

HOUSE BILL No. 4327

March 7, 2017, Introduced by Rep. Chang and referred to the Committee on Education Reform.

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 504, 524, and 556 (MCL 380.504, 380.524, and 380.556), as amended by 2011 PA 277.

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 **(D) A PUPIL WHO RESIDES WITHIN GEOGRAPHIC BOUNDARIES THAT ARE**
15 **SPECIFIED IN THE PUBLIC SCHOOL ACADEMY'S CONTRACT AND WHO MEETS THE**
16 **INCOME ELIGIBILITY CRITERIA FOR FREE OR REDUCED-PRICE BREAKFAST,**
17 **LUNCH, OR MILK, AS DETERMINED UNDER THE RICHARD B. RUSSELL NATIONAL**
18 **SCHOOL LUNCH ACT, 42 USC 1751 TO 1769J, IF BOTH OF THE FOLLOWING**
19 **ARE MET:**

20 **(i) AT LEAST 50% OF THE PUBLIC SCHOOL PUPILS RESIDING WITHIN**
21 **THOSE GEOGRAPHIC BOUNDARIES MET THE INCOME ELIGIBILITY CRITERIA FOR**
22 **FREE OR REDUCED-PRICE BREAKFAST, LUNCH, OR MILK IN THE IMMEDIATELY**
23 **PRECEDING STATE FISCAL YEAR, AS DETERMINED UNDER THE RICHARD B.**
24 **RUSSELL NATIONAL SCHOOL LUNCH ACT, 42 USC 1751 TO 1769J.**

25 **(ii) THE BOARD OF DIRECTORS OF THE PUBLIC SCHOOL ACADEMY HAS**
26 **ADOPTED A RESOLUTION DETERMINING THAT THIS PREFERENCE IS NEEDED TO**
27 **BETTER SERVE LOW-INCOME AND AT-RISK PUPILS WITHIN THE GEOGRAPHIC**

1 AREA.

2 (5) A public school academy may include any grade up to grade
3 12 or any configuration of those grades, including kindergarten and
4 early childhood education, as specified in its contract. If
5 specified in its contract, a public school academy may also operate
6 an adult basic education program, adult high school completion
7 program, or general education development testing preparation
8 program. The authorizing body may approve amendment of a contract
9 with respect to ages of pupils or grades offered.

10 Sec. 524. (1) An urban high school academy may be located in
11 all or part of an existing public school building. An urban high
12 school academy shall not operate at a site other than the site or
13 sites, requested for the configuration of age or grade levels that
14 will use the site or sites, as specified in the contract. Under a
15 contract, an authorizing body may permit an urban high school
16 academy to operate the same configuration of age or grade levels at
17 more than 1 site, and an urban high school academy may operate the
18 same configuration of age or grade levels at more than 1 site, as
19 long as the urban high school academy is operating in compliance
20 with its contract and is making measurable progress toward meeting
21 its educational goals. For a contract for a new urban high school
22 academy, an authorizing body may permit an urban high school
23 academy to operate the same configuration of age or grade levels at
24 more than 1 site, and an urban high school academy may operate the
25 same configuration of age or grade levels at more than 1 site, if
26 the applicant for the proposed urban high school academy presents
27 documentation to the authorizing body demonstrating that the

1 applicant's proposed educational model has resulted in schools
2 making measurable progress toward meeting their educational goals.

3 (2) An urban high school academy shall not charge tuition.
4 Except as otherwise provided in this section, an urban high school
5 academy shall not discriminate in its pupil admissions policies or
6 practices on the basis of intellectual or athletic ability,
7 measures of achievement or aptitude, status as a handicapped
8 person, or any other basis that would be illegal if used by a
9 school district. However, an urban high school academy may limit
10 admission to pupils who are within a particular range of age or
11 grade level or on any other basis that would be legal if used by a
12 school district and may give enrollment priority as provided in
13 subsection (4).

14 (3) Except for a foreign exchange student who is not a United
15 States citizen, an urban high school academy shall not enroll a
16 pupil who is not a resident of this state. Enrollment in an urban
17 high school academy shall be open to all pupils who reside in this
18 state who meet the admission policy. Subject to subsection (4), if
19 there are more applications to enroll in the urban high school
20 academy than there are spaces available, pupils shall be selected
21 to attend using a random selection process. An urban high school
22 academy shall allow any pupil who was enrolled in the urban high
23 school academy in the immediately preceding school year to enroll
24 in the urban high school academy in the appropriate grade unless
25 the appropriate grade is not offered at that urban high school
26 academy.

