

HOUSE BILL No. 4043

February 2, 1989, Introduced by Reps. Jacobetti and O'Neill and referred to the Committee on Appropriations.

A bill to amend sections 11 and 21 of Act No. 94 of the Public Acts of 1979, entitled as amended

"The state school aid act of 1979,"

as amended by Act No. 318 of the Public Acts of 1988, being sections 388.1611 and 388.1621 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 11 and 21 of Act No. 94 of the Public
2 Acts of 1979, as amended by Act No. 318 of the Public Acts of
3 1988, being sections 388.1611 and 388.1621 of the Michigan
4 Compiled Laws, are amended to read as follows:

5 Sec. 11. There is appropriated from the school aid fund
6 established by section 11 of article IX of the state constitution
7 of 1963, for the fiscal year ending September 30, ~~1989~~ 1990,
8 the sum necessary to fulfill the requirements of this act, and
9 any deficiency is appropriated from the general fund by the

1 legislature. The appropriation shall be allocated as provided in
 2 this act. The estimated appropriations and the estimated sources
 3 of revenue provided for in this ~~+1988-~~ 1989 amendatory act are as
 4 follows:

5 GROSS APPROPRIATION..... \$ ~~2,414,030,950-~~

6 Appropriated from:

7 Total federal..... ~~50,994,550-~~

8 School aid fund..... ~~1,859,213,000-~~

9 State general fund/general

10 purpose..... ~~503,823,400-~~

11 Sec. 21. (1) Except as otherwise provided in this act, from
 12 the amount appropriated in section 11, there is allocated to each
 13 district an amount per membership pupil sufficient to guarantee
 14 the district for ~~+1988-89-~~ 1989-90 a combined state-local yield
 15 or gross allowance of ~~\$306.00-~~ \$ plus ~~\$77.71-~~ \$ for
 16 each mill of operating tax levied. For purposes of this section,
 17 only taxes levied for purposes included in the operation cost of
 18 the district as prescribed in section 7 shall be considered oper-
 19 ating tax. The net allocation for each district shall be an
 20 amount per membership pupil computed by subtracting, from the
 21 gross allowance guaranteed the district, the product of the
 22 district's state equalized valuation behind each membership pupil
 23 and the millage utilized for computing the gross allowance.

24 An additional ~~\$30.00-~~ \$ per pupil in gross allowance
 25 shall be allocated to any district that satisfies the
 26 requirements specified in either subdivision (a) or (b).

1 (a) The district requires pupils to have completed as a
2 condition for graduation in ~~1988-89~~ 1989-90 all of the
3 following:

4 (i) A total of 10 years of English or communication skills,
5 mathematics, science, and social science, with not less than 2
6 years of each subject specified in this subparagraph.

7 (ii) One year of health or physical education, or both.

8 (iii) One year of fine or performing arts, or of vocational
9 education or practical arts, or any combination thereof.

10 (iv) One semester of computer education or the equivalent,
11 as approved by the department.

12 If a class taught in a district reasonably falls within more
13 than 1 of the subject categories listed in subparagraphs (i) to
14 (iv), the district may determine which subject category the class
15 falls within as long as teacher certification requirements are
16 not violated.

17 (b) The district provides for its pupils in grades 9 through
18 12 all of the following:

19 (i) Six classes, each consisting of at least 50 minutes of
20 classroom instruction or a total of not less than 300 minutes of
21 classroom instruction. In either case, at least 30% of the
22 pupils in grades 9 through 12 shall be enrolled in the sixth
23 period, with the sixth period being a class of an academic nature
24 that normally would be credited toward high school graduation.
25 This subparagraph does not apply to pupils in grade 9 who do not
26 attend classes in the same building as pupils in grades 10
27 through 12.

1 (ii) Four years of English, with at least 65% of the pupils
2 in grades 9 through 12 enrolled in an English course.

3 (iii) Three years of mathematics, with at least 45% of the
4 pupils in grades 9 through 12 enrolled in a mathematics course.

5 (iv) Three years of science, with at least 45% of the pupils
6 in grades 9 through 12 enrolled in a science course.

7 (v) Three years of social science, with at least 55% of the
8 pupils in grades 9 through 12 enrolled in a social science
9 course.

10 (vi) Two years of a foreign language, vocational education
11 or practical arts, or any combination thereof, with at least 25%
12 of the pupils in grades 9 through 12 enrolled in a course in 1 of
13 these areas.

14 (vii) One year of health or physical education, or both,
15 with at least 15% of the pupils in grades 9 through 12 enrolled
16 in a course in 1 of these areas.

17 (viii) One year of fine or performing arts, with at least
18 10% of the pupils in grades 9 through 12 enrolled in a course in
19 1 of these areas.

20 (ix) One semester of computer education, with at least 5% of
21 the pupils in grades 9 through 12 enrolled in the course.

22 The department may waive the requirements of subdivision (b)
23 for a district with unusual circumstances that is making a good
24 faith effort to comply with this subdivision and has a plan in
25 place to meet the requirements during the following year.

26 In order to be eligible for the additional ~~\$30.00~~ \$
27 per pupil permitted under this subsection, unless it has received

1 a waiver under subdivision (b), a district shall submit to the
2 department not later than October 1, ~~1988~~ 1989, a resolution
3 adopted by its board indicating that the district complies with
4 all of the requirements of either subdivision (a) or (b).

5 A primary or fourth class school district that sends its
6 resident high school pupils to 1 or more districts shall receive
7 the additional ~~\$30.00~~ \$ per pupil permitted under this
8 subsection if at least 90% of its resident high school pupils
9 attend schools in districts that satisfy the requirements of
10 either subdivision (a) or (b). In this case, the primary or
11 fourth class district shall submit to the department not later
12 than October 1, ~~1988~~ 1989, a resolution adopted by its board
13 indicating that it complies with this requirement.

