

HOUSE BILL No. 5526

February 6, 2018, Introduced by Rep. Kelly and referred to the Committee on Education Reform.

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1280c (MCL 380.1280c), as amended by 2011 PA 8, and by adding sections 1280g and 1280h.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1280c. (1) ~~Beginning in 2010, EXCEPT AS OTHERWISE~~
2 **PROVIDED IN THIS SUBSECTION**, not later than September 1 of each
3 year, the superintendent of public instruction shall publish a list
4 identifying the public schools in this state that the department
5 has determined to be among the lowest achieving 5% of all public
6 schools in this state, as defined for the purposes of the federal
7 incentive grant program created under sections 14005 and 14006 of
8 title XIV of the American recovery and reinvestment act of 2009,
9 Public Law 111-5. **BEGINNING IN 2019, NOT LATER THAN SEPTEMBER 1 OF**

1 EACH YEAR, THE SUPERINTENDENT OF PUBLIC INSTRUCTION SHALL PUBLISH A
2 LIST IDENTIFYING THE PUBLIC SCHOOLS IN THIS STATE THAT HAVE BEEN
3 IDENTIFIED AS COMPREHENSIVE SUPPORT AND IMPROVEMENT SCHOOLS UNDER
4 SECTION 1280G FOR THAT SCHOOL YEAR. A PUBLIC SCHOOL THAT IS
5 IDENTIFIED AS A COMPREHENSIVE SUPPORT AND IMPROVEMENT SCHOOL UNDER
6 SECTION 1280G IS AMONG THE LOWEST ACHIEVING PUBLIC SCHOOLS IN THIS
7 STATE.

8 (2) Except as otherwise provided in subsection (16), the
9 superintendent of public instruction shall issue an order placing
10 each public school that is included on the list under subsection
11 (1) under the supervision of the state school reform/redesign
12 officer described in subsection (9). Within 90 days after a public
13 school is placed under the supervision of the state school
14 reform/redesign officer under this section, the school board or
15 board of directors operating the public school shall submit a
16 redesign plan to the state school reform/redesign officer. For a
17 public school operated by a school board, the redesign plan shall
18 be developed with input from the local teacher bargaining unit and
19 the local superintendent. The redesign plan shall require
20 implementation of 1 of the 4 school intervention models that are
21 provided for the lowest achieving schools under the federal
22 incentive grant program created under sections 14005 and 14006 of
23 title XIV of the American recovery and reinvestment act of 2009,
24 Public Law 111-5, known as the "race to the top" grant program.
25 These models are the turnaround model, restart model, school
26 closure, and transformation model. The redesign plan shall include
27 an executed addendum to each applicable collective bargaining

1 agreement in effect for the public school that meets the
2 requirements of subsection (8).

3 (3) Within 30 days after receipt of a redesign plan for a
4 public school under subsection (2), the state school
5 reform/redesign officer shall issue an order approving,
6 disapproving, or making changes to the redesign plan. If the order
7 makes changes to the redesign plan, the school board or board of
8 directors has 30 days after the order to change the redesign plan
9 to incorporate those changes into the redesign plan and resubmit it
10 to the state school reform/redesign officer for approval or
11 disapproval.

12 (4) The state school reform/redesign officer shall not
13 disapprove a redesign plan that includes all of the elements
14 required under federal law for the school intervention model
15 included in the redesign plan. A school board or board of directors
16 may appeal disapproval of a redesign plan on this basis to the
17 superintendent of public instruction. The decision of the
18 superintendent of public instruction on the appeal is final.

19 (5) If the state school reform/redesign officer approves a
20 redesign plan under this section, the school board or board of
21 directors shall implement the redesign plan for the public school
22 beginning with the beginning of the next school year that begins
23 after the approval. The school board or board of directors shall
24 regularly submit monitoring reports to the state school
25 reform/redesign officer on the implementation and results of the
26 plan in the form and manner, and according to a schedule, as
27 determined by the state school reform/redesign officer.

