

**FAILING SCHOOL DISTRICT  
TERRITORY TRANSFER**

**House Bill 6157**  
**Sponsor: Rep. Michael Bishop**  
**Committee: Education**

**Complete to 8-28-02**

**A SUMMARY OF HOUSE BILL 6157 AS INTRODUCED 6-4-02**

House Bill 6157 would amend the Revised School Code to require that an intermediate school district detach territory from one school district and attach the territory to another district that is contiguous to territory, if all of the following conditions were met:

- the territory to be transferred was located in a failing school district;
- the intermediate school board was petitioned to make the transfer by not less than two-thirds of the people who owned property and resided in the territory to be transferred (the boundaries of which would be specifically described in the petition);
- the board of the school district to which the territory would be attached approved the transfer; and,
- the transfer was approved by an affirmative vote of a majority of the school electors who resided in the territory to be transferred.

Further, the bill specifies that a transfer of territory would not be subject to approval by the school electors or school board of the school district from which the territory was detached.

Generally under the current law, a majority of the school electors of any school district from which territory is to be detached must approve the detachment, if the latest assessed valuation of the territory to be detached is more than 10 percent of the latest assessed valuation of the entire school district. House Bill 6157 would retain this provision except in the case of a failing school district, noted above, however the bill would substitute the phrase "taxable value" for "assessed valuation."

Under the code, resident owners of land considered for transfer from one school district to another, or the board of a school district whose territory is affected, can appeal the action of the intermediate school board (or joint intermediate boards) to the State Board of Education within 10 days, and the state board can confirm, modify, or set aside the order. The law requires that the state board consider the welfare of affected students (including the length of time the students must commute) when it makes a determination, and under the law, the action taken by the state board is final. House Bill 6157 would require that appeals of territory transfers be made to the

House Bill 6157 (8-28-02)

superintendent of public instruction, rather than to the state board. However, the bill specifies that the board of a failing school district from which territory was detached could not appeal a transfer of territory.

MCL 380.951 et al

Analyst: J. Hunault

---

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.