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SFA**BILL ANALYSIS**

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Senate Bill 157 (as introduced 2-11-03)
Sponsor: Senator Martha G. Scott
Committee: Education

Date Completed: 3-27-03

CONTENT

The bill would amend the Revised School Code to require that the question of whether to retain the school reform board and chief executive officer of a first class school district, and the authority to appoint them, be placed on the ballot at the August 2003 primary election in the city in which the district is located. Currently, that question must be placed on the ballot in the November 2004 general election. (The Code defines a district of the first class as one with a pupil membership of at least 100,000, i.e., the Detroit Public Schools.)

Under the Code, if the ballot question is approved by a majority of the school electors voting on it, all of the following apply: The school reform board and the chief executive officer continue in place in the district; the authority of the mayor to appoint members of the school reform board continues; and the question may be placed on the ballot again after the expiration of five years following the election at which the question is approved, if sufficient petitions are filed.

If the ballot question is not approved, the school reform board must arrange with local election officials for the election of a new elected school board for the school district. This election must be at a special election held as soon as practicable, but not sooner than 90 days after the election on the ballot question.

The bill would retain these provisions.

MCL 280.375

BACKGROUND

Public Act 10 of 1999, which created Part 5A of the Revised School Code, required the mayor of a city with a qualifying school district (defined as a district of the first class, or one with a minimum of 100,000 pupils to appoint a seven-member school reform board by April 25, 1999. A majority of the members of the reform board must be electors of the school district, and the seventh member, for five years, must be the State Superintendent of Public Instruction. The Act then required the reform board to appoint, by unanimous vote, a chief executive officer, who assumed the powers, rights, duties, and obligations of the elected board. These powers and duties include authority over the expenditure of all school district funds; rights and obligations under collective bargaining agreements and employment contracts entered into by the elected school board; and rights and obligations under statute, rule, and common law.

Legislative Analyst: Claire Layman

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Joe Carrasco

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.