

HOUSE BILL No. 5754

June 14, 2012, Introduced by Rep. Olumba and referred to the Committee on Education.

A bill to amend 1976 PA 451, entitled
"The revised school code,"
by amending section 504 (MCL 380.504), as amended by 2011 PA 277,
and by adding section 505b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 504. (1) A public school academy may be located in all or
2 part of an existing public school building. A public school academy
3 shall not operate at a site other than the site or sites requested
4 for the configuration of age or grade levels that will use the site
5 or sites, as specified in the contract. Under a contract, an
6 authorizing body may permit a public school academy to operate the
7 same configuration of age or grade levels at more than 1 site, and
8 a public school academy may operate the same configuration of age
9 or grade levels at more than 1 site, as long as the public school
10 academy is operating in compliance with its contract and is making

1 measurable progress toward meeting its educational goals. For a
2 contract for a new public school academy, an authorizing body may
3 permit a public school academy to operate the same configuration of
4 age or grade levels at more than 1 site, and a public school
5 academy may operate the same configuration of age or grade levels
6 at more than 1 site, if the applicant for the proposed public
7 school academy presents documentation to the authorizing body
8 demonstrating that the applicant's proposed educational model has
9 resulted in schools making measurable progress toward meeting their
10 education goals.

11 (2) A public school academy shall not charge tuition and shall
12 not discriminate in its pupil admissions policies or practices on
13 the basis of intellectual or athletic ability, measures of
14 achievement or aptitude, status as a student with a disability, or
15 any other basis that would be illegal if used by a school district.
16 However, a public school academy may limit admission to pupils who
17 are within a particular range of age or grade level or on any other
18 basis that would be legal if used by a school district and may give
19 enrollment priority as provided in subsection (4).

20 (3) Except for a foreign exchange student who is not a United
21 States citizen, a public school academy shall not enroll a pupil
22 who is not a resident of this state. For a public school academy
23 authorized by a school district, intermediate school district, or
24 community college, enrollment in the public school academy may be
25 open to all individuals who reside in this state who meet the
26 admission policy and shall be open to all pupils who reside within
27 the geographic boundaries of that authorizing body who meet the

1 admission policy, except that admission to a public school academy
2 authorized by the board of a community college to operate, or
3 operated by the board of a community college, on the grounds of a
4 federal military installation, as described in section 502(2)(c),
5 shall be open to all pupils who reside in the county in which the
6 federal military installation is located. For a public school
7 academy authorized by a state public university, enrollment shall
8 be open to all pupils who reside in this state who meet the
9 admission policy. Subject to subsection (4), if there are more
10 applications to enroll in the public school academy than there are
11 spaces available, pupils shall be selected to enroll using a random
12 selection process. A public school academy shall allow any pupil
13 who was enrolled in the public school academy in the immediately
14 preceding school year to enroll in the public school academy in the
15 appropriate grade unless the appropriate grade is not offered at
16 that public school academy.

17 (4) A public school academy may give enrollment priority to 1
18 or more of the following:

19 (a) A sibling of a pupil enrolled in the public school
20 academy.

21 (b) A pupil who transfers to the public school academy from
22 another public school pursuant to a matriculation agreement between
23 the public school academy and other public school that provides for
24 this enrollment priority, if all of the following requirements are
25 met:

26 (i) Each public school that enters into the matriculation
27 agreement remains a separate and independent public school.

1 (ii) The public school academy that gives the enrollment
2 priority selects at least 5% of its pupils for enrollment using a
3 random selection process.

4 (iii) The matriculation agreement allows any pupil who was
5 enrolled at any time during elementary school in a public school
6 that is party to the matriculation agreement and who was not
7 expelled from the public school to enroll in the public school
8 academy giving enrollment priority under the matriculation
9 agreement.

10 (c) A child of a person who is employed by or at the public
11 school academy or who is on the board of directors of the public
12 school academy. As used in this subdivision, "child" includes an
13 adopted child or a legal ward.

