



HOUSE BILL No. 6075

September 12, 1996, Introduced by Reps. Cropsey, Wetters, Gustafson, Freeman, Willard, DeHart, McBryde, Baird, Martinez, Brater, Brewer, Green, Walberg, Emerson, Hill, Curtis, Cherry, Clack and Perricone and referred to the Committee on Education.

A bill to amend the title of Act No. 451 of the Public Acts of 1976, entitled as amended

"The revised school code,"

as amended, being sections 380.1 to 380.1852 of the Michigan Compiled Laws; to add part 31a; and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. The title of Act No. 451 of the Public Acts of
2 1976, as amended, being sections 380.1 to 380.1852 of the
3 Michigan Compiled Laws, is amended and part 31a is added to read
4 as follows:

5 TITLE

6 An act to provide a system of public instruction and
7 elementary and secondary schools; to revise, consolidate, and
8 clarify the laws relating to elementary and secondary education;

1 to provide for the organization, regulation, and maintenance of
 2 schools, school districts, public school academies, and interme-
 3 diate school districts; to prescribe rights, powers, duties, and
 4 privileges of schools, school districts, public school academies,
 5 and intermediate school districts; to provide for the regulation
 6 of school teachers and certain other school employees; to provide
 7 for school elections and to prescribe powers and duties with
 8 respect thereto; to provide for the levy and collection of taxes;
 9 to provide for the borrowing of money and issuance of bonds and
 10 other evidences of indebtedness; to establish a fund and provide
 11 for expenditures from that fund; to provide for and prescribe the
 12 powers and duties of certain state departments, the state board
 13 of education, and certain other boards and officials; to provide
 14 for licensure of boarding schools; TO PROVIDE FOR THE MICHIGAN
 15 SCHOOL FOR THE BLIND AND MICHIGAN SCHOOL FOR THE DEAF AND THEIR
 16 RESPECTIVE BOARDS, POWERS, AND DUTIES; to prescribe penalties;
 17 and to repeal acts and parts of acts.

18 PART 31A

19 SCHOOL FOR THE BLIND AND SCHOOL FOR THE DEAF

20 SEC. 1781. AS USED IN THIS PART:

21 (A) "BLIND" MEANS ANY IMPAIRMENT IN VISION THAT, WITH OR
 22 WITHOUT CORRECTION, INTERFERES WITH A PERSON'S DEVELOPMENT OR
 23 ADVERSELY AFFECTS A PERSON'S EDUCATIONAL PERFORMANCE. BLIND
 24 INCLUDES PARTIAL LOSS OF VISION, THE POTENTIAL OF PROGRESSIVE
 25 LOSS OF VISION, AND TOTAL LOSS OF VISION.

26 (B) "BLIND PUPIL" INCLUDES ANY PUPIL WHO IS PRIMARILY OR
 27 SECONDARILY CATEGORIZED AS BLIND OR VISUALLY IMPAIRED AND WHO IS

1 ENTITLED TO SPECIAL EDUCATION UNDER THE INDIVIDUALS WITH
2 DISABILITIES EDUCATION ACT.

3 (C) "DEAF" OR "HARD OF HEARING" MEANS ANY TYPE OR DEGREE OF
4 HEARING LOSS THAT, WITH OR WITHOUT AMPLIFICATION, INTERFERES WITH
5 A PERSON'S DEVELOPMENT OR ADVERSELY AFFECTS A PERSON'S EDUCA-
6 TIONAL PERFORMANCE.

7 (D) "DEAF PERSON" INCLUDES A PERSON WHOSE HEARING IS TOTALLY
8 IMPAIRED OR WHOSE HEARING, WITH OR WITHOUT AMPLIFICATION, IS SO
9 SERIOUSLY IMPAIRED THAT THE PRIMARY MEANS OF RECEIVING SPOKEN
10 LANGUAGE IS THROUGH OTHER SENSORY INPUT, INCLUDING, BUT NOT
11 LIMITED TO, LIPREADING, SIGN LANGUAGE, FINGER SPELLING, OR
12 READING.

13 (E) "DEAF PUPIL", "HARD OF HEARING PUPIL", AND "HEARING
14 IMPAIRED PUPIL" INCLUDE ANY PUPIL WHO IS PRIMARILY OR SECONDARILY
15 CATEGORIZED FOR THE PURPOSE OF SPECIAL EDUCATION AS DEAF, HARD OF
16 HEARING, OR HEARING IMPAIRED, RESPECTIVELY, AND WHO IS ENTITLED
17 TO SPECIAL EDUCATION UNDER THE INDIVIDUALS WITH DISABILITIES EDU-
18 CATION ACT.

19 (F) "DEAF-BLIND PUPIL" INCLUDES ANY PUPIL WHO HAS AUDITORY
20 AND VISUAL HANDICAPS, THE COMBINATION OF WHICH CAUSES SUCH SEVERE
21 COMMUNICATION AND OTHER DEVELOPMENTAL AND EDUCATIONAL PROBLEMS
22 THAT THE PUPIL CANNOT BE ADEQUATELY ACCOMMODATED IN A SPECIAL
23 EDUCATION PROGRAM SOLELY FOR THE HEARING IMPAIRED PUPIL OR VISU-
24 ALLY IMPAIRED PUPIL.

25 (G) "HARD OF HEARING PERSON" OR "HARD OF HEARING PUPIL"
26 INCLUDES A PERSON OR PUPIL WITH PERMANENT OR FLUCTUATING HEARING

1 LOSS THAT GENERALLY ALLOWS THE USE OF THE AUDITORY CHANNEL AS THE
2 PRIMARY MEANS OF DEVELOPING SPEECH AND LANGUAGE SKILLS.

3 (H) "HEARING IMPAIRED" MEANS THAT A PERSON HAS A DEGREE OF
4 HEARING LOSS THAT RANGES FROM MILD TO PROFOUND. HEARING IMPAIRED
5 PERSON INCLUDES A DEAF PERSON.

