

**SUBSTITUTE FOR  
SENATE BILL NO. 269**

A bill to make appropriations for the department of education and certain other purposes relating to education for the fiscal year ending September 30, 2006; 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:**

**1** **PART 1**

**2** **LINE-ITEM APPROPRIATIONS**

**3** Sec. 101. Subject to the conditions set forth in this act, the  
**4** amounts listed in this part are appropriated for the department of  
**5** education for the fiscal year ending September 30, 2006, from the

## Senate Bill No. 269 as amended June 15, 2005

funds indicated in this part. The following is a summary of the appropriations in this part:

**DEPARTMENT OF EDUCATION**

## APPROPRIATION SUMMARY:

Full-time equated unclassified positions.....	6.0	
Full-time equated classified positions.....	<<417.5>>	
GROSS APPROPRIATION.....		\$<<117,025,940>>
ADJUSTED GROSS APPROPRIATION.....		<<117,025,940>>
Federal revenues:		
Total federal revenues.....		70,519,400
Special revenue funds:		
Local cost sharing (schools for blind/deaf) .....		5,151,100
Local school district service fees .....		292,900
Total local revenues .....		5,444,000
Gifts, bequests, and donations .....		504,900
Private foundations .....		<<1,393,700>>
Total private revenues .....		<<1,898,600>>
Total local and private revenues .....		<<7,342,600>>
Certification fees .....		4,314,400
Commodity distribution fees .....		75,100
Lansing, Michigan school for the blind rent .....		1,811,100
Michigan merit award trust fund .....		16,359,300
Student insurance revenue .....		214,600
Teacher testing fees .....		313,700
Tenant rent .....		150,000
Training and orientation workshop fees .....		100,000
Total other state restricted revenues .....		23,338,200

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1	State general fund/general purpose .....	\$	<<15,825,740>>
2	<b>Sec. 102. STATE BOARD OF EDUCATION/ OFFICE OF THE</b>		
3	<b>SUPERINTENDENT</b>		
4	Full-time equated unclassified positions.....	6.0	
5	Full-time equated classified positions.....	16.0	
6	State board of education, per diem payments .....	\$	24,400
7	Unclassified positions--6.0 FTE positions .....		515,600
8	State board/superintendent operations--16.0 FTE		
9	positions .....		<u>2,793,500</u>
10	GROSS APPROPRIATION .....	\$	3,333,500
11	Appropriated from:		
12	Federal revenues:		
13	Federal revenues .....		1,816,900
14	Special revenue funds:		
15	Certification fees .....		184,100
16	Private foundations .....		24,500
17	State general fund/general purpose .....	\$	1,308,000
18	<b>Sec. 103. CENTRAL SUPPORT</b>		
19	Full-time equated classified positions.....	27.0	
20	Central support--27.0 FTE positions .....	\$	3,499,700
21	Worker's compensation .....		45,000
22	Building occupancy charges - property management		
23	services .....		1,532,400
24	Human resources optimization user charges .....		29,500
25	Training and orientation workshops .....		100,000
26	Tenant rent .....		150,000
27	Terminal leave payments .....		<u>620,400</u>

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1	GROSS APPROPRIATION .....	\$	5,977,000
2	Appropriated from:		
3	Federal revenues:		
4	Federal revenues .....		3,639,400
5	Special revenue funds:		
6	Certification fees .....		284,100
7	Commodity distribution fees .....		7,000
8	Local cost sharing (schools for blind/deaf) .....		93,400
9	Teacher testing fees .....		14,100
10	Tenant rent .....		150,000
11	Training and orientation workshop fees .....		100,000
12	State general fund/general purpose .....	\$	1,689,000
13	<b>Sec. 104. INFORMATION TECHNOLOGY SERVICES</b>		
14	Information technology operations .....	\$	<<2,560,840>>
15	GROSS APPROPRIATION .....	\$	<<2,560,840>>
16	Appropriated from:		
17	Federal revenues:		
18	Federal revenues .....		1,551,500
19	Special revenue funds:		
20	Certification fees .....		183,400
21	Local cost sharing (schools for blind/deaf) .....		48,800
22	State general fund/general purpose .....	\$	<<777,140>>
23	<b>Sec. 105. SPECIAL EDUCATION SERVICES</b>		
24	Full-time equated classified positions ..... 52.0		
25	Special education operations--52.0 FTE positions .....	\$	<u>11,279,200</u>
26	GROSS APPROPRIATION .....	\$	11,279,200
27	Appropriated from:		

