

# SENATE BILL No. 83

January 29, 2013, Introduced by Senators ROBERTSON and PAVLOV and referred to the Committee on Education.

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 3, 5, and 1280c (MCL 380.3, 380.5, and 380.1280c), section 3 as amended by 2007 PA 45, section 5 as amended by 2011 PA 232, and section 1280c as amended by 2011 PA 8, and by adding section 1280d and part 6d.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 3. (1) "Area" as used in the phrase "area vocational-  
2       technical education program" or "area career and technical  
3       education program" means the geographical territory, within the  
4       boundaries of a K to 12 school district, an intermediate school  
5       district, or a community college district, that is designated by  
6       the department as the service area for the operation of an area  
7       vocational-technical education program.

(2) "Area vocational-technical education program", "area career and technical education program", or "career and technical education program" means a program of organized, systematic instruction designed to prepare the following persons for useful employment in recognized occupations:

(a) Persons participating in career and technical education readiness activities that lead to enrollment in a career and technical education program in high school.

(b) Persons enrolled in high school in a school district, intermediate school district, public school academy, or nonpublic school.

(c) Persons who have completed or left high school and who are available for full-time study in preparation for entering the labor market.

(d) Persons who have entered the labor market and who need training or retraining to achieve stability or advancement in employment.

(3) "Board" or "school board" means the governing body of a local school district unless clearly otherwise stated.

(4) "Boarding school" means a place accepting for board, care, and instruction 5 or more children under 16 years of age.

(5) "Constituent district" means a local school district the territory of which is entirely within and is an integral part of an intermediate school district.

**(6) "CONVERSION SCHOOL" MEANS A CONVERSION SCHOOL ESTABLISHED UNDER PART 6D.**

Sec. 5. (1) "Local act school district" or "special act school

1 district" means a district governed by a special or local act or  
2 chapter of a local act. "Local school district" and "local school  
3 district board" as used in article 3 include a local act school  
4 district and a local act school district board.

5 (2) "Membership" means the number of full-time equivalent  
6 pupils in a public school as determined by the number of pupils  
7 registered for attendance plus pupils received by transfer and  
8 minus pupils lost as defined by rules promulgated by the state  
9 board.

10 (3) "Michigan election law" means the Michigan election law,  
11 1954 PA 116, MCL 168.1 to 168.992.

12 (4) "Nonpublic school" means a private, denominational, or  
13 parochial school.

14 (5) "Objectives" means measurable pupil academic skills and  
15 knowledge.

16 (6) "Public school" means a public elementary or secondary  
17 educational entity or agency that is established under this act,  
18 has as its primary mission the teaching and learning of academic  
19 and vocational-technical skills and knowledge, and is operated by a  
20 school district, local act school district, special act school  
21 district, intermediate school district, school of excellence,  
22 public school academy corporation, strict discipline academy  
23 corporation, urban high school academy corporation, **CONVERSION**  
24 **SCHOOL CORPORATION**, or by the department or state board. Public  
25 school also includes a laboratory school or other elementary or  
26 secondary school that is controlled and operated by a state public  
27 university described in section 4, 5, or 6 of article VIII of the

1 state constitution of 1963.

2 (7) "Public school academy" means a public school academy  
3 established under part 6a and, except as used in part 6a, also  
4 includes an urban high school academy established under part 6c, **A**  
5 **CONVERSION SCHOOL ESTABLISHED UNDER PART 6D**, a school of excellence  
6 established under part 6e, and a strict discipline academy  
7 established under sections 1311b to 1311l.

8 (8) "Pupil membership count day" of a school district means  
9 that term as defined in section 6 of the state school aid act of  
10 1979, MCL 388.1606.

11 (9) "Regular school election" or "regular election" means the  
12 election held in a school district, local act school district, or  
13 intermediate school district to elect a school board member in the  
14 regular course of the terms of that office and held on the school  
15 district's regular election date as determined under section 642 or  
16 642a of the Michigan election law, MCL 168.642 and 168.642a.

