.

1 (3) At an annual or special election, the school electors  
 2 may vote to discontinue school in the district and direct the  
 3 board to make provision to send the resident children to another  
 4 school or schools ~~; or the school electors may vote to direct~~  
 5 ~~the board to make provision to send~~ OR the children of 1 or more  
 6 grades to another school or schools. If ~~this action is taken~~  
 7 THE SCHOOL ELECTORS VOTE TO DISCONTINUE 1 OR MORE GRADES OR  
 8 SCHOOLS IN THE DISTRICT, the board shall use funds, except debt  
 9 retirement funds or building funds, to pay the tuition and trans-  
 10 portation of resident children.

11 (4) THE DISCONTINUATION OF 1 OR MORE GRADES OR SCHOOLS PUR-  
 12 SUANT TO THIS SECTION SHALL TAKE EFFECT ON THE FIRST JULY 1  
 13 OCCURRING 1 YEAR AFTER THE DATE OF THE ANNUAL OR SPECIAL ELECTION  
 14 UNLESS AN EARLIER DATE IS AGREED UPON BETWEEN THE AFFECTED SCHOOL  
 15 DISTRICTS AND THEIR RESPECTIVE COLLECTIVE BARGAINING  
 16 REPRESENTATIVES.

17 (5) ~~-(4)-The~~ A discontinued ~~grades~~ GRADE OR SCHOOL shall  
 18 remain closed in the school district until the school electors of  
 19 the district at a subsequent annual or special election VOTE TO  
 20 direct the board to reopen and operate the discontinued ~~grades~~  
 21 GRADE OR SCHOOL. IF THE SCHOOL ELECTORS VOTE TO REOPEN 1 OR MORE  
 22 GRADES OR SCHOOLS, THE REOPENING SHALL TAKE EFFECT ON THE FIRST  
 23 JULY 1 OCCURRING 1 YEAR AFTER THE DATE OF THE ANNUAL OR SPECIAL  
 24 ELECTION UNLESS AN EARLIER DATE IS AGREED UPON BETWEEN THE  
 25 AFFECTED SCHOOL DISTRICTS AND THEIR RESPECTIVE COLLECTIVE BAR-  
 26 GAINING REPRESENTATIVE.

1 SEC. 131A. (1) UPON DISCONTINUATION OF 1 OR MORE GRADES OR  
2 SCHOOLS PURSUANT TO SECTION 131, AN EMPLOYEE OF THE SCHOOL  
3 DISTRICT WHO IS LAID OFF OR WHOSE EMPLOYMENT IS TERMINATED AS THE  
4 RESULT OF A GRADE OR SCHOOL DISCONTINUATION HAS A RIGHT TO  
5 EMPLOYMENT BASED ON SENIORITY AND THOSE RIGHTS THAT ACCRUE BASED  
6 ON EMPLOYMENT IN ANY DISTRICT THAT ACCEPTS ALL OR A PART OF THE  
7 DISCONTINUED GRADE OR SCHOOL. WITHIN 20 DAYS AFTER THE OFFICIAL  
8 CANVASS OF THE VOTE TO DISCONTINUE 1 OR MORE GRADES OR SCHOOLS IN  
9 THE DISTRICT, THE EMPLOYEE SHALL TEMPORARILY BE CONSIDERED AN  
10 EMPLOYEE OF THE DISTRICT THAT DISCONTINUED A GRADE OR SCHOOL AND  
11 OF THE DISTRICT THAT ACCEPTED ALL OR A PART OF THE DISCONTINUED  
12 GRADE OR SCHOOL.

13 (2) AN EMPLOYEE WHO HAS EMPLOYMENT RIGHTS UNDER SUBSECTION  
14 (1) RETAINS SENIORITY AND OTHER EMPLOYMENT RIGHTS IN THE  
15 EMPLOYEE'S ORIGINAL DISTRICT AND HAS SENIORITY AND THOSE RIGHTS  
16 THAT ACCRUE BASED ON SENIORITY IN ANY SCHOOL DISTRICT THAT  
17 ACCEPTS ALL OR A PART OF A DISCONTINUED GRADE OR SCHOOL. THESE  
18 SENIORITY RIGHTS SHALL BE DETERMINED UNDER THE APPROPRIATE COL-  
19 LECTIVE BARGAINING AGREEMENT OF THE DISTRICT THAT ACCEPTS ALL OR  
20 A PART OF THE DISCONTINUED GRADE OR SCHOOL OR, IF SUCH AN AGREE-  
21 MENT DOES NOT EXIST, UNDER THAT DISTRICT'S STANDARDS FOR  
22 SENIORITY. THESE SENIORITY RIGHTS SHALL BE GRANTED AS IF THE  
23 EMPLOYEE WERE EMPLOYED ORIGINALLY BY THAT DISTRICT. THIS SUBSEC-  
24 TION DOES NOT PROHIBIT MODIFICATION OF SENIORITY IN ANY SUCCESSOR  
25 AGREEMENT CONSISTENT WITH THE PARTIES' OBLIGATIONS UNDER ACT  
26 NO. 336 OF THE PUBLIC ACTS OF 1947, BEING SECTIONS 423.201 TO  
27 423.216 OF THE MICHIGAN COMPILED LAWS.

1       (3) AN EMPLOYEE OF THE DISTRICT DISCONTINUING A GRADE OR  
2 SCHOOL WHO IS ON LAYOFF ON JUNE 1 OF THE SCHOOL YEAR IMMEDIATELY  
3 PRECEDING THE DISCONTINUATION OF THE GRADE OR SCHOOL SHALL NOT  
4 DISPLACE AN ACTIVE EMPLOYEE IN ANY DISTRICT THAT ACCEPTS ALL OR A  
5 PART OF THE DISCONTINUED GRADE OR SCHOOL. HOWEVER, A TENURED  
6 TEACHER WHO IS GRANTED EMPLOYMENT RIGHTS PURSUANT TO THIS SECTION  
7 MAY REPLACE A PROBATIONARY TEACHER WHO IS EMPLOYED IN A POSITION  
8 FOR WHICH THE TENURED TEACHER IS CERTIFIED. A DISTRICT SHALL NOT  
9 LAY OFF OR RECALL EMPLOYEES TO CIRCUMVENT THE PROTECTIONS PRO-  
10 VIDED BY THIS SUBSECTION.

11       (4) EXCEPT AS PROVIDED IN SECTION 131B, UPON ACCEPTANCE OF A  
12 POSITION WITH A SCHOOL DISTRICT THAT ACCEPTS ALL OR PART OF A  
13 DISCONTINUED GRADE OR SCHOOL, AN EMPLOYEE'S EMPLOYMENT RIGHTS IN  
14 ALL OTHER SCHOOL DISTRICTS TERMINATE.

15       (5) UNLESS MODIFIED BY A COLLECTIVE BARGAINING AGREEMENT, A  
16 PERSON EMPLOYED UNDER THIS SECTION IS ENTITLED TO ALL RIGHTS AND  
17 BENEFITS TO WHICH THE PERSON OTHERWISE WOULD BE ENTITLED HAD THE  
18 PERSON BEEN EMPLOYED ORIGINALLY BY THE SCHOOL DISTRICT TO WHICH  
19 HE OR SHE TRANSFERRED.

20       (6) A PERSON EMPLOYED UNDER THIS SECTION IS ENTITLED TO ALL  
21 RIGHTS AND BENEFITS PROVIDED BY ACT NO. 4 OF THE PUBLIC ACTS OF  
22 THE EXTRA SESSION OF 1937, BEING SECTIONS 38.71 TO 38.191 OF THE  
23 MICHIGAN COMPILED LAWS, TO WHICH THE PERSON WOULD HAVE BEEN ENTI-  
24 TLED IF THE PERSON HAD BEEN EMPLOYED ORIGINALLY BY THE DISTRICT  
25 TO WHICH HE OR SHE TRANSFERRED, INCLUDING TENURE STATUS.

26       SEC. 131B. (1) IF A SCHOOL DISTRICT REOPENS AND OPERATES 1  
27 OR MORE DISCONTINUED GRADES OR SCHOOLS PURSUANT TO SECTION

1 131(5), AN EMPLOYEE OF THE SCHOOL DISTRICT WHO TRANSFERRED TO  
2 ANOTHER SCHOOL DISTRICT WHEN A GRADE OR SCHOOL ORIGINALLY WAS  
3 DISCONTINUED MAY CHOOSE, ON THE BASIS OF SENIORITY, TO RETURN TO  
4 THE DISTRICT THAT REOPENS.

5 (2) IN ADDITION TO THOSE EMPLOYMENT RIGHTS PROVIDED IN SUB-  
6 SECTION (1), AN EMPLOYEE OF A DISTRICT THAT ACCEPTED PUPILS FROM  
7 THE DISCONTINUED GRADE OR SCHOOL WHO IS LAID OFF OR WHOSE EMPLOY-  
8 MENT IS TERMINATED AS A RESULT OF THE REOPENING AND OPERATION OF  
9 THE DISCONTINUED GRADE OR SCHOOL HAS A RIGHT TO EMPLOYMENT BASED  
10 ON SENIORITY AND THOSE RIGHTS THAT ACCRUE BASED ON EMPLOYMENT IN  
11 THE DISTRICT THAT REOPENS AND OPERATES THE DISCONTINUED GRADE OR  
12 SCHOOL. WITHIN 20 DAYS AFTER THE OFFICIAL CANVASS OF THE VOTE TO  
13 REOPEN 1 OR MORE GRADES OR SCHOOLS IN THE DISTRICT, THE EMPLOYEE  
14 SHALL TEMPORARILY BE CONSIDERED AN EMPLOYEE OF THE DISTRICT THAT  
15 REOPENED A DISCONTINUED GRADE OR SCHOOL AND THE DISTRICT THAT  
16 ACCEPTED ALL OR A PART OF THE DISCONTINUED GRADE OR SCHOOL.