1	Federal revenues:		
2	Federal revenues .....		10,923,300
3	Special revenue funds:		
4	Certification fees .....		37,500
5	Private foundations .....		102,300
6	State general fund/general purpose .....	\$	216,100
7	<b>Sec. 106. LANSING, MICHIGAN SCHOOL FOR THE BLIND</b>		
8	<b>FORMER SITE</b>		
9	General services .....	\$	<u>1,821,100</u>
10	GROSS APPROPRIATION .....	\$	1,821,100
11	Appropriated from:		
12	Special revenue funds:		
13	Gifts, bequests, and donations .....		10,000
14	Lansing, Michigan school for the blind rent .....		1,811,100
15	State general fund/general purpose .....	\$	0
16	<b>Sec. 107. MICHIGAN SCHOOLS FOR THE DEAF AND BLIND</b>		
17	Full-time equated classified positions .....		88.0
18	Michigan schools for the deaf and blind		
19	operations--87.0 FTE positions .....	\$	10,641,600
20	Summer institute .....		90,000
21	Camp Tuhsmeheeta--1.0 FTE position .....		250,100
22	Private gifts - blind .....		90,000
23	Private gifts - deaf .....		<u>50,000</u>
24	GROSS APPROPRIATION .....	\$	11,121,700
25	Appropriated from:		
26	Federal revenues:		
27	Federal revenues .....		5,120,800

1	Special revenue funds:		
2	Local cost sharing (schools for blind/deaf) .....		5,008,900
3	Local school district service fees .....		282,500
4	Gifts, bequests, and donations .....		494,900
5	Student insurance revenue .....		214,600
6	State general fund/general purpose .....	\$	0
7	<b>Sec. 108. PROFESSIONAL PREPARATION SERVICES</b>		
8	Full-time equated classified positions .....	31.0	
9	Professional preparation operations--31.0 FTE		
10	positions .....	\$	5,467,800
11	Department of attorney general .....		<u>50,000</u>
12	GROSS APPROPRIATION .....	\$	5,517,800
13	Appropriated from:		
14	Federal revenues:		
15	Federal revenues .....		2,658,600
16	Special revenue funds:		
17	Certification fees .....		2,559,600
18	Teacher testing fees .....		299,600
19	State general fund/general purpose .....	\$	0
20	<b>Sec. 109. EARLY CHILDHOOD EDUCATION AND FAMILY</b>		
21	<b>SERVICES</b>		
22	Full-time equated classified positions .....	23.0	
23	Early childhood education and family services		
24	operations--23.0 FTE positions .....	\$	<u>4,044,100</u>
25	GROSS APPROPRIATION .....	\$	4,044,100
26	Appropriated from:		
27	Federal revenues:		

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1	Federal revenues .....		2,863,400
2	Special revenue funds:		
3	Certification fees .....		56,500
4	Private foundations .....		184,800
5	State general fund/general purpose .....	\$	939,400
6	<b>Sec. 110. SCHOOL IMPROVEMENT SERVICES</b>		
7	Full-time equated classified positions .....	74.0	
8	School improvement operations--74.0 FTE positions ....	\$	<<16,011,900>>
9	GROSS APPROPRIATION .....	\$	<<16,011,900>>
10	Appropriated from:		
11	Federal revenues:		
12	Federal revenues .....		14,335,700
13	Special revenue funds:		
14	Certification fees .....		518,900
15	Private foundations .....		<<1,082,100>>
16	State general fund/general purpose .....	\$	75,200
17	<b>Sec. 111. SCHOOL FINANCE AND SCHOOL LAW SERVICES</b>		
18	Full-time equated classified positions .....	<<20.0>>	
19	School finance and school law operations--<<20.0>> FTE		
20	positions .....	\$	<u>2,595,400</u>
21	GROSS APPROPRIATION .....	\$	2,595,400
22	Appropriated from:		
23	Federal revenues:		
24	Federal revenues .....		1,323,200
25	Special revenue funds:		
26	Certification fees .....		490,300
27	State general fund/general purpose .....	\$	781,900

