

DRAFT 2

HOUSE SUBSTITUTE FOR SENATE SUBSTITUTE FOR
HOUSE BILL NO. 4369

A bill to amend 1976 PA 451, entitled
"The revised school code,"
by amending sections 1225 and 1280c (MCL 380.1225 and 380.1280c),
section 1225 as amended by 2012 PA 1 and section 1280c as amended
by 2011 PA 8.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1225. (1) Subject to restrictions of this section, a
2 school board or intermediate school board may borrow money and
3 issue notes of the school district or intermediate school district
4 for the borrowed money to secure funds for school operations or to
5 pay previous loans obtained for school operations under this or any
6 other statute. The school board or intermediate school board shall



1 pledge money to be received by it from state school aid for the
2 payment of notes issued under this section. A pledge of state
3 school aid by a school district or intermediate school district for
4 the payment of notes issued pursuant to this section is valid and
5 binding from the time when the pledge is made. A pledge made
6 pursuant to this section for the benefit of the holders of notes or
7 for the benefit of others is perfected without delivery, recording,
8 or notice. Notes issued pursuant to this section are full faith and
9 credit obligations of the school district or intermediate school
10 district and are payable from **AUTHORIZED** tax levies or from
11 unencumbered funds of the school district or intermediate school
12 district in event of the unavailability or insufficiency of state
13 school aid for any reason.

14 (2) A school district or intermediate school district for
15 which an emergency manager has been appointed pursuant to the ~~local~~
16 ~~government and school district fiscal accountability act, 2011 PA~~
17 ~~4, MCL 141.1501 to 141.1531, LOCAL FINANCIAL STABILITY AND CHOICE~~
18 **ACT, 2012 PA 436, MCL 141.1541 TO 141.1575**, or a school district or
19 intermediate school district that has an approved deficit
20 elimination plan under section 102 of the state school aid act of
21 1979, MCL 388.1702, may enter into an agreement with the Michigan
22 finance authority in accordance with section 17a(4) of the state
23 school aid act of 1979, MCL 388.1617a, providing for the direct
24 payment on behalf of the school district or intermediate school
25 district to the Michigan finance authority, or to a trustee
26 designated by the Michigan finance authority, of state school aid
27 pledged and to be used for the sole purpose of paying the principal



1 of and interest on the notes issued pursuant to this section and
2 secured by state school aid.

3 (3) Notes issued under this section shall become due not later
4 than 372 days after the date on which they are issued, except as
5 otherwise provided in this section. Notes issued within a fiscal
6 year shall not exceed 70% of the difference between the total state
7 aid funds apportioned to the school district or intermediate school
8 district for that fiscal year and the portion already received or
9 pledged, except secondary pledges made under section 1356.

10 (4) A school district or intermediate school district that is
11 not able to redeem its notes within 372 days after the date on
12 which the notes were issued may enter into a multi-year agreement
13 with a lending institution to repay its obligation. A repayment
14 agreement shall not be executed without the prior approval of an
15 authorized representative of the ~~state board~~ **DEPARTMENT** or, for
16 notes sold to the Michigan finance authority only, without the
17 approval of an authorized representative of the department of
18 treasury.

19 (5) During the last 4 months of a fiscal year, notes may be
20 issued pledging state school aid for the next succeeding fiscal
21 year. Except as otherwise provided in this subsection, the notes
22 shall not exceed 50% of the state school aid apportioned to the
23 school district or intermediate school district for the next
24 succeeding fiscal year or, if the apportionment has not been made,
25 50% of the apportionment for the then current fiscal year. The
26 notes shall mature not later than 372 days after the date of
27 issuance.



1 (6) Notes issued under this section are subject to the revised
2 municipal finance act, 2001 PA 34, MCL 141.2101 to 141.2821.

3 Failure of a school district or intermediate school district to
4 receive state school aid does not affect the validity or
5 enforceability of a note issued under this section.

6 (7) A school board or intermediate school board may make more
7 than 1 borrowing under this section during a school year.

