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**SENATE SUBSTITUTE FOR 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, and by adding sections 1280d and 1280f.

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
7 pledge money to be received by it from state school aid for the
8 payment of notes issued under this section. A pledge of state



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

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



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

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

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

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



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

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

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



1 proper application. If the state treasurer disapproves an
2 application, the state treasurer shall include the reasons for
3 disapproval in the notification to the school board or intermediate
4 school board.

5 (9) AS USED IN THIS SECTION:

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

21 (B) "SCHOOL DISTRICT" INCLUDES A PUBLIC BODY AUTHORIZED TO
22 PERFORM THE FUNCTIONS AND RESPONSIBILITIES OF THE STATE SCHOOL
23 REFORM/REDESIGN SCHOOL DISTRICT CREATED UNDER SECTION 1280C AND
24 ELIGIBLE TO RECEIVE A PER-PUPIL ALLOCATION FOR PUPILS IN MEMBERSHIP
25 IN A PUBLIC SCHOOL OPERATED OR AUTHORIZED BY THE PUBLIC BODY AS
26 CALCULATED UNDER SECTION 20 OF THE STATE SCHOOL AID ACT OF 1979,
27 1979 PA 94, MCL 388.1620 IF THE DEPARTMENT OF TREASURY DETERMINES



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

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

17 (2) Except as otherwise provided in ~~subsection (16)~~, **THIS**
18 **SECTION**, the superintendent of public instruction shall issue an
19 order placing each public school that is included on the list under
20 subsection (1) under the supervision of the state school
21 reform/redesign officer described in subsection (9). Within 90 days
22 after a public school is placed under the supervision of the state
23 school reform/redesign officer under this section, the school board
24 or board of directors operating the public school shall submit a
25 redesign plan to the state school reform/redesign officer. For a
26 public school operated by a school board, the redesign plan shall
27 be developed with input from the local teacher bargaining unit and



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

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

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



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

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



1 in subsection (2) beginning with the beginning of the next school
2 year, and imposing an addendum to each applicable collective
3 bargaining agreement in effect for the public school as necessary
4 to implement the school intervention model and that meets the
5 requirements of subsection (8). **WHEN DETERMINING WHETHER A REDESIGN
6 PLAN IS ACHIEVING SATISFACTORY RESULTS UNDER THIS SUBSECTION, THE
7 STATE SCHOOL REFORM/REDESIGN OFFICER SHALL PLACE THE HIGHEST
8 PRIORITY ON ADDRESSING UNSATISFACTORY RESULTS AT PUBLIC SCHOOLS
9 WITH PUPILS IN GRADES K TO 8 AND THE STATE SCHOOL REFORM/REDESIGN
10 OFFICER SHALL RELY UPON STANDARDIZED TESTING RESULTS RECOGNIZED BY
11 THE DEPARTMENT AND NOT UPON OTHER TESTING DATA USED BY THE PUBLIC
12 SCHOOL BUT NOT RECOGNIZED BY THE DEPARTMENT. AN ORDER UNDER THIS
13 SECTION PLACING A PUBLIC SCHOOL IN THE STATE SCHOOL REFORM/REDESIGN
14 SCHOOL DISTRICT MAY NOT BE ISSUED BEFORE JANUARY 1, 2015, AND MAY
15 NOT TAKE EFFECT BEFORE JULY 1, 2015. UNLESS AUTHORIZED UNDER
16 SUBSECTION (18), NOT MORE THAN 15 PUBLIC SCHOOLS MAY BE IN THE
17 STATE SCHOOL REFORM/REDESIGN SCHOOL DISTRICT UNDER THIS SUBSECTION
18 OR UNDER THE CONTROL OF A CHIEF EXECUTIVE OFFICER UNDER SUBSECTION
19 (7) AT ANY 1 TIME.** All of the following apply to the state school
20 reform/redesign school district:

21 (a) The state school reform/redesign school district shall
22 consist of schools that are placed in the state school
23 reform/redesign school district.

24 (b) The state school reform/redesign officer shall act as the
25 superintendent of the state school reform/redesign school district.
26 With respect to schools placed in the state school reform/redesign
27 school district, the state school reform/redesign officer has all



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

18 (i) Authority over the expenditure of all funds attributable to
 19 pupils at that school, including that portion of proceeds from
 20 bonded indebtedness and other funds dedicated to capital projects
 21 that would otherwise be apportioned to that school by the school
 22 board that previously operated the school according to the terms of
 23 the bond issue or financing documents. **THE CREDIT OF THIS STATE**
 24 **SHALL NOT BE GRANTED TO, OR IN AID OF, THE STATE SCHOOL**
 25 **REFORM/REDESIGN SCHOOL DISTRICT OR AN ENTITY ELIGIBLE TO RECEIVE AN**
 26 **ALLOCATION CALCULATED UNDER SECTION 20(7) OF THE STATE SCHOOL AID**
 27 **ACT OF 1979, MCL 388.1620, THAT MANAGES OR OPERATES A PUBLIC SCHOOL**



1 ON BEHALF OF THE STATE SCHOOL REFORM/REDESIGN SCHOOL DISTRICT OR
2 THAT EXERCISES THE FUNCTIONS AND RESPONSIBILITIES OF THE STATE
3 SCHOOL REFORM/REDESIGN SCHOOL DISTRICT. AN ENTITY ELIGIBLE TO
4 RECEIVE AN ALLOCATION CALCULATED UNDER SECTION 20(7) OF THE STATE
5 SCHOOL AID ACT OF 1979, MCL 388.1620, THAT MANAGES OR OPERATES A
6 PUBLIC SCHOOL ON BEHALF OF THE STATE SCHOOL REFORM/REDESIGN SCHOOL
7 DISTRICT OR THAT OTHERWISE EXERCISES THE FUNCTIONS AND
8 RESPONSIBILITIES OF THE STATE SCHOOL REFORM/REDESIGN SCHOOL
9 DISTRICT SHALL NOT ISSUE BONDS OBLIGATING THIS STATE TO PAY THE
10 PRINCIPAL, IF ANY, OR INTEREST ON THE BONDS, AND NEITHER THE FAITH
11 AND CREDIT OF THIS STATE NOR THE TAXING POWER OF THIS STATE SHALL
12 BE PLEDGED FOR REPAYMENT OF THE BONDS.

