

SUBSTITUTE FOR

SENATE BILL NO. 1296

(As amended, June 15, 2006)

A bill to amend 1976 PA 451, entitled
"The revised school code,"
by amending section 1146 (MCL 380.1146).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1146. (1) ~~A~~ EXCEPT AS OTHERWISE PROVIDED UNDER
2 SUBSECTION (2), A separate school or department shall not be kept
3 for a person on account of race, color, or ~~sex~~ GENDER. This
4 section shall not be construed to prevent the grading of schools
5 according to the intellectual progress of the pupil to be taught in
6 separate places as may be deemed expedient.
7 (2) <<SUBJECT TO SUBSECTION (3),>> THE BOARD OF A SCHOOL DISTRICT
8 OR BOARD OF DIRECTORS OF A
9 PUBLIC SCHOOL ACADEMY MAY ESTABLISH AND MAINTAIN A SCHOOL, CLASS,
10 OR PROGRAM WITHIN A SCHOOL IN WHICH ENROLLMENT IS LIMITED TO PUPILS
10 OF A SINGLE GENDER IF A COMPARABLE SCHOOL, CLASS, OR PROGRAM IS

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1 AVAILABLE TO PUPILS OF EACH GENDER.

<<(3) IF THE BOARD OF A SCHOOL DISTRICT OR BOARD OF DIRECTORS OF A PUBLIC SCHOOL ACADEMY ESTABLISHES A SINGLE-GENDER SCHOOL, CLASS, OR PROGRAM DESCRIBED IN SUBSECTION (1), THE SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY SHALL NOT REQUIRE PARTICIPATION BY ANY OF ITS PUPILS IN THE SINGLE-GENDER SCHOOL, CLASS, OR PROGRAM. THE BOARD OR BOARD OF DIRECTORS SHALL ENSURE THAT PARTICIPATION BY PUPILS IN A SINGLE-GENDER SCHOOL, CLASS, OR PROGRAM IS WHOLLY VOLUNTARY. FOR THE PURPOSES OF THIS SUBSECTION, PARTICIPATION BY A PUPIL IN A SINGLE-GENDER SCHOOL, CLASS, OR PROGRAM IS NOT CONSIDERED TO BE VOLUNTARY UNLESS THE SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY ALSO MAKES AVAILABLE TO THE PUPIL A COMPARABLE COEDUCATIONAL SCHOOL, CLASS, OR PROGRAM.>>