

# LEGISLATIVE SNAPSHOT

## REVISED SCHOOL CODE

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### Summary

The Revised School Code governs Michigan's public education system, and its passage in 1976 reflected several years of efforts to update Michigan's education laws. While the Michigan Department of Education (MDE) and State Board of Education provide guidance and oversight of certain issues such as administrator and educator certification and investigation of civil rights complaints, the day-to-day oversight and responsibility for student learning and educator performance rests with individual school districts, in accordance with state law.

### Background

[Article VIII of the Michigan Constitution](#) addresses education in Michigan. Section 2 provides that "The legislature shall maintain and support a system of free public elementary and secondary schools as defined by law. Every school district shall provide for the education of its pupils without discrimination as to religion, creed, race, color or national origin." The Revised School Code is the law that provides definitions for schools and school personnel types, as well as other requirements relating to schools and the manner in which education is provided to students.

Section 2 of Article VIII also contains a prohibition against providing public aid to private schools. Accordingly, the Revised School Code primarily applies to public schools in Michigan, although specific portions regarding health and safety also apply to private schools.

At the local level, public schools are overseen either by an elected board of individuals who reside within the district's boundaries (for school districts) or by an appointed board (in the case of public school academies, or PSAs, commonly referred to as "charter schools").

### Organization

The Revised School Code is divided into four articles:

[Article 1](#) prescribes the governance of schools and districts, laying out definitions and powers of the types of schools and districts authorized by law in Michigan.

[Article 2](#) contains provisions relating to the consolidation and annexation of school districts; school elections; powers of the State Board of Education and local school boards; local taxation for purposes relating to schools; school personnel certificate and permit requirements; and attendance and count requirements for pupils enrolled in public schools.

[Article 3](#) contains provisions relating to special education programs and services.

[Article 4](#) contains penalties for violations of the Code and other miscellaneous provisions.

### Recent Activity

The following acts amending the Revised School Code were enacted in the 2021-22 legislative session:

2021 PA 149 ([HB 4294](#)) extended a relaxing of requirements for certain individuals already employed by a school to serve as substitute teachers through June 30, 2022.

2022 PA 54 ([HB 4074](#)) encourages school boards and boards of directors, as applicable, to include an introductory program on entrepreneurship as part of their social studies courses.

2022 PA 88 ([HB 4953](#)) requires MDE to assemble an informational packet to distribute to public and nonpublic schools to share with students regarding their post-secondary education and career-training options.

2022 PA 105 ([HB 5190](#)) amended the Michigan Merit Curriculum (which contains required classes high school students must successfully complete to receive a high school diploma in Michigan) to include a personal finance course among the graduation requirements.

2022 PA 213 ([HB 5703](#)) requires the boards of school districts, ISDs, and PSAs, MDE, and the State Board of Education to publicly post two sections of law regarding education.

#### **Additional Information**

The annual budget for state education spending is in the [State School Aid Act of 1979](#), with each year's budget appropriations replacing the prior year's appropriations (or updating the current year's text in the case of a supplemental budget bill) with the updated funding amounts.

Detailed information is available on the House Fiscal Agency website about the MDE's [current fiscal year budget](#) and the current [school aid budget](#). The HFA website also has additional information for those wanting to learn more about [Michigan's school funding system established under Proposal A](#).

Additional regulations regarding schools and school personnel certification are found in the [administrative rules](#) proposed and implemented by MDE in accordance with state law.