1	<b>Sec. 112. EDUCATIONAL ASSESSMENT AND ACCOUNTABILITY</b>		
2	Full-time equated classified positions.....	27.0	
3	Educational assessment operations--27.0 FTE positions	\$	<u>35,196,600</u>
4	GROSS APPROPRIATION.....	\$	35,196,600
5	Appropriated from:		
6	Federal revenues:		
7	Federal revenues.....		18,837,300
8	Special revenue funds:		
9	Merit award trust fund.....		16,359,300
10	State general fund/general purpose.....	\$	0
11	<b>Sec. 113. GRANTS ADMINISTRATION AND SCHOOL SUPPORT</b>		
12	<b>SERVICES</b>		
13	Full-time equated classified positions.....	59.5	
14	Grants administration and school support services		
15	operations--59.5 FTE positions.....	\$	<u>7,941,800</u>
16	GROSS APPROPRIATION.....	\$	7,941,800
17	Appropriated from:		
18	Federal revenues:		
19	Federal revenues.....		7,449,300
20	Special revenue funds:		
21	Commodity distribution fees.....		68,100
22	Local school district service fees.....		10,400
23	State general fund/general purpose.....	\$	414,000
24	<b>Sec. 114. GRANTS AND DISTRIBUTIONS</b>		
25	STATE PROGRAMS:		
26	School breakfast programs.....	\$	<u>9,625,000</u>
27	GROSS APPROPRIATION.....	\$	9,625,000



1 Appropriated from:

2 State general fund/general purpose ..... \$ 9,625,000

3 PART 2

4 PROVISIONS CONCERNING APPROPRIATIONS

5 GENERAL SECTIONS

6 Sec. 201. Pursuant to section 30 of article IX of the state  
 7 constitution of 1963, total state spending from state resources  
 8 under part 1 for fiscal year 2005-2006 is \$39,179,800.00 and state  
 9 spending from state resources to be paid to local units of  
 10 government for fiscal year 2005-2006 is estimated at \$9,625,000.00.  
 11 The itemized statement below identifies appropriations from which  
 12 spending to units of local government will occur:

13 GRANTS AND DISTRIBUTIONS

14 STATE PROGRAMS:

15 School lunch and breakfast ..... \$ 9,625,000

16 TOTAL..... \$ 9,625,000

17 Sec. 202. The appropriations authorized under this act are  
 18 subject to the management and budget act, 1984 PA 431, MCL 18.1101  
 19 to 18.1594.

20 Sec. 203. As used in this act:

21 (a) "Department" means the Michigan department of education.

22 (b) "District" means a local school district as defined in  
 23 section 6 of the revised school code, 1976 PA 451, MCL 380.6,  
 24 or a local act school district or public school academy as defined  
 25 in section 5 of the revised school code, 1976 PA 451, MCL 380.5.

1 (c) "FTE" means full-time equated.

2 (d) "ISD" means intermediate school district.

3 Sec. 204. The department of civil service shall bill  
4 departments and agencies at the end of the first fiscal quarter for  
5 the 1% charge authorized by section 5 of article XI of the state  
6 constitution of 1963. Payments shall be made for the total amount  
7 of the billing by the end of the second fiscal quarter.

8 Sec. 205. Unless otherwise specified, the department shall use  
9 the Internet to fulfill the reporting requirements of this act.  
10 This requirement may include transmission of reports via electronic  
11 mail to the recipients identified for each reporting requirement,  
12 or it may include placement of reports on an Internet or Intranet  
13 site.

