

HOUSE BILL No. 5921

May 18, 2004, Introduced by Reps. Ruth Johnson, Voorhees, Vander Veen and Rocca and referred to the Committee on Education.

A bill to amend 1976 PA 451, entitled
 "The revised school code,"
 by amending section 612 (MCL 380.612) and by adding section 634.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 612. (1) ~~—A—~~ **Subject to subsection (2),** a school
 2 elector of a constituent district ~~—shall be—~~ **is** eligible to
 3 election or appointment to membership on the intermediate school
 4 board. ~~—A~~

5 **(2) Until July 1, 2004, a** member of a board of a constituent
 6 district ~~—shall be—~~ **is** eligible to election or appointment to
 7 membership on the intermediate school board. **Beginning with the**
 8 **June 2004 school election, a member of a board of a constituent**
 9 **district or of the board of directors of a public school academy**
 10 **is not eligible to election or appointment to membership on the**
 11 **intermediate school board while serving as a member of the board**

1 of the constituent district or board of directors of a public
2 school academy.

3 (3) Beginning July 1, 2004, a member of an intermediate
4 school board shall not hold any other elective public office,
5 including, but not limited to, office as a member of the board of
6 a constituent district, and shall not serve as a member of the
7 board of directors of a public school academy. If a member of an
8 intermediate school board violates this subsection, the member
9 forfeits his or her office as a member of the intermediate school
10 board.

11 (4) ~~-(2)-~~ A member of an intermediate school board who is a
12 member of a constituent district board shall not participate in
13 proceedings conducted pursuant to part 11 to detach territory
14 from or attach territory to the constituent district of which he
15 or she is a board member.

16 Sec. 634. (1) Not later than July 1, 2004, each
17 intermediate school board shall adopt and implement a conflict of
18 interest policy designed to avoid conflicts of interest by
19 intermediate school district officials and employees.

20 (2) Not later than July 1, 2004, each intermediate school
21 board shall adopt and implement a policy to prohibit use of
22 intermediate school district funds or other public funds under
23 the control of the intermediate school district for purchasing
24 alcoholic beverages, jewelry, gifts, tickets for entertainment or
25 sporting events, fees for golf or other recreational activities,
26 or any item the purchase or possession of which is illegal. The
27 policy shall include a prohibition on providing public funds to

1 third parties for any of these purchases and shall include
2 monetary penalties for violation of the policy.

3 (3) The department shall develop and distribute to
4 intermediate school districts a model conflict of interest policy
5 for the purposes of subsection (1) and a model policy meeting the
6 requirements of subsection (2).

7 (4) In any 1-month period, an intermediate school board
8 member or intermediate school district administrator shall not
9 accept from a person who does business or seeks to do business of
10 any kind with the intermediate school district any money, goods,
11 or services with a value in excess of \$44.00 if the board member
12 or official does not provide goods or services of equal value in
13 exchange. This subsection does not apply to a gift or reward
14 already prohibited under section 1805.

15 (5) An intermediate school board shall not enter into a
16 contract with, and a contractor of an intermediate school
17 district shall not use as a subcontractor on a contract with the
18 intermediate school district, any business enterprise that meets
19 any of the following:

20 (a) An intermediate school board member or school
21 administrator of the intermediate school district is employed by
22 or under contract with the business enterprise.

23 (b) An intermediate school board member or school
24 administrator of the intermediate school district has an
25 ownership interest in the business enterprise.

26 (c) An intermediate school board member or school
27 administrator of the intermediate school district has a business

1 affiliation with the business enterprise.

2 (6) An intermediate school board shall ensure that each
3 employment contract with a school administrator employed by the
4 intermediate school district includes both a provision
5 prohibiting the school administrator from engaging in conduct
6 involving moral turpitude and a provision allowing the
7 intermediate school board to void the contract if the school
8 administrator violates the provision prohibiting conduct
9 involving moral turpitude.