
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:

Sec. 504. (1) A public school academy may be located in all or part of an existing public school building. A public school academy shall not operate at a site other than the site or sites requested for the configuration of age or grade levels that will use the site or sites, as specified in the contract. Under a contract, an authorizing body may permit a public school academy to operate the same configuration of age or grade levels at more than 1 site, and a public school academy may operate the same configuration of age or grade levels at more than 1 site, as long as the public school academy is operating in compliance with its contract and is making
measurable progress toward meeting its educational goals. For a
contract for a new public school academy, an authorizing body may
permit a public school academy to operate the same configuration of
age or grade levels at more than 1 site, and a public school
academy may operate the same configuration of age or grade levels
at more than 1 site, if the applicant for the proposed public
school academy presents documentation to the authorizing body
demonstrating that the applicant's proposed educational model has
resulted in schools making measurable progress toward meeting their
education goals.

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

(3) Except for a foreign exchange student who is not a United
States citizen, a public school academy shall not enroll a pupil
who is not a resident of this state. For a public school academy
authorized by a school district, intermediate school district, or
community college, enrollment in the public school academy may be
open to all individuals who reside in this state who meet the
admission policy and shall be open to all pupils who reside within
the geographic boundaries of that authorizing body who meet the
admission policy, except that admission to a public school academy
authorized by the board of a community college to operate, or
operated by the board of a community college, on the grounds of a
federal military installation, as described in section 502(2)(c),
shall be open to all pupils who reside in the county in which the
federal military installation is located. For a public school
academy authorized by a state public university, enrollment shall
be open to all pupils who reside in this state who meet the
admission policy. Subject to subsection (4), if there are more
applications to enroll in the public school academy than there are
spaces available, pupils shall be selected to enroll using a random
selection process. A public school academy shall allow any pupil
who was enrolled in the public school academy in the immediately
preceding school year to enroll in the public school academy in the
appropriate grade unless the appropriate grade is not offered at
that public school academy.

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

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

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

(i) Each public school that enters into the matriculation
agreement remains a separate and independent public school.
(ii) The public school academy that gives the enrollment priority selects at least 5% of its pupils for enrollment using a random selection process.

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

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

(D) A pupil who resides within geographic boundaries that are specified in the public school academy's contract and who meets the income eligibility criteria for free or reduced-price breakfast, lunch, or milk, as determined under the Richard B. Russell National School Lunch Act, 42 USC 1751 to 1769J, if both of the following are met:

(i) At least 50% of the public school pupils residing within those geographic boundaries met the income eligibility criteria for free or reduced-price breakfast, lunch, or milk in the immediately preceding state fiscal year, as determined under the Richard B. Russell National School Lunch Act, 42 USC 1751 to 1769J.

(ii) The board of directors of the public school academy has adopted a resolution determining that this preference is needed to better serve low-income and at-risk pupils within the geographic
AREA.

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

Sec. 524. (1) An urban high school academy may be located in all or part of an existing public school building. An urban high school academy shall not operate at a site other than the site or sites, requested for the configuration of age or grade levels that will use the site or sites, as specified in the contract. Under a contract, an authorizing body may permit an urban high school academy to operate the same configuration of age or grade levels at more than 1 site, and an urban high school academy may operate the same configuration of age or grade levels at more than 1 site, as long as the urban high school academy is operating in compliance with its contract and is making measurable progress toward meeting its educational goals. For a contract for a new urban high school academy, an authorizing body may permit an urban high school academy to operate the same configuration of age or grade levels at more than 1 site, and an urban high school academy may operate the same configuration of age or grade levels at more than 1 site, if the applicant for the proposed urban high school academy presents documentation to the authorizing body demonstrating that the
applicant's proposed educational model has resulted in schools making measurable progress toward meeting their educational goals.

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

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

(4) An urban high school academy may give enrollment priority
to 1 or more of the following:

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

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

(C) A pupil who resides within geographic boundaries that are specified in the urban high school academy's contract and who meets the income eligibility criteria for free or reduced-price breakfast, lunch, or milk, as determined under the Richard B. Russell National School Lunch Act, 42 USC 1751 to 1769j, if both of the following are met:

(i) At least 50% of the public school pupils residing within those geographic boundaries met the income eligibility criteria for free or reduced-price breakfast, lunch, or milk in the immediately preceding state fiscal year, as determined under the Richard B. Russell National School Lunch Act, 42 USC 1751 to 1769j.

(ii) The board of directors of the urban high school academy has adopted a resolution determining that this preference is needed to better serve low-income and at-risk pupils within the geographic area.

(5) Subject to the terms of the contract authorizing the urban high school academy, an urban high school academy shall include at least grades 9 through 12 within 5 years after beginning operations and may include other grades or any configuration of those grades, including kindergarten and early childhood education, as specified
in its contract. If specified in its contract, an urban high school
academy may also operate an adult basic education program, adult
high school completion program, or general education development
testing preparation program.

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

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

(3) Except for a foreign exchange student who is not a United
States citizen, a school of excellence shall not enroll a pupil who
is not a resident of this state. For a school of excellence
authorized by a school district, intermediate school district, or
community college, enrollment in the school of excellence may be
open to all individuals who reside in this state who meet the
admission policy and shall be open to all pupils who reside within
the geographic boundaries of that authorizing body who meet the
admission policy, except that admission to a school of excellence
authorized by the board of a community college to operate, or
operated by the board of a community college, on the grounds of a
federal military installation, as described in section 552(6)(c),
shall be open to all pupils who reside in the county in which the
federal military installation is located. For a school of
excellence authorized by a state public university, enrollment
shall be open to all pupils who reside in this state who meet the
admission policy. If there are more applications to enroll in the
school of excellence than there are spaces available, pupils shall
be selected to attend using a random selection process. A school of
excellence shall allow any pupil who was enrolled in the school of
excellence in the immediately preceding school year to enroll in
the school of excellence in the appropriate grade unless the
appropriate grade is not offered at that school of excellence.

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

(a) A sibling of a pupil enrolled in the school of excellence.
(b) A pupil who transfers to the school of excellence from
another public school pursuant to a matriculation agreement between
the school of excellence and another public school that provides
for this enrollment priority, if all of the following requirements
are met:

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

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

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

(c) A child of a person who is employed by or at the school of
excellence or who is on the board of directors of the school of
excellence. As used in this subdivision, "child" includes an
adopted child or a legal ward.
(D) A PUPIL WHO RESIDES WITHIN GEOGRAPHIC BOUNDARIES THAT ARE
SPECIFIED IN THE SCHOOL OF EXCELLENCE’S CONTRACT AND WHO MEETS THE
INCOME ELIGIBILITY CRITERIA FOR FREE OR REDUCED-PRICE BREAKFAST,
LUNCH, OR MILK, AS DETERMINED UNDER THE RICHARD B. RUSSELL NATIONAL
SCHOOL LUNCH ACT, 42 USC 1751 TO 1769J, IF BOTH OF THE FOLLOWING
ARE MET:

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

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

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

(6) In addition to any other grade levels it operates, a
school of excellence shall work toward operating all of grades 9 to
12 within 6 years after it begins operations, unless a
matriculation agreement has been reached with another public school that provides grades 9 to 12.

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

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