8 (8) In addition to other powers under this section, with the
9 approval of the state treasurer, a school board or intermediate
10 school board may obtain a line of credit to secure funds for school
11 operations or to pay previous loans obtained for school operations
12 under this or any other statute. The school board or intermediate
13 school board shall pledge not more than 30% of the state school aid
14 apportioned to the school district or intermediate school district
15 for that fiscal year for repayment of funds received pursuant to a
16 line of credit obtained under this subsection. However, the school
17 board or intermediate school board shall not borrow against the
18 line of credit an amount greater than the difference, as of the
19 date of the borrowing, between the total state school aid funds
20 apportioned to the school district or intermediate school district
21 for that fiscal year and the portion already received or pledged,
22 except secondary pledges made under section 1356. To obtain
23 approval for obtaining a line of credit under this subsection, a
24 school board or intermediate school board shall apply to the state
25 treasurer in the form and manner prescribed by the state treasurer,
26 and shall provide information as requested by the state treasurer
27 for evaluating the application. The state treasurer shall approve



1 or disapprove an application and notify the school board or
2 intermediate school board within 20 business days after receiving a
3 proper application. If the state treasurer disapproves an
4 application, the state treasurer shall include the reasons for
5 disapproval in the notification to the school board or intermediate
6 school board.

7 (9) AS USED IN THIS SECTION:

8 (A) "SCHOOL BOARD" INCLUDES THE GOVERNING BODY OF A PUBLIC
9 BODY AUTHORIZED TO PERFORM THE FUNCTIONS AND RESPONSIBILITIES OF
10 THE STATE SCHOOL REFORM/REDESIGN SCHOOL DISTRICT CREATED UNDER
11 SECTION 1280C AND ELIGIBLE TO RECEIVE A PER-PUPIL ALLOCATION FOR
12 PUPILS IN MEMBERSHIP IN A PUBLIC SCHOOL OPERATED OR AUTHORIZED BY
13 THE PUBLIC BODY AS CALCULATED UNDER SECTION 20 OF THE STATE SCHOOL
14 AID ACT OF 1979, 1979 PA 94, MCL 388.1620 IF THE DEPARTMENT OF
15 TREASURY DETERMINES THAT THE PUBLIC BODY IS SUBJECT TO THE FREEDOM
16 OF INFORMATION ACT, 1976 PA 442, MCL 15.231 TO MCL 15.246, THE OPEN
17 MEETINGS ACT, 1976 PA 267, MCL 15.261 TO MCL 15.275, HAS A CONFLICT
18 OF INTEREST POLICY IN PLACE FOR MEMBERS OF THE GOVERNING BODY AND
19 SUPERVISORY EMPLOYEES OF THE PUBLIC BODY, IS REQUIRED TO PREPARE AN
20 ANNUAL FINANCIAL AUDIT, FOLLOWS GENERALLY ACCEPTED ACCOUNTING
21 PRINCIPLES FOR GOVERNMENTAL ENTITIES, AND MAINTAINS A PUBLIC
22 WEBSITE ON WHICH IT DISCLOSED ITS ANNUAL BUDGET.

23 (B) "SCHOOL DISTRICT" INCLUDES A PUBLIC BODY AUTHORIZED TO
24 PERFORM THE FUNCTIONS AND RESPONSIBILITIES OF THE STATE SCHOOL
25 REFORM/REDESIGN SCHOOL DISTRICT CREATED UNDER SECTION 1280C AND
26 ELIGIBLE TO RECEIVE A PER-PUPIL ALLOCATION FOR PUPILS IN MEMBERSHIP
27 IN A PUBLIC SCHOOL OPERATED OR AUTHORIZED BY THE PUBLIC BODY AS



1 CALCULATED UNDER SECTION 20 OF THE STATE SCHOOL AID ACT OF 1979,
2 1979 PA 94, MCL 388.1620 IF THE DEPARTMENT OF TREASURY DETERMINES
3 THAT THE PUBLIC BODY IS SUBJECT TO THE FREEDOM OF INFORMATION ACT,
4 1976 PA 442, MCL 15.231 TO MCL 15.246, THE OPEN MEETINGS ACT, 1976
5 PA 267, MCL 15.261 TO MCL 15.275, HAS A CONFLICT OF INTEREST POLICY
6 IN PLACE FOR MEMBERS OF THE GOVERNING BODY OF THE PUBLIC BODY AND
7 SUPERVISORY EMPLOYEES OF THE PUBLIC BODY, IS REQUIRED TO PREPARE AN
8 ANNUAL FINANCIAL AUDIT, FOLLOWS GENERALLY ACCEPTED ACCOUNTING
9 PRINCIPLES FOR GOVERNMENTAL ENTITIES, AND MAINTAINS A PUBLIC
10 WEBSITE ON WHICH IT DISCLOSES ITS ANNUAL BUDGET.

