

Act No. 151  
Public Acts of 1994  
Approved by the Governor  
June 8, 1994  
Filed with the Secretary of State  
June 8, 1994

**STATE OF MICHIGAN**  
**87TH LEGISLATURE**  
**REGULAR SESSION OF 1994**

Introduced by Senators DeGrow and Schwarz

# ENROLLED SENATE BILL No. 985

AN ACT to make appropriations for the department of education and certain other purposes relating to education for the fiscal year ending September 30 1995 to provide for the expenditure of the appropriations to prescribe the powers and duties of certain state departments school districts and other governmental bodies and to provide for the disposition of fees and other income received by certain legal entities and state agencies

*The People of the State of Michigan enact*

Sec 101 There is appropriated for the department of education for the fiscal year ending September 30 1995 from the following funds

**DEPARTMENT OF EDUCATION**  
**APPROPRIATION SUMMARY**

Full time equated unclassified positions	60	
Full time equated classified positions	9460	
<b>GROSS APPROPRIATION</b>		<b>\$ 770 514 500</b>
Interdepartmental grant revenues		
IDG from corrections academy food service		270 100
IDG from corrections academy lease		299 900
IDG from commerce ADP		174 600
IDG from social services		94 000
Total interdepartmental grants and intradepartmental transfers		838 600
<b>ADJUSTED GROSS APPROPRIATION</b>		<b>\$ 769 675 900</b>
Federal revenues		
DAG Commodity supplemental food program		51 000
DAG FNS national school lunch		199 491 500
DAG FNS nutrition education and training		190 000
DAG TEFAP		2 572 600
DED OBEMLA bilingual education		143 300
DED OBEMLA emergency immigrant education assistance		304 400
DED OERI fund for innovation in education		1 495 600
DED OERI national diffusion network		211 100
DED OESE chapter 1 local educational agencies		285 000 000
DED OESE chapter 1 migrant education		12 787 000
DED OESE chapter 1 state administration		2 203 000
DED OESE Christa McAuliffe fellowships		80 000

	For Fiscal Year Ending Sept 30 1995
DED OESE civil rights (national origin)	\$ 225 100
DED OESE civil rights (race)	251 500
DED OESE civil rights (sex)	265 000
DED OESE drug free schools and communities	14 169 500
DED OESE ECIA chapter 2	17 108 500
DED OESE even start	3 778 300
DED OESE foreign language assistance	640 300
DED OESE mathematics and science administration	9 899 800
DED OESE migrant even start	283 800
DED OPSE federal lenders allowance	10 970 200
DED OPSE higher education act of 1965 insured loans	25 577 800
DED OSERS captioned films	14 000
DED OSERS handicapped client assistance	10 800
DED OSERS handicapped children ECIA chapter 1	7 857 700
DED OSERS handicapped infants and toddlers	16 615 100
DED OSERS handicapped innovative programs	246 000
DED OSERS handicapped preschool incentive grants	12 435 700
DED OSERS handicapped program (IDEA)	6 848 200
DED OSERS handicappers special studies	81 300
DED OSERS personnel development	253 600
DED OSERS rehabilitation services basic support	1 566 100
DED OSERS severely handicapped	266 400
DED OSERS technology assistance program	4 000
DED OVAE adult education state administered program	8 903 000
DED OVAE basic grants to states	41 346 300
DED OVAE homeless children and youth	1 074 500
DED OVAE state councils	342 100
DED OVAE state literacy resource center	263 600
DOL JTPA	8 731 100
Federal revenue additional acquired	6 500 000
HHS ACF at risk child care	500 300
HHS CDC AIDS education	798 100
HHS HCFA medical assistance program title XIX	80 000
HHS OHDS dependent care block grant	294 700
HHS SSA supplemental security income	8 600
HHS SSA contract for services	7 300
Scott Foundation	10 000
National Science Foundation	2 119 300
National Science Teachers Foundation	3 200
Corporation for National and Community Service	745 900
VA contract	628 400
Total federal revenues	706 254 600
Special revenue funds	
Local cost sharing (schools for blind/deaf)	7 293 200
Total local revenues	7 293 200
College work study	46 000
Foundation gifts and grants additional acquired	1 000 000
Gifts bequests and donations	263 200
Total private revenues	1 309 200
Total local and private revenues	8 602 400
Certification fees	2 516 400
Commodity distribution fees	39 700
Driver fees	7 713 300
Legal publications	40 000
Living and learning resource center rent	6 000
MI CASHE fees	354 400
Motorcycle license fees	881 300
Tuition Reimbursement Fund Assessments	100 000

		For Fiscal Year Ending Sept 30 1995
Safety education fund	\$	304 200
Private occupational school license fees		384 400
School loan exception fees		42 000
State employee child care center		90 000
Teacher Testing Fees		250 000
Training and orientation workshop fees		100 000
Total other state restricted revenues		12 821 700
State general fund/general purpose	\$	41 997 200
STATE BOARD OF EDUCATION/OFFICE OF THE SUPERINTENDENT		
Full time equated unclassified positions	6 0	
Full time equated classified positions	15 0	
State board of education per diem payments	\$	19 400
State board of education—5 0 FTE positions		445 200
Superintendent of public instruction—1 0 FTE position		87 300
Unclassified positions—5 0 FTE positions		356 100
Executive director programs—10 0 FTE positions		1 413 200
GROSS APPROPRIATION	\$	2 321 200
Appropriated from		
Federal revenues		
DED OESE ECIA chapter 2		708 300
DED OPSE higher education act of 1965 insured loans		50 500
DED OSERS handicapped program (IDEA)		66 900
DED OVAE basic grants to states		106 900
Special revenue funds		
Legal publications		40 000
State general fund/general purpose	\$	1 348 600
FINANCE PERSONNEL AND TENURE ACTIVITIES		
Full time equated classified positions	35 0	
Finance personnel and tenure operations—35 0 FTE positions	\$	2 465 000
State tenure commission per diem		11 100
GROSS APPROPRIATION	\$	2 476 100
Appropriated from		
Federal revenues		
DED OESE chapter 1 state administration		72 300
DED OESE ECIA chapter 2		22 600
DED OSERS handicapped program (IDEA)		35 700
DAG FNS national school lunch		76 100
DED OVAE basic grants to states		40 200
DED OESE chapter 1 migrant education		4 700
DED OESE drug free schools and communities		6 800
DED OPSE federal lenders allowance		30 600
DED OPSE higher education act of 1965 insured loans		30 600
DED OSERS rehabilitation services basic support		327 900
DOL JTPA		5 600
Special revenue funds		
Certification fees		55 100
State general fund/general purpose	\$	1 767 900
CENTRAL SUPPORT		
Worker s compensation	\$	22 400
Federal contingency funds		6 500 000
Central fund for acquiring additional foundation grants and gifts		1 000 000
Education commission of the states		79 600
Rent		7 100
Training and orientation workshops		100 000
Building occupancy charges property management services		1 781 300
GROSS APPROPRIATION	\$	9 790 400

