

Chapter 395

VOCATIONAL TRAINING

FEDERAL AND STATE AID TO VOCATIONAL EDUCATION

Act 149 of 1919

395.1-395.10 Repealed. 2016, Act 543, Imd. Eff. Jan. 9, 2017.

VOCATIONAL EDUCATION; TRANSFER OF POWERS AND DUTIES

Act 28 of 1964

395.21 Repealed. 2016, Act 532, Eff. Apr. 9, 2017.

FEDERAL FUNDS FOR VOCATIONAL EDUCATION

Act 44 of 1964

395.31-395.34 Repealed. 2016, Act 544, Imd. Eff. Jan. 9, 2017.

FEDERAL FUNDS FOR VOCATIONAL EDUCATION

Act 59 of 1966

395.41-395.42 Repealed. 2016, Act 532, Eff. Apr. 9, 2017.

VOCATIONAL REHABILITATION

Act 211 of 1921

395.51-395.65 Repealed. 1964, Act 232, Imd. Eff. May 22, 1964.

FEDERAL FUNDS FOR VOCATIONAL EDUCATION

Act 198 of 1962

395.71-395.73 Repealed. 2016, Act 538, Imd. Eff. Jan. 9, 2017.

REHABILITATION ACT OF 1964

Act 232 of 1964

AN ACT to provide for educational and other needed services through a vocational rehabilitation program for disabled persons; to authorize an annual appropriation of funds for vocational rehabilitation; to authorize the state board of education to administer such a program; to provide for the proper custody and administration of funds received by the state from federal and other sources; and to repeal certain acts and parts of acts.

History: 1964, Act 232, Imd. Eff. May 22, 1964

The People of the State of Michigan enact:

395.81 Vocational rehabilitation act of 1964; short title.

Sec. 1.

This act shall be known and may be cited as the "rehabilitation act of 1964".

History: 1964, Act 232, Imd. Eff. May 22, 1964

Compiler's Notes: For transfer of authority, powers, duties, functions, and responsibilities of the State Board of Education pursuant to the Rehabilitation Act, Act No. 232 of the Public Acts of 1964, being Section 395.81 et seq. of the Michigan Compiled Laws, Act No. 111 of the Public Acts of 1952, as amended, being Section 395.151 et seq. of the Michigan Compiled Laws, and Act No. 317 of the Public Acts of 1969, as amended, being Section 418.101 et seq. of the Michigan Compiled Laws, to the Michigan Jobs Commission, see E.R.O. No. 1993-11, compiled at MCL 388.991 of the Michigan Compiled Laws. For transfer of powers and duties of department of career development, including any board, commission, council, or similar entity within the department of career development, to the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011. For the transfer of the Michigan council for rehabilitation services and Michigan rehabilitation services and the powers and duties of the director of the department of health and human services from the department of health and human services to the department of labor and economic opportunity and its director, see E.R.O. No. 2019-3, compiled at MCL 125.1998.

395.82 Definitions.

Sec. 2.

As used in this act:

- (a) "State board" means the state board of education.
- (b) "Vocational disability" means any disability except blindness which constitutes, contributes to, or if not corrected will probably result in an obstruction to occupational performance.
- (c) "Disabled individual" means any person, other than a person who is blind, who has a vocational disability.
- (d) "Vocational rehabilitation" and "vocational rehabilitation services" mean any educational or other needed services including, but not limited to, determination of extent of disability, vocational diagnosis, vocational guidance, rehabilitation training, medical services, transportation, maintenance, and training books and materials, found to be necessary to compensate a disabled individual for his or her vocational disability, and to enable him or her to engage in a suitable occupation or to be assisted into independent living.

History: 1964, Act 232, Imd. Eff. May 22, 1964 ;-- Am. 1998, Act 43, Imd. Eff. Mar. 18, 1998

Compiler's Notes: For transfer of powers and duties of department of career development, including any board, commission, council, or similar entity within the department of career development, to the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011. For the transfer of the Michigan council for rehabilitation services and Michigan rehabilitation services and the powers and duties of the director of the department of health and human services from the department of health and human services to the department of labor and economic opportunity and its director, see E.R.O. No. 2019-3, compiled at MCL 125.1998.

395.83 State board of education; administration of act; rules, regulations and standards; professional and clerical staff.

Sec. 3.

The state board shall be the agency responsible for the administration of the vocational rehabilitation program under the provisions of this act, and shall make all rules, regulations and standards necessary therefor, in accordance with Act No. 88 of the Public Acts of 1943, as amended, being sections 24.71 to 24.82 of the Compiled Laws of 1948, and subject to Act No. 197 of the Public Acts of 1952, as amended, being sections 24.101 to 24.110 of the Compiled Laws of 1948. The board shall employ the professional and clerical staff it deems necessary to carry out the provisions of this act within the appropriations available for this purpose.

History: 1964, Act 232, Imd. Eff. May 22, 1964

Compiler's Notes: For transfer of powers and duties of department of career development, including any board, commission, council, or similar entity within the department of career development, to the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011. For the transfer of the Michigan council for rehabilitation services and Michigan rehabilitation services and the powers and duties of the director of the department of health and human services from the department of health and human services to the department of labor and economic opportunity and its director, see E.R.O. No. 2019-3, compiled at MCL 125.1998.

Admin Rule: R 395.1 et seq. of the Michigan Administrative Code.