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

16 (iii) Rights to prosecute and defend litigation.

17 (iv) Rights and obligations under statute, rule, and common
18 law.

19 (v) Authority to delegate any of the state school
20 reform/redesign officer's powers and duties to 1 or more designees,
21 with proper supervision by the state school reform/redesign
22 officer.

23 (vi) Power to terminate any contract or portion of a contract
24 entered into by the school board that applies to that school.
25 However, this subsection does not allow any termination or
26 diminishment of obligations to pay debt service on legally
27 authorized bonds and does not allow a collective bargaining



1 agreement to be affected except as provided under subsection (8). A
2 contract terminated by the state school reform/redesign officer
3 under this subsection is void.

4 **(C) IF THE STATE SCHOOL REFORM/REDESIGN SCHOOL DISTRICT ENTERS**
5 **INTO A CONTRACT WITH ANOTHER ENTITY TO ASSUME SOME OR ALL OF THE**
6 **FUNCTIONS AND RESPONSIBILITIES OF THE STATE SCHOOL REFORM/REDESIGN**
7 **SCHOOL DISTRICT, THE ENTITY MUST BE A PUBLIC BODY AND SHALL COMPLY**
8 **WITH THE FREEDOM OF INFORMATION ACT, 1976 PA 442, MCL 15.231 TO**
9 **15.246, THE OPEN MEETINGS ACT, 1976 PA 267, MCL 15.261 TO 15.275,**
10 **AND ALL OTHER APPLICABLE LAW.**

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



1 in the state school reform/redesign school district under
2 subsection (6). The chief executive officer shall regularly submit
3 monitoring reports to the state school reform/redesign officer on
4 the implementation and results of the intervention model in the
5 form and manner, and according to a schedule, as determined by the
6 state school reform/redesign officer. The chief executive officer
7 shall exercise any other powers or duties over the public schools
8 as may be directed by the superintendent of public instruction.

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

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

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

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

27 (9) The superintendent of public instruction shall hire a



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

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

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



1 the public school or schools will be operated according to all of
2 the requirements for a restart model.

3 (b) There shall be considered to be no collective bargaining
4 agreement in effect that applies to employees working at the public
5 school or schools under this model at the time of imposition of the
6 model.

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

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

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

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



1 (13) If the state school reform/redesign officer determines
2 that a public school that is subject to the measures under
3 subsection (6) or (7) has made significant improvement in pupil
4 achievement and should be released from the measures that have been
5 imposed under subsection (6) or (7), the state school
6 reform/redesign officer may recommend this to the superintendent of
7 public instruction. If the superintendent of public instruction
8 agrees with the determination and recommendation, the
9 superintendent of public instruction may release the public school
10 from the measures that have been imposed under subsection (6) or
11 (7).

12 (14) IF A PUBLIC SCHOOL PREVIOUSLY OPERATED BY A SCHOOL
13 DISTRICT HAS BEEN PLACED IN THE STATE SCHOOL REFORM/REDESIGN SCHOOL
14 DISTRICT UNDER SUBSECTION (6), OR IS UNDER THE CONTROL OF A CHIEF
15 EXECUTIVE OFFICER UNDER SUBSECTION (7), AND THE PUBLIC SCHOOL HAS
16 NOT BEEN ON THE LIST OF THE LOWEST ACHIEVING 5% OF ALL PUBLIC
17 SCHOOLS IN THIS STATE UNDER SUBSECTION (1) FOR 4 CONSECUTIVE YEARS,
18 THE PUBLIC SCHOOL SHALL NO LONGER BE WITHIN THE STATE SCHOOL
19 REFORM/REDESIGN SCHOOL DISTRICT OR SUBJECT TO THE CONTROL OF THE
20 CHIEF EXECUTIVE OFFICER OR OF THE STATE SCHOOL REFORM/REDESIGN
21 OFFICER AND SHALL RETURN TO THE SUPERVISION AND CONTROL OF THE
22 SCHOOL DISTRICT IN WHICH IT IS LOCATED.

23 (15) IF A PUBLIC SCHOOL HAS BEEN PLACED IN THE STATE SCHOOL
24 REFORM/REDESIGN SCHOOL DISTRICT UNDER SUBSECTION (6), OR HAS BEEN
25 PLACED UNDER THE CONTROL OF A CHIEF EXECUTIVE OFFICER UNDER
26 SUBSECTION (7), AND THE PUBLIC SCHOOL REMAINS ON THE LIST OF THE
27 LOWEST ACHIEVING 5% OF ALL PUBLIC SCHOOLS IN THIS STATE UNDER



1 SUBSECTION (1) FOR 3 CONSECUTIVE YEARS REPRESENTING 3 FULL SCHOOL
2 YEARS AFTER BEING PLACED IN THE STATE SCHOOL REFORM/REDESIGN SCHOOL
3 DISTRICT OR UNDER THE CONTROL OF A CHIEF EXECUTIVE OFFICER UNDER
4 SUBSECTION (7), THE PUBLIC SCHOOL SHALL NO LONGER BE WITHIN THE
5 STATE SCHOOL REFORM/REDESIGN SCHOOL DISTRICT OR UNDER THE CONTROL
6 OF A CHIEF EXECUTIVE OFFICER UNDER SUBSECTION (7) AND SHALL RETURN
7 TO THE SUPERVISION AND CONTROL OF THE SCHOOL DISTRICT IN WHICH IT
8 IS LOCATED.

