MPAAA Legislative Primer

Carolyn Claerhout
MPAAA Legislative Liaison
2015

Pupil Accounting Legal References

- The laws form the basis of the pupil accounting and auditing work
- The MDE interprets these laws via administrative rules, manuals and other guidance, including audit appeal decisions by State Supt

Overview

Pupil accounting/auditing based on School Aid Act and School Code and the laws change every year

- Part I – How to look up and search laws, bills, legislative history, etc.
- Part II – Basic review of school laws, administrative rules, pupil accounting manual, pupil auditing manual, etc.

Part I Overview

- How to look up bills
- How to track bills
- How to look up laws
- NOTE: How to look up pupil accounting rules and Michigan Attorney General opinions covered in Part II

Part II Overview

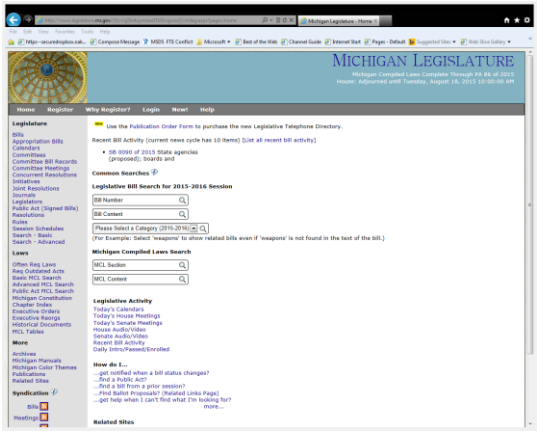
- School Funding Constitutional Provision
- State School Aid Act
- State Revised School Code
- Pupil Accounting Administrative Rules
- Pupil Accounting Manual
- Pupil Auditing Manual
- Adult Ed Participant Accounting Manual
- Adult Ed Participant Auditing Manual
- Michigan Attorney General Opinions

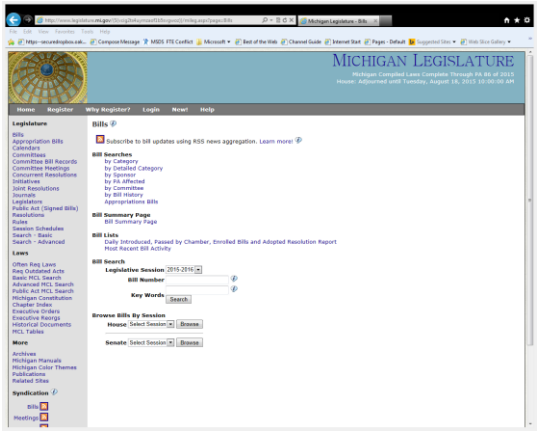
Part I – Let's Get Started

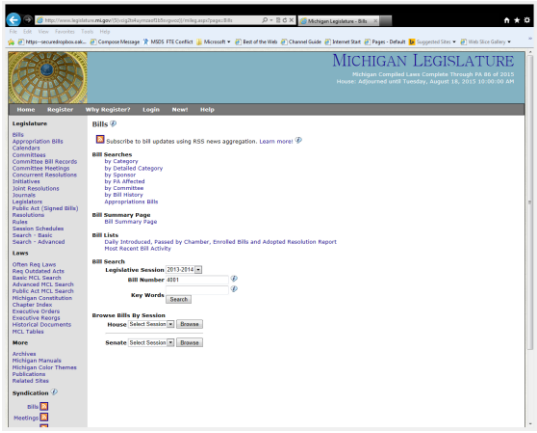
- How to look up bills
- How to track bills
- How to look up laws

How to look up bills

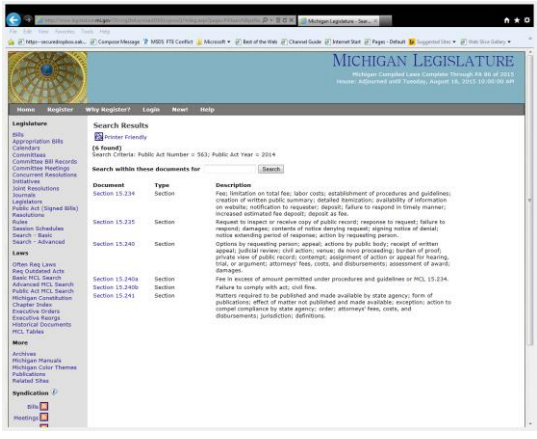
- www.MichiganLegislature.org
- Enter bill number or bill content in search engine
- Review marked up bill
- Review Senate and House Fiscal Agency Summaries
- Track bill






MICHIGAN LEGISLATURE
Home
Register
Why Register?
Login
New!
Help
Bills
Subscribe to bill updates using RSS news aggregation. Learn more!
Bill Searches
by Category
by Detailed Category
by Sponsor
by PA Affected
by Committee
by Bill History
Appropriations Bills
Bill Summary Page
Bill Summary Page
Bill Lists
Daily Introduced, Passed by Chamber, Enrolled Bills and Adopted Resolution Report
Most Recent Bill Activity
Bill Search
Legislative Session 2013-2014
Bill Number 4001
Key Words
Search
Browse Bills By Session
House: Select Session
Browse
Senate: Select Session
Browse


MICHIGAN LEGISLATURE
House Bill 4001 (2013)
Public Act 563 of 2014 (Effective: 7/1/2015)
Sponsor
Mike Shirkey
Categories
Civil rights, public records; Records, public
Bill Documents
House Introduced Bill
As Passed by the House
As Passed by the Senate
House Concurred Bill
Public Act
Bill Analysis
House Fiscal Agency Analysis
Summary As Introduced (05-13-13)
Senate Fiscal Analysis
SUMMARY OF HOUSE-PASSED BILL IN COMMITTEE (Date Completed: 12-17-14)
History


MICHIGAN LEGISLATURE
Search Results
Printer Friendly
(6 found)
Search Criteria: Public Act Number = 563; Public Act Year = 2014
Search within these documents for
Search
Document
Type
Description
Section 15.234
Section
Section 15.235
Section
Section 15.240
Section
Section 15.240a
Section
Section 15.240b
Section
Section 15.241
Section

Tracking Bills

- House (HB) or Senate (SB) Bill
- Typical bill chronology:

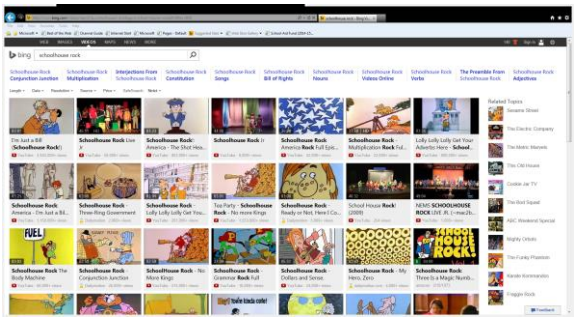
Introduced Bill – most bills end here

As Passed by House [or Senate]

As Passed by Senate [or House]

Concurred Bill (if Senate/House have to work out differences)

Public Act – if/when bill becomes law



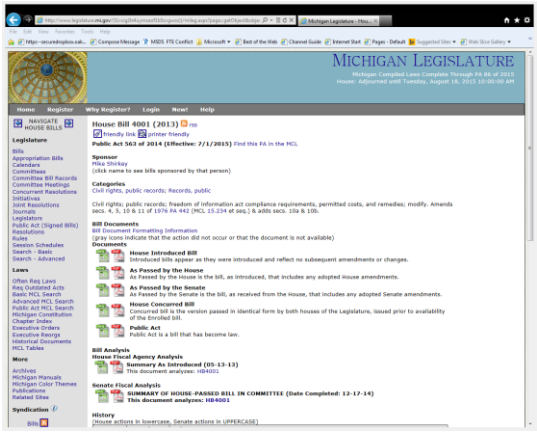
Bill Page - Summaries

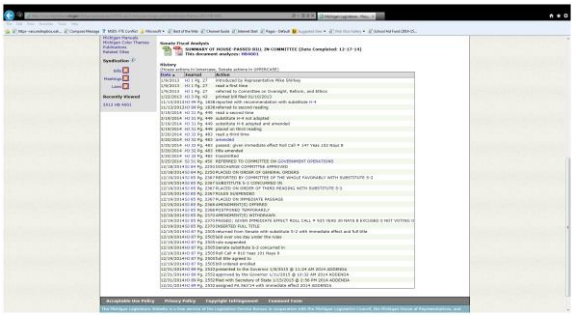
- House Fiscal Agency Analysis
- Senate Fiscal Analysis

Typically a Summary as Introduced and a Summary as Passed

House Fiscal Agency http://www.house.mi.gov/hfa/home.asp

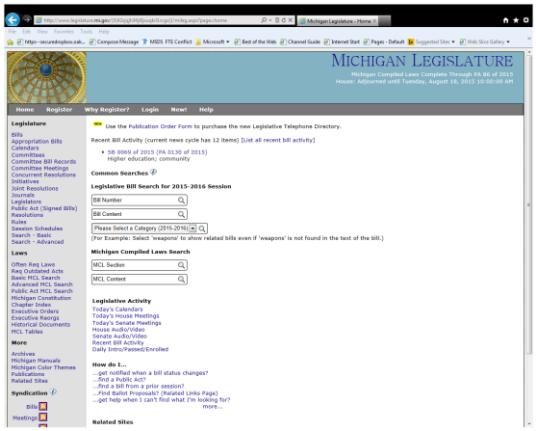
Senate Fiscal Agency http://www.senate.michigan.gov/sfa/





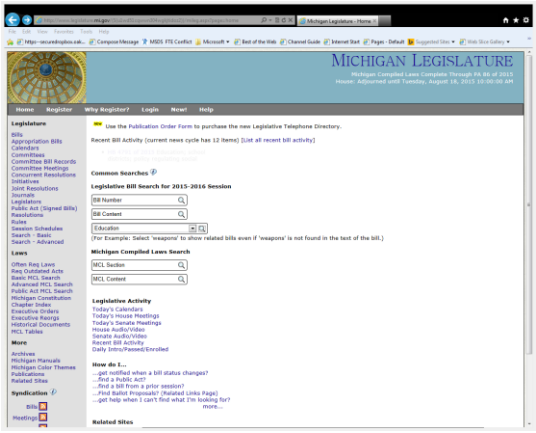
Let's Look Up a Bill

- www.MichiganLegislature.org
- By bill number or by content
- What's it changing?
- What's its status?
- What's the legislative analysis?
- What else should we review, know?



