HOUSE BILL No. 4111

January 31, 2001, Introduced by Reps. Patterson, Toy, Kuipers, DeVuyst, Ruth Johnson, Voorhees, Julian and Stewart and referred to the Committee on Appropriations.

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 20 (MCL 388.1620), as amended by 2000 PA 297.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 20. (1) For 1999-2000, the basic foundation allowance
- 2 is \$5,700.00 per membership pupil. For 2000-2001, the basic
- 3 foundation allowance is \$6,000.00 per membership pupil. For
- 4 2001-2002, the basic foundation allowance is \$6,300.00 per mem-
- 5 bership pupil. For 2002-2003, the basic foundation allowance is
- 6 \$6,700.00 per membership pupil.
- 7 (2) From the appropriation in section 11, there is allocated
- 8 for 1999-2000 an amount not to exceed \$8,418,600,000.00 to
- 9 guarantee each district a foundation allowance per membership
- 10 pupil other than special education pupils and to make payments

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- 1 under this section to public school academies and university
- 2 schools for membership pupils other than special education
- 3 pupils. The amount of each district's foundation allowance shall
- 4 be calculated as provided in this section, using a basic founda-
- 5 tion allowance in the amount specified in subsection (1). If the
- 6 maximum amount allocated under this section is not sufficient to
- 7 fully fund payments under this section, and before any proration
- 8 required under section 11, the amount of the payment to each dis-
- 9 trict, university school, and public school academy shall be pro-
- 10 rated by reducing by an equal percentage the total payment under
- 11 this section to each district, university school, and public
- 12 school academy. However, if the department determines that pro-
- 13 ration will be required under this section, the superintendent
- 14 shall notify the state budget director, and the state budget
- 15 director shall notify the legislature at least 30 calendar days
- 16 or 6 legislative session days, whichever is more, before the
- 17 department reduces any payments under this section because of the
- 18 proration. During the 30 calendar day or 6 legislative session
- 19 day period after that notification by the state budget director,
- 20 the department shall not reduce any payments under this section
- 21 because of proration. The legislature may prevent proration
- 22 under this section from occurring by, within the 30 calendar day
- 23 or 6 legislative session day period after that notification by
- 24 the director, enacting legislation appropriating additional funds
- 25 from the general fund, countercyclical budget and economic stabi-
- 26 lization fund, state school aid fund balance, or another source

- 1 to ensure full foundation allowance funding for each district,
- 2 university school, and public school academy.
- 3 (3) Except as otherwise provided in this section, the amount
- 4 of a district's foundation allowance shall be calculated as fol-
- 5 lows, using in all calculations the total amount of the
- 6 district's foundation allowance as calculated before any
- 7 proration:
- 8 (a) For a district that in the immediately preceding state
- 9 fiscal year had a foundation allowance at least equal to the sum
- 10 of \$4,200.00 plus the total dollar amount of all adjustments made
- 11 from 1994-95 to the immediately preceding state fiscal year in
- 12 the lowest foundation allowance among all districts, but less
- 13 than the basic foundation allowance in the immediately preceding
- 14 state fiscal year, the district shall receive a foundation allow-
- 15 ance in an amount equal to the sum of the district's foundation
- 16 allowance for the immediately preceding state fiscal year plus
- 17 the difference between twice the dollar amount of the adjustment
- 18 from the immediately preceding state fiscal year to the current
- 19 state fiscal year made in the basic foundation allowance and
- 20 [(the dollar amount of the adjustment from the immediately pre-
- 21 ceding state fiscal year to the current state fiscal year made in
- 22 the basic foundation allowance minus \$50.00) times (the differ-
- 23 ence between the district's foundation allowance for the immedi-
- 24 ately preceding state fiscal year and the sum of \$4,200.00 plus
- 25 the total dollar amount of all adjustments made from 1994-95 to
- 26 the immediately preceding state fiscal year in the lowest
- 27 foundation allowance among all districts) divided by the