17 (3) AN EMPLOYEE WHO HAS EMPLOYMENT RIGHTS UNDER SUBSECTIONS  
18 (1) AND (2) RETAINS SENIORITY AND OTHER EMPLOYMENT RIGHTS IN THE  
19 EMPLOYEE'S ORIGINAL DISTRICT AND HAS SENIORITY AND THOSE RIGHTS  
20 THAT ACCRUE BASED ON SENIORITY IN THE SCHOOL DISTRICT THAT  
21 REOPENS AND OPERATES 1 OR MORE DISCONTINUED GRADES OR SCHOOLS.  
22 THESE SENIORITY RIGHTS SHALL BE DETERMINED UNDER THE APPROPRIATE  
23 COLLECTIVE BARGAINING AGREEMENT OF THAT DISTRICT OR, IF SUCH AN  
24 AGREEMENT DOES NOT EXIST, UNDER THAT DISTRICT'S STANDARDS FOR  
25 SENIORITY. THESE SENIORITY RIGHTS SHALL BE GRANTED AS IF THE  
26 EMPLOYEE WERE EMPLOYED ORIGINALLY BY THAT DISTRICT. THIS  
27 SUBSECTION DOES NOT PROHIBIT MODIFICATION OF SENIORITY IN ANY

1 SUCCESSOR AGREEMENT CONSISTENT WITH THE PARTIES' OBLIGATIONS  
2 UNDER ACT NO. 336 OF THE PUBLIC ACTS OF 1947, BEING SECTIONS  
3 423.201 TO 423.216 OF THE MICHIGAN COMPILED LAWS.

4 (4) AN EMPLOYEE OF THE DISTRICT THAT ACCEPTED PUPILS FROM A  
5 DISCONTINUED GRADE OR SCHOOL WHO IS ON LAYOFF ON JUNE 1 OF THE  
6 SCHOOL YEAR IMMEDIATELY PRECEDING THE REOPENING OF THE DISCONTIN-  
7 UED GRADE OR SCHOOL SHALL NOT DISPLACE AN ACTIVE EMPLOYEE IN THE  
8 DISTRICT THAT REOPENS. HOWEVER, A TENURED TEACHER WHO IS GRANTED  
9 EMPLOYMENT RIGHTS PURSUANT TO THIS SECTION MAY REPLACE A PROBA-  
10 TIONARY TEACHER WHO IS EMPLOYED IN A POSITION FOR WHICH THE TEN-  
11 URED TEACHER IS CERTIFIED. A DISTRICT SHALL NOT LAY OFF OR  
12 RECALL EMPLOYEES TO CIRCUMVENT THE PROTECTIONS PROVIDED BY THIS  
13 SUBSECTION.

14 (5) UPON ACCEPTANCE OF A POSITION WITH A SCHOOL DISTRICT  
15 THAT REOPENS AND OPERATES 1 OR MORE DISCONTINUED GRADES OR  
16 SCHOOLS, AN EMPLOYEE'S EMPLOYMENT RIGHTS IN ALL OTHER DISTRICTS  
17 TERMINATE.

18 (6) UNLESS MODIFIED BY A COLLECTIVE BARGAINING AGREEMENT, A  
19 PERSON EMPLOYED UNDER THIS SECTION IS ENTITLED TO ALL RIGHTS AND  
20 BENEFITS TO WHICH THE PERSON OTHERWISE WOULD BE ENTITLED HAD THE  
21 PERSON BEEN EMPLOYED ORIGINALLY BY THE DISTRICT TO WHICH HE OR  
22 SHE TRANSFERRED.

23 (7) A PERSON EMPLOYED UNDER THIS SECTION IS ENTITLED TO ALL  
24 RIGHTS AND BENEFITS PROVIDED BY ACT NO. 4 OF THE PUBLIC ACTS OF  
25 THE EXTRA SESSION OF 1937, BEING SECTIONS 38.71 TO 38.191 OF THE  
26 MICHIGAN COMPILED LAWS, TO WHICH THE PERSON WOULD HAVE BEEN

1 ENTITLED IF THE PERSON HAD BEEN EMPLOYED ORIGINALLY BY THE  
2 DISTRICT TO WHICH HE OR SHE TRANSFERRED, INCLUDING TENURE STATUS.

3 PART 9

4 REORGANIZATION OF SCHOOL DISTRICTS AND INTERMEDIATE SCHOOL  
5 DISTRICTS

6 SEC. 901A. AS USED IN THIS PART:

7 (A) "ANNEXATION" MEANS THAT FORM OF REORGANIZATION IN WHICH  
8 1 OR MORE ORIGINAL, SENDING DISTRICTS ARE JOINED IN THEIR  
9 ENTIRETY TO AT LEAST 1 OF THE ORIGINAL, SENDING DISTRICTS.

10 (B) "ATTACHMENT" MEANS THAT FORM OF REORGANIZATION IN WHICH  
11 AN ORIGINAL, SENDING DISTRICT DIVIDES AND IS JOINED TO 2 OR MORE  
12 DISTRICTS CONTIGUOUS TO THE ORIGINAL, SENDING DISTRICT.

13 (C) "CONSOLIDATED DISTRICT" MEANS A DISTRICT CREATED BY CON-  
14 SOLIDATION UNDER THIS PART.

15 (D) "CONSOLIDATION" MEANS THAT FORM OF REORGANIZATION IN  
16 WHICH 2 OR MORE ORIGINAL, SENDING DISTRICTS JOIN IN THEIR  
17 ENTIRETY TO FORM A NEW DISTRICT. A DISTRICT INVOLVED IN A CON-  
18 SOLIDATION SHALL BE CONTIGUOUS TO AT LEAST 1 OTHER DISTRICT  
19 INVOLVED IN THE CONSOLIDATION.

20 (E) "DISTRICT" MEANS A SCHOOL DISTRICT OR INTERMEDIATE  
21 SCHOOL DISTRICT.

22 (F) "ORIGINAL DISTRICT" MEANS A DISTRICT INVOLVED IN A REOR-  
23 GANIZATION, WHICH DISTRICT EXISTED BEFORE THE REORGANIZATION.

24 (G) "PARTIAL PROPERTY TRANSFER" MEANS THAT FORM OF REORGANI-  
25 ZATION IN WHICH TERRITORY CONSISTING OF MORE THAN 10% BUT LESS  
26 THAN 100% OF THE ASSESSED VALUATION OF AN ORIGINAL, SENDING  
27 DISTRICT IS JOINED TO 1 OR MORE CONTIGUOUS DISTRICTS.

1 (H) "RECEIVING DISTRICT" MEANS AN ORIGINAL DISTRICT THAT  
2 RECEIVES ALL OR PART OF 1 OR MORE CONTIGUOUS, SENDING DISTRICTS  
3 THROUGH REORGANIZATION.

4 (I) "REORGANIZATION" MEANS AN ANNEXATION, ATTACHMENT, CON-  
5 SOLIDATION, OR PARTIAL PROPERTY TRANSFER OF A DISTRICT OR ANY  
6 COMBINATION THEREOF PURSUANT TO THIS PART.

7 (J) "REORGANIZED DISTRICT" MEANS A DISTRICT THAT RESULTED  
8 FROM AN ANNEXATION, ATTACHMENT, CONSOLIDATION, OR PARTIAL PROP-  
9 ERTY TRANSFER PURSUANT TO THIS PART.

10 (K) "SENDING DISTRICT" MEANS A DISTRICT THAT IS ANNEXED,  
11 ATTACHED, OR CONSOLIDATED OR FROM WHICH PROPERTY IS TRANSFERRED  
12 PURSUANT TO THIS PART.

13 SEC. 902B. TWO OR MORE DISTRICTS MAY REORGANIZE PURSUANT TO  
14 THIS PART THROUGH ANNEXATION, ATTACHMENT, CONSOLIDATION, OR PAR-  
15 TIAL PROPERTY TRANSFER.

16 SEC. 903A. (1) REORGANIZATION OCCURS UNDER THIS PART IF  
17 EACH BOARD OF EACH ORIGINAL DISTRICT ADOPTS A RESOLUTION APPROV-  
18 ING REORGANIZATION AND A MAJORITY OF THE SCHOOL ELECTORS OF EACH  
19 ORIGINAL DISTRICT VOTING ON THE QUESTION APPROVES THE  
20 REORGANIZATION. THE VOTE ON THE QUESTION BY THE SCHOOL ELECTORS  
21 SHALL BE BY BALLOT. BEFORE THE ELECTION IS HELD, EACH BOARD OF  
22 AN ORIGINAL AFFECTED DISTRICT SHALL OBTAIN THE APPROVAL OF THE  
23 SUPERINTENDENT OF PUBLIC INSTRUCTION OR THE STATE BOARD OF THE  
24 PROPOSED REORGANIZATION PURSUANT TO THIS PART.

25 (2) THE RESOLUTION ADOPTED BY THE BOARD OF EACH ORIGINAL  
26 DISTRICT PURSUANT TO SUBSECTION (1) SHALL SPECIFY AT A MINIMUM  
27 ALL OF THE FOLLOWING INFORMATION:



1 (A) THE PROPOSED EFFECTIVE DATE OF THE REORGANIZATION.

2 (B) WHETHER THE PROPOSED REORGANIZATION IS AN ANNEXATION,  
3 ATTACHMENT, CONSOLIDATION, OR PARTIAL PROPERTY TRANSFER.

4 (C) THE TERRITORY THAT IS TO BE INVOLVED IN THE REORGANIZA-  
5 TION AND THE NAME OF EACH DISTRICT TO WHICH THE TERRITORY IS TO  
6 BE JOINED.

7 (D) SPECIFIC FINDINGS THAT THE REORGANIZATION IS IN THE BEST  
8 INTEREST OF THE EDUCATION OF THE PUPILS WITHIN THE AFFECTED  
9 DISTRICTS.

