

**SUBSTITUTE FOR
SENATE BILL NO. 79**

A bill to provide for the continuation of the Michigan school for the deaf; to establish the board of trustees of the Michigan school for the deaf; to prescribe its duties and the duties of certain other state officials; and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. As used in this act:

2 (a) "Board of trustees" or "board" means the board of trust-
3 ees of the Michigan school for the deaf as established under this
4 act.

5 (b) "Division on deafness" means the division on deafness of
6 the family independence agency or a successor agency.

7 (c) "State board" means the state board of education.

8 (d) "Superintendent of public instruction" means the state
9 superintendent of public instruction.

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1 Sec. 2. This state shall continue to maintain and support
2 the Michigan school for the deaf, located at Flint, for educating
3 students who are hearing impaired as defined in R 340.1707 of the
4 Michigan administrative code.

5 Sec. 3. (1) The board of trustees of the Michigan school
6 for the deaf is established as provided under this act.

7 (2) The board of trustees of the Michigan school for the
8 deaf shall consist of all of the following:

9 (a) Subject to subsection (3), the following 7 voting mem-
10 bers appointed by the governor after consideration of recommenda-
11 tions by the division on deafness:

12 (i) One member who is a hearing parent of a student at the
13 Michigan school for the deaf.

14 (ii) One member who is a deaf parent of a student at the
15 Michigan school for the deaf.

16 (iii) One member who is an officer or nominee of the
17 Michigan deaf association.

18 (iv) One member who is a deaf professional.

19 (v) One member who is an alumnus of the Michigan school for
20 the deaf.

21 (vi) Two members representing the general public.

22 (b) The following 3 nonvoting members:

23 (i) One Michigan school for the deaf high school junior or
24 senior who has attended the Michigan school for the deaf for at
25 least 4 years and who is elected by a majority vote of the stu-
26 dents at the Michigan school for the deaf high school.

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1 (ii) One teacher employed at the Michigan school for the
2 deaf who has been employed as a teacher at the Michigan school
3 for the deaf for at least 4 years and who is elected by a major-
4 ity vote of the teachers employed at the Michigan school for the
5 deaf.

6 (iii) One residential care aide employed at the Michigan
7 school for the deaf who has been employed as a residential care
8 aide at the Michigan school for the deaf for at least 4 years and
9 who is elected by a majority vote of the residential care aides
10 employed at the Michigan school for the deaf.

11 (3) To be eligible to be appointed to the board of trustees
12 under subsection (2)(a), a person must meet both of the
13 following:

14 (a) Be a resident of this state.

15 (b) Be skilled in sign language, as demonstrated by having
16 successfully completed at least 2 courses in sign language or
17 having attained at least the advanced level on the sign communi-
18 cation proficiency interview.

19 (4) The governor shall appoint the initial members of the
20 board of trustees within 60 days after the effective date of this
21 act.

22 (5) Members of the board of trustees appointed under
23 subsection (2)(a) shall serve for terms of 4 years or until a
24 successor is appointed, whichever is later, except that of the
25 members first appointed, 1 shall serve for 1 year, 2 shall serve
26 for 2 years, and 2 shall serve for 3 years.

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1 (6) A member of the board of trustees elected under
2 subsection (2)(b) shall serve for a term of 4 years or until a
3 successor is elected, whichever is later, except that the member
4 of the board of trustees elected under subsection (2)(b)(i) shall
5 serve for a term of 1 year or until a successor is elected,
6 whichever is later.

7 (7) If a member of the board of trustees ceases to meet the
8 requirements described in subsection (2) or (3), as applicable,
9 during his or her term, a vacancy occurs in that office.

10 (8) If a vacancy occurs on the board of trustees, the
11 vacancy shall be filled in the same manner as the original
12 appointment.

13 (9) The governor may remove a member of the board of trust-
14 ees appointed under subsection (2)(a) as provided under
15 section 10 of article V of the state constitution of 1963. A
16 nonvoting member elected under subsection (2)(b) may be removed
17 by majority vote of the same group that was eligible to partici-
18 pate in the member's election under subsection (2)(b).

