

HOUSE BILL No. 5268

January 30, 2014, Introduced by Reps. Lipton, Dillon, Schor, Rutledge, Lamonte, Abed, Kivela, Faris, Dianda, Switalski, Yanez, Brinks, Darany, Geiss, Cochran, Knezek, Brown, Cavanagh, Hovey-Wright, Driskell, Slavens, Hobbs, McCann, Brunner, Smiley, Stallworth, Banks, Tlaib, Greimel, Roberts, Haugh, Durhal, Townsend and Oakes and referred to the Committee on Education.

A bill to amend 1976 PA 451, entitled
"The revised school code,"
by amending section 1280c (MCL 380.1280c), as amended by 2011 PA 8.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1280c. (1) Beginning in 2010, not later than September 1
2 of each year, the superintendent of public instruction shall
3 publish a list identifying the public schools in this state that
4 the department has determined to be among the lowest achieving 5%
5 of all public schools in this state, as defined for the purposes of
6 the federal incentive grant program created under sections 14005
7 and 14006 of title XIV of the American recovery and reinvestment
8 act of 2009, Public Law 111-5.

9 (2) ~~Except as otherwise provided in subsection (16), the~~ **THE**

1 DEPARTMENT SHALL ESTABLISH AND MAINTAIN A SCHOOL REFORM OFFICE TO
2 EXECUTE THE POWERS AND DUTIES ASSIGNED TO THE SCHOOL REFORM OFFICE
3 UNDER THIS SECTION. IF A PUBLIC SCHOOL IS INCLUDED ON THE LIST
4 UNDER SUBSECTION (1), THE superintendent of public instruction
5 shall issue an order placing each ~~public school that is included on~~
6 ~~the list under subsection (1)~~ THE PUBLIC SCHOOL under the
7 supervision of the ~~state school reform/redesign officer described~~
8 ~~in subsection (9). Within 90 days after a public school is placed~~
9 ~~under the supervision of the state school reform/redesign officer~~
10 ~~under this section, the school board or board of directors~~
11 ~~operating the public school shall submit a redesign plan to the~~
12 ~~state school reform/redesign officer. For a public school operated~~
13 ~~by a school board, the redesign plan shall be developed with input~~
14 ~~from the local teacher bargaining unit and the local~~
15 ~~superintendent. The redesign plan shall require implementation of 1~~
16 ~~of the 4 school intervention models that are provided for the~~
17 ~~lowest achieving schools under the federal incentive grant program~~
18 ~~created under sections 14005 and 14006 of title XIV of the American~~
19 ~~recovery and reinvestment act of 2009, Public Law 111-5, known as~~
20 ~~the "race to the top" grant program. These models are the~~
21 ~~turnaround model, restart model, school closure, and transformation~~
22 ~~model. The redesign plan shall include an executed addendum to each~~
23 ~~applicable collective bargaining agreement in effect for the public~~
24 ~~school that meets the requirements of subsection (8).~~ SCHOOL REFORM
25 OFFICE FOR THE IMPLEMENTATION OF THE TRANSFORMATION PROCESS UNDER
26 THIS SECTION.

27 ~~—— (3) Within 30 days after receipt of a redesign plan for a~~

~~public school under subsection (2), the state school reform/redesign officer shall issue an order approving, disapproving, or making changes to the redesign plan. If the order makes changes to the redesign plan, the school board or board of directors has 30 days after the order to change the redesign plan to incorporate those changes into the redesign plan and resubmit it to the state school reform/redesign officer for approval or disapproval.~~

~~—— (4) The state school reform/redesign officer shall not disapprove a redesign plan that includes all of the elements required under federal law for the school intervention model included in the redesign plan. A school board or board of directors may appeal disapproval of a redesign plan on this basis to the superintendent of public instruction. The decision of the superintendent of public instruction on the appeal is final.~~

~~—— (5) If the state school reform/redesign officer approves a redesign plan under this section, the school board or board of directors shall implement the redesign plan for the public school beginning with the beginning of the next school year that begins after the approval. The school board or board of directors shall regularly submit monitoring reports to the state school reform/redesign officer on the implementation and results of the plan in the form and manner, and according to a schedule, as determined by the state school reform/redesign officer.~~

