



House
Legislative
Analysis
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**OUT-OF-DISTRICT ATTENDANCE:
ALLOW APPEAL TO ISD & SBE**

**House Bills 5776 and 5777
Sponsor: Rep. Jim McBryde
Committee: Education**

Complete to 5-9-96

A SUMMARY OF HOUSE BILLS 5776 AND 5777 AS INTRODUCED 4-18-96

The bills would amend the Revised School Code and the State School Aid Act to permit the appeal of a local school board's denial of a request for a resident pupil to attend and be counted in the membership of another school district. Such a denial could be appealed first at the intermediate district level and then to the state board of education.

A pupil or the pupil's parent or legal guardian could appeal a denial by the local school board to the board of the intermediate school district within 10 days of the denial. If the local districts involved were in different ISDs, then the two ISD boards would meet on the appeal as a joint board. (The appeal could be filed with either board and a joint meeting would be called by the two ISD superintendents, at which a quorum of each board would have to be present.) If the ISD board or boards did not consider the appeal within 30 days or if the appeal was denied at the ISD level, an appeal could be filed with the state board of education within 10 days. The decision of the state board would be final. The ISD board or boards and, in turn, the state board of education could uphold or overturn the decision of the local board, and if the decision was overturned, the non-resident school district would be considered to have the approval of the resident school district to enroll and count the pupil in membership.

The bill also would require that the boards at the local, intermediate, and state level, in making a decision on the request, consider the welfare of the pupil, including but not limited to, the length of the pupil's commute to and from school on a school bus or otherwise.

House Bill 5776 would amend the Revised School Code (MCL 380.1147a). House Bill 5777 would amend the State School Aid Act (MCL 388.1705)

■ 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.