14 Sec. 206. The department shall provide the state budget  
15 director and the senate and house fiscal agencies with copies of  
16 the state board of education agenda and all supporting documents at  
17 the time the agenda and supporting documents are provided to state  
18 board of education members.

19 Sec. 207. (1) Upon receipt of the federal drug free grant, the  
20 department shall allocate \$225,000.00 of the grant to the safe  
21 school program within the department. The safe school program shall  
22 work with local school boards, parents of enrolled students, law  
23 enforcement agencies, community leaders, and the office of drug  
24 control policy for the prevention of school violence. The safe  
25 school program shall develop and implement, and serve as  
26 coordinator of, a statewide clearinghouse for information, program  
27 development, model programs and policies, and technical assistance

1 on school violence prevention.

2 (2) To accomplish its functions under this section, the safe  
3 school program shall do all of the following:

4 (a) Coordinate with the office of drug control policy in the  
5 department of community health to ensure that there is a meaningful  
6 linkage between the efforts under this act to provide safe schools  
7 and the initiatives undertaken through that office, including, but  
8 not limited to, school districts' safe and drug-free school plans,  
9 and to facilitate timely applications for and distribution of  
10 available grant money.

11 (b) Provide through the Internet the availability to and  
12 information regarding the state model policy on locker searches,  
13 the state model policy on firearm safety and awareness, and any  
14 other state or local safety policies that the office considers  
15 exemplary.

16 (c) Advance, promote, and encourage the awareness and use of  
17 the state police antiviolence hotline.

18 Sec. 208. The department shall require all public school  
19 districts to maintain complete records within the personnel file of  
20 a teacher or school employee of any disciplinary actions taken by  
21 the local school board against the teacher or employee for sexual  
22 misconduct. The records shall not be destroyed or removed from the  
23 teacher's or employee's personnel file except as required by a  
24 court order.

25 Sec. 209. From the funds appropriated in part 1 for  
26 information technology, departments and agencies shall pay user  
27 fees to the department of information technology for technology-

1 related services and projects. Such user fees shall be subject to  
2 provisions of an interagency agreement between the departments and  
3 agencies and the department of information technology.

4       Sec. 210. Amounts appropriated in part 1 for information  
5 technology may be designated as work projects and carried forward  
6 to support technology projects under the direction of the  
7 department of information technology. Funds designated in this  
8 manner are not available for expenditure until approved as work  
9 projects under section 451a of the management and budget act, 1984  
10 PA 431, MCL 18.1451a.

11       Sec. 211. Before publishing a list of schools or districts  
12 determined to have failed to make adequate yearly progress as  
13 required by the federal no child left behind act of 2001, Public  
14 Law 107-110, 115 Stat. 1425, the department shall allow a school or  
15 district to appeal that determination. The department shall  
16 consider and act upon the appeal within 30 days after it is  
17 submitted and shall not publish the list until after all appeals  
18 have been considered and decided.

19       Sec. 212. Funds appropriated in part 1 shall not be used for  
20 the purchase of foreign goods or services, or both, if  
21 competitively priced and comparable quality American goods or  
22 services, or both, are available. Preference should be given to  
23 goods or services, or both, manufactured or provided by Michigan  
24 businesses if they are competitively priced and of comparable  
25 quality.

26       Sec. 213. (1) A hiring freeze is imposed on the state  
27 classified civil service. State departments and agencies are

1 prohibited from hiring any new full-time state classified civil  
2 service employees and prohibited from filling any vacant state  
3 classified civil service positions. This hiring freeze does not  
4 apply to internal transfers of classified employees from 1 position  
5 to another within a department.

6 (2) The state budget director may grant exceptions to this  
7 hiring freeze when the state budget director believes that the  
8 hiring freeze will result in rendering a state department or agency  
9 unable to deliver basic services, cause loss of revenue to the  
10 state, result in the inability of the state to receive federal  
11 funds, or necessitate additional expenditures that exceed any  
12 savings from maintaining a vacancy. The state budget director shall  
13 report quarterly to the chairpersons of the senate and house of  
14 representatives standing committees on appropriations the number of  
15 exceptions to the hiring freeze approved during the previous  
16 quarter and the reasons to justify the exception.

