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BILL ANALYSIS

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Senate Bill 95 (Substitute S-1 as passed by the Senate)

Sponsor: Senator Valde Garcia

Committee: Education

Date Completed: 8-4-06

RATIONALE

To qualify for school aid payments from the State, public schools and public school academies in Michigan must provide students with a certain minimum amount of instruction time. Historically, schools were required to provide at least 180 days of instruction each year. In the 1990s, amendments to the Revised School Code established gradual yearly increases in the minimum number of days and hours of instruction, which were to culminate in the 2006-2007 school year, when schools would have had to provide 190 days and 1,140 hours of instruction.

Some school districts believed that those requirements were too rigid, and requested flexibility in establishing school schedules. In response to those concerns, amendments to the School Aid Act in 2003 removed the minimum days' requirement and set the minimum hours of pupil instruction at 1,098 hours. These provisions have allowed schools to develop alternative schedules, for example by offering four-day school weeks to save on transportation, food service, and utility costs. Similarly, some schools increased the length of each school day to provide the required number of hours of instruction in fewer days.

Those changes, however, were never made in the Revised School Code, which still contains language requiring annual increases in the number of hours and days of instruction. It has been suggested that the Code be made consistent with the current requirements in the School Aid Act.

CONTENT

The bill would amend the Revised School Code to require school districts and public school academies (PSAs) to provide at least the minimum number of hours of pupil instruction each school year required under the School Aid Act; and remove requirements for incremental yearly increases in the number of school days and hours of instruction.

The Code requires the board of a school district or PSA to increase the number of days and hours of instruction each school year. In 2005-2006, the Code requires 189 days of instruction and 1,134 hours of instruction; in 2006-2007, schools must offer 190 days and 1,140 hours of instruction, except as provided below.

The required minimum number of days or hours of instruction may not be increased for a particular year if the Department of Education determines that the percentage growth in the basic foundation allowance under the School Aid Act for the fiscal year in which the school year begins is less than the percentage increase in the average United States consumer price index (CPI) during the preceding calendar year as compared to the second preceding calendar year. If there is no increase in the number of days or hours of instruction for a given year, then the increase for the next year in which the percentage growth in school aid funding exceeds the percentage growth in the CPI must be one day and the corresponding number of hours, until the minimum number of days required is 190 and the minimum number of hours required is 1,140.

The Code allows the board of a school district or board of directors of a PSA to choose, by resolution, to provide fewer days of instruction for a given year than the statute indicates, as long as the board or board of directors provides at least the required number of hours of instruction and not fewer than 180 days of instruction.

The bill would delete these provisions, and instead would require the board or board of directors to ensure that the school district or PSA provided at least the minimum number of hours of pupil instruction each school year required under the School Aid Act.

MCL 380.1284

ARGUMENTS

(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)

Supporting Argument

Both the School Aid Act and the Revised School Code contain language establishing minimum instruction time for public schools and PSAs. While the School Aid Act was amended in 2003 and reflects the most recent decision of lawmakers on the subject, the Revised School Code was never updated to reflect the 2003 amendments to the Act. To reconcile the two statutes and eliminate the need to amend both every time there is a change, the bill would remove the instruction requirements in the Code, instead referring to the provisions in the School Aid Act.

Legislative Analyst: Curtis Walker

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Joe Carrasco

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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.