1 (6) The state school reform/redesign school district is
2 created. The state school reform/redesign school district is a
3 school district for the purposes of section 11 of article IX of the
4 state constitution of 1963 and for receiving state school aid under
5 the state school aid act of 1979 and is subject to the leadership
6 and general supervision of the state board over all public
7 education under section 3 of article VIII of the state constitution
8 of 1963. The state school reform/redesign school district is a body
9 corporate and is a governmental agency. Except as otherwise
10 provided in subsection (7), if the state school reform/redesign
11 officer does not approve the redesign plan, or if the state school
12 reform/redesign officer determines that the redesign plan is not
13 achieving satisfactory results, the state school reform/redesign
14 officer shall issue an order placing the public school in the state
15 school reform/redesign school district, imposing for the public
16 school implementation of 1 of the 4 school intervention models
17 described in subsection (2) beginning with the beginning of the
18 next school year, and imposing an addendum to each applicable
19 collective bargaining agreement in effect for the public school as
20 necessary to implement the school intervention model and that meets
21 the requirements of subsection (8). All of the following apply to
22 the state school reform/redesign school district:

23 (a) The state school reform/redesign school district shall
24 consist of schools that are placed in the state school
25 reform/redesign school district.

26 (b) The state school reform/redesign officer shall act as the
27 superintendent of the state school reform/redesign school district.

1 With respect to schools placed in the state school reform/redesign
2 school district, the state school reform/redesign officer has all
3 of the powers and duties described in this section; all of the
4 provisions of this act that would otherwise apply to the school
5 board that previously operated a school placed in the state school
6 reform/redesign school district apply to the state school
7 reform/redesign officer with respect to that school, except those
8 relating to taxation or borrowing; except as otherwise provided in
9 this section, the state school reform/redesign officer may exercise
10 all the powers and duties otherwise vested by law in the school
11 board that previously operated a school placed in the state school
12 reform/redesign school district and in its officers, except those
13 relating to taxation or borrowing, and may exercise all additional
14 powers and duties provided under this section; and, except as
15 otherwise provided in this section, the state school
16 reform/redesign officer accedes to all the rights, duties, and
17 obligations of the school board with respect to that school. These
18 powers, rights, duties, and obligations include, but are not
19 limited to, all of the following:

20 (i) Authority over the expenditure of all funds attributable
21 to pupils at that school, including that portion of proceeds from
22 bonded indebtedness and other funds dedicated to capital projects
23 that would otherwise be apportioned to that school by the school
24 board that previously operated the school according to the terms of
25 the bond issue or financing documents.

26 (ii) Subject to subsection (8), rights and obligations under
27 collective bargaining agreements and employment contracts entered

1 into by the school board for employees at the school.

2 (iii) Rights to prosecute and defend litigation.

3 (iv) Rights and obligations under statute, rule, and common
4 law.

5 (v) Authority to delegate any of the state school
6 reform/redesign officer's powers and duties to 1 or more designees,
7 with proper supervision by the state school reform/redesign
8 officer.

9 (vi) Power to terminate any contract or portion of a contract
10 entered into by the school board that applies to that school.
11 However, this subsection does not allow any termination or
12 diminishment of obligations to pay debt service on legally
13 authorized bonds and does not allow a collective bargaining
14 agreement to be affected except as provided under subsection (8). A
15 contract terminated by the state school reform/redesign officer
16 under this subsection is void.

17 (7) If the state school reform/redesign officer determines
18 that better educational results are likely to be achieved by
19 appointing a chief executive officer to take control of multiple
20 public schools, the state school reform/redesign officer may make a
21 recommendation to the superintendent of public instruction for
22 appointment of a chief executive officer to take control over those
23 multiple schools. If the superintendent of public instruction
24 appoints a chief executive officer to take control of multiple
25 public schools under this subsection, the chief executive officer
26 shall impose for those public schools implementation of 1 of the 4
27 school intervention models described in subsection (2) and impose

1 an addendum to each applicable collective bargaining agreement in
2 effect for those public schools as necessary to implement the
3 school intervention model and that meets the requirements of
4 subsection (8). With respect to those public schools, the chief
5 executive officer has all of the same powers and duties that the
6 state school reform/redesign officer has for public schools placed
7 in the state school reform/redesign school district under
8 subsection (6). The chief executive officer shall regularly submit
9 monitoring reports to the state school reform/redesign officer on
10 the implementation and results of the intervention model in the
11 form and manner, and according to a schedule, as determined by the
12 state school reform/redesign officer. The chief executive officer
13 shall exercise any other powers or duties over the public schools
14 as may be directed by the superintendent of public instruction.