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Appropriated from		
Federal revenues		
DED OESE ECIA chapter 2	\$	83 600
DAG FNS national school lunch		25 000
DAG FNS nutrition education and training		4 000
DED OBEMLA bilingual education		2 000
DED OERI fund for innovation in education		3 000
DED OERI national diffusion network		3 000
DED OESE chapter 1 migrant education		16 900
DED OESE chapter 1 state administration		43 500
DED OESE civil rights (national origin)		6 200
DED OESE civil rights (race)		4 200
DED OESE civil rights (sex)		7 100
DED OESE drug free schools and communities		3 500
DED OESE even start		2 000
DED OESE mathematics and science administration		10 200
DED OPSE federal lenders allowance		100 900
DED OPSE higher education act of 1965 insured loans		190 600
DED OSERS handicapped client assistance		10 800
DED OSERS handicapped infants and toddlers		9 700
DED OSERS handicapped program (IDEA)		94 800
DED OSERS rehabilitation services basic support		451 500
DED OSERS technology assistance program		4 000
DED OVAE adult education state administered program		18 800
DED OVAE basic grants to states		75 400
DED OVAE homeless children and youth		13 000
DED OVAE state councils		8 000
DOL JTPA		17 400
HHS CDC AIDS education		13 400
HHS SSA supplemental security income		8 600
HHS SSA contract for services		7 300
National Science Foundation		8 600
Corporation for National and Community Service		1 500
VA contract		10 100
Federal revenue additional acquired		6 500 000
Special revenue funds		
Certification fees		57 000
Driver fees		11 500
Foundation gifts and grants additional acquired		1 000 000
Motorcycle license fees		3 000
Private occupational school license fees		3 000
Training and orientation workshop fees		100 000
State general fund/general purpose	\$	857 300
ADMINISTRATIVE SERVICES		
Full time equated classified positions	39 0	
Administration services operations—39 0 FTE positions	\$	1 980 900
GROSS APPROPRIATION	\$	1 980 900
Appropriated from		
Federal revenues		
DED OESE ECIA chapter 2		265 400
DAG FNS national school lunch		47 300
DED OPSE federal lenders allowance		59 100
DED OPSE higher education act of 1965 insured loans		56 200
Special revenue funds		
School loan exception fees		42 000
State general fund/general purpose	\$	1 510 900

SCHOOL MANAGEMENT SERVICES

Full time equated classified positions	44 1	
School management operations—41 6 FTE positions	\$	3 006 700
National highway safety		90 000
Off road vehicle safety training—1 5 FTE positions		109 900
Child care audit		282 200
Surplus commodity distribution expense—1 0 FTE position		117 600
GROSS APPROPRIATION	\$	<u>3 606 400</u>
Appropriated from		
Federal revenues		
DAG Commodity supplemental food program		51 000
DAG FNS national school lunch		2 408 700
DAG TEFAP		66 600
DED OESE ECIA chapter 2		90 000
Special revenue funds		
Commodity distribution fees		39 700
Driver fees		441 400
Motorcycle license fees		128 300
Safety education fund		109 900
State general fund/general purpose	\$	270 800

OFFICE OF GRANTS AND TECHNOLOGY

Full time equated classified positions	25 5	
Evaluation operations—2 0 FTE positions	\$	168 500
Research and information operations—9 5 FTE positions		687 300
Grants and technology operations—14 0 FTE positions		1 235 900
GROSS APPROPRIATION	\$	<u>2 091 700</u>
Appropriated from		
Federal revenues		
DED OESE chapter 1 state administration		168 500
DED OESE ECIA chapter 2		1 340 100
Corporation for National and Community Service		64 400
DED OERI national diffusion network		208 100
State general fund/general purpose	\$	310 600

OFFICE OF ENRICHMENT AND COMMUNITY SERVICES

Full time equated classified positions	35 3	
Enrichment and community services—35 3 FTE positions	\$	<u>2 755 300</u>
GROSS APPROPRIATION	\$	<u>2 755 300</u>
Appropriated from		
Federal revenues		
DED OESE civil rights (race)		247 300
DED OESE civil rights (sex)		257 900
DED OESE chapter 1 state administration		1 594 100
DED OVAE homeless children and youth		228 500
State general fund/general purpose	\$	427 500

SCHOOL PROGRAM QUALITY SERVICES

Full time equated classified positions	90 9	
Comprehensive school health—6 6 FTE positions	\$	933 500
Essential and employability skills assessment—4 5 FTE positions		550 900
Michigan accreditation program—9 0 FTE positions		746 100
Michigan educational assessment program—11 0 FTE positions		806 200
Michigan educational assessment program tests		1 451 700
School program quality operations—42 6 FTE positions		3 860 800
Endorsed diploma retest		200 000
Science test development		50 000
Early childhood education—17 2 FTE positions		1 696 100