~~—— (6) The state school reform/redesign school district is created. The state school reform/redesign school district is a school district for the purposes of section 11 of article IX of the~~

~~state constitution of 1963 and for receiving state school aid under the state school aid act of 1979 and is subject to the leadership and general supervision of the state board over all public education under section 3 of article VIII of the state constitution of 1963. The state school reform/redesign school district is a body corporate and is a governmental agency. Except as otherwise provided in subsection (7), if the state school reform/redesign officer does not approve the redesign plan, or if the state school reform/redesign officer determines that the redesign plan is not achieving satisfactory results, the state school reform/redesign officer shall issue an order placing the public school in the state school reform/redesign school district, imposing for the public school implementation of 1 of the 4 school intervention models described in subsection (2) beginning with the beginning of the next school year, and imposing an addendum to each applicable collective bargaining agreement in effect for the public school as necessary to implement the school intervention model and that meets the requirements of subsection (8). All of the following apply to the state school reform/redesign school district.~~

~~—— (a) The state school reform/redesign school district shall consist of schools that are placed in the state school reform/redesign school district.~~

~~—— (b) The state school reform/redesign officer shall act as the superintendent of the state school reform/redesign school district. With respect to schools placed in the state school reform/redesign school district, the state school reform/redesign officer has all of the powers and duties described in this section; all of the~~

~~provisions of this act that would otherwise apply to the school board that previously operated a school placed in the state school reform/redesign school district apply to the state school reform/redesign officer with respect to that school, except those relating to taxation or borrowing; except as otherwise provided in this section, the state school reform/redesign officer may exercise all the powers and duties otherwise vested by law in the school board that previously operated a school placed in the state school reform/redesign school district and in its officers, except those relating to taxation or borrowing, and may exercise all additional powers and duties provided under this section; and, except as otherwise provided in this section, the state school reform/redesign officer accedes to all the rights, duties, and obligations of the school board with respect to that school. These powers, rights, duties, and obligations include, but are not limited to, all of the following:~~

~~—— (i) Authority over the expenditure of all funds attributable to pupils at that school, including that portion of proceeds from bonded indebtedness and other funds dedicated to capital projects that would otherwise be apportioned to that school by the school board that previously operated the school according to the terms of the bond issue or financing documents.~~

~~—— (ii) Subject to subsection (8), rights and obligations under collective bargaining agreements and employment contracts entered into by the school board for employees at the school.~~

~~—— (iii) Rights to prosecute and defend litigation.~~

~~—— (iv) Rights and obligations under statute, rule, and common~~

1 law.

2 ~~—— (v) Authority to delegate any of the state school~~
3 ~~reform/redesign officer's powers and duties to 1 or more designees,~~
4 ~~with proper supervision by the state school reform/redesign~~
5 ~~officer.~~

6 ~~—— (vi) Power to terminate any contract or portion of a contract~~
7 ~~entered into by the school board that applies to that school.~~

8 ~~However, this subsection does not allow any termination or~~
9 ~~diminishment of obligations to pay debt service on legally~~
10 ~~authorized bonds and does not allow a collective bargaining~~
11 ~~agreement to be affected except as provided under subsection (8). A~~
12 ~~contract terminated by the state school reform/redesign officer~~
13 ~~under this subsection is void.~~

14 ~~—— (7) If the state school reform/redesign officer determines~~
15 ~~that better educational results are likely to be achieved by~~
16 ~~appointing a chief executive officer to take control of multiple~~
17 ~~public schools, the state school reform/redesign officer may make a~~
18 ~~recommendation to the superintendent of public instruction for~~
19 ~~appointment of a chief executive officer to take control over those~~
20 ~~multiple schools. If the superintendent of public instruction~~
21 ~~appoints a chief executive officer to take control of multiple~~
22 ~~public schools under this subsection, the chief executive officer~~
23 ~~shall impose for those public schools implementation of 1 of the 4~~
24 ~~school intervention models described in subsection (2) and impose~~
25 ~~an addendum to each applicable collective bargaining agreement in~~
26 ~~effect for those public schools as necessary to implement the~~
27 ~~school intervention model and that meets the requirements of~~