395.84 State board of education; services to disabled individuals; cooperation with other agencies; collection of fees; report.

Sec. 4.

(1) The state board shall provide vocational rehabilitation services to disabled individuals determined eligible pursuant to rules promulgated by the state board. The board may cooperate with other public and private departments, agencies, and institutions to provide for the vocational rehabilitation of disabled individuals, to study the problems involved therein, and may establish, develop, and provide any programs, facilities, and services as may be necessary.

(2) If an employer or carrier is responsible under applicable state or federal worker's compensation law for the provision of vocational rehabilitation services to an employee, and the services are provided by the state board, the state board shall collect fees from the responsible employer or carrier in an amount equal to the full costs of providing the vocational rehabilitation services.

(3) If an insurer or self-insurer is responsible under applicable state or federal auto insurance law for the provision of vocational rehabilitation services to an injured person, and the services are provided by the state board, the state board shall collect fees from the responsible insurer or self-insurer in an amount equal to the full costs of providing the vocational rehabilitation services.

(4) The state board shall collect fees in an amount equal to the full cost of providing vocational rehabilitation services under any other state or federal law that establishes responsibility for the provision of vocational rehabilitation services on a party other than the injured person unless otherwise prohibited by an applicable statute.

(5) If the state board is requested to provide vocational rehabilitation services to individuals not eligible for services under the federal rehabilitation act, and the services are provided by the state board, the state board shall collect fees from the individual, agency, or organization requesting the services in an amount equal to the full costs of providing the vocational rehabilitation services.

(6) The state board shall submit a report to the senate labor committee and the house labor committee by May 1, of each odd-numbered year for the preceding 2 calendar years which shall indicate the extent of vocational rehabilitation services provided, the amount of fees collected, and the source of those fees.

History: 1964, Act 232, Imd. Eff. May 22, 1964 ;-- Am. 1982, Act 315, Imd. Eff. Oct. 18, 1982 ;-- Am. 1985, Act 194, Imd. Eff. Dec. 20, 1985

Compiler's Notes: For transfer of powers and duties of department of career development, including any board, commission, council, or similar entity within the department of career development, to the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011. For the transfer of the Michigan council for rehabilitation services and Michigan rehabilitation services and the powers and duties of the director of the department of health and human services from the department of health and human services to the department of labor and economic opportunity and its director, see E.R.O. No. 2019-3, compiled at MCL 125.1998.

Admin Rule: R 395.1 et seq. of the Michigan Administrative Code.

395.85 Appropriations.

Sec. 5.

The state board shall recommend annually the amount required to be appropriated by the state and report the same to the governor and budget director. The legislature shall make an appropriation each year for carrying out the purposes of this act.

History: 1964, Act 232, Imd. Eff. May 22, 1964

Compiler's Notes: For transfer of powers and duties of department of career development, including any board, commission, council, or similar entity within the department of career development, to the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011. For the transfer of the Michigan council for rehabilitation services and Michigan rehabilitation services and the powers and duties of the director of the department of health and human services from the department of health and human services to the department of labor and economic opportunity and its director, see E.R.O. No. 2019-3, compiled at MCL 125.1998.

395.86 State board of education; cooperation with federal government.

Sec. 6.

The state board, pursuant to state-federal agreements, may cooperate with the federal government in carrying out the purposes of any federal statutes pertaining to vocational rehabilitation, and may adopt such methods of administration as are found to be necessary for the proper and efficient operation of the agreements or plans for vocational rehabilitation and to comply with conditions as may be necessary to secure the full benefits of the federal statutes.

History: 1964, Act 232, Imd. Eff. May 22, 1964

Compiler's Notes: For transfer of powers and duties of department of career development, including any board, commission, council, or similar entity within the department of career development, to the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011. For the transfer of the Michigan council for rehabilitation services and Michigan rehabilitation services and the powers and duties of the director of the department of health and human services from the department of health and human services to the department of labor and economic opportunity and its director, see E.R.O. No. 2019-3, compiled at MCL 125.1998.

395.87 State treasurer; custody of funds, disbursement.

Sec. 7.

The state treasurer shall be the custodian of all vocational rehabilitation funds received from the federal government or other sources. The state treasurer shall make disbursements from the funds and from all state funds available for vocational rehabilitation purposes upon certification of the state board in accordance with the accounting laws of the state.

History: 1964, Act 232, Imd. Eff. May 22, 1964

Compiler's Notes: For transfer of powers and duties of department of career development, including any board, commission, council, or similar entity within the department of career development, to the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011. For the transfer of the Michigan council for rehabilitation services and Michigan rehabilitation services and the powers and duties of the director of the department of health and human services from the department of health and human services to the department of labor and economic opportunity and its director, see E.R.O. No. 2019-3, compiled at MCL 125.1998.

395.88 Gifts; acceptance, use.

Sec. 8.

The state board may accept and use gifts made by bequest or otherwise for carrying out the purposes of this act. Gifts made under such conditions as in the judgment of the state board are proper and consistent with the provisions of this act may be so accepted and shall be held, invested, reinvested and used in accordance with the conditions of the gifts.

History: 1964, Act 232, Imd. Eff. May 22, 1964

Compiler's Notes: For transfer of powers and duties of department of career development, including any board, commission, council, or similar entity within the department of career development, to the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011. For the transfer of the Michigan council for rehabilitation services and Michigan rehabilitation services and the powers and duties of the director of the department of health and human services from the department of health and human services to the department of labor and economic opportunity and its director, see E.R.O. No. 2019-3, compiled at MCL 125.1998.