9 (16) ~~(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 (17) ~~(15)~~—As soon as practicable after the federal department
15 of 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 (18) ~~(16)~~—If a school that is included on the list under



1 subsection (1) is operated by a school district in which an
2 ~~emergency manager is in place under the local government and school~~
3 ~~district fiscal accountability act, A FINANCIAL EMERGENCY HAS BEEN~~
4 **DECLARED AND HAS NOT BEEN RECTIFIED UNDER THE LOCAL FINANCIAL**
5 **STABILITY AND CHOICE ACT, 2012 PA 436, MCL 141.1541 TO 141.1575,**
6 then the superintendent of public instruction shall not issue an
7 order placing the school under the supervision of the state school
8 reform/redesign officer. **FOR A PUBLIC SCHOOL DESCRIBED IN THIS**
9 **SUBSECTION, THE LEGISLATURE ENCOURAGES AN EMERGENCY MANAGER OR**
10 **CONSENT AGREEMENT FOR THE SCHOOL DISTRICT TO INCLUDE AND IMPLEMENT**
11 **THE SAME ACADEMIC GOALS AS DESCRIBED IN SUBSECTION (19) (A) FOR**
12 **PUBLIC SCHOOLS PLACED IN THE STATE SCHOOL REFORM/REDESIGN SCHOOL**
13 **DISTRICT. THIS SUBSECTION DOES NOT PREVENT A PUBLIC SCHOOL FROM**
14 **ENTERING INTO AN AGREEMENT OR COOPERATIVE ARRANGEMENT WITH THE**
15 **STATE SCHOOL REFORM/REDESIGN SCHOOL DISTRICT.**

16 (19) THE STATE SCHOOL REFORM/REDESIGN OFFICER SHALL NOT PLACE
17 ANY ADDITIONAL PUBLIC SCHOOLS BEYOND THE LIMITS UNDER SUBSECTION
18 (6) IN THE STATE SCHOOL REFORM/REDESIGN SCHOOL DISTRICT UNDER
19 SUBSECTION (6) OR UNDER THE CONTROL OF A CHIEF EXECUTIVE OFFICER
20 UNDER SUBSECTION (7) UNLESS AUTHORIZED UNDER THIS SUBSECTION. ALL
21 OF THE FOLLOWING APPLY TO THE PLACEMENT OF ADDITIONAL PUBLIC
22 SCHOOLS IN THE STATE SCHOOL REFORM/REDESIGN SCHOOL DISTRICT UNDER
23 SUBSECTION (6) OR UNDER THE CONTROL OF A CHIEF EXECUTIVE OFFICER
24 UNDER SUBSECTION (7) :

25 (A) SUBJECT TO THE LIMITATIONS OF SUBDIVISION (B) , THE STATE
26 SCHOOL REFORM/REDESIGN OFFICER MAY PLACE ADDITIONAL PUBLIC SCHOOLS
27 IN THE STATE SCHOOL REFORM/REDESIGN SCHOOL DISTRICT UNDER



1 SUBSECTION (6) OR UNDER THE CONTROL OF A CHIEF EXECUTIVE OFFICER
2 UNDER SUBSECTION (7) IF THE SUPERINTENDENT OF PUBLIC INSTRUCTION
3 DETERMINES THAT BOTH OF THE FOLLOWING ACADEMIC GOALS HAVE BEEN MET
4 FOR THE MOST RECENT SCHOOL YEAR FOR WHICH THE DATA ARE AVAILABLE:

5 (i) AT LEAST 60% OF THE PUPILS ENROLLED IN EACH PUBLIC SCHOOL
6 THAT IS IN THE STATE SCHOOL REFORM/REDESIGN SCHOOL DISTRICT UNDER
7 SUBSECTION (6) OR IS UNDER THE CONTROL OF A CHIEF EXECUTIVE OFFICER
8 UNDER SUBSECTION (7), OTHER THAN PUPILS WHO HAVE AN INDIVIDUALIZED
9 EDUCATION PROGRAM, HAVE DEMONSTRATED AT LEAST 1.6 YEARS OF ACADEMIC
10 IMPROVEMENT IN BOTH ENGLISH LANGUAGE ARTS AND MATHEMATICS FOR THE
11 SCHOOL YEAR, AS MEASURED BY EITHER NORTHWEST EVALUATION ASSOCIATION
12 ASSESSMENTS OR PERFORMANCE SERIES ASSESSMENTS.

13 (ii) EACH PUPIL WHO IS ENROLLED IN A PUBLIC SCHOOL THAT IS IN
14 THE STATE SCHOOL REFORM/REDESIGN SCHOOL DISTRICT UNDER SUBSECTION
15 (6) OR IS UNDER THE CONTROL OF A CHIEF EXECUTIVE OFFICER UNDER
16 SUBSECTION (7) AND WHO HAS AN INDIVIDUALIZED EDUCATION PROGRAM
17 MEETS AT LEAST 75% OF THE GOALS INCLUDED IN HIS OR HER
18 INDIVIDUALIZED EDUCATION PROGRAM.

19 (B) IF THE SUPERINTENDENT OF PUBLIC INSTRUCTION DETERMINES
20 THAT THE REQUIREMENTS OF SUBDIVISION (A) HAVE BEEN MET, THE STATE
21 SCHOOL REFORM/REDESIGN OFFICER MAY PLACE ADDITIONAL PUBLIC SCHOOLS
22 IN THE STATE SCHOOL REFORM/REDESIGN SCHOOL DISTRICT UNDER
23 SUBSECTION (6) OR UNDER THE CONTROL OF A CHIEF EXECUTIVE OFFICER
24 UNDER SUBSECTION (7), BUT THE COMBINED TOTAL NUMBER OF PUBLIC
25 SCHOOLS IN THE STATE SCHOOL REFORM/REDESIGN SCHOOL DISTRICT UNDER
26 SUBSECTION (6) OR UNDER THE CONTROL OF A CHIEF EXECUTIVE OFFICER
27 UNDER SUBSECTION (7) SHALL NOT EXCEED 27 AT ANY 1 TIME. ONCE THIS