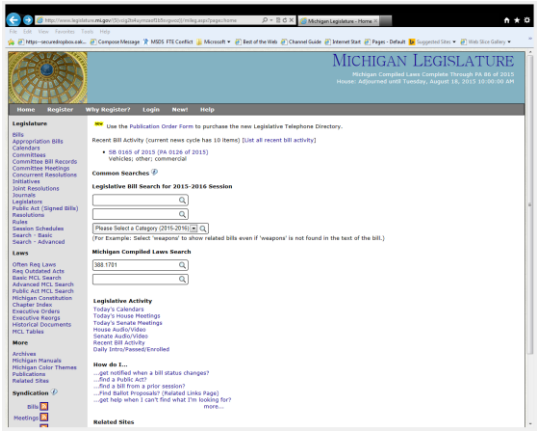
How to look up laws

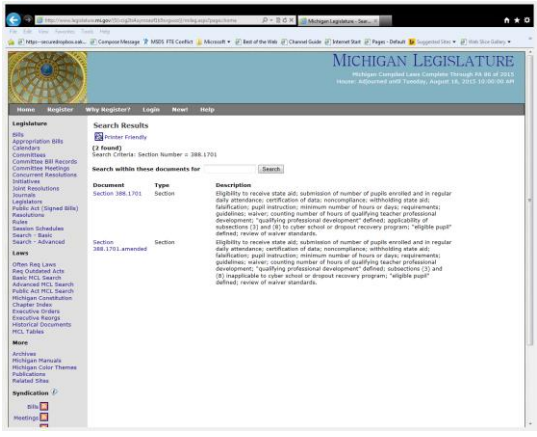
- www.MichiganLegislature.org
- Every bill that becomes a law, gets codified in Michigan Compiled Laws, MCL
- Enter MCL number or content in search engine

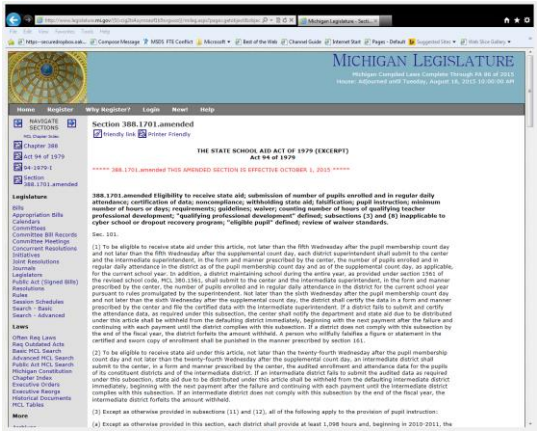


Screenshot of MI Legislative Website

- Michigan Compiled Laws Search
- Type in MCL Number in MCL Section Search Box OR
- Type in Key Words in MCL Content Search Box
- Review Law

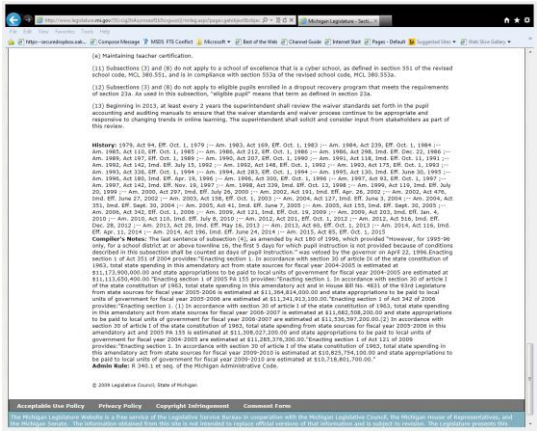






Review Section of Law

- Friendly link for emailing
- Printer Friendly link, Html or Pdf
- Legislative History provided in chronological order when enacted to newest change, by year, public act # and effective date:



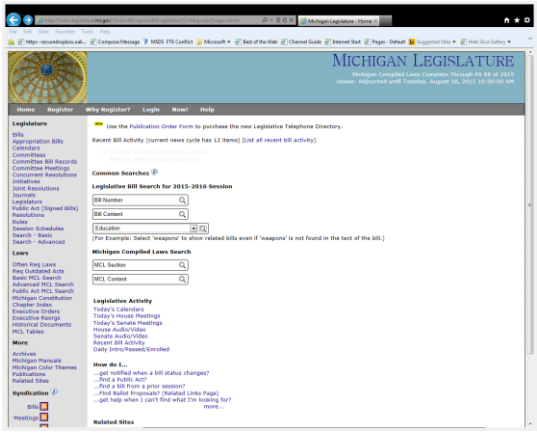
Let's Look Up a Law

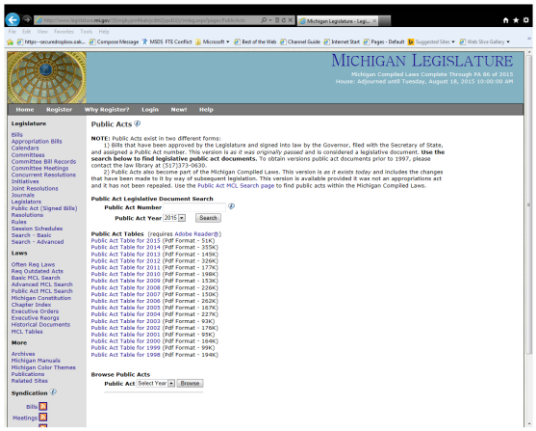
- By MCL number or by content
- What's it say?
- Did it recently change?
- How can we look up recent changes?

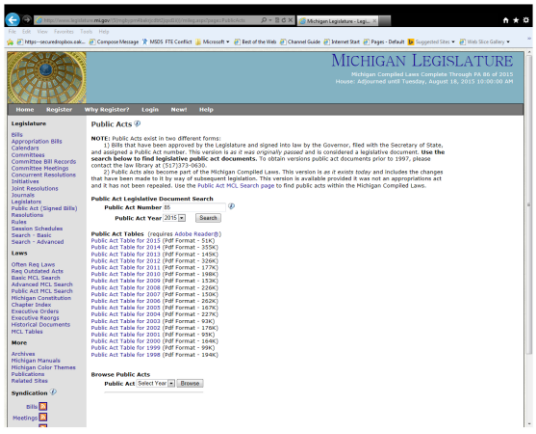
Public Act Search Page

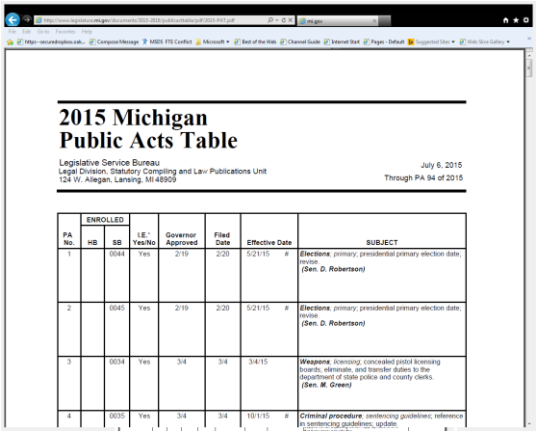
- Bills that have been signed into law are assigned a Public Act number
- Public Acts become part of Michigan Compiled Laws, aka MCL
- What if you don't know the bill or MCL but you know the Public Act Number?
- Public Act MCL Search By Number and Year

http://www.legislature.mi.gov/(S(owr2kgghxl2yrsf2ddo1qxqu))/mileg.aspx?page=MclPASearch







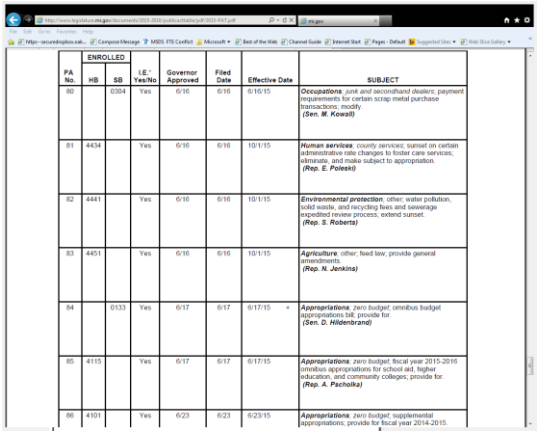


2015 Michigan Public Acts Table

Legislative Service Bureau
Legal Division, Statutory Compiling and Law Publications Unit
124 W. Allegan, Lansing, MI 48909

July 6, 2015
Through PA 94 of 2015

PA No.	ENROLLED HB	ENROLLED SB	I.E.* Yes/No	Governor Approved	Filed Date	Effective Date	SUBJECT
1		0044	Yes	2/19	2/20	5/21/15	# ***Elections***; primary; presidential primary election date; revise. ***(Sen. D. Robertson)***
2		0045	Yes	2/19	2/20	5/21/15	# ***Elections***; primary; presidential primary election date; revise. ***(Sen. D. Robertson)***
3		0034	Yes	3/4	3/4	3/4/15	***Weapons***; licensing; concealed pistol licensing boards; eliminate, and transfer duties to the department of state police and county clerks. ***(Sen. M. Green)***
4		0035	Yes	3/4	3/4	10/1/15	# ***Criminal procedure***; sentencing guidelines; reference in sentencing guidelines; update.