395.89 State board of education; biennial report to governor and state legislature.

Sec. 9.

The state board shall make at the close of each biennium a biennial report to the governor and to the legislature in regard to the administration of this act. The report shall contain a statement of the expenditures of all moneys, both federal and state, for the purposes mentioned in this act.

History: 1964, Act 232, Imd. Eff. May 22, 1964

Compiler's Notes: For transfer of powers and duties of department of career development, including any board, commission, council, or similar entity within the department of career development, to the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011. For the transfer of the Michigan council for rehabilitation services and Michigan rehabilitation services and the powers and duties of the director of the department of health and human services from the department of health and human services to the department of labor and economic opportunity and its director, see E.R.O. No. 2019-3, compiled at MCL 125.1998.

395.90 Repeal.

Sec. 10.

Act No. 211 of the Public Acts of 1921, being sections 395.51 to 395.65 of the Compiled Laws of 1948, is repealed.

History: 1964, Act 232, Imd. Eff. May 22, 1964

Compiler's Notes: For transfer of powers and duties of department of career development, including any board, commission, council, or similar entity within the department of career development, to the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011. For the transfer of the Michigan council for rehabilitation services and Michigan rehabilitation services and the powers and duties of the director of the department of health and human services from the department of health and human services to the department of labor and economic opportunity and its director, see E.R.O. No. 2019-3, compiled at MCL 125.1998.

PROPRIETARY SCHOOLS ACT

Act 148 of 1943

AN ACT to provide for the regulation and licensing of proprietary schools in the state; to require surety; to provide for collection and disposition of fees; and to prescribe penalties for the violation of this act.

History: 1943, Act 148, Imd. Eff. Apr. 14, 1943 ;-- Am. 1945, Act 181, Imd. Eff. May 16, 1945 ;-- Am. 1957, Act 21, Eff. Sept. 27, 1957 ;--

The People of the State of Michigan enact:

395.101 Proprietary school; temporary permit or license; duration; fee; renewal; revocation; granting temporary permit or license to operate proprietary school in conjunction with another business or commercial enterprise prohibited; sale of goods produced or services provided by student enrolled in educational program.

Sec. 1.

(1) A person shall not operate a proprietary school in this state without a temporary permit or license from the department under this act. The department shall prescribe the form of license and temporary permit.

(2) A license issued under this act to a proprietary school that is accredited by a national or regional accrediting agency recognized by the United States secretary of education is valid for 3 years. A license issued under this act to any other proprietary school is not valid for more than 1 year. A proprietary school that is issued either a 1-year license or a 3-year license shall pay an annual license fee set by the department under section 2a(2). The department may renew the license of a person that continues to comply with this act and the rules promulgated under this act.

(3) The department may revoke a license granted under this act at any time if, in the judgment of the department, the person to which the license is issued is not complying with any applicable law or the rulings of the department.

(4) Except as provided in subsection (5), the department shall not grant a temporary permit or a license to operate a proprietary school as part of, or in conjunction with, another business or commercial enterprise that utilizes or sells goods or services produced by students.

(5) A proprietary school may sell goods produced or services provided by a student enrolled in an educational program operated by a proprietary school, and the department may not refuse to grant a temporary permit or license to a proprietary school if all of the following are met:

(a) The program includes classroom study and practical training.

(b) Any practical training included in the program is supervised by a member of the faculty.

(c) It is an integral part of the program that the student engage in producing the goods or providing the services as part of his or her practical training. The school shall clearly disclose to the student in writing before he or she enrolls in the program that the school intends to sell any goods or services produced by the student as part of his or her practical training. The school shall include this disclosure in a signed enrollment agreement between the school and the student.

(d) Any customer purchasing goods produced or services provided by a student in the program is provided written notification that the individual producing the goods or providing the services is a student of the school.

(e) Money from the sale of the goods or services is used solely to support the school.

(f) The school does not charge a student a monetary penalty or increase his or her program hours beyond the number approved by the department if he or she does not attend any practical training, or require a student to recruit purchasers of the goods and services, unless that obligation is clearly disclosed to the student in writing before he or she enrolls in the program.

History: 1943, Act 148, Imd. Eff. Apr. 14, 1943 ;-- CL 1948, 395.101 ;-- Am. 1949, Act 258, Eff. Sept. 23, 1949 ;-- Am. 1967, Act 210, Eff. Nov. 2, 1967 ;-- Am. 1983, Act 60, Imd. Eff. May 20, 1983 ;-- Am. 2009, Act 212, Imd. Eff. Jan. 4, 2010

Compiler's Notes: For transfer of certain powers and duties vested in the department of career development or its director, relating to powers and duties of state board of education or superintendent of public instruction to the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011. For the transfer of powers and duties of the department of licensing and regulatory affairs to the department of labor and economic opportunity, see E.R.O. No. 2019-3, compiled at MCL 125.1998.

395.101a Short title; definitions.

Sec. 1a.

(1) This act shall be known and may be cited as the "proprietary schools act".

(2) As used in this act:

(a) "Department" means the department of labor and economic opportunity.

(b) "Person" means an individual, partnership, corporation, limited liability company, association, organization, or other legal entity.

