

SENATE BILL No. 369

April 2, 2003, Introduced by Senators HAMMERSTROM, KUIPERS, HARDIMAN,
GILBERT, PATTERSON, CROSEY and SIKKEMA and referred to the Committee on
Education.

A bill to amend 1979 PA 94, entitled
"The state school aid act of 1979,"
by amending sections 19, 23, and 94 (MCL 388.1619, 388.1623, and
388.1694), section 19 as amended by 2002 PA 191, section 23 as
amended by 1997 PA 93, and section 94 as amended by 2002 PA 521.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 19. (1) ~~A~~ **To avoid a reduction in funding under this**
2 **section, a** district shall comply with the requirements of
3 sections 1204a, 1277, **and** 1278 ~~—, and 1280~~ of the revised school
4 code, MCL 380.1204a, 380.1277, **and** 380.1278. ~~—, and 380.1280,~~
5 ~~commonly referred to as "public act 25 of 1990".~~

6 (2) Each district and intermediate district shall provide to
7 the department, in a form and manner prescribed by the
8 department, information necessary for the development of an
9 annual progress report on the implementation of sections 1204a,

1 1277, **and** 1278 ~~—, and 1280~~ of the revised school code,
2 MCL 380.1204a, 380.1277, **and** 380.1278. ~~—, and 380.1280, commonly~~
3 ~~referred to as "public act 25 of 1990".~~ Additionally, each
4 district and intermediate district shall provide to the
5 department of information technology, in a form and manner
6 prescribed by the department of information technology, on the
7 achievement of national education goals, and information
8 necessary for the development of other performance reports.

9 (3) If a district or intermediate district fails to meet the
10 requirements of subsection (2) and sections 1204a, 1277, and 1278
11 of the revised school code, MCL 380.1204a, 380.1277, and
12 380.1278, the department shall withhold 5% of the total funds for
13 which the district or intermediate district qualifies under this
14 act until the district or intermediate district complies with all
15 of those sections. If the district or intermediate district does
16 not comply with all of those sections by the end of the fiscal
17 year, the department shall place the amount withheld in an escrow
18 account until the district or intermediate district complies with
19 all of those sections.

20 ~~(4) If a school in a district is not accredited under~~
21 ~~section 1280 of the revised school code, MCL 380.1280, or is not~~
22 ~~making satisfactory progress toward meeting the standards for~~
23 ~~that accreditation, the department shall withhold 5% of the total~~
24 ~~funds for which the district qualifies under this act that are~~
25 ~~attributable to pupils attending that school. The department~~
26 ~~shall place the amount withheld from a district under this~~
27 ~~subsection in an escrow account and shall not release the funds~~

1 ~~to the district until the district submits to the department a~~
 2 ~~plan for achieving accreditation for each of the district's~~
 3 ~~schools that are not accredited under section 1280 of the revised~~
 4 ~~school code, MCL 380.1280, or are not making satisfactory~~
 5 ~~progress toward meeting the standards for that accreditation.~~

6 Sec. 23. (1) An instructional program operated under this
 7 section by a public university for pupils in grades K-6, 6-8, or
 8 9-12, or a combination of those grades, may be funded under this
 9 act as a district if all of the following requirements are met:

10 (a) The public university has submitted an application under
 11 this section, or submitted an application to the department in a
 12 prior fiscal year under former section 23c, in the form and
 13 manner prescribed by the department. The application shall
 14 include, or have included, at least all of the following:

15 (i) Identification of the proposed grade levels for which the
 16 university plans to operate an instructional program.

17 (ii) Identification of the districts from which pupils would
 18 be eligible to attend the instructional program.

19 (iii) A description of the process for the random selection
 20 of pupils for enrollment.

21 (iv) A description of the proposed curriculum features that
 22 would be given highest priority in the instructional program.

23 (b) The instructional program complies with the requirements
 24 of sections 1204a, 1277, **and** 1278 ~~—, and 1280~~ of the revised
 25 school code, MCL 380.1204a, 380.1277, **and** 380.1278. ~~—, and~~
 26 ~~380.1280, commonly referred to as "public act 25 of 1990".~~

27 (2) An instructional program operated under this section is

1 eligible in the same manner as a district or public school
2 academy for all applicable categorical and federal aid.

3 (3) An employee of a public university employed in an
4 instructional program operated under this section is not an
5 employee of a school district for purposes of 1937 (Ex Sess) PA
6 4, MCL 38.71 to 38.191.

7 (4) An employee of a public university employed in an
8 instructional program operated under this section is not eligible
9 to be a member of the public school employees retirement system
10 established by the public school employees retirement act of
11 1979, 1980 PA 300, MCL 38.1301 to ~~38.1467~~ **38.1408**, unless other
12 employees of the university are eligible for membership in that
13 retirement system.

14 Sec. 94. From the general fund money appropriated in
15 section 11, there is allocated to the department ~~an amount not~~
16 ~~to exceed \$3,000,000.00 for 2001-2002 and~~ an amount not to
17 exceed \$2,000,000.00 each fiscal year for 2002-2003 and for
18 2003-2004 to provide technical assistance to districts for
19 ~~school accreditation purposes as described in section 1280 of~~
20 ~~the revised school code, MCL 380.1280~~ **meeting adequate yearly**
21 **progress requirements under the federal no child left behind act**
22 **of 2001, Public Law 107-110, 115 Stat. 1425.**