

HOUSE BILL No. 4009

January 11, 1989, Introduced by Reps. O'Neill, Jondahl, Gilmer, Barns, Trim, DeBeaussaert, Martin, Kosteva, Munsell, Keith and Jonker and referred to the Committee on Education.

A bill to amend section 6 of Act No. 451 of the Public Acts of 1976, entitled as amended

"The school code of 1976,"

as amended by Act No. 215 of the Public Acts of 1982, being section 380.6 of the Michigan Compiled Laws; and to add sections 1204a, 1277, 1278, and 1282a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 6 of Act No. 451 of the Public Acts of
2 1976, as amended by Act No. 215 of the Public Acts of 1982, being
3 section 380.6 of the Michigan Compiled Laws, is amended and sec-
4 tions 1204a, 1277, 1278, and 1282a are added to read as follows:

5 Sec. 6. (1) "School bus" means a motor vehicle, other than
6 a station wagon or passenger van, with a manufacturer's rated
7 seating capacity of 17 or more pupils used for the transportation
8 of school pupils to and from school which either is owned by a

1 school district or, if privately owned, is transporting school
2 pupils under a contract with a local school district, a local act
3 school district, or an intermediate school district. As used in
4 this subsection:

5 (a) "Passenger van" means a motor vehicle designed to carry
6 not more than 16 passengers, built on a truck chassis, and regis-
7 tered and titled by the secretary of state as a station wagon.

8 (b) "Station wagon" means a motor vehicle designed to carry
9 not more than 10 passengers and built on a passenger vehicle
10 chassis.

11 (2) "School district" or "local school district" means:

12 (a) A primary school district.

13 (b) A school district of the fourth class.

14 (c) A school district of the third class.

15 (d) A school district of the second class.

16 (e) A school district of the first class.

17 (3) "School elector" means a person qualified as an elector
18 under section 492 of THE MICHIGAN ELECTION LAW, Act No. 116 of
19 the Public Acts of 1954, as amended, being section 168.492 of the
20 Michigan Compiled Laws, and resident of the school district,
21 local act school district, or intermediate school district on or
22 before the thirtieth day ~~prior to~~ BEFORE the next ensuing
23 annual or special school election.

24 (4) "School month" means a 4-week period of 5 days each
25 unless otherwise specified in the teacher's contract.

26 (5) "Special education building and equipment" means a
27 structure or portion of a structure or personal property

1 accepted, leased, purchased, or otherwise acquired, prepared, or
2 used for special education programs and services.

3 (6) "Special education personnel" means persons engaged in
4 and having professional responsibility for the training, care,
5 and education of handicapped persons in special education pro-
6 grams and services including, but not limited to, teachers,
7 aides, social workers, diagnostic personnel, physical therapists,
8 occupational therapists, audiologists, teachers of speech and
9 language, instructional media-curriculum specialists, mobility
10 specialists, teacher consultants, supervisors, and directors.

11 (7) "Special education programs and services" means educa-
12 tional and training services designed for ~~handicapped persons~~
13 HANDICAPPERS AND operated by local school districts, local act
14 school districts, intermediate school districts, the Michigan
15 school for the blind, the Michigan school for the deaf, the
16 department of mental health, the department of social services,
17 or a combination thereof, and ancillary professional services for
18 ~~handicapped persons~~ HANDICAPPERS rendered by agencies approved
19 by the state board. The programs shall include vocational train-
20 ing, but need not include academic programs of college or univer-
21 sity level.

22 (8) "State approved nonpublic school" means a nonpublic
23 school ~~which~~ THAT complies with Act No. 302 of the Public Acts
24 of 1921, as amended, being sections 388.551 to 388.558 of the
25 Michigan Compiled Laws.

26 (9) "State board" means the state board of education unless
27 clearly otherwise stated.

1 (10) "~~State department of education~~ DEPARTMENT" means the
2 department of education created and operating under sections 300
3 to 305 of THE EXECUTIVE ORGANIZATION ACT OF 1965, Act No. 380 of
4 the Public Acts of 1965, being sections 16.400 to 16.405 of the
5 Michigan Compiled Laws.

6 (11) "State school aid" means allotments from the general
7 appropriating act for the purpose of aiding in the support of the
8 public schools of the state.