17 Sec. 214. (1) Due to the current budgetary problems in this  
18 state, out-of-state travel for the fiscal year ending September 30,  
19 2006 shall be limited to situations in which 1 or more of the  
20 following conditions apply:

21 (a) The travel is required by legal mandate or court order or  
22 for law enforcement purposes.

23 (b) The travel is necessary to protect the health or safety of  
24 Michigan citizens or visitors or to assist other states in similar  
25 circumstances.

26 (c) The travel is necessary to produce budgetary savings or to  
27 increase state revenues, including protecting existing federal

1 funds or securing additional federal funds.

2 (d) The travel is necessary to comply with federal  
3 requirements.

4 (e) The travel is necessary to secure specialized training for  
5 staff that is not available within this state.

6 (f) The travel is financed entirely by federal or nonstate  
7 funds.

8 (2) If out-of-state travel is necessary but does not meet 1 or  
9 more of the conditions in subsection (1), the state budget director  
10 may grant an exception to allow the travel. Any exceptions granted  
11 by the state budget director shall be reported on a monthly basis  
12 to the house and senate appropriations committees.

13 (3) Not later than January 1 of each year, each department  
14 shall prepare a travel report listing all travel by classified and  
15 unclassified employees outside this state in the immediately  
16 preceding fiscal year that was funded in whole or in part with  
17 funds appropriated in the department's budget. The report shall be  
18 submitted to the chairs and members of the house and senate  
19 appropriations committees, the fiscal agencies, and the state  
20 budget director. The report shall include the following  
21 information:

22 (a) The name of each person receiving reimbursement for travel  
23 outside this state or whose travel costs were paid by this state.

24 (b) The destination of each travel occurrence.

25 (c) The dates of each travel occurrence.

26 (d) A brief statement of the reason for each travel  
27 occurrence.

1 (e) The transportation and related costs of each travel  
2 occurrence, including the proportion funded with state general  
3 fund/general purpose revenues, the proportion funded with state  
4 restricted revenues, the proportion funded with federal revenues,  
5 and the proportion funded with other revenues.

6 (f) A total of all out-of-state travel funded for the  
7 immediately preceding fiscal year.

8 Sec. 215. The department shall not take disciplinary action  
9 against an employee for communicating with a member of the  
10 legislature or his or her staff.

11 Sec. 216. The director shall take all reasonable steps to  
12 ensure businesses in deprived and depressed communities compete for  
13 and perform contracts to provide services or supplies, or both.  
14 Each director shall strongly encourage firms with which the  
15 department contracts to subcontract with certified businesses in  
16 depressed and deprived communities for services, supplies, or both.

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

18 Sec. 301. (1) The appropriations in part 1 may be used for per  
19 diem payments to the state board for meetings at which a quorum is  
20 present or for performing official business authorized by the state  
21 board. The per diem payments shall be at a rate as follows:

22 (a) State board of education - president - \$110.00 per day.

23 (b) State board of education - member other than president -  
24 \$100.00 per day.

25 (2) A state board of education member shall not be paid a per  
26 diem for more than 30 days per year.

1           (3) The administrative secretary of the state board of  
2 education shall report to the public, the senate and house fiscal  
3 agencies, and the state budget director the previous quarter's  
4 expenses by fund source for members of the state board of  
5 education.

6           Sec. 302. From the amount appropriated in part 1 to the state  
7 board of education, not more than \$35,000.00 shall be expended for  
8 in-state travel. No funds from the amount appropriated in part 1  
9 shall be expended for out-of-state travel.

#### 10    **MICHIGAN SCHOOLS FOR THE DEAF AND BLIND**

11           Sec. 401. The employees at the Michigan schools for the deaf  
12 and blind who work on a school year basis shall be considered  
13 annual employees for purposes of service credits, retirement, and  
14 insurance benefits.

15           Sec. 402. For each student enrolled at the Michigan schools  
16 for the deaf and blind, the department shall assess the  
17 intermediate school district of residence 100% of the cost of  
18 operating the student's instructional program. The amount shall  
19 exclude room and board related costs and the cost of weekend  
20 transportation between the school and the student's home.