11 Sec. 1280c. (1) Beginning in 2010, not later than September 1
12 of each year, the superintendent of public instruction shall
13 publish a list identifying the public schools in this state,
14 **EXCLUDING CENTER PROGRAMS**, that the department has determined to be
15 among the lowest achieving 5% of all public schools in this state,
16 as defined for the purposes of the federal incentive grant program
17 created under sections 14005 and 14006 of title XIV of the American
18 recovery and reinvestment act of 2009; Public Law 111-5.

19 (2) Except as otherwise provided in subsection (16), the
20 superintendent of public instruction shall issue an order placing
21 each public school that is included on the list under subsection
22 (1) under the supervision of the state school reform/redesign
23 officer described in subsection (9). Within 90 days after a public
24 school is placed under the supervision of the state school
25 reform/redesign officer under this section, the school board or
26 board of directors operating the public school shall submit a
27 redesign plan to the state school reform/redesign officer. For a



1 public school operated by a school board, the redesign plan shall
2 be developed with input from the local teacher bargaining unit and
3 the local superintendent. The redesign plan shall require
4 implementation of 1 of the 4 school intervention models that are
5 provided for the lowest achieving schools under the federal
6 incentive grant program created under sections 14005 and 14006 of
7 title XIV of the American recovery and reinvestment act of 2009,
8 Public Law 111-5, known as the "race to the top" grant program.
9 These models are the turnaround model, restart model, school
10 closure, and transformation model. The redesign plan shall include
11 an executed addendum to each applicable collective bargaining
12 agreement in effect for the public school that meets the
13 requirements of subsection (8).

14 (3) Within 30 days after receipt of a redesign plan for a
15 public school under subsection (2), the state school
16 reform/redesign officer shall issue an order approving,
17 disapproving, or making changes to the redesign plan. If the order
18 makes changes to the redesign plan, the school board or board of
19 directors has 30 days after the order to change the redesign plan
20 to incorporate those changes into the redesign plan and resubmit it
21 to the state school reform/redesign officer for approval or
22 disapproval.

23 (4) The state school reform/redesign officer shall not
24 disapprove a redesign plan that includes all of the elements
25 required under federal law for the school intervention model
26 included in the redesign plan. A school board or board of directors
27 may appeal disapproval of a redesign plan on this basis to the



1 superintendent of public instruction. The decision of the
2 superintendent of public instruction on the appeal is final.

3 (5) If the state school reform/redesign officer approves a
4 redesign plan under this section, the school board or board of
5 directors shall implement the redesign plan for the public school
6 beginning with the beginning of the next school year that begins
7 after the approval. The school board or board of directors shall
8 regularly submit monitoring reports to the state school
9 reform/redesign officer on the implementation and results of the
10 plan in the form and manner, and according to a schedule, as
11 determined by the state school reform/redesign officer.

12 (6) The state school reform/redesign school district is
13 created. The state school reform/redesign school district is a
14 school district for the purposes of section 11 of article IX of the
15 state constitution of 1963 and for receiving state school aid under
16 the state school aid act of 1979 and is subject to the leadership
17 and general supervision of the state board over all public
18 education under section 3 of article VIII of the state constitution
19 of 1963. The state school reform/redesign school district is a body
20 corporate and is a governmental agency. Except as otherwise
21 provided in subsection (7), if the state school reform/redesign
22 officer does not approve the redesign plan, or if the state school
23 reform/redesign officer determines that the redesign plan is not
24 achieving satisfactory results, the state school reform/redesign
25 officer shall issue an order placing the public school in the state
26 school reform/redesign school district, imposing for the public
27 school implementation of 1 of the 4 school intervention models



1 described in subsection (2) beginning with the beginning of the
2 next school year, and imposing an addendum to each applicable
3 collective bargaining agreement in effect for the public school as
4 necessary to implement the school intervention model and that meets
5 the requirements of subsection (8). **WHEN DETERMINING WHETHER A
6 REDESIGN PLAN IS ACHIEVING SATISFACTORY RESULTS UNDER THIS
7 SUBSECTION, THE STATE SCHOOL REFORM/REDESIGN OFFICER SHALL PLACE
8 THE HIGHEST PRIORITY ON ADDRESSING UNSATISFACTORY RESULTS AT PUBLIC
9 SCHOOLS WITH PUPILS IN GRADES K TO 8. AN ORDER UNDER THIS SECTION
10 PLACING A PUBLIC SCHOOL IN THE STATE SCHOOL REFORM/REDESIGN SCHOOL
11 DISTRICT MAY NOT BE ISSUED BEFORE JANUARY 1, 2015, AND MAY NOT TAKE
12 EFFECT BEFORE JULY 1, 2015.** All of the following apply to the state
13 school reform/redesign school district:

14 (a) The state school reform/redesign school district shall
15 consist of schools that are placed in the state school
16 reform/redesign school district.