- 1 difference between the basic foundation allowance for the current
- 2 state fiscal year and the sum of \$4,200.00 plus the total dollar
- 3 amount of all adjustments made from 1994-95 to the immediately
- 4 preceding state fiscal year in the lowest foundation allowance
- 5 among all districts]. However, the foundation allowance for a
- 6 district that had less than the basic foundation allowance in the
- 7 immediately preceding state fiscal year shall not exceed the
- 8 basic foundation allowance for the current state fiscal year.
- **9** (b) Except as otherwise provided in this subsection, for a
- 10 district that in the immediately preceding state fiscal year had
- 11 a foundation allowance in an amount at least equal to the amount
- 12 of the basic foundation allowance for the immediately preceding
- 13 state fiscal year, the district shall receive a foundation allow-
- 14 ance in an amount equal to the sum of the district's foundation
- 15 allowance for the immediately preceding state fiscal year plus
- 16 the dollar amount of the adjustment from the immediately preced-
- 17 ing state fiscal year to the current state fiscal year in the
- 18 basic foundation allowance.
- 19 (c) Beginning in 1999-2000, for a district that in the
- 20 1994-95 state fiscal year had a foundation allowance greater than
- 21 \$6,500.00, the district's foundation allowance is an amount equal
- 22 to the sum of the district's foundation allowance for the immedi-
- 23 ately preceding state fiscal year plus the lesser of the increase
- 24 in the basic foundation allowance for the current state fiscal
- 25 year, as compared to the immediately preceding state fiscal year,
- 26 or the product of the district's foundation allowance for the
- 27 immediately preceding state fiscal year times the percentage

- 1 increase in the United States consumer price index in the
- 2 calendar year ending in the immediately preceding fiscal year as
- 3 reported by the May revenue estimating conference conducted under
- 4 section 367b of the management and budget act, 1984 PA 431,
- 5 MCL 18.1367b.
- 6 (d) For 1999-2000, each district's foundation allowance
- 7 shall be at least \$5,700.00.
- **8** (e) Beginning in 2000-2001, for a district that has a foun-
- 9 dation allowance that is not a whole dollar amount, the
- 10 district's foundation allowance shall be rounded up to the near-
- 11 est whole dollar.
- 12 (F) FOR 2001-2002, A DISTRICT'S FOUNDATION ALLOWANCE SHALL
- 13 BE \$9,000.00 IF THE DEPARTMENT DETERMINES THAT THE DISTRICT MEETS
- 14 ALL OF THE FOLLOWING:
- 15 (i) IS LOCATED IN WHOLE OR IN PART IN A COUNTY WITH A POPU-
- 16 LATION GREATER THAN 2,000,000.
- 17 (ii) HAS TERRITORY OF MORE THAN 1 CITY, VILLAGE, OR TOWNSHIP
- 18 LOCATED WITHIN ITS BOUNDARIES.
- 19 (iii) HAS A 2000-2001 MEMBERSHIP GREATER THAN 15,000.
- 20 (iv) OPERATES AT LEAST 2 HIGH SCHOOLS, AT LEAST 5 MIDDLE
- 21 SCHOOLS, AND AT LEAST 12 ELEMENTARY SCHOOLS.
- 22 (v) HAS AN AVERAGE CLASSROOM PUPIL TO TEACHER RATIO OF NOT
- 23 LESS THAN 23 TO 1.
- 24 (vi) LESS THAN 8% OF ITS PUPILS MET THE INCOME ELIGIBILITY
- 25 CRITERIA FOR THE FEDERAL FREE AND REDUCED PRICE LUNCH PROGRAM FOR
- 26 THE IMMEDIATELY PRECEDING SCHOOL YEAR.