9 (12) "THE STATE SCHOOL AID ACT OF 1979" MEANS ACT NO. 94 OF
10 THE PUBLIC ACTS OF 1979, BEING SECTIONS 388.1601 TO 388.1772 OF
11 THE MICHIGAN COMPILED LAWS.

12 (13) ~~(+2)~~ "Type I school bus" means a school bus with a
13 gross vehicle weight rating of more than 10,000 pounds.

14 (14) ~~(+3)~~ "Type II school bus" means a school bus with a
15 gross vehicle rating of 10,000 pounds or less.

16 (15) ~~(+4)~~ "Type I premium school bus" means a school bus
17 with a passenger capacity of ~~over~~ MORE THAN 66 pupils and any
18 other school bus purchased by a district at a cost for the vehi-
19 cle, excluding interest and special equipment, ~~which~~ THAT
20 exceeds by more than 15% the average cost of a school bus meeting
21 state minimum specifications of the same capacity purchased
22 during the same year.

23 SEC. 1204A. (1) THE BOARD OF A SCHOOL DISTRICT SHALL PRE-
24 PARE AND DISTRIBUTE TO THE PUBLIC AND THE STATE BOARD AN ANNUAL
25 EDUCATIONAL REPORT. THE ANNUAL EDUCATIONAL REPORT SHALL INCLUDE,
26 BUT NOT BE LIMITED TO, ALL OF THE FOLLOWING INFORMATION:

1 (A) THE ACCREDITATION STATUS OF EACH SCHOOL WITHIN THE
2 SCHOOL DISTRICT.

3 (B) THE STATUS OF THE 3- TO 5-YEAR SCHOOL IMPROVEMENT PLAN
4 FOR EACH SCHOOL WITHIN THE SCHOOL DISTRICT AS DESCRIBED IN SEC-
5 TION 1277.

6 (C) A COPY OF ANY CORE CURRICULUM ADOPTED AND IN EFFECT
7 UNDER SECTION 1278 AND A DESCRIPTION OF ITS IMPLEMENTATION.

8 (D) A REPORT OF AGGREGATE STUDENT ACHIEVEMENT BASED UPON THE
9 RESULTS OF ANY LOCALLY-ADMINISTERED STUDENT COMPETENCY TESTS,
10 STATEWIDE ASSESSMENT TESTS, OR NATIONALLY NORMED ACHIEVEMENT
11 TESTS THAT WERE GIVEN TO PUPILS ATTENDING SCHOOL IN THE SCHOOL
12 DISTRICT.

13 (E) FOR THE PREVIOUS SCHOOL YEAR, THE NUMBER AND PERCENTAGE
14 OF SCHOOL DROPOUTS, AS DEFINED BY THE STATE BOARD, IN THE SCHOOL
15 DISTRICT, AND IDENTIFIED BY GRADE LEVEL.

16 (F) FOR THE YEAR IN WHICH THE REPORT IS FILED AND THE PREVI-
17 OUS SCHOOL YEAR, THE NUMBER OF PUPILS, IDENTIFIED AT THE ELEMEN-
18 TARY, MIDDLE, AND SECONDARY SCHOOL LEVELS, WHO ARE ENROLLED IN
19 SCHOOL IN THE SCHOOL DISTRICT.

20 (2) NOT LATER THAN JULY 1, 1990, THE STATE BOARD SHALL PRE-
21 PARE AND MAKE AVAILABLE TO SCHOOL DISTRICTS SUGGESTIONS FOR ACCU-
22 MULATING THE INFORMATION LISTED IN SUBSECTION (1) AND A MODEL
23 EDUCATIONAL REPORT FOR SCHOOL DISTRICTS TO CONSIDER IN THE IMPE-
24 MENTATION OF THIS SECTION.

