

SENATE BILL No. 260

April 14, 2015, Introduced by Senators HERTEL, YOUNG, MARLEAU, KNEZEK, SMITH, BIEDA, GREGORY, JONES and SHIRKEY and referred to the Committee on Education.

A bill to amend 1979 PA 94, entitled
"The state school aid act of 1979,"
by amending section 167 (MCL 388.1767), as amended by 2013 PA 122.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 167. (1) The department in cooperation with the
2 department of community health shall develop plans to assist
3 districts and intermediate districts and local county health
4 departments to comply with section 1177 of the revised school code,
5 MCL 380.1177, and section 9209 of the public health code, 1978 PA
6 368, MCL 333.9209, for each school year.

7 (2) Each district or intermediate district shall report to the
8 local health department in which it is located by November 1 of
9 each fiscal year, in a manner prescribed by the department of
10 community health, the immunization status of each pupil in grades K
11 through 12 who enrolled in the district or intermediate district

1 for the first time or ~~, beginning in 2014-2015,~~ who enrolled in
2 grade 7 in the district or intermediate district for the first
3 time, between January 1 and September 30 of the immediately
4 preceding fiscal year. **THE REPORTING OF IMMUNIZATION STATUS SHALL**
5 **SPECIFY IMMUNIZATION STATUS SEPARATELY FOR EACH OF THE**
6 **IMMUNIZATIONS SPECIFIED BY THE DIRECTOR OF THE DEPARTMENT OF**
7 **COMMUNITY HEALTH.** Not later than December 31 of each fiscal year,
8 the department of community health shall notify the department by
9 district or intermediate district of the percentage of entering
10 pupils and ~~, beginning in 2014-2015,~~ of pupils who enrolled in
11 grade 7 for the first time who do not have a completed, waived, or
12 provisional immunization record in accordance with section 1177 of
13 the revised school code, MCL 380.1177. If a district or
14 intermediate district does not have a completed, waived, or
15 provisional immunization record in accordance with section 1177 of
16 the revised school code, MCL 380.1177, for at least 90% of the
17 district's or intermediate district's entering pupils, as recorded
18 in the November 1 reports required under this subsection, the
19 district or intermediate district is subject to subsection ~~(4)~~ (5)
20 until the district or intermediate district has such an
21 immunization record for at least 90% of its pupils who enrolled in
22 the district or intermediate district for the first time.

23 (3) Each district or intermediate district shall again report
24 to the local health department in which it is located by February 1
25 of each fiscal year, in a manner prescribed by the department of
26 community health, the immunization status of each pupil in grades K
27 through 12 who enrolled in the district or intermediate district

1 for the first time, or ~~, beginning in 2014-2015,~~ who enrolled in
2 grade 7 in the district or intermediate district for the first
3 time, between January 1 of the immediately preceding fiscal year
4 and December 31 of the current fiscal year. **THE REPORTING OF**
5 **IMMUNIZATION STATUS SHALL SPECIFY IMMUNIZATION STATUS SEPARATELY**
6 **FOR EACH OF THE IMMUNIZATIONS SPECIFIED BY THE DIRECTOR OF THE**
7 **DEPARTMENT OF COMMUNITY HEALTH.** Not later than March 31 of each
8 fiscal year, the department of community health shall notify the
9 department by district or intermediate district of the percentage
10 of entering pupils and ~~, beginning in 2014-2015,~~ of pupils who
11 enrolled in grade 7 for the first time who do not have a completed,
12 waived, or provisional immunization record in accordance with
13 section 1177 of the revised school code, MCL 380.1177. If a
14 district or intermediate district does not have a completed,
15 waived, or provisional immunization record in accordance with
16 section 1177 of the revised school code, MCL 380.1177, for at least
17 95% of the district's or intermediate district's entering pupils,
18 as recorded in the February 1 reports required under this
19 subsection, the district or intermediate district is subject to
20 subsection ~~(4)~~-(5) until the district or intermediate district has
21 such an immunization record for at least 95% of its pupils who
22 enrolled in the district or intermediate district for the first
23 time. If the department of community health is not able to report
24 to the department by March 31 because a district or intermediate
25 district fails to submit a report as required in this subsection,
26 or submits an incomplete, inaccurate, or late report, the district
27 or intermediate district is subject to subsection ~~(4)~~-(5) until the

1 report is submitted in a complete and accurate form.

2 (4) IN ADDITION TO THE REPORTING REQUIRED UNDER SUBSECTIONS
3 (2) AND (3), A DISTRICT OR INTERMEDIATE DISTRICT SHALL ENSURE THAT
4 THE INFORMATION REPORTED UNDER SUBSECTIONS (2) AND (3) IS POSTED ON
5 THE PUBLICLY AVAILABLE WEBSITE FOR THE DISTRICT OR INTERMEDIATE
6 DISTRICT OR, IF THE DISTRICT OR INTERMEDIATE DISTRICT DOES NOT HAVE
7 A PUBLICLY AVAILABLE WEBSITE, IS POSTED IN ANOTHER PUBLIC MANNER
8 PRESCRIBED BY THE DEPARTMENT OF COMMUNITY HEALTH.

9 (5) ~~(4)~~—If a district or intermediate district does not comply
10 with this section, the department shall withhold 5% of the total
11 funds due to the district or intermediate district under this act
12 after the date the department of community health reports a
13 district's or intermediate district's noncompliance with this
14 section to the department until the district or intermediate
15 district complies with this section. If the district or
16 intermediate district does not comply with this section by the end
17 of the fiscal year, the district or intermediate district forfeits
18 the total amount withheld.

19 Enacting section 1. This amendatory act takes effect 90 days
20 after the date it is enacted into law.

21 Enacting section 2. This amendatory act does not take effect
22 unless Senate Bill No. 259

23 of the 98th Legislature is enacted into law.