17 (b) The state school reform/redesign officer shall act as the
18 superintendent of the state school reform/redesign school district.
19 With respect to schools placed in the state school reform/redesign
20 school district, the state school reform/redesign officer has all
21 of the powers and duties described in this section; all of the
22 provisions of this act that would otherwise apply to the school
23 board that previously operated a school placed in the state school
24 reform/redesign school district apply to the state school
25 reform/redesign officer with respect to that school, except those
26 relating to taxation or borrowing; except as otherwise provided in
27 this section, the state school reform/redesign officer may exercise



1 all the powers and duties otherwise vested by law in the school
2 board that previously operated a school placed in the state school
3 reform/redesign school district and in its officers, except those
4 relating to taxation or borrowing, and may exercise all additional
5 powers and duties provided under this section; and, except as
6 otherwise provided in this section, the state school
7 reform/redesign officer accedes to all the rights, duties, and
8 obligations of the school board with respect to that school. These
9 powers, rights, duties, and obligations include, but are not
10 limited to, all of the following:

11 (i) Authority over the expenditure of all funds attributable to
12 pupils at that school, including that portion of proceeds from
13 bonded indebtedness and other funds dedicated to capital projects
14 that would otherwise be apportioned to that school by the school
15 board that previously operated the school according to the terms of
16 the bond issue or financing documents.

17 (ii) Subject to subsection (8), rights and obligations under
18 collective bargaining agreements and employment contracts entered
19 into by the school board for employees at the school.

20 (iii) Rights to prosecute and defend litigation.

21 (iv) Rights and obligations under statute, rule, and common
22 law.

23 (v) Authority to delegate any of the state school
24 reform/redesign officer's powers and duties to 1 or more designees,
25 with proper supervision by the state school reform/redesign
26 officer.

27 (vi) Power to terminate any contract or portion of a contract



1 entered into by the school board that applies to that school.
2 However, this subsection does not allow any termination or
3 diminishment of obligations to pay debt service on legally
4 authorized bonds and does not allow a collective bargaining
5 agreement to be affected except as provided under subsection (8). A
6 contract terminated by the state school reform/redesign officer
7 under this subsection is void.

8 (7) If the state school reform/redesign officer determines
9 that better educational results are likely to be achieved by
10 appointing a chief executive officer to take control of multiple
11 public schools, the state school reform/redesign officer may make a
12 recommendation to the superintendent of public instruction for
13 appointment of a chief executive officer to take control over those
14 multiple schools. If the superintendent of public instruction
15 appoints a chief executive officer to take control of multiple
16 public schools under this subsection, the chief executive officer
17 shall impose for those public schools implementation of 1 of the 4
18 school intervention models described in subsection (2) and impose
19 an addendum to each applicable collective bargaining agreement in
20 effect for those public schools as necessary to implement the
21 school intervention model and that meets the requirements of
22 subsection (8). With respect to those public schools, the chief
23 executive officer has all of the same powers and duties that the
24 state school reform/redesign officer has for public schools placed
25 in the state school reform/redesign school district under
26 subsection (6). The chief executive officer shall regularly submit
27 monitoring reports to the state school reform/redesign officer on



1 the implementation and results of the intervention model in the
2 form and manner, and according to a schedule, as determined by the
3 state school reform/redesign officer. The chief executive officer
4 shall exercise any other powers or duties over the public schools
5 as may be directed by the superintendent of public instruction.

6 (8) An addendum to a collective bargaining agreement under
7 this section shall provide for any of the following that are
8 necessary for the applicable school intervention model to be
9 implemented at each affected public school:

10 (a) That any contractual or other seniority system that would
11 otherwise be applicable shall not apply at the public school. This
12 subdivision does not allow unilateral changes in pay scales or
13 benefits.