~~subsection (8). With respect to those public schools, the chief executive officer has all of the same powers and duties that the state school reform/redesign officer has for public schools placed in the state school reform/redesign school district under subsection (6). The chief executive officer shall regularly submit monitoring reports to the state school reform/redesign officer on the implementation and results of the intervention model in the form and manner, and according to a schedule, as determined by the state school reform/redesign officer. The chief executive officer shall exercise any other powers or duties over the public schools as may be directed by the superintendent of public instruction.~~

~~—— (8) An addendum to a collective bargaining agreement under this section shall provide for any of the following that are necessary for the applicable school intervention model to be implemented at each affected public school:~~

~~—— (a) That any contractual or other seniority system that would otherwise be applicable shall not apply at the public school. This subdivision does not allow unilateral changes in pay scales or benefits.~~

~~—— (b) That any contractual or other work rules that are impediments to implementing the redesign plan shall not apply at the public school. This subdivision does not allow unilateral changes in pay scales or benefits.~~

~~—— (c) That the state school reform/redesign officer shall direct the expenditure of all funds attributable to pupils at the public school and the principal or other school leader designated by the state school reform/redesign officer shall have full autonomy and~~

~~control over curriculum and discretionary spending at the public school.~~

~~—— (9) The superintendent of public instruction shall hire a state school reform/redesign officer to carry out the functions under this section and as otherwise prescribed by law. The state school reform/redesign officer shall be chosen solely on the basis of his or her competence and experience in educational reform and redesign. The state school reform/redesign officer is exempt from civil service. The state school reform/redesign officer is responsible directly to the superintendent of public instruction to ensure that the purposes of this section are carried out, and accordingly the position of state school reform/redesign officer should be a position within the department that is exempt from the classified state civil service. The department shall request that the civil service commission establish the position of state school reform/redesign officer as a position that is exempt from the classified state civil service.~~

~~—— (10) If the state school reform/redesign officer imposes the restart model for a public school in the state school reform/redesign school district, or a chief executive officer under subsection (7) imposes the restart model for multiple public schools under that subsection, all of the following apply:~~

~~—— (a) The state school reform/redesign officer or chief executive officer shall enter into an agreement with an educational management organization to manage and operate the public school or schools. The state school reform/redesign officer or chief executive officer shall provide sufficient oversight to ensure that~~

~~the public school or schools will be operated according to all of the requirements for a restart model.~~

~~—— (b) There shall be considered to be no collective bargaining agreement in effect that applies to employees working at the public school or schools under this model at the time of imposition of the model.~~

~~—— (11) If the state school reform/redesign officer imposes the turnaround model for a public school in the state school reform/redesign school district, or a chief executive officer under subsection (7) imposes the turnaround model for multiple public schools under that subsection, all of the following apply:~~

~~—— (a) A collective bargaining agreement that applies to employees working at the public school or schools under this model at the time of imposition of the model, and any successor collective bargaining agreement, continues to apply with respect to pay scales and benefits.~~

~~—— (b) Subject to any addendum to the collective bargaining agreement that applies to the public school or schools, an employee who is working at the public school or schools and who was previously employed in the same school district that previously operated that school shall continue to retain and accrue seniority rights in that school district according to the collective bargaining agreement that applies to employees of that school district.~~

~~—— (12) If more than 9 public schools operated by a school district are on the list under subsection (1), the transformation model may not be implemented for more than 50% of those schools.~~

~~———— (13) If the state school reform/redesign officer determines that a public school that is subject to the measures under subsection (6) or (7) has made significant improvement in pupil achievement and should be released from the measures that have been imposed under subsection (6) or (7), the state school reform/redesign officer may recommend this to the superintendent of public instruction. If the superintendent of public instruction agrees with the determination and recommendation, the superintendent of public instruction may release the public school from the measures that have been imposed under subsection (6) or (7).~~

