

HOUSE BILL No. 4615

April 12, 1989, Introduced by Reps. Trim and Kosteva and referred to the Committee on Education.

A bill to amend section 1283 of Act No. 451 of the Public Acts of 1976, entitled as amended

"The school code of 1976,"

being section 380.1283 of the Michigan Compiled Laws; and to add section 1283a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 1283 of Act No. 451 of the Public Acts
2 of 1976, being section 380.1283 of the Michigan Compiled Laws, is
3 amended and section 1283a is added to read as follows:

4 Sec. 1283. ~~The~~ EXCEPT AS PROVIDED IN SECTION 1283A, THE
5 board of a school district may establish attendance areas within
6 the school district.

7 SEC. 1283A. (1) THE BOARD OF A SCHOOL DISTRICT MAY APPLY TO
8 THE DEPARTMENT FOR A GRANT AS PROVIDED IN SECTION 91(3) OF THE
9 STATE SCHOOL AID ACT OF 1979, ACT NO. 94 OF THE PUBLIC ACTS OF

1 1979, BEING SECTION 388.1691 OF THE MICHIGAN COMPILED LAWS, TO
2 STUDY AND DEVELOP A SCHOOLS OF CHOICE PROGRAM. A SCHOOL DISTRICT
3 THAT DEVELOPS A SCHOOLS OF CHOICE PROGRAM SHALL ENSURE THAT EACH
4 PARENT, LEGAL GUARDIAN, OR PERSON IN LOCO PARENTIS OF A CHILD
5 RESIDING WITHIN THE SCHOOL DISTRICT HAS THE OPPORTUNITY TO SELECT
6 FROM A VARIETY OF PUBLIC SCHOOLS WITH AN APPROPRIATE GRADE LEVEL
7 WITHIN THE SCHOOL DISTRICT THE SCHOOL THAT HIS OR HER CHILD WILL
8 ATTEND.

9 (2) A SCHOOL BOARD MAY APPLY TO THE DEPARTMENT FOR A GRANT
10 AS DESCRIBED IN THIS SECTION IF BOTH OF THE FOLLOWING CONDITIONS
11 ARE MET:

12 (A) THE BOARD ESTABLISHES A SCHOOLS OF CHOICE PLANNING AND
13 EVALUATION COMMITTEE COMPOSED OF 1/3 PARENTS, 1/3 TEACHERS, AND
14 1/3 PRINCIPALS AND PUPILS.

15 (B) THE SCHOOLS OF CHOICE PLANNING AND EVALUATION COMMITTEE
16 REQUIRED BY SUBDIVISION (A) DEVELOPS AND SUBMITS TO THE STATE
17 BOARD FOR APPROVAL A DISTRICT SCHOOLS OF CHOICE PROGRAM WHICH
18 INCLUDES, BUT IS NOT LIMITED TO, ALL OF THE FOLLOWING:

19 (i) A PLAN TO ENSURE THAT ALL PARENTS, LEGAL GUARDIANS, AND
20 PERSONS IN LOCO PARENTIS OF A SCHOOL-AGED CHILD RESIDING WITHIN
21 THE SCHOOL DISTRICT ARE PROVIDED WITH ALL OF THE FOLLOWING:

22 (A) ADEQUATE INFORMATION ABOUT THE SCHOOLS OF CHOICE PROGRAM
23 SO THAT THEY MAY MAKE INFORMED DECISIONS ABOUT WHICH SCHOOL THEIR
24 CHILD WILL ATTEND.

25 (B) ACCESS TO COUNSELING ABOUT THE SCHOOLS OF CHOICE
26 PROGRAM.

1 (ii) A PLAN TO ENSURE THAT TRANSPORTATION TO THE SCHOOL OF
2 CHOICE SHALL BE PROVIDED TO A CHILD IF THE CHILD IS FROM A LOW
3 INCOME FAMILY, AS DETERMINED BY THE DEPARTMENT, OR FROM A SINGLE
4 PARENT OR 2-CAREER FAMILY THAT FALLS BELOW AN INCOME LEVEL DETER-
5 MINED BY THE DEPARTMENT AND THAT CANNOT PROVIDE TRANSPORTATION
6 FOR THE CHILD DUE TO A JOB-RELATED SCHEDULE.

7 (iii) A PLAN TO ENSURE THAT EACH CHILD HAS AN EQUAL OPPORTU-
8 NITY FOR ENROLLMENT IN THE SCHOOL THAT HIS OR HER PARENT, LEGAL
9 GUARDIAN, OR PERSON IN LOCO PARENTIS CHOOSES FOR HIM OR HER.