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Proficiency test development	\$	868 900
Proficiency test administration		600 000
GROSS APPROPRIATION	\$	<u>11 764 200</u>
Appropriated from		
Federal revenues		
DED OERI fund for innovation in education		355 700
DED OESE chapter 1 state administration		99 200
DED OESE Christa McAuhffe fellowships		2 400
DED OESE drug free schools and communities		155 200
DED OESE ECIA chapter 2		827 300
DED OESE foreign language assistance		46 700
DED OESE mathematics and science administration		414 800
DED OSERS handicapped preschool incentive grants		298 900
HHS ACF at risk child care		50 300
HHS CDC AIDS education		684 700
DAG FNS nutrition education and training		186 000
DED OSERS handicapped infants and toddlers		605 400
HHS OHDS dependent care block grant		33 000
DED OESE even start		176 300
Scott Foundation		10 000
National Science Foundation		210 700
National Science Teachers Foundation		3 200
State general fund/general purpose	\$	7 604 400
 SPECIAL EDUCATION SERVICES		
Full time equated classified positions	48 1	
Special education operations—48 1 FTE positions	\$	<u>4 006 900</u>
GROSS APPROPRIATION	\$	4 006 900
Appropriated from		
Federal revenues		
DED OESE chapter 1 state administration		45 400
DED OSERS handicapped program (IDEA)		3 589 700
HHS HCFA medical assistance program title XIX		80 000
Special revenue funds		
Certification fees		18 300
State general fund/general purpose	\$	273 500
 MICHIGAN SCHOOL FOR THE BLIND		
Full time equated classified positions	105 6	
School for the blind operation—103 3 FTE positions	\$	<u>5 010 700</u>
Corrections academy lease		299 900
Corrections food service		270 100
Michigan deaf/blind center—2 3 FTE positions		246 000
Private gifts		103 200
Camp Tuhsmeheeta		110 000
State employee child care center		90 000
GROSS APPROPRIATION	\$	<u>6 129 900</u>
Appropriated from		
Interdepartmental grant revenues		
IDG from corrections academy food service		270 100
IDG from corrections academy lease		299 900
Federal revenues		
DAG FNS national school lunch		21 200
DED OSERS handicapped children ECIA chapter 1		63 300
DED OSERS handicapped innovative programs		246 000
DED OSERS handicapped program (IDEA)		200 000
Special revenue funds		
Local cost sharing (schools for blind/deaf)		2 778 200

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Gifts bequests and donations	\$	213 200
Living and learning resource center rent		6 000
State employee child care center		90 000
State general fund/general purpose	\$	1 942 000
<b>MICHIGAN SCHOOL FOR THE DEAF</b>		
Full time equated classified positions	123 0	
School for the deaf operations—123 0 FTE positions	\$	7 421 400
Private gifts		50 000
<b>GROSS APPROPRIATION</b>	\$	7 471 400
Appropriated from		
Federal revenues		
DAG FNS national school lunch		51 400
DED OSERS captioned films		14 000
DED OSERS handicapped children ECIA chapter 1		204 600
DED OSERS handicapped program (IDEA)		261 100
DED OESE drug free schools and communities		4 000
Special revenue funds		
Local cost sharing (schools for blind/deaf)		4 515 000
Gifts bequests and donations		50 000
State general fund/general purpose	\$	2 371 300
<b>CAREER AND TECHNICAL EDUCATION</b>		
Full time equated classified positions	45 5	
Career and technical education operations—39 5 FTE positions	\$	2 750 200
Michigan council on vocational education—4 0 FTE positions		334 100
Operation graduation oversight—2 0 FTE positions		128 600
<b>GROSS APPROPRIATION</b>	\$	3 212 900
Appropriated from		
Federal revenues		
DED OVAE basic grants to states		1 930 100
DED OVAE state councils		334 100
State general fund/general purpose	\$	948 700
<b>HIGHER EDUCATION MANAGEMENT SERVICES</b>		
Full time equated classified positions	56 0	
Higher education management operations—43 5 FTE positions	\$	3 590 200
Office of equity—12 5 FTE positions		926 800
Tuition Reimbursement Fund		100 000
<b>GROSS APPROPRIATION</b>	\$	4 617 000
Appropriated from		
Federal revenues		
DED OBEMLA bilingual education		141 300
DED OBEMLA emergency immigrant education assistance		4 400
DED OESE civil rights (national origin)		218 900
DED OPSE higher education act of 1965 insured loans		929 100
DED OVAE basic grants to states		686 500
DOL JTPA		655 400
VA contract		618 300
Special revenue funds		
Certification fees		103 700
Private occupational school license fees		381 400
Tuition Reimbursement Fund Assessments		100 000
State general fund/general purpose	\$	778 000
<b>TEACHER PREPARATION AND CERTIFICATION SERVICES</b>		
Full time equated classified positions	31 0	
Teacher certification operations—24 0 FTE positions	\$	1 779 500