1 COMBINED TOTAL NUMBER IS 27, THE STATE SCHOOL REFORM/REDESIGN
2 OFFICER MAY ISSUE AN ORDER PLACING AN ADDITIONAL PUBLIC SCHOOL IN
3 THE STATE SCHOOL REFORM/REDESIGN SCHOOL DISTRICT UNDER SUBSECTION
4 (6) OR UNDER THE CONTROL OF A CHIEF EXECUTIVE OFFICER UNDER
5 SUBSECTION (7) AS LONG AS THE COMBINED TOTAL NUMBER OF PUBLIC
6 SCHOOLS IN THE STATE SCHOOL REFORM/REDESIGN SCHOOL DISTRICT UNDER
7 SUBSECTION (6) OR UNDER THE CONTROL OF A CHIEF EXECUTIVE OFFICER
8 UNDER SUBSECTION (7) DOES NOT EXCEED 39 AT ANY 1 TIME, BUT THAT
9 PUBLIC SCHOOL MUST BE OPERATED BY A PUBLIC ENTITY THAT OPERATES
10 OTHER PUBLIC SCHOOLS THAT HAVE BEEN PLACED IN THE STATE SCHOOL
11 REFORM/REDESIGN SCHOOL DISTRICT OR UNDER THE CONTROL OF A CHIEF
12 EXECUTIVE OFFICER AND THAT HAS MET THE ACADEMIC GOALS DESCRIBED IN
13 SUBDIVISION (A) (i) AND (ii) FOR EACH OF THOSE OTHER PUBLIC SCHOOLS.
14 IF THE SUPERINTENDENT OF PUBLIC INSTRUCTION DETERMINES THAT THE
15 REQUIREMENTS OF SUBDIVISION (A) HAVE BEEN MET FOR AT LEAST 27 OF
16 THESE PUBLIC SCHOOLS, THEN THE COMBINED TOTAL NUMBER OF PUBLIC
17 SCHOOLS IN THE STATE SCHOOL REFORM/REDESIGN SCHOOL DISTRICT UNDER
18 SUBSECTION (6) OR UNDER THE CONTROL OF A CHIEF EXECUTIVE OFFICER
19 UNDER SUBSECTION (7) AND ACHIEVEMENT SCHOOLS MAY BE UP TO 39 AT ANY
20 1 TIME. ONCE THIS COMBINED TOTAL NUMBER IS 39, THE STATE SCHOOL
21 REFORM/REDESIGN OFFICER MAY ISSUE AN ORDER PLACING AN ADDITIONAL
22 PUBLIC SCHOOL IN THE STATE SCHOOL REFORM/REDESIGN SCHOOL DISTRICT
23 UNDER SUBSECTION (6) OR UNDER THE CONTROL OF A CHIEF EXECUTIVE
24 OFFICER UNDER SUBSECTION (7) AS LONG AS THE COMBINED TOTAL NUMBER
25 OF PUBLIC SCHOOLS IN THE STATE SCHOOL REFORM/REDESIGN SCHOOL
26 DISTRICT UNDER SUBSECTION (6) OR UNDER THE CONTROL OF A CHIEF
27 EXECUTIVE OFFICER UNDER SUBSECTION (7) DOES NOT EXCEED 50 AT ANY 1



1 TIME THEREAFTER, BUT THAT PUBLIC SCHOOL MUST BE OPERATED BY A
2 PUBLIC ENTITY THAT OPERATES OTHER PUBLIC SCHOOLS THAT HAVE BEEN
3 PLACED IN THE STATE SCHOOL REFORM/REDESIGN SCHOOL DISTRICT OR UNDER
4 THE CONTROL OF A CHIEF EXECUTIVE OFFICER AND THAT HAS MET THE
5 ACADEMIC GOALS DESCRIBED IN SUBDIVISION (A) (i) AND (ii) FOR EACH OF
6 THOSE OTHER PUBLIC SCHOOLS.

7 (20) IF A PUBLIC SCHOOL IS PLACED IN THE STATE SCHOOL
8 REFORM/REDESIGN SCHOOL DISTRICT UNDER SUBSECTION (6) OR UNDER THE
9 CONTROL OF A CHIEF EXECUTIVE OFFICER UNDER SUBSECTION (7) AND THE
10 STATE SCHOOL REFORM/REDESIGN SCHOOL DISTRICT OR CHIEF EXECUTIVE
11 OFFICER CONTRACTS WITH ANOTHER PUBLIC ENTITY, INCLUDING, BUT NOT
12 LIMITED TO, THE ACHIEVEMENT AUTHORITY, TO OPERATE THE PUBLIC SCHOOL
13 OR OTHERWISE EXERCISE THE FUNCTIONS AND RESPONSIBILITIES OF THE
14 STATE SCHOOL REFORM/REDESIGN SCHOOL DISTRICT WITH RESPECT TO THE
15 PUBLIC SCHOOL, THE PUBLIC SCHOOL IS CONSIDERED TO BE IN THE STATE
16 SCHOOL REFORM/REDESIGN SCHOOL DISTRICT UNDER SUBSECTION (6) OR
17 UNDER THE CONTROL OF A CHIEF EXECUTIVE OFFICER UNDER SUBSECTION (7)
18 FOR ALL PURPOSES UNDER THIS SECTION WITHOUT REGARD TO THE CONTRACT.