10 (3) A COPY OF THE RESOLUTIONS ADOPTED BY THE ORIGINAL DIS-  
11 TRICTS PURSUANT TO THIS SECTION SHALL BE PROMPTLY FILED WITH THE  
12 SUPERINTENDENT OF PUBLIC INSTRUCTION. UPON RECEIPT OF THE RESO-  
13 LUTIONS, THE SUPERINTENDENT OF PUBLIC INSTRUCTION SHALL SCHEDULE  
14 AND HOLD OR CAUSE TO BE HELD A PUBLIC HEARING CONCERNING THE  
15 REORGANIZATION OF THE DISTRICTS. THE HEARING SHALL BE HELD  
16 WITHIN 30 DAYS AFTER RECEIPT BY THE SUPERINTENDENT OF PUBLIC  
17 INSTRUCTION OF ALL OF THE RESOLUTIONS FROM THE BOARDS OF THE  
18 ORIGINAL DISTRICTS. THE SUPERINTENDENT OF PUBLIC INSTRUCTION  
19 SHALL GIVE NOT LESS THAN 10 DAYS' NOTICE OF THE TIME AND PLACE OF  
20 THE HEARING ON THE PROPOSED REORGANIZATION BY POSTING NOTICE IN  
21 AT LEAST 5 PUBLIC PLACES IN EACH OF THE ORIGINAL DISTRICTS, BY  
22 PUBLICATION AT LEAST ONCE BEFORE THE MEETING IN A NEWSPAPER OF  
23 GENERAL CIRCULATION IN THE TERRITORY OF THE ORIGINAL DISTRICTS,  
24 AND BY MAILING A COPY OF THE NOTICE TO THE SECRETARY OF THE BOARD  
25 OF EACH ORIGINAL DISTRICT. THE BOARD OF EACH ORIGINAL DISTRICT  
26 SHALL DESIGNATE A REPRESENTATIVE TO ATTEND THE HEARING.

1       (4) WITHIN 30 DAYS AFTER THE HEARING, IF THE SUPERINTENDENT  
2 OF PUBLIC INSTRUCTION DETERMINES THAT THE REORGANIZATION WOULD BE  
3 IN THE BEST INTEREST OF THE EDUCATION OF THE PUPILS WITHIN THE  
4 ORIGINAL AFFECTED DISTRICTS, INCLUDING, BUT NOT LIMITED TO, CON-  
5 sideration of matters such as class size, certified and noncerti-  
6 fied staff, school buildings, transportation, curriculum, admin-  
7 istration, labor relations, racial composition, and cost effec-  
8 tiveness, he or she shall issue a proposed written order to the  
9 board of each original district requiring submission of the ques-  
10 tion of reorganization to the electors of the original  
11 districts. If the superintendent of public instruction deter-  
12 mines that the reorganization would not be in the best interest  
13 of the education of the pupils within the original affected dis-  
14 tricts, he or she shall issue a proposed written order to the  
15 board of each original district disapproving the reorganization.  
16 A copy of the proposed written order shall be transmitted to the  
17 secretary of the board of each original district.

18       (5) WITHIN 20 DAYS AFTER RECEIPT OF A PROPOSED WRITTEN ORDER  
19 APPROVING OR DISAPPROVING A PROPOSED REORGANIZATION, THE BOARD OF  
20 AN ORIGINAL DISTRICT OR OTHER INTERESTED PARTY, INCLUDING, BUT  
21 NOT LIMITED TO, A TAXPAYER OR EMPLOYEE OF AN ORIGINAL DISTRICT OR  
22 A COLLECTIVE BARGAINING REPRESENTATIVE OF THE EMPLOYEES OF AN  
23 ORIGINAL DISTRICT, MAY APPEAL THE PROPOSED WRITTEN ORDER TO THE  
24 STATE BOARD UNDER RULES PROMULGATED BY THE STATE BOARD.

25       (6) IF AN APPEAL AS DESCRIBED IN SUBSECTION (5) IS NOT FILED  
26 WITHIN THE 20-DAY PERIOD, A PROPOSED WRITTEN ORDER BECOMES THE

1 ORDER OF THE STATE BOARD AND BECOMES EFFECTIVE AS SPECIFIED IN  
2 THE ORDER.

3 (7) AN ORDER OF THE STATE BOARD CONCERNING A PROPOSED REOR-  
4 GANIZATION IS FINAL.

5 SEC. 904A. (1) WITHIN 60 DAYS AFTER RECEIPT OF CERTIFIED  
6 PETITIONS AS PROVIDED IN SECTIONS 905A TO 909A, THE BOARD OF AN  
7 ORIGINAL DISTRICT SHALL ADOPT A RESOLUTION AS SPECIFIED IN SEC-  
8 TION 903A.

9 (2) IF 2 OR MORE INTERMEDIATE SCHOOL DISTRICTS SEEK REORGA-  
10 NIZATION UNDER THIS PART, THOSE DUTIES REQUIRED OF THE INTERMEDI-  
11 ATE SUPERINTENDENT IN SECTIONS 905A TO 909A SHALL BE PERFORMED BY  
12 A DESIGNEE OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION.

13 (3) IF SCHOOL DISTRICTS SEEKING REORGANIZATION UNDER THIS  
14 PART ARE LOCATED IN 2 OR MORE INTERMEDIATE SCHOOL DISTRICTS, THE  
15 INTERMEDIATE SUPERINTENDENT OF THE INTERMEDIATE SCHOOL DISTRICT  
16 IN WHICH THE ORIGINAL DISTRICT WITH THE LARGEST PUPIL MEMBERSHIP  
17 COUNT RESIDES SHALL PERFORM THE DUTIES OF THE INTERMEDIATE SUPER-  
18 INTENDENT IN SECTIONS 905A TO 909A.

19 SEC. 905A. AN INTERMEDIATE SUPERINTENDENT SHALL INITIATE  
20 PROCEEDINGS FOR REORGANIZATION UNDER THIS PART IMMEDIATELY UPON  
21 WRITTEN REQUEST OF NOT LESS THAN 10 SCHOOL ELECTORS OF EACH OF 2  
22 OR MORE SCHOOL DISTRICTS TO INITIATE PROCEEDINGS FOR REORGANIZA-  
23 TION OF THE SCHOOL DISTRICTS. A RESOLUTION OF THE BOARD OF AN  
24 ORIGINAL SCHOOL DISTRICT REQUESTING THIS ACTION BY THE INTERMEDI-  
25 ATE SUPERINTENDENT SHALL HAVE THE SAME EFFECT AS A WRITTEN  
26 REQUEST BY THE SCHOOL ELECTORS OF AN ORIGINAL DISTRICT.

1        SEC. 906A. (1) IMMEDIATELY UPON RECEIPT OF THE WRITTEN  
2 REQUEST TO INITIATE PROCEEDINGS FOR REORGANIZATION PURSUANT TO  
3 SECTION 905A, THE INTERMEDIATE SUPERINTENDENT SHALL REQUEST EACH  
4 APPROPRIATE CITY OR TOWNSHIP CLERK TO CERTIFY THE NUMBER OF REG-  
5 ISTERED GENERAL ELECTORS RESIDING IN EACH OF THE ORIGINAL  
6 AFFECTED SCHOOL DISTRICTS. EACH CITY OR TOWNSHIP CLERK SHALL  
7 MAKE THE CERTIFICATION WITHOUT DELAY. THE NUMBER OF REGISTERED  
8 GENERAL ELECTORS CERTIFIED SHALL BE THE BASIS FOR DETERMINING THE  
9 REQUIRED NUMBER OF SIGNATURES FOR CALLING AN ELECTION ON THE  
10 QUESTION OF REORGANIZATION.

11        (2) IN REGISTRATION SCHOOL DISTRICTS, THE SIGNATURE OF A  
12 PERSON REGISTERED AFTER THE DATE OF CERTIFICATION BY THE APPRO-  
13 PRIATE CITY OR TOWNSHIP CLERK SHALL BE A VALID SIGNATURE IF THE  
14 PERSON IS REGISTERED AT THE TIME HE OR SHE SIGNS THE PETITION.  
15 ADDITIONAL REGISTRATIONS SHALL NOT AFFECT THE NUMBER OF REGIS-  
16 TERED GENERAL ELECTORS ORIGINALLY CERTIFIED TO BY THE RESPECTIVE  
17 CITY OR TOWNSHIP CLERKS. IN REGISTRATION DISTRICTS, ONLY A REG-  
18 ISTERED SCHOOL ELECTOR IS ELIGIBLE TO SIGN A PETITION AND TO VOTE  
19 ON THE QUESTION OF REORGANIZATION.

20        (3) REGISTRATION IS NOT A REQUIREMENT FOR A SCHOOL ELECTOR  
21 IN A NONREGISTRATION DISTRICT TO SIGN A PETITION.

22        SEC. 907A. (1) WITHIN 30 DAYS AFTER THE RECEIPT OF CERTIFI-  
23 CATION REQUIRED BY SECTION 906A FROM EACH APPROPRIATE CITY OR  
24 TOWNSHIP CLERK, THE INTERMEDIATE SUPERINTENDENT SHALL HAVE PETI-  
25 TIONS PREPARED FOR CIRCULATION WITHIN THE ORIGINAL AFFECTED  
26 DISTRICTS. THE PETITIONS SHALL BE PRINTED OR DUPLICATED.

1 (2) THE FIRST PAGE OF A PETITION SHALL BE IN THE FOLLOWING  
2 FORM:

3 OFFICIAL PETITION NO. .... CONSISTING OF ..... PAGES.

4 EXPIRATION DATE .....

5 (SIGNED) .....

6 INTERMEDIATE SUPERINTENDENT OF INTERMEDIATE SCHOOL DISTRICT

7 ..... MICHIGAN.

