



SENATE BILL No. 269

January 28, 1993, Introduced by Senators FAXON, CHERRY, HONIGMAN, CISKY, MILLER and SCHWARZ and referred to the Committee on Education.

A bill to establish the Michigan school reorganization commission; to prescribe its powers and duties; to prescribe the powers and duties of certain state officials, departments, and agencies; to provide for an appropriation; and to repeal certain parts of the act on specific dates.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. As used in this act:

2 (a) "Commission" means the Michigan school reorganization
3 commission created in section 2.

4 (b) "Pupil membership count day" means that term as defined
5 in section 6 of the state school aid act of 1979, Act No. 94 of
6 the Public Acts of 1979, being section 388.1606 of the Michigan
7 Compiled Laws.

8 (c) "School district" means a school district or a local act
9 school district, as defined in the school code of 1976, Act

1 No. 451 of the Public Acts of 1976, being sections 380.1 to
2 380.1852, of the Michigan Compiled Laws.

3 Sec. 2. (1) Not later than 30 days after the effective date
4 of this act, the governor shall appoint with the advice and con-
5 sent of the senate the Michigan school reorganization commission
6 for the purpose of developing a plan to reduce the number of
7 school districts in this state.

8 (2) The commission shall consist of the following 9
9 members:

10 (a) One member representing school districts in the Upper
11 Peninsula.

12 (b) One member representing school districts in the area of
13 the Lower Peninsula north of the Bay City-Muskegon line.

14 (c) Three members representing school districts in the
15 remainder of the state. As far as practicable, the members
16 appointed under this subdivision shall be fairly representative
17 of the various types of school districts and various regions
18 represented.

19 (d) Four members representing the general public.

20 (3) A vacancy on the commission shall be filled in the same
21 manner as the original appointment.

22 (4) Not later than 10 days after all appointments have been
23 made and confirmed under this section, the commission shall hold
24 its first meeting. At the meeting, the commission shall elect a
25 chairperson and other officers as it considers necessary from
26 among its members. Following this initial meeting, the

1 commission shall hold meetings as considered necessary by the
2 chairperson.

3 (5) A majority of the members of the commission constitute a
4 quorum for the transaction of business at a meeting of the
5 commission. Action by the commission shall be by a majority of
6 the votes cast.

7 (6) A member of the commission shall be reimbursed for
8 actual and necessary expenses incurred in the performance of
9 official duties.

10 Sec. 3. The commission shall do all of the following:

11 (a) Develop a school reorganization plan in compliance with
12 section 5 to reduce the number of school districts in this
13 state.

14 (b) Not later than 6 months after the date of the first
15 meeting of the commission, publish a report on its findings and
16 recommendations on school reorganization. The report shall
17 include a schedule for implementation, with consideration given
18 to the duration of existing collective bargaining agreements and
19 the need for holding new elections for board members.

20 (c) After the publication of the report described in
21 subdivision (b), hold public hearings across the state to provide
22 appropriate information to citizens, to answer questions, and to
23 hear testimony on school reorganization.

24 (d) After the completion of the public hearings required by
25 subdivision (c) but not later than 1 year after the date of the
26 first meeting of the commission, revise its findings and
27 recommendations as necessary and publish a final report on its

1 findings and recommendations on school reorganization and submit
2 a copy of the report to the legislature.

3 Sec. 4. Not later than 30 days after receiving the
4 commission's final report submitted under section 3, the legisla-
5 ture shall convert the recommendations on school reorganization
6 contained in the final report into the form of a bill and shall
7 introduce the bill. After introduction, the bill containing the
8 commission's recommendations shall be acted upon by the legisla-
9 ture in the same manner as other bills except that it shall not
10 be subject to amendment in either house of the legislature. If
11 the legislature passes the bill containing the commission's rec-
12 ommendations, it shall do so by not later than the sine die
13 adjournment of the 87th Legislature.

14 Sec. 5. In developing the school reorganization plan
15 required by section 3(a), the commission shall take into account
16 all of the following criteria:

17 (a) A new school district shall operate a school program of
18 kindergarten through twelfth grade.

19 (b) The total number of school districts in this state shall
20 not exceed 250.

21 (c) Except as provided in this subdivision, a new school
22 district shall have at least 2,000 pupils according to the most
23 recent pupil membership count day. This 2,000 pupil requirement
24 may be waived if either of the following conditions applies:

25 (i) Due to a low population density, the 2,000 pupil
26 requirement would place an undue hardship upon pupils within the

1 new school district by requiring more than 1 hour of travel time
2 to the nearest school for pupils attending that school.

3 (ii) The pupil population trends indicate that a new school
4 district with less than 2,000 pupils will have at least 2,000
5 pupils within 1 year after the formation of the new school
6 district.

7 (d) A new school district shall not be required to be larger
8 in territory than 1 county.

9 (e) A new school district shall not be so large in territory
10 as to require more than 1 hour of travel time to the nearest
11 school for a pupil attending that school.

12 (f) A new school district shall be compact and reflect some
13 continuity of a former district.

14 (g) A new school district, to the extent possible in keeping
15 with the other criteria under this section, shall be formed along
16 municipal boundary lines.

17 (h) A new school district shall be comprised of residents of
18 various economic levels and racial backgrounds.

19 (i) A new school district shall efficiently use existing
20 school buildings and facilities.

21 (j) Other relevant data, material, and concepts that will
22 increase the efficiency and effectiveness of the operation of the
23 educational system conducted by school districts formed or reor-
24 ganized pursuant to this act.

25 Sec. 6. The commission may do 1 or both of the following:

26 (a) Accept assistance from state departments, agencies, and
27 individuals.

1 (b) Form committees or working groups as appropriate for the
2 performance of its responsibilities.

3 Sec. 7. The department of education and any other depart-
4 ment or agency as requested by the commission shall assist the
5 commission and shall provide staff and services as required by
6 the commission.

7 Sec. 8. The commission shall comply with the open meetings
8 act, Act No. 267 of the Public Acts of 1976, being sections
9 15.261 to 15.275 of the Michigan Compiled Laws, and the freedom
10 of information act, Act No. 442 of the Public Acts of 1976, being
11 sections 15.231 to 15.246 of the Michigan Compiled Laws.

12 Sec. 9. The legislature annually shall appropriate to the
13 commission a sum sufficient to implement this act.

14 Sec. 10. This act is repealed effective on the sine die
15 adjournment of the 87th Legislature.