PA No.	ENROLLED HB	ENROLLED SB	I.E.* Yes/No	Governor Approved	Filed Date	Effective Date	SUBJECT
80		0304	Yes	6/16	6/16	6/16/15	***Occupations***; junk and secondhand dealers; payment requirements for certain scrap metal purchase transactions; modify. ***(Sen. M. Kowall)***
81	4434		Yes	6/16	6/16	10/1/15	***Human services***; county services; sunset on certain administrative rate changes to foster care services; eliminate, and make subject to appropriation. ***(Rep. E. Poleski)***
82	4441		Yes	6/16	6/16	10/1/15	***Environmental protection***; other; water pollution, solid waste, and recycling fees and sewerage expedited review process; extend sunset. ***(Rep. S. Roberts)***
83	4451		Yes	6/16	6/16	10/1/15	***Agriculture***; other; feed law; provide general amendments. ***(Rep. N. Jenkins)***
84		0133	Yes	6/17	6/17	6/17/15	***Appropriations***; zero budget; omnibus budget appropriations bill; provide for. ***(Sen. D. Hildenbrand)***
85	4115		Yes	6/17	6/17	6/17/15	***Appropriations***; zero budget; fiscal year 2015-2016 omnibus appropriations for school aid, higher education, and community colleges; provide for. ***(Rep. A. Pscholka)***
86	4101		Yes	6/23	6/23	6/23/15	***Appropriations***; zero budget; supplemental appropriations; provide for fiscal year 2014-2015.



How Do I Find the Legislative History

- If know the Bill # and year, great, look it up
- If know the MCL, look at legislative history at end of MCL to identify the Public Act # and year
- If know the Public Act # and/or year, you can use the Pupil Act (Signed Bills) icon on Michigan Legislature webpage
  http://www.legislature.mi.gov/(S(kgisbfbzejdvmsfabj14jkd2))/mileg.aspx?page=PublicActs
- Public Act Tables for 1998- present
- Obtain the Bill Number
- Then do Bill Search by Bill Number and Legislative Session (year)

Part II Overview

- School Funding Constitutional Provision
- State School Aid Act
- State Revised School Code
- Pupil Accounting Administrative Rules
- Pupil Accounting Manual
- Pupil Auditing Manual
- Adult Ed Participant Accounting Manual
- Adult Ed Participant Auditing Manual
- Michigan Attorney General Opinions

Michigan Constitution Mandates Free Public Education

- Article VIII, Section 2

The legislature shall maintain and support a system of free public elementary and secondary schools as defined by law.

Legislation

- The Revised School Code, MCL 380.1 et. seq. provides the basic system of public instruction for elementary and secondary schools
- The State School Aid Act, MCL 388.1601 et. seq. provides the financial support for public elementary and secondary schools in our state
- References to the School Code and School Aid Act are the legal basis of pupil accounting and auditing

State School Aid Act - MCLs

- 388.1603
- 388.1606
- 388.1606a
- 388.1614
- 388.1615
- 388.1617b
- 388.1618
- 388.1619
- 388.1621b
- 388.1621f
- 388.1622f
- 388.1623a
- 388.1624, 1624b
- 388.1625e
- 388.1651a
- 388.1652, 1653a
- 388.1691a
- 388.1698
- 388.1701
- 388.1705, 1705c
- 388.1706
- 388.1707
- 388.1709
- 388.1711
- 388.1718
- 388.1763, 1763a
- 388.1766b
- 388.1766d
- 388.1768
- 388.1769
- 388.1901-1913

State School Code - MCLs

- 380.501-507
- 380.521-529
- 380.551-556
- 380.627a
- 380.1134
- 380.1135
- 380.1138
- 380.1147
- 380.1148, 1148a
- 380.1175
- 380.1278
- 380.1281
- 380.1284, 1284a, 1284b
- 380.1297, 1298
- 380.1301
- 380.1311, 1311a, 1311b
- 380.1401-1416
- 380.1471-1474
- 380.1561
- 380.1711
- 380.1751

Pupil Accounting Administrative Rules

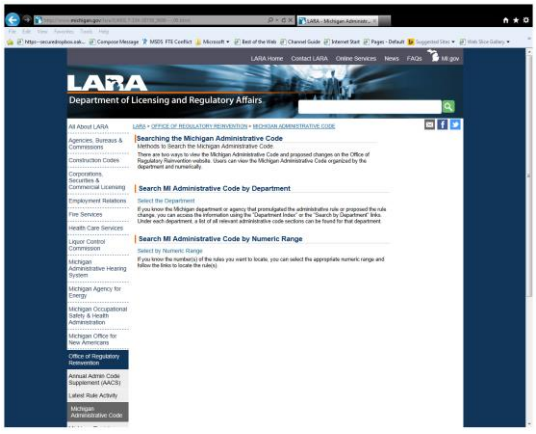
- State Superintendent Establishes Rules Following Administrative Procedures Act (APA) MCL 24.201 – MCL 24.328
- Authorized by MCL 380.1281 (duties of state board of ed, rule waivers), MCL 380.1284 (length of school year, rules), MCL 388.1606(9)(definition of "rule"), MCL 388.1613 (counting membership rules), MCL 388.1701 (days and hours waiver), MCL 388.993&388.994 (1996 Gov. Engler Executive Order transferring administrative powers and duties from state board to state supt.)
- Last Promulgated in 2008
- Agency Admin Rules have the effect of law
- Legal references in rules, both PA and MCL ##s

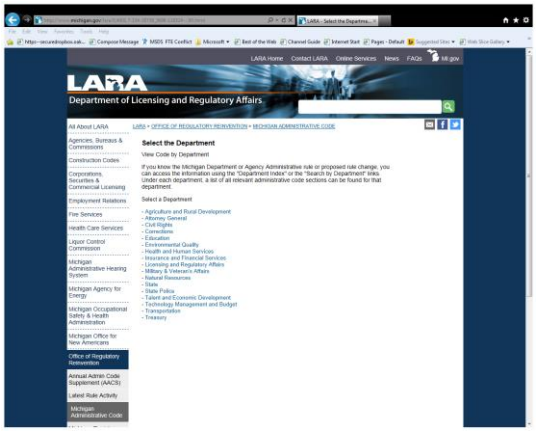
http://www.michigan.gov/documents/mde/2012AdministrativeRules_380197_7.pdf

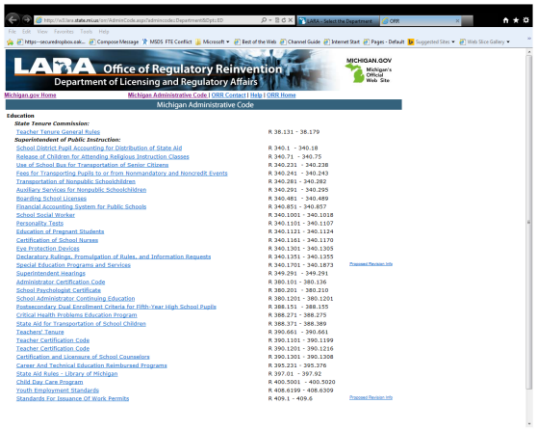
Search Michigan Administrative Rules

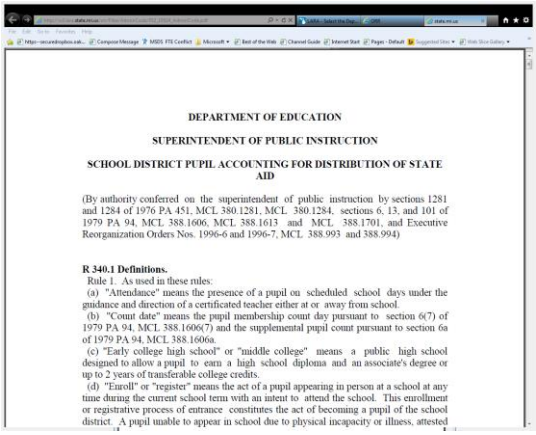
- By Department (of Education)
- By Number (Education Rules in R 340.1 – R 99.102)

http://michigan.gov/lara/0,4601,7-154-35738_5698---,00.html









DEPARTMENT OF EDUCATION

SUPERINTENDENT OF PUBLIC INSTRUCTION

SCHOOL DISTRICT PUPIL ACCOUNTING FOR DISTRIBUTION OF STATE AID

(By authority conferred on the superintendent of public instruction by sections 1281 and 1284 of 1976 PA 451, MCL 380.1281, MCL 380.1284, sections 6, 13, and 101 of 1979 PA 94, MCL 388.1606, MCL 388.1613 and MCL 388.1701, and Executive Reorganization Orders Nos. 1996-6 and 1996-7, MCL 388.993 and 388.994)

R 340.1 Definitions.