21           Sec. 403. (1) The department may assess rent to any state  
22 agency for the use of any facility at the Michigan school for the  
23 blind's former site in Lansing. The rental rates and all leasing  
24 arrangements shall be subject to the approval of the department of  
25 management and budget.

26           (2) In addition to those funds appropriated in part 1, the



1 department may receive and expend additional funds from lease  
2 agreements at the Michigan school for the blind's former site in  
3 Lansing that have been negotiated with the approval of the  
4 department of management and budget. These funds are appropriated  
5 to the department for operation, maintenance, and renovation  
6 expenses associated with the leased space designated in the  
7 tenant's lease agreement.

8 (3) Security guards or other patrols at the Michigan school  
9 for the blind's former site shall not be funded through part 1  
10 funds appropriated for the Michigan schools for the deaf and blind.

11 (4) If the department leases real property to a person or  
12 organization that is not a department of state government, the  
13 department shall not expend funds in excess of the lease revenue  
14 received to replace, renovate, or repair that real property. This  
15 section shall not apply to emergency repairs or costs associated  
16 with technological renovations.

17 (5) The department shall not lease real property for less than  
18 fair market value.

19 (6) From the unexpended balances of appropriations for the  
20 former school for the blind site in Lansing, up to \$100,000.00 of  
21 any unexpended and unencumbered funds remaining on September 30,  
22 2006 may be carried forward as a work project and expended for  
23 special maintenance and repairs of facilities at the former  
24 Michigan school for the blind site in Lansing. The work project  
25 shall be performed by state employees or by contract when necessary  
26 at an estimated cost of \$100,000.00. The estimated completion date  
27 of the work project is September 30, 2007.

1       Sec. 404. (1) The department may assess rent or lease excess  
2 property located on the campus of the Michigan schools for the deaf  
3 and blind in Flint to private or publicly funded organizations.

4       (2) In addition to those funds appropriated in part 1, the  
5 department may receive and expend additional funds from lease  
6 agreements at the Michigan schools for the deaf and blind Flint  
7 campus that have been negotiated with the approval of the  
8 department of management and budget. These funds are appropriated  
9 to the department for the operation, maintenance, and renovation  
10 expenses associated with the leased space.

11       (3) From the unexpended balances of appropriations for the  
12 schools for the deaf and blind operations, up to \$250,000.00 of any  
13 unexpended and unencumbered funds remaining on September 30, 2006  
14 may be carried forward as a work project and expended for special  
15 maintenance and repairs of facilities at the campus of the Michigan  
16 schools for the deaf and blind in Flint. The work shall be carried  
17 out by state employees, or by contract as necessary, at an  
18 estimated cost of \$250,000.00. The estimated completion date of the  
19 work is September 30, 2007.

20       Sec. 407. The department may assist the department of  
21 community health, other departments, and local school districts to  
22 secure reimbursement for eligible services provided in Michigan  
23 schools from the federal Medicaid program. The department may  
24 submit reports of direct expenses related to this effort to the  
25 department of community health for reimbursement.

26       Sec. 408. (1) The Michigan schools for the deaf and blind may  
27 promote its residential program as a possible appropriate option

1 for children who are deaf or hard of hearing or who are blind or  
2 visually impaired. The Michigan schools for the deaf and blind  
3 shall distribute information detailing its services to all  
4 intermediate school districts in the state.

5 (2) Upon knowledge of or recognition by an intermediate school  
6 district that a child in the district is deaf or hard of hearing or  
7 blind or visually impaired, the intermediate school district shall  
8 provide to the parents of the child the literature distributed by  
9 the Michigan schools for the deaf and blind to intermediate school  
10 districts under subsection (1).

11 (3) Parents should continue to have a choice regarding the  
12 educational placement of their deaf or hard of hearing children.

