

HOUSE BILL No. 6371

August 30, 2006, Introduced by Reps. Emmons, Farhat, Nitz, Mortimer and Moore and referred to the Committee on Higher Education and Career Preparation.

A bill to amend 1964 PA 287, entitled

"An act to provide for the organization and functions of the state boards of education under the constitutions of 1908 and 1963; to provide for the appointment and functions of the superintendent of public instruction under the constitution of 1963; and to repeal certain acts and parts of acts,"

by amending section 10 (MCL 388.1010).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 10. (1) The ~~state board of education shall have~~
2 **SUPERINTENDENT OF PUBLIC INSTRUCTION HAS** the following powers and
3 duties:

4 (a) Jurisdiction and control of the Michigan ~~school~~ **SCHOOLS**
5 for the deaf **AND BLIND** at Flint ~~—, the Michigan school for the~~

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1 ~~blind at Lansing,~~ and the Michigan rehabilitation institute for
 2 veterans and disabled adults at Pine lake, including power to make
 3 rules for the schools necessary to enforce discipline, preserve
 4 health, and provide for proper physical, intellectual, and moral
 5 training of their pupils.

6 (b) Regulation of school bus transportation, review of the
 7 annexation or attachment of nonoperating school districts to
 8 operating school districts, and the ~~hearing~~ **FINAL RESOLUTION** of
 appeals from
 9 decisions on alterations of boundaries of school districts as may
 10 be provided by law. ~~The board may appoint a hearing officer to~~
 11 ~~hear the appeals from decisions on alterations of boundaries of~~
 12 ~~school districts who shall prepare a written report for~~
 13 ~~consideration of the board. A copy of the written report shall be~~
 14 ~~furnished to the designated appellant and appellee, who within 20~~
 15 ~~days may file written objections to the report with the state board~~
 16 ~~of education for its consideration. After considering the report of~~
 17 ~~the hearing officer and any objections filed by interested parties,~~
 18 ~~the board may determine the appeal or order a hearing by it of the~~
 19 ~~appeal from the decision on alterations of boundaries of school~~
 20 ~~districts.~~ **[THE SUPERINTENDENT OF PUBLIC INSTRUCTION MAY TRANSMIT THE**
CLAIM OF APPEAL TO THE STATE OFFICE OF ADMINISTRATIVE HEARINGS AND RULES
FOR A HEARING BY AN ADMINISTRATIVE LAW JUDGE. AFTER A HEARING, THE
ADMINISTRATIVE LAW JUDGE SHALL PREPARE A PROPOSAL FOR DECISION FOR
CONSIDERATION OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION AND SHALL SEND
A COPY OF THE PROPOSAL FOR DECISION TO THE DESIGNATED APPELLANT AND
APPELLEE. WITHIN 20 DAYS AFTER RECEIPT OF THE PROPOSAL FOR DECISION, THE
APPELLANT OR APPELLEE MAY FILE WRITTEN OBJECTIONS TO THE PROPOSAL FOR
DECISION WITH THE SUPERINTENDENT OF PUBLIC INSTRUCTION. AFTER CONSIDERING
THE PROPOSAL FOR DECISION AND ANY OBJECTIONS FILED BY THE PARTIES, THE
SUPERINTENDENT OF PUBLIC INSTRUCTION SHALL ISSUE A FINAL DECISION AND
ORDER.]

21 (c) Inspection of educational corporations as may be provided
 22 by law.

23 (2) ~~(d)~~ The ~~appointment of~~ **STATE BOARD OF EDUCATION SHALL**

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24 **APPOINT** the members of the state board for public community and
25 junior colleges, as provided by law.

26 Enacting section 1. This amendatory act is intended to

27 transfer back to the superintendent of public instruction certain

1 powers, duties, and functions that were transferred to the former
2 department of career development by Executive Reorganization Order
3 No. 1999-7, MCL 388.995.