8 TO THE INTERMEDIATE SUPERINTENDENT OF INTERMEDIATE SCHOOL

9 DISTRICT ..... MICHIGAN.

10 WE, THE UNDERSIGNED, (HERE INSERT "REGISTERED" IN A REGISTRATION  
11 SCHOOL DISTRICT, OR "QUALIFIED" IN A NONREGISTRATION SCHOOL DISTRICT)  
12 ELECTORS OF

13 \_\_\_\_\_ RESIDING IN \_\_\_\_\_

14 (NAME OF SCHOOL DISTRICT) (TOWNSHIP OR CITY)

15 PETITION THAT YOU CAUSE THE QUESTION OF REORGANIZATION OF THE  
16 FOLLOWING SCHOOL DISTRICTS TO BE SUBMITTED TO THE SCHOOL ELECTORS  
17 OF THESE DISTRICTS:

18 NAMES OF SCHOOL DISTRICTS TO BE REORGANIZED TO BE LISTED HERE

19 SIGNATURES OF PETITIONERS

20 NAME ADDRESS DATE OF SIGNING

21 (3) EACH ADDITIONAL PAGE OF THE PETITION SHALL HAVE THE FOL-  
22 LOWING AT OR NEAR THE TOP OF THE PAGE:

23 OFFICIAL PETITION

24 NO. .... PAGE NO. ....

25 EXPIRATION DATE OF PETITION .....

1 SIGNATURE OF INTERMEDIATE SUPERINTENDENT .....  
 2 .....  
 3

4 (4) EACH PAGE SHALL HAVE PRINTED OR DUPLICATED THE FOLLOWING  
 5 STATEMENT BELOW THE SPACE FOR SIGNATURE FOR PETITIONERS:

6 THE UNDERSIGNED CERTIFIES THAT HE OR SHE IS A QUALIFIED  
 7 (HERE INSERT "REGISTERED" IN THE CASE OF A REGISTRATION SCHOOL  
 8 DISTRICT) ELECTOR OF .....  
 9 .....

10 (NAME OF SCHOOL DISTRICT)

11 AND THAT EACH SIGNATURE APPEARING ON THIS PAGE IS THE GENUINE SIGNA-  
 12 TURE OF THE PERSON SIGNING AND THAT TO THE UNDERSIGNED'S BEST KNOWL-  
 13 EDGE AND BELIEF EACH PERSON WAS AT THE TIME OF SIGNING A (HERE INSERT  
 14 "REGISTERED" IN A REGISTRATION SCHOOL DISTRICT OR "QUALIFIED" IN A  
 15 NONREGISTRATION SCHOOL DISTRICT) ELECTOR OF THE SCHOOL DISTRICT.

16 \_\_\_\_\_  
 17 (NAME OF SCHOOL DISTRICT)

18 DATED THIS ..... DAY OF ..... 19...  
 19 .....

20 (5) EACH PETITION SHALL BE SIGNED BY THE INTERMEDIATE SUPER-  
 21 INTENDENT AS INDICATED IN SUBSECTION (4) BEFORE BEING ISSUED TO A  
 22 PERSON FOR CIRCULATION.

23 (6) AN INTERMEDIATE SUPERINTENDENT SHALL GIVE AN OFFICIAL  
 24 PETITION TO A SCHOOL ELECTOR OF THE SCHOOL DISTRICT PROPOSED TO  
 25 BE REORGANIZED. A PETITION SHALL BE CIRCULATED ONLY BY A SCHOOL  
 26 ELECTOR OF THE SCHOOL DISTRICT. THE STATEMENT APPEARING BELOW  
 THE SIGNATURES OF PETITIONERS SHALL BE DATED AND SIGNED ON EACH

1 PAGE BEFORE FILING THE PETITION WITH THE INTERMEDIATE  
2 SUPERINTENDENT.

3 (7) OFFICIAL PETITIONS SHALL BE RETURNED TO THE INTERMEDIATE  
4 SUPERINTENDENT BEFORE THE EXPIRATION DATE STATED ON THE PETITION,  
5 WHICH SHALL BE THE SIXTIETH DAY AFTER THE RECEIPT BY THE INTERME-  
6 DIATE SUPERINTENDENT OF THE LAST CERTIFICATION BY A CITY OR TOWN-  
7 SHIP CLERK AS TO THE NUMBER OF REGISTERED GENERAL ELECTORS RESID-  
8 ING IN EACH OF THE ORIGINAL AFFECTED DISTRICTS.

9 SEC. 908A. THE INTERMEDIATE SUPERINTENDENT SHALL CANVASS  
10 THE PETITIONS DESCRIBED IN SECTION 907A TO DETERMINE THE NUMBER  
11 OF SCHOOL ELECTORS WHO HAVE SIGNED THEM. FOR THE PURPOSE OF  
12 DETERMINING THE VALIDITY OF DOUBTFUL SIGNATURES, THE INTERMEDIATE  
13 SUPERINTENDENT MAY CAUSE THE SIGNATURES TO BE CHECKED AGAINST THE  
14 REGISTRATION RECORDS BY THE CLERK OF A POLITICAL SUBDIVISION IN  
15 WHICH PETITIONS WERE CIRCULATED OR MAY USE OTHER METHODS THE  
16 INTERMEDIATE SUPERINTENDENT CONSIDERS PROPER. IN THE ABSENCE OF  
17 FRAUD ON THE PART OF THE INTERMEDIATE SUPERINTENDENT IN THE  
18 DETERMINATION OF THE VALIDITY OF THE SIGNATURES TO A PETITION OR  
19 ERROR IN THE DETERMINATION OF THE NUMBER OF QUALIFIED SIGNATURES,  
20 DETERMINATION OF THE ADEQUACY OF THE NUMBER OF SCHOOL ELECTORS  
21 SIGNING EACH PETITION IS FINAL.

22 SEC. 909A. IF THE INTERMEDIATE SUPERINTENDENT IS PRESENTED  
23 WITH PETITIONS SIGNED BY SCHOOL ELECTORS IN EACH SCHOOL DISTRICT  
24 THAT EQUAL NOT LESS THAN 50% OF THE NUMBER OF REGISTERED GENERAL  
25 ELECTORS RESIDING IN EACH PRIMARY SCHOOL DISTRICT AS OF THE DATE  
26 THE INTERMEDIATE SUPERINTENDENT RELEASES PETITIONS, AND BY SCHOOL  
27 ELECTORS OF NOT LESS THAN 5% OF THE NUMBER OF REGISTERED GENERAL

1 ELECTORS RESIDING IN OTHER SCHOOL DISTRICTS, THE INTERMEDIATE  
2 SUPERINTENDENT SHALL NOTIFY THE SECRETARY OF THE BOARD OF EACH  
3 ORIGINAL AFFECTED SCHOOL DISTRICT THAT HE OR SHE HAS CERTIFIED  
4 THE PETITIONS AND THAT EACH BOARD MUST ADOPT A RESOLUTION AS  
5 SPECIFIED IN SECTION 903A.

6 SEC. 910A. UPON RECEIPT OF AN ORDER TRANSMITTED PURSUANT TO  
7 SECTION 903A APPROVING AN ELECTION FOR REORGANIZATION OF THE  
8 ORIGINAL SCHOOL DISTRICTS, THE BOARD OF EACH ORIGINAL DISTRICT  
9 SHALL PROVIDE BY RESOLUTION AS PROVIDED IN SECTION 904A FOR THE  
10 ELECTION ON THE QUESTION OF REORGANIZATION, WHICH ELECTION SHALL  
11 BE CONDUCTED WITHIN 60 DAYS AFTER APPROVAL OF THE RESOLUTION, AND  
12 CANVASSED IN THE ORIGINAL DISTRICTS AS DESCRIBED IN  
13 SECTION 1010.

14 SEC. 911A. (1) THE QUESTION OF REORGANIZATION SHALL BE SUB-  
15 MITTED TO THE SCHOOL ELECTORS AT A SPECIAL ELECTION HELD FOR THAT  
16 PURPOSE. IN VOTING TO FORM THE REORGANIZED SCHOOL DISTRICT, EACH  
17 ORIGINAL DISTRICT SHALL VOTE SEPARATELY AS A UNIT.

18 (2) THE BOARD OF EACH ORIGINAL DISTRICT SHALL CONDUCT THE  
19 ELECTION IN ITS DISTRICT.

20 (3) THE ELECTIONS SHALL BE HELD ON THE SAME DAY AND DURING  
21 THE SAME HOURS. EACH ORIGINAL DISTRICT SHALL VOTE IN THE MANNER  
22 OF A REGISTRATION SCHOOL DISTRICT UNDER PART 13.

23 SEC. 912A. (1) THE PROPOSITION SHALL BE IN SUBSTANTIALLY  
24 THE FOLLOWING FORM:

25 "SHALL THE TERRITORY OF THE FOLLOWING SCHOOL DISTRICTS BE  
26 REORGANIZED AS FOLLOWS:



1 (NAME OF SCHOOL DISTRICTS, FORM AND DESCRIPTION OF  
2 REORGANIZATION TO BE LISTED HERE)

3 YES ( )

4 NO ( )"

5 (2) PRINTED BALLOTS, VOTING MACHINES, OR OTHER VOTING  
6 DEVICES SHALL BE USED.

7 (3) THE SECRETARY OF THE BOARD OF EACH ORIGINAL SCHOOL DIS-  
8 TRICT SHALL PROVIDE PRINTED BALLOTS FOR THE ELECTION AND SUPPLY  
9 ALL ELECTION MATERIALS NECESSARY FOR THE ELECTION. THE BOARD OF  
10 EACH ORIGINAL SCHOOL DISTRICT SHALL APPOINT THE NECESSARY SCHOOL  
11 ELECTORS TO THE BOARD OF ELECTION INSPECTORS.

12 (4) EACH MEMBER OF A BOARD OF ELECTION INSPECTORS SHALL TAKE  
13 THE CONSTITUTIONAL OATH OF OFFICE BEFORE BEGINNING THE DUTIES OF  
14 AN ELECTION INSPECTOR.

15 (5) IF A MAJORITY OF THE SCHOOL ELECTORS VOTING ON THE QUES-  
16 TION PRESENTED IN SUBSECTION (1) IN EACH OF THE ORIGINAL SCHOOL  
17 DISTRICTS APPROVES THE QUESTION, THE SCHOOL DISTRICTS SHALL BE  
18 REORGANIZED.