(c) "Proprietary school" means a school that uses a certain plan or method to teach a trade, occupation, or vocation for a consideration, reward, or promise of any kind. Proprietary school includes, but is not limited to, a private business, trade, or home study school. Proprietary school does not include any of the following:

- (i) A school or college possessing authority to grant degrees.
- (ii) A school licensed by law through another board or department of this state.
- (iii) A school maintained or a program conducted, without profit, by a person for that person's employees.
- (iv) A school or program within a school that exclusively provides yoga instruction, yoga teacher training, or both.

(v) A school that exclusively offers 1 or both of the following:

(A) Apprenticeship programs registered under the national apprenticeship act, 29 USC 50 to 50c, and approved through the Office of Apprenticeship in the United States Department of Labor.

(B) Pre-apprenticeship or apprentice readiness programs administered by a registered apprenticeship program under the national apprenticeship act, 29 USC 50 to 50c, and approved through the Office of Apprenticeship in the United States Department of Labor.

History: Add. 1983, Act 60, Imd. Eff. May 20, 1983 ;-- Am. 2009, Act 212, Imd. Eff. Jan. 4, 2010 ;-- Am. 2016, Act 146, Imd. Eff. June 7, 2016 ;-- Am. 2021, Act 32, Eff. Mar. 30, 2022

Compiler's Notes: For transfer of certain powers and duties vested in the department of career development or its director, relating to powers and duties of state board of education or superintendent of public instruction to the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011. For the transfer of powers and duties of the department of licensing and regulatory affairs to the department of labor and economic opportunity, see E.R.O. No. 2019-3, compiled at MCL 125.1998.

395.102 Issuance of license; conditions; temporary permit to operate proprietary school; proposal; contents; duration of temporary permit; renewal.

Sec. 2.

(1) The department shall not issue a license under this act unless the license applicant has operated under a temporary permit from the department in a manner satisfactory to the department and the department has approved the method and content of the advertising, the standards and the methods of instruction, the personnel, and the operating and instructional practices of the school.

(2) The department may grant a temporary permit to operate a proprietary school based on a written proposal submitted in the manner and form prescribed by the department. The proposal shall include plans for facilities, instructional procedures, personnel, business standards, and operating and instructional practices that comply with this act and with rules promulgated under this act. A temporary permit issued under this act is not valid for more than 1 year. The department may renew the temporary permit of a person that continues to comply with this act and the rules promulgated under this act.

History: 1943, Act 148, Imd. Eff. Apr. 14, 1943 ;-- CL 1948, 395.102 ;-- Am. 1949, Act 258, Eff. Sept. 23, 1949 ;-- Am. 1983, Act 60, Imd. Eff. May 20, 1983 ;-- Am. 2009, Act 212, Imd. Eff. Jan. 4, 2010

Compiler's Notes: For transfer of certain powers and duties vested in the department of career development or its director, relating to powers and duties of state board of education or superintendent of public instruction to the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011. For the transfer of powers and duties of the department of licensing and regulatory affairs to the department of labor and economic opportunity, see E.R.O. No. 2019-3, compiled at MCL 125.1998.

395.102a Inspection of proprietary schools; rules; reports; records; fees; jurisdiction and control.

Sec. 2a.

(1) The department shall provide for adequate inspection of all proprietary schools. The department shall promulgate rules under the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, and employ the personnel necessary to administer this act. A proprietary school shall submit reports required by the

department and shall make available to authorized representatives of the department all records pertaining to the instructional program of the school or to any individual student or enrollee.

(2) The department shall set and collect fees for licenses, temporary permits, and renewals issued under this act. The fees shall be used solely for administrative expenses incurred under this act.

(3) The department shall exercise jurisdiction and control over proprietary schools consistent with this act.

History: Add. 1949, Act 258, Eff. Sept. 6, 1949 ;-- Am. 1983, Act 60, Imd. Eff. May 20, 1983 ;-- Am. 2009, Act 212, Imd. Eff. Jan. 4, 2010 ;-- Am. 2014, Act 157, Imd. Eff. June 11, 2014

Compiler's Notes: For transfer of certain powers and duties vested in the department of career development or its director, relating to powers and duties of state board of education or superintendent of public instruction to the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011. For the transfer of powers and duties of the department of licensing and regulatory affairs to the department of labor and economic opportunity, see E.R.O. No. 2019-3, compiled at MCL 125.1998.

Admin Rule: R 390.561 et seq. of the Michigan Administrative Code.

395.102b Evidence of surety; bond; amount; rules; expiration of surety; proof of renewal; failure to submit evidence of surety; applicability of section.

Sec. 2b.

A proprietary school shall provide the department with evidence of surety conditioned to provide indemnification to a student suffering loss because of inability to complete an approved course or program of study due to the closing of the proprietary school. The surety may consist of a bond, the amount of which shall be determined according to rules promulgated by the department. Surety shall expire on June 30 following the date of issuance and the proprietary school must submit proof of renewal to the department before the date of expiration. Any failure to submit evidence of surety invalidates a license to operate a proprietary school. This section does not apply to a proprietary school with a license issued under this act before November 2, 1967.