- 1 (vii) HAS AN AVERAGE TEACHER SALARY OF AT LEAST \$55,000.00
- 2 FOR THE SCHOOL YEAR.
- 3 (viii) HAS A DROPOUT RATE OF LESS THAN 3.2%, AS CALCULATED
- 4 BY THE DEPARTMENT FOR THE IMMEDIATELY PRECEDING SCHOOL YEAR.
- 5 (ix) HAS A GRADUATION RATE OF AT LEAST 90%, AS CALCULATED BY
- 6 THE DEPARTMENT FOR THE IMMEDIATELY PRECEDING SCHOOL YEAR.
- 7 (x) HAD A FOUNDATION ALLOWANCE FOR 1999-2000 OF MORE THAN
- 8 \$6,200.00.
- 9 (G) $\frac{\text{(f)}}{\text{(f)}}$ Beginning in 2002-2003, for a district that
- 10 receives a payment under section 22c for 2001-2002, the
- 11 district's 2001-2002 foundation allowance shall be considered to
- 12 have been an amount equal to the sum of the district's actual
- 13 2001-2002 foundation allowance as otherwise calculated under this
- 14 section plus the per pupil amount of the district's equity pay-
- 15 ment for 2001-2002 under section 22c.
- 16 (4) To ensure that a district receives the district's foun-
- 17 dation allowance, there is allocated to each district a state
- 18 portion of the district's foundation allowance in an amount cal-
- 19 culated under this subsection. Except as otherwise provided in
- 20 this subsection, the state portion of a district's foundation
- 21 allowance is an amount equal to the district's foundation allow-
- 22 ance or \$6,500.00, whichever is less, minus the difference
- 23 between the product of the taxable value per membership pupil of
- 24 all property in the district that is not a homestead or qualified
- 25 agricultural property times the lesser of 18 mills or the number
- 26 of mills of school operating taxes levied by the district in
- 27 1993-94 and the quotient of the ad valorem property tax revenue

- 1 of the district captured under 1975 PA 197, MCL 125.1651 to
- 2 125.1681, the tax increment finance authority act, 1980 PA 450,
- 3 MCL 125.1801 to 125.1830, the local development financing act,
- 4 1986 PA 281, MCL 125.2151 to 125.2174, or the brownfield redevel-
- 5 opment financing act, 1996 PA 381, MCL 125.2651 to 125.2672,
- 6 divided by the district's membership excluding special education
- 7 pupils. Beginning in 1999-2000, for a district described in
- 8 subsection (3)(c), the state portion of the district's foundation
- 9 allowance is an amount equal to \$6,962.00 plus the difference
- 10 between the district's foundation allowance for the current state
- 11 fiscal year and the district's foundation allowance for 1998-99,
- 12 minus the difference between the product of the taxable value per
- 13 membership pupil of all property in the district that is not a
- 14 homestead or qualified agricultural property times the lesser of
- 15 18 mills or the number of mills of school operating taxes levied
- 16 by the district in 1993-94 and the quotient of the ad valorem
- 17 property tax revenue of the district captured under 1975 PA 197,
- 18 MCL 125.1651 to 125.1681, the tax increment finance authority
- 19 act, 1980 PA 450, MCL 125.1801 to 125.1830, the local development
- 20 financing act, 1986 PA 281, MCL 125.2151 to 125.2174, or the
- 21 brownfield redevelopment financing act, 1996 PA 381, MCL 125.2651
- 22 to 125.2672, divided by the district's membership excluding spe-
- 23 cial education pupils. For a district that has a millage reduc-
- 24 tion required under section 31 of article IX of the state consti-
- 25 tution of 1963, the state portion of the district's foundation
- 26 allowance shall be calculated as if that reduction did not
- 27 occur. The \$6,500.00 amount prescribed in this subsection shall

- 1 be adjusted each year by an amount equal to the dollar amount of
- 2 the difference between the basic foundation allowance for the
- 3 current state fiscal year and \$5,000.00. However, beginning in
- 4 2002-2003, the \$6,500.00 amount prescribed in this subsection
- 5 shall be adjusted each year by an amount equal to the dollar
- 6 amount of the difference between the basic foundation allowance
- 7 for the current state fiscal year and \$5,000.00, minus \$200.00.
- **8** (5) The allocation under this section for a pupil shall be
- 9 based on the foundation allowance of the pupil's district of
- 10 residence. However, for a pupil enrolled pursuant to section 105
- 11 or 105c in a district other than the pupil's district of resi-
- 12 dence, the allocation under this section shall be based on the
- 13 lesser of the foundation allowance of the pupil's district of
- 14 residence or the foundation allowance of the educating district.
- 15 For a pupil in membership in a K-5, K-6, or K-8 district who is
- 16 enrolled in another district in a grade not offered by the
- 17 pupil's district of residence, the allocation under this section
- 18 shall be based on the foundation allowance of the educating dis-
- 19 trict if the educating district's foundation allowance is greater
- 20 than the foundation allowance of the pupil's district of
- 21 residence. Beginning in 1999-2000, the calculation under this
- 22 subsection shall take into account a district's per pupil alloca-
- 23 tion under section 20j(2).
- 24 (6) Subject to subsection (7) and except as otherwise pro-
- 25 vided in this subsection, for pupils in membership, other than
- 26 special education pupils, in a public school academy or a
- 27 university school, there is allocated under this section each