15 (8) An addendum to a collective bargaining agreement under
16 this section shall provide for any of the following that are
17 necessary for the applicable school intervention model to be
18 implemented at each affected public school:

19 (a) That any contractual or other seniority system that would
20 otherwise be applicable shall not apply at the public school. This
21 subdivision does not allow unilateral changes in pay scales or
22 benefits.

23 (b) That any contractual or other work rules that are
24 impediments to implementing the redesign plan shall not apply at
25 the public school. This subdivision does not allow unilateral
26 changes in pay scales or benefits.

27 (c) That the state school reform/redesign officer shall direct

1 the expenditure of all funds attributable to pupils at the public
2 school and the principal or other school leader designated by the
3 state school reform/redesign officer shall have full autonomy and
4 control over curriculum and discretionary spending at the public
5 school.

6 (9) The superintendent of public instruction shall hire a
7 state school reform/redesign officer to carry out the functions
8 under this section and as otherwise prescribed by law. The state
9 school reform/redesign officer shall be chosen solely on the basis
10 of his or her competence and experience in educational reform and
11 redesign. The state school reform/redesign officer is exempt from
12 civil service. The state school reform/redesign officer is
13 responsible directly to the superintendent of public instruction to
14 ensure that the purposes of this section are carried out, and
15 accordingly the position of state school reform/redesign officer
16 should be a position within the department that is exempt from the
17 classified state civil service. The department shall request that
18 the civil service commission establish the position of state school
19 reform/redesign officer as a position that is exempt from the
20 classified state civil service.

21 (10) If the state school reform/redesign officer imposes the
22 restart model for a public school in the state school
23 reform/redesign school district, or a chief executive officer under
24 subsection (7) imposes the restart model for multiple public
25 schools under that subsection, all of the following apply:

26 (a) The state school reform/redesign officer or chief
27 executive officer shall enter into an agreement with an educational

1 management organization to manage and operate the public school or
2 schools. The state school reform/redesign officer or chief
3 executive officer shall provide sufficient oversight to ensure that
4 the public school or schools will be operated according to all of
5 the requirements for a restart model.

6 (b) There shall be considered to be no collective bargaining
7 agreement in effect that applies to employees working at the public
8 school or schools under this model at the time of imposition of the
9 model.

10 (11) If the state school reform/redesign officer imposes the
11 turnaround model for a public school in the state school
12 reform/redesign school district, or a chief executive officer under
13 subsection (7) imposes the turnaround model for multiple public
14 schools under that subsection, all of the following apply:

15 (a) A collective bargaining agreement that applies to
16 employees working at the public school or schools under this model
17 at the time of imposition of the model, and any successor
18 collective bargaining agreement, continues to apply with respect to
19 pay scales and benefits.

20 (b) Subject to any addendum to the collective bargaining
21 agreement that applies to the public school or schools, an employee
22 who is working at the public school or schools and who was
23 previously employed in the same school district that previously
24 operated that school shall continue to retain and accrue seniority
25 rights in that school district according to the collective
26 bargaining agreement that applies to employees of that school
27 district.

1 (12) If more than 9 public schools operated by a school
2 district are on the list under subsection (1), the transformation
3 model may not be implemented for more than 50% of those schools.

4 (13) If the state school reform/redesign officer determines
5 that a public school that is subject to the measures under
6 subsection (6) or (7) has made significant improvement in pupil
7 achievement and should be released from the measures that have been
8 imposed under subsection (6) or (7), the state school
9 reform/redesign officer may recommend this to the superintendent of
10 public instruction. If the superintendent of public instruction
11 agrees with the determination and recommendation, the
12 superintendent of public instruction may release the public school
13 from the measures that have been imposed under subsection (6) or
14 (7).

15 (14) At least annually, the state school reform/redesign
16 officer shall submit a report to the standing committees of the
17 senate and house of representatives having jurisdiction over
18 education legislation on the progress being made in improving pupil
19 proficiency due to the measures under this section.

20 (15) As soon as practicable after the federal department of
21 education has adopted the final work rules and formula for
22 identifying the lowest achieving 5% of all public schools in this
23 state for the purposes of the federal incentive grant program
24 created under sections 14005 and 14006 of title XIV of the American
25 recovery and reinvestment act of 2009, Public Law 111-5, known as
26 the "race to the top" grant program, the department shall post all
27 of the following on its website:

1 (a) The federal work rules and formula.

