

# SENATE BILL No. 691

September 21, 2011, Introduced by Senator HILDENBRAND 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 25 (MCL 388.1625), as amended by 2005 PA 155.

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

1       Sec. 25. (1) If a pupil is enrolled in an alternative  
2 education program operated by an intermediate district or district  
3 for the purpose of educating pupils who have been expelled from  
4 school or referred from the court, or is enrolled in a strict  
5 discipline academy for pupils who have been expelled or suspended  
6 from school as described in section 1311g of the revised school  
7 code, MCL 380.1311g, and if the pupil is counted in membership in  
8 another intermediate district or district, the intermediate  
9 district or district operating the program or the strict discipline  
10 academy shall report the enrollment information to the department  
11 and to the district in which the pupil is counted in membership. 7

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~~1 and the district in which the pupil is counted in membership shall  
2 pay to the intermediate district or district operating the program  
3 or to the strict discipline academy an amount equal to the amount  
4 of the foundation allowance or per pupil payment as calculated  
5 under section 20 for the district in which the pupil is counted in  
6 membership, prorated according to the number of days of the school  
7 year ending in the fiscal year the pupil is educated in the  
8 alternative education program or strict discipline academy compared  
9 to the number of days of the school year ending in the fiscal year  
10 the pupil was actually enrolled in the district in which the pupil  
11 is counted in membership. The foundation allowance or per pupil  
12 payment shall be adjusted by the pupil's full time equated status  
13 as affected by the membership definition under section 6(4). If a  
14 district does not make the payment required under this section  
15 within 30 days after receipt of the report, the department shall  
16 calculate the amount owed, shall deduct that amount from the  
17 remaining state school aid payments to the district for that fiscal  
18 year under this act, and shall pay that amount to the intermediate  
19 district or district operating the alternative education program or  
20 to the strict discipline academy.~~

21           (2) UPON RECEIPT OF ENROLLMENT INFORMATION UNDER SUBSECTION  
22 (1) INDICATING THAT A PUPIL HAS ENROLLED IN AN ALTERNATIVE  
23 EDUCATION PROGRAM OR STRICT DISCIPLINE ACADEMY AS DESCRIBED IN  
24 SUBSECTION (1), THE DEPARTMENT SHALL DO BOTH OF THE FOLLOWING:  
25           (A) ADJUST THE MEMBERSHIP CALCULATION FOR THE DISTRICT IN  
26 WHICH THE PUPIL WAS COUNTED IN MEMBERSHIP SO THAT THE DISTRICT'S  
27 MEMBERSHIP IS PRORATED TO ALLOW THE DISTRICT TO RECEIVE THE

1 FOLLOWING AMOUNTS:

2 (i) FOR EACH SCHOOL DAY IN WHICH THE PUPIL WAS ENROLLED IN THE  
3 DISTRICT, AN AMOUNT EQUAL TO 1/180 OF THE FOUNDATION ALLOWANCE OR  
4 PER-PUPIL PAYMENT AS CALCULATED UNDER SECTION 20 FOR THE DISTRICT.  
5 THE FOUNDATION ALLOWANCE OR PER-PUPIL PAYMENT SHALL BE ADJUSTED BY  
6 THE PUPIL'S FULL-TIME EQUATED STATUS AS AFFECTED BY THE MEMBERSHIP  
7 DEFINITION UNDER SECTION 6(4).

8 (ii) FOR EACH SCHOOL DAY IN WHICH THE PUPIL WAS ENROLLED IN THE  
9 DISTRICT, AN AMOUNT EQUAL TO 1/180 OF ANY CATEGORICAL AID UNDER  
10 THIS ACT THAT IS CALCULATED ON A PER-PUPIL BASIS.

11 (B) SHALL INCLUDE ALL OF THE FOLLOWING IN THE CALCULATION OF  
12 STATE SCHOOL AID FOR THE INTERMEDIATE DISTRICT OR DISTRICT  
13 OPERATING THE ALTERNATIVE EDUCATION PROGRAM OR FOR THE STRICT  
14 DISCIPLINE ACADEMY, AS APPLICABLE:

15 (i) FOR EACH SCHOOL DAY IN WHICH THE PUPIL IS ENROLLED IN THE  
16 ALTERNATIVE EDUCATION PROGRAM OR STRICT DISCIPLINE ACADEMY, AN  
17 AMOUNT EQUAL TO 1/180 OF THE FOUNDATION ALLOWANCE OR PER-PUPIL  
18 PAYMENT AS CALCULATED UNDER SECTION 20 FOR THE INTERMEDIATE  
19 DISTRICT OR DISTRICT OPERATING THE ALTERNATIVE EDUCATION PROGRAM OR  
20 FOR THE STRICT DISCIPLINE ACADEMY, AS APPLICABLE. THE FOUNDATION  
21 ALLOWANCE OR PER-PUPIL PAYMENT SHALL BE ADJUSTED BY THE PUPIL'S  
22 FULL-TIME EQUATED STATUS AS AFFECTED BY THE MEMBERSHIP DEFINITION  
23 UNDER SECTION 6(4).

24 (ii) FOR EACH SCHOOL DAY IN WHICH THE PUPIL IS ENROLLED IN THE  
25 ALTERNATIVE EDUCATION PROGRAM OR STRICT DISCIPLINE ACADEMY, AN  
26 AMOUNT EQUAL TO 1/180 OF ANY CATEGORICAL AID UNDER THIS ACT THAT IS  
27 CALCULATED ON A PER-PUPIL BASIS AND THAT WOULD OTHERWISE BE PAID TO

1 THE ALTERNATIVE EDUCATION PROGRAM OR STRICT DISCIPLINE ACADEMY IF  
2 THE PUPIL HAD BEEN COUNTED IN MEMBERSHIP IN THE ALTERNATIVE  
3 EDUCATION PROGRAM OR STRICT DISCIPLINE ACADEMY.

4 (3) THE CHANGES IN CALCULATION OF STATE SCHOOL AID REQUIRED  
5 UNDER SUBSECTION (2) SHALL TAKE EFFECT AS OF THE DATE THAT THE  
6 PUPIL ENROLLS IN THE ALTERNATIVE EDUCATION PROGRAM OR STRICT  
7 DISCIPLINE ACADEMY, AND THE DEPARTMENT SHALL BASE ALL SUBSEQUENT  
8 PAYMENTS UNDER THIS ACT FOR THE FISCAL YEAR TO THE AFFECTED  
9 DISTRICTS OR INTERMEDIATE DISTRICTS OR FOR THE STRICT DISCIPLINE  
10 ACADEMY, AS APPLICABLE, ON THIS RECALCULATION OF STATE SCHOOL AID.

11 (4) The district in which the pupil is counted in membership  
12 and the intermediate district or district operating the alternative  
13 education program or **THE** strict discipline academy shall provide to  
14 the department all information the department requires to ~~enforce~~  
15 **COMPLY WITH** this section.