25 SEC. 1277. (1) THE BOARD OF A SCHOOL DISTRICT, CONSIDERING
26 CRITERIA ESTABLISHED BY THE STATE BOARD, SHALL ADOPT AND
27 IMPLEMENT A 3- TO 5-YEAR SCHOOL IMPROVEMENT PLAN AND CONTINUING

1 SCHOOL IMPROVEMENT PROCESS FOR EACH SCHOOL WITHIN THE SCHOOL
2 DISTRICT. THE SCHOOL IMPROVEMENT PLAN SHALL INCLUDE, AT A MINI-
3 MUM, PROPOSED METHODS FOR EFFECTIVE CLASSROOM MANAGEMENT. SCHOOL
4 BUILDING ADMINISTRATORS, TEACHERS, STUDENTS, PARENTS OF STUDENTS
5 ATTENDING THAT SCHOOL, AND OTHER RESIDENTS OF THE SCHOOL DISTRICT
6 SHALL PARTICIPATE IN THE PLANNING, DEVELOPMENT, AND IMPLEMENTA-
7 TION OF THE DISTRICT'S SCHOOL IMPROVEMENT PLAN. UPON REQUEST OF
8 THE BOARD OF A SCHOOL DISTRICT, THE DEPARTMENT SHALL ASSIST, AND
9 THE INTERMEDIATE SCHOOL DISTRICT TO WHICH THE SCHOOL DISTRICT IS
10 CONSTITUENT MAY ASSIST, A SCHOOL DISTRICT IN THE DEVELOPMENT AND
11 IMPLEMENTATION OF A SCHOOL IMPROVEMENT PLAN. A SCHOOL IMPROVE-
12 MENT PLAN DESCRIBED IN THIS SECTION SHALL BE UPDATED ANNUALLY BY
13 THE BOARD OF THE SCHOOL DISTRICT.

14 (2) THE SCHOOL IMPROVEMENT PLAN OF A SCHOOL DISTRICT SHALL
15 BE MAINTAINED ON FILE WITH THE INTERMEDIATE SCHOOL DISTRICT TO
16 WHICH THE SCHOOL DISTRICT IS CONSTITUENT.

17 (3) THE STATE BOARD ANNUALLY SHALL REVIEW A RANDOM SAMPLING
18 OF SCHOOL IMPROVEMENT PLANS AND SUBMIT A REPORT ON SCHOOL
19 IMPROVEMENT ACTIVITIES PLANNED AND ACCOMPLISHED BY EACH OF THE
20 SCHOOL DISTRICTS THAT WERE PART OF THE SAMPLING TO THE SENATE AND
21 HOUSE COMMITTEES THAT HAVE THE RESPONSIBILITY FOR EDUCATION
22 LEGISLATION.

23 SEC. 1278. (1) THE BOARD OF A SCHOOL DISTRICT SHALL MAKE
24 AVAILABLE TO ALL PUPILS ATTENDING PUBLIC SCHOOL IN THE DISTRICT A
25 CORE CURRICULUM DEVELOPED PURSUANT TO SUBSECTION (3).

26 (2) A CORE CURRICULUM SHALL BE DEVELOPED BY THE STATE BOARD
27 IN CONJUNCTION WITH CURRICULUM AND SUBJECT MATTER SPECIALISTS.

1 THE CORE CURRICULUM SHALL BE BASED UPON THE STATE BOARD APPROVED
2 "MICHIGAN K-12 PROGRAM STANDARDS OF QUALITY" AND SHALL BE TRANS-
3 MITTED TO ALL SCHOOL DISTRICTS IN THE STATE. THE CORE CURRICULUM
4 SHALL CONSIST OF ALL OF THE FOLLOWING:

5 (A) A LIST OF REQUIRED SUBJECTS.

6 (B) A LIST OF RECOMMENDED COURSES, RECOMMENDED GENERAL
7 OBJECTIVES, AND RECOMMENDED TOPICS FOR EACH SUBJECT.

8 (C) RECOMMENDED TIME ALLOCATIONS FOR EACH SUBJECT.

9 (3) THE SCHOOL BOARD SHALL DETERMINE, CONSIDERING AS A GUIDE
10 THE CORE CURRICULUM DEVELOPED PURSUANT TO SUBSECTION (2), THE
11 COURSES THAT WILL COMPRISE THE SCHOOL DISTRICT'S CORE CURRICULUM
12 AND THE SEQUENCE, BY GRADE CLUSTER, IN WHICH THOSE COURSES WILL
13 BE TAUGHT.