6 (I) "INDIVIDUALIZED EDUCATION PROGRAM" AND "INDIVIDUALIZED
7 EDUCATION PLANNING COMMITTEE" MEAN THOSE TERMS AS DEFINED IN R
8 340.1701A OF THE MICHIGAN ADMINISTRATIVE CODE.

9 (J) "INDIVIDUALS WITH DISABILITIES EDUCATION ACT" MEANS
10 TITLE VI OF THE PUBLIC LAW 91-230, 20 U.S.C. 1400 TO 1442, 1444
11 TO 1452, AND 1454 TO 1491o.

12 (K) "RESIDENTIAL SCHOOL" MEANS THE MICHIGAN SCHOOL FOR THE
13 BLIND OR THE MICHIGAN SCHOOL FOR THE DEAF.

14 (L) "SKILLS OF DEAFNESS AND BLINDNESS" MEANS THOSE SKILLS
15 THAT ALLOW BLIND, DEAF, HARD OF HEARING, HEARING IMPAIRED, OR
16 DEAF-BLIND PERSONS THE OPPORTUNITY TO COMPETE WITH THEIR HEARING
17 AND SIGHTED PEERS AND TO LIVE AND WORK INDEPENDENTLY AS ADULTS
18 WITHIN THEIR COMMUNITIES, INCLUDING, BUT NOT LIMITED TO, BRAILLE,
19 CANE TRAVEL, SIGN LANGUAGE, SPEECH, TELECOMMUNICATIONS, CULTURAL
20 VALUES, AND OTHER SKILLS TAUGHT OR USED BY THE COMMISSION FOR THE
21 BLIND, THE DIVISION ON DEAFNESS, REHABILITATION PROGRAMS, THE
22 RESIDENTIAL SCHOOLS, AND SPECIAL EDUCATION PROGRAM OUTCOMES
23 GUIDES.

24 (M) "VISUALLY IMPAIRED" MEANS THAT A PERSON HAS 1 OR MORE OF
25 THE FOLLOWING:

1 (i) A CENTRAL VISUAL ACUITY FOR NEAR OR FAR POINT VISION OF
2 20/70 OR LESS IN THE BETTER EYE AFTER ROUTINE REFRACTIVE
3 CORRECTION.

4 (ii) A PERIPHERAL FIELD OF VISION RESTRICTED TO NOT MORE
5 THAN 20 DEGREES.

6 (iii) A DIAGNOSED PROGRESSIVELY DETERIORATING EYE
7 CONDITION.

8 (N) "VISUALLY IMPAIRED PERSON" INCLUDES A BLIND PERSON.

9 SEC. 1782. THIS STATE SHALL MAINTAIN AND SUPPORT THE
10 MICHIGAN SCHOOL FOR THE BLIND AND THE MICHIGAN SCHOOL FOR THE
11 DEAF LOCATED ON COURT STREET IN FLINT IN GENESEE COUNTY. THIS
12 STATE SHALL PROVIDE FULL OPPORTUNITY FOR ALL BLIND, DEAF, VISU-
13 ALLY IMPAIRED, HARD OF HEARING, AND DEAF-BLIND PUPILS AND ENSURE
14 THEM ACCESS TO THE MICHIGAN SCHOOL FOR THE BLIND AND THE MICHIGAN
15 SCHOOL FOR THE DEAF AND ALL OTHER PROGRAMS IN THE CONTINUUM OF
16 EDUCATIONAL OPTIONS FOR THESE PUPILS.

17 SEC. 1783. (1) EACH RESIDENTIAL SCHOOL SHALL BE GOVERNED BY
18 AN INDEPENDENT BOARD.

19 (2) EACH BOARD SHALL CONSIST OF 7 VOTING MEMBERS AND CERTAIN
20 NONVOTING MEMBERS. TO THE EXTENT POSSIBLE, DIVERSE GEOGRAPHIC
21 AREAS OF THIS STATE SHALL BE REPRESENTED ON EACH BOARD.

22 (3) SIX MEMBERS OF EACH BOARD SHALL BE APPOINTED BY THE GOV-
23 ERNOR WITH THE ADVICE AND CONSENT OF THE SENATE. AT LEAST 4 OF
24 THESE 6 MEMBERS OF THE BOARD OF THE MICHIGAN SCHOOL FOR THE BLIND
25 SHALL BE PERSONS WHO ARE BLIND AND AT LEAST 2 OF THESE 6 MEMBERS
26 OF THE BOARD OF THE MICHIGAN SCHOOL FOR THE BLIND SHALL BE
27 PERSONS WHO ARE PARENTS OF A PUPIL WHO IS BLIND. AT LEAST 4 OF

1 THESE 6 MEMBERS OF THE BOARD OF THE MICHIGAN SCHOOL FOR THE DEAF
2 SHALL BE PERSONS WHO ARE DEAF AND AT LEAST 2 OF THESE 6 MEMBERS
3 OF THE BOARD OF THE MICHIGAN SCHOOL FOR THE DEAF SHALL BE PERSONS
4 WHO ARE PARENTS OF A PUPIL WHO IS DEAF.

5 (4) THE REMAINING VOTING MEMBER OF EACH BOARD SHALL BE A
6 PARENT OF A PUPIL CURRENTLY ENROLLED IN THE PARTICULAR RESIDEN-
7 TIAL SCHOOL, WHO SHALL BE ELECTED BY MAJORITY VOTE OF THE PARENTS
8 OF THE PUPILS CURRENTLY ENROLLED IN THAT RESIDENTIAL SCHOOL.

9 (5) ALL VOTING MEMBERS OF EACH BOARD MUST MEET ALL OF THE
10 FOLLOWING REQUIREMENTS:

11 (A) AT LEAST 18 YEARS OF AGE AND NOT ENROLLED, OR ELIGIBLE
12 TO BE ENROLLED, IN A PUBLIC K-12 EDUCATION PROGRAM.

13 (B) A RESIDENT OF THIS STATE.

