

SENATE BILL No. 518

July 13, 1989, Introduced by Senators N. SMITH, CROPSEY, GEAKE,
POSTHUMUS, CARL, FREDRICKS and POLLACK and referred to the
Committee on Education and Mental Health.

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

"The school code of 1976,"

as amended, being sections 380.1 to 380.1852 of the Michigan
Compiled Laws, by adding section 1283b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Act No. 451 of the Public Acts of 1976, as
2 amended, being sections 380.1 to 380.1852 of the Michigan
3 Compiled Laws, is amended by adding section 1283b to read as
4 follows:

5 SEC. 1283B. (1) SUBJECT TO SUBSECTION (3), BEFORE
6 JANUARY 1, 1992, THE BOARD OF EACH SCHOOL DISTRICT WITHIN AN
7 INTERMEDIATE SCHOOL DISTRICT SHALL SUBMIT TO THE SCHOOL ELECTORS
8 OF THE SCHOOL DISTRICT AT THE NEXT SCHOOL ELECTION THAT WILL BE
9 HELD AFTER RECEIPT OF THE PETITION DESCRIBED IN SUBSECTION (3)

1 THE QUESTION OF WHETHER THEIR INTERMEDIATE SCHOOL DISTRICT SHOULD
 2 IMPLEMENT A SCHOOLS OF CHOICE PROGRAM THAT GIVES EACH PARENT,
 3 LEGAL GUARDIAN, OR PERSON IN LOCO PARENTIS OF A CHILD RESIDING
 4 WITHIN THE INTERMEDIATE SCHOOL DISTRICT THE OPPORTUNITY TO SELECT
 5 FROM ALL PUBLIC SCHOOLS WITH AN APPROPRIATE GRADE LEVEL WITHIN
 6 THE INTERMEDIATE SCHOOL DISTRICT THE PUBLIC SCHOOL THAT HIS OR
 7 HER CHILD WILL ATTEND.

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

11 "SHALL THE CONSTITUENT SCHOOL DISTRICTS OF _____,
 12 (LEGAL NAME OF INTERMEDIATE SCHOOL DISTRICT)
 13 STATE OF MICHIGAN, GIVE A PARENT, LEGAL GUARDIAN, OR PERSON IN
 14 LOCO PARENTIS OF A CHILD RESIDING WITHIN THE INTERMEDIATE SCHOOL
 15 DISTRICT THE OPPORTUNITY TO SELECT FROM ALL PUBLIC SCHOOLS WITH
 16 AN APPROPRIATE GRADE LEVEL WITHIN THE INTERMEDIATE SCHOOL DIS-
 17 TRICT THE PUBLIC SCHOOL THAT HIS OR HER CHILD WILL ATTEND?
 18 YES [

19 NO ["

20 (3) THE ELECTION DESCRIBED IN THIS SECTION SHALL ONLY BE
 21 HELD IN A CONSTITUENT SCHOOL DISTRICT OF AN INTERMEDIATE SCHOOL
 22 DISTRICT IN WHICH A PETITION REQUESTING THE ELECTION IS FILED
 23 WITH THE INTERMEDIATE SCHOOL BOARD BEFORE JANUARY 1, 1991. THE
 24 PETITION, EXCEPT AS TO THE PROPOSITION, SHALL BE SUBSTANTIALLY IN
 25 THE FORM PRESCRIBED IN SECTION 1066 AND BE SIGNED BY A NUMBER OF
 26 REGISTERED SCHOOL ELECTORS OF THE INTERMEDIATE SCHOOL DISTRICT
 27 EQUAL TO NOT LESS THAN 10% OF THE NUMBER OF SCHOOL ELECTORS OF
 28 EACH OF THE CONSTITUENT SCHOOL DISTRICTS WHO VOTED IN THE IMMEDI-
 29 ATELY PRECEDING ELECTION FOR SCHOOL BOARD MEMBERS OF THEIR LOCAL
 30 SCHOOL DISTRICT.

1 (4) IF A MAJORITY OF THE SCHOOL ELECTORS OF THE INTERMEDIATE
2 SCHOOL DISTRICT VOTING ON THE QUESTION PRESENTED IN
3 SUBSECTION (2) APPROVE THE QUESTION, A PARENT, LEGAL GUARDIAN, OR
4 PERSON IN LOCO PARENTIS OF A CHILD RESIDING WITHIN A CONSTITUENT
5 SCHOOL DISTRICT OF THE INTERMEDIATE SCHOOL DISTRICT SHALL BE
6 GIVEN THE OPPORTUNITY, SUBJECT TO SUBSECTION (7), TO SELECT FROM
7 ALL PUBLIC SCHOOLS WITH AN APPROPRIATE GRADE LEVEL WITHIN THE
8 INTERMEDIATE SCHOOL DISTRICT THE PUBLIC SCHOOL THAT HIS OR HER
9 CHILD WILL ATTEND.

10 (5) IF A MAJORITY OF THE SCHOOL ELECTORS OF THE INTERMEDIATE
11 SCHOOL DISTRICT VOTING ON THE QUESTION PRESENTED IN
12 SUBSECTION (2) APPROVE THE QUESTION, THE SCHOOL BOARD OF EACH OF
13 THE CONSTITUENT DISTRICTS OF THE INTERMEDIATE SCHOOL DISTRICT
14 SHALL ESTABLISH A TUITION FEE NOT TO EXCEED \$300.00 FOR A CHILD
15 WHO ATTENDS SCHOOL WITHIN THE SCHOOL DISTRICT AND RESIDES WITHIN
16 ANOTHER SCHOOL DISTRICT OF THE INTERMEDIATE SCHOOL DISTRICT. IN
17 ADDITION, A PUPIL'S SCHOOL DISTRICT OF RESIDENCE SHALL PERMIT THE
18 RECEIVING SCHOOL DISTRICT TO COUNT THE PUPIL IN MEMBERSHIP FOR
19 PURPOSES OF STATE AID PAYMENTS.

20 (6) A PARENT, LEGAL GUARDIAN, OR PERSON IN LOCO PARENTIS WHO
21 SENDS HIS OR HER CHILD TO A SCHOOL IN ANOTHER SCHOOL DISTRICT OF
22 THE INTERMEDIATE SCHOOL DISTRICT PURSUANT TO THIS SECTION IS
23 RESPONSIBLE FOR THE CHILD'S TRANSPORTATION TO THAT SCHOOL.

24 (7) THE BOARD OF A SCHOOL DISTRICT, BY A MAJORITY VOTE OF
25 THE TOTAL NUMBER OF MEMBERS AUTHORIZED BY LAW TO SERVE ON THE
26 BOARD, MAY LIMIT THE NUMBER OF NONRESIDENT CHILDREN THAT THE
27 SCHOOL DISTRICT WILL ACCEPT UNDER THIS SECTION. HOWEVER, THE

1 BOARD SHALL ENSURE THAT EACH NONRESIDENT CHILD HAS AN EQUAL
2 OPPORTUNITY FOR ENROLLMENT IN THE SCHOOL THAT HIS OR HER PARENT,
3 LEGAL GUARDIAN, OR PERSON IN LOCO PARENTIS CHOOSES FOR HIM OR
4 HER.

5 (8) THE BOARD OF A SCHOOL DISTRICT MAY EXEMPT SPECIAL EDUCA-
6 TION PUPILS FROM THIS SECTION.