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Teacher preparation operations—6 0 FTE positions		\$	473 000
Department of attorney general			40 000
Mathematics and science program—1 0 FTE position			118 800
GROSS APPROPRIATION		\$	<u>2 411 300</u>
Appropriated from			
DED OESE mathematics and science administration			118 800
Special revenue funds			
Certification fees			2 042 500
Teacher Testing Fees			250 000
State general fund/general purpose		\$	0
STUDENT FINANCIAL ASSISTANCE SERVICES			
Full time equated classified positions	180 5		
Student financial assistance operations—129 0 FTE positions		\$	19 912 900
Department of attorney general			396 300
Department of treasury			5 500 000
State direct loan program—51 5 FTE positions			10 505 400
GROSS APPROPRIATION		\$	<u>36 314 600</u>
Appropriated from			
Federal revenues			
DED OPSE federal lenders allowance			10 551 700
DED OPSE higher education act of 1965 insured loans			24 266 400
Special revenue funds			
College work study			46 000
MI CASHE fees			354 400
State general fund/general purpose		\$	1 096 100
ADULT EXTENDED LEARNING SERVICES			
Full time equated classified positions	26 0		
Adult extended learning operations—26 0 FTE positions		\$	<u>2 043 800</u>
GROSS APPROPRIATION		\$	<u>2 043 800</u>
Appropriated from			
Federal revenues			
DED OESE migrant even start			1 500
DED OESE chapter 1 migrant education			765 400
DED OESE chapter 1 state administration			180 000
DED OVAE adult education state administered program			860 100
DOL JTPA			100 000
State general fund/general purpose		\$	136 800
INFORMATION SERVICE CENTER			
Full time equated classified positions	45 5		
Information service center operations—45 5 FTE positions		\$	<u>3 992 000</u>
GROSS APPROPRIATION		\$	<u>3 992 000</u>
Appropriated from			
Interdepartmental grant revenues			
IDG from commerce ADP			174 600
Federal revenues			
DAG FNS national school lunch			61 800
DED OESE ECIA chapter 2			290 300
DED OPSE federal lenders allowance			227 900
DED OPSE higher education act of 1965 insured loans			54 400
DED OSERS rehabilitation services basic support			786 700
Special revenue funds			
Certification fees			239 800
Driver fees			10 400
State general fund/general purpose		\$	2 146 100



# GRANTS AND DISTRIBUTIONS

## I FEDERAL PROGRAMS

Adult basic education	\$ 8 024 100
AIDS education grants	100 000
Competitive child care and development	450 000
Christa McAuliffe grants	77 600
DED OESE even start	3 600 000
Drug free schools grant	14 000 000
ECIA chapter 1	285 000 000
ECIA chapter 1 handicapped	7 589 800
ECIA chapter 1 migrant	12 000 000
ECIA chapter 2 grants	13 480 900
Framework grants	1 136 900
Foreign language grants	593 600
Emergency immigrant	300 000
Handicapped infants and toddlers	16 000 000
Homeless children and youth	833 000
Job training partnership act	7 952 700
Mathematics and science grants	9 356 000
Migrant even start	282 300
Pre school grants (IDEA)	12 136 800
School age child care grants	349 600
School lunch program federal share	196 800 000
Serve America grants	680 000
Special education	2 600 000
Special studies	81 300
State Literacy Resource Center	263 600
Statewide systemic initiative grant	1 900 000
Surplus commodity	2 506 000
Systems change for inclusive education	266 400
Training personnel for education of the handicapped	253 600
Vocational education act of 1963	38 507 200

## STATE PROGRAMS

Communities first pilot projects	\$ 95 000
Driver education	7 250 000
School readiness grants	10 553 000
Eastern upper peninsula telecommunications	125 000
National geographic alliance	36 800
Motorcycle safety education	750 000
Off road vehicle safety training grant	194 300
Regional Technical Assistance Centers	675 000
School lunch program state share	2 275 600
School lunch program supplemental state grants	2 032 100
State breakfast program	2 420 000

## GROSS APPROPRIATION

\$ 663 528 500

### Appropriated from

#### Interdepartmental grant revenues

#### IDG from social services

94 000

#### Federal revenues

#### DAG FNS national school lunch

196 800 000

#### DAG TEFAP

2 506 000

#### DED OBEMLA emergency immigrant education assistance

300 000

#### DED OERI fund for innovation in education

1 136 900

#### DED OESE chapter 1 local educational agencies

285 000 000

#### DED OESE chapter 1 migrant education

12 000 000

#### DED OESE Christa McAuliffe fellowships

77 600

#### DED OESE drug free schools and communities

14 000 000

	For Fiscal Year Ending Sept 30 1995
DED OESE ECIA chapter 2	\$ 13 480 900
DED OESE foreign language assistance	593 600
DED OESE even start	3 600 000
DED OESE mathematics and science administration	9 356 000
DED OESE migrant even start	282 300
DED OSERS handicapped children ECIA chapter 1	7 589 800
DED OSERS handicapped infants and toddlers	16 000 000
DED OSERS handicapped preschool incentive grants	12 136 800
DED OSERS handicapped program (IDEA)	2 600 000
DED OSERS handicappers special studies	81 300
DED OSERS personnel development	253 600
DED OSERS severely handicapped	266 400
DED OVAE adult education state administered program	8 024 100
DED OVAE basic grants to states	38 507 200
DED OVAE homeless children and youth	833 000
DED OVAE state literacy resource center	263 600
DOL JTPA	7 952 700
HHS ACF at risk child care	450 000
HHS CDC AIDS education	100 000
HHS OHDS dependent care block grant	261 700
National Science Foundation	1 900 000
Corporation for National and Community Service	680 000
Special revenue funds	
Driver fees	7 250 000
Motorcycle license fees	750 000
Safety education fund	194 300
State general fund/general purpose	\$ 18 206 700

## **GENERAL SECTIONS**

Sec 201 (1) In accordance with the provisions of section 30 of article IX of the state constitution of 1963 total state spending from state resources in this appropriation act is \$54 818 900 00 and state appropriations to be paid to local units of government in section 101 are as follows

	For Fiscal Year Ending Sept 30 1995
<b>DEPARTMENT OF EDUCATION</b>	
State school breakfast program	\$ 2 420 300
School lunch program state share	2 275 600
School lunch program supplemental state grants	2 032 100
Motorcycle safety	750 000
Driver education	7 250 000
Total	\$ 14 728 000

(2) If it appears to the principal executive officers of each department that state spending to local units of government will be less than the amount that was projected to be expended for any quarter the principal executive officer shall immediately give notice of the approximate shortfall to the department of management and budget the senate and house appropriations subcommittees responsible for the department's budget and the senate and house fiscal agencies

Sec 202 The appropriations made and the expenditures authorized under this act and the departments agencies commissions boards offices and programs for which an appropriation is made under this act are subject to the management and budget act Act No 431 of the Public Acts of 1984 being sections 18 1101 to 18 1594 of the Michigan Compiled Laws