History: Add. 1967, Act 210, Eff. Nov. 2, 1967 ;-- Am. 1983, Act 60, Imd. Eff. May 20, 1983 ;-- Am. 2009, Act 212, Imd. Eff. Jan. 4, 2010

Compiler's Notes: Former MCL 395.102b, pertaining to solicitor's permit for private trade schools and institutes, was repealed by Act 40 of 1963. For transfer of certain powers and duties vested in the department of career development or its director, relating to powers and duties of state board of education or superintendent of public instruction to the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011. For the transfer of powers and duties of the department of licensing and regulatory affairs to the department of labor and economic opportunity, see E.R.O. No. 2019-3, compiled at MCL 125.1998.

Admin Rule: R 390.561 et seq. and R 390.671 of the Michigan Administrative Code.

395.102c Written policy for complaints filed by students.

Sec. 2c.

A proprietary school licensed under this act shall adopt and publish a written policy that allows students to file a complaint with the department for any violation of this act or rules promulgated under this act.

History: Add. 2009, Act 212, Imd. Eff. Jan. 4, 2010

Compiler's Notes: For the transfer of powers and duties of the department of licensing and regulatory affairs to the department of labor and economic opportunity, see E.R.O. No. 2019-3, compiled at MCL 125.1998.

395.103 Violation of act as misdemeanor; penalty; limitations.

Sec. 3.

(1) In lieu of revocation under section 1(3), the department may assess an administrative fine against a proprietary school of not more than \$1,000.00 for a violation of this act or rules promulgated under this act.

However, the department may not assess administrative fines under this subsection against a proprietary school that in the aggregate are more than \$5,000.00 for multiple violations of this act or rules promulgated under this act that arise from the same transaction.

(2) A proprietary school that violates this act and has its license revoked, or that operates in this state without a license, is guilty of a misdemeanor punishable by a fine of not more than \$10,000.00, or imprisonment for not more than 1 year, or both.

History: 1943, Act 148, Imd. Eff. Apr. 14, 1943 ;-- CL 1948, 395.103 ;-- Am. 1983, Act 60, Imd. Eff. May 20, 1983 ;-- Am. 2009, Act 212, Imd. Eff. Jan. 4, 2010

Compiler's Notes: For transfer of certain powers and duties vested in the department of career development or its director, relating to powers and duties of state board of education or superintendent of public instruction to the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011. For the transfer of powers and duties of the department of licensing and regulatory affairs to the department of labor and economic opportunity, see E.R.O. No. 2019-3, compiled at MCL 125.1998.

PRIVATE TRADE SCHOOLS, BUSINESS SCHOOLS, CORRESPONDENCE SCHOOLS, AND INSTITUTES

Act 40 of 1963

395.121-395.125 Repealed. Act 157, Imd. Eff. June 11, 2014.

MICHIGAN VETERANS' VOCATIONAL SCHOOL AT PINE LAKE

Act 111 of 1952

AN ACT to provide for the establishment of the Michigan veterans' vocational school at Pine lake (Doster, Michigan) as a state institution under the control of the state board of education.

History: 1952, Act 111, Eff. Sept. 18, 1952

The People of the State of Michigan enact:

395.151 State technical institute and rehabilitation center; continuation of Michigan veterans' vocational school, operation.

Sec. 1.

The state of Michigan having already accepted a gift from the Kellogg foundation of the Michigan veterans' vocational school at Pine lake (Doster, Michigan) together with all its properties, real, personal and mixed, said school shall be continued as a state institution under the name of state technical institute and rehabilitation center under the supervision and management of the state board of education. As a state institution it shall be operated in accordance with policies and curricula established by the state board of education.

History: 1952, Act 111, Eff. Sept. 18, 1952 ;-- Am. 1959, Act 69, Eff. Mar. 19, 1960 ;-- Am. 1968, Act 8, Imd. Eff. Mar. 20, 1968

Compiler's Notes: For transfer of authority, powers, duties, functions, and responsibilities of the State Board of Education pursuant to the Rehabilitation Act, Act No. 232 of the Public Acts of 1964, being Section 395.81 et seq. of the Michigan Compiled Laws, Act No. 111 of the Public Acts of 1952, as amended, being Section 395.151 et seq. of the Michigan Compiled Laws, and Act No. 317 of the Public Acts of 1969, as amended, being Section 418.101 et seq. of the Michigan Compiled Laws, to the Michigan Jobs Commission, see E.R.O. No. 1993-11, compiled at MCL 388.991 of the Michigan Compiled Laws. For transfer of powers and duties of department of career development, including any board, commission, council, or similar entity within the department of career development, to the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

395.152 Gifts; acceptance, effect.

Sec. 2.

The state board of education is authorized to accept gifts, grants or devises of property, real, personal or mixed, for the benefit of the state technical institute and rehabilitation center, and it is further authorized and empowered to do any other act or acts necessary in the proper management of it: Provided, That the acceptance of such gifts, grants or devises of property does not obligate the state to continue these programs nor require state matching funds to make such programs operative.

History: 1952, Act 111, Eff. Sept. 18, 1952 ;-- Am. 1959, Act 69, Eff. Mar. 19, 1960 ;-- Am. 1968, Act 8, Imd. Eff. Mar. 20, 1968

Compiler's Notes: For transfer of powers and duties of department of career development, including any board, commission, council, or similar entity within the department of career development, to the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

DEMONSTRATION EDUCATIONAL AND WORK EXPERIENCE PROGRAMS

Act 238 of 1964

395.171-395.175 Repealed. 2016, Act 542, Eff. Apr. 9, 2017.