2 (b) A list of the public schools in this state that have been
3 identified for these purposes as being among the lowest achieving
4 5% of all public schools in this state. The department shall update
5 this list as it considers appropriate.

6 (16) If a school that is included on the list under subsection
7 (1) is operated by a school district in which an emergency manager
8 is in place under the local government and school district fiscal
9 accountability act, then the superintendent of public instruction
10 shall not issue an order placing the school under the supervision
11 of the state school reform/redesign officer.

12 **SEC. 1280G. (1) NOT LATER THAN SEPTEMBER 1, 2018, THE**
13 **EDUCATION ACCOUNTABILITY POLICY COMMISSION CREATED UNDER SECTION**
14 **1280H SHALL DEVELOP A STATEWIDE SYSTEM OF ACCOUNTABILITY**
15 **MEASUREMENTS TO IMPROVE THE NATIONAL EDUCATIONAL RANKING OF THIS**
16 **STATE. ALL OF THE FOLLOWING APPLY TO THE STATEWIDE SYSTEM OF**
17 **ACCOUNTABILITY MEASUREMENTS:**

18 **(A) NOT LATER THAN SEPTEMBER 1, 2019, AND NOT LATER THAN**
19 **SEPTEMBER 1 OF EACH SUBSEQUENT YEAR, THE DEPARTMENT SHALL ASSIGN A**
20 **LETTER GRADE OF A, B, C, D, OR F FOR EACH OF THE FOLLOWING**
21 **INDICATORS FOR EACH PUBLIC SCHOOL:**

22 **(i) PUPIL PROFICIENCY IN MATHEMATICS AND ENGLISH LANGUAGE**
23 **ARTS, AS MEASURED BY THE PERCENTAGE OF ALL PUPILS WHO ACHIEVE**
24 **PROFICIENCY ON THE APPLICABLE STATE ASSESSMENT, AS DETERMINED BY**
25 **THE COMMISSION.**

26 **(ii) THE PERCENTAGE OF ALL PUPILS WHO ACHIEVE ADEQUATE GROWTH**
27 **IN MATHEMATICS AND ENGLISH LANGUAGE ARTS ON THE APPLICABLE STATE**

1 ASSESSMENT. ADEQUATE GROWTH UNDER THIS SUBDIVISION SHALL BE BASED
2 ON AT LEAST ALL OF THE FOLLOWING, AS DETERMINED BY THE COMMISSION:

3 (A) PUPIL GROWTH MEASURED FROM FALL TO SPRING OF THE SAME
4 SCHOOL YEAR OR FROM THE SPRING OF ONE SCHOOL YEAR TO THE SPRING OF
5 THE NEXT SCHOOL YEAR, AS APPROPRIATE BASED ON THE TIMING OF
6 APPLICABLE STATE ASSESSMENTS.

7 (B) PUPILS WHO SCORED PROFICIENT ON THE IMMEDIATELY PRECEDING
8 APPLICABLE STATE ASSESSMENT AND WHO AT LEAST MAINTAINED A SCORE OF
9 PROFICIENT ON THE MOST RECENT APPLICABLE STATE ASSESSMENT.

10 (C) PUPILS WHO SCORED LESS THAN PROFICIENT ON THE IMMEDIATELY
11 PRECEDING APPLICABLE STATE ASSESSMENT AND WHO DEMONSTRATE GROWTH
12 SUFFICIENT TO REACH PROFICIENCY IN 3 SCHOOL YEARS.

13 (iii) THE PERCENTAGE OF PUPILS WHO ARE ENGLISH LANGUAGE
14 LEARNERS AND WHO ACHIEVE ADEQUATE GROWTH TOWARD PROFICIENCY IN THE
15 ENGLISH LANGUAGE, AS DETERMINED BY THE COMMISSION AND AS REQUIRED
16 UNDER THE EVERY STUDENT SUCCEEDS ACT, PUBLIC LAW 114-95.

17 (iv) THE GRADUATION RATE OF PUPILS ENROLLED IN HIGH SCHOOL, AS
18 APPLICABLE AND AS DEFINED BY AND REPORTED TO CEPI.

19 (v) THE RATE OF PUPILS WHO ARE CHRONICALLY ABSENT AS DEFINED
20 BY AND REPORTED TO CEPI.