14 (C) HAS A DEMONSTRATED SERIOUS INTEREST IN PROMOTING AND
15 PROVIDING STATE OF THE ART EDUCATIONAL OPPORTUNITIES FOR BLIND,
16 VISUALLY IMPAIRED, DEAF, HARD OF HEARING, AND DEAF-BLIND CITIZENS
17 THROUGH RESIDENTIAL PROGRAMS. THIS SUBDIVISION SHALL NOT BE
18 INTERPRETED TO LIMIT APPOINTMENT TO PERSONS WITH ANY SPECIFIC
19 EDUCATIONAL OR VOCATIONAL QUALIFICATIONS.

20 (D) NOT CURRENTLY EMPLOYED BY THE DEPARTMENT.

21 (E) IN ADDITION TO THE VOTING MEMBERS, THE GOVERNOR SHALL
22 APPOINT AS NONVOTING MEMBERS OF EACH BOARD A REPRESENTATIVE OF
23 EACH POSTSECONDARY INSTITUTION IN THIS STATE THAT OFFERS A
24 TEACHER TRAINING PROGRAM IN SPECIAL EDUCATION FOR THE BLIND OR
25 THE DEAF, AS APPLICABLE, AND A TEACHER WHO HAS AT LEAST 3 YEARS'
26 EXPERIENCE, IMMEDIATELY BEFORE THE APPOINTMENT, IN AN APPROPRIATE

1 DISCIPLINE. THE TEACHER REPRESENTATIVE SHALL SERVE A TERM OF 2
2 YEARS.

3 (6) THE BOARD MEMBERS APPOINTED UNDER SUBSECTION (3) SHALL
4 SERVE FOR TERMS OF 4 YEARS, OR UNTIL A SUCCESSOR IS APPOINTED,
5 WHICHEVER IS LATER, EXCEPT THAT OF THE MEMBERS FIRST APPOINTED TO
6 A PARTICULAR BOARD, 2 SHALL SERVE FOR 2 YEARS, 2 SHALL SERVE FOR
7 3 YEARS, AND 2 SHALL SERVE FOR 4 YEARS, AS SPECIFIED IN THE
8 APPOINTMENT. THESE BOARD MEMBERS MAY BE REAPPOINTED, EXCEPT THAT
9 A BOARD MEMBER DESCRIBED IN THIS SUBSECTION SHALL NOT SERVE MORE
10 THAN 2 CONSECUTIVE 4-YEAR TERMS AND SHALL NOT SERVE FOR MORE THAN
11 A TOTAL OF 12 YEARS. A VACANCY AMONG THESE MEMBERS SHALL BE
12 FILLED IN THE SAME MANNER AS THE ORIGINAL APPOINTMENT.

13 (7) THE PARENT REPRESENTATIVE FOR EACH BOARD DESCRIBED IN
14 SUBSECTION (4) SHALL SERVE FOR A TERM OF 2 YEARS. THE REQUIRED
15 ELECTION SHALL BE HELD AT LEAST 2 MONTHS BEFORE THE EXPIRATION OF
16 THE INCUMBENT'S TERM. IF A PARENT REPRESENTATIVE VACATES THE
17 OFFICE, AN ELECTION FOR A SUCCESSOR TO SERVE THE REMAINDER OF THE
18 UNEXPIRED TERM SHALL BE HELD WITHIN 1 MONTH AFTER THE VACANCY
19 OCCURS.

20 (8) EACH BOARD SHALL ELECT A VOTING MEMBER TO SERVE AS PRES-
21 IDENT AND ANOTHER TO SERVE AS VICE PRESIDENT. THE SUPERINTENDENT
22 OF EACH RESIDENTIAL SCHOOL SHALL SERVE AS SECRETARY FOR THE
23 RESPECTIVE BOARD.

24 (9) EACH BOARD SHALL HOLD REGULAR MEETINGS ON THE SECOND
25 FRIDAY OF EVERY ODD NUMBERED MONTH OR AT OTHER TIMES AS THE BOARD
26 PROVIDES BY RESOLUTION. EACH BOARD SHALL MEET AT LEAST 6 TIMES
27 PER YEAR. A BOARD MAY HOLD SPECIAL MEETINGS AT ANY TIME AT THE

1 CALL OF THE BOARD PRESIDENT OR UPON PETITION ADDRESSED TO THE
2 BOARD PRESIDENT BY AT LEAST 4 BOARD MEMBERS.

3 (10) EACH BOARD SHALL DETERMINE ITS OWN RULES OF PROCEDURE
4 THAT ARE CONSISTENT WITH THIS ACT.

5 (11) EACH BOARD, BY RESOLUTION, MAY AUTHORIZE COMPENSATION
6 FOR VOTING AND NONVOTING MEMBERS FOR MEETINGS, COMMITTEE OR SUB-
7 COMMITTEE MEETINGS, OR OTHER DUTIES THAT ARE DIRECTLY RELATED TO
8 THE MEMBER'S OFFICIAL DUTIES AS A BOARD MEMBER AND THAT ARE
9 AUTHORIZED IN ADVANCE BY THE BOARD. A BOARD MEMBER SHALL NOT BE
10 COMPENSATED FOR MORE THAN A TOTAL OF 52 MEETINGS, COMMITTEE OR
11 SUBCOMMITTEE MEETINGS, OR OTHER AUTHORIZED DUTIES PER CALENDAR
12 YEAR UNLESS A MAJORITY OF THE BOARD APPROVES AN EXCEPTION TO THIS
13 LIMITATION. HOWEVER, MEMBERS MAY BE REIMBURSED FOR THEIR TRAVEL
14 EXPENSES INCURRED IN THE PERFORMANCE OF THEIR OFFICIAL DUTIES AS
15 PROVIDED IN STANDARD DEPARTMENT OF MANAGEMENT AND BUDGET TRAVEL
16 REGULATIONS.

17 SEC. 1784. (1) EACH BOARD SHALL DO ALL OF THE FOLLOWING FOR
18 ITS RESPECTIVE RESIDENTIAL SCHOOL:

19 (A) SELECT AND EMPLOY THE SUPERINTENDENT AND OTHER SENIOR
20 ADMINISTRATIVE STAFF OF THE SCHOOL, AS THE BOARD DESIRES TO
21 EMPLOY, IN ACCORDANCE WITH QUALIFICATIONS AND OTHER REQUIREMENTS
22 SET BY APPLICABLE LAW.

