

SENATE BILL No. 157

February 11, 2003, Introduced by Senators SCOTT, CLARK-COLEMAN, LELAND and BARCIA and referred to the Committee on Education.

A bill to amend 1976 PA 451, entitled
"The revised school code,"
by amending section 375 (MCL 380.375), as added by 1999 PA 10.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 375. (1) ~~After the expiration of 5 years after the~~
2 ~~initial appointment of a school reform board in a qualifying~~
3 ~~school district under this part, the~~ **The** question of whether to
4 retain the school reform board and the chief executive officer,
5 and the authority under this part to appoint the school reform
6 board and the chief executive officer, shall be placed on the
7 ballot in the qualifying school district under this section **at**
8 **the August 2003 primary election in the city in which the**
9 **qualifying school district is located.**

10 ~~(2) The question under subsection (1) shall be placed on the~~
11 ~~ballot in the qualifying school district at the next November~~

1 ~~general election occurring at least 90 days after the expiration~~
 2 ~~of 5 years after the date of the initial appointment of the~~
 3 ~~school reform board.~~

4 (2) ~~-(3)-~~ The question under subsection (1) shall be in
 5 substantially the following form:

6 "Shall the school reform board and chief executive officer
 7 serving in _____ (name of qualifying school district)
 8 under part 5a of the revised school code be retained and shall
 9 the mayor of _____ (name of city in which the school
 10 district is located) retain the authority to appoint members of
 11 the school reform board? A vote in the affirmative continues the
 12 school reform board and chief executive officer in place in the
 13 school district and continues the authority of the mayor to
 14 appoint members of the school reform board. A vote in the
 15 negative will result in the election of a new elected school
 16 board as the governing body of the school district and will
 17 render the provisions of law establishing authority to appoint a
 18 school reform board inapplicable for this school district.

19 Yes ()

20 No ()".

21 (3) ~~-(4)-~~ If the question under subsection (1) is approved by
 22 a majority of the school electors voting on the question either
 23 under subsection (1) or pursuant to subdivision (c), all of the
 24 following apply:

25 (a) The school reform board and chief executive officer
 26 continue in place in the qualifying school district.

27 (b) The authority of the mayor to appoint members of the

1 school reform board continues in the qualifying school district.

2 (c) The question may not be placed on the ballot again in the
3 qualifying school district until the expiration of 5 years after
4 the election at which the question was approved. The question
5 may be placed on the ballot again in the qualifying school
6 district under this subdivision if petitions calling for the
7 question to be placed on the ballot are filed with the county
8 clerk for the county in which the qualifying school district is
9 located not sooner than 4 years after the question was most
10 recently on the ballot and if the petitions are signed by a
11 number of school electors of the qualifying school district at
12 least equal to 10% of the number of votes cast within the city in
13 which the qualifying school district is located for secretary of
14 state in the most recent November general election in which a
15 secretary of state was elected. If those petitions are submitted
16 and verified, the question shall be placed on the ballot in the
17 qualifying school district at the next November general election
18 occurring at least 5 years after the question was most recently
19 on the ballot and at least 90 days after the petitions are
20 submitted and verified.

21 (4) ~~(5)~~ If the question under subsection (1) is not
22 approved by a majority of the school electors voting on the
23 question either under subsection (1) or pursuant to subsection
24 ~~(4)(e)~~ (3)(c), all of the following apply:

25 (a) The school reform board shall arrange with local
26 elections officials for election of a new elected school board
27 for the school district. This election shall be at a special

1 election held as soon as practicable, but not sooner than 90 days
2 after the election under subsection (1). This election shall be
3 conducted in the manner otherwise provided under this act for an
4 initial school board election in a newly formed first class
5 school district.

6 (b) Effective on the next July 1 following the election under
7 subdivision (a), the new elected school board of the qualifying
8 school district shall serve as the governing body of the
9 qualifying school district and this elected school board and its
10 secretary and treasurer shall be fully vested with all powers and
11 duties that those officials had before the appointment of the
12 school reform board.

13 (c) Effective on the next July 1 following the election under
14 subdivision (a), the powers of the school reform board
15 established for the qualifying school district under this part,
16 of the chief executive officer, and of all other officers
17 appointed under section 374 cease.

18 (d) Effective on the next July 1 following the election under
19 subdivision (a), the provisions of this part do not apply to that
20 qualifying school district.