21 (vi) THE PARTICIPATION RATE FOR EACH APPLICABLE STATE
22 ASSESSMENT, BASED ON PUPILS WHO ARE ASSIGNED TO TAKE EACH
23 APPLICABLE STATE ASSESSMENT.

24 (B) NOT LATER THAN SEPTEMBER 1, 2019, AND NOT LATER THAN
25 SEPTEMBER 1 OF EACH SUBSEQUENT YEAR, THE DEPARTMENT SHALL ASSIGN A
26 RANKING OF SIGNIFICANTLY ABOVE AVERAGE, ABOVE AVERAGE, AVERAGE,
27 BELOW AVERAGE, OR SIGNIFICANTLY BELOW AVERAGE TO EACH PUBLIC SCHOOL

1 FOR EACH OF THE FOLLOWING INDICATORS:

2 (i) THE ACADEMIC PERFORMANCE OF THE PUBLIC SCHOOL'S PUPILS ON
3 THE APPLICABLE STATE ASSESSMENT COMPARED TO PUPIL PERFORMANCE ON
4 THE APPLICABLE STATE ASSESSMENT FOR ALL PUBLIC SCHOOLS SERVING A
5 SIMILAR PUPIL POPULATION. THE DEPARTMENT SHALL DETERMINE SIMILAR
6 PUPIL POPULATION USING DEMOGRAPHIC FACTORS THAT THE COMMISSION
7 CONSIDERS TO HAVE A STRONG CORRELATION TO ACADEMIC ACHIEVEMENT.

8 (ii) PUPIL SUBGROUP PERFORMANCE COMPARED TO PUPILS IN THE SAME
9 SUBGROUP STATEWIDE, AS REQUIRED UNDER THE EVERY STUDENT SUCCEEDS
10 ACT, PUBLIC LAW 114-95.

11 (C) THE DEPARTMENT SHALL REPORT THE LETTER GRADES AND RANKINGS
12 UNDER SUBDIVISIONS (A) AND (B) IN A FORM AND MANNER PRESCRIBED BY
13 THE COMMISSION.

14 (D) THE COMMISSION SHALL DEVELOP STANDARDS FOR IDENTIFYING
15 PUBLIC SCHOOLS AS FALLING INTO CATEGORIES OF PERFORMANCE AND
16 ADEQUATE ACHIEVEMENT. THE STANDARDS DEVELOPED UNDER THIS
17 SUBDIVISION MUST MEET ALL OF THE FOLLOWING:

18 (i) THE COMMISSION SHALL DEVELOP STANDARDS FOR IDENTIFYING THE
19 LOWEST ACHIEVING PUBLIC SCHOOLS AS COMPREHENSIVE SUPPORT AND
20 IMPROVEMENT SCHOOLS, AS REQUIRED UNDER THE EVERY STUDENT SUCCEEDS
21 ACT, PUBLIC LAW 114-95. SUBJECT TO SUBDIVISION (ii), A PUBLIC
22 SCHOOL THAT MEETS ANY OF THE FOLLOWING SHALL BE IDENTIFIED AS A
23 COMPREHENSIVE SUPPORT AND IMPROVEMENT SCHOOL:

24 (A) IS A HIGH SCHOOL THAT GRADUATES LESS THAN 2/3 OF ITS
25 PUPILS.

26 (B) RECEIVES THE LOWEST GRADE OR RANKING ON ALL OF THE
27 INDICATORS UNDER SUBDIVISIONS (A) (i) AND (ii) AND (B) (i).

1 (C) MEETS ANY OTHER CRITERIA FOR A COMPREHENSIVE SUPPORT AND
2 IMPROVEMENT SCHOOL UNDER THE EVERY STUDENT SUCCEEDS ACT, PUBLIC LAW
3 114-95, AS DETERMINED BY THE COMMISSION.

4 (ii) THE NUMBER OF PUBLIC SCHOOLS IN THIS STATE IDENTIFIED AS
5 COMPREHENSIVE SUPPORT AND IMPROVEMENT SCHOOLS SHALL NOT EXCEED A
6 NUMBER EQUAL TO 5% OF ALL PUBLIC SCHOOLS IN THIS STATE.

