

# HOUSE BILL No. 5143

October 9, 1989, Introduced by Reps. Trim, Willis Bullard and Dunaskiss and referred to the Committee on Appropriations.

A bill to amend section 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 section 388.1621 of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Section 1. Section 21 of Act No. 94 of the Public Acts of  
2 1979, as amended by Act No. 318 of the Public Acts of 1988, being  
3 section 388.1621 of the Michigan Compiled Laws, is amended to  
4 read as follows:

5       Sec. 21. (1) Except as otherwise provided in this act, from  
6 the amount appropriated in section 11, there is allocated to each  
7 district an amount per membership pupil sufficient to guarantee  
8 the district for ~~+1988-89-~~ 1989-90 a combined state-local yield  
9 or gross allowance of \$306.00 plus \$77.71 for each mill of

1 operating tax ~~levied~~ AUTHORIZED. For purposes of this section,  
2 only taxes ~~levied~~ AUTHORIZED for purposes included in the oper-  
3 ation cost of the district as prescribed in section 7 shall be  
4 considered operating tax. The net allocation for each district  
5 shall be an amount per membership pupil computed by subtracting,  
6 from the gross allowance guaranteed the district, the product of  
7 the district's state equalized valuation behind each membership  
8 pupil and the millage utilized for computing the gross  
9 allowance.

10 An additional \$30.00 per pupil in gross allowance shall be  
11 allocated to any district that satisfies the requirements speci-  
12 fied in either subdivision (a) or (b).

13 (a) The district requires pupils to have completed as a con-  
14 dition for graduation in ~~1988-89~~ 1989-90 all of the following:

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

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

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

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

23 If a class taught in a district reasonably falls within more  
24 than 1 of the subject categories listed in subparagraphs (i) to  
25 (iv), the district may determine which subject category the class  
26 falls within as long as teacher certification requirements are  
27 not violated.

1 (b) The district provides for its pupils in grades 9 through  
2 12 all of the following:

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

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

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

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

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

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

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

1       (viii) One year of fine or performing arts, with at least  
2 10% of the pupils in grades 9 through 12 enrolled in a course in  
3 1 of these areas.

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

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

10       In order to be eligible for the additional \$30.00 per pupil  
11 permitted under this subsection, unless it has received a waiver  
12 under subdivision (b), a district shall submit to the department  
13 not later than October 1, ~~+1988-~~ 1989, a resolution adopted by  
14 its board indicating that the district complies with all of the  
15 requirements of either subdivision (a) or (b).

16       A primary or fourth class school district that sends its  
17 resident high school pupils to 1 or more districts shall receive  
18 the additional \$30.00 per pupil permitted under this subsection  
19 if at least 90% of its resident high school pupils attend schools  
20 in districts that satisfy the requirements of either subdivision  
21 (a) or (b). In this case, the primary or fourth class district  
22 shall submit to the department not later than October 1, ~~+1988-~~  
23 1989, a resolution adopted by its board indicating that it com-  
24 plies with this requirement.

25       ~~Beginning in +1988-89, a~~ A district shall qualify for a  
26 high school curriculum incentive described in subdivision (b)  
27 only if the district adopts the graduation requirements described

1 in subdivision (a) for pupils graduating in and after the 1991-92  
2 school year.

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

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

9 (b) The district reduces its average class size in grades K,  
10 1, 2, and 3, taken collectively, by at least 1% from the average  
11 class size in the immediately preceding school year.

12 For purposes of computing average class size, only the fol-  
13 lowing staff shall be counted:

14 (i) General subject classroom teachers, such as teachers of  
15 reading, language arts, mathematics, science or social studies,  
16 and kindergarten teachers.

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

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

24 (A) Special education teachers.

25 (B) Adult education teachers.

26 (C) Professional or nonprofessional support staff.

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

2 (E) Administrators or supervisors.

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

9 In order to be eligible for the additional \$14.00 per pupil  
10 permitted under this subsection, unless it has received a waiver  
11 for subdivision (a) or (b), a district shall submit to the  
12 department not later than October 1, ~~1988~~ 1989, a resolution  
13 adopted by its board indicating that the district complies with  
14 the requirements of either subdivision (a) or (b).

15 (2) A district that supported a district library in 1979-80  
16 and continues to provide support for the district library through  
17 a millage levied pursuant to Act No. 164 of the Public Acts of  
18 1955, as amended, being sections 397.271 to 397.276 of the  
19 Michigan Compiled Laws, shall be credited, for all computations  
20 made under this section, with the amount of millage levied for  
21 library purposes, but not to exceed 0.7 mills, if the district  
22 levies not more than 0.7 mills less than its authorized operating  
23 millage rate.

24 (3) State equalization allocations to a district shall be  
25 adjusted by subtracting from the allocations money received under  
26 section 3(c)(1) of title I of chapter 1124, 64 Stat. 1100, 20  
27 U.S.C. 238, in the same proportion as the total local revenues

1 covered under the state equalization program are to total local  
2 revenues for education in the district, except that not more than  
3 \$160.00 per pupil shall be subtracted. The proportion shall be  
4 based on prior year revenue and prior year impact aid. A deduc-  
5 tion in any year shall not exceed the amount of deductible impact  
6 aid for which a district is eligible under section 3(c)(1) of  
7 title I of chapter 1124, 64 Stat. 1100. Any deductions made  
8 under this act shall be consistent with the requirements of sec-  
9 tion 5 of title I of chapter 1124, 64 Stat. 1100, 20 U.S.C. 240  
10 and its regulations.

11 (4) If the net allocation computed for a district pursuant  
12 to subsection (1) is a negative amount, it shall be applied as a  
13 deduction against any funds otherwise due the district under all  
14 other sections of this act. However, the deduction made under  
15 this subsection shall not exceed a percentage of a district's  
16 total state aid entitlement under all other sections of this act,  
17 which percentage is determined by dividing the gross allowance  
18 computed for the district under subsection (1) by the product of  
19 the district's state equalized valuation behind each membership  
20 pupil and the millage utilized for computing the gross allowance  
21 and then subtracting the result from 105%, except that the per-  
22 centage shall not exceed 70%, and shall be applied after the fol-  
23 lowing adjustments which shall be based upon per pupil or per  
24 professional staff member cost in each program:

25 (a) The categorical allocations for sections 52 and 61 shall  
26 be reduced a proportionate amount for nonresident pupils, and the  
27 categorical allocation for section 97 shall be reduced a

1 proportionate amount for each professional staff member not an  
2 employee of the district.

3       (b) The categorical allocations for section 52 shall be  
4 increased a proportionate amount for pupils enrolled in a program  
5 operated by another district or the intermediate district, and  
6 the categorical allocation for section 97 shall be increased a  
7 proportionate amount for each professional staff member partici-  
8 pating in a consortium of districts, or of districts and interme-  
9 diate districts, where the legal fiscal agency is another dis-  
10 trict or intermediate district.

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

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

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