Sec 203 As used in this act

(a) AIDS means acquired immunodeficiency syndrome

- (b) CDC means center for disease control
- (c) DAG means the United States department of agriculture
- (d) DED means the United States department of education
- (e) Department means the Michigan department of education
- (f) DOL means the United States department of labor
- (g) ECIA means the education consolidation and improvement act
- (h) FNS means food and nutrition service of the USDA
- (i) HCFA means the health care financing administration
- (j) HHS means the United States department of health and human services
- (k) IDEA means the individuals with disabilities education act
- (l) IDG means interdepartmental grant
- (m) JTPA means the job training partnership act
- (n) NHTSA means the national highway traffic safety administration
- (o) OBEMLA means office of bilingual education and minority languages affairs
- (p) OERI means office of educational research and improvement
- (q) OESE means office of elementary and secondary education
- (r) OHDS means office of human development services
- (s) OPSE means office of postsecondary education
- (t) OSERS means the office of special education rehabilitation service
- (u) OVAE means office of vocational and adult education
- (v) SSA means the social security administration
- (w) TEFAP means the emergency food assistance program
- (x) USDA means the United States department of agriculture
- (y) VA means the United States veterans administration

Sec 204 A position created under this act that is fully funded by federal funds shall not be continued as a state funded position when the federal funds are discontinued or reduced to the point that the federal funds will not sustain the position 100%

Sec 205 The funds donated from private sources to the department shall be appropriated for the purpose for which they are granted if the department expends the funds in furtherance of programs established and recognized by the legislature Funds accepted under this section shall not be authorized if the receipt of the funds mandates a commitment for state funding at a future date

Sec 206 The funds appropriated in section 101 from the central funds for acquiring private foundation grants or gifts shall not be expended until the grant money is authorized by the grantor Expenditure of those funds shall be controlled through the allotment process Funds accepted under this section shall not be authorized if the receipt of the funds mandates a commitment for state funding at a future date

Sec 207 The department may carry into the succeeding fiscal year unexpended federal pass through funds to local institutions and governments that do not require additional state matching funds Federal pass through funds to local institutions and governments that are received in amounts in addition to those included in section 101 and that do not require additional state matching funds are appropriated for the purposes intended

Sec 208 None of the funds appropriated in section 101 in the line item identified as Federal contingency funds are available for expenditure until they have been transferred to another line item in this act pursuant to section 393 of the management and budget act Act No 431 of the Public Acts of 1984 being section 18 1393 of the Michigan Compiled Laws

Sec 209 (1) Beginning October 1 1994 there shall be a hiring freeze imposed on the state classified civil service State departments and agencies shall be prohibited from hiring any new full time state classified civil service employees or prohibited from filling any vacant state classified civil service positions This hiring freeze does not apply to internal transfers of classified employees from one position to another within a department or to positions that are funded with 80% or more federal or restricted funds

(2) The director of the department of management and budget shall grant exceptions to the hiring freeze when the director believes that the hiring freeze will result in rendering a state department or agency unable to deliver basic services. The director of the department of management and budget shall report by the fifteenth of each month to the chairpersons of the senate and house appropriations committees the number of exceptions to the hiring freeze approved during the previous month and the reasons to justify the exception.

Sec 210 The department shall transmit to the senate and house appropriations subcommittees responsible for the department's budget and the senate and house fiscal agencies a semiannual report on all of the department's contractual employees. This report shall specify each contractual employee by

- (a) Position and organizational location
- (b) Name
- (c) Salary or wage and all related expenses
- (d) Starting date and projected duration of position
- (e) Programmatic purpose of the employee's position
- (f) Recruitment process and selection criteria used
- (g) Whether the contractual employee was formerly a classified or unclassified employee of the department and if so his or her dates of employment
- (h) The current appropriation source that provides funding for the employee's position
- (i) Other information considered necessary or appropriate by either or both of the appropriations subcommittees responsible for the department's budget

Sec 211 (1) The department shall provide the department of management and budget and the senate and house fiscal agencies with copies of the state board of education agenda and all supporting documents at the time the agenda and supporting documents are provided to state board of education members.

(2) The department shall furnish budget development documentation to the department of management and budget as required by section 331 of the management and budget act. Act No. 431 of the Public Acts of 1984 being section 181331 of the Michigan Compiled Laws.

Sec 212 (1) On January 1 of each year the department shall prepare an in state travel report. The report shall list each person who received compensation fees or remuneration for travel occurring within the state for the preceding fiscal year. The listing shall include the name of the person who received the compensation fees or remuneration and the amount of the compensation fees or remuneration. The department shall maintain records for each person who is compensated paid a fee or remunerated for in state travel. The records shall include a listing of destination reason for travel date of travel and mode of transportation. The department shall submit the report to the house and senate appropriations committees and the house and senate fiscal agencies.

(2) All travel or upgrade incentive benefits offered by a common carrier auto rental business hotel or motel business credited to an employee or official of the department that is a result of an employee or official conducting state business shall accrue to the benefit of the department rather than the employee or official and shall be the property of the state of Michigan. The employee or official shall report all such benefits to the department and the department may assign the benefits to an eligible employee or official to use in the conduct of state business.

Sec 213 At the same time as a privatization elimination retention or modification analysis is submitted to the civil service commission for approval of a contract that will result in the loss of employment by classified state employees or otherwise substantially alters the delivery of a service central to the mission of the department the department shall submit a copy of the analysis to the house and senate appropriations committees. If a collective bargaining agreement covering state employees described in this section requires prior notification the department shall submit the analysis to the appropriations committees on or before the date specified in that agreement. The analysis shall include all of the following

- (a) The justification for privatizing or contracting the function or service
- (b) The estimated number of classified state employees potentially affected by the contract
- (c) The civil service criteria used to justify privatization
- (d) The projected cost savings from privatization if any including all of the following
  - (i) Documentation that the savings meet the minimum criteria established by the civil service commission
  - (ii) The cost of contract monitoring
  - (iii) The conversion cost associated with termination of state employees
  - (iv) The conversion revenue associated with the sale of an asset or service to the contractor

(v) Estimated net revenue lost to the state by privatizing the service or function

(vi) A demonstration that the service would be performed at substantial long term savings to the state when compared with the cost of performance of the service or function by classified state employees. The demonstration of substantial long term savings shall be consistent with criteria developed by the department of civil service.

