

SENATE BILL NO. 1025

October 02, 2024, Introduced by Senator MCDONALD RIVET and referred to the Committee on Housing and Human Services.

A bill to amend 1976 PA 451, entitled
"The revised school code,"
by amending section 1711 (MCL 380.1711), as amended by 2016 PA 532.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1711. (1) ~~The~~**An** intermediate school board shall do all
2 of the following:

3 (a) Develop, establish, and continually evaluate and modify in
4 cooperation with its constituent districts, a plan for special
5 education that provides for the delivery of special education
6 programs and services designed to meet the individual needs of each

1 student with a disability ~~of whom~~ **that** the intermediate school
 2 board is required to maintain a record **for** under subdivision (f).
 3 The plan ~~shall~~ **must** coordinate the special education programs and
 4 services operated or contracted for by the constituent districts
 5 and ~~shall~~ **must** be submitted to the superintendent of public
 6 instruction for approval.

7 (b) Contract for the delivery of a special education program
 8 or service ~~,~~ in accordance with the intermediate school district
 9 plan in compliance with section 1701. Under the contract the
 10 intermediate school board may operate special education programs or
 11 services and furnish transportation services and room and board.

12 (c) Employ or engage special education personnel in accordance
 13 with the intermediate school district plan, and appoint a director
 14 of special education meeting the qualifications and requirements of
 15 the rules promulgated by the superintendent of public instruction.

16 (d) Accept and use available funds or contributions from
 17 governmental or private sources for the purpose of providing
 18 special education programs and services consistent with this
 19 article.

20 (e) Lease, purchase, or otherwise acquire vehicles, sites,
 21 buildings, or portions thereof, and equip them for ~~its~~ **the**
 22 **intermediate school board's** special education staff, programs, and
 23 services.

24 (f) Maintain a record of each student with a disability under
 25 ~~26-40~~ years of age, who is a resident of 1 of ~~its~~ **the intermediate**
 26 **school board's** constituent districts and who has not graduated from
 27 high school, and the special education programs or services in
 28 which the student with a disability is participating on the fourth
 29 Friday after Labor Day and **the** Friday before Memorial Day. The sole

1 basis for determining the local school district in which a student
 2 with a disability is a resident ~~shall be~~ **are** the rules promulgated
 3 by the superintendent of public instruction notwithstanding the
 4 provisions of section 1148. The records ~~shall~~ **must** be maintained in
 5 accordance with rules promulgated by the superintendent of public
 6 instruction.

7 (g) Have the authority to place in appropriate special
 8 education programs or services a student with a disability for whom
 9 a constituent district is required to provide special education
 10 programs or services under section 1751.

11 (h) Investigate special education programs and services
 12 operated or contracted for by the intermediate school board or
 13 constituent district boards and report in writing failures to
 14 comply with the provisions of a contract, statute, or rule
 15 governing the special education programs and services or with the
 16 intermediate school district plan, to the local school district
 17 board and to the superintendent of public instruction.

18 (i) Operate the special education programs or services or
 19 contract for the delivery of special education programs or services
 20 by local school district boards, in accordance with section 1702,
 21 as if a local school district under section 1751. The contract
 22 ~~shall~~ **must** provide for items stated in section 1751 and ~~shall~~ **must**
 23 be approved by the superintendent of public instruction. The
 24 intermediate school board shall contract for the transportation, or
 25 room and board, or both, ~~or persons~~ **for individuals** participating
 26 in the program or service as if a local school district board under
 27 sections 1756 and 1757.

28 (j) Receive the report of a parent or **legal** guardian or, with
 29 the consent of a parent or **legal** guardian, receive the report of a

1 licensed physician, registered nurse, social worker, or school or
2 other appropriate professional personnel whose training and
3 relationship to students with a disability provide competence to
4 judge them and who in good faith believes that ~~a person~~**an**
5 **individual** under ~~26-40~~ years of age examined by the professional is
6 or may be a student with a disability, and immediately evaluate the
7 ~~person~~**individual** pursuant to rules promulgated by the
8 superintendent of public instruction. ~~A person~~**An individual** making
9 or filing this report or a local school district board ~~shall~~**does**
10 not incur liability to a person by reason of filing the report or
11 seeking the evaluation, unless lack of good faith is proven.

12 (k) Evaluate pupils in accordance with section 1311.

13 (2) The intermediate school board may expend up to 10% of the
14 annual budget but not to exceed \$12,500.00, for special education
15 programs approved by the intermediate school board without having
16 to secure the approval of the superintendent of public instruction.

17 Enacting section 1. This amendatory act does not take effect
18 unless all of the following bills of the 102nd Legislature are
19 enacted into law:

20 (a) Senate Bill No. 1026.

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22 (b) Senate Bill No. 1027.

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