***** ACT 34 OF 1965 THIS ACT IS NOT EFFECTIVE AFTER JULY 1, 1967: See 395.203 *****

FEDERAL FUNDS UNDER ECONOMIC OPPORTUNITY ACT OF 1964

Act 34 of 1965

AN ACT to authorize the state board of education to accept federal funds under the economic opportunity act of 1964; and to provide for the expenditure of such funds.

History: 1965, Act 34, Imd. Eff. May 19, 1965 ;-- Am. 1966, Act 111, Imd. Eff. June 22, 1966

The People of the State of Michigan enact:

***** 395.201 THIS SECTION IS NOT EFFECTIVE AFTER JULY 1, 1967: See 395.203 *****

395.201 Federal economic opportunity act of 1964; state board of education, compliance; acceptance and expenditure of federal funds.

Sec. 1.

The state board of education may take any necessary action consistent with state law to comply with the provisions of Public Law 452 of the 88th Congress, known as the "economic opportunity act of 1964" and may accept and expend federal funds available under this law.

History: 1965, Act 34, Imd. Eff. May 19, 1965 ;-- Am. 1966, Act 111, Imd. Eff. June 22, 1966

***** 395.202 THIS SECTION IS NOT EFFECTIVE AFTER JULY 1, 1967: See 395.203 *****

395.202 Construction of act as to expenditure of state funds; accounting.

Sec. 2.

This act shall not be construed as authorization to expend nor to incur any obligation to expend any state funds in excess of any amount which may be appropriated for such purpose by the legislature. Any funds appropriated shall be paid out of the state treasury in accordance with state accounting procedures necessary to assure proper distribution of and accounting for federal funds paid to the state.

History: 1965, Act 34, Imd. Eff. May 19, 1965

***** 395.203 THIS SECTION IS NOT EFFECTIVE AFTER JULY 1, 1967: See 395.203 *****

395.203 Act effective until July 1, 1967.

Sec. 3.

This act shall remain in effect until July 1, 1967.

History: 1965, Act 34, Imd. Eff. May 19, 1965 ;-- Am. 1966, Act 111, Imd. Eff. June 22, 1966

***** Act 11 of 1968 SECTIONS 1 TO 7 WERE REPEALED BY SECTION 2(1) OF ACT 285 OF 1982, EFFECTIVE SEPTEMBER 30, 1985. SECTION 2 OF ACT 285 OF 1982 WAS REPEALED BY ACT 134 OF 1985, EFFECTIVE SEPTEMBER 30, 1985, AND BY ACT 108 OF 1988, EFFECTIVE APRIL 11, 1988 *****

COMMISSION ON HANDICAPPER CONCERNS

Act 11 of 1968

AN ACT to establish a commission on handicapper concerns; to prescribe its powers and duties; and to provide an expiration date for its powers and duties.

History: 1968, Act 11, Imd. Eff. Mar. 29, 1968 ;-- Am. 1978, Act 58, Imd. Eff. Mar. 10, 1978

The People of the State of Michigan enact:

***** 395.301 THIS SECTION WAS REPEALED BY SECTION 2(1) OF ACT 285 OF 1982, EFFECTIVE SEPTEMBER 30, 1985. SECTION 2 OF ACT 285 OF 1982 WAS REPEALED BY ACT 134 OF 1985, EFFECTIVE SEPTEMBER 30, 1985, AND BY ACT 108 OF 1988, EFFECTIVE APRIL 11, 1988 *****

395.301 Establishment of commission.

Sec. 1.

A commission on handicapper concerns is established in the department of labor.

History: 1968, Act 11, Imd. Eff. Mar. 29, 1968 ;-- Am. 1978, Act 58, Imd. Eff. Mar. 10, 1978

***** 395.302 THIS SECTION WAS REPEALED BY SECTION 2(1) OF ACT 285 OF 1982, EFFECTIVE SEPTEMBER 30, 1985. SECTION 2 OF ACT 285 OF 1982 WAS REPEALED BY ACT 134 OF 1985, EFFECTIVE SEPTEMBER 30, 1985, AND BY ACT 108 OF 1988, EFFECTIVE APRIL 11, 1988 *****

395.302 Commission on handicapper concerns; members, appointment, terms, vacancies, officers, expenses.

Sec. 2.

The governor shall appoint by and with the advice and consent of the senate the 21 members of the commission for terms of 3 years, except that of the members first appointed, 7 each shall be appointed for terms of 1, 2 and 3 years. Vacancies shall be filled in the same manner as the original appointments and for the balance of the unexpired term. The governor shall designate a chairman and a vice-chairman from the members of the commission. The chairman shall be the chief executive officer of the commission. Members of the commission shall be reimbursed only for their actual and necessary expenses incurred in the performance of their duties.

History: 1968, Act 11, Imd. Eff. Mar. 29, 1968

***** 395.303 THIS SECTION WAS REPEALED BY SECTION 2(1) OF ACT 285 OF 1982, EFFECTIVE SEPTEMBER 30, 1985. SECTION 2 OF ACT 285 OF 1982 WAS REPEALED BY ACT 134 OF 1985, EFFECTIVE SEPTEMBER 30, 1985, AND BY ACT 108 OF 1988, EFFECTIVE APRIL 11, 1988 *****

395.303 Duties of commission.

Sec. 3.