7 (iii) THE COMMISSION SHALL DEVELOP STANDARDS FOR IDENTIFYING
8 HIGH ACHIEVING PUBLIC SCHOOLS AS REWARD SCHOOLS. A PUBLIC SCHOOL
9 THAT MEETS ANY OF THE FOLLOWING SHALL BE IDENTIFIED AS A REWARD
10 SCHOOL:

11 (A) IS A HIGH SCHOOL THAT GRADUATES AT LEAST 99% OF ITS
12 PUPILS.

13 (B) RECEIVES THE HIGHEST GRADE OR RANKING ON ANY OF THE
14 INDICATORS UNDER SUBDIVISIONS (A) (i) OR (ii) OR (B) (i) .

15 (C) MEETS ANY OTHER CRITERIA FOR IDENTIFICATION AS A REWARD
16 SCHOOL, AS DETERMINED BY THE COMMISSION.

17 (iv) THE COMMISSION SHALL ALSO DEVELOP STANDARDS FOR ALL OF
18 THE FOLLOWING:

19 (A) IDENTIFYING PUBLIC SCHOOLS IN WHICH 1 OR MORE GROUPS OF
20 PUPILS ARE CONSISTENTLY UNDERPERFORMING AS TARGETED SUPPORT AND
21 IMPROVEMENT SCHOOLS, AS DESCRIBED IN THE EVERY STUDENT SUCCEEDS
22 ACT, PUBLIC LAW 114-95.

23 (B) IDENTIFYING PUBLIC SCHOOLS IN WHICH THE PERFORMANCE OF 1
24 OR MORE GROUPS OF PUPILS WOULD PLACE THOSE PUPILS IN THE BOTTOM 5%
25 OF TITLE I SCHOOLS, AS DESCRIBED IN THE EVERY STUDENT SUCCEEDS ACT,
26 PUBLIC LAW 114-95.

27 (C) IDENTIFYING PUBLIC SCHOOLS IN ANY OTHER CATEGORIZATION

1 REQUIRED UNDER THE EVERY STUDENT SUCCEEDS ACT, PUBLIC LAW 114-95,
2 AS DETERMINED BY THE COMMISSION.

3 (E) THE COMMISSION SHALL MONITOR THE EFFECTIVENESS OF THE
4 STATEWIDE SYSTEM OF ACCOUNTABILITY MEASUREMENTS DEVELOPED UNDER
5 THIS SUBSECTION AND SHALL MAKE CHANGES TO THE SYSTEM AS THE
6 COMMISSION DETERMINES NECESSARY TO MAKE THE SYSTEM MORE EFFECTIVE
7 AND TO ENSURE COMPLIANCE WITH THE REQUIREMENTS UNDER THIS SECTION.
8 AS PART OF THIS MONITORING PROCESS, THE COMMISSION SHALL DEVELOP
9 AND IMPLEMENT PROCESSES FOR RECEIVING AND CONSIDERING INPUT FROM
10 THE PUBLIC AND THE EDUCATIONAL COMMUNITY.

11 (2) BEGINNING IN THE 2019-2020 SCHOOL YEAR, THE DEPARTMENT
12 SHALL IMPLEMENT AND ADMINISTER THE STATEWIDE SYSTEM OF
13 ACCOUNTABILITY MEASUREMENTS DEVELOPED BY THE EDUCATION
14 ACCOUNTABILITY POLICY COMMISSION UNDER SUBSECTION (1).

15 (3) BEGINNING IN 2019, NOT LATER THAN SEPTEMBER 1, AND NOT
16 LATER THAN SEPTEMBER 1 OF EVERY THIRD YEAR, THE SUPERINTENDENT OF
17 PUBLIC INSTRUCTION SHALL PUBLISH A LIST OF THE PUBLIC SCHOOLS IN
18 THIS STATE THAT THE DEPARTMENT HAS IDENTIFIED AS COMPREHENSIVE
19 SUPPORT AND IMPROVEMENT SCHOOLS UNDER SUBSECTION (1) (D) (i), AND A
20 LIST OF THE PUBLIC SCHOOLS THAT THE DEPARTMENT HAS IDENTIFIED AS
21 REWARD SCHOOLS UNDER SUBSECTION (1) (D) (iii).

22 (4) THE DEPARTMENT SHALL DESIGNATE A PUBLIC SCHOOL AS AN
23 ALTERNATIVE EDUCATION CAMPUS AND SHALL NOT ASSIGN GRADES OR
24 RANKINGS UNDER SUBSECTION (1) FOR THE PUBLIC SCHOOL IF THE PUBLIC
25 SCHOOL MEETS AT LEAST 1 OF THE FOLLOWING:

26 (A) IS A CENTER PROGRAM.

