

SENATE BILL No. 686

January 13, 2016, Introduced by Senator COLBECK and referred to the Committee on Education.

A bill to amend 1976 PA 451, entitled
"The revised school code,"
by amending sections 971 and 976 (MCL 380.971 and 380.976), section
971 as amended by 1995 PA 289.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 971. (1) One or more resident owners of land considered
2 for transfer from 1 school district to another, or the board of a
3 school district whose territory is affected, may appeal the action
4 of the intermediate school board or joint intermediate school
5 boards in transferring the land, the failure to transfer the land,
6 or action relative to the accounting determination to the ~~state~~
7 ~~board~~ **SUPERINTENDENT OF PUBLIC INSTRUCTION** within 10 days after the
8 action or determination by the intermediate school board or the
9 joint intermediate school boards. If the intermediate school board
10 or the joint intermediate school boards fail to take action within

1 the time limit under section 951, the appeal may be made to the
2 ~~state board~~ **SUPERINTENDENT OF PUBLIC INSTRUCTION** within 10 days
3 following the termination of the period. The pendency of an appeal
4 shall suspend the action or determination of the intermediate
5 school board or joint intermediate school boards.

6 (2) ~~The state board~~ **SUBJECT TO SUBSECTION (3), THE**
7 **SUPERINTENDENT OF PUBLIC INSTRUCTION** may confirm, modify, or set
8 aside the order of the intermediate school board or the joint
9 intermediate school boards. In considering an appeal, the ~~state~~
10 ~~board~~ **SUPERINTENDENT OF PUBLIC INSTRUCTION** shall consider the
11 welfare of the ~~affected pupil~~ **OR PUPILS RESIDING IN THE TERRITORY**
12 **TO BE TRANSFERRED**, including, but not limited to, the length of the
13 pupil's commute to and from school, on a school bus or otherwise.
14 The action of the ~~state board~~ **SUPERINTENDENT OF PUBLIC INSTRUCTION**
15 on the appeal is final.

16 (3) **IN CONSIDERING AN APPEAL, THE SUPERINTENDENT OF PUBLIC**
17 **INSTRUCTION SHALL TAKE ACTION AS NECESSARY TO ALLOW THE TRANSFER OF**
18 **TERRITORY IF ALL OF THE FOLLOWING ARE MET:**

19 (A) **THE REQUEST FOR THE TRANSFER MEETS ALL OF THE REQUIREMENTS**
20 **UNDER SECTION 951.**

21 (B) **MORE THAN 3/4 OF THE PERSONS WHO OWN AND RESIDE ON THE**
22 **LAND TO BE TRANSFERRED SIGN A PETITION FOR THE TRANSFER UNDER**
23 **SECTION 951.**

24 (C) **THE TERRITORY TO BE DETACHED IS LOCATED IN ITS ENTIRETY IN**
25 **A SINGLE CITY OR TOWNSHIP AND A MAJORITY OF THE PUPILS WHO RESIDE**
26 **IN THAT CITY OR TOWNSHIP ARE ENROLLED IN THE SCHOOL DISTRICT TO**
27 **WHICH THE TERRITORY IS TO BE ATTACHED.**

1 (D) THE BOARD OF THE SCHOOL DISTRICT TO WHICH THE TERRITORY IS
2 TO BE ATTACHED ADOPTS A RESOLUTION IN SUPPORT OF THE TRANSFER OF
3 TERRITORY.

4 Sec. 976. If the boundaries of a school district are changed
5 pursuant to this part, a pupil in ~~the twelfth grade~~ **ANY OF GRADES 9**
6 **TO 12** at the time of the change or entering ~~twelfth grade~~ **ANY OF**
7 **GRADES 9 TO 12** at the beginning of the school year immediately
8 following the change shall be allowed to continue attending school
9 in the school district ~~which~~ **THAT** the pupil attended before the
10 change without payment of tuition.

11 Enacting section 1. This amendatory act takes effect 90 days
12 after the date it is enacted into law.