The department of labor through the commission shall do the following:

- (a) Stimulate and encourage formation throughout the state of local committees for concerns of handicappers.
- (b) Promote increased public and private interest and support for well-being of handicappers.
- (c) Secure appropriate recognition of handicappers' accomplishments and contributions to this state.

History: 1968, Act 11, Imd. Eff. Mar. 29, 1968 ;-- Am. 1978, Act 58, Imd. Eff. Mar. 10, 1978

***** 395.304 THIS SECTION WAS REPEALED BY SECTION 2(1) OF ACT 285 OF 1982, EFFECTIVE SEPTEMBER 30, 1985. SECTION 2 OF ACT 285 OF 1982 WAS REPEALED BY ACT 134 OF 1985, EFFECTIVE SEPTEMBER 30, 1985, AND BY ACT 108 OF 1988, EFFECTIVE APRIL 11, 1988 *****

395.304 Federal funds; private gifts and donations.

Sec. 4.

The department of labor may accept federal funds granted by congress or executive order for the purposes of this act as well as private gifts and donations from individuals, private organizations, or foundations. However,

acceptance and use of federal funds does not commit state funds and does not place an obligation upon the legislature to continue the purposes for which the funds are made available.

History: 1968, Act 11, Imd. Eff. Mar. 29, 1968 ;-- Am. 1978, Act 58, Imd. Eff. Mar. 10, 1978

***** 395.305 THIS SECTION WAS REPEALED BY SECTION 2(1) OF ACT 285 OF 1982, EFFECTIVE SEPTEMBER 30, 1985. SECTION 2 OF ACT 285 OF 1982 WAS REPEALED BY ACT 134 OF 1985, EFFECTIVE SEPTEMBER 30, 1985, AND BY ACT 108 OF 1988, EFFECTIVE APRIL 11, 1988 *****

395.305 Commission on handicapper concerns; cooperation of state agencies.

Sec. 5.

The commission shall have the full cooperation of all executive departments and agencies of the state in the performance of its duties.

History: 1968, Act 11, Imd. Eff. Mar. 29, 1968

***** 395.306 THIS SECTION WAS REPEALED BY SECTION 2(1) OF ACT 285 OF 1982, EFFECTIVE SEPTEMBER 30, 1985. SECTION 2 OF ACT 285 OF 1982 WAS REPEALED BY ACT 134 OF 1985, EFFECTIVE SEPTEMBER 30, 1985, AND BY ACT 108 OF 1988, EFFECTIVE APRIL 11, 1988 *****

395.306 Annual report.

Sec. 6.

The department of labor shall submit an annual report to the governor including recommendations for improvements in programs for handicappers.

History: 1968, Act 11, Imd. Eff. Mar. 29, 1968 ;-- Am. 1978, Act 58, Imd. Eff. Mar. 10, 1978

***** 395.307 THIS SECTION WAS REPEALED BY SECTION 2(1) OF ACT 285 OF 1982, EFFECTIVE SEPTEMBER 30, 1985. SECTION 2 OF ACT 285 OF 1982 WAS REPEALED BY ACT 134 OF 1985, EFFECTIVE SEPTEMBER 30, 1985, AND BY ACT 108 OF 1988, EFFECTIVE APRIL 11, 1988 *****

395.307 Commission on handicapper concerns; promulgation of rules and regulations.

Sec. 7.

The commission shall have no authority to promulgate rules and regulations.

History: 1968, Act 11, Imd. Eff. Mar. 29, 1968

395.308 Repealed. 1985, Act 134, Imd. Eff. Sept. 30, 1985.

Compiler's Notes: The repealed section extended the time for completion of activities by the commission on handicapper concerns and required a report and public hearings.

THE CENTRAL DISABILITY RESOURCE DIRECTORY ACT

Act 575 of 1996

395.321-395.331 Repealed. 1996, Act 575, Eff. Mar. 31, 2000.

EXECUTIVE REORGANIZATION ORDER

E.R.O. No. 1995-10

395.351 Transfer of powers and duties of commission on handicapper concerns to commission on disability concerns by type II transfer; abolish commission on handicapper concerns.

WHEREAS, Article V, Section 2, of the Constitution of the State of Michigan of 1963 empowers the Governor to make changes in the organization of the Executive Branch or in the assignment of functions among its units which he considers necessary for efficient administration; and

WHEREAS, the Commission on Handicapper Concerns was created by Act No. 11 of the Public Acts of 1968, as amended by Act No. 58 of the Public Acts of 1978, being Sections 395.301 et seq. of the Michigan Compiled Laws, in the Michigan Department of Labor; and

WHEREAS, the functions, duties and responsibilities assigned to the Commission on Handicapper Concerns can be more effectively organized and carried out by the Commission on Disability Concerns within the Michigan Department of Labor; and

WHEREAS, it is necessary in the interests of efficient administration and effectiveness of government to effect changes in the organization of the Executive Branch of government.

