

SENATE BILL NO. 1364

November 12, 1998, Introduced by Senators SCHUETTE, GOUGEON and ROGERS and referred to the Committee on Education.

A bill to amend 1979 PA 94, entitled
"The state school aid act of 1979,"
(MCL 388.1601 to 388.1772) by amending the title, as amended by
1997 PA 142, and by adding section 21.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1

TITLE

2 An act to make appropriations to aid in the support of
3 ATTENDANCE OF CHILDREN IN the ~~public~~ schools and the intermedi-
4 ate school districts of the state; to make appropriations for
5 certain other purposes relating to education; to provide for the
6 disbursement of the appropriations; to supplement the school aid
7 fund by the levy and collection of certain taxes; to authorize
8 the issuance of certain bonds and provide for the security of
9 those bonds; to prescribe the powers and duties of certain state
10 departments, the state board of education, and certain other

1 boards and officials; to prescribe penalties; and to repeal acts
2 and parts of acts.

3 SEC. 21. (1) BEGINNING JULY 1, 1999, A PARENT OR LEGAL
4 GUARDIAN OF A SCHOOL AGE CHILD WHO RESIDES IN A CITY WITH A POPU-
5 LATION OF AT LEAST 750,000 AND WHOSE FAMILY INCOME IS LESS THAN
6 150% OF FEDERAL POVERTY LEVEL, AS DETERMINED BY THE DEPARTMENT,
7 MAY APPLY TO THE DEPARTMENT OR TO THE DISTRICT IN WHICH THE CHILD
8 RESIDES FOR A STATE EDUCATIONAL VOUCHER. UPON SATISFACTORY PROOF
9 OF THE CHILD'S AGE AND FAMILY INCOME LEVEL, THE DEPARTMENT OR
10 DISTRICT SHALL ISSUE THE VOUCHER TO THE PARENT OR LEGAL
11 GUARDIAN.

12 (2) BEGINNING IN THE 1999-2000 SCHOOL YEAR, A PARENT OR
13 LEGAL GUARDIAN OBTAINING A STATE EDUCATIONAL VOUCHER UNDER SUB-
14 SECTION (1) MAY ENROLL THE CHILD IN ANY QUALIFYING NONPUBLIC
15 SCHOOL LOCATED IN THE INTERMEDIATE DISTRICT IN WHICH THE CHILD
16 RESIDES THAT OFFERS INSTRUCTION IN THE CHILD'S GRADE LEVEL, AND
17 SHALL PRESENT THE VOUCHER TO SCHOOL OFFICIALS AT THE TIME THE
18 CHILD IS ENROLLED.

19 (3) A QUALIFYING NONPUBLIC SCHOOL RECEIVING A STATE EDUCA-
20 TIONAL VOUCHER UNDER SUBSECTION (2) MAY PRESENT THE VOUCHER TO
21 THE DEPARTMENT. THE DEPARTMENT SHALL PAY TO A QUALIFYING NONPUB-
22 LIC SCHOOL FOR EACH VOUCHER PRESENTED BY THE SCHOOL A SUM EQUAL
23 TO THE AMOUNT OF THE BASIC FOUNDATION ALLOWANCE FOR 1999-2000
24 UNDER SECTION 20, WITH PAYMENTS MADE ACCORDING TO THE SCHEDULE
25 SET FORTH IN SECTION 17B.

26 (4) IF A SCHOOL AGE CHILD ELIGIBLE FOR A STATE EDUCATIONAL
27 VOUCHER UNDER SUBSECTION (1) CEASES TO ATTEND A PARTICULAR SCHOOL

1 OR DISTRICT DURING THE SCHOOL YEAR AND ENROLLS IN A QUALIFYING
2 NONPUBLIC SCHOOL LOCATED IN THE INTERMEDIATE DISTRICT IN WHICH
3 THE CHILD RESIDES, THE CHILD'S PARENT OR LEGAL GUARDIAN, OR THE
4 QUALIFYING NONPUBLIC SCHOOL IN WHICH THE CHILD IS ENROLLED ON
5 BEHALF OF THE PARENT OR LEGAL GUARDIAN, MAY APPLY TO THE DEPART-
6 MENT FOR A TRANSFER VOUCHER. THE PARENT OR LEGAL GUARDIAN SHALL
7 PRESENT THE TRANSFER VOUCHER TO SCHOOL OFFICIALS AT THE QUALIFY-
8 ING NONPUBLIC SCHOOL IN WHICH THE CHILD IS ENROLLED. UPON PRE-
9 SENTATION BY A QUALIFYING NONPUBLIC SCHOOL TO THE DEPARTMENT OF A
10 TRANSFER VOUCHER, THE DEPARTMENT SHALL CEASE MAKING PAYMENTS TO
11 THE CHILD'S ORIGINAL SCHOOL OR DISTRICT AND SHALL INSTEAD MAKE
12 THE REMAINING PAYMENTS FOR THE FISCAL YEAR TO THE QUALIFYING NON-
13 PUBLIC SCHOOL PRESENTING THE TRANSFER VOUCHER.

14 (5) IN ORDER TO BE ELIGIBLE FOR ANY FUNDING UNDER THIS ACT
15 FOR A PARTICULAR CHILD, A QUALIFYING NONPUBLIC SCHOOL SHALL
16 SUBMIT AN EDUCATIONAL VOUCHER FOR THE CHILD TO THE DEPARTMENT
17 UNDER THIS SECTION.

18 (6) THERE IS ALLOCATED FOR 1999-2000 FROM THE APPROPRIATION
19 UNDER SECTION 11 THE AMOUNT NECESSARY TO FUND THIS SECTION.

20 (7) AS USED IN THIS SECTION:

21 (A) "FEDERAL POVERTY LEVEL" MEANS THE LEVELS DETERMINED
22 BASED ON THE FEDERAL POVERTY INCOME STANDARDS AS DEFINED AND
23 DETERMINED ANNUALLY BY THE UNITED STATES OFFICE OF MANAGEMENT AND
24 BUDGET.

25 (B) "QUALIFYING NONPUBLIC SCHOOL" MEANS A NONPUBLIC SCHOOL
26 THAT COMPLIES WITH 1921 PA 302, MCL 388.551 TO 388.558, AND THAT
27 IS NOT AFFILIATED WITH ANY RELIGIOUS GROUP OR ORGANIZATION.

1 (C) "SCHOOL AGE CHILD" MEANS A CHILD WHO IS AT LEAST 6 YEARS
2 OF AGE ON DECEMBER 1 OF THE PARTICULAR SCHOOL YEAR AND WHO IS NOT
3 OLDER THAN 18 YEARS OF AGE AS OF THE FIRST DAY OF THE PARTICULAR
4 SCHOOL YEAR. FOR A CHILD ENROLLING IN KINDERGARTEN, SCHOOL AGE
5 CHILD MEANS A CHILD WHO IS AT LEAST 5 YEARS OF AGE ON DECEMBER 1
6 OF THE PARTICULAR SCHOOL YEAR. FOR AN INDIVIDUAL WHO QUALIFIES
7 FOR SPECIAL EDUCATION PROGRAMS AND SERVICES, SCHOOL AGE CHILD
8 MEANS AN INDIVIDUAL WHO IS NOT OLDER THAN 26 YEARS OF AGE.

9 Enacting section 1. This amendatory act does not take
10 effect unless Senate Joint Resolution S
11 of the 89th Legislature
12 becomes a part of the state constitution of 1963 as provided in
13 section 1 of article XII of the state constitution of 1963.