

SENATE BILL No. 414

June 5, 2013, Introduced by Senator COLBECK 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 1340.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 1340. (1) IF A SCHOOL DISTRICT, INTERMEDIATE SCHOOL
2 DISTRICT, OR PUBLIC SCHOOL ACADEMY USES AS PART OF ITS PUPIL
3 INSTRUCTIONAL PROGRAM ANY TYPE OF INSTRUCTIONAL MATERIALS THAT ARE
4 IN A DIGITAL FORMAT, THE BOARD OF THE SCHOOL DISTRICT OR
5 INTERMEDIATE SCHOOL DISTRICT OR BOARD OF DIRECTORS OF THE PUBLIC
6 SCHOOL ACADEMY SHALL ENSURE THAT THE MATERIALS ARE AVAILABLE FOR
7 PUBLIC INSPECTION ONLINE THROUGH A LINK FROM THE SCHOOL DISTRICT'S,
8 INTERMEDIATE SCHOOL DISTRICT'S, OR PUBLIC SCHOOL ACADEMY'S WEBSITE
9 HOME PAGE.

10 (2) SUBSECTION (1) APPLIES ONLY IF THE SCHOOL DISTRICT,

1 INTERMEDIATE SCHOOL DISTRICT, OR PUBLIC SCHOOL ACADEMY IS ABLE TO
2 COMPLY WITH SUBSECTION (1) WITHOUT VIOLATING ANY INTELLECTUAL
3 PROPERTY RIGHT OF THE CREATOR OF THE MATERIALS THAT EXISTED BEFORE
4 THE EFFECTIVE DATE OF THIS SECTION.

5 (3) BEGINNING ON THE EFFECTIVE DATE OF THIS SECTION, A SCHOOL
6 DISTRICT, INTERMEDIATE SCHOOL DISTRICT, OR PUBLIC SCHOOL ACADEMY,
7 SHALL NOT ENTER INTO, RENEW, OR EXTEND A CONTRACT WITH A PROVIDER
8 OF INSTRUCTIONAL MATERIALS OR INSTRUCTIONAL SERVICES UNLESS THE
9 CONTRACT ALLOWS THE SCHOOL DISTRICT, INTERMEDIATE SCHOOL DISTRICT,
10 OR PUBLIC SCHOOL ACADEMY TO COMPLY WITH SUBSECTION (1).

11 (4) BEGINNING ON THE EFFECTIVE DATE OF THIS SECTION, A SCHOOL
12 DISTRICT, INTERMEDIATE SCHOOL DISTRICT, OR PUBLIC SCHOOL ACADEMY,
13 SHALL NOT ENTER INTO, RENEW, OR EXTEND AN EMPLOYMENT CONTRACT WITH
14 A TEACHER OR OTHER INSTRUCTIONAL EMPLOYEE OR A COLLECTIVE
15 BARGAINING AGREEMENT WITH A GROUP OF TEACHERS OR OTHER
16 INSTRUCTIONAL EMPLOYEES UNLESS THE CONTRACT OR COLLECTIVE
17 BARGAINING AGREEMENT ALLOWS THE SCHOOL DISTRICT, INTERMEDIATE
18 SCHOOL DISTRICT, OR PUBLIC SCHOOL ACADEMY TO COMPLY WITH SUBSECTION
19 (1).