



HOUSE BILL No. 5006

September 12, 1995, Introduced by Reps. Varga, DeMars, Porreca, Brewer, Pitoniak and Dobronski and referred to the Committee on Education.

A bill to amend section 31a of Act No. 94 of the Public Acts of 1979, entitled as amended

"The state school aid act of 1979,"

as amended by Act No. 360 of the Public Acts of 1994, being section 388.1631a of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 31a of Act No. 94 of the Public Acts of
2 1979, as amended by Act No. 360 of the Public Acts of 1994, being
3 section 388.1631a of the Michigan Compiled Laws, is amended to
4 read as follows:

5 Sec. 31a. (1) From the appropriation in section 11, there
6 is allocated for 1994-95 an amount not to exceed \$230,000,000.00
7 for payments to eligible applicant districts and eligible
8 applicant public school academies under this section. For
9 1994-95 only, the amount of the additional allowance to eligible

1 districts and eligible public school academies under this section
2 shall be based on the number of individuals enrolled in educa-
3 tional programs in the district or public school academy, whether
4 or not an individual is counted as a pupil, who meet the income
5 eligibility criteria for free lunch, as determined under the
6 national school lunch act, chapter 281, 60 Stat. 230, 42
7 U.S.C. 1751 to 1753, 1755 to 1761, 1762a, 1765 to ~~1766a~~ 1766B,
8 and 1769 to ~~1769e~~ 1769H, and reported to the department by
9 October 31. Beginning in 1995-96, the amount of the additional
10 allowance under this section shall be based on the number of
11 actual pupils in membership in the district or public school
12 academy who met those criteria in the immediately preceding
13 fiscal year, as determined under the national school lunch act
14 and reported to the department by October 31 of the current
15 fiscal year.

16 (2) To be eligible to receive funding under this section, a
17 district shall apply to the department, in a form and manner pre-
18 scribed by the department, and the district must meet all of the
19 following:

20 (a) The district's combined state and local revenue per mem-
21 bership pupil in the 1994-95 state fiscal year, as calculated
22 under section 20, is less than \$6,500.00, OR IS \$6,500.00 OR MORE
23 AND AT LEAST 40% OF THE DISTRICT'S MEMBERSHIP PUPILS MEET THE
24 INCOME ELIGIBILITY CRITERIA FOR FREE LUNCH OR, BEGINNING IN
25 1995-96, MET THE INCOME ELIGIBILITY CRITERIA FOR FREE LUNCH IN
26 THE IMMEDIATELY PRECEDING FISCAL YEAR, AS DESCRIBED IN SUBSECTION
27 (1).

1 (b) The district agrees to use the funding only for purposes
2 allowed under this section and to comply with the program and
3 accountability requirements under this section.

4 (3) To be eligible to receive funding under this section, a
5 public school academy shall apply to the department, in a form
6 and manner prescribed by the department, and shall agree to use
7 the funding only for purposes allowed under this section and to
8 comply with the program and accountability requirements under
9 this section.

10 (4) An eligible district or eligible public school academy
11 shall receive under this section for each membership pupil in the
12 district or public school academy who meets the income eligibil-
13 ity criteria for free lunch, as determined under the national
14 school lunch act and as reported to the department by October 31
15 and adjusted not later than December 31, an amount per pupil
16 equal to 11.5% of the district's foundation allowance or of the
17 public school academy's per membership pupil allocation under
18 section 20(10) for the current state fiscal year. However, for
19 1994-95 only, an eligible district or eligible public school
20 academy shall receive the amount specified under this subsection
21 for each individual enrolled in an educational program in the
22 district or public school academy, respectively, whether or not
23 the individual is counted as a pupil, who meets those criteria.
24 Until receipt of October 31, 1994 data, the department shall make
25 estimated payments under this section using final adjusted data
26 for October 31, 1993.