(3) WITHIN 60 DAYS AFTER A PUBLIC SCHOOL IS PLACED UNDER THE SUPERVISION OF THE SCHOOL REFORM OFFICE FOR THE IMPLEMENTATION OF THE TRANSFORMATION PROCESS UNDER THIS SECTION, THE SCHOOL REFORM OFFICE SHALL CONTRACT WITH THE INTERMEDIATE SCHOOL DISTRICT IN WHICH THE PUBLIC SCHOOL IS LOCATED, OR WITH A CONSORTIUM DESCRIBED IN SUBSECTION (9) THAT INCLUDES THAT INTERMEDIATE SCHOOL DISTRICT, TO COMPLETE A COMPREHENSIVE SCHOOL AUDIT OF THE PUBLIC SCHOOL. THIS COMPREHENSIVE SCHOOL AUDIT SHALL BE ALIGNED WITH THE MICHIGAN SCHOOL IMPROVEMENT FRAMEWORK AND SHALL INCLUDE AT LEAST ALL OF THE FOLLOWING:

(A) WITH RESPECT TO BOTH THE PUBLIC SCHOOL AND ITS SCHOOL DISTRICT, AN ASSESSMENT OF ALL OF THE FOLLOWING AND THEIR IMPACT ON PUPIL ACHIEVEMENT:

(i) CURRICULUM AND EDUCATIONAL STRATEGIES.

(ii) HIRING PRACTICES; STAFFING PATTERNS AT BOTH THE SCHOOL LEVEL AND SCHOOL DISTRICT LEVEL; TEACHER QUALIFICATIONS AND

1 EXPERIENCE; AND TEACHER RETENTION AND ATTRITION.

2 (iii) STAFF EVALUATION AND IMPROVEMENT PRACTICES AND PROCESSES,
3 AND PROFESSIONAL DEVELOPMENT PRACTICES.

4 (iv) PARENT INVOLVEMENT AND RELATIONSHIP WITH THE SURROUNDING
5 COMMUNITY.

6 (v) QUALITY OF SYSTEMS USED TO COLLECT AND USE RELEVANT DATA
7 TO IMPROVE INSTRUCTION AND SCHOOL CLIMATE.

8 (vi) PERFORMANCE MEASURES THAT WERE USED AND RESULTED IN
9 INCLUSION ON THE LIST UNDER SUBSECTION (1).

10 (vii) EFFECT OF ANY SCHOOL IMPROVEMENT PROGRAM ALREADY IN
11 PLACE.

12 (viii) DISTRIBUTION AND ALLOCATION OF RESOURCES, INCLUDING AT
13 LEAST THE AMOUNT, LEVEL, AND TYPE OF RESOURCES ALLOCATED TO
14 INSTRUCTION AND WHETHER THE RESOURCES ARE ALLOCATED TO APPROPRIATE
15 AREAS OF INSTRUCTION.

16 (ix) PUPIL ENGAGEMENT AND PARTICIPATION IN ACTIVITIES OUTSIDE
17 OF THE CLASSROOM.

18 (x) SOCIOECONOMIC AND DEMOGRAPHIC CHARACTERISTICS OF THE PUPIL
19 POPULATION, INCLUDING SCHOOL PREPAREDNESS.

20 (xi) INFRASTRUCTURE AND INSTRUCTIONAL FACILITIES.

21 (xii) SAFETY AND SECURITY AT SCHOOL AND ON ROUTES TAKEN BY
22 PUPILS TO AND FROM SCHOOL.

23 (xiii) ATTENDANCE, TRUANCY, DISCIPLINE, GRADE-LEVEL RETENTION,
24 AND GRADUATION RATES.

25 (B) WITH RESPECT TO BOTH THE PUBLIC SCHOOL AND ITS SCHOOL
26 DISTRICT, RECOMMENDATIONS FOR INSTITUTIONAL AND PROGRAMMATIC
27 CHANGES THAT WOULD ADDRESS DEFICIENCIES IN EACH AREA ASSESSED BY

1 THE AUDIT. THESE RECOMMENDATIONS MUST BE DRAWN FROM EVIDENCE-BASED
2 STRATEGIES THAT HAVE BEEN SUCCESSFULLY APPLIED IN SIMILAR SCHOOLS
3 IN THIS STATE OR ELSEWHERE.