- 1 fiscal year for 1999-2000, for 2000-2001, for 2001-2002, and for
- 2 2002-2003 to the authorizing body that is the fiscal agent for
- 3 the public school academy for forwarding to the public school
- 4 academy, or to the board of the public university operating the
- 5 university school, an amount per membership pupil other than spe-
- 6 cial education pupils in the public school academy or university
- 7 school equal to the sum of the local school operating revenue per
- 8 membership pupil other than special education pupils for the dis-
- 9 trict in which the public school academy or university school is
- 10 located and the state portion of that district's foundation
- 11 allowance, or the sum of the basic foundation allowance under
- 12 subsection (1) plus \$500.00, whichever is less. However, begin-
- 13 ning in 2002-2003, this \$500.00 amount shall instead be \$300.00.
- 14 Notwithstanding section 101(2), for a public school academy that
- 15 begins operations in 1999-2000, 2000-2001, 2001-2002, or
- 16 2002-2003, as applicable, after the pupil membership count day,
- 17 the amount per membership pupil calculated under this subsection
- 18 shall be adjusted by multiplying that amount per membership pupil
- 19 by the number of hours of pupil instruction provided by the
- 20 public school academy after it begins operations, as determined
- 21 by the department, divided by the minimum number of hours of
- 22 pupil instruction required under section 1284 of the revised
- 23 school code, MCL 380.1284. The result of this calculation shall
- 24 not exceed the amount per membership pupil otherwise calculated
- 25 under this subsection.
- **26** (7) If more than 25% of the pupils residing within a
- 27 district are in membership in 1 or more public school academies

- 1 located in the district, then the amount per membership pupil
- 2 allocated under this section to the authorizing body that is the
- 3 fiscal agent for a public school academy located in the district
- 4 for forwarding to the public school academy shall be reduced by
- 5 an amount equal to the difference between the product of the tax-
- 6 able value per membership pupil of all property in the district
- 7 that is not a homestead or qualified agricultural property times
- 8 the lesser of 18 mills or the number of mills of school operating
- 9 taxes levied by the district in 1993-94 and the quotient of the
- 10 ad valorem property tax revenue of the district captured under
- 11 1975 PA 197, MCL 125.1651 to 125.1681, the tax increment finance
- 12 authority act, 1980 PA 450, MCL 125.1801 to 125.1830, the local
- 13 development financing act, 1986 PA 281, MCL 125.2151 to 125.2174,
- 14 or the brownfield redevelopment financing act, 1996 PA 381,
- 15 MCL 125.2651 to 125.2672, divided by the district's membership
- 16 excluding special education pupils, in the school fiscal year
- 17 ending in the current state fiscal year, calculated as if the
- 18 resident pupils in membership in 1 or more public school acade-
- 19 mies located in the district were in membership in the district.
- 20 In order to receive state school aid under this act, a district
- 21 described in this subsection shall pay to the authorizing body
- 22 that is the fiscal agent for a public school academy located in
- 23 the district for forwarding to the public school academy an
- 24 amount equal to that local school operating revenue per member-
- 25 ship pupil for each resident pupil in membership other than spe-
- 26 cial education pupils in the public school academy, as determined
- 27 by the department.