14 (4) A SUBJECT OR COURSE REQUIRED BY SUBSECTION (2) MAY BE
15 MADE AVAILABLE TO ALL PUPILS IN A SCHOOL DISTRICT BY THAT SCHOOL
16 DISTRICT, A CONSORTIUM OF SCHOOL DISTRICTS, OR A CONSORTIUM OF 1
17 OR MORE SCHOOL DISTRICTS AND 1 OR MORE INTERMEDIATE SCHOOL
18 DISTRICTS.

19 SEC. 1282A. (1) AS USED IN THIS SECTION, "BASIC AND EMPLOYA-
20 BILITY SKILLS TEST" MEANS A BATTERY OF TESTS ADMINISTERED BY A
21 LOCAL SCHOOL DISTRICT FOR THE PURPOSE OF ASSESSING COMPETENCY IN
22 ENGLISH, MATHEMATICS, SCIENCE, AND OTHER SUBJECT AREAS DETERMINED
23 BY THE STATE BOARD. THE BASIC AND EMPLOYABILITY SKILLS TEST
24 SHALL ALSO BE USED TO ASSESS COMPETENCY IN SELECTED EMPLOYABILITY
25 SKILLS AS DEFINED BY THE STATE BOARD.

26 (2) THE STATE BOARD SHALL APPOINT A BASIC AND EMPLOYABILITY
27 SKILLS TEST ADVISORY COMMITTEE WHICH SHALL INCLUDE, BUT NOT BE

1 LIMITED TO, REPRESENTATIVES OF PARENTS, THE COMMUNITY, LABOR,
2 MANAGEMENT, AND APPROPRIATE EDUCATION ORGANIZATIONS AND
3 ASSOCIATIONS. THE STATE BOARD SHALL MAKE AVAILABLE TO THE
4 ADVISORY COMMITTEE TECHNICAL CONSULTANTS TO ADVISE ON THE VALIDI-
5 TY, RELIABILITY, AND OTHER TECHNICAL STANDARDS OF THE BASIC AND
6 EMPLOYABILITY SKILLS TEST. THE ADVISORY COMMITTEE SHALL RECOM-
7 MEND TO THE STATE BOARD, NOT LATER THAN SEPTEMBER 1, 1989, GUIDE-
8 LINES FOR THE DEVELOPMENT AND ADMINISTRATION OF THE BASIC AND
9 EMPLOYABILITY SKILLS TEST.

10 (3) NOT LATER THAN JANUARY 1, 1990, THE STATE BOARD, BASED
11 UPON THE GUIDELINES RECOMMENDED BY THE BASIC AND EMPLOYABILITY
12 SKILLS TEST ADVISORY COMMITTEE PURSUANT TO SUBSECTION (2), SHALL
13 PROVIDE TO LOCAL SCHOOL DISTRICTS GUIDELINES FOR CONSIDERATION IN
14 THE DEVELOPMENT OR SELECTION AND USE OF A BASIC AND EMPLOYABILITY
15 SKILLS TEST.

16 (4) NOT LATER THAN SEPTEMBER 1, 1990, THE STATE BOARD SHALL
17 DEVELOP OR SELECT AND MAKE AVAILABLE TO LOCAL SCHOOL DISTRICTS A
18 BASIC AND EMPLOYABILITY SKILLS TEST. PERIODICALLY, BUT NOT LESS
19 FREQUENTLY THAN EVERY 5 YEARS, THE STATE BOARD SHALL EVALUATE AND
20 RECOMMEND IMPROVEMENTS FOR THE BASIC AND EMPLOYABILITY SKILLS
21 TEST DESCRIBED IN THIS SECTION.

22 (5) NOT LATER THAN JANUARY 1, 1991, EACH LOCAL SCHOOL DIS-
23 TRICT SHALL INDICATE BY BOARD RESOLUTION TO THE DEPARTMENT
24 WHETHER IT WILL USE THE BASIC AND EMPLOYABILITY SKILLS TEST
25 DEVELOPED OR SELECTED BY THE STATE BOARD OR WILL SUBMIT TO THE
26 DEPARTMENT FOR APPROVAL BY THE DEPARTMENT THE DISTRICT'S OWN

1 LOCALLY-DEVELOPED OR SELECTED BASIC AND EMPLOYABILITY SKILLS
2 TEST.

3 (6) UPON REQUEST, THE DEPARTMENT SHALL PROVIDE TECHNICAL
4 ASSISTANCE TO A LOCAL SCHOOL DISTRICT IN THE DEVELOPMENT AND
5 ADMINISTRATION OF THE LOCAL SCHOOL DISTRICT'S BASIC AND EMPLOYA-
6 BILITY SKILLS TEST.