19 Sec. 5. (1) During the first year of its existence, the
20 board of trustees shall hold 2 regular meetings per month. After
21 the first year, the board of trustees shall hold 1 regular meet-
22 ing per month.

23 (2) Not later than 30 days after appointing the board of
24 trustees, the governor shall schedule and call the initial meet-
25 ing of the board of trustees. At the initial meeting, the board
26 shall determine the schedule of the subsequent meetings. The
27 schedule of meetings shall be available to each parent during

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1 annual registration, and posted at the Michigan school for the
2 deaf website.

3 (3) The board of trustees shall post the agenda for each
4 meeting at the Michigan school for the deaf website no later than
5 7 days before the meeting. The board of trustees shall post the
6 minutes of each meeting at the Michigan school for the deaf web-
7 site no later than 2 days after each meeting.

8 (4) A quorum at a regular meeting of the board of trustees
9 consists of 4 voting members of the board. A majority of that
10 quorum shall decide any questions that may come before the
11 meeting. If at any meeting less than a quorum is present, the
12 trustees present or a majority of them may adjourn the meeting to
13 another time or place.

14 (5) The business that the board of trustees, or a committee
15 of the board, may perform shall be conducted at a public meeting
16 held in compliance with the open meetings act, 1976 PA 267,
17 MCL 15.261 to 15.275.

18 (6) A writing prepared, owned, used, in the possession of,
19 or retained by the board of trustees in the performance of an
20 official function is subject to the freedom of information act,
21 1976 PA 442, MCL 15.231 to 15.246.

22 (7) Members of the board of trustees shall serve without
23 compensation. However, members of the board of trustees may be
24 reimbursed for travel to and from board meetings and committee
25 meetings and for their actual and necessary expenses incurred in
26 the performance of their official duties as members of the board
27 of trustees.

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1 (8) The board of trustees of the Michigan school for the
2 deaf shall do all of the following:

3 (a) Provide oversight and make recommendations concerning
4 the affairs of the Michigan school for the deaf in accordance
5 with this act and other applicable law. This includes matters
6 concerning the coordination, control, and operation of the
7 Michigan school for the deaf.

8 (b) Keep the state board and superintendent of public
9 instruction fully informed as to the educational programs and
10 administrative policies of the Michigan school for the deaf.

11 (c) Adopt and follow bylaws and procedures for board func-
12 tions, including, but not limited to, procedures for conducting
13 board meetings and procedures for the election of nonvoting mem-
14 bers under section 3(2)(b) and the removal of nonvoting members
15 under section 3(9).

16 (d) Carry out its other duties as prescribed by this act and
17 other applicable law.

18 Sec. 7. (1) The officers of the board of trustees shall
19 consist of a chairperson and a vice-chairperson, each of whom
20 shall be elected from among the voting members of the board of
21 trustees for a term of 1 year, unless sooner removed by the board
22 of trustees, and each of whom shall hold office until his or her
23 successor is elected and qualified. The board of trustees shall
24 elect its officers at its first regular meeting after June 30 of
25 each year. If any office becomes vacant during the year, the
26 board of trustees shall elect a replacement for the unexpired
27 term.

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- 1 (2) The chairperson shall do all of the following:
- 2 (a) Preside at all meetings of the board of trustees.
- 3 (b) Execute all contracts as required on authority of and in
- 4 the name of the board of trustees.
- 5 (c) Transmit an annual report to the governor, the state
- 6 board, and the superintendent of public instruction.
- 7 (d) Appoint the members of, and serve as an ex officio
- 8 voting member of, all committees of the board of trustees.
- 9 (e) Exercise other duties and powers as directed by the
- 10 board of trustees.
- 11 (3) In the absence, disqualification, or disability of the
- 12 chairperson, or at the direction of the chairperson, the
- 13 vice-chairperson shall exercise a function of the chairperson.
- 14 The vice-chairperson shall exercise other duties and powers
- 15 assigned by the chairperson.
- 16 (4) The chief administrative officer of the Michigan school
- 17 for the deaf shall serve as executive secretary to the board of
- 18 trustees. He or she shall have custody of and maintain all of
- 19 the records of the board of trustees, shall record the minutes of
- 20 all meetings of the board of trustees, and shall send notices of
- 21 all meetings to the members of the board of trustees and to the
- 22 state board and superintendent of public instruction.
- 23 (5) An officer of the board of trustees may be removed from
- 24 office for malfeasance in office or conduct prejudicial to the
- 25 school's interest by a vote of not less than 2/3 of the voting
- 26 membership of the board of trustees occurring at a regular or
- 27 special meeting of the board. However, before an officer may be