19 SEC. 913A. WITHIN 10 DAYS AFTER THE ELECTION, THE SECRETARY  
20 OF THE BOARD OF EACH ORIGINAL DISTRICT IN WHICH AN ELECTION WAS  
21 HELD SHALL FILE A CERTIFIED STATEMENT OF THE VOTE FOR REORGANIZA-  
22 TION WITH THE SECRETARY OF THE BOARD OF EACH ORIGINAL DISTRICT,  
23 THE INTERMEDIATE SUPERINTENDENT, AND THE SUPERINTENDENT OF PUBLIC  
24 INSTRUCTION.

25 SEC. 914A. (1) THE REORGANIZATION SHALL TAKE EFFECT ON THE  
26 FIRST JULY 1 OCCURRING 1 YEAR AFTER THE DATE OF THE OFFICIAL  
27 CANVASS UNLESS AN EARLIER DATE IS AGREED UPON BETWEEN THE

1 AFFECTED SCHOOL DISTRICTS AND THEIR RESPECTIVE COLLECTIVE  
2 BARGAINING REPRESENTATIVES.

3       (2) IF THE ELECTORS APPROVE A CONSOLIDATION, WITHIN 20 DAYS  
4 AFTER THE DATE OF THE OFFICIAL CANVASS, EACH BOARD OF AN ORIGINAL  
5 DISTRICT SHALL MEET AS A GROUP AND APPOINT 7 OF THEIR MEMBERS TO  
6 SERVE AS AN INTERIM BOARD FOR THE CONSOLIDATED DISTRICT. THE  
7 INTERIM BOARD OF THE CONSOLIDATED DISTRICT SHALL HAVE AUTHORITY  
8 REGARDING THE OPERATION OF THE CONSOLIDATED DISTRICT THAT IS  
9 GRANTED OTHER BOARDS OF THE SAME CLASS DISTRICT OR INTERMEDIATE  
10 SCHOOL DISTRICT, AS APPLICABLE, UNDER THIS ACT.

11       (3) IF THE ELECTORS APPROVE AN ATTACHMENT, ANNEXATION, OR  
12 PARTIAL PROPERTY TRANSFER, THE BOARD OF A RECEIVING DISTRICT  
13 SHALL SERVE AS THE INTERIM BOARD OF THE REORGANIZED DISTRICT AND  
14 SHALL HAVE AUTHORITY REGARDING THE OPERATION OF THE REORGANIZED  
15 DISTRICT THAT IS GRANTED OTHER BOARDS OF THE SAME CLASS DISTRICT  
16 OR INTERMEDIATE SCHOOL DISTRICT, AS APPLICABLE, UNDER THIS ACT  
17 BETWEEN THE DATE OF THE OFFICIAL CANVASS AND THE EFFECTIVE DATE  
18 OF THE REORGANIZATION, OR UNTIL BOARD ELECTIONS ARE HELD IN THE  
19 REORGANIZED DISTRICT AS PROVIDED IN THIS ACT, WHICHEVER IS  
20 LATER.

21       SEC. 915A. (1) IN AN ANNEXATION, WITHIN 20 DAYS AFTER THE  
22 DATE OF THE OFFICIAL CANVASS, AN EMPLOYEE OF A SENDING DISTRICT  
23 SHALL BE CONSIDERED AN EMPLOYEE OF THE RECEIVING DISTRICT.

24       (2) AN EMPLOYEE WHO HAS EMPLOYMENT RIGHTS UNDER SUBSECTION  
25 (1) HAS SENIORITY AND THOSE RIGHTS THAT ACCRUE BASED ON SENIORITY  
26 IN THE RECEIVING DISTRICT. THESE SENIORITY RIGHTS SHALL BE  
27 DETERMINED UNDER THE APPROPRIATE COLLECTIVE BARGAINING AGREEMENT

1 OF THE RECEIVING DISTRICT OR, IF SUCH AN AGREEMENT DOES NOT  
2 EXIST, UNDER THE RECEIVING DISTRICT'S STANDARDS FOR SENIORITY.  
3 THE SENIORITY RIGHTS SHALL BE GRANTED AS IF THE EMPLOYEE WERE  
4 EMPLOYED ORIGINALLY BY THE RECEIVING DISTRICT. THIS SUBSECTION  
5 DOES NOT PROHIBIT MODIFICATION OF SENIORITY IN ANY SUCCESSOR  
6 AGREEMENT CONSISTENT WITH THE PARTIES' OBLIGATIONS UNDER ACT  
7 NO. 336 OF THE PUBLIC ACTS OF 1947, BEING SECTIONS 423.201 TO  
8 423.216 OF THE MICHIGAN COMPILED LAWS.

9 (3) AN EMPLOYEE OF A SENDING DISTRICT WHO IS ON LAYOFF ON  
10 JUNE 1 OF THE SCHOOL YEAR IMMEDIATELY PRECEDING THE EFFECTIVE  
11 DATE OF THE ANNEXATION SHALL NOT DISPLACE AN ACTIVE EMPLOYEE IN  
12 THE RECEIVING DISTRICT. HOWEVER, A TENURED TEACHER WHO IS  
13 GRANTED EMPLOYMENT RIGHTS PURSUANT TO THIS SECTION MAY REPLACE A  
14 PROBATIONARY TEACHER WHO IS EMPLOYED IN A POSITION FOR WHICH THE  
15 TENURED TEACHER IS CERTIFIED. A DISTRICT SHALL NOT LAYOFF OR  
16 RECALL EMPLOYEES TO CIRCUMVENT THE PROTECTIONS PROVIDED BY THIS  
17 SUBSECTION.

18 SEC. 916A. (1) IN A CONSOLIDATION, WITHIN 20 DAYS AFTER THE  
19 DATE OF THE OFFICIAL CANVASS, AN EMPLOYEE OF A SENDING DISTRICT  
20 SHALL BE CONSIDERED AN EMPLOYEE OF THE SENDING DISTRICT AND THE  
21 CONSOLIDATED DISTRICT.

22 (2) AN EMPLOYEE WHO HAS EMPLOYMENT RIGHTS UNDER SUBSECTION  
23 (1) HAS SENIORITY AND THOSE RIGHTS THAT ACCRUE BASED ON SENIORITY  
24 IN THE CONSOLIDATED DISTRICT. THESE SENIORITY RIGHTS SHALL BE  
25 DETERMINED UNDER THE APPROPRIATE COLLECTIVE BARGAINING AGREEMENT  
26 OF THE SENDING DISTRICT WITH THE LARGEST PUPIL MEMBERSHIP COUNT  
27 ON THE DATE OF THE OFFICIAL CANVASS OR, IF SUCH AN AGREEMENT DOES

1 NOT EXIST, UNDER THAT DISTRICT'S STANDARDS FOR SENIORITY. THESE  
2 SENIORITY RIGHTS SHALL BE GRANTED AS IF THE EMPLOYEE WERE  
3 EMPLOYED ORIGINALLY BY THE CONSOLIDATED DISTRICT. THIS SUBSEC-  
4 TION DOES NOT PROHIBIT MODIFICATION OF SENIORITY IN ANY SUCCESSOR  
5 AGREEMENT CONSISTENT WITH THE PARTIES' OBLIGATIONS UNDER ACT  
6 NO. 336 OF THE PUBLIC ACTS OF 1947, BEING SECTIONS 423.201 TO  
7 423.216 OF THE MICHIGAN COMPILED LAWS.

8 (3) AN EMPLOYEE OF A SENDING DISTRICT WHO IS ON LAYOFF ON  
9 JUNE 1 OF THE SCHOOL YEAR IMMEDIATELY PRECEDING THE EFFECTIVE  
10 DATE OF THE CONSOLIDATION SHALL NOT DISPLACE AN ACTIVE EMPLOYEE  
11 IN ANY SENDING DISTRICT. HOWEVER, A TENURED TEACHER WHO IS  
12 GRANTED EMPLOYMENT RIGHTS PURSUANT TO THIS SECTION MAY REPLACE A  
13 PROBATIONARY TEACHER WHO IS EMPLOYED IN A POSITION FOR WHICH THE  
14 TENURED TEACHER IS CERTIFIED. A DISTRICT SHALL NOT LAYOFF OR  
15 RECALL EMPLOYEES TO CIRCUMVENT THE PROTECTIONS PROVIDED BY THIS  
16 SUBSECTION.

17 SEC. 917A. (1) IN AN ATTACHMENT, WITHIN 20 DAYS AFTER THE  
18 DATE OF THE OFFICIAL CANVASS, AN EMPLOYEE OF A SENDING DISTRICT  
19 SHALL BE CONSIDERED AN EMPLOYEE OF THE SENDING DISTRICT AND EACH  
20 RECEIVING DISTRICT.

21 (2) AN EMPLOYEE WHO HAS EMPLOYMENT RIGHTS UNDER SUBSECTION  
22 (1) HAS SENIORITY AND THOSE RIGHTS THAT ACCRUE BASED ON SENIORITY  
23 IN EACH RECEIVING DISTRICT. THESE SENIORITY RIGHTS SHALL BE  
24 DETERMINED UNDER THE APPROPRIATE COLLECTIVE BARGAINING AGREEMENT  
25 OF THE RECEIVING DISTRICT OR, IF SUCH AN AGREEMENT DOES NOT  
26 EXIST, UNDER THE RECEIVING DISTRICT'S STANDARDS FOR SENIORITY.  
27 THE SENIORITY RIGHTS SHALL BE GRANTED AS IF THE EMPLOYEE WERE

1 EMPLOYED ORIGINALLY BY THE RECEIVING DISTRICT. THIS SUBSECTION  
2 DOES NOT PROHIBIT MODIFICATION OF SENIORITY IN ANY SUCCESSOR  
3 AGREEMENT CONSISTENT WITH THE PARTIES' OBLIGATIONS UNDER ACT  
4 NO. 336 OF THE PUBLIC ACTS OF 1947, BEING SECTIONS 423.201 TO  
5 423.216 OF THE MICHIGAN COMPILED LAWS.