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

24 (22) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION,
25 WITHIN 6 MONTHS AFTER A PUBLIC SCHOOL THAT IS OPERATED BY A SCHOOL
26 DISTRICT IS PLACED ON THE LIST UNDER SUBSECTION (1), THE SCHOOL
27 BOARD OF THE PUBLIC SCHOOL MAY REQUEST THE INTERMEDIATE SCHOOL



1 DISTRICT IN WHICH THE PUBLIC SCHOOL IS LOCATED TO ASSUME WITH
2 RESPECT TO THE PUBLIC SCHOOL THE FUNCTIONS AND RESPONSIBILITIES
3 THAT THE STATE SCHOOL REFORM/REDESIGN SCHOOL DISTRICT HAS UNDER
4 THIS SECTION FOR A PUBLIC SCHOOL PLACED IN THE STATE SCHOOL
5 REFORM/REDESIGN SCHOOL DISTRICT. WITHIN 60 DAYS AFTER RECEIVING THE
6 REQUEST, THE INTERMEDIATE SCHOOL DISTRICT SHALL DETERMINE WHETHER
7 TO ASSUME THOSE FUNCTIONS AND RESPONSIBILITIES, AND NOTIFY THE
8 SCHOOL DISTRICT OF ITS DETERMINATION AND THE DATE WITHIN THE NEXT
9 365 DAYS UPON WHICH THE INTERMEDIATE SCHOOL DISTRICT WILL ASSUME
10 THOSE FUNCTIONS AND RESPONSIBILITIES. UPON THE DATE ESTABLISHED BY
11 THE INTERMEDIATE SCHOOL DISTRICT, ALL OF THE FUNCTIONS AND
12 RESPONSIBILITIES THAT THE STATE SCHOOL REFORM/REDESIGN SCHOOL
13 DISTRICT HAS UNDER THIS SECTION FOR A PUBLIC SCHOOL PLACED IN THE
14 STATE SCHOOL REFORM/REDESIGN SCHOOL DISTRICT ARE ASSUMED AND MAY BE
15 EXERCISED BY THE INTERMEDIATE SCHOOL DISTRICT WITH RESPECT TO THE
16 PUBLIC SCHOOL AND THE PUBLIC SCHOOL MAY BE PLACED IN THE STATE
17 SCHOOL REFORM/REDESIGN SCHOOL DISTRICT ONLY AS AUTHORIZED UNDER
18 THIS SUBSECTION. WITH RESPECT TO A PUBLIC SCHOOL FOR WHICH AN
19 INTERMEDIATE SCHOOL DISTRICT HAS ASSUMED FUNCTIONS AND
20 RESPONSIBILITIES UNDER THIS SUBSECTION, A COLLECTIVE BARGAINING
21 AGREEMENT TO WHICH AN INTERMEDIATE SCHOOL DISTRICT IS A PARTY SHALL
22 NOT APPLY TO THE PUBLIC SCHOOL OR TO A SCHOOL DISTRICT THAT IS NOT
23 A PARTY TO THAT COLLECTIVE BARGAINING AGREEMENT. AN INTERMEDIATE
24 SCHOOL DISTRICT THAT HAS ASSUMED FUNCTIONS AND RESPONSIBILITIES FOR
25 A PUBLIC SCHOOL UNDER THIS SUBSECTION SHALL RECEIVE STATE SCHOOL
26 AID PAYMENTS EQUAL TO THE TOTAL STATE SCHOOL AID PAYMENTS THAT
27 WOULD BE PAYABLE IF THE PUBLIC SCHOOL WERE AN ACHIEVEMENT SCHOOL



1 UNDER THE STATE SCHOOL AID ACT OF 1979. BEGINNING ON THE DATE THAT
2 THE INTERMEDIATE SCHOOL DISTRICT DETERMINES TO ASSUME THOSE
3 FUNCTIONS AND RESPONSIBILITIES, THE PUBLIC SCHOOL SHALL NOT BE
4 PLACED IN OR BE A PART OF THE STATE SCHOOL REFORM/REDESIGN SCHOOL
5 DISTRICT UNLESS ANY OF THE FOLLOWING OCCUR:

6 (A) THE PUBLIC SCHOOL HAS APPEARED ON THE LIST UNDER
7 SUBSECTION (1) FOR 3 CONSECUTIVE YEARS REPRESENTING AT LEAST 3 FULL
8 SCHOOL YEARS AFTER THE INTERMEDIATE SCHOOL DISTRICT NOTIFIED THE
9 SCHOOL DISTRICT IN WHICH THE PUBLIC SCHOOL IS LOCATED THAT IT WOULD
10 BE ASSUMING THE FUNCTIONS AND RESPONSIBILITIES UNDER THIS
11 SUBSECTION WITH RESPECT TO THE PUBLIC SCHOOL.

12 (B) AT ANY TIME AFTER THE INTERMEDIATE SCHOOL DISTRICT ASSUMED
13 THE FUNCTIONS AND RESPONSIBILITIES UNDER THIS SUBSECTION WITH
14 RESPECT TO THE PUBLIC SCHOOL, THE INTERMEDIATE SCHOOL DISTRICT OR
15 THE SCHOOL BOARD OF THE PUBLIC SCHOOL REQUESTS THE SUPERINTENDENT
16 OF PUBLIC INSTRUCTION TO PLACE THE PUBLIC SCHOOL UNDER, OR RETURN
17 THE PUBLIC SCHOOL TO, CONTROL OF THE STATE SCHOOL REFORM/REDESIGN
18 OFFICER UNDER THIS SECTION.

19 (23) IF A PUBLIC SCHOOL UNDER THE SUPERVISION OF AN
20 INTERMEDIATE SCHOOL DISTRICT UNDER SUBSECTION (22) ACHIEVES
21 SUFFICIENT IMPROVEMENT WHILE UNDER THE SUPERVISION OF THE
22 INTERMEDIATE SCHOOL DISTRICT, AS EVIDENCED BY ITS NOT APPEARING ON
23 THE LIST UNDER SUBSECTION (1) FOR 3 CONSECUTIVE YEARS REPRESENTING
24 AT LEAST 3 FULL SCHOOL YEARS FOLLOWING THE ASSUMPTION OF FUNCTIONS
25 AND RESPONSIBILITIES BY THE INTERMEDIATE SCHOOL DISTRICT UNDER
26 SUBSECTION (22), THE SCHOOL BOARD OF THE PUBLIC SCHOOL MAY ADOPT A
27 RESOLUTION DIRECTING THE INTERMEDIATE SCHOOL DISTRICT TO RETURN THE