23 (B) ESTABLISH, IN ACCORDANCE WITH APPLICABLE LAW AND WITH
24 THE INPUT OF THE SUPERINTENDENT, THE STANDARD COURSES OF STUDY
25 FOR THE RESIDENTIAL SCHOOL, INCLUDING SUBJECTS TO BE TAUGHT,
26 TEXTS, AND OTHER EDUCATIONAL MATERIAL TO BE USED IN EACH GRADE,

1 AS NECESSARY TO PROVIDE PUPILS WITH THE OPPORTUNITY TO ACHIEVE A
2 STATE ENDORSED HIGH SCHOOL DIPLOMA.

3 (C) ESTABLISH REGULATIONS GOVERNING CLASS SIZE, INSTRU-
4 TIONAL CALENDAR, AND LENGTH OF THE INSTRUCTIONAL DAY, WHICH SHALL
5 MEET AT LEAST THE MINIMUM REQUIREMENTS OF APPLICABLE LAW.

6 (D) ESTABLISH A PUPIL CODE OF CONDUCT THAT PROVIDES FOR DIS-
7 CIPLINE IN ACCORDANCE WITH APPLICABLE LAW.

8 (E) IN ACCORDANCE WITH STATE CIVIL SERVICE RULES AND PROCE-
9 DURES AND OTHER APPLICABLE LAW, ESTABLISH POLICIES AND CRITERIA
10 FOR EMPLOYMENT, ASSIGNMENT, SUPERVISION, AND MANAGEMENT OF
11 EMPLOYEES OF THE SCHOOL. CONSISTENT WITH APPLICABLE LAW, ALL
12 RESIDENTIAL STAFF SHALL BE GENDER APPROPRIATE TO ENSURE THE DIG-
13 NITY AND PRIVACY OF PUPILS.

14 (F) CONSISTENT WITH APPLICABLE LAW, ACTIVELY RECRUIT PERSONS
15 WHO ARE BLIND OR DEAF, AS APPLICABLE, AS EMPLOYEES IN ALL OCCUPA-
16 TIONAL AREAS. IN ORDER TO ENSURE STABLE AND QUALIFIED STAFFING
17 OF THE RESIDENTIAL SCHOOLS, ALL EMPLOYEES OF EACH RESIDENTIAL
18 SCHOOL SHALL BE STATE EMPLOYEES HIRED AND EMPLOYED UNDER CIVIL
19 SERVICE RULES AND PROCEDURES. HOWEVER, THIS REQUIREMENT DOES NOT
20 PROHIBIT THE BOARD FROM EMPLOYING SHORT-TERM NONCLASSIFIED PER-
21 SONNEL FOR SPECIALIZED EDUCATIONAL PROGRAMMING ON AN OCCASIONAL
22 BASIS OR FOR OTHER SHORT-TERM PROJECTS APPROVED BY THE BOARD.

23 (G) DELEGATE, AS THE BOARD CONSIDERS APPROPRIATE, BOARD
24 DUTIES TO COMMITTEES OR SUBCOMMITTEES OF THE BOARD.

25 (H) DEVELOP, PREPARE, AND PRESENT TO THE LEGISLATURE BUDGET
26 RECOMMENDATIONS REGARDING APPROPRIATIONS FOR THE RESIDENTIAL
27 SCHOOL.

1 (I) ACQUIRE, HOLD, CONVEY OR OTHERWISE DISPOSE OF, AND
2 INVEST OR REINVEST ANY AND ALL REAL AND PERSONAL PROPERTY OF THE
3 RESIDENTIAL SCHOOL, INCLUDING EXISTING GIFT FUNDS, EXCEPT THAT
4 THE BOARD OR ANY OTHER STATE AGENCY MAY NOT CONVEY ANY OF THE
5 LAND CONSTITUTING THE CAMPUS OF THE RESIDENTIAL SCHOOL, EXCEPT
6 FOR NECESSARY EASEMENTS, WITHOUT THE APPROVAL OF THE
7 LEGISLATURE. FOR THE PURPOSES OF THIS SUBDIVISION, CAMP
8 TUSHMEHETA IS CONSIDERED TO BE PART OF THE CAMPUS OF A RESIDEN-
9 TIAL SCHOOL.

10 (J) ACCEPT, RECEIVE, AND USE ANY FEDERAL, LOCAL, STATE, OR
11 PRIVATE FUNDS THAT MAY BE MADE AVAILABLE BY ANY ENTITY, AS CON-
12 SIDERED BY THE BOARD TO BE BENEFICIAL TO THE OPERATION OF THE
13 RESIDENTIAL SCHOOL.

14 (K) ESTABLISH POLICIES AND REGULATIONS REGARDING THE SALE OF
15 GOODS AND SERVICES PROVIDED BY THE RESIDENTIAL SCHOOL.

16 (2) IN ADDITION TO THE DUTIES UNDER SUBSECTION (1), EACH
17 BOARD MAY ESTABLISH A PERMANENT ENDOWMENT FUND FOR THE RESIDEN-
18 TIAL SCHOOL AND ACCEPT GIFTS AND BEQUESTS TO THE FUND IF ESTAB-
19 LISHING THE FUND AND ACCEPTING MONEY FOR THE FUND DOES NOT VIO-
20 LATE OR RESULT IN THE VIOLATION OF ANY STATE OR FEDERAL LAW.

21 SEC. 1785. (1) THE SUPERINTENDENT OF EACH RESIDENTIAL
22 SCHOOL SHALL PERFORM ALL DUTIES ASSIGNED BY THE RESIDENTIAL
23 SCHOOL'S BOARD, INCLUDING AT LEAST ALL OF THE FOLLOWING:

24 (A) ACT AS THE RESIDENTIAL SCHOOL'S CHIEF ADMINISTRATIVE
25 OFFICER.

1 (B) ASSIST THE BOARD IN MATTERS PERTAINING TO THE GENERAL
2 WELFARE OF THE RESIDENTIAL SCHOOL AND PERFORM OTHER DUTIES AS
3 DIRECTED BY THE BOARD.