6 (3) AN EMPLOYEE OF A SENDING DISTRICT WHO IS ON LAYOFF ON  
7 JUNE 1 OF THE SCHOOL YEAR IMMEDIATELY PRECEDING THE EFFECTIVE  
8 DATE OF THE ATTACHMENT SHALL NOT DISPLACE AN ACTIVE EMPLOYEE IN A  
9 RECEIVING DISTRICT. HOWEVER, A TENURED TEACHER WHO IS GRANTED  
10 EMPLOYMENT RIGHTS PURSUANT TO THIS SECTION MAY REPLACE A PROBA-  
11 TIONARY TEACHER WHO IS EMPLOYED IN A POSITION FOR WHICH THE TEN-  
12 URED TEACHER IS CERTIFIED. A DISTRICT SHALL NOT LAYOFF OR RECALL  
13 EMPLOYEES TO CIRCUMVENT THE PROTECTIONS PROVIDED BY THIS  
14 SUBSECTION.

15 (4) UPON ACCEPTANCE OF A POSITION WITH A RECEIVING DISTRICT,  
16 THE EMPLOYEE'S EMPLOYMENT RIGHTS IN ALL OTHER DISTRICTS  
17 TERMINATE.

18 SEC. 918A. (1) IN A PARTIAL PROPERTY TRANSFER, WITHIN  
19 20 DAYS AFTER THE DATE OF THE OFFICIAL CANVASS, AN EMPLOYEE OF A  
20 SENDING DISTRICT SHALL BE CONSIDERED AN EMPLOYEE OF THE SENDING  
21 DISTRICT AND EACH RECEIVING DISTRICT.

22 (2) AN EMPLOYEE WHO HAS EMPLOYMENT RIGHTS UNDER SUBSECTION  
23 (1) RETAINS SENIORITY AND OTHER EMPLOYMENT RIGHTS IN THE SENDING  
24 DISTRICT AND HAS SENIORITY AND THOSE RIGHTS THAT ACCRUE BASED ON  
25 SENIORITY IN EACH RECEIVING DISTRICT. THESE SENIORITY RIGHTS  
26 SHALL BE DETERMINED UNDER THE APPROPRIATE COLLECTIVE BARGAINING  
27 AGREEMENT OF THE RECEIVING DISTRICT OR, IF SUCH AN AGREEMENT DOES

1 NOT EXIST, UNDER THE RECEIVING DISTRICT'S STANDARDS FOR  
2 SENIORITY. THE SENIORITY RIGHTS SHALL BE GRANTED AS IF THE  
3 EMPLOYEE WERE EMPLOYED ORIGINALLY BY THE RECEIVING DISTRICT.  
4 THIS SUBSECTION DOES NOT PROHIBIT MODIFICATION OF SENIORITY IN  
5 ANY SUCCESSOR AGREEMENT CONSISTENT WITH THE PARTIES' OBLIGATIONS  
6 UNDER ACT NO. 336 OF THE PUBLIC ACTS OF 1947, BEING SECTIONS  
7 423.201 TO 423.216 OF THE MICHIGAN COMPILED LAWS.

8 (3) AN EMPLOYEE OF A SENDING DISTRICT WHO IS ON LAYOFF ON  
9 JUNE 1 OF THE SCHOOL YEAR IMMEDIATELY PRECEDING THE EFFECTIVE  
10 DATE OF THE PARTIAL PROPERTY TRANSFER SHALL NOT DISPLACE AN  
11 ACTIVE EMPLOYEE IN A RECEIVING DISTRICT. HOWEVER, A TENURED  
12 TEACHER WHO IS GRANTED EMPLOYMENT RIGHTS PURSUANT TO THIS SECTION  
13 MAY REPLACE A PROBATIONARY TEACHER WHO IS EMPLOYED IN A POSITION  
14 FOR WHICH THE TENURED TEACHER IS CERTIFIED. A DISTRICT SHALL NOT  
15 LAYOFF OR RECALL EMPLOYEES TO CIRCUMVENT THE PROTECTIONS PROVIDED  
16 BY THIS SUBSECTION.

17 (4) UPON ACCEPTANCE OF A POSITION WITH A RECEIVING DISTRICT,  
18 OR REEMPLOYMENT IN THE SENDING DISTRICT, THE EMPLOYEE'S EMPLOY-  
19 MENT RIGHTS IN ALL OTHER DISTRICTS TERMINATE.

20 SEC. 919A. (1) UNLESS MODIFIED BY A COLLECTIVE BARGAINING  
21 AGREEMENT, A PERSON EMPLOYED UNDER SECTIONS 915A THROUGH 918A IS  
22 ENTITLED TO ALL RIGHTS AND BENEFITS TO WHICH THE PERSON OTHERWISE  
23 WOULD BE ENTITLED HAD THE PERSON BEEN EMPLOYED ORIGINALLY BY THE  
24 SCHOOL DISTRICT TO WHICH HIS OR HER EMPLOYMENT RIGHTS ATTACH.

25 (2) AN EMPLOYEE OF A SENDING DISTRICT EMPLOYED BY A REORGA-  
26 NIZED DISTRICT PURSUANT TO THIS PART IS ENTITLED TO ALL RIGHTS  
27 AND BENEFITS PROVIDED BY ACT NO. 4 OF THE PUBLIC ACTS OF THE

1 EXTRA SESSION OF 1937, BEING SECTIONS 38.71 TO 38.191 OF THE  
2 MICHIGAN COMPILED LAWS, TO WHICH THE PERSON WOULD HAVE BEEN ENTI-  
3 TLED IF THE PERSON HAD BEEN EMPLOYED ORIGINALLY BY THE REORGA-  
4 NIZED DISTRICT, INCLUDING TENURE STATUS.

5 SEC. 920A. ANY QUESTION AS TO AN APPROPRIATE COLLECTIVE  
6 BARGAINING REPRESENTATIVE OR UNIT COMPOSITION INVOLVING EMPLOYEES  
7 OF A REORGANIZED SCHOOL DISTRICT SHALL BE FILED WITH THE EMPLOY-  
8 MENT RELATIONS COMMISSION, CREATED BY SECTION 3 OF ACT NO. 176 OF  
9 THE PUBLIC ACTS OF 1939, BEING SECTION 423.3 OF THE MICHIGAN  
10 COMPILED LAWS, PURSUANT TO ITS RULES AND PROCEDURES. IF FILED  
11 WITHIN 60 DAYS AFTER THE DATE OF THE OFFICIAL CANVASS OF THE  
12 REORGANIZATION ELECTION, THE EMPLOYMENT RELATIONS COMMISSION,  
13 PURSUANT TO ITS AUTHORITY UNDER ACT NO. 336 OF THE PUBLIC ACTS OF  
14 1947, BEING SECTIONS 423.201 TO 423.216 OF THE MICHIGAN COMPILED  
15 LAWS, SHALL HOLD A HEARING, IF REQUIRED, WITHIN 30 DAYS AFTER THE  
16 FILING AND SHALL ISSUE A DECISION WITHIN 30 DAYS AFTER THE  
17 HEARING. IF AN ELECTION IS REQUIRED BY ORDER OF THE EMPLOYMENT  
18 RELATIONS COMMISSION, THE ELECTION SHALL BE HELD WITHIN 30 DAYS  
19 AFTER THE ISSUANCE OF THE ORDER TO HOLD THE ELECTION.

20 SEC. 921A. (1) NOT LATER THAN 4 MONTHS AFTER THE DATE OF  
21 THE OFFICIAL CANVASS, BUT EARLIER UPON REQUEST OF EITHER PARTY,  
22 THE INTERIM BOARD OF A REORGANIZED DISTRICT SHALL MEET AND BAR-  
23 GAIN WITH THE RESPECTIVE COLLECTIVE BARGAINING REPRESENTATIVES OF  
24 EMPLOYEES OF THE REORGANIZED DISTRICT OVER WAGES, HOURS, AND  
25 OTHER TERMS AND CONDITIONS OF EMPLOYMENT FOR EMPLOYEES AFTER THE  
26 EFFECTIVE DATE OF THE REORGANIZATION.

1       (2) IN A CONSOLIDATION, IF AN AGREEMENT HAS NOT BEEN REACHED  
2 WITH THE RESPECTIVE COLLECTIVE BARGAINING REPRESENTATIVES OF THE  
3 EMPLOYEES OF THE CONSOLIDATED DISTRICT BEFORE THE EFFECTIVE DATE  
4 OF THE CONSOLIDATION, THE CONSOLIDATED DISTRICT SHALL IMPLEMENT,  
5 ON AN INTERIM BASIS UNTIL AN AGREEMENT IS REACHED, THE COLLECTIVE  
6 BARGAINING AGREEMENT OF THE SENDING DISTRICT WITH THE LARGEST  
7 PUPIL MEMBERSHIP COUNT ON THE DATE OF THE OFFICIAL CANVASS. IN  
8 THIS SITUATION, AN EMPLOYEE IS ENTITLED TO ALL RIGHTS AND BENE-  
9 FITS ARISING UNDER THE INTERIM AGREEMENT AS IF THE EMPLOYEE HAD  
10 BEEN EMPLOYED ORIGINALLY BY THE DISTRICT WITH THE LARGEST PUPIL  
11 MEMBERSHIP.

12       (3) IN AN ATTACHMENT, ANNEXATION, OR PARTIAL PROPERTY TRANS-  
13 FER, IF AN AGREEMENT HAS NOT BEEN REACHED WITH THE RESPECTIVE  
14 COLLECTIVE BARGAINING REPRESENTATIVES OF THE EMPLOYEES OF THE  
15 RECEIVING DISTRICT BEFORE THE EFFECTIVE DATE OF THE REORGANIZA-  
16 TION, THE RECEIVING DISTRICT SHALL IMPLEMENT ITS EXISTING COLLEC-  
17 TIVE BARGAINING AGREEMENT. IN THIS SITUATION, AN EMPLOYEE IS  
18 ENTITLED TO ALL RIGHTS AND BENEFITS ARISING UNDER THE INTERIM  
19 AGREEMENT AS IF THE EMPLOYEE HAD BEEN EMPLOYED ORIGINALLY BY THE  
20 RECEIVING DISTRICT.