27 (4) An urban high school academy may give enrollment priority

1 to 1 or more of the following:

2 (a) A sibling of a pupil enrolled in the urban high school
3 academy.

4 (b) A child of a person who is employed by or at the urban
5 high school academy or who is on the board of directors of the
6 urban high school academy. As used in this subdivision, "child"
7 includes an adopted child or a legal ward.

8 **(C) A PUPIL WHO RESIDES WITHIN GEOGRAPHIC BOUNDARIES THAT ARE**
9 **SPECIFIED IN THE URBAN HIGH SCHOOL ACADEMY'S CONTRACT AND WHO MEETS**
10 **THE INCOME ELIGIBILITY CRITERIA FOR FREE OR REDUCED-PRICE**
11 **BREAKFAST, LUNCH, OR MILK, AS DETERMINED UNDER THE RICHARD B.**
12 **RUSSELL NATIONAL SCHOOL LUNCH ACT, 42 USC 1751 TO 1769J, IF BOTH OF**
13 **THE FOLLOWING ARE MET:**

14 **(i) AT LEAST 50% OF THE PUBLIC SCHOOL PUPILS RESIDING WITHIN**
15 **THOSE GEOGRAPHIC BOUNDARIES MET THE INCOME ELIGIBILITY CRITERIA FOR**
16 **FREE OR REDUCED-PRICE BREAKFAST, LUNCH, OR MILK IN THE IMMEDIATELY**
17 **PRECEDING STATE FISCAL YEAR, AS DETERMINED UNDER THE RICHARD B.**
18 **RUSSELL NATIONAL SCHOOL LUNCH ACT, 42 USC 1751 TO 1769J.**

19 **(ii) THE BOARD OF DIRECTORS OF THE URBAN HIGH SCHOOL ACADEMY**
20 **HAS ADOPTED A RESOLUTION DETERMINING THAT THIS PREFERENCE IS NEEDED**
21 **TO BETTER SERVE LOW-INCOME AND AT-RISK PUPILS WITHIN THE GEOGRAPHIC**
22 **AREA.**

23 (5) Subject to the terms of the contract authorizing the urban
24 high school academy, an urban high school academy shall include at
25 least grades 9 through 12 within 5 years after beginning operations
26 and may include other grades or any configuration of those grades,
27 including kindergarten and early childhood education, as specified

1 in its contract. If specified in its contract, an urban high school
2 academy may also operate an adult basic education program, adult
3 high school completion program, or general education development
4 testing preparation program.

5 Sec. 556. (1) A school of excellence may be located in all or
6 part of an existing public school building. A school of excellence,
7 other than a cyber school operated under section 553a, shall not
8 operate at a site other than the site or sites requested for the
9 configuration of age or grade levels that will use the site or
10 sites, as specified in the contract. Under a contract, an
11 authorizing body may permit a school of excellence to operate the
12 same configuration of age or grade levels at more than 1 site, and
13 a school of excellence may operate the same configuration of age or
14 grade levels at more than 1 site, as long as the school of
15 excellence is operating in compliance with its contract and is
16 making measurable progress toward meeting its educational goals.
17 For a contract for a new school of excellence, an authorizing body
18 may permit a school of excellence to operate the same configuration
19 of age or grade levels at more than 1 site, and a school of
20 excellence may operate the same configuration of age or grade
21 levels at more than 1 site, if the applicant for the proposed
22 school of excellence presents documentation to the authorizing body
23 demonstrating that the applicant's proposed educational model has
24 resulted in schools making measurable progress toward meeting their
25 educational goals.

26 (2) A school of excellence shall not charge tuition and shall
27 not discriminate in its pupil admissions policies or practices on

1 the basis of intellectual or athletic ability, measures of
2 achievement or aptitude, status as a student with a disability, or
3 any other basis that would be illegal if used by a school district.
4 However, a school of excellence may limit admission to pupils who
5 are within a particular range of age or grade level or on any other
6 basis that would be legal if used by a school district and may give
7 enrollment priority as provided in subsection (4).