Sec 214 The department shall establish an FTE position vacancy accumulated funds account. The department shall transfer into the FTE position vacancy accumulated funds account at the end of each quarter any funds remaining unspent for personnel and related costs for vacancies. A report on the amount transferred each quarter into the vacancy accumulated funds account and the cumulative total in the account shall be submitted to the house and senate appropriations committees and the house and senate fiscal agencies 15 days after the last pay period in each quarter.

### **STATE BOARD/OFFICE OF THE SUPERINTENDENT**

Sec 301 (1) The appropriations in section 101 may be used for per diem payments to members of boards, committees, and commissions for each day's board, committee, or commission work at which a quorum is present for attending a hearing as authorized by the respective board, committee, or commission, or for performing official business as authorized by the respective board, committee, or commission. The per diem payments shall be at a rate as follows:

- |   |                   |
|---|-------------------|
| (a) State board of education    president                   | \$ 110.00 per day |
| (b) State board of education    member other than president | \$ 100.00 per day |
| (c) State tenure commission    member                       | \$ 50.00 per day  |

(2) A state board of education member shall not be paid a per diem for more than 24 days per year.

(3) The administrative secretary of the state board of education shall report to the public, the house and senate fiscal agencies, and the department of management and budget the previous month's expenses by fund source for members of the state board of education related to the performance of their responsibilities.

Sec 302 Included in section 101 are funds for the office of minority equity in postsecondary education. That office shall review and make recommendations for enhancing the state's progress in responding to the educational needs of minorities, handicappers, and women in postsecondary education. The office shall serve as ombudsman to investigate and resolve reports of barriers to minority success on state university campuses.

Sec 303 (1) From the amount appropriated in section 101 to the state board of education, not more than \$27,500.00 shall be expended for travel.

(2) The state board of education shall not expend amounts for travel appropriated from DED OVAE basic grants to states.

### **FINANCE, PERSONNEL, AND TENURE ACTIVITIES**

Sec 401 Of the funds appropriated in section 101 for finance, personnel, and tenure activities operations, there is allocated an amount sufficient to provide 2.0 full-time equivalent classified positions for the purpose of reviewing school district federal single audits in compliance with OMB circular A-128.

### **SCHOOL PROGRAM QUALITY SERVICES**

Sec 501 (1) The contracts provided for in section 101 that relate to the Michigan education assessment program shall be awarded on the basis of competitive bidding. All school districts in this state shall participate in the tenth grade assessment program.

(2) The department may contract with a local school district, an intermediate school district, or both, as well as with testing companies, for sample testing but not for the every pupil mathematics and reading testing portion of the Michigan education assessment program.

(3) The department shall release the results of the tests at the same time to all private schools and public school districts taking the tests at the same time.

Sec 502 (1) The department shall continue to redevelop tests for use in the essential skills assessment of students in the fourth seventh and tenth grades in the areas of language arts and mathematics The reading and the mathematics tests shall be administered annually in all school districts

(2) The science test shall be administered annually in all school districts to students in the fifth eighth and eleventh grades

(3) The department shall develop materials to assist local school districts in using and reporting Michigan education assessment program tests results

(4) From the general fund allocations in section 101 the department may provide tests to nonpublic schools The department shall notify nonpublic schools that they are eligible to receive the tests without cost to them

Sec 503 The department shall provide a progress report to the chairpersons of the house and senate education appropriations subcommittees the senate and house fiscal agencies and the department of management and budget no later than May 15 of each year describing the activities of the department during the previous fiscal year and the current status relative to the implementation of sections 1204a 1277 1278 and 1280 of the school code of 1976 Act No 451 of the Public Acts of 1976 being sections 380 1204a 380 1277 380 1278 and 380 1280 of the Michigan Compiled Laws

Sec 505 The Michigan employment skills assessment program shall be offered to all Michigan school districts Participation in this component is voluntary During the 1994 95 school year participating districts shall offer the program to all students in grades 8 through 12 The department shall provide the materials local districts need to implement the program

Sec 506 The department may contract with a private or nonprofit agency a college or university a local school district an intermediate district or a combination of those entities as well as with testing companies for the development pilot testing and implementation of the standards for the Michigan accreditation program

Sec 507 From the amount appropriated in section 101 for proficiency test development there is allocated \$508 700 00 for developing the proficiency test required pursuant to this section Not later than July 31 1995 the department shall develop and the state board shall approve assessment instruments to determine pupil proficiency in communication arts mathematics science and other subject areas specified by the state board The assessment instruments shall be based on the state board model core curriculum outcomes The state board also shall ensure that the Michigan educational assessment program and the high school proficiency exam or any other statewide benchmark test is testing only for proficiency in basic academic skills and academic subject matter and are not used to measure pupils values or attitudes

#### **SPECIAL EDUCATION SERVICES/MSB/MSD PROGRAMS**

Sec 601 The employees at the Michigan school for the blind and the Michigan school for the deaf who work on a school year basis shall be considered annual employees for purposes of service credits retirement and insurance benefits

Sec 602 For each student enrolled at the Michigan school for the blind and the Michigan school for the deaf the department shall assess the intermediate school district of residence 100% of the cost of operating the student's instructional program The amount shall exclude room and board related costs and the cost of weekend transportation between the school and the student's home

Sec 603 (1) The department may assess rent to the department of corrections for Michigan school for the blind space occupied by the corrections staff training academy The rental rates and all leasing arrangements shall be subject to the approval of the department of management and budget Amounts received under section 101 for the corrections academy lease program may be expended by the department for operation maintenance and renovation expenses associated with the lease space If there are any unexpended and unencumbered funds remaining on September 30 1995 from the amounts appropriated in section 101 for the corrections academy lease program an amount not to exceed \$20 000 00 shall be available for expenditure for the 1995 96 fiscal year for equipment maintenance and renovation at other Michigan school for the blind facilities The balance of the unexpended and unencumbered funds shall revert to the general fund

(2) In addition the department may receive and expend funds in addition to those authorized in section 101 for the rental of facilities at the Michigan school for the blind to private or publicly funded organizations

Sec 604 The department shall assess rent to the state employee child care center for the rental of space it occupies at the Michigan school for the blind. The rental rates and all leasing arrangements shall be subject to the approval of the department of management and budget. Amounts received under section 101 for the child care center may be expended by the department for the operation, maintenance, and renovation of the leased space.