21       SEC. 922A. (1) UPON THE EFFECTIVE DATE OF AN ANNEXATION OR  
22 CONSOLIDATION, ALL ASSETS AND LIABILITIES OF EACH SENDING DIS-  
23 TRICT, WITH THE EXCEPTION OF ITS BONDED INDEBTEDNESS, BECOME THE  
24 ASSETS AND LIABILITIES OF THE REORGANIZED RECEIVING DISTRICT.

25       (2) UPON THE EFFECTIVE DATE OF AN ATTACHMENT OR PARTIAL  
26 PROPERTY TRANSFER, ALL ASSETS AND LIABILITIES OF THE SENDING



1 DISTRICT, WITH THE EXCEPTION OF ITS BONDED INDEBTEDNESS, SHALL BE  
2 DIVIDED BY AGREEMENT OF THE SENDING AND RECEIVING DISTRICTS.

3 SEC. 923A. (1) WITHIN 20 DAYS AFTER THE EFFECTIVE DATE OF A  
4 REORGANIZATION, THE BOARD OF EACH SENDING DISTRICT SHALL ACCOUNT  
5 TO THE BOARD OF THE REORGANIZED DISTRICT FOR ALL RECORDS, FUNDS,  
6 AND PROPERTY BELONGING TO THE SENDING DISTRICT AND SHALL GIVE THE  
7 RECORDS, FUNDS, AND PROPERTY TO THE BOARD OF THE REORGANIZED  
8 DISTRICT.

9 (2) UPON RECEIPT OF THE RECORDS, FUNDS, AND PROPERTY  
10 DESCRIBED IN SUBSECTION (1) BY THE BOARD OF THE REORGANIZED DIS-  
11 TRICT, THE OFFICERS OF EACH SENDING DISTRICT ARE RELEASED FROM  
12 LIABILITY FOR THE RECORDS, FUNDS, AND PROPERTY AND THEIR OFFICES  
13 ARE TERMINATED.

14 SEC. 924A. (1) IF A SCHOOL DISTRICT BECOMING PART OF A  
15 REORGANIZED DISTRICT HAS BONDED INDEBTEDNESS OR HAS OUTSTANDING  
16 TAX ANTICIPATION NOTES AT THE TIME OF REORGANIZATION, THE IDEN-  
17 TITY OF THE SCHOOL DISTRICT SHALL NOT BE LOST BY VIRTUE OF THE  
18 REORGANIZATION. TERRITORY OF THE ORIGINAL SCHOOL DISTRICT SHALL  
19 REMAIN AS AN ASSESSING UNIT FOR PURPOSES OF BONDED INDEBTEDNESS  
20 AND TAX ANTICIPATION NOTES UNTIL THE INDEBTEDNESS IS RETIRED OR  
21 THE OUTSTANDING BONDS ARE REFUNDED BY THE REORGANIZED SCHOOL  
22 DISTRICT. THE BOARD OF THE REORGANIZED SCHOOL DISTRICT SHALL  
23 CONSTITUTE THE BOARD OF TRUSTEES FOR THE ORIGINAL SCHOOL DISTRICT  
24 HAVING BONDED INDEBTEDNESS OR TAX ANTICIPATION NOTES. THE OFFI-  
25 CERS OF THE REORGANIZED SCHOOL DISTRICT SHALL BE THE OFFICERS FOR  
26 THE ORIGINAL SCHOOL DISTRICT FOR THIS PURPOSE.

1           (2) THE BOARD OF THE REORGANIZED SCHOOL DISTRICT SHALL  
2 CERTIFY AND ORDER THE LEVY OF TAXES FOR THE BONDED INDEBTEDNESS  
3 AND TAX ANTICIPATION NOTES IN THE NAME OF THE ORIGINAL SCHOOL  
4 DISTRICT AND SHALL NOT COMMINGLE THE DEBT RETIREMENT FUNDS OF THE  
5 ORIGINAL SCHOOL DISTRICT WITH FUNDS OF THE REORGANIZED SCHOOL  
6 DISTRICT. THE BOARD OF THE REORGANIZED DISTRICT SHALL DO ALL  
7 THINGS RELATIVE TO THE BONDED INDEBTEDNESS AND TAX ANTICIPATION  
8 NOTES REQUIRED BY LAW AND BY THE TERMS UNDER WHICH THE ISSUE AND  
9 SALE OF THE BONDS AND TAX ANTICIPATION NOTES WERE ORIGINALLY  
10 AUTHORIZED.

11           (3) OTHER TAXES OF ANY NATURE FOR PURPOSES OF THE REORGA-  
12 NIZED SCHOOL DISTRICT SHALL BE SPREAD UNIFORMLY OVER THE ENTIRE  
13 AREA OF THE REORGANIZED DISTRICT.

14           SEC. 925A. (1) IF 1 OR MORE OF THE ORIGINAL DISTRICTS  
15 INVOLVED IN A REORGANIZATION HAVE BONDED INDEBTEDNESS, THE RESO-  
16 LUTION REQUIRED BY SECTION 903A MAY PROVIDE THAT THE REORGANIZA-  
17 TION DOES NOT BECOME EFFECTIVE UNLESS THE SCHOOL ELECTORS OF EACH  
18 ORIGINAL DISTRICT APPROVE THE ASSUMPTION OF EACH ORIGINAL  
19 DISTRICT'S BONDED INDEBTEDNESS.

20           (2) IF THE ASSUMPTION OF THE BONDED INDEBTEDNESS IS APPROVED  
21 BY THE SCHOOL ELECTORS, THE REORGANIZED SCHOOL DISTRICT ASSUMES  
22 THE OBLIGATION OF THE BONDED INDEBTEDNESS OF EACH APPLICABLE  
23 ORIGINAL DISTRICT AND PAY THE BONDED INDEBTEDNESS BY LEVYING DEBT  
24 RETIREMENT TAXES UNIFORMLY OVER THE TERRITORY OF THE REORGANIZED  
25 DISTRICT. THE ASSUMPTION OF BONDED INDEBTEDNESS OF AN ORIGINAL  
26 DISTRICT DOES NOT RELEASE THE TERRITORY OF THE ORIGINAL DISTRICT  
27 FROM THE FINAL RESPONSIBILITY OF PAYING THE BONDED OBLIGATION.

1 (3) OTHER TAXES OF ANY NATURE FOR PURPOSES OF THE  
2 REORGANIZED DISTRICT SHALL BE SPREAD UNIFORMLY OVER THE ENTIRE  
3 AREA OF THE REORGANIZED DISTRICT.

4 SEC. 926A. (1) BEGINNING 3 YEARS AFTER THE EFFECTIVE DATE  
5 OF A REORGANIZATION IN WHICH 1 OR MORE OF THE ORIGINAL SCHOOL  
6 DISTRICTS HAVE OUTSTANDING BONDED INDEBTEDNESS, THE REORGANIZED  
7 SCHOOL DISTRICT MAY ASSUME THE OBLIGATION OF THE BONDED INDEBTED-  
8 NESS AND PAY THE BONDED DEBT BY LEVYING DEBT RETIREMENT TAX  
9 LEVIES UNIFORMLY OVER THE TERRITORY OF THE REORGANIZED SCHOOL  
10 DISTRICT IF THE SCHOOL ELECTORS OF THE REORGANIZED SCHOOL DIS-  
11 TRICT APPROVE THE ASSUMPTION OF THE BONDED INDEBTEDNESS. THE  
12 ASSUMPTION OF THE INDEBTEDNESS DOES NOT RELEASE THE TERRITORY OF  
13 THE SCHOOL DISTRICT ORIGINALLY INCURRING THE BONDED INDEBTEDNESS  
14 FROM THE FINAL RESPONSIBILITY OF PAYING THE BONDED OBLIGATION.

15 (2) THE ELECTION DESCRIBED IN SUBSECTION (1) MAY BE HELD  
16 AFTER THE EFFECTIVE DATE OF A REORGANIZATION WHEN A PROPOSAL TO  
17 ISSUE NEW BONDS OF THE REORGANIZED SCHOOL DISTRICT IS SUBMITTED  
18 TO THE SCHOOL ELECTORS. THE ASSUMPTION OF INDEBTEDNESS, IF  
19 APPROVED, BECOMES EFFECTIVE IMMEDIATELY.

20 (3) AT AN ELECTION TO ISSUE NEW BONDS OF THE REORGANIZED  
21 SCHOOL DISTRICT, OUTSTANDING BOND ISSUES OF 1 OR MORE OF THE  
22 ORIGINAL SCHOOL DISTRICTS MAY BE REFUNDED AS A PART OF THE NEW  
23 BOND ISSUE. IT IS NOT NECESSARY TO PRESENT THE QUESTION OF  
24 ASSUMPTION OF THE INDEBTEDNESS AS A SEPARATE PROPOSITION.

25 SEC. 927A. IF AN ORIGINAL DISTRICT THAT VOTES TO INCREASE  
26 THE CONSTITUTIONAL LIMITATION ON TAXES FOR EITHER BUILDING AND  
27 SITE OR GENERAL FUND PURPOSES AND THE TERM OF YEARS FOR WHICH THE

1 MILLAGE WAS VOTED HAS NOT EXPIRED PROPOSES TO TAKE PART IN A  
2 REORGANIZATION, THE RESOLUTION REQUIRED BY SECTION 903A MAY PRO-  
3 VIDE THAT THE REORGANIZATION BECOMES EFFECTIVE ONLY IF THE SCHOOL  
4 ELECTORS OF THE ORIGINAL DISTRICTS APPROVE AN INCREASE IN THE  
5 CONSTITUTIONAL LIMITATION ON TAXES FOR THE SAME AMOUNTS, FOR THE  
6 SAME PURPOSES, AND FOR THE SAME YEARS AS ARE IN EFFECT IN THE  
7 ORIGINAL DISTRICT THAT PREVIOUSLY HAD VOTED TO INCREASE THE CON-  
8 STITUTIONAL LIMITATION ON TAXES.

