

HOUSE BILL No. 4797

May 30, 2013, Introduced by Reps. Rutledge and Rogers and referred to the Committee on Education.

A bill to amend 1976 PA 451, entitled
"The revised school code,"
(MCL 380.1 to 380.1852) by adding section 11c.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 11C. (1) SUBSECTION (2) APPLIES TO A SCHOOL DISTRICT THAT
2 MEETS BOTH OF THE FOLLOWING:

3 (A) THE DISTRICT IS REQUIRED TO SUBMIT A DEFICIT ELIMINATION
4 PLAN UNDER SECTION 102 OF THE STATE SCHOOL AID ACT, MCL 388.1702,
5 AND EITHER HAS FAILED TO SUBMIT A DEFICIT ELIMINATION PLAN UNDER
6 THAT SECTION OR HAS SUBMITTED A DEFICIT ELIMINATION PLAN UNDER THAT
7 SECTION BUT THAT PLAN HAS NOT BEEN APPROVED BY THE DEPARTMENT
8 WITHIN 90 DAYS AFTER IT WAS SUBMITTED.

9 (B) THE SUPERINTENDENT OF PUBLIC INSTRUCTION AND THE STATE

1 TREASURER HAVE BOTH DETERMINED THAT THE DISTRICT IS NOT FINANCIALLY
2 VIALE AND IS UNABLE TO EDUCATE DISTRICT RESIDENTS FOR A SCHOOL
3 YEAR, AND HAVE PROVIDED THE DISTRICT WITH WRITTEN NOTICE OF THIS
4 DETERMINATION.

5 (2) IF THE CONDITIONS UNDER SUBSECTION (1) ARE MET, THEN BOTH
6 OF THE FOLLOWING APPLY:

7 (A) THE SUPERINTENDENT OF PUBLIC INSTRUCTION AND STATE
8 TREASURER MAY ACT JOINTLY AS RECEIVER FOR THE SCHOOL DISTRICT OR
9 REQUEST APPOINTMENT OF A RECEIVER FOR THE SCHOOL DISTRICT AS
10 PROVIDED BY LAW.

11 (B) A RECEIVER FOR THE SCHOOL DISTRICT UNDER SUBDIVISION (A)
12 MAY ACT FOR THE SCHOOL DISTRICT BY EXERCISING THE AUTHORITY AND
13 DUTY OF THE SCHOOL BOARD AND OFFICERS OF THE SCHOOL DISTRICT TO
14 PROVIDE FOR THE EDUCATION OF RESIDENTS OF THE SCHOOL DISTRICT BY
15 ENTERING INTO 1 OR MORE AGREEMENTS UNDER SECTION 11A(4) WITH AN
16 INTERMEDIATE SCHOOL DISTRICT, A SCHOOL DISTRICT, OR OTHER PUBLIC
17 ENTITY AUTHORIZED TO PROVIDE EDUCATIONAL SERVICES AND BY TAKING
18 OTHER ACTION THE SUPERINTENDENT OF PUBLIC INSTRUCTION AND THE STATE
19 TREASURER CONSIDER NECESSARY TO SATISFY THE FINANCIAL OBLIGATIONS
20 OF THE SCHOOL DISTRICT AND PROVIDE FOR THE EDUCATION OF RESIDENTS
21 OF THE SCHOOL DISTRICT.