4 (C) SERVE AS SECRETARY TO THE BOARD.

5 (D) PREPARE AND SUBMIT TO THE BOARD AND TO THE STATE BOARD
6 AN ANNUAL REPORT REGARDING MATTERS PERTAINING TO THE EDUCATIONAL
7 INTERESTS OF THE RESIDENTIAL SCHOOL AND OF BLIND OR DEAF AND HARD
8 OF HEARING PUPILS, AS APPLICABLE, THROUGHOUT THIS STATE. THE
9 REPORT SHALL BE BASED, IN PART, ON DATA REQUIRED UNDER THIS ACT
10 TO BE PROVIDED TO THE RESIDENTIAL SCHOOL.

11 (E) MAKE RECOMMENDATIONS TO THE BOARD CONCERNING THE BEST
12 METHODS OF ARRANGING THE COURSE OF STUDY AND SUITABLE TEXTBOOKS.

13 (F) PUT INTO PRACTICE THE EDUCATIONAL POLICIES OF THIS
14 STATE, THE STATE BOARD, AND THE BOARD, WITHIN THE MEANS PROVIDED
15 BY THIS STATE.

16 (2) THE SUPERINTENDENT OF A RESIDENTIAL SCHOOL MAY SUSPEND A
17 TEACHER OR OTHER EMPLOYEE FOR JUST CAUSE.

18 SEC. 1786. (1) THIS STATE SHALL FULLY SUPPORT EACH RESIDEN-
19 TIAL SCHOOL, INCLUDING PROVIDING ADEQUATE AND APPROPRIATE STAFF-
20 ING LEVELS AND PROPER RESTORATIVE AND PREVENTIVE MAINTENANCE OF
21 BUILDINGS AND GROUNDS FOR EACH SEPARATE RESIDENTIAL SCHOOL, IN
22 ORDER TO ENSURE THAT THE RESIDENTIAL SCHOOLS ARE ABLE TO PROVIDE
23 ALL PROGRAMS AND SERVICES UNDER THIS ACT AND ANY OTHER PROGRAMS
24 AND SERVICES ESTABLISHED BY THEIR BOARDS.

25 (2) AT A MINIMUM, THE LEGISLATURE SHALL APPROPRIATE EACH
26 FISCAL YEAR TO EACH RESIDENTIAL SCHOOL, EXCLUSIVE OF ANY TUITION,
27 FEDERAL FUNDS, OR PRIVATE FUNDS PAID OR OTHERWISE PROVIDED TO THE

1 RESIDENTIAL SCHOOL, AN AMOUNT EQUAL TO THE PRODUCT OF 50% OF THE
2 BASIC FOUNDATION ALLOWANCE FOR THAT FISCAL YEAR UNDER SECTION 20
3 OF THE STATE SCHOOL AID ACT OF 1979, BEING SECTION 388.1620 OF
4 THE MICHIGAN COMPILED LAWS, TIMES THE TOTAL STATEWIDE NUMBER OF
5 PUPILS WHO ARE BLIND, VISUALLY IMPAIRED, DEAF, HARD OF HEARING,
6 OR DEAF-BLIND ENROLLED IN THE PUBLIC SCHOOLS FOR THE SCHOOL YEAR
7 ENDING IN THE IMMEDIATELY PRECEDING FISCAL YEAR, AS DETERMINED BY
8 THE DEPARTMENT, AND SHALL APPROPRIATE TO EACH RESIDENTIAL SCHOOL
9 ALL FEDERAL FUNDS AND OTHER STATE FUNDS DUE TO THE RESIDENTIAL
10 SCHOOL.

11 (3) A RESIDENTIAL SCHOOL MAY CHARGE TUITION TO THE LOCAL
12 SCHOOL DISTRICT IN WHICH A RESIDENT PUPIL'S PARENT OR LEGAL
13 GUARDIAN RESIDES. THE AMOUNT OF TUITION CHARGED UNDER THIS SUB-
14 SECTION FOR A PARTICULAR SCHOOL YEAR SHALL NOT EXCEED THE PRODUCT
15 OF 2 TIMES THE SCHOOL DISTRICT'S FOUNDATION ALLOWANCE UNDER SEC-
16 TION 20 OF THE STATE SCHOOL AID ACT OF 1979 FOR THE FISCAL YEAR
17 IN WHICH THAT SCHOOL YEAR ENDS.

18 (4) A PROGRAM THAT IS NOT DIRECTLY RELATED TO THE EDUCATION
19 OF PUPILS WHO ARE BLIND SHALL NOT BE CO-LOCATED OR OTHERWISE
20 HOUSED AT THE MICHIGAN SCHOOL FOR THE BLIND CAMPUS. A PROGRAM
21 THAT IS NOT DIRECTLY RELATED TO THE EDUCATION OF PUPILS WHO ARE
22 DEAF OR HARD OF HEARING SHALL NOT BE CO-LOCATED OR OTHERWISE
23 HOUSED AT THE MICHIGAN SCHOOL FOR THE DEAF.

24 SEC. 1787. (1) EACH RESIDENTIAL SCHOOL SHALL OFFER ON ITS
25 CAMPUS A FULL RANGE OF ACADEMIC PROGRAMS. THESE ACADEMIC PRO-
26 GRAMS SHALL INCLUDE, BUT ARE NOT LIMITED TO, BIOLOGY, CIVICS,
27 CHEMISTRY, INDUSTRIAL ARTS, GOVERNMENT, HOME ECONOMICS, MUSIC,

1 MATH, ENGLISH, GEOGRAPHY, HISTORY, SOCIAL STUDIES, SCIENCE,
2 HEALTH AND PHYSICAL EDUCATION, AND ANY OTHER SUBJECT NECESSARY
3 FOR EARNING A STATE-ENDORSED HIGH SCHOOL DIPLOMA. THE ACADEMIC
4 PROGRAMS AT THE MICHIGAN SCHOOL FOR THE DEAF ALSO SHALL INCLUDE
5 AMERICAN SIGN LANGUAGE AND DEAF HISTORY AND CULTURE. ALL
6 INSTRUCTION AT A RESIDENTIAL SCHOOL SHALL BE BY CERTIFIED SPECIAL
7 EDUCATION TEACHERS WHO MEET ALL APPLICABLE STATE BOARD
8 REQUIREMENTS. A RESIDENTIAL SCHOOL MAY COOPERATE WITH AND USE
9 AREA SCHOOL DISTRICTS, INTERMEDIATE SCHOOL DISTRICTS, COMMUNITY
10 COLLEGES, COLLEGES, OR VOCATIONAL SCHOOLS FOR AUXILIARY OR
11 ENRICHMENT PROGRAMS. ALL INSTRUCTION AT A RESIDENTIAL SCHOOL
12 SHALL FULLY INTEGRATE, AT ALL GRADE LEVELS AND IN ALL ACTIVITIES,
13 THE SKILLS OF BLINDNESS OR DEAFNESS, AS APPLICABLE.