14 (b) That any contractual or other work rules that are
15 impediments to implementing the redesign plan shall not apply at
16 the public school. This subdivision does not allow unilateral
17 changes in pay scales or benefits.

18 (c) That the state school reform/redesign officer shall direct
19 the expenditure of all funds attributable to pupils at the public
20 school and the principal or other school leader designated by the
21 state school reform/redesign officer shall have full autonomy and
22 control over curriculum and discretionary spending at the public
23 school.

24 (9) The superintendent of public instruction shall hire a
25 state school reform/redesign officer to carry out the functions
26 under this section and as otherwise prescribed by law. The state
27 school reform/redesign officer shall be chosen solely on the basis



1 of his or her competence and experience in educational reform and
2 redesign. The state school reform/redesign officer is exempt from
3 civil service. The state school reform/redesign officer is
4 responsible directly to the superintendent of public instruction to
5 ensure that the purposes of this section are carried out, and
6 accordingly the position of state school reform/redesign officer
7 should be a position within the department that is exempt from the
8 classified state civil service. The department shall request that
9 the civil service commission establish the position of state school
10 reform/redesign officer as a position that is exempt from the
11 classified state civil service.

12 (10) If the state school reform/redesign officer imposes the
13 restart model for a public school in the state school
14 reform/redesign school district, or a chief executive officer under
15 subsection (7) imposes the restart model for multiple public
16 schools under that subsection, all of the following apply:

17 (a) **THE PUBLIC SCHOOL SHALL BE OPERATED BY ANOTHER PUBLIC**
18 **SCHOOL THAT IS AUTHORIZED TO PROVIDE PUBLIC EDUCATIONAL SERVICES**
19 **UNDER A CONTRACT WITH THE STATE SCHOOL REFORM/REDESIGN SCHOOL**
20 **DISTRICT, OR THE** state school reform/redesign officer or chief
21 executive officer shall enter into an agreement with an educational
22 management organization to manage and operate the public school or
23 schools. The state school reform/redesign officer or chief
24 executive officer shall provide sufficient oversight to ensure that
25 the public school or schools will be operated according to all of
26 the requirements for a restart model.

27 (b) There shall be considered to be no collective bargaining



1 agreement in effect that applies to employees working at the public
2 school or schools under this model at the time of imposition of the
3 model.

4 (11) If the state school reform/redesign officer imposes the
5 turnaround model for a public school in the state school
6 reform/redesign school district, or a chief executive officer under
7 subsection (7) imposes the turnaround model for multiple public
8 schools under that subsection, all of the following apply:

9 (a) A collective bargaining agreement that applies to
10 employees working at the public school or schools under this model
11 at the time of imposition of the model, and any successor
12 collective bargaining agreement, continues to apply with respect to
13 pay scales and benefits.

14 (b) Subject to any addendum to the collective bargaining
15 agreement that applies to the public school or schools, an employee
16 who is working at the public school or schools and who was
17 previously employed in the same school district that previously
18 operated that school shall continue to retain and accrue seniority
19 rights in that school district according to the collective
20 bargaining agreement that applies to employees of that school
21 district.

22 (12) If more than 9 public schools operated by a school
23 district are on the list under subsection (1), the transformation
24 model may not be implemented for more than 50% of those schools.

25 (13) If the state school reform/redesign officer determines
26 that a public school that is subject to the measures under
27 subsection (6) or (7) has made significant improvement in pupil



1 achievement and should be released from the measures that have been
2 imposed under subsection (6) or (7), the state school
3 reform/redesign officer may recommend this to the superintendent of
4 public instruction. If the superintendent of public instruction
5 agrees with the determination and recommendation, the
6 superintendent of public instruction may release the public school
7 from the measures that have been imposed under subsection (6) or
8 (7).

9 (14) At least annually, the state school reform/redesign
10 officer shall submit a report to the standing committees of the
11 senate and house of representatives having jurisdiction over
12 education legislation on the progress being made in improving pupil
13 proficiency due to the measures under this section.

14 (15) As soon as practicable after the federal department of
15 education has adopted the final work rules and formula for
16 identifying the lowest achieving 5% of all public schools in this
17 state for the purposes of the federal incentive grant program
18 created under sections 14005 and 14006 of title XIV of the American
19 recovery and reinvestment act of 2009, Public Law 111-5, known as
20 the "race to the top" grant program, the department shall post all
21 of the following on its website:

22 (a) The federal work rules and formula.