4 (4) THE GOVERNING BOARD OF A PUBLIC SCHOOL MAY APPEAL THE
5 FINDINGS AND RECOMMENDATIONS FROM A COMPREHENSIVE SCHOOL AUDIT
6 UNDER SUBSECTION (3) TO THE SUPERINTENDENT OF PUBLIC INSTRUCTION.
7 UPON RECEIPT OF AN APPEAL, THE SUPERINTENDENT OF PUBLIC INSTRUCTION
8 SHALL REVIEW THE AUDIT AND THE APPEAL AND MAY MAKE MODIFICATIONS OR
9 ORDER A NEW AUDIT TO BE COMPLETED. FINDINGS AND RECOMMENDATIONS MAY
10 NOT BE APPEALED MORE THAN ONCE, AND THERE SHALL NOT BE MORE THAN 2
11 AUDITS FOR A PUBLIC SCHOOL AT THIS STAGE OF THE TRANSFORMATION
12 PROCESS. NOT LATER THAN 120 DAYS AFTER A PUBLIC SCHOOL IS PLACED
13 UNDER THE SUPERVISION OF THE SCHOOL REFORM OFFICE FOR THE
14 IMPLEMENTATION OF THE TRANSFORMATION PROCESS UNDER THIS SECTION,
15 THE SCHOOL REFORM OFFICE SHALL FINALIZE THE FINDINGS AND
16 RECOMMENDATIONS FROM THE AUDIT AND APPEAL PROCESS.

17 (5) NOT LATER THAN 60 DAYS AFTER THE FINDINGS AND
18 RECOMMENDATIONS FROM THE AUDIT AND APPEAL PROCESS UNDER SUBSECTIONS
19 (3) AND (4) ARE FINALIZED, THE SCHOOL REFORM OFFICE AND THE
20 INTERMEDIATE SCHOOL DISTRICT IN WHICH THE PUBLIC SCHOOL IS LOCATED
21 SHALL DEVELOP A WRITTEN PLAN TO IMPLEMENT A TRANSFORMATION PROGRAM
22 FOR THE PUBLIC SCHOOL FOR THE NEXT SCHOOL YEAR BASED ON THOSE
23 FINDINGS AND RECOMMENDATIONS. THE SCHOOL REFORM OFFICE SHALL
24 PROVIDE TECHNICAL SUPPORT AND EXPERT ADVICE IN THE DEVELOPMENT OF
25 THE IMPLEMENTATION PLAN. THE SCHOOL REFORM OFFICE SHALL ENSURE THAT
26 THE IMPLEMENTATION PLAN IS DEVELOPED THROUGH A PROCESS THAT
27 INCLUDES PARTICIPATION BY AT LEAST THE GOVERNING BODY, THE SCHOOL

1 ADMINISTRATORS, TEACHERS, OTHER SCHOOL STAFF, REPRESENTATIVES OF
2 EACH COLLECTIVE BARGAINING UNIT, PARENTS, AND COMMUNITY MEMBERS. IF
3 THE PUBLIC SCHOOL IS A HIGH SCHOOL, THE PROCESS SHALL ALSO INCLUDE
4 THE PARTICIPATION OF PUPILS OF THE PUBLIC SCHOOL. THE INTERMEDIATE
5 SCHOOL DISTRICT OR CONSORTIUM THAT CONDUCTED THE COMPREHENSIVE
6 SCHOOL AUDIT UNDER SUBSECTION (3) SHALL SELECT THOSE STAKEHOLDERS
7 TO PARTICIPATE IN THE DEVELOPMENT OF THE IMPLEMENTATION PLAN AND
8 SHALL CONFIRM TO THE SCHOOL REFORM OFFICE THAT ALL NECESSARY
9 STAKEHOLDERS ARE REPRESENTED. THE IMPLEMENTATION PLAN SHALL BE
10 DESIGNED TO CARRY OUT THE RECOMMENDATIONS OF THE AUDIT AND APPEAL
11 PROCESS UNDER SUBSECTIONS (3) AND (4).