14 (2) EACH RESIDENTIAL SCHOOL SHALL OFFER PREVOCATIONAL AND
15 VOCATIONAL PROGRAMS AND SERVICES ON-CAMPUS AND OFF-CAMPUS.

16 (3) EACH RESIDENTIAL SCHOOL SHALL PROVIDE WEEKEND AND SUMMER
17 SERVICES FOR PUPILS CHOOSING TO RESIDE AT THE RESIDENTIAL SCHOOL
18 WHO STAY ON CAMPUS ON WEEKENDS, OR THE SUMMER, AND SHALL OFFER
19 ALL PUPILS THE OPPORTUNITY TO STAY ON CAMPUS DURING WEEKENDS TO
20 PROMOTE PARTICIPATION IN EXTRACURRICULAR AND EDUCATIONAL
21 ACTIVITIES.

22 (4) EACH RESIDENTIAL SCHOOL SHALL FULLY UTILIZE THE
23 RESOURCES AVAILABLE TO THEM IN THE SURROUNDING COMMUNITIES TO
24 PROVIDE THE BROADEST RANGE OF LEARNING EXPERIENCES FOR PUPILS OF
25 THE RESIDENTIAL SCHOOL.

26 (5) EACH RESIDENTIAL SCHOOL SHALL ESTABLISH AND PROVIDE
27 OUTREACH AND COMMUNITY EDUCATIONAL PROGRAMS, INCLUDING ON-CAMPUS

1 ACTIVITIES AND PROGRAMS, TO SERVE THE NEEDS OF THE BLIND OR DEAF
2 AND HARD OF HEARING, AS APPLICABLE, RESIDENTS OF THIS STATE, PAR-
3 ENTS, AND PROFESSIONALS AND PARAPROFESSIONALS INVOLVED WITH
4 BLIND, DEAF, AND HARD OF HEARING PUPILS. OUTREACH SERVICES MAY
5 INCLUDE, BUT ARE NOT LIMITED TO, SERVICES TO FAMILIES, PROFES-
6 SIONAL DEVELOPMENT TRAINING, VOCATIONAL EXPLORATION AND TRAINING,
7 COMPREHENSIVE DIAGNOSTIC ASSESSMENT, COLLABORATION IN THE PLAN-
8 NING OF PUPIL PROGRAMS, AND NETWORKING OF RESOURCES ACROSS THE
9 STATE AND NATION.

10 (6) A RESIDENTIAL SCHOOL SHALL OFFER ON CAMPUS AND IN CON-
11 JUNCTION WITH AREA SCHOOLS EXTRACURRICULAR ACTIVITIES, SUCH AS
12 SPORTS, MUSIC, AND ACADEMIC COMPETITIONS, AND SOCIAL ACTIVITIES,
13 THAT ARE SIMILAR TO THE OPPORTUNITIES AND EXPERIENCES AVAILABLE
14 TO THE PUPILS' SIGHTED AND HEARING PEERS. THE RESIDENTIAL
15 SCHOOLS SHALL ALSO TEACH AND ENCOURAGE PUPILS TO TRAVEL INDEPEN-
16 DENTLY IN THE LOCAL COMMUNITIES SO THAT THEY MAY EXPERIENCE SHOP-
17 PING, RECREATION, AND OTHER APPROPRIATE YOUTH-ORIENTED ACTIVITIES
18 OF THEIR PEERS.

19 (7) EACH RESIDENTIAL SCHOOL SHALL DEVELOP ON-CAMPUS RESIDEN-
20 TIAL AND NONRESIDENTIAL VOCATIONAL PROGRAMS TO TRAIN INDIVIDUALS
21 INTENDING TO WORK WITH BLIND, DEAF, OR HARD OF HEARING RESIDENTS
22 OF THIS STATE.

23 (8) EACH RESIDENTIAL SCHOOL, IN CONJUNCTION WITH SCHOOL DIS-
24 TRICTS, INTERMEDIATE SCHOOL DISTRICTS, AND COMMUNITY COLLEGES AND
25 OTHER POSTSECONDARY INSTITUTIONS, SHALL DEVELOP PREVOCATIONAL
26 PROGRAMS, INCLUDING, BUT NOT LIMITED TO, WORKSHOPS, INTERNSHIPS,
27 AND SEMINARS, TO PREPARE AND TRAIN HIGH SCHOOL STUDENTS TO WORK

1 WITH THE BLIND, DEAF, AND HARD OF HEARING IN THIS STATE IN SUCH
2 PROFESSIONS AS SPECIAL EDUCATION TEACHERS, SOCIAL WORKERS, AND
3 INTERPRETERS.

4 (9) EACH RESIDENTIAL SCHOOL SHALL OFFER TO THE PUBLIC PRO-
5 GRAMS AND SERVICES FOR ASSESSING AND EVALUATING THE EDUCATIONAL
6 NEEDS OF BLIND, DEAF, AND HARD OF HEARING PUPILS IN THIS STATE.

