

Act No. 322
Public Acts of 2011
Approved by the Governor
December 27, 2011
Filed with the Secretary of State
December 27, 2011
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**STATE OF MICHIGAN
96TH LEGISLATURE
REGULAR SESSION OF 2011**

Introduced by Senator Hildenbrand

ENROLLED SENATE BILL No. 691

AN ACT to amend 1979 PA 94, entitled "An act to make appropriations to aid in the support of the public schools, the intermediate school districts, community colleges, and public universities of the state; to make appropriations for certain other purposes relating to education; to provide for the disbursement of the appropriations; to authorize the issuance of certain bonds and provide for the security of those bonds; to prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to create certain funds and provide for their expenditure; to prescribe penalties; and to repeal acts and parts of acts," by amending section 25 (MCL 388.1625), as amended by 2005 PA 155.

The People of the State of Michigan enact:

Sec. 25. (1) If a pupil is enrolled in an alternative education program operated by an intermediate district or district for the purpose of educating pupils who have been expelled from school or referred from the court, and if the pupil is counted in membership in another intermediate district or district, the intermediate district or district operating the alternative education program shall report the enrollment information to the department and to the district in which the pupil is counted in membership, and the intermediate district or district in which the pupil is counted in membership shall pay to the intermediate district or district operating the alternative education program an amount equal to the amount of the foundation allowance or per pupil payment as calculated under section 20 for the intermediate district or district in which the pupil is counted in membership, prorated according to the number of days of the school year ending in the fiscal year the pupil is educated in the alternative education program compared to the number of days of the school year ending in the fiscal year the pupil was actually enrolled in the intermediate district or district in which the pupil is counted in membership. The foundation allowance or per pupil payment shall be adjusted by the pupil's full-time equated status as affected by the membership definition under section 6(4). If an intermediate district or district does not make the payment required under this section within 30 days after receipt of the report, the department shall calculate the amount owed, shall deduct that amount from the remaining state school aid payments to the intermediate district or district for that fiscal year under this act, and shall pay that amount to the intermediate district or district operating the alternative education program. The intermediate district or district in which the pupil is counted in membership and the intermediate district or district operating the alternative education program shall provide to the department all information the department requires to enforce this section.

(2) If a pupil is enrolled in a strict discipline academy for pupils who have been expelled or suspended from school or otherwise placed in a strict discipline academy as described in section 1311g of the revised school code, MCL 380.1311g, and if the pupil is counted in membership in another district or intermediate district, the strict discipline academy shall report the enrollment information to the department and to the district or intermediate district in which the pupil is

counted in membership. Upon receipt of enrollment information under this subsection indicating that a pupil has enrolled in a strict discipline academy as described in this subsection, the department shall do both of the following:

(a) Adjust the membership calculation for the district or intermediate district in which the pupil was counted in membership so that the district's or intermediate district's membership is prorated to allow the district or intermediate district to receive for each school day in which the pupil was enrolled in the district an amount equal to 1/180 of the foundation allowance or per pupil payment as calculated under section 20 for the district or intermediate district. The foundation allowance or per pupil payment shall be adjusted by the pupil's full-time equated status as affected by the membership definition under section 6(4).

(b) Include in the calculation of state school aid for the strict discipline academy for each school day in which the pupil is enrolled in the strict discipline academy, not to exceed a number of school days equal to the difference between 180 and the number of school days in which the pupil was reported under this section as previously enrolled in 1 or more other districts or intermediate districts, an amount equal to 1/180 of the per pupil payment as calculated under section 20 for the strict discipline academy. The per pupil payment shall be adjusted by the pupil's full-time equated status as affected by the membership definition under section 6(4).

(3) The changes in calculation of state school aid required under subsection (2) shall take effect as of the date that the pupil enrolls in the strict discipline academy, and the department shall base all subsequent payments under this act for the fiscal year to the affected districts or intermediate districts and for the strict discipline academy, as applicable, on this recalculation of state school aid.

(4) If a pupil enrolls in a strict discipline academy as described in subsection (2), if adjustments are made in calculations pursuant to subsection (2) due to that enrollment, and if the pupil subsequently ceases to be enrolled in the strict discipline academy, the strict discipline academy shall notify the department of the last date of the pupil's enrollment in the strict discipline academy and the number of days the pupil was enrolled in the strict discipline academy.

(5) If a pupil enrolls in a strict discipline academy as described in subsection (2), the district or intermediate district in which the pupil is counted in membership and the strict discipline academy shall provide to the department all information the department requires to comply with this section.

(6) The changes in the requirements under this section that are contained in subsections (2) to (5) apply beginning with payments made for the 2011-2012 fiscal year.

This act is ordered to take immediate effect.

Carol Morey Viventi

Secretary of the Senate

Jay E. Randall

Clerk of the House of Representatives

Approved

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Governor