14 **(5) FOR A PUBLIC SCHOOL ACADEMY THAT IS A RESIDENTIAL ACADEMY**
15 **AS DESCRIBED UNDER SECTION 505B, THE PUBLIC SCHOOL ACADEMY MAY**
16 **LIMIT PARTICIPATION IN THE RESIDENTIAL PROGRAM AS PROVIDED UNDER**
17 **THAT SECTION.**

18 (6) ~~(5)~~—A public school academy may include any grade up to
19 grade 12 or any configuration of those grades, including
20 kindergarten and early childhood education, as specified in its
21 contract. If specified in its contract, a public school academy may
22 also operate an adult basic education program, adult high school
23 completion program, or general education development testing
24 preparation program. The authorizing body may approve amendment of
25 a contract with respect to ages of pupils or grades offered.

26 **SEC. 505B. IF PROVIDED IN ITS CONTRACT, A PUBLIC SCHOOL**
27 **ACADEMY MAY OPERATE AS A RESIDENTIAL ACADEMY. ALL OF THE FOLLOWING**

1 APPLY TO A PUBLIC SCHOOL ACADEMY OPERATING AS A RESIDENTIAL
2 ACADEMY:

3 (A) THE PUBLIC SCHOOL ACADEMY SHALL OPERATE BOTH AN ACADEMIC
4 PROGRAM AND A RESIDENTIAL PROGRAM. ENROLLMENT IN THE PUBLIC SCHOOL
5 ACADEMY'S ACADEMIC PROGRAM SHALL BE OPEN TO ALL INDIVIDUALS WHO
6 MEET THE PUBLIC SCHOOL ACADEMY'S ENROLLMENT POLICY, AS PROVIDED
7 UNDER SECTION 504, AND THE ACADEMIC PROGRAM SHALL BE OPERATED IN
8 THE MANNER REQUIRED FOR A PUBLIC SCHOOL ACADEMY UNDER THIS PART.
9 HOWEVER, THE PUBLIC SCHOOL ACADEMY SHALL LIMIT PARTICIPATION IN THE
10 RESIDENTIAL PROGRAM TO PUPILS WHO MEET THE INCOME ELIGIBILITY
11 CRITERIA FOR FREE AND REDUCED-PRICE LUNCH, AND MAY LIMIT
12 PARTICIPATION IN THE RESIDENTIAL PROGRAM TO PUPILS WHO MEET OTHER
13 REQUIREMENTS SET FORTH IN THE PUBLIC SCHOOL ACADEMY'S CONTRACT THAT
14 WOULD BE PERMISSIBLE FOR A PUBLIC SCHOOL ACADEMY TO USE AS
15 REQUIREMENTS FOR ENROLLMENT UNDER SECTION 504.

16 (B) THE RESIDENTIAL PROGRAM SHALL PROVIDE LODGING AND MEALS
17 FOR PUPILS IN ANY OR ALL OF GRADES 5 TO 12, INCLUDING WEEKENDS AND
18 SCHOOL DAYS. THE RESIDENTIAL PROGRAM SHALL MEET ALL APPLICABLE
19 FEDERAL, STATE, OR LOCAL LAW REGARDING A RESIDENTIAL PROGRAM FOR
20 CHILDREN.

21 (C) THE ACADEMIC PROGRAM OPERATED BY THE PUBLIC SCHOOL ACADEMY
22 SHALL BE FUNDED THROUGH THE PER PUPIL FUNDING FOR PUBLIC SCHOOL
23 ACADEMIES AND OTHER AVAILABLE FUNDING UNDER THE STATE SCHOOL AID
24 ACT OF 1979. THE LEGISLATURE SHALL APPROPRIATE FUNDS FOR SUPPORT OF
25 THE RESIDENTIAL PROGRAMS OPERATED BY RESIDENTIAL ACADEMIES IN THE
26 DEPARTMENT OF HUMAN SERVICES BUDGET.