27 (B) IS A STRICT DISCIPLINE ACADEMY ESTABLISHED UNDER SECTIONS

1 1311B TO 1311M.

2 (C) IS A PROGRAM FOR ADJUDICATED YOUTH.

3 (D) SERVES ANY OTHER SPECIALIZED PUPIL POPULATION WITH SPECIAL
4 NEEDS, AS DETERMINED BY THE DEPARTMENT.

5 (5) BEGINNING SEPTEMBER 1, 2019, AND NOT LATER THAN SEPTEMBER
6 1 OF EACH SUBSEQUENT YEAR, THE DEPARTMENT SHALL ISSUE A SUMMARY
7 STATUS FOR EACH PUBLIC SCHOOL DESIGNATED AS AN ALTERNATIVE
8 EDUCATION CAMPUS UNDER SUBSECTION (4). THE SUMMARY STATUS SHALL
9 INDICATE WHETHER THE PUBLIC SCHOOL IS IN COMPLIANCE WITH APPLICABLE
10 LAW AND WHETHER PUPILS ENROLLED IN THE PUBLIC SCHOOL ARE MAKING
11 MEANINGFUL, MEASURABLE ACADEMIC PROGRESS TOWARD EDUCATIONAL GOALS
12 ESTABLISHED BY THE GOVERNING BODY OF THE PUBLIC SCHOOL AND APPROVED
13 BY THE SUPERINTENDENT OF PUBLIC INSTRUCTION.

14 (6) AS USED IN THIS SECTION, "CENTER PROGRAM" MEANS THAT TERM
15 AS DEFINED IN SECTION 6 OF THE STATE SCHOOL AID ACT OF 1979, MCL
16 388.1606.

17 SEC. 1280H. (1) THE EDUCATION ACCOUNTABILITY POLICY COMMISSION
18 IS CREATED IN THE DEPARTMENT. THE COMMISSION CONSISTS OF THE
19 FOLLOWING 13 MEMBERS:

20 (A) THREE MEMBERS APPOINTED BY THE GOVERNOR WHO REPRESENT
21 BUSINESS SECTORS THAT ARE IMPORTANT TO THIS STATE'S ECONOMY AND
22 RELY ON A COLLEGE- OR CAREER-READY WORKFORCE, NONPROFIT
23 ORGANIZATIONS AND ASSOCIATIONS THAT PROMOTE COLLEGE AND CAREER
24 EDUCATION, K-12 AND POSTSECONDARY INSTITUTIONS INVOLVED IN COLLEGE
25 AND CAREER EDUCATION, OR OTHER SECTORS AS DETERMINED APPROPRIATE BY
26 THE GOVERNOR.

27 (B) ONE MEMBER APPOINTED BY THE SENATE MAJORITY LEADER, IN

1 CONSULTATION WITH THE CHAIRPERSON OF THE SENATE STANDING COMMITTEE
2 ON EDUCATION.

3 (C) ONE MEMBER APPOINTED BY THE SPEAKER OF THE HOUSE OF
4 REPRESENTATIVES, IN CONSULTATION WITH THE CHAIRPERSON OF THE HOUSE
5 STANDING COMMITTEE ON EDUCATION.

6 (D) THE SUPERINTENDENT OF PUBLIC INSTRUCTION, OR HIS OR HER
7 DESIGNEE.

8 (E) TWO MEMBERS APPOINTED BY THE SUPERINTENDENT OF PUBLIC
9 INSTRUCTION FROM AMONG NOMINEES SUBMITTED BY STATEWIDE
10 ORGANIZATIONS REPRESENTING PUBLIC SCHOOL ACADEMIES.

11 (F) TWO MEMBERS APPOINTED BY THE SUPERINTENDENT OF PUBLIC
12 INSTRUCTION FROM AMONG NOMINEES SUBMITTED BY STATEWIDE
13 ORGANIZATIONS REPRESENTING SCHOOL ADMINISTRATORS WORKING IN SCHOOL
14 DISTRICTS.