9 SEC. 928A. AN INTERESTED PERSON MAY SEEK A WRIT OF MANDAMUS  
10 IN THE CIRCUIT COURT FOR THE COUNTY IN WHICH A MAJORITY OF THE  
11 RESIDENTS OF THE REORGANIZED DISTRICT RESIDE OR THE COUNTY OF  
12 INGHAM TO ENFORCE ANY PROVISION OF THIS PART. THIS SECTION DOES  
13 NOT LIMIT REMEDIES AVAILABLE TO THE COURT PURSUANT TO ANOTHER  
14 SECTION OF THIS ACT.

15 SEC. 949A. THE STATE BOARD SHALL PROMULGATE, AS NECESSARY,  
16 RULES TO IMPLEMENT THIS PART.

17 SEC. 950. AS USED IN THIS PART:

18 (A) "RECEIVING DISTRICT" MEANS A SCHOOL DISTRICT THAT  
19 RECEIVES PROPERTY PURSUANT TO THIS PART.

20 (B) "SENDING DISTRICT" MEANS A SCHOOL DISTRICT FROM WHICH  
21 PROPERTY IS DETACHED PURSUANT TO THIS PART.

22 Sec. 951. ~~An~~ EXCEPT AS PROVIDED IN THIS SECTION, AN  
23 intermediate school board may detach territory from 1 school dis-  
24 trict and attach the territory to another if requested to do so  
25 by resolution of the board of a school district whose boundaries  
26 would be ~~changes by section~~ CHANGED BY THE ACTION, by  
27 resolution of the board of a condominium association acting

1 pursuant to a petition signed by not less than 2/3 of the  
2 co-owners of the condominium association who reside on the land  
3 to be transferred, or if petitioned by not less than 2/3 of the  
4 persons who own and reside on the land to be transferred. The  
5 intermediate school board shall take final action within 60 days  
6 after the receipt of the resolution or petition. The territory  
7 to be detached shall be contiguous to the school district to  
8 which it is attached. If the latest assessed valuation of the  
9 area to be detached is more than 10% of the latest assessed valu-  
10 ation of the entire school district from which it is to be  
11 detached, ~~the action of the intermediate school board shall not~~  
12 ~~be effective unless approved by an affirmative vote of a majority~~  
13 ~~of the school electors of the district from which the territory~~  
14 ~~is to be detached~~ THE PROVISIONS RELATING TO A PARTIAL PROPERTY  
15 TRANSFER UNDER PART 9 APPLY.

16 Sec. 955. The ~~intermediate school board or joint interme-~~  
17 ~~diate school boards shall determine the effective date of the~~  
18 ~~transfer, which shall not be less than 10 days after the date of~~  
19 ~~the determination, and~~ TRANSFER SHALL TAKE EFFECT ON THE FIRST  
20 JULY 1 OCCURRING 1 YEAR AFTER THE DATE OF THE ADOPTION OF THE  
21 RESOLUTION OF THE INTERMEDIATE SCHOOL BOARD OR JOINT INTERMEDIATE  
22 SCHOOL BOARDS AFFIRMING THE PROPERTY TRANSFER UNLESS AN EARLIER  
23 DATE IS AGREED UPON BY ALL AFFECTED DISTRICTS AND THEIR RESPEC-  
24 TIVE COLLECTIVE BARGAINING REPRESENTATIVES. BEFORE THE EFFECTIVE  
25 DATE OF THE TRANSFER, THE INTERMEDIATE SCHOOL BOARD OR JOINT  
26 INTERMEDIATE SCHOOL BOARDS shall determine whether personal  
27 property of a school district is to be transferred. If real

1 property owned by a school district is transferred to another  
2 school district, the intermediate school board shall determine an  
3 equitable payment for the loss of the property. The intermediate  
4 school board or joint intermediate school boards may require an  
5 accounting from the affected boards of education and, for the  
6 purpose of making the determination, may adjourn subject to the  
7 call of the president of the intermediate school board or chair-  
8 person of the joint intermediate school boards.

9       SEC. 977. (1) AN EMPLOYEE OF A SENDING DISTRICT WHO IS LAID  
10 OFF OR WHOSE EMPLOYMENT IS TERMINATED AS A RESULT OF A PROPERTY  
11 TRANSFER HAS A RIGHT TO EMPLOYMENT BASED ON SENIORITY AND THOSE  
12 RIGHTS THAT ACCRUE BASED ON EMPLOYMENT IN EACH RECEIVING  
13 DISTRICT. WITHIN 20 DAYS AFTER ADOPTION OF THE RESOLUTION  
14 DESCRIBED IN SECTION 951, THE EMPLOYEE SHALL TEMPORARILY BE CON-  
15 sidered AN EMPLOYEE OF THE SENDING DISTRICT AND EACH RECEIVING  
16 DISTRICT.

17       (2) AN EMPLOYEE WHO HAS EMPLOYMENT RIGHTS UNDER SUBSECTION  
18 (1) RETAINS SENIORITY AND OTHER EMPLOYMENT RIGHTS IN THE SENDING  
19 DISTRICT AND HAS SENIORITY AND OTHER RIGHTS THAT ACCRUE BASED ON  
20 SENIORITY IN EACH RECEIVING DISTRICT. THESE SENIORITY RIGHTS  
21 SHALL BE DETERMINED UNDER THE APPROPRIATE COLLECTIVE BARGAINING  
22 AGREEMENT OF THE RECEIVING DISTRICT OR, IF SUCH AN AGREEMENT DOES  
23 NOT EXIST, UNDER THAT DISTRICT'S STANDARDS FOR SENIORITY. THESE  
24 SENIORITY RIGHTS SHALL BE GRANTED AS IF THE EMPLOYEE WERE  
25 EMPLOYED ORIGINALLY BY THAT DISTRICT. THIS SUBSECTION DOES NOT  
26 PROHIBIT MODIFICATION OF SENIORITY IN ANY SUCCESSOR AGREEMENT  
27 CONSISTENT WITH THE PARTIES' OBLIGATIONS UNDER ACT NO. 336 OF THE

1 PUBLIC ACTS OF 1947, BEING SECTIONS 423.201 TO 423.216 OF THE  
2 MICHIGAN COMPILED LAWS.

3 (3) AN EMPLOYEE OF A SENDING DISTRICT WHO IS ON LAYOFF ON  
4 JUNE 1 OF THE SCHOOL YEAR IMMEDIATELY PRECEDING THE EFFECTIVE  
5 DATE OF THE PROPERTY TRANSFER SHALL NOT DISPLACE AN ACTIVE  
6 EMPLOYEE IN A RECEIVING DISTRICT. HOWEVER, A TENURED TEACHER WHO  
7 IS GRANTED EMPLOYMENT RIGHTS PURSUANT TO THIS SECTION MAY REPLACE  
8 A PROBATIONARY TEACHER WHO IS EMPLOYED IN A POSITION FOR WHICH  
9 THE TENURED TEACHER IS CERTIFIED. A DISTRICT SHALL NOT LAYOFF OR  
10 RECALL EMPLOYEES TO CIRCUMVENT THE PROTECTIONS PROVIDED BY THIS  
11 SUBSECTION.

12 (4) UPON ACCEPTANCE OF A POSITION WITH A RECEIVING DISTRICT  
13 OR REEMPLOYMENT IN THE SENDING DISTRICT, THE EMPLOYEE'S EMPLOY-  
14 MENT RIGHTS IN ALL OTHER SCHOOL DISTRICTS TERMINATE.

15 SEC. 978. (1) UNLESS MODIFIED BY A COLLECTIVE BARGAINING  
16 AGREEMENT, AN EMPLOYEE OF A SENDING DISTRICT EMPLOYED BY A  
17 RECEIVING DISTRICT PURSUANT TO THIS PART IS ENTITLED TO ALL  
18 RIGHTS AND BENEFITS TO WHICH THE EMPLOYEE OTHERWISE WOULD BE  
19 ENTITLED HAD THE EMPLOYEE BEEN EMPLOYED ORIGINALLY BY THE RECEIV-  
20 ING DISTRICT.

21 (2) AN EMPLOYEE OF A SENDING DISTRICT EMPLOYED BY A RECEIV-  
22 ING DISTRICT PURSUANT TO THIS PART IS ENTITLED TO ALL RIGHTS AND  
23 BENEFITS PROVIDED BY ACT NO. 4 OF THE PUBLIC ACTS OF THE EXTRA  
24 SESSION OF 1937, BEING SECTIONS 38.71 TO 38.191 OF THE MICHIGAN  
25 COMPILED LAWS, TO WHICH THE EMPLOYEE WOULD HAVE BEEN ENTITLED IF  
26 THE EMPLOYEE HAD BEEN EMPLOYED ORIGINALLY BY THE RECEIVING  
27 DISTRICT, INCLUDING TENURE STATUS.

1       Sec. 1027. In a nonregistration school district, issues of  
2 bonding ~~, annexation, and consolidation~~ REORGANIZATION to  
3 which the consent of the school electors is required shall be  
4 decided by elections held in the manner of elections in registra-  
5 tion school districts under part 13.

6       Section 2. Sections 701, 702, 703, 851, 852, 853, 854, 855,  
7 856, 857, 858, 859, 860, 861, 862, 863, 864, 901, 902, 902a, 903,  
8 904, 905, 906, 907, 908, 911, 912, 921, 922, 931, 932, 933, 941,  
9 942, 943, 944, 945, 946, 947, 948, 949, and 1742 of Act No. 451  
10 of the Public Acts of 1976, being sections 380.701, 380.702,  
11 380.703, 380.851, 380.852, 380.853, 380.854, 380.855, 380.856,  
12 380.857, 380.858, 380.859, 380.860, 380.861, 380.862, 380.863,  
13 380.864, 380.901, 380.902, 380.902a, 380.903, 380.904, 380.905,  
14 380.906, 380.907, 380.908, 380.911, 380.912, 380.921, 380.922,  
15 380.931, 380.932, 380.933, 380.941, 380.942, 380.943, 380.944,  
16 380.945, 380.946, 380.947, 380.948, 380.949, and 380.1742 of the  
17 Michigan Compiled Laws, are repealed.