1 PUBLIC SCHOOL TO THE CONTROL AND SUPERVISION OF THAT SCHOOL BOARD.
2 UPON RECEIVING SUCH A RESOLUTION, THE INTERMEDIATE SCHOOL BOARD
3 SHALL RETURN THE PUBLIC SCHOOL TO THE CONTROL AND SUPERVISION OF
4 THAT SCHOOL BOARD. IF THE PUBLIC SCHOOL FAILS TO ACHIEVE SUFFICIENT
5 IMPROVEMENT WHILE UNDER THE SUPERVISION OF THE INTERMEDIATE SCHOOL
6 DISTRICT, AS DETERMINED BY THE STATE SCHOOL REFORM/REDESIGN
7 OFFICER, AND HAS APPEARED ON THE LIST UNDER SUBSECTION (1) FOR 3
8 CONSECUTIVE YEARS REPRESENTING AT LEAST 3 FULL SCHOOL YEARS AFTER
9 THE INTERMEDIATE SCHOOL DISTRICT NOTIFIED THE SCHOOL DISTRICT IN
10 WHICH THE SCHOOL IS LOCATED THAT IT WOULD BE ASSUMING THE FUNCTIONS
11 AND RESPONSIBILITIES UNDER SUBSECTION (22), ALL OF THE FOLLOWING
12 APPLY:

13 (A) THE STATE SCHOOL REFORM/REDESIGN OFFICER SHALL ISSUE AN
14 ORDER PLACING THE PUBLIC SCHOOL UNDER THE CONTROL OF THE STATE
15 SCHOOL REFORM/REDESIGN OFFICER.

16 (B) THE INTERMEDIATE SCHOOL DISTRICT MAY NOT EXERCISE THE
17 FUNCTIONS AND RESPONSIBILITIES PROVIDED UNDER SUBSECTION (20) WITH
18 RESPECT TO THAT PUBLIC SCHOOL.

19 (24) IN ADDITION TO ANY OTHER AUDIT REQUIREMENTS UNDER THIS
20 ACT, NOT LESS THAN ONCE EVERY 3 YEARS BEGINNING NOT LATER THAN JULY
21 1, 2015, THE AUDITOR GENERAL SHALL CONDUCT A POST AUDIT OF THE
22 FINANCIAL TRANSACTIONS AND ACCOUNTS OF THE STATE SCHOOL
23 REFORM/REDESIGN SCHOOL DISTRICT AND A PERFORMANCE POST AUDIT OF
24 STATE SCHOOL REFORM/REDESIGN SCHOOL DISTRICT PROGRAMS UNDER THIS
25 SECTION.

26 (25) THE MEASURES UNDER THIS SECTION DO NOT APPLY TO A CENTER
27 PROGRAM. AS USED IN THIS SECTION, "CENTER PROGRAM" MEANS A PUBLIC



1 EDUCATIONAL PROGRAM OPERATED BY A SCHOOL DISTRICT OR INTERMEDIATE
2 SCHOOL DISTRICT THAT PROVIDES SPECIAL EDUCATION PROGRAMS AND
3 SERVICES TO PUPILS RESIDING IN MORE THAN 1 SCHOOL DISTRICT, IN
4 WHICH EACH PUPIL WITHIN THE PROGRAM IS PROVIDED WITH THOSE PROGRAMS
5 AND SERVICES PURSUANT TO AN INDIVIDUALIZED EDUCATION PROGRAM FOR
6 THE PUPIL UNDER SECTION 614 OF PART B OF TITLE VI OF THE
7 INDIVIDUALS WITH DISABILITIES EDUCATION ACT, PUBLIC LAW 91-230, 20
8 USC 1414, AND IN WHICH EACH PUPIL WITHIN THE PROGRAM ALSO HAS 1 OR
9 MORE OF THE FOLLOWING:

- 10 (A) AUTISM SPECTRUM DISORDER.
11 (B) SEVERE COGNITIVE IMPAIRMENT.
12 (C) MODERATE COGNITIVE IMPAIRMENT.
13 (D) SEVERE MULTIPLE COGNITIVE OR OTHER PHYSICAL IMPAIRMENT.
14 (E) HEARING IMPAIRMENT.
15 (F) VISUAL IMPAIRMENT.
16 (G) OTHER PHYSICAL OR HEALTH IMPAIRMENT IMPACTING THE PUPIL'S
17 EDUCATION.
18 (H) EMOTIONAL IMPAIRMENT, IF THE PROGRAMS AND SERVICES ARE
19 PROVIDED IN A SCHOOL BUILDING THAT DOES NOT SERVE REGULAR EDUCATION
20 PUPILS.

21 (26) IF A PUBLIC SCHOOL THAT IS OPERATED BY A SCHOOL DISTRICT
22 IS ON THE LIST OF THE LOWEST ACHIEVING 5% OF ALL PUBLIC SCHOOLS IN
23 THIS STATE UNDER SUBSECTION (1) BUT MEETS 1 OR BOTH OF THE
24 FOLLOWING CONDITIONS, THEN THE PUBLIC SCHOOL IS NOT SUBJECT TO
25 BEING PLACED UNDER THE SUPERVISION OF THE STATE SCHOOL
26 REFORM/REDESIGN OFFICER, TO BEING PLACED IN THE STATE SCHOOL
27 REFORM/REDESIGN SCHOOL DISTRICT, OR TO ANY OF THE OTHER MEASURES



1 UNDER THIS SECTION FOR AS LONG AS THE PUBLIC SCHOOL CONTINUES TO
2 MEET 1 OR BOTH OF THE FOLLOWING CONDITIONS:

3 (A) AT LEAST 80% OF THE PUPILS ENROLLED IN THE PUBLIC SCHOOL
4 ARE DETERMINED TO BE PROFICIENT IN BOTH ENGLISH LANGUAGE ARTS AND
5 MATHEMATICS, AS MEASURED ON THE STATE ASSESSMENTS.