7 (10) TO FACILITATE ACCESS TO INFORMATION AND FACILITATE COM-
8 PETITIVENESS FOR PERSONS WHO ARE BLIND OR DEAF, EACH RESIDENTIAL
9 SCHOOL SHALL DO ALL OF THE FOLLOWING, AS APPLICABLE:

10 (A) DEVELOP MODERN AND UP-TO-DATE LIBRARIES. THESE LIBRAR-
11 IES SHALL UTILIZE STATE OF THE ART TECHNOLOGY AND SHALL INCLUDE
12 ON-CAMPUS, LOCAL, STATE, NATIONAL, AND INTERNATIONAL INFORMATION
13 NETWORKS AND SERVICES.

14 (B) THE MICHIGAN SCHOOL FOR THE BLIND LIBRARY SHALL CONTAIN
15 OR MAKE AVAILABLE BRAILLE BOOKS AND MAPS, COMPUTER SOFTWARE,
16 DESCRIPTIVE VIDEOTAPES, LARGE PRINT AND RECORDED MATERIALS, AND
17 OTHER MATERIALS ADAPTED ESPECIALLY FOR THE USE OF THE BLIND, WITH
18 EMPHASIS ON THOSE TYPES OF MATERIALS NOT ORDINARILY AVAILABLE IN
19 LOCAL LIBRARIES OR SCHOOLS.

20 (C) THE MICHIGAN SCHOOL FOR THE DEAF LIBRARY SHALL CONTAIN
21 OR MAKE AVAILABLE COMPUTER SOFTWARE, CLOSED AND OPEN CAPTIONED
22 MATERIALS, AND OTHER MATERIALS ADAPTED ESPECIALLY FOR USE BY DEAF
23 OR HARD OF HEARING PERSONS.

24 (11) EACH RESIDENTIAL SCHOOL SHALL DEVELOP, CATALOG, COL-
25 LECT, DISSEMINATE, AND MODEL PROGRAMS USING STATE OF THE ART
26 METHODS AND TECHNOLOGIES FOR EVALUATING, TEACHING, AND ASSESSING
27 BLIND OR DEAF AND HARD OF HEARING CHILDREN, AS APPLICABLE.

1 (12) THE MICHIGAN SCHOOL FOR THE BLIND SHALL DEVELOP
2 EXPERTISE IN INTEGRATING VISUAL AND NONVISUAL SKILLS, INCLUDING,
3 BUT NOT LIMITED TO, BRAILLE AND LOW-VISION TECHNIQUES. BRAILLE
4 INSTRUCTION AT THE MICHIGAN SCHOOL FOR THE BLIND SHALL EMPHASIZE
5 HIGH PROFICIENCY IN BRAILLE READING AND WRITING WITH EMPHASIS ON
6 USE OF THE SLATE AND STYLUS FOR WRITING BRAILLE.

7 (13) THE MICHIGAN SCHOOL FOR THE DEAF SHALL DEVELOP EXPER-
8 TISE IN SIGN LANGUAGE SKILLS, ADAPTIVE EQUIPMENT AND MATERIALS,
9 AND INSTRUCTION IN DEAF CULTURE.

10 (14) EACH RESIDENTIAL SCHOOL SHALL ADMINISTER A MEDIA CENTER
11 FOR OBTAINING, DISTRIBUTING, AND PRODUCING ADAPTIVE MATERIALS,
12 INCLUDING TEXTBOOKS, AUDIOVISUAL MATERIALS, COMPUTER SOFTWARE,
13 AND OTHER MATERIAL NECESSARY TO PROVIDE A STATE-OF-THE-ART EDUCA-
14 TION FOR BLIND, DEAF, AND HARD OF HEARING CHILDREN.

15 (15) THE MICHIGAN SCHOOL FOR THE BLIND IS THE STATE AGENCY
16 RESPONSIBLE FOR COORDINATING ALL MEDIA AND TEXTBOOK PROGRAMS,
17 INCLUDING QUOTA FUNDS, PROVIDED THROUGH THE AMERICAN PRINTING
18 HOUSE FOR THE BLIND.

19 (16) THE MICHIGAN SCHOOL FOR THE DEAF IS RESPONSIBLE FOR
20 ADMINISTERING THE SIGN COMMUNICATION PROFICIENCY INTERVIEW FOR
21 ALL SCHOOL PERSONNEL STATEWIDE WHO ARE INVOLVED WITH DEAF AND
22 HARD OF HEARING PUPILS USING SIGN LANGUAGE.

23 SEC. 1788. (1) SUBJECT TO FEDERAL LAW, NOT LATER THAN JULY
24 1 OF EACH YEAR, A SCHOOL DISTRICT, PUBLIC SCHOOL ACADEMY, OR
25 INTERMEDIATE SCHOOL DISTRICT ANNUALLY SHALL PROVIDE THE NAME,
26 AGE, ADDRESS, PARENT'S OR LEGAL GUARDIAN'S NAME, AND PERTINENT
27 OPHTHALMOLOGICAL INFORMATION OF EACH OF ITS PUPILS ENROLLED FOR

1 AT LEAST 1 DAY DURING THE IMMEDIATELY PRECEDING 12 MONTHS WHO IS
2 BLIND OR VISUALLY IMPAIRED TO THE MICHIGAN SCHOOL FOR THE BLIND
3 AND ANNUALLY SHALL PROVIDE THE NAME, AGE, ADDRESS, PARENT'S OR
4 LEGAL GUARDIAN'S NAME, AND PERTINENT AUDIOLOGICAL INFORMATION OF
5 EACH OF ITS PUPILS ENROLLED FOR AT LEAST 1 DAY DURING THE IMMEDI-
6 ATELY PRECEDING 12 MONTHS WHO IS DEAF OR HARD OF HEARING TO THE
7 MICHIGAN SCHOOL FOR THE DEAF.

