



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536

BILL ANALYSIS



Telephone: (517) 373-5383
Fax: (517) 373-1986

House Bill 5267 (Substitute H-2 as passed by the House)
Sponsor: Representative Bob Genetski
House Committee: Education
Senate Committee: Education

Date Completed: 9-19-12

CONTENT

The bill would amend the State School Aid Act to provide for a district to qualify for special pupil membership counting provisions, as well as a seat time exemption, if the district operated a dropout recovery program that met specified criteria.

The Act defines the term "membership" and provides for the calculation of membership for purposes of determining State school aid. In this calculation, the bill provides that, for a pupil enrolled in a dropout recovery program meeting the requirements of Section 23a (proposed by the bill), the pupil would be counted as 1/12 of a full-time equated membership for each month the district reported that the pupil was enrolled in the program and in full attendance. The district would have to report to the Department of Education the number of pupils who were enrolled in the program and in full attendance for a month by the 10th day of the following month. The district could report a pupil as being in full attendance for a month only if both of the following were met:

- A personalized learning plan was in place before the month in which the pupil began participation in the program.
- The pupil either met the district's definition (under Section 23a) of monthly progress for that month or met that definition in the previous month and appropriate interventions were implemented within 10 school days after the determination that the pupil failed to meet that definition.

Under proposed Section 23a, a dropout recovery program operated by a district would qualify for the special membership counting provisions described above, and an exemption from days and hours of pupil instruction requirements (a seat time exemption), if the program met all of the following:

- Enrolled only eligible pupils.
- Provided an advocate.
- Developed a written learning plan.
- Monitored the pupil's progress against the written learning plan.
- Required each pupil to make satisfactory monthly progress, as defined by the district.
- Reported the pupil's progress results to a partner district at least monthly.
- Provided a computer and internet access for each participating eligible pupil, if the program were operated using distance learning online.
- Operated throughout the entire calendar year.

An advocate could be employed by the district or provided by an education management organization (EMO) that was partnering with the district, could serve between one and 50 pupils, and would be required to comply with the conditions for employment as described in the Revised School Code. If the district partnered with an EMO, that EMO had a dropout recover program partnership relationship with at least one other district.

The Act prescribes the minimum number of hours and days of pupil instruction required for full State aid allocation and used in calculating the full-time equivalency of pupils. Under the bill, these requirements would not apply to eligible pupils enrolled in a dropout recovery program that met the requirements of proposed Section 23a.

The bill would define the following terms:

- "Education management organization" would mean a private provider that operates one or more other dropout recovery programs that meet the requirements of Section 23a in partnership with one or more districts.
- "Eligible pupil" would mean a pupil who has been expelled from school under the mandatory expulsion provisions of the Revised School Code, suspended or expelled from school under a local policy, or referred by a court, is pregnant or is a parent, was previously a dropout, or is determined by the district to be at risk of dropping out.
- "Advocate" would mean an adult available to meet in person with assigned pupils, as needed, to conduct social interventions, proctor final exams, and provide academic and social support to pupils enrolled in the district's dropout recovery program.
- "Written learning plan" as a written plan developed by the advocate, that includes the plan's start and end dates, courses to be taken, credit to be earned for each course, teacher of record for each course, and advocate name and contact information.

The bill also would define "satisfactory monthly progress" as an amount of progress measureable on a monthly basis and that, if conducted for a full 12 months, would result in the same amount of academic credit being awarded to the pupil as would be awarded to a general education pupil completing a full school year. Satisfactory monthly progress could include a lesser required amount of progress for the first two months a pupil participated in the program.

MCL 380.1606 et al.

Legislative Analyst: Cameron S. Mock

FISCAL IMPACT

The bill would have an indeterminate fiscal impact on the State and on local districts, but any impact likely would be negligible. The most recent School Aid budget included amendments to Section 25 that allow for the counting and payment of expelled or suspended students who enroll in a district after the count date, prorated as to the portion of the school year a student is enrolled. While the amendments to Section 25 still use the days and hours requirements found in Section 101, there are no other programmatic restrictions that districts must adhere to in order to receive the adjustments to their funding. This is in contrast to the new programmatic requirements under the bill that districts would have to comply with in order to count pupils enrolled in a dropout recovery program.

The bill would allow a waiver of the days and hours requirements under Section 101 for eligible pupils enrolled in dropout recovery programs, but other programmatic requirements of the bill would be more restrictive than enrolling and counting pupils under the existing provisions of Section 25. Therefore, it is possible that the provisions of this legislation would not be used to a large extent, and any resulting adjustments in pupil funding likely would be minimal. To the extent that this specific type of dropout recovery program (if implemented at the local level in light of the additional programmatic requirements) resulted in re-enrolling students who otherwise would not have re-enrolled, it would result in an increased State cost to pay for the time those students participated in the program, evaluated at 1/12 of a full-time equated membership for each month enrolled and in full attendance.

Fiscal Analyst: Kathryn Summers

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.