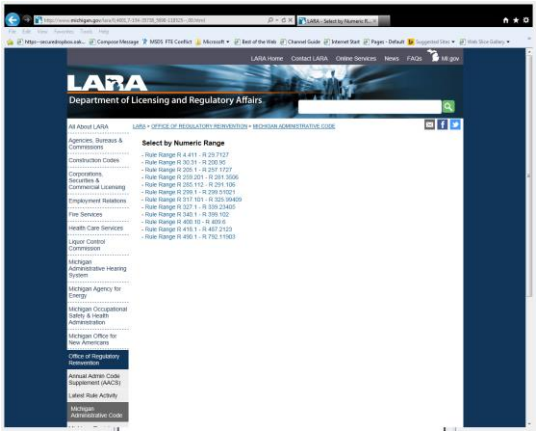
Rule 1. As used in these rules:

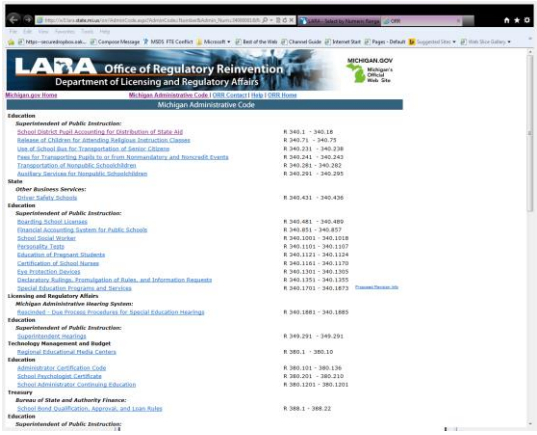
(a) "Attendance" means the presence of a pupil on scheduled school days under the guidance and direction of a certificated teacher either at or away from school.

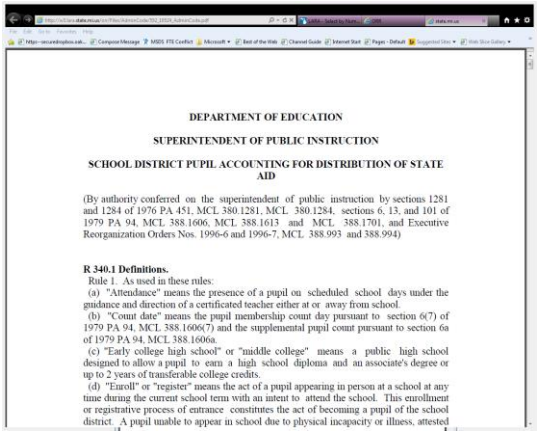
(b) "Count date" means the pupil membership count day pursuant to section 6(7) of 1979 PA 94, MCL 388.1606(7) and the supplemental pupil count pursuant to section 6a of 1979 PA 94, MCL 388.1606a.

(c) "Early college high school" or "middle college" means a public high school designed to allow a pupil to earn a high school diploma and an associate's degree or up to 2 years of transferable college credits.

(d) "Enroll" or "register" means the act of a pupil appearing in person at a school at any time during the current school term with an intent to attend the school. This enrollment or registrative process of entrance constitutes the act of becoming a pupil of the school district. A pupil unable to appear in school due to physical incapacity or illness, attested







DEPARTMENT OF EDUCATION

SUPERINTENDENT OF PUBLIC INSTRUCTION

SCHOOL DISTRICT PUPIL ACCOUNTING FOR DISTRIBUTION OF STATE AID

(By authority conferred on the superintendent of public instruction by sections 1281 and 1284 of 1976 PA 451, MCL 380.1281, MCL 380.1284, sections 6, 13, and 101 of 1979 PA 94, MCL 388.1606, MCL 388.1613 and MCL 388.1701, and Executive Reorganization Orders Nos. 1996-6 and 1996-7, MCL 388.993 and 388.994)

R 340.1 Definitions.

Rule 1. As used in these rules:

(a) "Attendance" means the presence of a pupil on scheduled school days under the guidance and direction of a certificated teacher either at or away from school.

(b) "Count date" means the pupil membership count day pursuant to section 6(7) of 1979 PA 94, MCL 388.1606(7) and the supplemental pupil count pursuant to section 6a of 1979 PA 94, MCL 388.1606a.

(c) "Early college high school" or "middle college" means a public high school designed to allow a pupil to earn a high school diploma and an associate's degree or up to 2 years of transferable college credits.

(d) "Enroll" or "register" means the act of a pupil appearing in person at a school at any time during the current school term with an intent to attend the school. This enrollment or registrative process of entrance constitutes the act of becoming a pupil of the school district. A pupil unable to appear in school due to physical incapacity or illness, attested

Pupil Accounting Rules - Overview

- R340.1 Definitions
- **R340.2** Pupils to be counted in membership
- R 340.3 Pupils not to be counted in membership
- R 340.4 Schools of Choice
- **R 340.7** Computation of Membership
- **R340.10** Pupil Instructional Time
- R340.10a Travel Time; Instructional Time

Pupil Accounting Rules - Overview

- **R340.11** Virtual learning, online learning, distance learning, self-scheduled
- **R340.12** Independent Study
- R340.13 Learning Labs
- R340.14 Experiential learning courses
- **R340.15** Work-based learning experiences
- R340.16 Work-based learning CTE programs
- R340.17 Postsecondary dual enrollment
- R340.18 Waiver

Pupil Accounting Manual

PAM provides guidance on pupil membership and count requirements – updated annually

http://michigan.gov/mde/0,4615,7-140-6530_6605-22360--,00.html

Developed by MDE Office of State Aid and School Finance

Required by Law MCL 388.1618

Legal References/Citations Provided to State Law and Rules in PAM Sections

PAM Section 1 – Required Documentation

- District Level: calendar, attendance policy, grad requirements, board approved courses
- Building/Program Level: teacher/class schedule, pupil alpha list, Pop III lists, attendance records, attendance policy, excused absence documentation
- Pupil Level: enrollment record (CA60), proof of identity and age, schedule
- Statutory References

PAM Section 2- Days and Hours

- Days of Instruction
- Hours of Instruction

  Special Ed Early Childhood Classroom Program, R 340.1754 - 450

  Special Ed Early Childhood Services, R 340.1755 or 1862 - 180
- Calendars – district wide vs. building/program, common calendar, labor day start, legal holidays

PAM Section 2 – Days and Hours Cont.

- Pupil Instructional Hours Requirements
- Certified Teacher Requirement
- Forgiven Days and Hours
- 75% Attendance Requirement
- State Aid Penalty for failing to meet required days, hours and/or 75% attendance
- Statutory References

PAM Section 3 – Count Requirements

- Count Days – 1st Wed in Oct, 2nd Wed in Feb
- Pupil Eligibility - enroll on or before count day, meet age requirement, proof of identity and age, residency, class schedule, attendance
- Teacher Certification
- Audit Appeals – potentially 3 steps

1. Informal appeal to ISD auditor
2. Appeal to MDE Office of Audits
3. Appeal to State Superintendent

- Statutory references

PAM Section 4 -Residency

- Resident Pupils – district of residence, home of relative, etc.
- Nonresident Pupils Treated as Residents – charter schools, schools of choice, alt ed, nonpublic part time pupils, child of employee, etc.
- Waiver/Release from Resident District – annually
- Statutory References

PAM Section 5 – Nonconventional Pupils aka Pop IIIs

- Section 5-A Alternative Ed Pupils
- Section 5-B Cooperative Ed Programs
- Section 5-C Home Based
- Section 5-D Homebound/Hospitalized
- Section 5-E Nonpublic Part-Time and Homeschooled Pupils
- Section 5-F Part-time Pupils

PAM Section 5 – Pop III Cont.

- Section 5-G-A Postsecondary Dual Enrollment
- Section 5-G-B Early Middle College
- Section 5-H Reduced-Schedule Pupils
- Section 5-I 105/105c Schools of Choice
- Section 5-J ISD Schools of Choice
- Section 5-K Special Ed Early Childhood
- Section 5-L Special Ed Transition Services

PAM Section 5 – Pop IIIs Cont.

- Section 5-M Split-Schedule Pupils
- Section 5-N Suspension and Expulsion
- Section 5-O-A Virtual Learning, Distance Learning and Independent Study
- Section 5-O-B Seat Time Waiver
- Section 5-O-C Cyber Schools
- Section 5-O-D Expanded Online Learning
- Section 5-P Work Based Learning

Section 5 – NEW Pop IIIs?