12 (6) IF THE STAKEHOLDERS INCLUDED IN THE DEVELOPMENT OF AN
13 IMPLEMENTATION PLAN UNDER SUBSECTION (5) ARE UNABLE TO DEVELOP AN
14 IMPLEMENTATION PLAN WITHIN THE TIME FRAME PRESCRIBED UNDER
15 SUBSECTION (5), THE SCHOOL REFORM OFFICE SHALL IMPOSE AN
16 IMPLEMENTATION PLAN FOR THE PUBLIC SCHOOL. AN IMPLEMENTATION PLAN
17 IMPOSED BY THE SCHOOL REFORM OFFICE UNDER THIS SUBSECTION SHALL BE
18 LIMITED IN SCOPE TO THOSE MEASURES THAT ARE REASONABLY NECESSARY TO
19 EFFECT THE RECOMMENDATIONS FROM THE AUDIT AND APPEAL PROCESS UNDER
20 SUBSECTIONS (3) AND (4). THE SCHOOL REFORM OFFICE SHALL SUBMIT THE
21 IMPLEMENTATION PLAN TO BE IMPOSED BY THE SCHOOL REFORM OFFICE TO
22 STAKEHOLDERS FOR REVIEW AND COMMENT BEFORE IMPLEMENTING THE PLAN.

23 (7) BEGINNING WITH THE NEXT SCHOOL YEAR AFTER THE DEVELOPMENT
24 OF THE IMPLEMENTATION PLAN, THE GOVERNING BODY OF THE PUBLIC SCHOOL
25 SHALL IMPLEMENT A TRANSFORMATION PROGRAM FOR THE PUBLIC SCHOOL THAT
26 INCLUDES ALL OF THE MEASURES INCLUDED IN THE IMPLEMENTATION PLAN
27 FOR THE PUBLIC SCHOOL UNDER SUBSECTION (5) OR (6), AS APPLICABLE.

1 THE SCHOOL REFORM OFFICE SHALL MONITOR THIS PROCESS AND, IF IT
2 DETERMINES THAT THE TRANSFORMATION PROGRAM WILL NOT BE IMPLEMENTED
3 ON A TIMELY BASIS, THE SUPERINTENDENT OF PUBLIC INSTRUCTION SHALL
4 ORDER THE GOVERNING BODY TO IMPLEMENT THE TRANSFORMATION PROGRAM.

5 (8) THE SCHOOL REFORM OFFICE SHALL CONTINUE TO MONITOR THE
6 PUBLIC SCHOOL AND SHALL WORK WITH THE PUBLIC SCHOOL AND ITS
7 GOVERNING BODY TO CONTINUALLY ENSURE THE SUCCESS OF THE
8 TRANSFORMATION PROGRAM IMPLEMENTED UNDER THIS SECTION. AT LEAST
9 ANNUALLY, THE SCHOOL REFORM OFFICE SHALL CONSULT WITH
10 REPRESENTATIVES OF THE RELEVANT STAKEHOLDER GROUPS TO ASSESS THE
11 EFFECTIVENESS OF THE TRANSFORMATION PROGRAM AND REASSESS THE
12 MEASURES INCLUDED IN THE IMPLEMENTATION PLAN. THE SUPERINTENDENT OF
13 PUBLIC INSTRUCTION SHALL ORDER NECESSARY CHANGES IN THE
14 TRANSFORMATION PROGRAM IDENTIFIED THROUGH THIS PROCESS.

15 (9) AN INTERMEDIATE SCHOOL DISTRICT MAY ENTER INTO A
16 CONSORTIUM OF INTERMEDIATE SCHOOL DISTRICTS FOR THE PURPOSE OF
17 CONDUCTING COMPREHENSIVE SCHOOL AUDITS UNDER SUBSECTION (3). A
18 CONSORTIUM FORMED UNDER THIS SUBSECTION SHALL WORK WITH ITS
19 INTERMEDIATE SCHOOL DISTRICTS AND OTHER INTERMEDIATE SCHOOL
20 DISTRICTS AND CONSORTIA TO HELP DEVELOP EXPERTISE AND RESOURCES FOR
21 MEASURES UNDER THIS SECTION.