- 1 (8) If a district does not receive a payment under
- 2 subsection (9); if the number of mills the district may levy on a
- 3 homestead and qualified agricultural property under
- 4 section 1211(1) of the revised school code, MCL 380.1211, is 0.5
- 5 mills or less; and if the district elects not to levy those
- 6 mills, the district instead shall receive a separate supplemental
- 7 payment under this subsection in an amount equal to the amount
- 8 the district would have received had it levied those mills, as
- 9 determined by the department of treasury. A district shall not
- 10 receive a separate supplemental payment under this subsection for
- 11 a fiscal year unless in the calendar year ending in the fiscal
- 12 year the district levies 18 mills or the number of mills of
- 13 school operating taxes levied by the district in 1993, whichever
- 14 is less, on property that is not a homestead or qualified agri-
- 15 cultural property.
- 16 (9) For a district that had combined state and local revenue
- 17 per membership pupil in the 1993-94 state fiscal year of more
- 18 than \$6,500.00 and that had fewer than 350 pupils in membership,
- 19 if the district elects not to reduce the number of mills from
- 20 which a homestead and qualified agricultural property are exempt
- 21 and not to levy school operating taxes on a homestead and quali-
- 22 fied agricultural property as provided in section 1211(1) of the
- 23 revised school code, MCL 380.1211, and not to levy school operat-
- 24 ing taxes on all property as provided in section 1211(2) of the
- 25 revised school code, MCL 380.1211, there is allocated under this
- 26 subsection for 1994-95 and each succeeding fiscal year a separate
- 27 supplemental payment in an amount equal to the amount the

- 1 district would have received per membership pupil had it levied
- 2 school operating taxes on a homestead and qualified agricultural
- 3 property at the rate authorized for the district under
- 4 section 1211(1) of the revised school code, MCL 380.1211, and
- 5 levied school operating taxes on all property at the rate autho-
- 6 rized for the district under section 1211(2) of the revised
- 7 school code, MCL 380.1211, as determined by the department of
- 8 treasury. If in the calendar year ending in the fiscal year a
- 9 district does not levy 18 mills or the number of mills of school
- 10 operating taxes levied by the district in 1993, whichever is
- 11 less, on property that is not a homestead or qualified agricul-
- 12 tural property, the payment under this subsection will be reduced
- 13 by the same percentage as the millage actually levied compares to
- 14 the 18 mills or the number of mills levied in 1993, whichever is
- **15** less.
- 16 (10) A district or public school academy may use any funds
- 17 allocated under this section in conjunction with any federal
- 18 funds for which the district or public school academy otherwise
- 19 would be eligible.
- 20 (11) For a district that is formed or reconfigured after
- 21 June 1, 1994 by consolidation of 2 or more districts or by annex-
- 22 ation, the resulting district's foundation allowance under this
- 23 section beginning after the effective date of the consolidation
- 24 or annexation shall be the average of the foundation allowances
- 25 of each of the original or affected districts, calculated as pro-
- 26 vided in this section, weighted as to the percentage of pupils in
- 27 total membership in the resulting district who reside in the

- 1 geographic area of each of the original districts. If an
- 2 affected district's foundation allowance is less than the basic
- 3 foundation allowance, the amount of that district's foundation
- 4 allowance shall be considered for the purpose of calculations
- 5 under this subsection to be equal to the amount of the basic
- 6 foundation allowance.
- 7 (12) Each fraction used in making calculations under this
- 8 section shall be rounded to the fourth decimal place and the
- 9 dollar amount of an increase in the basic foundation allowance
- 10 shall be rounded to the nearest whole dollar.
- 11 (13) State payments related to payment of the foundation
- 12 allowance for a special education pupil are not funded under this
- 13 section but are instead funded under section 51a.
- 14 (14) To assist the legislature in determining the basic
- 15 foundation allowance for the subsequent state fiscal year, each
- 16 revenue estimating conference conducted under section 367b of the
- 17 management and budget act, 1984 PA 431, MCL 18.1367b, shall cal-
- 18 culate a pupil membership factor, a revenue adjustment factor,
- 19 and an index as follows:
- 20 (a) The pupil membership factor shall be computed by divid-
- 21 ing the estimated membership in the school year ending in the
- 22 current state fiscal year, excluding intermediate district mem-
- 23 bership, by the estimated membership for the school year ending
- 24 in the subsequent state fiscal year, excluding intermediate dis-
- 25 trict membership. If a consensus membership factor is not deter-
- 26 mined at the revenue estimating conference, the principals of the
- 27 revenue estimating conference shall report their estimates to the