- Section 5-Q-A Section 23a Dropout Recovery Program
- Section 5-Q-B Section 25e Pupil Membership Transfers
- Each Section 5 Subsection has Statutory References

PAM Section 6 and Appendices

- 6-A Experiential Learning
- 6-B Peer to Peer Programs

Interesting NO statutory references in Section 6

- Appendix A Glossary of Terms
- Appendix B Abbreviations/Acronyms

Pupil Membership Auditing Manual

- Resource for conducting pupil membership audits
- Prepared by MDE Office of Financial Management
- Updated annually and subject to change
- Required by law MCL 388.1618
- Topical Index included with References/Citations to School Code, School Aid Act, Pupil Accounting Rules and PAM

Pupil Auditing Manual

- Introduction – pupil membership audit required
- General Requirements
  - Desk audit each building/program every count
  - Field audit on audit cycle for field audits
  - Audit frequency and scope based on risk assessment
- Legal references included

Pupil Auditing Manual –Desk Audit

- Review of district documentation
- Desk Audit Program Check List
- Desk Audit Adjustments
- Legal References included

Pupil Auditing Manual – Field Audit

- Review pupil membership records verify counts and interview school district staff
- Field Audit Program
- Local District Planning Form
- Risk Assessment
- Select Sample
- Conduct Field Audit for Pop I, II, and III
- Audit Adjustment

Pupil Auditing Manual – Field Audit

- Pupil Enrollment, Age, Residency
- Pop I Present on Count Day – verify attendance
- Pop II Absent on Count Day – 10/30 day rule
- Pop III Nonconventional Pupils – Section 5 and 6 of the PAM – each have their own audit standard and audit requirements

Pupil Auditing Manual – Reports & Appeals

- Audit Report - DS 4061/DS 4120 and Audit Narrative in MSDS MCL 388.1618
- State Aid Payments adjusted MCL 388.1615(2)
- Appeals – ISD Informal Appeal and Appeal to MDE Office of Financial Management and Final Appeal to State Superintendent
- State Supt Decisions on Audit Appeals on MDE Administrative Law Website

Pupil Auditing Manual – EOY DS 4168

- Days/Clock Hours and 75% Attendance Report due in EEM by July 15
- Audited by pupil membership auditor in EEM by August 1

Pupil Auditing Manual – GAD Audit

- Graduation and Dropout Audit for the previous 3 grad year cohorts - 4 year, 5 year and 6 year grad rate.
- GAD Application in MSDS
- GAD Audit late October- early December
- CEPI calculates grad/dropout rate late January
- GAD Audit high school buildings subject to field audit that year 2% grad code, 5% exempt code
- Can also submit exit code change requests

Pupil Auditing Manual - Appendices

- Statement of Independence
- Desk Audit Program
- Local District Planning Form
- Building Risk Assessment Form
- Sample Summary and Analysis
- FTE Adjustment Form
- General Audit Findings
- Specific Audit Findings
- CPA Confirmation Request
- Acronyms and Due Dates
- Legal References

Pupil Auditing Manual – Legal Reference Appendix L

- By topic A to Z
- Includes reference to:

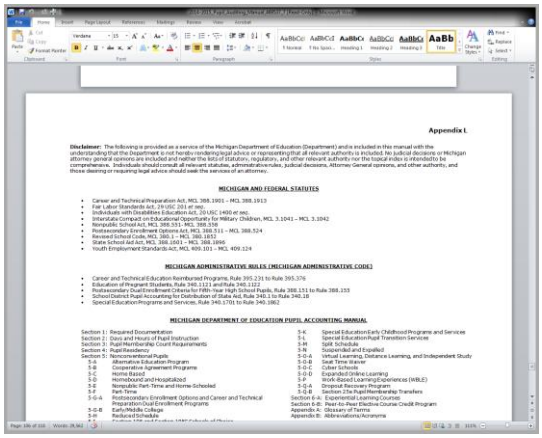
School Code

School Aid Act

Pupil Accounting Rule

Pupil Accounting Manual

Other



Appendix L

Disclaimer: The following is provided as a service of the Michigan Department of Education (Department) and is included in this manual with the understanding that the Department is not hereby rendering legal advice or representing that all relevant authority is included. No judicial decisions or Michigan attorney general opinions are included and neither the list of statutory, regulatory, and other relevant authority nor the topical index is intended to be comprehensive. Individuals should consult all relevant statutes, administrative rules, judicial decisions, Attorney General opinions, and other authority, and those desiring or requiring legal advice should seek the services of an attorney.

MICHIGAN AND FEDERAL STATUTES

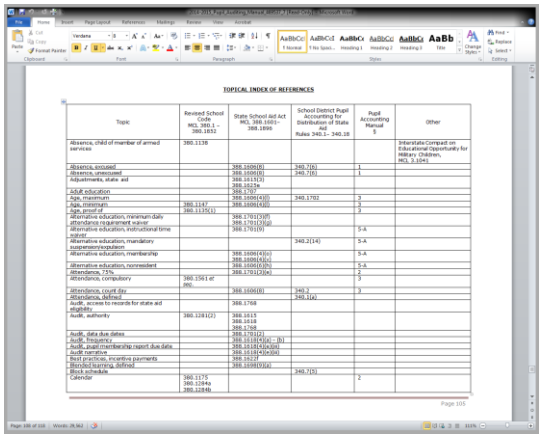
- Career and Technical Preparation Act, MCL 388.1901 – MCL 388.1913
- Fair Labor Standards Act, 29 USC 201 et seq.
- Individuals with Disabilities Education Act, 20 USC 1400 et seq.
- Interstate Compact on Educational Opportunity for Military Children, MCL 3.1041 – MCL 3.1042
- Nonpublic School Act, MCL 388.551- MCL 388.556
- Public School Academy Act, MCL 380.501 – MCL 388.524
- Revised School Code, MCL 380.1 – MCL 380.1852
- State School Aid Act, MCL 388.1601 – MCL 388.1896
- Youth Employment Standards Act, MCL 409.101 – MCL 409.124

MICHIGAN ADMINISTRATIVE RULES (MICHIGAN ADMINISTRATIVE CODE)

- Career and Technical Education Reimbursed Programs, Rule 395.231 to Rule 395.376
- Education of Pregnant Students, Rule 340.1121 and Rule 340.1122
- Postsecondary Dual Enrollment Criteria for Fifth-Year High School Pupils, Rule 388.151 to Rule 388.153
- School District Pupil Accounting for Distribution of State Aid, Rule 340.1 to Rule 340.18
- Special Education Programs and Services, Rule 340.1701 to Rule 340.1862

MICHIGAN DEPARTMENT OF EDUCATION PUPIL ACCOUNTING MANUAL

Section 1: Required Documentation
Section 2: Days and Hours of Pupil Instruction
Section 3: Pupil Membership Count Requirements
Section 4: Pupil Residency
Section 5: Nonresident Pupils
5-A Alternative Education Program
5-B Cooperative Agreement Programs
5-C Home Based
5-D Homebound and Hospitalized
5-E Nonpublic Part-Time and Home-Schooled
5-F Part-Time
5-G-A Postsecondary Enrollment Options and Career and Technical Preparation Dual Enrollment Programs
5-G-B Early/Middle College
5-H Reduced Schedule
5-K Special Education Early Childhood Programs and Services
5-L Special Education Pupil Transition Services
5-M Split Schedule
5-N Suspended and Expelled
5-O-A Virtual Learning, Distance Learning, and Independent Study
5-O-B Seat Time Waiver
5-O-C Cyber Schools
5-O-D Expanded Online Learning
5-P Work-Based Learning Experiences (WBLE)
5-Q Section 25(4)(y) Pupils
5-R Section 25a Pupil Membership Transfers
Section 6-A: Experiential Learning Courses
Section 6-B: Peer-to-Peer Elective Course Credit Program
Appendix A: Glossary of Terms
Appendix B: Abbreviations/Acronyms



TOPICAL INDEX OF REFERENCES

Topic	Revised School Code MCL 380.1 – 380.1852	State School Aid Act MCL 388.1601– 388.1896	School District Pupil Accounting for Distribution of State Aid Rules 340.1– 340.18	Pupil Accounting Manual §	Other
Absence, child of member of armed services	380.1138				Interstate Compact on Educational Opportunity for Military Children, MCL 3.1041
Absence, excused		388.1606(8)	340.7(6)	1	
Absence, unexcused		388.1606(8)	340.7(6)	1	
Adjustments, state aid		388.1613(3) 388.1624a			
Adult education		388.1707			
Age, maximum		388.1606(4)(l)	340.1702	3	
Age, minimal	380.1147	388.1606(4)(l)		3	
Alternative education	380.1135(1)			3	
Alternative education, minimum daily attendance requirement waiver		388.1701(2)(f) 388.1701(3)(g)			
Alternative education, instructional time waiver		388.1701(9)		5-A	
Alternative education, mandatory suspension/expulsion			340.2(14)	5-A	
Alternative education, membership		388.1606(4)(u)		5-A	
Alternative education, nonresident		388.1606(4)(h)		5-A	
Attendance, 75%		388.1701(2)(a)		2	
Attendance, compulsory	380.1561 et seq.			3	
Attendance, count day		388.1606(8)	340.3	3	
Attendance, defined			340.1(a)		
Audit, access to records for state aid eligibility		388.1768			
Audit, authority	380.1281(2)	388.1615 388.1618 388.1768			
Audit, data due dates		388.1701(2)			
Audit, frequency		388.1618(4)(a) – (b)			
Audit, pupil membership report due date		388.1618(4)(a)(ii)			
Audit narrative		388.1618(4)(a)(iii)			
Blended learning, incentive payments		388.1627			
Blended learning, defined		388.1698(f)(a)			
Block schedule			340.7(5)		
Calendar	380.1175 380.1284a 380.1284b			2	