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1 removed, the officer shall be given not less than 10 days' notice
2 in writing of the charges to be preferred against him or her and
3 shall be given an opportunity to respond to the charges before
4 the board.

5 Sec. 9. A voting member of the board of trustees of the
6 Michigan school for the deaf is subject to 1968 PA 317,
7 MCL 15.321 to 15.330.

8 Sec. 11. (1) The board of trustees shall establish
9 committees. Except for the executive committee, at the discre-
10 tion of the committee chair, an individual who is not a board
11 member may be invited to serve as a member of any committee. The
12 committees and their duties shall be as provided in this
13 section.

14 (2) The executive committee shall do all of the following:

15 (a) Act for the board of trustees on all matters delegated
16 to it by the board.

17 (b) Review and be familiar with all policies of the board
18 and react to all matters relating to policy that require action
19 by the board.

20 (c) Advise and counsel the administration of the Michigan
21 school for the deaf.

22 (d) Be advised of and stay familiar with all matters of
23 major business pending before the board.

24 (e) Participate in conferences and other activities consid-
25 ered necessary for conducting the business of the board.

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1 (f) Study and periodically review relations with the state
2 board, superintendent of public instruction, and other state
3 agencies.

4 (g) Review and stay fully apprised of proposed legislation
5 directly or indirectly affecting the Michigan school for the
6 deaf.

7 (h) Stay fully informed concerning legal action in which the
8 board may be involved.

9 (i) Develop and take appropriate steps for providing input
10 and recommendations concerning selection of a new administrative
11 or academic officer when a vacancy occurs.

12 (j) Review and stay aware of procedures followed for select-
13 ing other key personnel employed at the Michigan school for the
14 deaf.

15 (k) At its discretion, hire an independent auditor.

16 (l) Perform other duties delegated by the board.

17 (3) The budget and finance committee shall do all of the
18 following:

19 (a) Review and stay fully familiar with all proposed legis-
20 lative and operating budgets under the supervision of the board.

21 (b) Review all justifications presented for proposed budget
22 expansions.

23 (c) Study and stay familiar with audits of the Michigan
24 school for the deaf by state auditors and corrective measures
25 taken to improve fiscal practices and procedures at the Michigan
26 school for the deaf.

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1 (d) Periodically review scholarships and out-of-state aids.

2 (e) Stay fully informed concerning support services as to
3 services rendered, financial position, and the need for the sup-
4 port services in the Michigan school for the deaf and review pro-
5 posals for more effective operations of these support
6 activities.

7 (f) Stay fully informed regarding all trust funds, grants,
8 gifts, and financial benefits accruing to the board and the
9 Michigan school for the deaf, and study possible ways for improv-
10 ing investments of funds.

11 (g) Review and stay fully familiar with all requests for
12 purchase of operating capital outlay items considered essential
13 for the efficient operation of the instructional and other pro-
14 grams at the Michigan school for the deaf.

15 (h) Monitor budgetary changes and approaches recommended by
16 the administration.

17 (i) Perform other duties delegated by the board.

18 (4) The buildings, grounds, and capital outlay committee
19 shall do all of the following:

20 (a) Review and stay fully familiar with all major plans for
21 construction at the Michigan school for the deaf under the
22 authority of the board.

23 (b) Review and stay familiar with all proposals for land and
24 building purchases, rentals, and sales.

25 (c) Monitor advance campus planning and the need for capital
26 outlay projections.

