

HOUSE BILL No. 5561

October 28, 2009, Introduced by Rep. Miller and referred to the Committee on Education.

A bill to amend 1976 PA 451, entitled
"The revised school code,"
(MCL 380.1 to 380.1852) by adding section 16.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 16. (1) THE SCHOOL DISTRICT MODERNIZATION ADVISORY
2 COMMISSION IS CREATED AS A TEMPORARY COMMISSION UNDER SECTION 4 OF
3 ARTICLE V OF THE STATE CONSTITUTION OF 1963. THE DEPARTMENT SHALL
4 PROVIDE STAFFING AND ADMINISTRATIVE SUPPORT FOR THE SCHOOL DISTRICT
5 MODERNIZATION ADVISORY COMMISSION.

6 (2) THE SCHOOL DISTRICT MODERNIZATION ADVISORY COMMISSION
7 SHALL CONSIST OF THE FOLLOWING MEMBERS, APPOINTED BY THE GOVERNOR
8 WITH THE ADVICE AND CONSENT OF THE SENATE:

9 (A) ONE MEMBER NOMINATED BY THE SENATE MAJORITY LEADER.

10 (B) ONE MEMBER NOMINATED BY THE SPEAKER OF THE HOUSE OF

1 REPRESENTATIVES.

2 (C) ONE MEMBER REPRESENTING THE MICHIGAN EDUCATION
3 ASSOCIATION.

4 (D) ONE MEMBER REPRESENTING THE MICHIGAN FEDERATION OF
5 TEACHERS.

6 (E) ONE MEMBER REPRESENTING MICHIGAN SCHOOL BOARDS.

7 (F) ONE MEMBER REPRESENTING MICHIGAN SCHOOL ADMINISTRATORS.

8 (G) ONE MEMBER REPRESENTING INTERMEDIATE SCHOOL DISTRICTS.

9 (H) ONE MEMBER REPRESENTING SCHOOL PRINCIPALS.

10 (I) ONE MEMBER REPRESENTING SCHOOL SUPPORT STAFF.

11 (J) TWO MEMBERS REPRESENTING PUBLIC SCHOOL PARENTS.

12 (K) THREE MEMBERS REPRESENTING THE GENERAL PUBLIC.

13 (L) THE SUPERINTENDENT OF PUBLIC INSTRUCTION OR HIS OR HER
14 DESIGNEE.

15 (3) IN APPOINTING MEMBERS TO THE SCHOOL DISTRICT MODERNIZATION
16 ADVISORY COMMISSION UNDER SUBSECTION (2), THE GOVERNOR SHALL
17 ATTEMPT TO ENSURE THAT THERE IS GEOGRAPHIC DIVERSITY AMONG THE
18 MEMBERS OF THE COMMISSION.

19 (4) THE MEMBERS FIRST APPOINTED TO THE SCHOOL DISTRICT
20 MODERNIZATION ADVISORY COMMISSION SHALL BE APPOINTED WITHIN 45 DAYS
21 AFTER THE EFFECTIVE DATE OF THIS SECTION.

22 (5) IF A VACANCY OCCURS ON THE SCHOOL DISTRICT MODERNIZATION
23 ADVISORY COMMISSION, THE GOVERNOR SHALL MAKE AN APPOINTMENT TO FILL
24 THE VACANCY IN THE SAME MANNER AS THE ORIGINAL APPOINTMENT.

25 (6) THE FIRST MEETING OF THE SCHOOL DISTRICT MODERNIZATION
26 ADVISORY COMMISSION SHALL BE CALLED BY THE SUPERINTENDENT OF PUBLIC
27 INSTRUCTION. AT THE FIRST MEETING, THE SCHOOL DISTRICT

1 MODERNIZATION ADVISORY COMMISSION SHALL ELECT FROM AMONG ITS
2 MEMBERS A CHAIRPERSON AND OTHER OFFICERS AS IT CONSIDERS NECESSARY
3 OR APPROPRIATE. AFTER THE FIRST MEETING, THE SCHOOL DISTRICT
4 MODERNIZATION ADVISORY COMMISSION SHALL MEET AT LEAST MONTHLY, OR
5 MORE FREQUENTLY AT THE CALL OF THE CHAIRPERSON OR IF REQUESTED BY 8
6 OR MORE MEMBERS.