23 (b) A list of the public schools in this state that have been
24 identified for these purposes as being among the lowest achieving
25 5% of all public schools in this state. The department shall update
26 this list as it considers appropriate.

27 (16) If a school that is included on the list under subsection



1 (1) is operated by a school district in which an emergency manager
 2 is in place under the ~~local government and school district fiscal~~
 3 ~~accountability act, LOCAL FINANCIAL STABILITY AND CHOICE ACT, 2012~~
 4 PA 436, MCL 141.1541 TO 141.1575, then the superintendent of public
 5 instruction shall not issue an order placing the school under the
 6 supervision of the state school reform/redesign officer. THIS
 7 SUBSECTION DOES NOT PREVENT A PUBLIC SCHOOL FROM ENTERING INTO AN
 8 AGREEMENT OR COOPERATIVE ARRANGEMENT WITH THE STATE SCHOOL
 9 REFORM/REDESIGN SCHOOL DISTRICT.

10 (17) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ACT, THE
 11 COMBINED TOTAL NUMBER OF PUBLIC SCHOOLS THAT ARE OPERATED, MANAGED,
 12 AUTHORIZED, ESTABLISHED, OR OVERSEEN BY THE STATE SCHOOL
 13 REFORM/REDESIGN SCHOOL DISTRICT SHALL NOT EXCEED 27 THROUGH JUNE
 14 30, 2014, 39 THROUGH JUNE 30, 2015, OR 50 AT ANY 1 TIME THEREAFTER.

15 (18) THIS SECTION DOES NOT PROHIBIT A SCHOOL DISTRICT FROM
 16 ENTERING INTO AN AGREEMENT OR COOPERATIVE ARRANGEMENT WITH AN
 17 INTERMEDIATE SCHOOL DISTRICT AUTHORIZING THE INTERMEDIATE SCHOOL
 18 DISTRICT TO OPERATE OR MANAGE A PUBLIC SCHOOL OF THE SCHOOL
 19 DISTRICT, AS IS PERMITTED UNDER SECTIONS 11A AND 601A.

20 (19) THE MEASURES UNDER THIS SECTION DO NOT APPLY TO A CENTER
 21 PROGRAM. AS USED IN THIS SECTION, "CENTER PROGRAM" MEANS A PUBLIC
 22 EDUCATIONAL PROGRAM OPERATED BY A SCHOOL DISTRICT OR INTERMEDIATE
 23 SCHOOL DISTRICT THAT PROVIDES SPECIAL EDUCATION PROGRAMS AND
 24 SERVICES TO PUPILS RESIDING IN MORE THAN 1 SCHOOL DISTRICT, IN
 25 WHICH EACH PUPIL WITHIN THE PROGRAM IS PROVIDED WITH THOSE PROGRAMS
 26 AND SERVICES PURSUANT TO AN INDIVIDUALIZED EDUCATION PROGRAM FOR
 27 THE PUPIL UNDER SECTION 614 OF PART B OF TITLE VI OF THE



1 INDIVIDUALS WITH DISABILITIES EDUCATION ACT, PUBLIC LAW 91-230, 20
2 USC 1414, AND IN WHICH EACH PUPIL WITHIN THE PROGRAM ALSO HAS 1 OR
3 MORE OF THE FOLLOWING:

4 (A) AUTISM SPECTRUM DISORDER.

5 (B) SEVERE COGNITIVE IMPAIRMENT.

6 (C) MODERATE COGNITIVE IMPAIRMENT.

7 (D) SEVERE MULTIPLE COGNITIVE OR OTHER PHYSICAL IMPAIRMENT.

8 (E) HEARING IMPAIRMENT.

9 (F) VISUAL IMPAIRMENT.

10 (G) OTHER PHYSICAL OR HEALTH IMPAIRMENT IMPACTING THE PUPIL'S
11 EDUCATION.

12 (H) EMOTIONAL IMPAIRMENT, IF THE PROGRAMS AND SERVICES ARE
13 PROVIDED IN A SCHOOL BUILDING THAT DOES NOT SERVE REGULAR EDUCATION
14 PUPILS.

15 Enacting section 1. This amendatory act shall not be construed
16 or considered to supersede, alter, or terminate a contract for the
17 transfer of functions and responsibilities under 1967 (Ex Sess) PA
18 8, MCL 124.531 to 124.536, to which the state school
19 reform/redesign school district is a party on the effective date of
20 this amendatory act.

