

Legislative Analysis



PROHIBIT SCHOOL OPERATION OUTSIDE DISTRICT

Mitchell Bean, Director
Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 4924 as passed by the House

Sponsor: Rep. Tim Melton

Committee: Education

Second Analysis (1-3-08)

BRIEF SUMMARY: The bill would prohibit a school district from operating an educational program in another district without the home district's approval (unless the program was already in operation as of June 1, 2007).

FISCAL IMPACT: The bill would have no fiscal impact.

THE APPARENT PROBLEM:

During the most recent wave of educational reforms, many officials within Michigan's more than 500 school districts have forged partnerships with community and business leaders, universities, intermediate school districts, and occasionally with charter schools and nearby school districts. The organizations join together to offer mutually beneficial programs that are intended to increase instructional effectiveness and achieve financial efficiencies. The programs jointly offered are the result of negotiations between partners.

Recently, two public school districts in Oakland County—the City of Pontiac School District and the Southfield Public Schools—have learned that an adjacent school district intends to unilaterally operate an alternative education program within their geographic service areas without the approval of their boards of education. Alternative education programs generally offer a high school curriculum and are offered to students at risk of dropping out of school.

If the adjacent school district's alternative ed program is put in place over the objections of the host school districts, the home districts would have to compete for the state funds that reimburse school districts on a per capita basis for their alternative education programs.

Legislation has been introduced that would prohibit a school district from operating a program in another district without that district's approval.

THE CONTENT OF THE BILL:

House Bill 4924 would amend the Revised School Code to prohibit the board of a school district from operating a school, or any other educational program, outside the boundaries of that school district, unless the board has the written permission of the board members of the school district in which its school or program is located.

The bill specifies that this prohibition would not apply to a school or other educational program that was in operation as of June 1, 2007, as determined by the Department of Education.

MCL 380.1259

ARGUMENTS:

For:

Alternative education programs are offered by school districts instead of the traditional high school curriculum. Generally the students who enroll in alternative education programs are at risk of dropping out of school. It is important that a program that serves these challenged students have a strong instructional focus and also elicit the support of the many community agencies—such as health and social services, parental assistance programs, job training agencies, faith-based projects—near the students' homes that can improve the quality of their lives. This coordination of services so necessary to the students' success cannot be achieved as easily, if at all, by school officials who live in nearby towns and outside the alternative education students' home community.

This legislation would prohibit outsider school districts from operating programs—alternative education programs and any others (excepting charter schools)—without the okay of the home district. The bill would ensure accountability, allowing home districts to educate their students at risk of dropping out by offering a full array of well-coordinated academic and social services. The bill also would ensure that a home district would maintain its per capita funding from the state, rather than sharing its scarce resources with nearby school districts that were competing for their students.

Against:

While this bill is a good one, some people believe it should be amended to also prohibit charter schools from setting up shop in a school district unless the charter school has the consent of the school district within which it intends to operate. Most especially in urban areas, charter schools also drain a local school district of its financial resources, weakening its ability to serve the many hard-to-educate students who remain in the public schools.

POSITIONS:

The Pontiac School District supports the bill. (6-19-07)

The Southfield Public Schools support the bill. (6-19-07)

The Michigan Association of Public School Academies supports the bill. (6-19-07)

The Michigan Association of School Administrators supports the bill. (6-19-07)

The Middle Cities Education Association supports the bill. (6-19-07)

The Michigan Small Rural Schools support the bill. (6-19-07)

The American Federation of Teachers – Michigan supports the bill. (6-19-07)

The Calhoun Intermediate School District supports the bill. (6-19-07)

Oakland Intermediate School District supports the bill. (6-19-07)

Wayne Regional Education Services Agency supports the bill. (6-19-07)

Kalamazoo, Muskegon, & Ottawa Intermediate School Districts support the bill. (6-19-07)

The Tri-County Alliance of Superintendents (Oakland, Wayne, & Macomb counties) supports the bill. (6-19-07)

The Michigan Association of School Boards supports the bill. (6-19-07)

Legislative Analyst: J. Hunault
Fiscal Analyst: Mary Ann Cleary
Bethany Wicksall

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.