6 (B) AT LEAST 60% OF THE PUPILS ENROLLED IN THE PUBLIC SCHOOL,
7 OTHER THAN PUPILS WHO HAVE AN INDIVIDUALIZED EDUCATION PROGRAM,
8 HAVE DEMONSTRATED AT LEAST 1.6 YEARS OF ACADEMIC IMPROVEMENT IN
9 BOTH ENGLISH LANGUAGE ARTS AND MATHEMATICS FOR THE SCHOOL YEAR, AS
10 MEASURED BY EITHER NORTHWEST EVALUATION ASSOCIATION ASSESSMENTS OR
11 PERFORMANCE SERIES ASSESSMENTS.

12 (27) THE STATE SCHOOL REFORM/REDESIGN OFFICER SHALL ENSURE
13 THAT, FOR EACH PUBLIC SCHOOL THAT IS IN THE STATE SCHOOL
14 REFORM/REDESIGN SCHOOL DISTRICT UNDER SUBSECTION (6) OR IS UNDER
15 THE CONTROL OF A CHIEF EXECUTIVE OFFICER UNDER SUBSECTION (7), ANY
16 TARGETED ASSISTANCE FUNDS THAT ARE AVAILABLE TO THE PUBLIC SCHOOL
17 SHALL BE USED, TO THE EXTENT ALLOWABLE UNDER APPLICABLE LAW, TO
18 PROVIDE WRAPAROUND SERVICES SUCH AS THOSE PROVIDED IN THE KNOWLEDGE
19 IS POWER PROGRAM PROMOTED BY THE KIPP FOUNDATION, INCLUDING, BUT
20 NOT LIMITED TO, FREE, HEALTHY BREAKFAST, LUNCH, AND DINNER; A FULL-
21 TIME SOCIAL WORKER IN EACH SCHOOL BUILDING; COORDINATORS TO HELP
22 PROVIDE VITAL RESOURCES TO FAMILIES SUCH AS FOOD, CLOTHING, SCHOOL
23 SUPPLIES, ENGLISH LANGUAGE LEARNER SERVICES, AFTER-SCHOOL PROGRAMS,
24 AND PARENT OR GUARDIAN INVOLVEMENT; AFTER-SCHOOL TUTORING;
25 BEHAVIORAL, EMOTIONAL, AND SOCIAL SKILLS SERVICES INCLUDING
26 CONFLICT RESOLUTION; A MENTORING PROGRAM FOR MALES AND A MENTORING
27 PROGRAM FOR FEMALES WITH CLEARLY ARTICULATED, WRITTEN EXPECTED



1 OUTCOMES INCLUDING EXPECTED IMPROVEMENT IN ACADEMIC PERFORMANCE AND
 2 A REDUCTION IN VIOLENT ACTS, CLASSROOM DISRUPTIONS, AND ABSENCES;
 3 HIGH SCHOOL AND COLLEGE-PREPARATION PROGRAMS; AND AN INDIVIDUAL
 4 MENTOR FOR EACH PUPIL. IF MONEY IS APPROPRIATED BY LAW FOR THESE
 5 PURPOSES, THESE SERVICES SHALL ALSO INCLUDE HEALTH SERVICES
 6 INCLUDING DENTAL AND MENTAL HEALTH SERVICES. AS USED IN THIS
 7 SUBSECTION, "TARGETED ASSISTANCE FUNDS" MEANS STATE FUNDING UNDER
 8 SECTIONS 31A AND 41 OF THE STATE SCHOOL AID ACT OF 1979, MCL
 9 388.1631A AND 388.1641; STATE AND FEDERAL SCHOOL BREAKFAST AND
 10 LUNCH FUNDING; FEDERAL TITLE I, TITLE II, TITLE III, TITLE V, AND
 11 TITLE VI FUNDING; AND UNITED STATES DEPARTMENT OF EDUCATION, OFFICE
 12 OF ELEMENTARY AND SECONDARY EDUCATION, TWENTY-FIRST CENTURY
 13 COMMUNITY LEARNING CENTER FUNDS.

14 (28) FOR EACH PUBLIC SCHOOL THAT IS IN THE STATE SCHOOL
 15 REFORM/REDESIGN SCHOOL DISTRICT UNDER SUBSECTION (6) OR IS UNDER
 16 THE CONTROL OF A CHIEF EXECUTIVE OFFICER UNDER SUBSECTION (7), THE
 17 LEGISLATURE ENCOURAGES PUPILS AND PARENTS OR GUARDIANS TO ENTER
 18 INTO AN EDUCATIONAL CONTRACT WITH THE PUBLIC SCHOOL COMMITTING TO
 19 INTENSE EDUCATIONAL GOALS AND OBJECTIVES.

20 (29) AS USED IN THIS SECTION:

21 (A) "ACHIEVEMENT AUTHORITY" MEANS THAT TERM AS DEFINED IN
 22 SECTION 3 OF THE STATE SCHOOL AID ACT OF 1979, MCL 388.1603.

23 (B) "ACHIEVEMENT SCHOOL" MEANS THAT TERM AS DEFINED IN SECTION
 24 3 OF THE STATE SCHOOL AID ACT OF 1979, MCL 388.1603.

