Schools seek rehearing on 'Robin Hood' aid

By Brian Lysaght staff writer

An attorney representing dozens of Michigan school districts challenging this year's Robin Hood school aid cuts is seeking a rehearing after the state Court of Appeals dismissed the lawsuit in a surprise

missed the lawsuit in a surprise move Nov. 9.

Birmingham attorney Dennis Polard said the court, in its dismissal order of the suit filled Sept. 13, made a clerical error and confused two sections of state statute.

"It's obvious they confused two sections (of law) and will have to calrify that," said Politard, who expressed frustration over the situation.

In the lawsuit, Pollard represents 6 Michigan school districts using the state for massive funding cuts

enacted this year. The state recap-tured \$72 million worth of categori-cal that, in part, paid for state-man-dated programs.

THE CUTS AFFECTED only out-

THE CUTS AFFECTED only outof-formula, or property wealths
school districts, among them Birmingham, Bloomtleid Hills, West
Bloomtleid, Toy, Rochester, Farmlegion and Southleid.
"It's really that simple. They blew
It," Pollard said of the court decision. Pollard got word of the dismissal tast Monday and filed an
motion for rehearing the same day.
He said he expected a decision ont motion from the most recent motion in a week or two.
The dismissal was all the more unsuatal because live days earlier the
same Court of Appeals handed down
a rulling in another Pollard-handied
case that appeared to strengthen the

recapture lawsuit.

The Michigan Court of Appeals decided Nov. 5 in a 10-year-old case involving Macomb County's Fitzgerald school district that the state cannot reduce aid for state-mandated pro-

reduce and for state-mandated pro-grams programs.

In the 3-0 decision, the appeals court said the "state is required to maintain the level of funding of cate-gorical aid for the necessary costs of program required" by law.

THE COURT ALSO ruled that the court improperly reduced to below 1978-79 levels funding for mandated

programs.

The two cases share the same major issues, and Pollard said portions of legal briefs in the two cases are

ture case, Pollard said earlier.

"The court ruled that mechanism the legislature used to reduce payment to school districts is inappropriate," Pollard said.

The money cut from wealthy school districts this year was to be redistributed to poorer school districts in state Legislature-backed effort to equalize pupil spending across the state.

Out-of-formula districts harshly criticized the move, then many filed suit against the state Department of Education.

The aid cuts amounted to \$2.6 million in Birmingham, \$2.1 million in Birmingham, \$2.1 million in Farmington. School districts were forced to make major changes in bleed bridged. Districts like Southfield and Bloomfield Hills haked property laxes as a result.

THE COURT OF APPEALS ruling in the Fitzgerald case backed recommendations of Macrom Corting and the control of the control of

The parents were to discuss goals for their group, Coalition of Michigan Parents. Among COMP's efforts will be to provide sample letters that parents can mail to legislators urging an end to recapture, which school officials say could hit wealthy school districts even harder next year.

THE GROUP WAS formed after a suggestion by Bloomfield Hills parent Jan Furman in a P.T.O. meeting with Superintendent W. Robert Docking, said district spokeswoman Penny Cambler.

Bloomfield Hills is coordinating the parent effort, but deelined to sign on to the recapture lawsuit.



MORE THAN

JUST GAS.

Naturalist, city win awards

Tim Nowicki, an Oakland County naturalist, and the city of Southfield will receive the Michigan Wildlife Habitat Foundation Bengel Habitat

Awards for 1990.

They will be honored in the individual and organization/government categories at the Foundation's "Habitat' 90" program Dec. I in Lansing.

Nowicki, a Livonia resident, is a naturalist at Independence Oaks Nature Center, an Oakland County park, where he helps people learn about their natural resources. He writes the column "Nature" for the

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Observer & Eccentric Newspapers and is heard weekly on radio station WJR.

Southfield is recognized as a leader in urban fish and wildlife conservation. Despite the challenges brought by commercial development, Southfield maintains 700 acres of park lands with about 250 acres set aside for 1tsh and wildlife. The city is purchasing a 13-acre welland isolated by the 1-696 expressaws, Once restored, it will demonstrate how wetland habitats

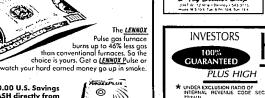
can be maintained in an urban set-ting.

The Bengel Habitat Awards are given annually in memory of Russell H. Bengel, a well-known conserva-tionist and founder of the Michigan Wildlife Habitat Foundation. The tionist and founder of the Michigan Wildlife Habitat Foundation. The Dec. 1 awards program is open to the public. Reservations are \$30 and can be made by calling (517) 882-3110.



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