State School Aid Act

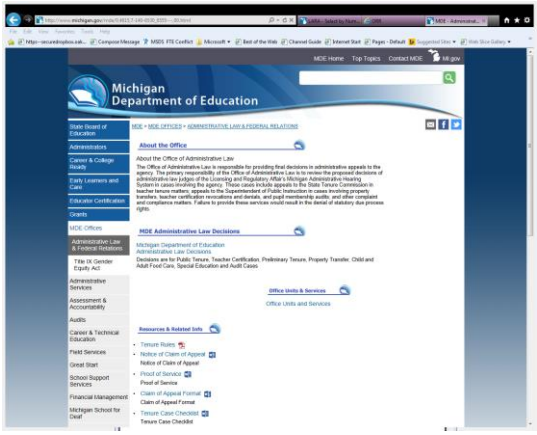
- 388.1603
- 388.1606
- 388.1606a
- 388.1614
- 388.1615
- 388.1617b
- 388.1618
- 388.1619
- 388.1621b
- 388.1621f
- 388.1622f
- 388.1623a
- 388.1624, 1624b
- 388.1625e
- 388.1651a
- 388.1652, 1653a
- 388.1691a
- 388.1698
- 388.1701
- 388.1705, 1705c
- 388.1706
- 388.1707
- 388.1709
- 388.1711
- 388.1718
- 388.1763, 1763a
- 388.1766b
- 388.1766d
- 388.1768
- 388.1769
- 388.1901-1913

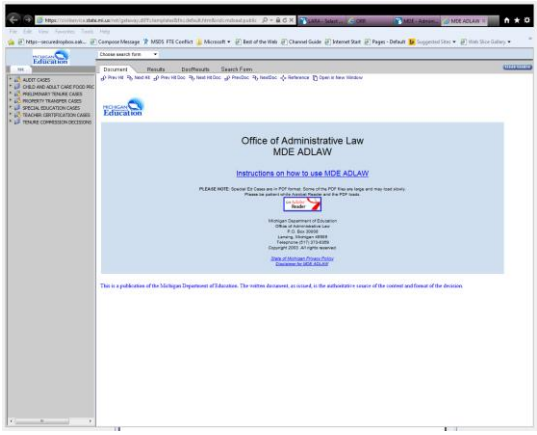
Revised School Code

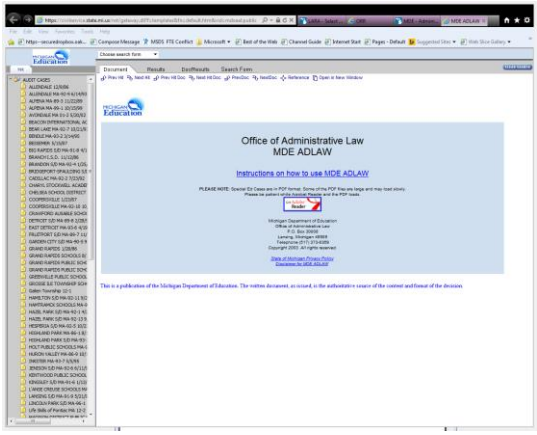
- 380.501-507
- 380.521-529
- 380.551-556
- 380.627a
- 380.1134
- 380.1135
- 380.1138
- 380.1147
- 380.1148, 1148a
- 380.1175
- 380.1278
- 380.1281
- 380.1284, 1284a, 1284b
- 380.1297, 1298
- 380.1301
- 380.1311, 1311a, 1311b
- 380.1401-1416
- 380.1471-1474
- 380.1561
- 380.1711
- 380.1751

Audit Appeals – State Supt

- State Supt Decisions are posted on MDE Administrative Law website
  http://www.michigan.gov/mde/0,1607,7-140-6530_6555---,00.html
- Click on MDE Administrative Law Decisions
- Click on the + before Audit Cases in the top left corner, scroll down to see decisions, by district and date

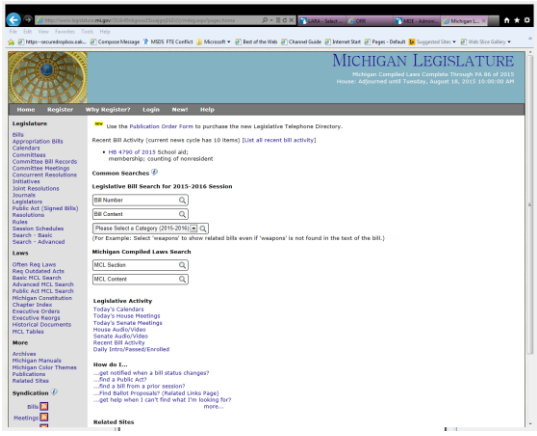

Michigan
Department of Education
About the Office
MDE Administrative Law Decisions
Office Units & Services
Resources & Related Info
Tenure Rules
Notice of Claim of Appeal
Proof of Service
Claim of Appeal Format
Tenure Case Checklist

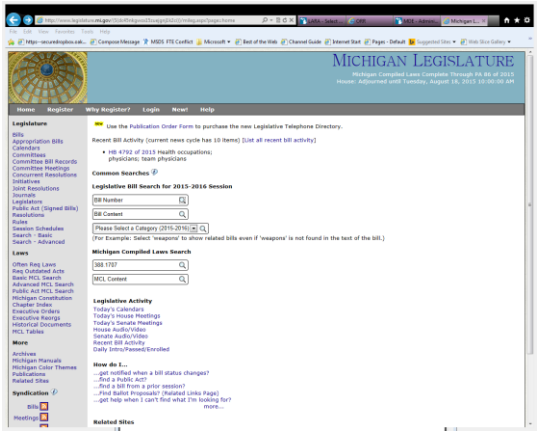

Office of Administrative Law
MDE ADLAW
Instructions on how to use MDE ADLAW

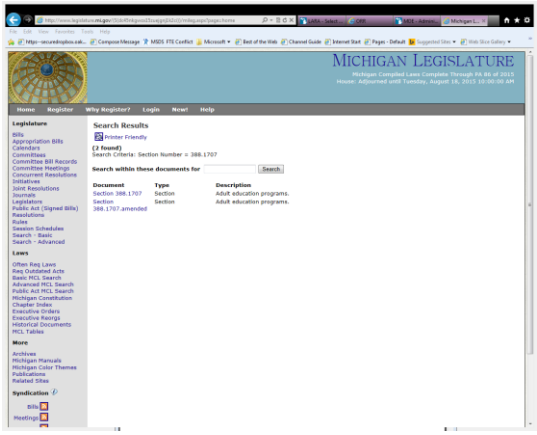

Office of Administrative Law
MDE ADLAW
Instructions on how to use MDE ADLAW

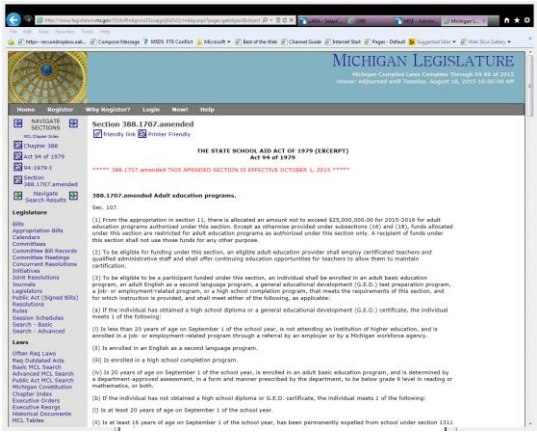
Adult Ed

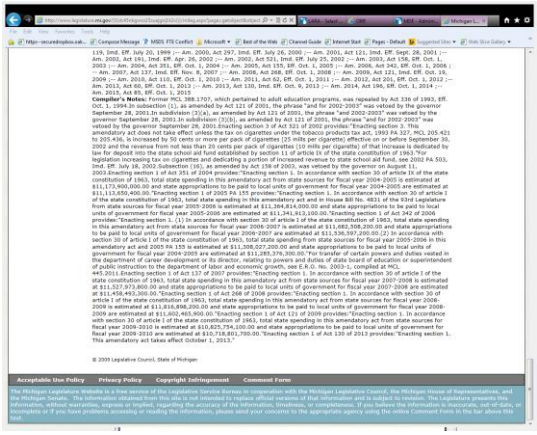
- Section 107 of School Aid Act, MCL 388.1707
- Participant Accounting Manual
http://www.michigan.gov/documents/mdcd/FINAL_PARTICIPANT_ACCOUNTING_MANUAL_Effective_July_2013__419030_7.pdf
- Participant Auditing Manual
http://www.michigan.gov/documents/mdcd/FINAL_PARTICIPANT_AUDITING_MANUAL_Effective_July_2013_419034_7.pdf
- Let's Look it Up – what would we search Bill #, MCL #, PA #, PA Signed Bills Table, Content?






MICHIGAN LEGISLATURE
Search Results
Printer Friendly
(2 found)
Search Criteria: Section Number = 388.1707
Search within these documents for
Search
Document
Type
Description
Section 388.1707
Section
Adult education programs.
Section 388.1707.amended
Section
Adult education programs.


MICHIGAN LEGISLATURE
Section 388.1707.amended
Printer Friendly
THE STATE SCHOOL AID ACT OF 1979 [EXCERPT]
Act 94 of 1979
388.1707.amended Adult education programs.


