



Senate Fiscal Agency  
P. O. Box 30036  
Lansing, Michigan 48909-7536

**BILL ANALYSIS**

Telephone: (517) 373-5383  
Fax: (517) 373-1986  
TDD: (517) 373-0543

House Bill 5478 (Substitute S-1 as reported by the Committee of the Whole)  
Sponsor: Representative John Stahl  
House Committee: Education  
Senate Committee: Education

**CONTENT**

The bill would amend the State School Aid Act to provide for a complaint process for a parent or guardian who believed that the school district in which his or her child was enrolled was not complying with current statutory sex education requirements, or with provisions proposed by Senate Bill 943 that would require each school district to form a "health education advisory board". In addition, the House bill would reduce the percentage of State aid a district must forfeit (from 5% to 1%) if it fails to comply with requirements for sex education instruction, and would include violations of the advisory board provisions among those subject to the penalty. The bill is tie-barred to Senate Bill 943.

Under House Bill 5478 (H-4), a parent or legal guardian who believed a district was out of compliance could file a complaint with his or her district or intermediate district's superintendent. The superintendent would have to investigate the complaint and provide a written report to the parent within 30 days. The district would have to take corrective action.

In the event a parent believed the district was still not in compliance with the law, the bill would establish a process for appealing, first to the intermediate school district and then to the Department of Education.

The Department would have to track the number of complaints and appeals it received for the 2004-2005 school year and report this information to the Legislature.

MCL 388.1766a

Legislative Analyst: Claire Layman

**FISCAL IMPACT**

The bill could result in an indeterminate cost to the Department of Education in cases in which the Department had to investigate complaints and determine whether State Aid must be forfeited, although the Department could assess a fee against a district to cover costs of investigating and reporting if the district committed a violation.

Local and intermediate school districts could incur additional costs associated with investigating parental complaints. In addition, a district that failed to meet the current or proposed requirements would forfeit 1% of its State Aid.

Date Completed: 6-2-04

Fiscal Analyst: Joe Carrasco

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Analysis available @ <http://www.michiganlegislature.org>

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.