- 1 house and senate subcommittees responsible for school aid
- 2 appropriations not later than 7 days after the conclusion of the
- 3 revenue conference.
- 4 (b) The revenue adjustment factor shall be computed by
- 5 dividing the sum of the estimated total state school aid fund
- 6 revenue for the subsequent state fiscal year plus the estimated
- 7 total state school aid fund revenue for the current state fiscal
- 8 year, adjusted for any change in the rate or base of a tax the
- 9 proceeds of which are deposited in that fund and excluding money
- 10 transferred into that fund from the countercyclical budget and
- 11 economic stabilization fund under section 353e of the management
- 12 and budget act, 1984 PA 431, MCL 18.1353e, by the sum of the
- 13 estimated total school aid fund revenue for the current state
- 14 fiscal year plus the estimated total state school aid fund reve-
- 15 nue for the immediately preceding state fiscal year, adjusted for
- 16 any change in the rate or base of a tax the proceeds of which are
- 17 deposited in that fund. If a consensus revenue factor is not
- 18 determined at the revenue estimating conference, the principals
- 19 of the revenue estimating conference shall report their estimates
- 20 to the house and senate subcommittees responsible for school aid
- 21 appropriations not later than 7 days after the conclusion of the
- 22 revenue conference.
- 23 (c) The index shall be calculated by multiplying the pupil
- 24 membership factor by the revenue adjustment factor. If a consen-
- 25 sus index is not determined at the revenue estimating conference,
- 26 the principals of the revenue estimating conference shall report
- 27 their estimates to the house and senate subcommittees responsible

- 1 for school aid appropriations not later than 7 days after the
- 2 conclusion of the revenue conference.
- 3 (15) If the principals at the revenue estimating conference
- 4 reach a consensus on the index described in subsection (14)(c),
- 5 the basic foundation allowance for the subsequent state fiscal
- 6 year shall be at least the amount of that consensus index multi-
- 7 plied by the basic foundation allowance specified in subsection
- 8 (1).
- 9 (16) If at the January revenue estimating conference it is
- 10 estimated that pupil membership, excluding intermediate district
- 11 membership, for the subsequent state fiscal year will be greater
- 12 than 101% of the pupil membership, excluding intermediate dis-
- 13 trict membership, for the current state fiscal year, then it is
- 14 the intent of the legislature that the executive budget proposal
- 15 for the school aid budget for the subsequent state fiscal year
- 16 include a general fund/general purpose allocation sufficient to
- 17 support the membership in excess of 101% of the current year
- 18 pupil membership.
- 19 (17) Beginning in 1999-2000, for a district that had com-
- 20 bined state and local revenue per membership pupil in the 1993-94
- 21 state fiscal year of more than \$6,500.00, that had fewer than 7
- 22 pupils in membership in the 1993-94 state fiscal year, that has
- 23 at least 1 child educated in the district in the current state
- 24 fiscal year, and that levies the number of mills of school oper-
- 25 ating taxes authorized for the district under section 1211 of the
- 26 revised school code, MCL 380.1211, the district shall be
- 27 allocated a minimum amount of combined state and local revenue as

- 1 provided under this subsection. The minimum amount of combined
- 2 state and local revenue for 1999-2000 shall be \$67,000.00 plus
- 3 the district's additional expenses to educate pupils in grades 9
- 4 to 12 educated in other districts as determined and allowed by
- 5 the department. Beginning in 2000-2001, the minimum amount of
- 6 combined state and local revenue under this subsection, before
- 7 adding the additional expenses, shall increase each fiscal year
- 8 by the same percentage increase as the percentage increase in the
- 9 basic foundation allowance from the immediately preceding fiscal
- 10 year to the current fiscal year. The state portion of the mini-
- 11 mum amount of combined state and local revenue under this subsec-
- 12 tion shall be calculated by subtracting from the minimum amount
- 13 of combined state and local revenue under this subsection the sum
- 14 of the district's local school operating revenue and the product
- 15 of the state portion of the district's foundation allowance times
- 16 the district's membership. As used in this subsection,
- 17 "additional expenses" means the district's expenses for tuition
- 18 or fees, not to exceed \$6,500.00 as adjusted each year by an
- 19 amount equal to the dollar amount of the difference between the
- 20 basic foundation allowance for the current state fiscal year and
- 21 \$5,000.00, plus a room and board stipend not to exceed \$10.00 per
- 22 school day for each pupil in grades 9 to 12 educated in another
- 23 district, as approved by the department. However, beginning in
- 24 2002-2003, the \$6,500.00 amount prescribed in this subsection
- 25 shall be adjusted each year by an amount equal to the dollar
- 26 amount of the difference between the basic foundation allowance
- 27 for the current state fiscal year and \$5,000.00, minus \$200.00.