25 (C) "FUNCTIONS AND RESPONSIBILITIES OF THE STATE SCHOOL
 26 REFORM/REDESIGN SCHOOL DISTRICT" INCLUDES, BUT IS NOT LIMITED TO,
 27 THE FUNCTIONS AND RESPONSIBILITIES OF THE STATE SCHOOL



1 REFORM/REDESIGN OFFICER AS SUPERINTENDENT OF THE STATE SCHOOL
2 REFORM/REDESIGN SCHOOL DISTRICT UNDER THIS SECTION.

3 SEC. 1280D. IF A PUBLIC SCHOOL IS INCLUDED ON THE LIST OF THE
4 LOWEST ACHIEVING 5% OF ALL PUBLIC SCHOOLS IN THIS STATE UNDER
5 SECTION 1280C(1), THE STATE SCHOOL REFORM/REDESIGN OFFICER UNDER
6 THAT SECTION SHALL ORDER THE PUBLIC SCHOOL TO IMPLEMENT AS SOON AS
7 PRACTICABLE, AND SHALL ENSURE THAT THE PUBLIC SCHOOL CONTINUES TO
8 PROVIDE WHILE IT REMAINS ON THAT LIST, BOTH OF THE FOLLOWING
9 MEASURES:

10 (A) ASSESSMENT OF ALL PUPILS AT LEAST TWICE EACH SCHOOL YEAR
11 TO DETERMINE ACADEMIC IMPROVEMENT USING EITHER NORTHWEST EVALUATION
12 ASSOCIATION ASSESSMENTS OR PERFORMANCE SERIES ASSESSMENTS. THE
13 PUBLIC SCHOOL SHALL REPORT THE ASSESSMENT RESULTS TO THE STATE
14 SCHOOL REFORM/REDESIGN OFFICER IN THE MANNER PRESCRIBED BY THE
15 STATE SCHOOL REFORM/REDESIGN OFFICER.

16 (B) A CHILD AND ADOLESCENT HEALTH CENTER LOCATED AT THE PUBLIC
17 SCHOOL THAT MEETS THE SAME REQUIREMENTS AS GRANT RECIPIENTS UNDER
18 SECTION 31A(6) OF THE STATE SCHOOL AID ACT OF 1979, MCL 388.1631A.

19 SEC. 1280F. (1) FOR A PUBLIC SCHOOL THAT IS AN ACHIEVEMENT
20 SCHOOL AND IS UNDER THE SUPERVISION OF THE STATE SCHOOL
21 REFORM/REDESIGN OFFICER, ANY TARGETED ASSISTANCE FUNDS THAT ARE
22 AVAILABLE TO THE PUBLIC SCHOOL SHALL BE USED, TO THE EXTENT
23 ALLOWABLE UNDER APPLICABLE LAW, TO PROVIDE WRAPAROUND SERVICES SUCH
24 AS THOSE PROVIDED IN THE KNOWLEDGE IS POWER PROGRAM PROMOTED BY THE
25 KIPP FOUNDATION, INCLUDING, BUT NOT LIMITED TO, FREE, HEALTHY
26 BREAKFAST, LUNCH, AND DINNER; A FULL-TIME SOCIAL WORKER IN EACH
27 SCHOOL BUILDING; COORDINATORS TO HELP PROVIDE VITAL RESOURCES TO



1 FAMILIES SUCH AS FOOD, CLOTHING, SCHOOL SUPPLIES, ENGLISH LANGUAGE
 2 LEARNER SERVICES, AFTER-SCHOOL PROGRAMS, AND PARENT OR GUARDIAN
 3 INVOLVEMENT; AFTER-SCHOOL TUTORING; BEHAVIORAL, EMOTIONAL, AND
 4 SOCIAL SKILLS SERVICES INCLUDING CONFLICT RESOLUTION; A MENTORING
 5 PROGRAM FOR MALES AND A MENTORING PROGRAM FOR FEMALES WITH CLEARLY
 6 ARTICULATED, WRITTEN EXPECTED OUTCOMES INCLUDING EXPECTED
 7 IMPROVEMENT IN ACADEMIC PERFORMANCE AND A REDUCTION IN VIOLENT
 8 ACTS, CLASSROOM DISRUPTIONS, AND ABSENCES; HIGH SCHOOL AND COLLEGE-
 9 PREPARATION PROGRAMS; AND AN INDIVIDUAL MENTOR FOR EACH PUPIL. IF
 10 MONEY IS APPROPRIATED BY LAW FOR THESE PURPOSES, THESE SERVICES
 11 SHALL ALSO INCLUDE HEALTH SERVICES INCLUDING DENTAL AND MENTAL
 12 HEALTH SERVICES. AS USED IN THIS SUBSECTION, "TARGETED ASSISTANCE
 13 FUNDS" MEANS STATE FUNDING UNDER SECTIONS 31A AND 41 OF THE STATE
 14 SCHOOL AID ACT OF 1979, MCL 388.1631A AND 388.1641; STATE AND
 15 FEDERAL SCHOOL BREAKFAST AND LUNCH FUNDING; FEDERAL TITLE I, TITLE
 16 II, TITLE III, TITLE V, AND TITLE VI FUNDING; AND UNITED STATES
 17 DEPARTMENT OF EDUCATION, OFFICE OF ELEMENTARY AND SECONDARY
 18 EDUCATION, TWENTY-FIRST CENTURY COMMUNITY LEARNING CENTER FUNDS.

19 (2) FOR A PUBLIC SCHOOL THAT IS AN ACHIEVEMENT SCHOOL AND IS
 20 UNDER THE SUPERVISION OF THE STATE SCHOOL REFORM/REDESIGN OFFICER,
 21 THE LEGISLATURE ENCOURAGES PUPILS AND PARENTS OR GUARDIANS TO ENTER
 22 INTO AN EDUCATIONAL CONTRACT WITH THE PUBLIC SCHOOL COMMITTING TO
 23 INTENSE EDUCATIONAL GOALS AND OBJECTIVES.

24 (3) AS USED IN THIS SECTION, "ACHIEVEMENT SCHOOL" MEANS THAT
 25 TERM AS DEFINED IN SECTION 3 OF THE STATE SCHOOL AID ACT OF 1979,
 26 MCL 388.1603.

27 Enacting section 1. This amendatory act shall not be construed



1 or considered to supersede, alter, or terminate a contract for the
2 transfer of functions and responsibilities under 1967 (Ex Sess) PA
3 8, MCL 124.531 to 124.536, to which the state school
4 reform/redesign school district is a party on the effective date of
5 this amendatory act.