14 Beginning in ~~1988-89~~ 1989-90, a district shall qualify for
15 a high school curriculum incentive described in subdivision (b)
16 only if the district adopts the graduation requirements described
17 in subdivision (a) for pupils graduating in and after the 1991-92
18 school year.

19 In ~~1988-89~~ 1989-90, an additional ~~\$14.00~~ \$ per
20 pupil in gross allowance shall be allocated to any district that
21 satisfies the requirements specified in either of the following
22 subdivisions:

23 (a) The district attains an average class size of not more
24 than 25 pupils for grades K, 1, 2, and 3, taken collectively.

25 (b) The district reduces its average class size in grades K,
26 1, 2, and 3, taken collectively, by at least 1% from the average
27 class size in the immediately preceding school year.

1 For purposes of computing average class size, only the
2 following staff shall be counted:

3 (i) General subject classroom teachers, such as teachers of
4 reading, language arts, mathematics, science or social studies,
5 and kindergarten teachers.

6 (ii) Special subject teachers, such as teachers of art,
7 music, or physical education, to the extent that they provide
8 instruction to eligible pupils.

9 (iii) Special needs teachers, in areas such as compensatory
10 education, bilingual education, migrant education, or gifted and
11 talented education, to the extent that they provide instruction
12 to eligible pupils. The following staff shall not be counted:

13 (A) Special education teachers.

14 (B) Adult education teachers.

15 (C) Professional or nonprofessional support staff.

16 (D) Teacher aides, paraprofessionals, or volunteers.

17 (E) Administrators or supervisors.

18 The department may waive the requirements of subdivision (a)
19 or (b) for a district with unusual circumstances that is making a
20 good faith effort to comply with either of these subdivisions and
21 has a plan in place to meet the requirements for the following
22 year. However, the department shall not grant waivers to a dis-
23 trict in more than 2 consecutive school years.

24 In order to be eligible for the additional ~~\$14.00~~ \$
25 per pupil permitted under this subsection, unless it has received
26 a waiver for subdivision (a) or (b), a district shall submit to
27 the department not later than October 1, ~~1988~~ 1989, a

1 resolution adopted by its board indicating that the district
2 complies with the requirements of either subdivision (a) or (b).

3 (2) A district that supported a district library in 1979-80
4 and continues to provide support for the district library through
5 a millage levied pursuant to Act No. 164 of the Public Acts of
6 1955, as amended, being sections 397.271 to 397.276 of the
7 Michigan Compiled Laws, shall be credited, for all computations
8 made under this section, with the amount of millage levied for
9 library purposes, but not to exceed 0.7 mills, if the district
10 levies not more than 0.7 mills less than its authorized operating
11 millage rate.

12 (3) State equalization allocations to a district shall be
13 adjusted by subtracting from the allocations money received under
14 section 3(c)(1) of title I of chapter 1124, 64 Stat. 1100, 20
15 U.S.C. 238, in the same proportion as the total local revenues
16 covered under the state equalization program are to total local
17 revenues for education in the district, except that not more than
18 ~~-\$160.00~~ \$ per pupil shall be subtracted. The proportion
19 shall be based on prior year revenue and prior year impact aid.
20 A deduction in any year shall not exceed the amount of deductible
21 impact aid for which a district is eligible under section 3(c)(1)
22 of title I of chapter 1124, 64 Stat. 1100. Any deductions made
23 under this act shall be consistent with the requirements of sec-
24 tion 5 of title I of chapter 1124, 64 Stat. 1100, 20 U.S.C. 240
25 and its regulations.

26 (4) If the net allocation computed for a district pursuant
27 to subsection (1) is a negative amount, it shall be applied as a

1 deduction against any funds otherwise due the district under all
2 other sections of this act. However, the deduction made under
3 this subsection shall not exceed a percentage of a district's
4 total state aid entitlement under all other sections of this act,
5 which percentage is determined by dividing the gross allowance
6 computed for the district under subsection (1) by the product of
7 the district's state equalized valuation behind each membership
8 pupil and the millage utilized for computing the gross allowance
9 and then subtracting the result from 105%, except that the per-
10 centage shall not exceed 70%, and shall be applied after the fol-
11 lowing adjustments which shall be based upon per pupil or per
12 professional staff member cost in each program:

13 (a) The categorical allocations for sections 52 and 61 shall
14 be reduced a proportionate amount for nonresident pupils, and the
15 categorical allocation for section 97 shall be reduced a propor-
16 tionate amount for each professional staff member not an employee
17 of the district.

18 (b) The categorical allocations for section 52 shall be
19 increased a proportionate amount for pupils enrolled in a program
20 operated by another district or the intermediate district, and
21 the categorical allocation for section 97 shall be increased a
22 proportionate amount for each professional staff member partici-
23 pating in a consortium of districts, or of districts and interme-
24 diate districts, where the legal fiscal agency is another dis-
25 trict or intermediate district.

26 (5) Funds due under sections 53, 75, 143, 144, and 146 shall
27 not be counted for purposes of subsection (4).

1 (6) The statewide deductions made under subsection (4) shall
2 not exceed ~~\$20,225,000.00~~ \$ in ~~1988-89~~ 1989-90.

3 (7) A tax levied pursuant to section 1356(4) of the school
4 code of 1976, Act No. 451 of the Public Acts of 1976, being sec-
5 tion 380.1356 of the Michigan Compiled Laws, for the retirement
6 of an operating deficit shall be considered levied for operating
7 purposes in making computations under this section.