1 (5) Subject to subsections (8) and (9), a district or public
2 school academy receiving funding under this section shall use
3 that money only to provide instructional programs and direct non-
4 instructional services, including, but not limited to, medical or
5 counseling services, for at-risk pupils and for the purposes of
6 subsection (6) and shall not use any of that money for adminis-
7 trative costs or, except as otherwise provided in this subsec-
8 tion, to supplant funds, except for funds received in 1993-94
9 under former section 27 or former section 31, already being used
10 by the district for at-risk pupils. A district may use a percen-
11 tage, determined by dividing the number of individuals for whom
12 the district receives an allocation under subsection (4) by the
13 district's membership, of the funds received under this section
14 to replace sources of revenue dedicated to at-risk pupils in
15 1993-94. The instruction or direct noninstructional services
16 provided under this section may be conducted before or after reg-
17 ular school hours or by adding extra school days to the school
18 year and may be conducted using a tutorial method, with parapro-
19 fessionals working under the supervision of a certificated
20 teacher. The ratio of pupils to paraprofessionals shall be
21 between 10:1 and 15:1. Only 1 certificated teacher is required
22 to supervise instruction using a tutorial method.

23 (6) A district or public school academy that receives funds
24 under this section and that operates a school breakfast program
25 under section 1272a of the school code of 1976, being
26 section 380.1272a of the Michigan Compiled Laws, shall use from
27 those funds an amount, not to exceed \$10.00 per pupil for whom

1 the district or public school academy receives funds under this
2 section, necessary to operate the school breakfast program.

3 (7) A district or public school academy receiving funding
4 under this section shall provide accountability for the program
5 by submitting a report, not to exceed 10 pages, of the district's
6 or public school academy's expenditures under this section to the
7 department. The report shall specify the amount of funds
8 received and expended under this section, the amount of funds
9 expended in 1993-94 for at-risk pupils, the amount of funds
10 received under this section expended by the district or public
11 school academy on migrant pupils, and the percentage of the total
12 amount of funds received under this section by the district or
13 public school academy that are expended by the district or public
14 school academy on migrant pupils.

15 (8) Subject to subsection (6), any district may use up to
16 100% of the funds it receives under this section to reduce the
17 ratio of pupils to teachers in grades K-6, or any combination of
18 those grades, in school buildings in which the percentage of
19 pupils described in subsection (1) exceeds the district's aggre-
20 gate percentage of those pupils.

21 (9) As a pilot project for a period of 3 fiscal years, a
22 district that is located in a county with a population of more
23 than 350,000 and less than 480,000 and that has more than 10,000
24 pupils in membership shall expend funds received under this sec-
25 tion, other than the amount described in subsection (6), attrib-
26 utable to pupils enrolled in grades K-3 for the purpose of
27 reducing class size in grades K-3 in the district to an average

1 of not more than 17 pupils per class, with not more than 19
2 pupils in any particular class, in each school building in the
3 district in which pupils described in subsection (1) constitute a
4 specified percentage of the total number of pupils in the
5 building. That specified percentage is as follows:

6 (a) For the 1994-95 school year, 59%.

7 (b) For the 1995-96 school year, 50%.

8 (c) For the 1996-97 school year, 25%.

9 (10) As used in this section, "at-risk pupil" means a pupil
10 for whom the district has documentation that the pupil meets at
11 least 2 of the following criteria: is a victim of child abuse or
12 neglect; is below grade level in English language and communica-
13 tion skills; is a pregnant teenager or teenage parent; is eligi-
14 ble for a federal free or reduced-price lunch subsidy; has atypi-
15 cal behavior or attendance patterns; or has a family history of
16 school failure, incarceration, or substance abuse. For pupils
17 for whom the results of at least the applicable MEAP test have
18 been received, at-risk pupil also includes a pupil who does not
19 meet the other criteria under this subsection but who has
20 received less than category 2 on the most recent MEAP reading
21 test for which results for the pupil have been received, less
22 than 50% of the objectives on the most recent MEAP mathematics
23 test for which results for the pupil have been received, or less
24 than 50% of the objectives on the most recent MEAP science test
25 for which results for the pupil have been received.