8 (2) IN ORDER FOR PARENTS OR GUARDIANS OF BLIND, DEAF, AND
9 HARD OF HEARING PUPILS TO GIVE CONSENT AND BE INFORMED PARTICI-
10 PANTS IN THE EVALUATION AND INDIVIDUALIZED EDUCATIONAL PLAN PRO-
11 CESS, THE DISTRICT IN WHICH THE PUPIL IS ENROLLED SHALL PROVIDE
12 TO THE PARENT OR GUARDIAN WRITTEN INFORMATION COMPILED BY THE
13 RESIDENTIAL SCHOOLS AT LEAST 1 MONTH BEFORE EACH CHILD'S INITIAL
14 EVALUATION AND YEARLY INDIVIDUALIZED EDUCATIONAL PLANNING COMMIT-
15 TEE MEETINGS. THIS INFORMATION SHALL INCLUDE, BUT IS NOT LIMITED
16 TO, THE RANGE OF SERVICES PROVIDED AT THE SCHOOL FOR THE BLIND
17 AND SCHOOL FOR THE DEAF, AND ALL OTHER SERVICES AVAILABLE
18 THROUGHOUT THIS STATE FOR BLIND, DEAF, AND HARD OF HEARING
19 CHILDREN. SUBJECT TO FEDERAL LAW, THE EVALUATION AND INDIVIDUAL-
20 IZED EDUCATIONAL PLANNING COMMITTEE FINDINGS AND RECOMMENDATIONS
21 SHALL NOT BE VALID UNLESS THE PARENTS HAVE RECEIVED THIS
22 INFORMATION. THE EVALUATION AND INDIVIDUALIZED EDUCATIONAL PLAN-
23 NING COMMITTEE FORMS SHALL REQUIRE PARENTS OF BLIND, DEAF, AND
24 HARD OF HEARING CHILDREN TO ACKNOWLEDGE THE RECEIPT OF THIS
25 INFORMATION.

26 (3) IN ORDER TO MONITOR THE EFFECTIVENESS OF SPECIAL
27 EDUCATION PROGRAMS, ALL PUBLIC SCHOOLS SHALL PROVIDE THAT BLIND,

1 DEAF, AND HARD OF HEARING PUPILS TAKE ALL ACHIEVEMENT,
2 PROFICIENCY, AND SIMILAR TESTS AS REQUIRED OF, AND PROVIDED TO,
3 REGULAR EDUCATION PUPILS AND THAT THE RESULTS OF THESE TESTS
4 SHALL BE PROVIDED TO THE PUPILS' PARENTS. SUBJECT TO FEDERAL
5 PRIVACY LAW, A PUBLIC SCHOOL SHALL PROVIDE RESULTS OF THESE TESTS
6 TO THE RESIDENTIAL SCHOOLS AND STATE BOARD FOR ANALYTICAL AND
7 RESEARCH PURPOSES.

8 (4) IF A BLIND, DEAF, OR HARD OF HEARING CHILD IS NOT READ-
9 ING OR WRITING, OR DOES NOT HAVE THE SKILLS OF BLINDNESS OR DEAF-
10 NESS, AT THE LEVEL APPROPRIATELY DETERMINED BY THE PUPIL'S INDIV-
11 IDUALIZED EDUCATION PLAN, THE PARENTS OF THE CHILD SHALL BE
12 INFORMED, AT LEAST 1 MONTH BEFORE THE PUPIL'S NEXT SCHEDULED
13 INDIVIDUALIZED EDUCATIONAL PLANNING COMMITTEE MEETING, OF THEIR
14 RIGHT TO HAVE THEIR CHILD EVALUATED BY THE RESIDENTIAL SCHOOLS OR
15 OTHER STATE PROGRAM. SUBJECT TO FEDERAL LAW, THE INDIVIDUALIZED
16 EDUCATIONAL PLANNING COMMITTEE FINDINGS AND RECOMMENDATIONS SHALL
17 NOT BE VALID UNLESS THE PARENTS HAVE RECEIVED THIS INFORMATION.
18 THE INDIVIDUALIZED EDUCATIONAL PLANNING COMMITTEE FORMS SHALL
19 REQUIRE PARENTS TO ACKNOWLEDGE THAT THEY HAVE RECEIVED THIS
20 INFORMATION AT LEAST 1 MONTH BEFORE THE MEETING.

21 (5) THE BOARD OR AN OFFICIAL OF A SCHOOL DISTRICT, PUBLIC
22 SCHOOL ACADEMY, OR INTERMEDIATE SCHOOL DISTRICT SHALL NOT
23 RESTRICT OR INTERFERE WITH A PERSON'S PARTICIPATION IN ANY EDUCA-
24 TIONAL PROGRAM OFFERED BY THE MICHIGAN SCHOOL FOR THE BLIND OR
25 MICHIGAN SCHOOL FOR THE DEAF OR IN ANY OTHER EDUCATIONAL PROGRAM
26 OR ACTIVITY THAT MAY BENEFIT A BLIND, DEAF, OR HARD OF HEARING
27 PERSON, OR WITH ANY ACTIVITY OF A REPRESENTATIVE OF THE MICHIGAN

1 SCHOOL FOR THE BLIND OR OF THE MICHIGAN SCHOOL FOR THE DEAF THAT
2 IS REQUIRED OR AUTHORIZED UNDER THIS PART.

3 (6) AFTER RECEIVING INDIVIDUALIZED EDUCATIONAL PLANNING COM-
4 MITTEE FINDINGS AND RECOMMENDATIONS, THE PARENT OR LEGAL GUARDIAN
5 OF A BLIND, DEAF, OR HARD OF HEARING PUPIL MAY SELECT A SCHOOL
6 PROGRAM FOR THE PUPIL. SUBJECT TO FEDERAL LAW, THE SCHOOL DIS-
7 TRICT OR INTERMEDIATE SCHOOL DISTRICT IN WHICH THE PUPIL IS
8 ENROLLED SHALL COMPLY WITH THE DECISION OF THE PARENT OR LEGAL
9 GUARDIAN.

10 Section 2. The following acts and parts of acts are
11 repealed:

12 (a) Act No. 116 of the Public Acts of 1893, being sections
13 393.51 to 393.69 of the Michigan Compiled Laws.

14 (b) Act No. 123 of the Public Acts of 1893, being sections
15 393.101 to 393.111 of the Michigan Compiled Laws.

16 (c) Act No. 148 of the Public Acts of 1917, being section
17 393.21 of the Michigan Compiled Laws.

18 (d) Section 8b of Act No. 287 of the Public Acts of 1964,
19 being section 388.1008b of the Michigan Compiled Laws.