10 (iv) A PLAN TO ENSURE THAT SUCCESSFUL SCHOOL PROGRAMS, AS
11 MEASURED BY AN INCREASE IN PUPIL ENROLLMENT, SHALL BE PROVIDED
12 WITH ADEQUATE RESOURCES TO CONTINUE AND EXPAND.

13 (v) A PLAN TO ENSURE THAT THE TEACHERS AND PRINCIPALS OF A
14 SCHOOL BUILDING HAVE THE AUTHORITY TO MAKE DECISIONS REGARDING
15 SCHOOL PROGRAMS FOR THEIR BUILDING AS LONG AS THE SCHOOL PROGRAMS
16 ARE CONSISTENT WITH THE SCHOOL DISTRICT'S CURRICULUM POLICY.

17 (vi) AN EXPLANATION OF HOW PUPIL ASSIGNMENT AND TRANSFER
18 POLICIES WILL MAINTAIN SCHOOL DISTRICT STANDARDS OF RACIAL AND
19 ETHNIC INTEGRATION AND AFFIRMATIVE ACTION GOALS.

20 (3) IF A SCHOOLS OF CHOICE PLANNING AND EVALUATION COMMITTEE
21 BEGINS DEVELOPING A PROPOSED SCHOOLS OF CHOICE PROGRAM, EACH
22 SCHOOL WITHIN THE SCHOOL DISTRICT SHALL ESTABLISH A SCHOOLS OF
23 CHOICE PLANNING COMMITTEE. THIS COMMITTEE SHALL BE COMPOSED OF A
24 MAJORITY OF TEACHERS FROM THE SCHOOL, PLUS PARENTS, ADMINISTRA-
25 TORS, AND OTHER RESIDENTS OF THE SCHOOL DISTRICT. A SCHOOL PLAN-
26 NING COMMITTEE MAY BE A PRESENTLY EXISTING COMMITTEE IF THE
27 COMMITTEE MEETS THE MEMBERSHIP REQUIREMENTS OF THIS SUBSECTION.

1 THE SCHOOL PLANNING COMMITTEE SHALL EXAMINE THE STRENGTHS AND
2 EDUCATIONAL GOALS OF ITS SCHOOL AND CONSIDER WAYS IN WHICH THE
3 SCHOOL COULD OFFER UNIQUE OR EXCEPTIONALLY HIGH QUALITY EDUCA-
4 TIONAL PROGRAMS TO SCHOOL-AGED CHILDREN RESIDING WITHIN THE
5 SCHOOL DISTRICT. THE SCHOOL PLANNING COMMITTEE SHALL PREPARE AND
6 TRANSMIT A REPORT OF ITS FINDINGS TO THE SCHOOL DISTRICT'S
7 SCHOOLS OF CHOICE PLANNING AND EVALUATION COMMITTEE, WHICH COM-
8 MITTEE SHALL FORWARD A COPY OF THIS REPORT TO THE BOARD.

9 (4) A BOARD THAT INTENDS TO IMPLEMENT A SCHOOLS OF CHOICE
10 PROGRAM SHALL APPROVE THE PROGRAM AND TRANSMIT NOT LATER THAN
11 SEPTEMBER 30, 1991 TO THE STATE BOARD FOR ITS APPROVAL A REPORT
12 THAT FULLY DESCRIBES THE PROGRAM.

13 (5) IN DETERMINING WHICH SCHOOL DISTRICTS WILL PARTICIPATE
14 IN A SCHOOLS OF CHOICE PROGRAM, THE DEPARTMENT SHALL SELECT
15 SCHOOL DISTRICTS THAT REASONABLY REPRESENT A DIVERSITY OF DIS-
16 TRICTS BASED ON SIZE OF MEMBERSHIP, GEOGRAPHIC LOCATION, DEMO-
17 GRAPHIC CHARACTERISTICS, ECONOMIC CHARACTERISTICS OF RESIDENTS,
18 AND THE BASIS OF THE LOCAL ECONOMY.

19 (6) A BOARD THAT RECEIVES STATE BOARD APPROVAL OF ITS PRO-
20 POSED SCHOOLS OF CHOICE PROGRAM SHALL SUBMIT TO THE SCHOOL ELEC-
21 TORS OF THE SCHOOL DISTRICT THE QUESTION OF WHETHER THE SCHOOL
22 DISTRICT SHOULD GIVE A PARENT, LEGAL GUARDIAN, OR PERSON IN LOCO
23 PARENTIS OF A CHILD RESIDING WITHIN THE SCHOOL DISTRICT THE
24 OPPORTUNITY TO SELECT FROM ALL PUBLIC SCHOOLS WITH AN APPROPRIATE
25 GRADE LEVEL WITHIN THE SCHOOL DISTRICT THE PUBLIC SCHOOL THAT HIS
26 OR HER CHILD WILL ATTEND.

