

HOUSE JOINT RESOLUTION FF

September 22, 2011, Introduced by Reps. Bledsoe, Slavens, Roy Schmidt, Barnett, Dillon and Oakes and referred to the Committee on Government Operations.

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 2 of article VIII, to provide that certain state laws do not apply to certain local school districts.

Resolved by the Senate and House of Representatives of the state of Michigan, That the following amendment to the state constitution of 1963, to provide that certain state laws do not apply to certain local school districts, is proposed, agreed to, and submitted to the people of the state:

ARTICLE VIII

Sec. 2. The legislature shall maintain and support a system of free public elementary and secondary schools as defined by law.

1 Every school district shall provide for the education of its pupils
2 without discrimination as to religion, creed, race, color or
3 national origin.

4 No public monies or property shall be appropriated or paid or
5 any public credit utilized, by the legislature or any other
6 political subdivision or agency of the state directly or indirectly
7 to aid or maintain any private, denominational or other nonpublic,
8 pre-elementary, elementary, or secondary school. No payment,
9 credit, tax benefit, exemption or deductions, tuition voucher,
10 subsidy, grant or loan of public monies or property shall be
11 provided, directly or indirectly, to support the attendance of any
12 student or the employment of any person at any such nonpublic
13 school or at any location or institution where instruction is
14 offered in whole or in part to such nonpublic school students. The
15 legislature may provide for the transportation of students to and
16 from any school.

17 **FOR A SCHOOL DISTRICT THAT HAS A POSITIVE GENERAL OPERATING**
18 **FUND BALANCE AT THE CLOSE OF A SCHOOL FISCAL YEAR AND HAS A**
19 **GRADUATION RATE, AS DEFINED BY LAW, OF AT LEAST 66% FOR THE SCHOOL**
20 **YEAR ENDING IN THE SCHOOL FISCAL YEAR, ANY STATE LAW THAT DOES ANY**
21 **OF THE FOLLOWING DOES NOT APPLY TO THAT SCHOOL DISTRICT:**

22 (A) REQUIRES A SCHOOL DISTRICT TO ENROLL A PUPIL WHO DOES NOT
23 RESIDE WITHIN THE SCHOOL DISTRICT.

24 (B) PROVIDES FOR THE CONSOLIDATION OF 2 OR MORE SCHOOL
25 DISTRICTS WITHOUT THE APPROVAL OF A SEPARATE MAJORITY OF THE SCHOOL
26 ELECTORS VOTING ON THE QUESTION IN EACH AFFECTED SCHOOL DISTRICT.

27 (C) REQUIRES A SCHOOL DISTRICT TO FORFEIT ITS GENERAL

1 OPERATING FUND BALANCE OR PROVIDES FOR AN OFFSET OF A SCHOOL
2 DISTRICT'S POSITIVE GENERAL OPERATING FUND BALANCE AGAINST THE
3 APPROPRIATIONS MADE BY THIS STATE FOR THE SUPPORT OF SCHOOL
4 DISTRICTS.

5 Resolved further, That the foregoing amendment may be known
6 and cited as "The Local Schools Bill of Rights".

7 Resolved further, That the foregoing amendment shall be
8 submitted to the people of the state at the next general election
9 in the manner provided by law.