

# SENATE BILL No. 22

January 24, 1991, Introduced by Senators N. SMITH and  
WELBORN and referred to the Committee on Education.

A bill to amend Act No. 451 of the Public Acts of 1976,  
entitled as amended

"The school code of 1976,"

as amended, being sections 380.1 to 380.1852 of the Michigan  
Compiled Laws, by adding section 1283b.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Section 1. Act No. 451 of the Public Acts of 1976, as  
2 amended, being sections 380.1 to 380.1852 of the Michigan  
3 Compiled Laws, is amended by adding section 1283b to read as  
4 follows:

5       SEC. 1283B. (1) SUBJECT TO SUBSECTION (3), BEFORE  
6 JANUARY 1, 1993, THE BOARD OF EACH SCHOOL DISTRICT WITHIN AN  
7 INTERMEDIATE SCHOOL DISTRICT SHALL SUBMIT TO THE SCHOOL ELECTORS  
8 OF THE SCHOOL DISTRICT AT THE NEXT SCHOOL ELECTION THAT WILL BE  
9 HELD AFTER RECEIPT OF THE PETITION DESCRIBED IN SUBSECTION (3)

1 THE QUESTION OF WHETHER THEIR INTERMEDIATE SCHOOL DISTRICT SHOULD  
 2 IMPLEMENT A SCHOOLS OF CHOICE PROGRAM THAT GIVES EACH PARENT,  
 3 LEGAL GUARDIAN, OR PERSON IN LOCO PARENTIS OF A CHILD RESIDING  
 4 WITHIN THE INTERMEDIATE SCHOOL DISTRICT THE OPPORTUNITY TO SELECT  
 5 FROM ALL PUBLIC SCHOOLS WITH AN APPROPRIATE GRADE LEVEL WITHIN  
 6 THE INTERMEDIATE SCHOOL DISTRICT THE PUBLIC SCHOOL THAT HIS OR  
 7 HER CHILD WILL ATTEND.

8 (2) THE BALLOT FOR SUBMITTING TO THE SCHOOL ELECTORS OF THE  
 9 SCHOOL DISTRICT THE QUESTION PRESCRIBED BY SUBSECTION (1) SHALL  
 10 BE IN SUBSTANTIALLY THE FOLLOWING FORM:

11 "SHALL THE CONSTITUENT SCHOOL DISTRICTS OF \_\_\_\_\_,  
 12 (LEGAL NAME OF INTERMEDIATE SCHOOL DISTRICT)

13 STATE OF MICHIGAN, GIVE A PARENT, LEGAL GUARDIAN, OR PERSON IN  
 14 LOCO PARENTIS OF A CHILD RESIDING WITHIN THE INTERMEDIATE SCHOOL  
 15 DISTRICT THE OPPORTUNITY TO SELECT FROM ALL PUBLIC SCHOOLS WITH  
 16 AN APPROPRIATE GRADE LEVEL WITHIN THE INTERMEDIATE SCHOOL DIS-  
 17 TRICT THE PUBLIC SCHOOL THAT HIS OR HER CHILD WILL ATTEND?

18 YES [ ]

19 NO [ ]"

20 (3) THE ELECTION DESCRIBED IN THIS SECTION SHALL ONLY BE  
 21 HELD IN A CONSTITUENT SCHOOL DISTRICT OF AN INTERMEDIATE SCHOOL  
 22 DISTRICT IN WHICH A PETITION REQUESTING THE ELECTION IS FILED  
 23 WITH THE INTERMEDIATE SCHOOL BOARD BEFORE JANUARY 1, 1992. THE  
 24 PETITION, EXCEPT AS TO THE PROPOSITION, SHALL BE SUBSTANTIALLY IN  
 25 THE FORM PRESCRIBED IN SECTION 1066 AND BE SIGNED BY A NUMBER OF  
 26 INTERMEDIATE SCHOOL ELECTORS EQUAL TO NOT LESS THAN 10% OF THE  
 27 TOTAL NUMBER OF SCHOOL ELECTORS OF ALL OF THE CONSTITUENT SCHOOL