Sec 605 Proceeds from the sale of surplus property and facilities at the Michigan school for the deaf are hereby appropriated for the purposes of repairs, renovations, and maintenance of the school's campus. Any unexpended and unencumbered funds remaining on September 30, 1995, from such proceeds shall be carried forward as a work project for the purposes of repairs, renovations, and maintenance of the school's campus at a total estimated cost not to exceed the proceeds of the sales. The work is to be completed by September 30, 1997.

Sec 606 The department may assist the department of social services, other departments, and local school districts to secure reimbursement for eligible services provided in Michigan schools from the federal medicaid program. The department may submit reports of direct expenses related to this effort to the department of social services for reimbursement.

Sec 607 From the funds appropriated in section 101 for private gifts, the department may expend an amount for a reading program for the blind.

Sec 608 The unexpended balances of appropriations for the school for the deaf operations shall not lapse to the state general fund at the end of the fiscal year but shall be carried forward as a work project and expended for special maintenance and repairs of facilities at the Michigan school for the deaf.

#### **TEACHER PREPARATION AND CERTIFICATION SERVICES**

Sec 701 From the funds appropriated in section 101 for teacher preparation and certification services, the department shall expend the funds to provide 1 full-time equivalent classified position to handle the professional personnel register and certificate revocation/felony conviction files.

Sec 702 Not later than November 30, 1994, the department shall submit to the senate and house appropriations subcommittees responsible for the department's budget, the senate and house fiscal agencies, and the department of management and budget, a report on the status of activities to meet the requirements of section 1531 of the school code of 1976, Act No. 451 of the Public Acts of 1976, being section 380.1531 of the Michigan Compiled Laws, relating to teacher test development, validation, and implementation.

#### **INFORMATION SERVICE CENTER/HIGHER EDUCATION MANAGEMENT SERVICES**

Sec 901 The appropriation for educational information network is for a pilot project to link electronically a number of intermediate school districts with the department in order to collect and disseminate information. The pilot project is to develop the technology and skills necessary to link intermediate school districts with local school districts, forming a statewide network. The funds shall be used for equipment for intermediate school districts, staff training, and the administration of the educational information network.

Sec 902 In addition to the funds appropriated in section 101, the department may utilize collections from defaulted loans in the Martin Luther King, Jr., Cesar Chavez, Rosa Parks program to offset the associated administrative costs of administering the collection program.

Sec 903 From the funds appropriated in section 101 for higher education management services, \$5,000.00 is allocated to defray expenses for the state board for public community and junior colleges. Payments for travel made to individuals from these funds are subject to the travel provisions established in section 212.

#### **OFFICE OF ENRICHMENT AND COMMUNITY SERVICES**

Sec 1001 From the funds appropriated in section 101 for the office of enrichment and community services, \$10,000.00 is allocated for the activities of a school security task force to be established within the department.

## **GRANTS AND DISTRIBUTIONS**

Sec 1101 As a condition of receiving a grant under this act from the Carl D Perkins vocational and applied technology education act Public Law 88 210 98 Stat 2435 a local school district or intermediate school district shall report all of the following to the department within 30 days after an audit exception occurs

- (a) The name of the intermediate school district or local school district having the audit exception
- (b) The amount in controversy
- (c) The steps that are being taken to recover any losses
- (d) The corrective measures that are being taken
- (e) Any other information relative to an audit exception that the department considers necessary

Sec 1102 The department shall disburse the funds to a general fund grantee in accordance with the same standards of timing and amount that apply to disbursements made by the department to a federal fund grantee The disbursement shall be restricted to the minimum amount needed for immediate disbursement by the grantee The department may waive this section if extenuating circumstances warrant and are substantiated in the grantee's application or other appropriate documentation A waiver granted pursuant to this section shall not be effective until 15 days after written notice of the proposed waiver is given to the chairpersons of the senate and house appropriations subcommittees having jurisdiction over the department budget

Sec 1103 The funds appropriated in section 101 for school breakfast programs shall be made available to all eligible applicant public school districts and public school academies as follows

- (a) The district or public school academy participates in the federal school breakfast program and meets all standards as prescribed by 7 C F R parts 220 and 245 of the USDA regulations
- (b) Payment is made for each breakfast served meeting standards prescribed in subdivision (a)
- (c) The payment for a public school district is at a per meal rate equal to the lesser of the district's actual cost or 100% of the cost of a breakfast served by an efficiently operated breakfast program as determined by the department less federal reimbursement participant payments and other state reimbursement and for a public school academy is at a per meal rate equal to the lesser of the academy's actual cost or 100% of the cost of a breakfast served by an efficiently operated breakfast program as determined by the department less federal reimbursement participant payments and other state reimbursement Determination of efficient cost by the department shall be determined by using a statistical sampling of statewide and regional cost as reported in a manner approved by the department for the preceding school year
- (d) The payment determined under subdivision (c) is prorated if the appropriation in section 101 is not sufficient to fund all payments determined under this section