8 (3) Except for a foreign exchange student who is not a United
9 States citizen, a school of excellence shall not enroll a pupil who
10 is not a resident of this state. For a school of excellence
11 authorized by a school district, intermediate school district, or
12 community college, enrollment in the school of excellence may be
13 open to all individuals who reside in this state who meet the
14 admission policy and shall be open to all pupils who reside within
15 the geographic boundaries of that authorizing body who meet the
16 admission policy, except that admission to a school of excellence
17 authorized by the board of a community college to operate, or
18 operated by the board of a community college, on the grounds of a
19 federal military installation, as described in section 552(6)(c),
20 shall be open to all pupils who reside in the county in which the
21 federal military installation is located. For a school of
22 excellence authorized by a state public university, enrollment
23 shall be open to all pupils who reside in this state who meet the
24 admission policy. If there are more applications to enroll in the
25 school of excellence than there are spaces available, pupils shall
26 be selected to attend using a random selection process. A school of
27 excellence shall allow any pupil who was enrolled in the school of

1 excellence in the immediately preceding school year to enroll in
2 the school of excellence in the appropriate grade unless the
3 appropriate grade is not offered at that school of excellence.

4 (4) A school of excellence may give enrollment priority to 1
5 or more of the following:

6 (a) A sibling of a pupil enrolled in the school of excellence.

7 (b) A pupil who transfers to the school of excellence from
8 another public school pursuant to a matriculation agreement between
9 the school of excellence and another public school that provides
10 for this enrollment priority, if all of the following requirements
11 are met:

12 (i) Each school of excellence or other public school that
13 enters into the matriculation agreement remains a separate and
14 independent public school.

15 (ii) The school of excellence that gives the enrollment
16 priority selects at least 5% of its pupils for enrollment using a
17 random selection process.

18 (iii) The matriculation agreement allows any pupil who was
19 enrolled at any time during elementary school in a public school
20 that is party to the matriculation agreement and who was not
21 expelled from the public school to enroll in the school of
22 excellence giving enrollment priority under the matriculation
23 agreement.

24 (c) A child of a person who is employed by or at the school of
25 excellence or who is on the board of directors of the school of
26 excellence. As used in this subdivision, "child" includes an
27 adopted child or a legal ward.

1 (D) A PUPIL WHO RESIDES WITHIN GEOGRAPHIC BOUNDARIES THAT ARE
2 SPECIFIED IN THE SCHOOL OF EXCELLENCE'S CONTRACT AND WHO MEETS THE
3 INCOME ELIGIBILITY CRITERIA FOR FREE OR REDUCED-PRICE BREAKFAST,
4 LUNCH, OR MILK, AS DETERMINED UNDER THE RICHARD B. RUSSELL NATIONAL
5 SCHOOL LUNCH ACT, 42 USC 1751 TO 1769J, IF BOTH OF THE FOLLOWING
6 ARE MET:

7 (i) AT LEAST 50% OF THE PUBLIC SCHOOL PUPILS RESIDING WITHIN
8 THOSE GEOGRAPHIC BOUNDARIES MET THE INCOME ELIGIBILITY CRITERIA FOR
9 FREE OR REDUCED-PRICE BREAKFAST, LUNCH, OR MILK IN THE IMMEDIATELY
10 PRECEDING STATE FISCAL YEAR, AS DETERMINED UNDER THE RICHARD B.
11 RUSSELL NATIONAL SCHOOL LUNCH ACT, 42 USC 1751 TO 1769J.

12 (ii) THE BOARD OF DIRECTORS OF THE SCHOOL OF EXCELLENCE HAS
13 ADOPTED A RESOLUTION DETERMINING THAT THIS PREFERENCE IS NEEDED TO
14 BETTER SERVE LOW-INCOME AND AT-RISK PUPILS WITHIN THE GEOGRAPHIC
15 AREA.

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

25 (6) In addition to any other grade levels it operates, a
26 school of excellence shall work toward operating all of grades 9 to
27 12 within 6 years after it begins operations, unless a

1 matriculation agreement has been reached with another public school
2 that provides grades 9 to 12.

3 (7) If a school of excellence is a cyber school and its
4 authorizing body is a school district or intermediate school
5 district, the school of excellence shall give enrollment priority
6 to pupils who reside in the school district or intermediate school
7 district that is the authorizing body.

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