13 Sec. 409. In addition to those funds appropriated in part 1,  
14 the department may receive and expend funds from the mid-Michigan  
15 leadership academy for capital improvements. The department shall  
16 report to the house and senate fiscal agencies and the state budget  
17 office on an annual basis any expenditures made under this section.  
18 These additional funds are appropriated specifically for capital  
19 improvements authorized by the department of management and budget  
20 and shall be negotiated as part of the lease agreement.

21 Sec. 410. The department shall report annually to the house  
22 and senate appropriations subcommittees on education detailed  
23 information on the expenditures made from the amount authorized in  
24 part 1 for general services for the Michigan school for the blind's  
25 former site.

26 **PROFESSIONAL PREPARATION SERVICES**

1       Sec. 501. From the funds appropriated in part 1 for  
2 professional preparation services, the department shall maintain  
3 the professional personnel register and certificate  
4 revocation/felony conviction files.

5       Sec. 502. The department shall authorize teacher preparation  
6 institutions to provide an alternative program by which up to 1/2  
7 of the required student internship or student teaching credits may  
8 be earned through substitute teaching. The department shall require  
9 that teacher preparation institutions collaborate with school  
10 districts to ensure that the quality of instruction provided to  
11 student teachers is comparable to that required in a traditional  
12 student teaching program.

### 13   OFFICE OF SCHOOL IMPROVEMENT

14       Sec. 601. From the amount appropriated in part 1 for the  
15 office of school improvement, there is allocated \$350,000.00 and  
16 3.5 FTE positions to operate a charter school office to administer  
17 charter school legislation and associated regulations, and to  
18 coordinate the activities of the department relating to charter  
19 schools.

### 20   GRANTS AND DISTRIBUTIONS

21       Sec. 701. The department shall disburse the funds to a general  
22 fund grantee in accordance with the same standards of timing and  
23 amount that apply to disbursements made by the department to a  
24 federal fund grantee. The disbursement shall be restricted to the  
25 minimum amount needed for immediate disbursement by the grantee.

1 The department may waive this section if extenuating circumstances  
2 warrant and are substantiated in the grantee's application or other  
3 appropriate documentation. A waiver granted pursuant to this  
4 section shall not be effective until 15 days after written notice  
5 of the proposed waiver is given to the state budget director and  
6 the chairpersons of the senate and house appropriations  
7 subcommittees having jurisdiction over the department budget.

8 Sec. 702. The funds appropriated in part 1 for school  
9 breakfast programs shall be made available to all eligible  
10 applicant public school districts as follows:

11 (a) The public school district participates in the federal  
12 school breakfast program and meets all standards as prescribed by 7  
13 CFR parts 220 and 245.

14 (b) Payment is made for each breakfast served meeting  
15 standards prescribed in subdivision (a).

16 (c) The payment for a public school district is at a per meal  
17 rate equal to the lesser of the district's actual cost, or 100% of  
18 the cost of a breakfast served by an efficiently operated breakfast  
19 program as determined by the department, less federal  
20 reimbursement, participant payments, and other state reimbursement.  
21 Determination of efficient cost by the department shall be  
22 determined by using a statistical sampling of statewide and  
23 regional cost as reported in a manner approved by the department  
24 for the preceding school year.

25 (d) The payment determined under subdivision (c) is prorated  
26 if the appropriation in part 1 is not sufficient to fund all  
27 payments determined under this section.

1     **INFORMATION TECHNOLOGY**

2           Sec. 801. The department shall work in collaboration with the  
3 center for educational performance and information to support the  
4 comprehensive educational information system and all data  
5 collection efforts of the department.

6     **EDUCATIONAL ASSESSMENT**

7           Sec. 901. (1) From the funds appropriated in part 1 for the  
8 educational assessment operations, the department shall provide  
9 tests to nonpublic schools and home-schooled students upon request.  
10 The department shall notify nonpublic schools that they are  
11 eligible to receive the tests.

12          (2) The results of each test administered as part of the  
13 Michigan educational assessment program, including tests  
14 administered to high school students, shall include an item  
15 analysis that lists all items that are counted for individual  
16 student scores and the percentage of students choosing each  
17 possible response.