Sec 1104 The funds appropriated in section 101 for drug free schools and communities shall be used in coordination with appropriations provided in section 101 The funds shall be expended to provide for technical assistance and to provide grants to or contracts with local school districts and intermediate school districts for the provision of a school drug education and prevention program consistent with the program described in the application approved by the United States department of education for funding under part B of the drug free schools and communities act of 1986 title V of the elementary and secondary education act of 1965 Public Law 89 10 20 U S C 3191 to 3197

Sec 1105 (1) The funds appropriated in section 101 for school readiness programs shall be made available through a competitive application process as follows

- (a) An applicant may be any public or private nonprofit legal entity or agency other than a local or intermediate school district except a local or intermediate school district acting as a fiscal agent for a child caring organization regulated under Act No 116 of the Public Acts of 1973 being sections 722 111 to 722 128 of the Michigan Compiled Laws
- (b) Applications shall be submitted in a form and manner as required by the department
- (c) Applications shall be reviewed by a diverse interagency committee composed of representatives of the department appropriate community volunteer social service agencies and organizations and parents
- (d) Priority in the recommendation for awarding of grants by the state board of education to applicants shall be based upon the following criteria
  - (i) Compliance with standards for early childhood development consistent with programs for 4 year olds as approved by the state board of education
  - (ii) Active and continuous involvement of the parents or guardians of the children participating in the program
  - (iii) Employment of teachers possessing proper training in early childhood development including an early childhood (ZA) endorsement and/or child development associate and trained support staff



(iv) Evidence of collaboration with the community of providers in early childhood development programs including documentation of the total number of children in the community who would meet the criteria established in subparagraph (vi) and who are being served by other providers and the number of children who will remain unserved by other community early childhood programs if this program is funded

(v) The extent to which these funds will supplement other federal state local or private funds

(vi) The extent to which these funds will be targeted to children who will be at least 4 but less than 5 years of age as of December 1 of the year in which the programs are offered and who show evidence of 2 or more at risk factors as defined in the state board of education report entitled children at risk that was adopted by the state board on April 5 1988

(e) Whether the application contains a comprehensive evaluation plan that includes implementation of all program components required and an assessment of the gains of children participating in an early childhood development program

(f) Applications shall provide for the establishment of a school readiness advisory committee that shall be involved in the planning and evaluation of the program and provides for the involvement of parents and appropriate community volunteer and social service agencies and organizations At least 50% of the committee members shall be parents or legal guardians of current or former program participants The committee shall do all of the following

(i) Review the mechanisms and criteria used to determine referrals for participation in the school readiness program

(ii) Review the health screening program for all participants

(iii) Review the nutritional services provided to all participants

(iv) Review the mechanisms in place for the referral of families to community social service agencies as appropriate

(v) Review the collaboration with and the involvement of appropriate community volunteer and social service agencies and organizations in addressing all aspects of education disadvantage

(vi) Review evaluate and make recommendations for changes in the school readiness program

(g) More than 50% of the children participating in the program meet the income eligibility criteria for free lunch as determined under the national school lunch act chapter 281 60 Stat 230 42 U S C 1751 to 1753 1755 to 1761 1762a 1765 to 1766a and 1769 to 1769e

(2) Grant awards by the state board of education may be at whatever level the board determines appropriate A grant when combined with other sources of state revenue for this program shall not exceed \$3 000 00 per child or the cost of the program However in order to achieve the goals and objectives of the early childhood development programs it is the intent of the legislature to fund these programs at the maximum optimum per pupil level

(3) An applicant that received a grant under this section in the 1993 94 fiscal year shall receive priority for funding in 1994 95 However continuation of funding is contingent on the availability of funds and documented evidence of grantee compliance with standards for early childhood development consistent with programs for 4 year olds as approved by the state board of education and with all operational fiscal administrative and other program requirements

(4) From the appropriation in section 101 for school readiness grants not more than \$25 000 00 may be expended for project first step

Sec 1106 The department may transfer funds from other accounts in section 101 into the communities first pilot projects line item in order to support such projects The transfers shall be subject to section 393(2) of the management and budget act Act No 431 of the Public Acts of 1984 being section 18 1393 of the Michigan Compiled Laws

Sec 1107 From the funds appropriated in section 101 the department shall develop bid specifications for bidding through the department of management and budget for the warehousing and distribution of the United States department of agriculture surplus commodities before the expiration of existing contracts

Sec 1108 Funds appropriated in section 101 shall not be used for the purchase of foreign goods or services when competitively priced and of comparable quality American goods or services are available By May 1 1995 the department shall submit a report to the department of management and budget the speaker and minority leaders of the house of representatives the majority and minority leaders of the senate and the chairpersons of the house and senate appropriations committees on efforts to comply with this section

Sec 1109 (1) The director shall take all reasonable steps to ensure businesses in deprived and depressed communities compete for and perform contracts to provide services or supplies or both for the department

(2) The director shall strongly encourage firms with which the department contracts to subcontract with certified businesses in depressed and deprived communities for services or supplies or both

Sec 1110 (1) From the funds in section 101 for grants and distributions federal programs section 344 of part E of title III of the Carl D Perkins vocational and applied technology education act Public Law 88 210 20 U S C 2394b \$400 000 00 may be allocated by the state board of education to award to an applicant consortium composed of an intermediate school district or a community college or/and K 12 district or a combination of an intermediate school district community college or K 12 district in collaboration with the national center for manufacturing sciences to implement mobile manufacturing technology laboratories The goal of the mobile manufacturing technology laboratories shall be to provide learning opportunities for students to acquire the cognitive skills required to achieve technological literacy The mobile manufacturing technology laboratories program shall conform to prescribed guidelines governing section 344 of part E of title III of the Carl D Perkins vocational and applied technology education act Public Law 88 210 20 U S C 2394b including serving special target populations

(2) The mobile manufacturing technology laboratories shall be primarily assembled by Michigan based companies Ownership of the mobile manufacturing technology laboratories shall be vested to the public educational entities composing the consortium

This act is ordered to take immediate effect

Secretary of the Senate

Co Clerk of the House of Representatives

Approved

Governor