

HOUSE BILL No. 5319

January 31, 2012, Introduced by Reps. Pscholka, Ananich, Hughes, Daley, Yonker, Jenkins, Constan, Tlaib, Roy Schmidt, Lane, Shaughnessy, Lori, LaFontaine, Tyler, Huuki, Nesbitt, Genetski and Muxlow and referred to the Committee on Appropriations.

A bill to amend 1979 PA 94, entitled
 "The state school aid act of 1979,"
 by amending section 25b (MCL 388.1625b), as amended by 2008 PA 268.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 25b. (1) This section applies to an educating district's
 2 enrollment of a pupil if the educating district is not a school
 3 district of the first class and if all of the following apply:

4 (a) The pupil transfers from 1 of ~~3~~**10** other districts
 5 specified by the educating district and enrolls in the educating
 6 district after the pupil membership count day.

7 (b) Due to the pupil's enrollment status as of the pupil
 8 membership count day, the pupil was counted in membership in the
 9 district from which he or she transfers.

1 (c) The pupil was a resident of the educating district on the
2 pupil membership count day or met other eligibility criteria under
3 section 6(4) or (6) to be counted in membership in the educating
4 district if the pupil had been enrolled in the educating district
5 on the pupil membership count day.

6 (d) The total number of pupils enrolled in the district who
7 are described in subdivisions (a), (b), and (c) and who transfer
8 from 1 of the ~~3-10~~ other districts specified by the educating
9 district is at least equal to the greater of ~~25-10~~ or ~~1%-0.5%~~ of
10 the educating district's membership.

11 (2) If the conditions specified in subsection (1) are met, and
12 a pupil transfers from 1 of the ~~3-10~~ other specified districts
13 described in subsection (1)(d) and enrolls during a school year in
14 the educating district, the educating district shall report the
15 enrollment information to the department and to the district in
16 which the pupil is counted in membership, and the district in which
17 the pupil is counted in membership shall pay to the educating
18 district an amount equal to the amount of the foundation allowance
19 or per pupil payment as calculated under section 20 for the
20 district in which the pupil is counted in membership, prorated
21 according to the number of days of the school year ending in the
22 fiscal year the pupil is educated in the educating district
23 compared to the number of days of the school year ending in the
24 fiscal year the pupil was actually enrolled in the district in
25 which the pupil is counted in membership. The foundation allowance
26 or per pupil payment shall be adjusted by the pupil's full-time
27 equated status as affected by the membership definition under

1 section 6(4). If a district does not make the payment required
2 under this section within 30 days after receipt of the report, the
3 department shall calculate the amount owed, shall deduct that
4 amount from the remaining state school aid payments to the district
5 for that fiscal year under this act, and shall pay that amount to
6 the educating district. The district in which the pupil is counted
7 in membership and the educating district shall provide to the
8 department all information the department requires to enforce this
9 section.

10 (3) In determining the total amount a district owes to the
11 educating district under this section, regardless of whether that
12 district is otherwise eligible for payment from the educating
13 district under this section, the district may calculate and
14 subtract from the amount owed, using the calculation described in
15 subsection (1), any amount applicable to pupils who transfer to
16 that district from the educating district and meet the requirements
17 of subsection (1)(a) to (c).

18 (4) As used in this section, "educating district" means the
19 district in which a pupil enrolls after the pupil membership count
20 day as described in subsection (1).