Acceptable Use Policy
Privacy Policy
Copyright Infringement
Comment Form

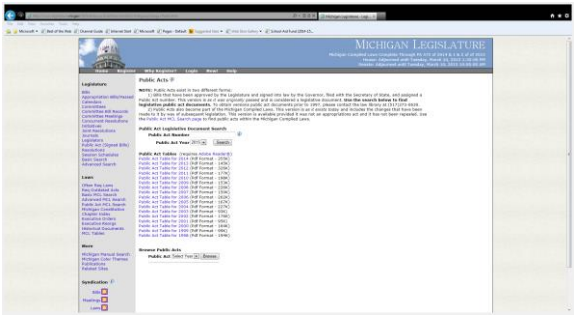
Questions

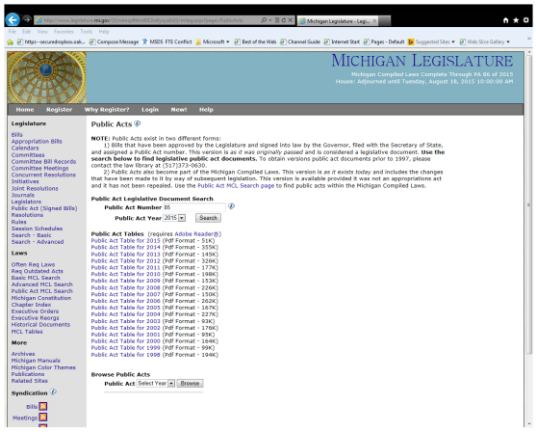
- Does the criteria in Section 107 for adult ed sound familiar to you?
- When was Section 107 last amended?
- How would you find how it was amended?

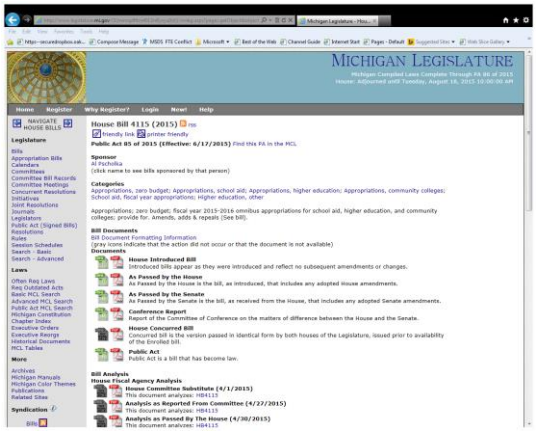
What do you know?

What kind of search?

Bill #, MCL #, PA #, PA Signed Bills Table?



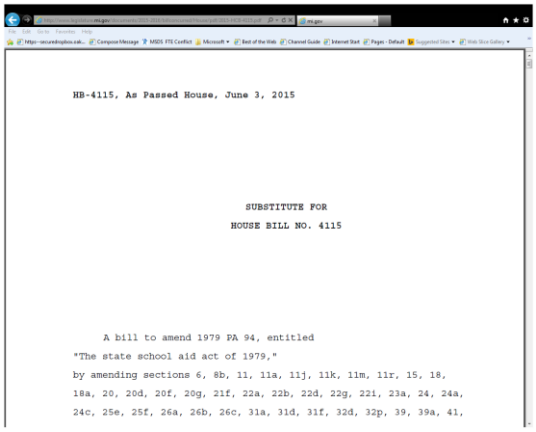




MICHIGAN LEGISLATURE

House Bill 4115 (2015)

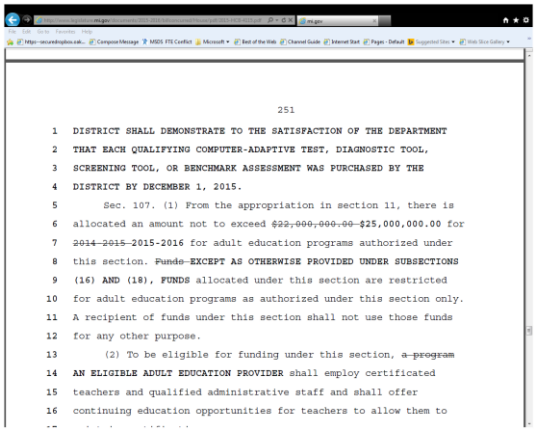
Public Act 85 of 2015 (Effective: 6/17/2015)



HB-4115, As Passed House, June 3, 2015

SUBSTITUTE FOR
HOUSE BILL NO. 4115

A bill to amend 1979 PA 94, entitled
"The state school aid act of 1979,"
by amending sections 6, 8b, 11, 11a, 11j, 11k, 11m, 11r, 15, 18,
18a, 20, 20d, 20f, 20g, 21f, 22a, 22b, 22d, 22g, 22i, 23a, 24, 24a,
24c, 25e, 25f, 26a, 26b, 26c, 31a, 31d, 31f, 32d, 32p, 39, 39a, 41,

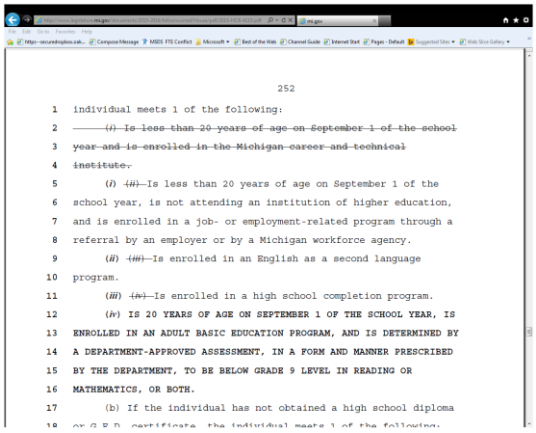


251

DISTRICT SHALL DEMONSTRATE TO THE SATISFACTION OF THE DEPARTMENT THAT EACH QUALIFYING COMPUTER-ADAPTIVE TEST, DIAGNOSTIC TOOL, SCREENING TOOL, OR BENCHMARK ASSESSMENT WAS PURCHASED BY THE DISTRICT BY DECEMBER 1, 2015.

Sec. 107. (1) From the appropriation in section 11, there is allocated an amount not to exceed ~~$22,000,000.00~~ $25,000,000.00 for ~~2014-2015~~ 2015-2016 for adult education programs authorized under this section. ~~Funds~~ EXCEPT AS OTHERWISE PROVIDED UNDER SUBSECTIONS (16) AND (18), FUNDS allocated under this section are restricted for adult education programs as authorized under this section only. A recipient of funds under this section shall not use those funds for any other purpose.

(2) To be eligible for funding under this section, ~~a program~~ AN ELIGIBLE ADULT EDUCATION PROVIDER shall employ certificated teachers and qualified administrative staff and shall offer continuing education opportunities for teachers to allow them to



252

individual meets 1 of the following:

~~(i) Is less than 20 years of age on September 1 of the school year and is enrolled in the Michigan career and technical institute.~~

(i) ~~(ii)~~ Is less than 20 years of age on September 1 of the school year, is not attending an institution of higher education, and is enrolled in a job- or employment-related program through a referral by an employer or by a Michigan workforce agency.

(ii) ~~(iii)~~ Is enrolled in an English as a second language program.

(iii) ~~(iv)~~ Is enrolled in a high school completion program.

(iv) IS 20 YEARS OF AGE ON SEPTEMBER 1 OF THE SCHOOL YEAR, IS ENROLLED IN AN ADULT BASIC EDUCATION PROGRAM, AND IS DETERMINED BY A DEPARTMENT-APPROVED ASSESSMENT, IN A FORM AND MANNER PRESCRIBED BY THE DEPARTMENT, TO BE BELOW GRADE 9 LEVEL IN READING OR MATHEMATICS, OR BOTH.

(b) If the individual has not obtained a high school diploma or G.E.D. certificate, the individual meets 1 of the following:

Adult Ed Participant Accounting Manual

- Section 1: Required Documentation
- Section 2: Determining Participant FTE
- Section 3: Participant Eligibility Count Requirements
- Section 4: Non-Conventional Learning Methods
- Section 5: Glossary of Terms

Adult Education Participant Auditing Manual

- Introduction
- Section 1: Field Audit Cycle
- Section 2: Desk Audits/Procedures
- Section 3: Planning for Field Audits
- Section 4: Field Audits
- Section 5: Audit Reports
- Section 6: Appeals and Repayments
- Appendices

Revisit

- How to Look up Bills
- How to Look up Laws

Following Proposed Legislation

- www.MichiganLegislature.org
- Enter bill number or bill content in search engine
- Review marked up bill
- Review Senate and House Fiscal Agency Summaries
- Track bill

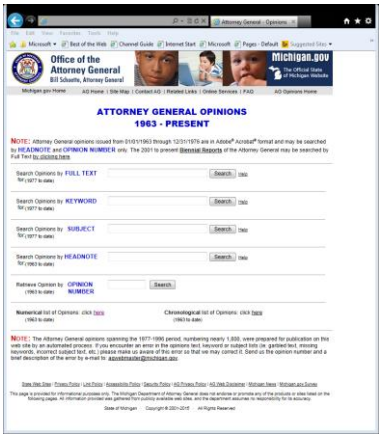
Looking up the Law

- www.MichiganLegislature.org
- Every bill passed into law, gets codified in Michigan Compiled Laws, MCL
- Enter MCL number or content in search engine
- Review law

