

# HOUSE BILL No. 6191

September 30, 1992. Introduced by Reps. Munsell, Bryant, Dalman, Strand, and Gire and referred to the Committee on Education.

A bill to amend Act No. 94 of the Public Acts of 1979, entitled as amended

"The state school aid act of 1979,"

as amended, being sections 388.1601 to 388.1772 of the Michigan Compiled Laws, by adding section 23d.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Act No. 94 of the Public Acts of 1979, as  
2 amended, being sections 388.1601 to 388.1772 of the Michigan  
3 Compiled Laws, is amended by adding section 23d to read as  
4 follows:

5 SEC. 23D. (1) IN ORDER TO RECEIVE FUNDING UNDER THIS SEC-  
6 TION, AN EDUCATION PROGRAM PROVIDED FOR RESIDENTS AT A RESIDEN-  
7 TIAL FACILITY OPERATED BY A STATE DEPARTMENT IN ANY COMBINATION  
8 OF GRADES K TO 12 SHALL COMPLY WITH THIS ACT AND ALL  
9 INSTRUCTIONAL, ADMINISTRATIVE, AND OTHER LEGAL REQUIREMENTS THAT

1 APPLY TO EDUCATIONAL PROGRAMS OPERATED BY A DISTRICT UNDER THIS  
2 ACT AND RULES PROMULGATED UNDER THIS ACT, AND UNDER THE SCHOOL  
3 CODE OF 1976 AND RULES PROMULGATED UNDER THAT ACT, INCLUDING, BUT  
4 NOT LIMITED TO, REQUIREMENTS FOR CERTIFICATED TEACHERS AND SCHOOL  
5 ADMINISTRATORS, AN INSTRUCTIONAL PROGRAM BASED ON NOT LESS THAN  
6 900 HOURS PER SCHOOL YEAR, SPECIAL EDUCATION REQUIREMENTS, CUR-  
7 RICULUM REQUIREMENTS, AND OTHER EDUCATIONAL QUALITY  
8 REQUIREMENTS. THE EDUCATION PROGRAM MAY BE OPERATED BY A STATE  
9 DEPARTMENT OR BY A DISTRICT UNDER CONTRACT WITH A STATE  
10 DEPARTMENT.

11 (2) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ACT, FOR THE  
12 PURPOSE OF DISTRIBUTING STATE SCHOOL AID UNDER SECTION 21(1) AND  
13 CATEGORICAL PROGRAMS TO EDUCATION PROGRAMS MEETING THE REQUIRE-  
14 MENTS DESCRIBED IN SUBSECTION (1), THE DEPARTMENT OF EDUCATION  
15 SHALL BE CONSIDERED TO BE A DISTRICT AND THE RESIDENTS OF THE  
16 FACILITIES WHO ARE ENROLLED IN THE EDUCATION PROGRAM SHALL BE  
17 CONSIDERED TO BE PUPILS IN MEMBERSHIP IN THE DEPARTMENT OF EDUCA-  
18 TION DISTRICT, AS COUNTED IN THE SAME MANNER AND AT THE SAME TIME  
19 AS PUPILS IN MEMBERSHIP IN A LOCAL DISTRICT, AND SHALL NOT BE  
20 COUNTED IN MEMBERSHIP IN ANY LOCAL DISTRICT. THE DEPARTMENT OF  
21 EDUCATION SHALL PAY THE STATE SCHOOL AID RECEIVED FOR EACH PUPIL  
22 COUNTED IN MEMBERSHIP IN THE DEPARTMENT OF EDUCATION DISTRICT TO  
23 THE PARTICULAR STATE DEPARTMENT PROVIDING THE EDUCATION PROGRAM.

24 (3) FOR CALCULATING STATE SCHOOL AID TO BE PAID TO THE  
25 DEPARTMENT OF EDUCATION PURSUANT TO SUBSECTION (2) UNDER  
26 SECTION 21(1), THE STATEWIDE AVERAGE SCHOOL OPERATING MILLAGE

1 RATE, AS CERTIFIED BY THE DEPARTMENT OF TREASURY, SHALL BE USED  
2 AS THE OPERATING MILLAGE RATE.

3       (4) A RESIDENT OF A FACILITY DESCRIBED IN SUBSECTION (1) WHO  
4 IS OVER THE AGE OF 18 OR WHO HAS A HIGH SCHOOL DIPLOMA OR GENERAL  
5 EDUCATION DEVELOPMENT (G.E.D.) CERTIFICATE SHALL NOT BE COUNTED  
6 IN MEMBERSHIP UNDER THIS SECTION.

7       (5) THIS SECTION DOES NOT APPLY TO THE MICHIGAN SCHOOL FOR  
8 THE BLIND, MICHIGAN SCHOOL FOR THE DEAF, OR STATE TECHNICAL  
9 INSTITUTE AND REHABILITATION CENTER.