1 (7) THE BALLOT FOR SUBMITTING TO THE SCHOOL ELECTORS OF THE
 2 SCHOOL DISTRICT THE QUESTION PRESCRIBED BY SUBSECTION (6) SHALL
 3 BE IN SUBSTANTIALLY THE FOLLOWING FORM:

4 "SHALL _____, STATE OF
 5 (LEGAL NAME OF LOCAL SCHOOL DISTRICT)

6 MICHIGAN, GIVE A PARENT, LEGAL GUARDIAN, OR PERSON IN LOCO PAREN-
 7 TIS OF A CHILD RESIDING WITHIN THE SCHOOL DISTRICT THE OPPORTU-
 8 NITY TO SELECT FROM ALL PUBLIC SCHOOLS WITH AN APPROPRIATE GRADE
 9 LEVEL WITHIN THE SCHOOL DISTRICT THE PUBLIC SCHOOL THAT HIS OR
 10 HER CHILD WILL ATTEND?

11 YES []

12 NO []"

13 (8) IF A MAJORITY OF THE SCHOOL ELECTORS VOTING ON THE QUES-
 14 TION PRESENTED IN SUBSECTION (7) APPROVE THE QUESTION, THE SCHOOL
 15 DISTRICT SHALL IMPLEMENT A SCHOOLS OF CHOICE PROGRAM.

16 (9) A SCHOOL DISTRICT IMPLEMENTING A SCHOOLS OF CHOICE PRO-
 17 GRAM SHALL REPORT NOT LATER THAN JUNE 30 OF EACH YEAR OF THE PRO-
 18 GRAM, IN A MANNER AND ON A FORM PRESCRIBED BY THE DEPARTMENT, THE
 19 RESULTS OF THE IMPLEMENTATION OF THE PROGRAM.

20 (10) THE DEPARTMENT SHALL DO ALL OF THE FOLLOWING:

21 (A) PROVIDE GUIDELINES FOR SCHOOL DISTRICTS TO USE IN DETER-
 22 MINING HOW PUPILS FROM FAMILIES NEEDING TRANSPORTATION ASSISTANCE
 23 WILL BE TRANSPORTED.

24 (B) PROVIDE TECHNICAL ASSISTANCE AND ADMINISTRATIVE SUPPORT,
 25 AS NECESSARY, TO SCHOOL DISTRICTS IMPLEMENTING THIS SECTION.

26 (C) DISSEMINATE INFORMATION ON THE CHARACTERISTICS AND
 27 SUCCESS OF THE SCHOOLS OF CHOICE PROGRAMS IMPLEMENTED UNDER THIS
 28 SECTION.

1 (11) A MEETING OF A SCHOOLS OF CHOICE PLANNING AND
2 EVALUATION COMMITTEE ESTABLISHED UNDER THIS SECTION SHALL BE HELD
3 PURSUANT TO THE OPEN MEETINGS ACT, ACT NO. 267 OF THE PUBLIC ACTS
4 OF 1976, BEING SECTIONS 15.261 TO 15.275 OF THE MICHIGAN COMPILED
5 LAWS. PUBLIC NOTICE OF THE TIME, DATE, AND PLACE OF THE MEETING
6 SHALL BE GIVEN IN THE MANNER REQUIRED BY ACT NO. 267 OF THE
7 PUBLIC ACTS OF 1976.

8 (12) A WRITING PREPARED, OWNED, USED, IN THE POSSESSION OF,
9 OR RETAINED BY A SCHOOLS OF CHOICE PLANNING AND EVALUATION COM-
10 MITTEE ESTABLISHED UNDER THIS SECTION IN THE PERFORMANCE OF AN
11 OFFICIAL FUNCTION SHALL BE MADE AVAILABLE TO THE PUBLIC IN COM-
12 PLIANCE WITH THE FREEDOM OF INFORMATION ACT, ACT NO. 442 OF THE
13 PUBLIC ACTS OF 1976, BEING SECTIONS 15.231 TO 15.246 OF THE
14 MICHIGAN COMPILED LAWS.

15 (13) FUNDS ALLOCATED UNDER THIS SECTION IN THE FISCAL YEAR
16 ENDING SEPTEMBER 30, 1989 SHALL NOT LAPSE, BUT SHALL CONTINUE TO
17 BE AVAILABLE FOR EXPENDITURE IN THE SUCCEEDING FISCAL YEAR.

18 Section 2. This amendatory act shall not take effect unless
19 sufficient money is appropriated in section 91(3) of the state
20 school aid act of 1979, Act No. 94 of the Public Acts of 1979,
21 being section 388.1691 of the Michigan Compiled Laws, for the
22 planning and implementation of a schools of choice program.