- 1 (18) For a district in which 7.75 mills levied in 1992 for
- 2 school operating purposes in the 1992-93 school year were not
- 3 renewed in 1993 for school operating purposes in the 1993-94
- 4 school year, the district's combined state and local revenue per
- 5 membership pupil shall be recalculated as if that millage reduc-
- 6 tion did not occur and, beginning in 2000-2001, the district's
- 7 foundation allowance shall be calculated as if its 1994-95 foun-
- 8 dation allowance had been calculated using that recalculated
- 9 1993-94 combined state and local revenue per membership pupil as
- 10 a base. A district is not entitled to any retroactive payments
- 11 for fiscal years before 2000-2001 due to this subsection.
- 12 (19) Beginning in 2000-2001, payments to districts, univer-
- 13 sity schools, or public school academies shall not be made under
- 14 this section. Rather, the calculations under this section shall
- 15 be used to determine the amount of state payments under section
- 16 22b.
- 17 (20) From the allocation in subsection (2), the department
- 18 may expend funds to pay for necessary costs associated with
- 19 resolving matters pending in federal court impacting payments to
- 20 districts.
- 21 (21) If an amendment to section 2 of article VIII of the
- 22 state constitution of 1963 allowing state aid to some or all non-
- 23 public schools is approved by the voters of this state, each
- 24 foundation allowance or per pupil payment calculation under this
- 25 section may be reduced.
- 26 (22) As used in this section:

- 1 (a) "Combined state and local revenue" means the aggregate
- 2 of the district's state school aid received by or paid on behalf
- 3 of the district under this section and the district's local
- 4 school operating revenue.
- 5 (b) "Combined state and local revenue per membership pupil"
- 6 means the district's combined state and local revenue divided by
- 7 the district's membership excluding special education pupils.
- 8 (c) "Current state fiscal year" means the state fiscal year
- 9 for which a particular calculation is made.
- 10 (d) "Homestead" means that term as defined in section 1211
- 11 of the revised school code, MCL 380.1211.
- 12 (e) "Immediately preceding state fiscal year" means the
- 13 state fiscal year immediately preceding the current state fiscal
- **14** year.
- 15 (f) "Local school operating revenue" means school operating
- 16 taxes levied under section 1211 of the revised school code,
- **17** MCL 380.1211.
- 18 (g) "Local school operating revenue per membership pupil"
- 19 means a district's local school operating revenue divided by the
- 20 district's membership excluding special education pupils.
- 21 (h) "Membership" means the definition of that term under
- 22 section 6 as in effect for the particular fiscal year for which a
- 23 particular calculation is made.
- 24 (i) "Qualified agricultural property" means that term as
- 25 defined in section 1211 of the revised school code,
- 26 MCL 380.1211.

- 1 (j) "School operating purposes" means the purposes included
- 2 in the operation costs of the district as prescribed in
- 3 sections 7 and 18.
- 4 (k) "School operating taxes" means local ad valorem property
- 5 taxes levied under section 1211 of the revised school code,
- 6 MCL 380.1211, and retained for school operating purposes.
- 7 (1) "Taxable value per membership pupil" means taxable
- 8 value, as certified by the department of treasury, for the calen-
- 9 dar year ending in the current state fiscal year divided by the
- 10 district's membership excluding special education pupils for the
- 11 school year ending in the current state fiscal year.

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