22 (10) IF A PUBLIC SCHOOL IN WHICH A TRANSFORMATION PROGRAM HAS
23 BEEN IMPLEMENTED UNDER THIS SECTION ACHIEVES SUFFICIENT ACADEMIC
24 PROGRESS AS EVIDENCED BY A PERIOD OF 3 CONSECUTIVE YEARS IN WHICH
25 THE PUBLIC SCHOOL IS NOT INCLUDED ON THE LIST UNDER SUBSECTION (1),
26 THE SUPERINTENDENT OF PUBLIC INSTRUCTION SHALL RELEASE THE PUBLIC
27 SCHOOL FROM THE SCHOOL REFORM OFFICE MONITORING PROCESS UNDER

1 SUBSECTION (8). HOWEVER, THE DEPARTMENT AND THE SCHOOL REFORM
2 OFFICE SHALL CONTINUE TO MAKE TECHNICAL SUPPORT AND RESOURCES
3 AVAILABLE TO A PUBLIC SCHOOL THAT IS RELEASED FROM MONITORING TO
4 ENSURE THAT THE PUBLIC SCHOOL IS ABLE TO SUSTAIN ITS IMPROVEMENT.

5 (11) A PUBLIC SCHOOL THAT IS UNDER THE CONTROL OF THE
6 ACHIEVEMENT AUTHORITY, AS DEFINED IN SECTION 3 OF THE STATE SCHOOL
7 AID ACT OF 1979, MCL 388.1603, AS OF THE EFFECTIVE DATE OF THIS
8 SUBSECTION, IS SUBJECT TO THE TRANSFORMATION PROCESS UNDER THIS
9 SECTION. THE GOVERNING BODY THAT CONTROLLED THE PUBLIC SCHOOL
10 BEFORE IT WAS UNDER THE CONTROL OF THE ACHIEVEMENT AUTHORITY IS THE
11 GOVERNING BODY THAT MUST BE INCLUDED IN THE TRANSFORMATION PROCESS
12 UNDER THIS SECTION.

13 (12) ~~(14)~~ At least annually, the ~~state school reform/redesign~~
14 ~~officer~~ DEPARTMENT shall submit a report to the standing committees
15 of the senate and house of representatives having jurisdiction over
16 education legislation on the progress being made in improving pupil
17 proficiency due to the measures under this section. THE REPORT
18 SHALL SPECIFICALLY ADDRESS PUBLIC SCHOOLS THAT HAVE UNDERGONE THE
19 MEASURES UNDER THIS SECTION AND THE EFFECTIVENESS OF THOSE MEASURES
20 IN ACHIEVING SUFFICIENT PROGRESS IN THOSE PUBLIC SCHOOLS.

21 (13) ~~(15)~~ As soon as practicable after the federal department
22 of education has adopted the final work rules and formula for
23 identifying the lowest achieving 5% of all public schools in this
24 state for the purposes of the federal incentive grant program
25 created under sections 14005 and 14006 of title XIV of the American
26 recovery and reinvestment act of 2009, Public Law 111-5, known as
27 the "race to the top" grant program, the department shall post all

1 of the following on its website:

2 (a) The federal work rules and formula.

3 (b) A list of the public schools in this state that have been
4 identified for these purposes as being among the lowest achieving
5 5% of all public schools in this state. The department shall update
6 this list as it considers appropriate.

7 ~~—— (16) If a school that is included on the list under subsection~~
8 ~~(1) is operated by a school district in which an emergency manager~~
9 ~~is in place under the local government and school district fiscal~~
10 ~~accountability act, then the superintendent of public instruction~~
11 ~~shall not issue an order placing the school under the supervision~~
12 ~~of the state school reform/redesign officer.~~