NOW, THEREFORE, I, John Engler, Governor of the State of Michigan, pursuant to the powers vested in me by the Constitution of the State of Michigan of 1963 and the laws of the State of Michigan, do hereby order the following:

1. The Commission on Disability Concerns is hereby created within the Michigan Department of Labor.
2. All the statutory authority, powers, duties, functions and responsibilities created under Sections one (1) through seven (7) of Act No. 11 of the Public Acts of 1968, as amended by Act No. 58 of the Public Acts of 1978, being Sections 395.301 et seq. of the Michigan Compiled Laws, are hereby transferred to the Commission on Disability Concerns within the Michigan Department of Labor by a Type II transfer as defined by Section 3 of Act No. 380 of the Public Acts of 1965, as amended, being Section 16.103 of the Michigan Compiled Laws.
3. All records, personnel, property and unexpended balances of appropriations, allocations and other funds used, held, employed, available or to be made available to the Commission on Handicapper Concerns within the Department of Labor, are hereby transferred to the Commission on Disability Concerns within the Department of Labor.
4. All rules, orders, contracts and agreements relating to the assigned functions lawfully adopted prior to the effective date of this Order shall continue to be effective until revised, amended or repealed.
5. Any suit, action or other proceeding lawfully commenced by, against or before any entity affected by this Order shall not abate by reason of the taking effect of this Order. Any suit, action or other proceeding may be maintained by, against or before the appropriate successor of any entity affected by this Order.
6. The Commission on Handicapper Concerns is hereby abolished.

In fulfillment of the requirement of Article V, Section 2, of the Constitution of the State of Michigan of 1963, the provisions of this Executive Order shall become effective 60 days from the filing of this Order.

History: 1995, E.R.O. No. 1995-10, Eff. July 23, 1995

Compiler's Notes: For transfer of commission on disability concerns from family independence agency to department of labor and economic growth by Type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

DOULA SCHOLARSHIP PROGRAM

Act 256 of 2024

AN ACT to establish a doula scholarship program for eligible individuals; to provide for the administration of the doula scholarship program; to create the doula scholarship fund; and to prescribe certain powers and duties of certain state officers and entities.

History: 2024, Act 256, Eff. Apr. 2, 2025

The People of the State of Michigan enact:

395.361 Definitions.

Sec. 1.

As used in this act:

- (a) "Department" means the department of health and human services.
- (b) "Doula" means an individual who provides continuous physical, emotional, and informational support to a mother before, during, and shortly after childbirth to help the mother achieve a healthy and satisfying childbirth experience.
- (c) "Doula training" means the training an individual completes to become a doula and that is approved by the Michigan doula advisory council in the department.
- (d) "Eligible costs" means the costs of doula training, including, but not limited to, cost of books, workshop fees, examination fees, and membership fees.
- (e) "Financial hardship" means insufficient financial resources to complete doula training without financial assistance.

History: 2024, Act 256, Eff. Apr. 2, 2025

395.363 Doula scholarship program; promulgation of rules.

Sec. 3.

The doula scholarship program is created, to be administered by the department. The department shall do all of the following in implementing the scholarship program:

- (a) Award scholarships to eligible individuals under this act.
- (b) Promulgate rules necessary to implement this act pursuant to the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.
- (c) Publicize the availability of the doula scholarship program, in partnership with universities, nonprofit organizations, and other persons.

History: 2024, Act 256, Eff. Apr. 2, 2025

395.365 Scholarship eligibility criteria; application.

Sec. 5.

(1) The department may award a scholarship for eligible costs under this act to an individual determined by the department to meet all of the following eligibility criteria:

- (a) Has not been awarded a scholarship under this act at the time the individual submits an application.
 - (b) Demonstrates a financial hardship through household income or through receipt of financial assistance under the supplemental nutrition assistance program; the special supplemental food program for women, infants, and children; the Social Security Administration SSI program; or another program.
 - (c) Completes a signed application stating an intent to become a doula in this state and provides proof of residency in this state.
 - (d) Will serve as a doula in a health professional shortage area as that term is defined in 42 USC 254e, or with a medically underserved population as that term is defined in 42 USC 254b.
 - (e) Meets any other standards established in the rules promulgated by the department under section 3.
- (2) An individual may apply for a scholarship under this act by completing an application on a form provided by the department.

History: 2024, Act 256, Eff. Apr. 2, 2025

395.367 Awards; documentation requirements; noncompliance; repayment.

Sec. 7.

(1) An individual must not receive more than \$3,000.00 for an award under this act and must not receive more than 1 award under this act.

(2) Not more than 6 months after receiving a scholarship under this act, the individual shall be working toward completion of doula training or have completed doula training, and shall provide the department with documentation demonstrating that the individual is serving as a doula or is working toward completion of doula training. The department shall accept any of the following as documentation required under this subsection:

- (a) A letter from a health care professional who verifies the individual is serving as a doula and the health care professional works with the individual.
 - (b) A letter from a client who received services from the individual acting as the client's doula.
 - (c) Any other documentation the department determines is sufficient to demonstrate the requirements of this subsection.
- (3) If an individual does not comply with subsection (2), the department shall seek repayment of the award.

History: 2024, Act 256, Eff. Apr. 2, 2025

395.369 Doula scholarship fund.

Sec. 9.

(1) The doula scholarship fund is created within the state treasury.

(2) The state treasurer may receive money or other assets from any source for deposit into the fund. The state treasurer shall direct investment of the fund. The state treasurer shall credit to the fund interest and earnings from fund investments.

(3) Money in the fund at the close of the fiscal year will remain in the fund and will not lapse to the general fund.

(4) The department is the administrator of the fund for auditing purposes.

(5) The department shall expend money from the fund, upon appropriation, only for the purpose of providing scholarships under this act.

History: 2024, Act 256, Eff. Apr. 2, 2025