15 (G) TWO MEMBERS APPOINTED BY THE SUPERINTENDENT OF PUBLIC
16 INSTRUCTION FROM AMONG NOMINEES SUBMITTED BY STATEWIDE
17 ORGANIZATIONS REPRESENTING SCHOOL ADMINISTRATORS WORKING IN
18 INTERMEDIATE SCHOOL DISTRICTS.

19 (H) ONE MEMBER APPOINTED BY THE SUPERINTENDENT OF PUBLIC
20 INSTRUCTION FROM AMONG NOMINEES SUBMITTED BY STATEWIDE
21 ORGANIZATIONS REPRESENTING URBAN SCHOOL DISTRICTS.

22 (2) INITIAL EDUCATION ACCOUNTABILITY POLICY COMMISSION MEMBERS
23 MUST BE APPOINTED UNDER SUBSECTION (1) NOT LATER THAN JULY 1, 2018.

24 (3) THE MEMBERS OF THE EDUCATION ACCOUNTABILITY POLICY
25 COMMISSION SHALL ELECT A CHAIRPERSON OF THE COMMISSION AND OTHER
26 OFFICERS THE COMMISSION DETERMINES APPROPRIATE.

27 (4) MEMBERS OF THE EDUCATION ACCOUNTABILITY POLICY COMMISSION

1 SHALL BE APPOINTED FOR 4-YEAR TERMS EXCEPT FOR MEMBERS FIRST
2 APPOINTED UNDER SUBSECTIONS (1) (E) TO (G). ONE OF THE 2 MEMBERS
3 APPOINTED UNDER EACH OF SUBSECTIONS (1) (E) TO (G) SHALL BE
4 APPOINTED FOR 2-YEAR TERMS AND 1 OF THE MEMBERS APPOINTED UNDER
5 EACH OF THOSE SUBSECTIONS SHALL BE APPOINTED FOR 4-YEAR TERMS.

6 (5) A VACANCY ON THE EDUCATION ACCOUNTABILITY POLICY
7 COMMISSION SHALL BE FILLED IN THE SAME MANNER AS THE ORIGINAL
8 APPOINTMENT. A MEMBER APPOINTED TO FILL A VACANCY CAUSED BY A
9 RESIGNATION OR DEATH SHALL BE APPOINTED FOR THE BALANCE OF THE
10 UNEXPIRED TERM.

11 (6) THE GOVERNOR MAY REMOVE A MEMBER OF THE EDUCATION
12 ACCOUNTABILITY POLICY COMMISSION FOR INCOMPETENCE, DERELICTION OF
13 DUTY, MALFEASANCE, MISFEASANCE, OR NONFEASANCE IN OFFICE, OR ANY
14 OTHER GOOD CAUSE.

15 (7) MEMBERS OF THE EDUCATION ACCOUNTABILITY POLICY COMMISSION
16 SHALL SERVE WITHOUT COMPENSATION. HOWEVER, MEMBERS OF THE
17 COMMISSION MAY BE REIMBURSED FOR THEIR ACTUAL AND NECESSARY
18 EXPENSES INCURRED IN THE PERFORMANCE OF THEIR OFFICIAL DUTIES AS
19 MEMBERS OF THE COMMISSION.

20 (8) THE EDUCATION ACCOUNTABILITY POLICY COMMISSION MAY
21 ESTABLISH SUBCOMMITTEES THAT MAY CONSIST OF INDIVIDUALS WHO ARE NOT
22 MEMBERS OF THE COMMISSION, INCLUDING, BUT NOT LIMITED TO, EXPERTS
23 IN MATTERS OF INTEREST TO THE COMMISSION.

24 (9) A MAJORITY OF THE MEMBERS OF THE EDUCATION ACCOUNTABILITY
25 POLICY COMMISSION CONSTITUTE A QUORUM FOR CONDUCTING BUSINESS. A
26 VOTE OF A MAJORITY OF THE MEMBERS OF THE COMMISSION PRESENT AND
27 SERVING IS REQUIRED FOR THE OFFICIAL ACTION OF THE COMMISSION.

1 (10) AS USED IN THIS SECTION, "CEPI" MEANS THE CENTER FOR
2 EDUCATIONAL PERFORMANCE AND INFORMATION CREATED IN SECTION 94A OF
3 THE STATE SCHOOL AID ACT OF 1979, MCL 388.1694A.

4 Enacting section 1. This amendatory act takes effect 90 days
5 after the date it is enacted into law.