Search Attorney General Opinions

- By Keywords
- By Subject
- By Headnote
- By Number
- Also listed in chronological order by number or year

http://www.ag.state.mi.us/opinion/opinions.aspx

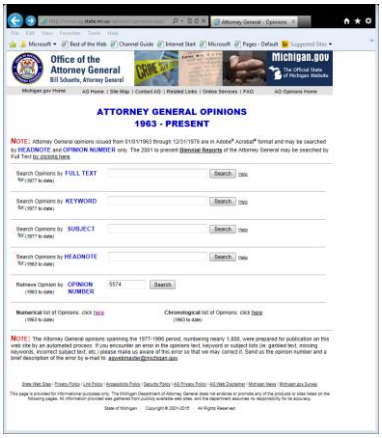


Search AG Opinions by Number

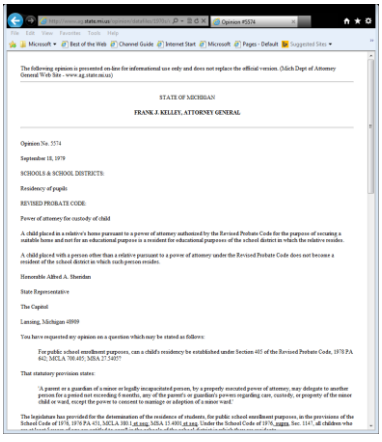
- Each Attorney General Opinion has it's own number
- Pupil Accounting Manual references AG opinions like this, with number then year, See PAM Residency p. 4-5

Attorney General Opinions:

5004, May 1976
5112, Dec 1976
5574, Sept 1979
5782, Sept 1980
5925, June 1981
5995, Oct 1981
6316, Sept 1985
7154, March 2004

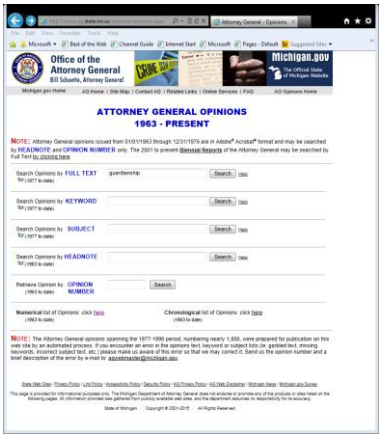

Office of the Attorney General
Bill Schuette, Attorney General
Michigan.gov
ATTORNEY GENERAL OPINIONS
1963 - PRESENT
NOTE: Attorney General opinions issued from 01/01/1963 through 12/31/1976 are in Adobe® Acrobat® format and may be searched by HEADNOTE and OPINION NUMBER only. The 2001 to present Biennial Reports of the Attorney General may be searched by Full Text by clicking here.
Search Opinions by FULL TEXT (1977 to date)
Search Opinions by KEYWORD (1977 to date)
Search Opinions by SUBJECT (1977 to date)
Search Opinions by HEADNOTE (1963 to date)
Retrieve Opinion by OPINION NUMBER (1963 to date)
5574
Search
Numerical list of Opinions: click here (1963 to date)
Chronological list of Opinions: click here (1963 to date)
NOTE: The Attorney General opinions spanning the 1977-1990 period, numbering nearly 1,600, were prepared for publication on this web site by an automated process. If you encounter an error in the opinions text, keyword or subject lists (ie. garbled text, missing keywords, incorrect subject text, etc.) please make us aware of this error so that we may correct it. Send us the opinion number and a brief description of the error by e-mail to: agopinionsite@michigan.gov.

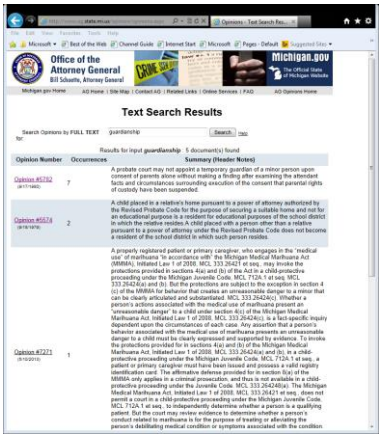

Office of the Attorney General
Bill Schuette, Attorney General
Michigan.gov
Opinion by ID - Results
Results for Input 5574 1 document(s) found
Opinion Number
Year
Subject
5574
1979
Residency of pupils

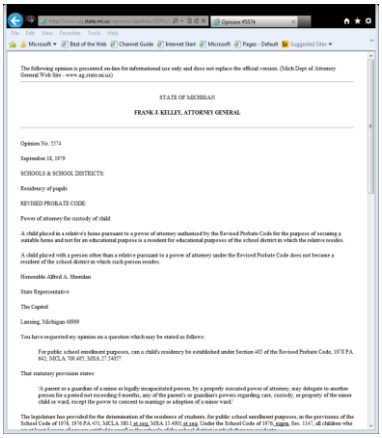

The following opinion is presented on-line for informational use only and does not replace the official version. (Mich Dept of Attorney General Web Site - www.ag.state.mi.us)
STATE OF MICHIGAN
FRANK J. KELLEY, ATTORNEY GENERAL
Opinion No. 5574
September 18, 1979
SCHOOLS & SCHOOL DISTRICTS:
Residency of pupils
REVISED PROBATE CODE:
Power of attorney for custody of child
A child placed in a relative's home pursuant to a power of attorney authorized by the Revised Probate Code for the purpose of securing a suitable home and not for an educational purpose is a resident for educational purposes of the school district in which the relative resides.
A child placed with a person other than a relative pursuant to a power of attorney under the Revised Probate Code does not become a resident of the school district in which such person resides.
Honorable Alfred A. Sheridan
State Representative
The Capitol
Lansing, Michigan 48909
You have requested my opinion on a question which may be stated as follows:
For public school enrollment purposes, can a child's residency be established under Section 485 of the Revised Probate Code, 1978 PA 642, MCLA 700.485, MSA 27.5485?
That statutory provision states:
'A parent or a guardian of a minor or legally incapacitated person, by a properly executed power of attorney, may delegate to another person for a period not exceeding 6 months, any of the parent's or guardian's powers regarding care, custody, or property of the minor child or ward, except the power to consent to marriage or adoption of a minor ward.'
The legislature has provided for the determination of the residence of students, for public school enrollment purposes, in the provisions of the School Code of 1976, 1976 PA 451, MCLA 380.1 et seq, MSA 15.4001 et seq. Under the School Code of 1976, supra, Sec. 1147, all children who

Search AG Opinions by Text

- If you know the subject matter and know there was an attorney general opinion or want to check if there is an attorney general opinion
- For example, guardianship







The following opinion is presented on-line for informational use only and does not replace the official version. (Mich Dept of Attorney General Web Site - www.ag.state.mi.us)

STATE OF MICHIGAN

FRANK J. KELLEY, ATTORNEY GENERAL

Opinion No. 5574

September 18, 1978

SCHOOLS & SCHOOL DISTRICTS:

Residency of pupils

REVISED PROBATE CODE:

Power of attorney for custody of child

A child placed in a relative's home pursuant to a power of attorney authorized by the Revised Probate Code for the purpose of securing a suitable home and not for an educational purpose is a resident for educational purposes of the school district in which the relative resides.

A child placed with a person other than a relative pursuant to a power of attorney under the Revised Probate Code does not become a resident of the school district in which such person resides.

Honorable Alfred A. Sheridan

State Representative

The Capitol

Lansing, Michigan 48909

You have requested my opinion on a question which may be stated as follows:

For public school enrollment purposes, can a child's residency be established under Section 405 of the Revised Probate Code, 1978 PA 642; MCLA 700.405; MSA 27.5405?

That statutory provision states:

'A parent or a guardian of a minor or legally incapacitated person, by a properly executed power of attorney, may delegate to another person for a period not exceeding 6 months, any of the parent's or guardian's powers regarding care, custody, or property of the minor child or ward, except the power to consent to marriage or adoption of a minor ward.'

The legislature has provided for the determination of the residence of students, for public school enrollment purposes, in the provisions of the School Code of 1976, 1976 PA 451, MCLA 380.1 et seq; MSA 15.4001 et seq. Under the School Code of 1976, supra, Sec. 1147, all children who

Office of State Aid and School Finance Website

- State School Aid Updates – monthly
  http://www.michigan.gov/mde/0,4615,7-140-6530_6605-21108--,00.html
- State School Aid and School Finance Forms, includes Days & Clock Hours, Preliminary Pupil Headcount Report for new PSAs, Waivers
  http://www.michigan.gov/mde/0,4615,7-140-6530_6605-66897--,00.html
- Office of State Aid and School Finance

http://www.michigan.gov/mde/0,1607,7-140-6530_6605---,00.html

- Pupil Accounting Information, key webpage

http://www.michigan.gov/mde/0,4615,7-140-6530_6605-21534--,00.html

Other State Website Links

- Office of Audits

http://www.michigan.gov/mde/0,1607,7-140-6530_9091---,00.html

- MDE Superintendent Memos

http://www.michigan.gov/mde/0,1607,7-140-6530_6526_34913---,00.html

- School Finance and Law – School Law

http://www.michigan.gov/mde/0,1607,7-140-6530_6564_35176---,00.html

- MDE Administrators Website

http://www.michigan.gov/mde/0,4615,7-140-5235---,00.html

Other State Websites – Adult Ed

- Michigan Workforce Development Agency
  http://michigan.gov/wda
- WDA Education and Training -Adult Ed
  http://michigan.gov/wda/0,5303,7-304-64362---,00.html
- Adult Education Guidebook
  http://michigan.gov/wda/0,5303,7-304-64170-322722--,00.html

FERPA – Privacy of Student Records

- Privacy Technical Assistance Center USDOE

http://ptac.ed.gov/ FERPA 101 – website has good FERPA training materials

- Family Policy Compliance Office USDOE

http://familypolicy.ed.gov/

Questions?