

HOUSE BILL No. 4461

March 26, 2003, Introduced by Reps. Hunter, McConico, Condino, Rivet, Elkins, Clack, Plakas, Sak, Stallworth, Phillips, Paletko, Accavitti, Hopgood, Meisner and Tobocman and referred to the Committee on Appropriations.

A bill to amend 1979 PA 94, entitled
 "The state school aid act of 1979,"
 by amending sections 25b and 25c (MCL 388.1625b and 388.1625c),
 section 25b as amended and section 25c as added by 2001 PA 121.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 25b. (1) ~~Beginning in 2000-2001, this~~ **This** section
 2 applies to an educating district's enrollment of a pupil if the
 3 educating district is not a school district of the first class
 4 under the revised school code and if all of the following apply:

5 (a) The pupil transfers from ~~1 of 3 other districts~~
 6 ~~specified by the educating~~ **another** district and enrolls in the
 7 educating district after the pupil membership count day.

8 (b) Due to the pupil's enrollment status as of the pupil
 9 membership count day, the pupil was counted in membership in the
 10 district from which he or she transfers.

1 (c) The pupil was a resident of the educating district on the
2 pupil membership count day or met other eligibility criteria
3 under section 6(4) or (6) to be counted in membership in the
4 educating district if the pupil had been enrolled in the
5 educating district on the pupil membership count day.

6 ~~(d) The total number of pupils enrolled in the district who~~
7 ~~are described in subdivisions (a), (b), and (c) and who transfer~~
8 ~~from 1 of the 3 other districts specified by the educating~~
9 ~~district is at least equal to the greater of 25 or 1% of the~~
10 ~~educating district's membership.~~

11 (2) If the conditions specified in subsection (1) are met,
12 and a pupil transfers from ~~1 of the 3 other specified districts~~
13 ~~described in subsection (1)(d)~~ **another district** and enrolls
14 during a school year in the educating district, the educating
15 district shall report the enrollment information to the
16 department and to the district in which the pupil is counted in
17 membership, and the district in which the pupil is counted in
18 membership shall pay to the educating district an amount equal to
19 the amount of the foundation allowance or per pupil payment as
20 calculated under section 20 for the district in which the pupil
21 is counted in membership, prorated according to the number of
22 days of the school year ending in the fiscal year the pupil is
23 educated in the educating district compared to the number of days
24 of the school year ending in the fiscal year the pupil was
25 actually enrolled in the district in which the pupil is counted
26 in membership. The foundation allowance or per pupil payment
27 shall be adjusted by the pupil's full-time equated status as

1 affected by the membership definition under section 6(4). If a
2 district does not make the payment required under this section
3 within 30 days after receipt of the report, the department shall
4 calculate the amount owed, shall deduct that amount from the
5 remaining state school aid payments to the district for that
6 fiscal year under this act, and shall pay that amount to the
7 educating district. The district in which the pupil is counted
8 in membership and the educating district shall provide to the
9 department all information the department requires to enforce
10 this section.

11 (3) In determining the total amount a district owes to the
12 educating district under this section, regardless of whether that
13 district is otherwise eligible for payment from the educating
14 district under this section, the district may calculate and
15 subtract from the amount owed, using the calculation described in
16 subsection (1), any amount applicable to pupils who transfer to
17 that district from the educating district and meet the
18 requirements of subsection (1)(a) to (c).

19 (4) As used in this section, "educating district" means the
20 district in which a pupil enrolls after the pupil membership
21 count day as described in subsection (1).

22 Sec. 25c. (1) ~~Beginning in 2000-2001, this~~ **This** section
23 applies to an educating district's enrollment of a pupil if the
24 educating district is a school district of the first class under
25 the revised school code and if all of the following apply:

26 (a) The pupil transfers from another district and enrolls in
27 the educating district after the pupil membership count day.

1 (b) Due to the pupil's enrollment status as of the pupil
2 membership count day, the pupil was counted in membership in the
3 district from which he or she transfers.

4 (c) The pupil was a resident of the educating district on the
5 pupil membership count day or met other eligibility criteria
6 under section 6(4) or (6) to be counted in membership in the
7 educating district if the pupil had been enrolled in the
8 educating district on the pupil membership count day.

9 ~~(d) The total number of pupils enrolled in the district who~~
10 ~~are described in subdivisions (a), (b), and (c) is at least equal~~
11 ~~to 25.~~

12 (2) If the conditions specified in subsection (1) are met,
13 and a pupil transfers from another district and enrolls during a
14 school year in the educating district, the educating district
15 shall report the enrollment information to the department and to
16 the district in which the pupil is counted in membership, and the
17 district in which the pupil is counted in membership shall pay to
18 the educating district an amount equal to the amount of the
19 foundation allowance or per pupil payment as calculated under
20 section 20 for the district in which the pupil is counted in
21 membership, prorated according to the number of days of the
22 school year ending in the fiscal year the pupil is educated in
23 the educating district compared to the number of days of the
24 school year ending in the fiscal year the pupil was actually
25 enrolled in the district in which the pupil is counted in
26 membership. The foundation allowance or per pupil payment shall
27 be adjusted by the pupil's full-time equated status as affected

1 by the membership definition under section 6(4). If a district
2 does not make the payment required under this section within 30
3 days after receipt of the report, the department shall calculate
4 the amount owed, shall deduct that amount from the remaining
5 state school aid payments to the district for that fiscal year
6 under this act, and shall pay that amount to the educating
7 district. The district in which the pupil is counted in
8 membership and the educating district shall provide to the
9 department all information the department requires to enforce
10 this section.

11 (3) In determining the total amount a district owes to the
12 educating district under this section, regardless of whether that
13 district is otherwise eligible for payment from the educating
14 district under this section, the district may calculate and
15 subtract from the amount owed, using the calculation described in
16 subsection (1), any amount applicable to pupils who transfer to
17 that district from the educating district and meet the
18 requirements of subsection (1)(a) to (c).

19 (4) As used in this section, "educating district" means the
20 district in which a pupil enrolls after the pupil membership
21 count day as described in subsection (1).