

HOUSE BILL No. 5402

March 1, 2016, Introduced by Reps. Singh, Faris, Plawecki and Pagan and referred to the Committee on Education.

A bill to amend 1976 PA 451, entitled
"The revised school code,"
(MCL 380.1 to 380.1852) by adding section 1319.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 1319. (1) THE BOARD OF A SCHOOL DISTRICT OR INTERMEDIATE
2 SCHOOL DISTRICT OR BOARD OF DIRECTORS OF A PUBLIC SCHOOL ACADEMY
3 SHALL NOT CHARGE A FEE TO A PUPIL OR A PUPIL'S PARENT OR LEGAL
4 GUARDIAN FOR THE PUPIL TO PARTICIPATE IN ANY EXTRACURRICULAR
5 ACTIVITY UNLESS THE SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY HAS
6 ADOPTED A POLICY CONCERNING THESE FEES THAT MEETS THE REQUIREMENTS
7 OF SUBSECTION (2) AND CHARGES THE FEE IN ACCORDANCE WITH THAT
8 POLICY.

9 (2) FOR A SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY TO CHARGE A

1 FEE DESCRIBED IN SUBSECTION (1), THE POLICY CONCERNING
2 EXTRACURRICULAR ACTIVITY FEES SHALL MEET ALL OF THE FOLLOWING:

3 (A) SPECIFIES EACH ACTIVITY THAT IS SUBJECT TO A FEE.

4 (B) PROVIDES A FORMULA FOR CALCULATING THE FEE THAT MEETS ALL
5 OF THE FOLLOWING:

6 (i) TAKES INTO ACCOUNT THE COSTS INCURRED BY THE SCHOOL
7 DISTRICT OR PUBLIC SCHOOL ACADEMY AS A RESULT OF THE ACTIVITY,
8 EXCEPT DOES NOT INCLUDE THE COSTS OF COACHES, TEACHERS, OR OTHER
9 STAFF OR THE COSTS OF FACILITY MAINTENANCE.

10 (ii) DOES NOT INCLUDE A FEE FOR THE USE OF A FACILITY OWNED OR
11 UNDER THE CONTROL OF THE SCHOOL DISTRICT, INTERMEDIATE SCHOOL
12 DISTRICT, OR PUBLIC SCHOOL ACADEMY.

13 (iii) CALCULATES THE FEE FOR EACH INDIVIDUAL ACTIVITY
14 INDEPENDENTLY OF THE FEE CALCULATION FOR ANOTHER ACTIVITY, BASED
15 SOLELY ON THE COSTS OF THAT SPECIFIC ACTIVITY.

16 (iv) IF THE FORMULA INCLUDES COST OF TRANSPORTATION, THAT COST
17 IS BASED SOLELY ON MILEAGE TRAVELED.

18 (C) PROVIDES FOR A WAIVER OF THE FEE FOR ANY PUPIL WHO MEETS
19 THE INCOME ELIGIBILITY CRITERIA FOR FREE OR REDUCED-PRICE
20 BREAKFAST, LUNCH, OR MILK, AS DETERMINED UNDER THE RICHARD B.
21 RUSSELL NATIONAL SCHOOL LUNCH ACT, 42 USC 1751 TO 1769J.

22 (D) PROVIDES A PROCESS FOR PUPILS, IN ADDITION TO THOSE
23 COVERED BY SUBDIVISION (C), TO APPLY FOR AND RECEIVE A WAIVER FROM
24 THE FEE BASED ON INDIVIDUAL CIRCUMSTANCES.

25 (3) AS USED IN THIS SECTION, "EXTRACURRICULAR ACTIVITY"
26 INCLUDES, BUT IS NOT LIMITED TO, INTERSCHOLASTIC ATHLETICS,
27 INTRAMURAL ATHLETICS, THEATER, BAND, ORCHESTRA, AND VOCAL MUSIC

1 **GROUPS.**

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