7 (7) A MAJORITY OF THE MEMBERS OF THE SCHOOL DISTRICT
8 MODERNIZATION ADVISORY COMMISSION CONSTITUTE A QUORUM FOR THE
9 TRANSACTION OF BUSINESS AT A MEETING OF THE SCHOOL DISTRICT
10 MODERNIZATION ADVISORY COMMISSION. A MAJORITY OF THE MEMBERS
11 PRESENT AND SERVING ARE REQUIRED FOR OFFICIAL ACTION OF THE SCHOOL
12 DISTRICT MODERNIZATION ADVISORY COMMISSION.

13 (8) THE BUSINESS THAT THE SCHOOL DISTRICT MODERNIZATION
14 ADVISORY COMMISSION MAY PERFORM SHALL BE CONDUCTED AT A PUBLIC
15 MEETING OF THE SCHOOL DISTRICT MODERNIZATION ADVISORY COMMISSION
16 HELD IN COMPLIANCE WITH THE OPEN MEETINGS ACT, 1976 PA 267, MCL
17 15.261 TO 15.275.

18 (9) A WRITING PREPARED, OWNED, USED, IN THE POSSESSION OF, OR
19 RETAINED BY THE SCHOOL DISTRICT MODERNIZATION ADVISORY COMMISSION
20 IN THE PERFORMANCE OF AN OFFICIAL FUNCTION IS SUBJECT TO THE
21 FREEDOM OF INFORMATION ACT, 1976 PA 442, MCL 15.231 TO 15.246.

22 (10) MEMBERS OF THE SCHOOL DISTRICT MODERNIZATION ADVISORY
23 COMMISSION SHALL SERVE WITHOUT COMPENSATION. HOWEVER, MEMBERS OF
24 THE SCHOOL DISTRICT MODERNIZATION ADVISORY COMMISSION MAY BE
25 REIMBURSED FOR THEIR ACTUAL AND NECESSARY EXPENSES INCURRED IN THE
26 PERFORMANCE OF THEIR OFFICIAL DUTIES AS MEMBERS OF THE SCHOOL
27 DISTRICT MODERNIZATION ADVISORY COMMISSION.

1 (11) THE SCHOOL DISTRICT MODERNIZATION ADVISORY COMMISSION
2 SHALL DO ALL OF THE FOLLOWING:

3 (A) REVIEW CURRENT SCHOOL DISTRICT BOUNDARIES TO IDENTIFY
4 INSTANCES WHERE CONSOLIDATION OF 2 OR MORE SCHOOL DISTRICTS OR
5 OTHER ACTION AFFECTING SCHOOL DISTRICT BOUNDARIES, INCLUDING THE
6 DIVISION OF LARGER SCHOOL DISTRICTS, WOULD LIKELY RESULT IN
7 SIGNIFICANT COST SAVINGS WITHOUT NEGATIVE EDUCATIONAL IMPACT.

8 (B) NOT LATER THAN AUGUST 1, 2010, COMPILE A REPORT DETAILING
9 INSTANCES WHERE CONSOLIDATION OF 2 OR MORE SCHOOL DISTRICTS OR
10 OTHER ACTION AFFECTING SCHOOL DISTRICT BOUNDARIES, INCLUDING THE
11 DIVISION OF LARGER SCHOOL DISTRICTS, WOULD LIKELY RESULT IN
12 SIGNIFICANT COST SAVINGS WITHOUT NEGATIVE EDUCATIONAL IMPACT,
13 SUBMIT THIS REPORT TO THE LEGISLATURE, AND MAKE THIS REPORT
14 AVAILABLE TO SCHOOL DISTRICTS AND THE GENERAL PUBLIC.

15 (12) IN PERFORMING ITS DUTIES UNDER SUBSECTION (11), THE
16 SCHOOL DISTRICT MODERNIZATION ADVISORY COMMISSION SHALL ATTEMPT TO
17 PRESERVE OR ENCOURAGE CLASS SIZES FOR GRADES K TO 3 OF NOT LESS
18 THAN 17 OR MORE THAN 19 PUPILS PER CLASSROOM.