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1 (d) Review and stay familiar with enrollment trends and
2 other studies having an impact upon decisions concerning capital
3 outlay needs of the Michigan school for the deaf.

4 (e) Review and recommend priorities of capital outlay
5 projects.

6 (f) Review and recommend requests made of the legislature.

7 (g) Monitor the use and function of each building at the
8 Michigan school for the deaf.

9 (h) Perform other duties delegated by the board.

10 (5) The program and curriculum committee shall do all of the
11 following:

12 (a) Monitor the program objectives of the Michigan school
13 for the deaf and recommend any changes that might be necessary or
14 desirable.

15 (b) Review and be familiar with the role and function of
16 each department of the Michigan school for the deaf and recommend
17 any changes that might be necessary or desirable.

18 (c) Consider and make recommendations concerning proposals
19 for new programs at the Michigan school for the deaf.

20 (d) Make recommendations as necessary to prevent unnecessary
21 duplication of programs.

22 (e) Review admissions policies and recommend proposed
23 changes in admission requirements.

24 (f) Monitor and make recommendations on the development and
25 any subsequent revisions of any curriculum to be used at the
26 Michigan school for the deaf according to the following
27 guidelines:

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1 (i) All curriculum and supplementary materials should align
2 with best practices.

3 (ii) All curriculum and supplementary materials should align
4 with current methodology, supported by empirical research.

5 (iii) The curriculum should be aligned to provide students
6 with the opportunity to achieve state endorsements.

7 (g) Monitor research activities and the relation of research
8 to instruction at the Michigan school for the deaf.

9 (h) Perform other duties delegated by the board.

10 (6) The public relations committee shall do all of the
11 following:

12 (a) Create and oversee the implementation of a policy of
13 full communication with and among parents and staff.

14 (b) Create and maintain a monthly newsletter for parents and
15 staff. This newsletter shall also be posted at the Michigan
16 school for the deaf website.

17 (c) Monitor and make recommendations on the creation of an
18 official Michigan school for the deaf student handbook and an
19 official Michigan school for the deaf policy and procedure
20 handbook. These handbooks shall be posted at the Michigan school
21 for the deaf website.

22 (d) Develop a marketing program for contacting parents of
23 deaf students to inform them about the opportunities at, programs
24 available at, and admission procedures for the Michigan school
25 for the deaf.

26 (e) At the discretion of the committee and with the approval
27 of the board, contract with a marketing firm.

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1 (f) Perform other duties delegated by the board.

2 Sec. 13. The board of trustees shall establish a school
3 advisory council to serve in an advisory capacity to the board of
4 trustees and the Michigan school for the deaf administration.
5 Membership of the advisory council shall include representatives
6 from every segment of the Michigan school for the deaf, includ-
7 ing, but not limited to, parents, students, residential care
8 aides, maintenance workers, other aides, health center personnel,
9 faculty, related services personnel, ancillary services person-
10 nel, interpreters, and administrative support. The council shall
11 meet at least once per month and report to the board of trustees
12 monthly.

13 Sec. 15. (1) When there is a vacancy in a position consti-
14 tuting the chief administrative or academic officer of the
15 Michigan school for the deaf, the board of trustees shall monitor
16 the appointment process and make recommendations to the state
17 board and superintendent of public instruction concerning the
18 candidates for the position.

19 (2) In making recommendations under subsection (1), the
20 board of trustees shall consider whether a candidate meets all of
21 the following:

22 (a) Has a valid teaching certificate with an endorsement as
23 a teacher of the hearing impaired, pursuant to the requirements
24 of article 3 of the revised school code, 1976 PA 451,
25 MCL 380.1701 to 380.1766, and special education rules promulgated
26 under that act.

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1 (b) Meets the requirements for a school administrator under
2 section 1246 of the revised school code, 1976 PA 451,
3 MCL 380.1246.

4 (c) Has achieved a rating of superior on the sign communica-
5 tion proficiency interview.

6 Sec. 19. 1893 PA 116, MCL 393.51 to 393.69, is repealed.