7 (7) THE REQUIREMENT OF TAKING A STATE-APPROVED BASIC AND
8 EMPLOYABILITY SKILLS TEST SHALL BE IN ADDITION TO ANY OTHER
9 REQUIREMENTS ESTABLISHED BY LAW OR BY THE BOARD OF A LOCAL SCHOOL
10 DISTRICT.

11 (8) BEGINNING MAY 1, 1991, A PUPIL SHALL BE GIVEN AN OPPOR-
12 TUNITY TO TAKE HIS OR HER LOCAL SCHOOL DISTRICT'S BASIC AND
13 EMPLOYABILITY SKILLS TEST IN THE 10TH GRADE AND SHALL BE REQUIRED
14 TO TAKE THE TEST BEFORE GRADUATION.

15 (9) A PUPIL WHO IS ASSESSED AS NOT COMPETENT IN A SUBJECT OR
16 SKILL AREA TESTED BY A BASIC AND EMPLOYABILITY SKILLS TEST MAY
17 REPEAT THE TEST AT LEAST ONCE DURING THE SCHOOL YEAR. IN ADDI-
18 TION, THE SCHOOL BOARD OF THE SCHOOL DISTRICT IN WHICH THE PUPIL
19 IS ENROLLED SHALL PROVIDE THAT THERE BE AT LEAST 1 MEETING
20 ATTENDED BY AT LEAST THE PUPIL, A PARENT, LEGAL GUARDIAN, OR
21 PERSON IN LOCO PARENTIS OF THE PUPIL, AND A MEMBER OF THE SCHOOL
22 DISTRICT'S STAFF WHO IS COMPETENT IN THE MEASUREMENT AND EVALU-
23 ATION OF PUPILS. THE PURPOSE OF EACH MEETING SHALL BE TO DETER-
24 MINE AN EDUCATIONAL PROGRAM FOR THE PUPIL WHICH IS DESIGNED TO
25 HAVE THE PUPIL REACH COMPETENCE IN EACH SUBJECT OR SKILL AREA IN
26 WHICH HE OR SHE WAS ASSESSED AS NOT COMPETENT. THE SCHOOL BOARD
27 MAY PROVIDE SPECIAL REMEDIAL PROGRAMS FOR THE PUPIL OR MAY

1 DEVELOP A REMEDIAL PROGRAM USING THE EDUCATIONAL PROGRAMS
2 REGULARLY PROVIDED BY THE SCHOOL DISTRICT.

3 (10) THE BOARD OF A SCHOOL DISTRICT SHALL INDICATE THE
4 RESULTS OF THE BASIC AND EMPLOYABILITY SKILLS TEST ON EACH
5 PUPIL'S TRANSCRIPT.

6 (11) UPON COMPLETION OF ALL OTHER REQUIREMENTS FOR A HIGH
7 SCHOOL DIPLOMA, AN INDIVIDUAL MAY REPEAT THE BASIC AND EMPLOYABI-
8 LITY SKILLS TEST AT ANY TIME THE SCHOOL DISTRICT REGULARLY OFFERS
9 THE TEST AND UPON DEMONSTRATION OF COMPETENCE SHALL BE GIVEN A
10 REVISED TRANSCRIPT INDICATING COMPETENCY IN THE SUBJECT OR SKILL
11 AREA IN WHICH HE OR SHE WAS PREVIOUSLY ASSESSED AS NOT
12 COMPETENT.

13 (12) NOT LATER THAN JANUARY 1, 1993 AND EACH YEAR THEREAF-
14 TER, THE STATE BOARD SHALL SUBMIT IN WRITING A SUMMARY ANALYSIS
15 OF THE BASIC AND EMPLOYABILITY SKILLS TEST PROGRAM TO THE SENATE
16 AND HOUSE COMMITTEES THAT HAVE THE RESPONSIBILITY FOR EDUCATION
17 LEGISLATION.

18 (13) THE STATE BOARD MAY EXEMPT SPECIAL EDUCATION PUPILS
19 FROM THE REQUIREMENTS OF THIS SECTION.