

A SUMMARY OF HOUSE BILL 5791 AS INTRODUCED 3-12-02

House Bill 5792 would amend the Revised School Code to specify the composition of a new nine-member school reform board in the City of Detroit (some of its members elected, others appointed); to create site-based management teams in each school; to provide district volunteer advocates; to make other changes in the administration of the public school system; and, to appropriate \$15 million annually to the school district. The bill would repeal Part 5A of the code, which concerns the appointment of school reform boards, July 1, 2010.

Currently under the law, the school reform board consists of seven members. Six members are appointed by the mayor, and the seventh member is the superintendent of public instruction. This board selection process was put in place by state statute in 1999, and under the law, the appointed board in office for five years, until November 2004, at which time the citizens of the city will vote in the general election either to keep or to reject the school reform board and the chief executive officer appointed by the mayor. If the citizens vote to reject the board and the chief executive officer, then a new school board will be elected as the governing body of the school district. If the citizens vote to retain the school reform board, then the question can again be placed on the ballot by citizen petition after five years. House Bill 5792 would eliminate these provisions.

Revise Detroit reform board appointments and elections. Under the bill, the seven-member school reform board would serve until December 31, 2003, at which time the terms of the board's members would expire. Beginning January 1, 2004, a school reform board of nine members would be selected. The nine members would include four appointed by the mayor, four elected by the citizens, and the state treasurer.

The bill specifies that the mayor's appointees would be required to have the approval of the city council, and be residents of the city. Further, the mayor's appointees would be selected before November 3, 2003. In making appointments, the mayor would be required to consider each person's specific skills and expertise, and ensure that the members had demonstrated expertise in at least all of the following areas: i) workforce preparation and development; ii) public health; iii) technology and distribution services; iv) human resources; and v) higher education.

In addition, the bill specifies that four at-large members of the board would be nominated at the August 2003 primary election, and elected at the November 2003 general election. Under the bill, the members would serve a four-year term, and another election of members would be held in 2007 in the same manner.

Further, the bill specifies that after the expiration of six years after the initial appointment of members of the school reform board, all of the following would apply: a) the school reform board would arrange with local elections officials for election of a new elected school board for the school district, and that election would be a special election held as soon as practicable, but not sooner than 90 days after the expiration of six years after the initial election of members specified in this legislation; b) effective on the next July 1 following that election, the new elected school board would serve as the governing board of the district, and this elected school board and its secretary and treasurer would be fully vested with all powers and duties that those officials had before appointment of the school reform board; and c) also effective on the next July 1 following the election, the powers of the school reform board, of the chief executive officer, and of all other officers appointed would cease.

Site-based management teams. House Bill 5791 would require that not later than January 1, 2004, each school operated by a qualifying school district establish a site-based management team. Each team would consist of nine members, as follows: a) the principal of the school who would serve as chairperson of the team; b) two members who were parents, elected by the parents of the school's students; c) two teachers employed at the school, elected by the school's faculty; d) one counselor employed at the school, appointed by the principal; e) one department head or similar administrator employed at the school, appointed by the principal; f) the facility manager of the school; and g) the business manager responsible for the school, who would not have the right to vote.

Under the bill, the site-based management team for each school would do all of the following: a) manage the school per pupil budget and oversee the school's daily operations, in accord with policies and practices established by the chief executive officer, including fiscal management, curriculum implementation, and staff assessment and allocation; b) devise and implement strategies for parental involvement, volunteerism, or any other program that was designed to enhance the educational mission of the school, and that was not contrary to the policies and practice established by the chief executive officer; and c) prepare and submit any reports that were school-specific and were requested by the school reform board, or the chief executive officer.

The bill also requires that the chief executive officer regularly provide a training program for site-based management teams to train each team in how to make responsible allocations of resources in a budgetary process, and in other aspects of budgeting and management.

Under the bill, beginning with funds received for the 2004 - 2005 state fiscal year, operating funds received by the district on the basis of pupil membership would be distributed and controlled as follows:

-the school reform board would be required to distribute at least 95 percent of the amount of the per pupil operating funds that were attributable to students enrolled at a particular school to the site-based management team of that school, and the team would have authority over the expenditure of the funds. The bill specifies that it is the intent of the legislature that at least 90 percent of the funds controlled by the team be spent on instruction and programs for students, and that not more than 10 percent be spent on administrative costs.

-the school reform board could retain up to five percent of the amount of the per pupil operating funds for the operations of the school reform board, and the chief executive officer and other officers.

Further, the bill specifies that a school reform board could charge a site-based management team for supplies, equipment, or services provided to the team, and could offset those charges against the amounts distributed to the team. However, a site-based team could obtain supplies, equipment, and services (other than instructional services) from sources other than the school reform board, if before entering into a contract, the management team submitted the contract to the school reform board, or the chief executive officer.

Under the bill, the school reform board would review all contractual obligation proposed by the site-based management team that involved a capital commitment in excess of \$150,000. Contractual obligations for less money could be delegated to the chief executive officer for review, and he or she could approve or reject them.

Volunteer district advocates. The bill specifies that after site-based management teams were established, the chief executive officer, working cooperatively with the teams, would promptly develop a system of volunteer district advocates. The advocates would serve without compensation, and do all of the following: a) be available to families to hear their needs and concerns; b) report to the school reform board on the needs, concerns, and challenges expressed by families, and observed by the advocates; and c) serve as a community resource to assist both the site-based management teams and school families in assembling public and private resources outside the school system to address social and human service barriers that prevented children from learning.

\$15 million appropriation. House Bill 5791 would require that the legislature adjust a qualifying school district's foundation allowance under section 20 of the State School Aid Act, to incorporate an additional \$15 million, and would require that this adjustment continue at least for each state fiscal year in the school reform board provisions were in effect (under the bill, that part of the code would be repealed on July 1, 2010).

MCL 380.372 et al.

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.