

SENATE BILL No. 570

October 4, 1989, Introduced by Senators FAXON and
SCHWARZ and referred to the Committee on Education
and Mental Health.

A bill to establish the Michigan school reorganization commission; to prescribe its powers and duties; to prescribe the powers and duties of certain state officials, departments, and agencies; to provide for an appropriation; and to repeal certain parts of this act on specific dates.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. As used in this act:

2 (a) "Commission" means the Michigan school reorganization
3 commission created in section 2.

4 (b) "School district" means a local school district estab-
5 lished under part 2, 3, 4, 5, or 6 of the school code of 1976,
6 Act No. 451 of the Public Acts of 1976, being sections 380.71 to
7 380.485 of the Michigan Compiled Laws, or a local act school
8 district.

1 Sec. 2. (1) Not later than 30 days after the effective date
2 of this act, the governor shall appoint with the advice and
3 consent of the senate the Michigan school reorganization commis-
4 sion for the purpose of developing a plan to reduce the number of
5 school districts in this state.

6 (2) The commission shall consist of the following 9
7 members:

8 (a) One member representing the Upper Peninsula.

9 (b) One member representing the area north of the Bay
10 City-Muskegon line.

11 (c) Three members representing fairly the remainder of the
12 state.

13 (d) Four members representing the general public.

14 (3) A vacancy on the commission shall be filled in the same
15 manner as the original appointment.

16 (4) Within 10 days after all appointments have been made
17 under this section, the commission shall hold its first meeting.
18 At the meeting, the commission shall elect a chairperson and
19 other officers as it considers necessary from among its members.
20 Following this initial meeting, the commission shall hold meet-
21 ings as considered necessary by the chairperson.

22 (5) A majority of the members of the commission constitute a
23 quorum for the transaction of business at a meeting of the
24 commission. Action by the commission shall be by a majority of
25 the votes cast.

1 (6) A member of the commission shall be reimbursed for
2 actual and necessary expenses incurred in the performance of
3 official duties.

4 Sec. 3. The commission shall do all of the following:

5 (a) Develop a school reorganization plan in compliance with
6 section 5 to reduce the number of school districts in this
7 state.

8 (b) Not later than 1 year after the date of the first meet-
9 ing of the commission, publish a report on its findings and rec-
10 ommendations on school reorganization. The report shall include
11 a schedule for implementation, with consideration given to the
12 duration of existing collective bargaining agreements and the
13 need for holding new elections for board members.

14 (c) After the publication of the report described in
15 subdivision (b), hold public hearings across the state to provide
16 information as appropriate to citizens, to answer questions, and
17 to hear testimony on school reorganization.

18 (d) After the completion of the public hearings required by
19 subdivision (c), publish a revised and final report on its find-
20 ings and recommendations on school reorganization.

21 Sec. 4. The revised and final report of the commission
22 required by section 3(d) shall be implemented unless rejected not
23 later than 60 days after its publication by 2/3 of the members
24 elected to and serving in each house of the legislature.

25 Sec. 5. In developing the school reorganization plan
26 required by section 3(a), the commission shall take into account
27 all of the following criteria:

1 (a) A new school district shall operate a school program of
2 kindergarten through twelfth grade.

3 (b) The total number of school districts in this state shall
4 not exceed 250.

5 (c) Except as provided in this subdivision, a new school
6 district shall have more than 2,000 pupils according to the
7 latest pupil membership count day. This 2,000 pupil requirement
8 may be waived if either of the following conditions applies.

9 (i) Due to a low population density, the 2,000 pupil
10 requirement would place an undue hardship upon pupils within the
11 new school district by requiring more than 1 hour of travel time
12 to the nearest school for pupils attending that school.

13 (ii) The pupil population trends indicate that a new school
14 district with less than 2,000 pupils will have more than 2,000
15 pupils within 1 year after the formation of the new school
16 district.

17 (d) A new school district shall not be required to be larger
18 in territory than 1 county.

19 (e) A new school district shall not be so large in territory
20 as to require more than 1 hour of travel time to the nearest
21 school for pupils attending that school.

22 (f) A new school district shall be compact and reflect some
23 continuity of a former district.

24 (g) A new school district, to the extent possible in keeping
25 with the other criteria, shall be formed along municipal boundary
26 lines.

1 (h) A new school district shall be comprised of residents of
2 different economic levels and racial backgrounds.

3 (i) A new school district shall efficiently use existing
4 school buildings and facilities.

5 (j) Other relevant data, material, and concepts that will
6 increase the efficiency and effectiveness of the operation of the
7 educational system conducted by school districts formed or reor-
8 ganized pursuant to this act.

9 Sec. 6. The commission may do 1 or both of the following:

10 (a) Accept assistance from state departments, agencies, and
11 individuals.

12 (b) Form committees or working groups as appropriate for the
13 performance of its responsibilities.

14 Sec. 7. The department of education and any other depart-
15 ment or agency as requested by the commission shall assist the
16 commission and shall provide staff and services as required by
17 the commission.

18 Sec. 8. (1) A meeting of the commission shall be held pur-
19 suant to the open meetings act, Act No. 267 of the Public Acts of
20 1976, being sections 15.261 to 15.275 of the Michigan Compiled
21 Laws. Public notice of the time, date, and place of the meeting
22 shall be given in the manner required by Act No. 267 of the
23 Public Acts of 1976.

24 (2) A writing prepared, owned, used, in the possession of,
25 or retained by the commission in the performance of an official
26 function under this act shall be made available to the public in
27 compliance with the freedom of information act, Act No. 442 of

1 the Public Acts of 1976, being sections 15.231 to 15.246 of the
2 Michigan Compiled Laws.

3 Sec. 9. The legislature shall annually appropriate to the
4 commission a sum sufficient to implement this act.

5 Sec. 10. This act is repealed 2 years after the effective
6 date of the appointment of the members of the commission.