

**SENATE BILL NO. 115**

January 27, 1999, Introduced by Senators YOUNG, EMERSON, CHERRY, PETERS, V. SMITH, STEIL, BYRUM and GOSCHKA and referred to the Committee on Appropriations.

A bill to amend 1976 PA 451, entitled  
"The revised school code,"  
(MCL 380.1 to 380.1852) by adding section 1290.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1        SEC. 1290. (1) FOR THE 2000-2001 SCHOOL YEAR, IF A SCHOOL  
2 DISTRICT, LOCAL ACT SCHOOL DISTRICT, OR PUBLIC SCHOOL ACADEMY  
3 OPERATES A SCHOOL BUILDING IN WHICH SOME OR ALL OF GRADES K-3 ARE  
4 OFFERED AND IN WHICH AT LEAST 50% OF THE PUPILS ACTUALLY ENROLLED  
5 IN THE SCHOOL BUILDING IN THE IMMEDIATELY PRECEDING SCHOOL YEAR  
6 WERE ELIGIBLE FOR FREE LUNCH, THE BOARD OF THE SCHOOL DISTRICT,  
7 LOCAL ACT SCHOOL DISTRICT, OR PUBLIC SCHOOL ACADEMY SHALL ENSURE  
8 THAT THE AVERAGE CLASS SIZE IN GRADES K-3 IN THAT SCHOOL BUILDING  
9 IS NOT MORE THAN 17 PUPILS PER CLASS, WITH NOT MORE THAN 19  
10 PUPILS IN ANY PARTICULAR CLASS.

1           (2) FOR THE 2001-2002 SCHOOL YEAR, IF A SCHOOL DISTRICT,  
2 LOCAL ACT SCHOOL DISTRICT, OR PUBLIC SCHOOL ACADEMY OPERATES A  
3 SCHOOL BUILDING IN WHICH SOME OR ALL OF GRADES K-3 ARE OFFERED  
4 AND IN WHICH AT LEAST 35% OF THE PUPILS ACTUALLY ENROLLED IN THE  
5 SCHOOL BUILDING IN THE IMMEDIATELY PRECEDING SCHOOL YEAR WERE  
6 ELIGIBLE FOR FREE LUNCH, THE BOARD OF THE SCHOOL DISTRICT, LOCAL  
7 ACT SCHOOL DISTRICT, OR PUBLIC SCHOOL ACADEMY SHALL ENSURE THAT  
8 THE AVERAGE CLASS SIZE IN GRADES K-3 IN THAT SCHOOL BUILDING IS  
9 NOT MORE THAN 17 PUPILS PER CLASS, WITH NOT MORE THAN 19 PUPILS  
10 IN ANY PARTICULAR CLASS.

11           (3) FOR THE 2002-2003 SCHOOL YEAR, IF A SCHOOL DISTRICT,  
12 LOCAL ACT SCHOOL DISTRICT, OR PUBLIC SCHOOL ACADEMY OPERATES A  
13 SCHOOL BUILDING IN WHICH SOME OR ALL OF GRADES K-3 ARE OFFERED  
14 AND IN WHICH AT LEAST 20% OF THE PUPILS ACTUALLY ENROLLED IN THE  
15 SCHOOL BUILDING IN THE IMMEDIATELY PRECEDING SCHOOL YEAR WERE  
16 ELIGIBLE FOR FREE LUNCH, THE BOARD OF THE SCHOOL DISTRICT, LOCAL  
17 ACT SCHOOL DISTRICT, OR PUBLIC SCHOOL ACADEMY SHALL ENSURE THAT  
18 THE AVERAGE CLASS SIZE IN GRADES K-3 IN THAT SCHOOL BUILDING IS  
19 NOT MORE THAN 17 PUPILS PER CLASS, WITH NOT MORE THAN 19 PUPILS  
20 IN ANY PARTICULAR CLASS.

21           (4) FOR THE 2003-2004 SCHOOL YEAR, IF A SCHOOL DISTRICT,  
22 LOCAL ACT SCHOOL DISTRICT, OR PUBLIC SCHOOL ACADEMY OPERATES A  
23 SCHOOL BUILDING IN WHICH SOME OR ALL OF GRADES K-3 ARE OFFERED  
24 AND IN WHICH AT LEAST 10% OF THE PUPILS ACTUALLY ENROLLED IN THE  
25 SCHOOL BUILDING IN THE IMMEDIATELY PRECEDING SCHOOL YEAR WERE  
26 ELIGIBLE FOR FREE LUNCH, THE BOARD OF THE SCHOOL DISTRICT, LOCAL  
27 ACT SCHOOL DISTRICT, OR PUBLIC SCHOOL ACADEMY SHALL ENSURE THAT

1 THE AVERAGE CLASS SIZE IN GRADES K-3 IN THAT SCHOOL BUILDING IS  
2 NOT MORE THAN 17 PUPILS PER CLASS, WITH NOT MORE THAN 19 PUPILS  
3 IN ANY PARTICULAR CLASS.

4 (5) BEGINNING IN THE 2004-2005 SCHOOL YEAR, AND FOR EACH  
5 SCHOOL YEAR THEREAFTER, THE BOARD OF A SCHOOL DISTRICT, LOCAL ACT  
6 SCHOOL DISTRICT, OR PUBLIC SCHOOL ACADEMY THAT OPERATES SOME OR  
7 ALL OF GRADES K-3 SHALL ENSURE THAT THE AVERAGE CLASS SIZE IN  
8 GRADES K-3 IS NOT MORE THAN 17 PUPILS PER CLASS, WITH NOT MORE  
9 THAN 19 PUPILS IN ANY PARTICULAR CLASS.

10 (6) FOR THE PURPOSES OF THIS SECTION, FREE LUNCH ELIGIBILITY  
11 SHALL BE AS DETERMINED UNDER THE NATIONAL SCHOOL LUNCH ACT, CHAP-  
12 TER 281, 60 STAT. 230, 42 U.S.C. 1751 TO 1753, 1755 TO 1761,  
13 1762a, 1765 TO 1766b, 1769, 1769b TO 1769c, AND 1769f TO 1769h,  
14 AND REPORTED TO THE DEPARTMENT NOT LATER THAN OCTOBER 31 OF THE  
15 IMMEDIATELY PRECEDING SCHOOL YEAR AND ADJUSTED NOT LATER THAN  
16 DECEMBER 31 OF THE IMMEDIATELY PRECEDING SCHOOL YEAR.

17 Enacting section 1. This amendatory act does not take  
18 effect unless Senate Bill No. 114  
19 of the 90th Legislature is enacted into  
20 law.