1 DISTRICTS WHO VOTED IN THE IMMEDIATELY PRECEDING ELECTION FOR  
2 SCHOOL BOARD MEMBERS OF THEIR LOCAL SCHOOL DISTRICT.

3       (4) IF A MAJORITY OF THE INTERMEDIATE SCHOOL ELECTORS OF THE  
4 INTERMEDIATE SCHOOL DISTRICT VOTING ON THE QUESTION PRESENTED IN  
5 SUBSECTION (2) APPROVE THE QUESTION, A PARENT, LEGAL GUARDIAN, OR  
6 PERSON IN LOCO PARENTIS OF A CHILD RESIDING WITHIN A CONSTITUENT  
7 SCHOOL DISTRICT OF THE INTERMEDIATE SCHOOL DISTRICT SHALL BE  
8 GIVEN THE OPPORTUNITY, SUBJECT TO SUBSECTION (7), TO SELECT FROM  
9 ALL PUBLIC SCHOOLS WITH AN APPROPRIATE GRADE LEVEL WITHIN THE  
10 INTERMEDIATE SCHOOL DISTRICT THE PUBLIC SCHOOL THAT HIS OR HER  
11 CHILD WILL ATTEND.

12       (5) IF A MAJORITY OF THE INTERMEDIATE SCHOOL ELECTORS OF THE  
13 INTERMEDIATE SCHOOL DISTRICT VOTING ON THE QUESTION PRESENTED IN  
14 SUBSECTION (2) APPROVE THE QUESTION, THE SCHOOL BOARD OF EACH OF  
15 THE CONSTITUENT DISTRICTS OF THE INTERMEDIATE SCHOOL DISTRICT  
16 SHALL ESTABLISH A TUITION FEE NOT TO EXCEED \$300.00 PER SCHOOL  
17 YEAR FOR A CHILD WHO ATTENDS SCHOOL WITHIN THE SCHOOL DISTRICT  
18 AND RESIDES WITHIN ANOTHER SCHOOL DISTRICT OF THE INTERMEDIATE  
19 SCHOOL DISTRICT. IN ADDITION, A PUPIL'S SCHOOL DISTRICT OF RESI-  
20 DENCE SHALL PERMIT THE RECEIVING SCHOOL DISTRICT TO COUNT THE  
21 PUPIL IN MEMBERSHIP FOR PURPOSES OF STATE AID PAYMENTS.

22       (6) A PARENT, LEGAL GUARDIAN, OR PERSON IN LOCO PARENTIS WHO  
23 SENDS HIS OR HER CHILD TO A SCHOOL IN ANOTHER SCHOOL DISTRICT OF  
24 THE INTERMEDIATE SCHOOL DISTRICT PURSUANT TO THIS SECTION IS  
25 RESPONSIBLE FOR THE CHILD'S TRANSPORTATION TO THAT SCHOOL.

26       (7) THE BOARD OF A SCHOOL DISTRICT, BY A MAJORITY VOTE OF  
27 THE TOTAL NUMBER OF MEMBERS AUTHORIZED BY LAW TO SERVE ON THE

1 BOARD, MAY LIMIT THE NUMBER OF NONRESIDENT CHILDREN THAT THE  
2 SCHOOL DISTRICT WILL ACCEPT UNDER THIS SECTION. HOWEVER, THE  
3 BOARD SHALL ENSURE THAT EACH NONRESIDENT CHILD HAS AN EQUAL  
4 OPPORTUNITY FOR ENROLLMENT IN THE SCHOOL THAT HIS OR HER PARENT,  
5 LEGAL GUARDIAN, OR PERSON IN LOCO PARENTIS CHOOSES FOR HIM OR  
6 HER.

7 (8) THE BOARD OF A SCHOOL DISTRICT MAY EXEMPT SPECIAL EDUCA-  
8 TION PUPILS FROM THIS SECTION.