

HOUSE BILL No. 4692

May 31, 2011, Introduced by Rep. Heise and referred to the Committee on Education.

A bill to amend 1976 PA 451, entitled
"The revised school code,"
by amending section 1321 (MCL 380.1321), as amended by 2008 PA 1.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1321. (1) Subject to the balance of this section, the
2 board of a school district ~~providing~~ **THAT ELECTS TO PROVIDE**
3 transportation for its resident pupils, other than students with a
4 disability transported under article 3 or other pupils who cannot
5 safely walk to school, shall **OFFER TO** provide transportation for
6 each resident public or nonpublic school pupil if all of the
7 following requirements are met:

8 (a) The school district provides transportation for the
9 elementary school level, middle or junior high school level, or
10 high school level, as defined by the local school board, in which
11 the pupil is enrolled.

1 (b) The pupil is a person for whom the school district is
2 eligible to receive state school aid for transportation.

3 (c) The pupil is attending either the public or the nearest
4 state approved nonpublic school in the school district to which the
5 pupil is eligible to be admitted.

6 ~~(2) Transportation provided under subsection (1) shall be~~
7 ~~without charge to the resident pupil, the parent, guardian, or~~
8 ~~person standing in loco parentis to the pupil. THE BOARD OF A~~
9 ~~SCHOOL DISTRICT THAT ELECTS TO PROVIDE TRANSPORTATION FOR ITS~~
10 ~~RESIDENT PUPILS MAY CHARGE A FEE FOR PROVIDING THAT TRANSPORTATION~~
11 ~~OR FOR ANY OTHER TRANSPORTATION THAT THE SCHOOL DISTRICT OFFERS.~~
12 ~~HOWEVER, THE BOARD OF A SCHOOL DISTRICT SHALL NOT CHARGE A FEE FOR~~
13 ~~TRANSPORTING A PUPIL TO AND FROM SCHOOL IF THE PUPIL MEETS EITHER~~
14 ~~OF THE FOLLOWING:~~

15 (A) IS A STUDENT WITH A DISABILITY.

16 (B) MEETS THE INCOME ELIGIBILITY CRITERIA FOR FREE BREAKFAST,
17 LUNCH, OR MILK, AS DETERMINED UNDER THE RICHARD B. RUSSELL NATIONAL
18 SCHOOL LUNCH ACT, 42 USC 1751 TO 1769I.

19 (3) A school district **THAT ELECTS TO PROVIDE TRANSPORTATION** is
20 not required to transport or pay for transportation of a resident
21 pupil living within 1-1/2 miles, by the nearest traveled route, to
22 the public or state approved nonpublic school in which the pupil is
23 enrolled. A school district **THAT ELECTS TO PROVIDE TRANSPORTATION**
24 is not required to transport or pay for the transportation of a
25 resident pupil attending a nonpublic school who lives in an area
26 less than 1-1/2 miles from a public school in which public school
27 pupils are not transported, except that the school district is

1 required to transport or pay for the transportation of the resident
2 pupil from the public school within the area to the nonpublic
3 school the pupil attends.

4 (4) A school district **THAT ELECTS TO PROVIDE TRANSPORTATION** is
5 not required to transport or pay for the transportation of resident
6 pupils to state approved nonpublic schools located outside the
7 district unless the school district transports some of its resident
8 pupils, other than students with a disability under article 3, to
9 public schools located outside the district, in which case the
10 school district shall transport or pay for the transportation of
11 resident pupils attending a state approved nonpublic school at
12 least to the distance of the public schools located outside the
13 district to which the district transports resident pupils and in
14 the same general direction.