17 (10) "Reorganized intermediate school district" means an  
18 intermediate school district formed by consolidation or annexation  
19 of 2 or more intermediate school districts under sections 701 and  
20 702.

21 (11) "Rule" means a rule promulgated under the administrative  
22 procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.

## 23 **PART 6D**

### 24 **CONVERSION SCHOOLS**

25 **SEC. 531. (1) A CONVERSION SCHOOL IS A PUBLIC SCHOOL UNDER**  
26 **SECTION 2 OF ARTICLE VIII OF THE STATE CONSTITUTION OF 1963, IS A**  
27 **SCHOOL DISTRICT FOR THE PURPOSES OF SECTION 11 OF ARTICLE IX OF THE**

1 STATE CONSTITUTION OF 1963 AND FOR THE PURPOSES OF SECTION 1225 AND  
2 SECTION 1351A, AND IS SUBJECT TO THE LEADERSHIP AND GENERAL  
3 SUPERVISION OF THE STATE BOARD OVER ALL PUBLIC EDUCATION UNDER  
4 SECTION 3 OF ARTICLE VIII OF THE STATE CONSTITUTION OF 1963. A  
5 CONVERSION SCHOOL IS A BODY CORPORATE AND IS A GOVERNMENTAL AGENCY.  
6 THE POWERS GRANTED TO A CONVERSION SCHOOL UNDER THIS PART  
7 CONSTITUTE THE PERFORMANCE OF ESSENTIAL PUBLIC PURPOSES AND  
8 GOVERNMENTAL FUNCTIONS OF THIS STATE.

9 (2) AS USED IN THIS PART:

10 (A) "AUTHORIZING BODY" MEANS ANY OF THE FOLLOWING THAT ISSUES  
11 A CONTRACT AS PROVIDED IN THIS PART:

12 (i) THE BOARD OF A SCHOOL DISTRICT.

13 (ii) AN INTERMEDIATE SCHOOL BOARD.

14 (iii) THE BOARD OF A COMMUNITY COLLEGE.

15 (iv) THE GOVERNING BOARD OF A STATE PUBLIC UNIVERSITY.

16 (v) TWO OR MORE OF THE PUBLIC AGENCIES DESCRIBED IN  
17 SUBPARAGRAPHS (i) TO (iv) EXERCISING POWER, PRIVILEGE, OR AUTHORITY  
18 JOINTLY PURSUANT TO AN INTERLOCAL AGREEMENT UNDER THE URBAN  
19 COOPERATION ACT OF 1967, 1967 (EX SESS) PA 7, MCL 124.501 TO  
20 124.512.

21 (vi) ANY OF THE PUBLIC AGENCIES DESCRIBED IN SUBPARAGRAPHS (i)  
22 TO (v) ACTING JOINTLY WITH THE SCHOOL DISTRICT THAT PREVIOUSLY  
23 OPERATED THE SCHOOL THAT IS CONVERTED TO A CONVERSION SCHOOL.

24 (B) "COMMUNITY COLLEGE" MEANS A COMMUNITY COLLEGE ORGANIZED  
25 UNDER THE COMMUNITY COLLEGE ACT OF 1966, 1966 PA 331, MCL 389.1 TO  
26 389.195, OR A FEDERAL TRIBALLY CONTROLLED COMMUNITY COLLEGE THAT IS  
27 RECOGNIZED UNDER THE TRIBALLY CONTROLLED COMMUNITY COLLEGE

1 ASSISTANCE ACT OF 1978, PUBLIC LAW 95-471, 92 STAT. 1325, AND IS  
2 DETERMINED BY THE DEPARTMENT TO MEET THE REQUIREMENTS FOR  
3 ACCREDITATION BY A RECOGNIZED REGIONAL ACCREDITING BODY.

4 (C) "CONTRACT" MEANS THE EXECUTIVE ACT TAKEN BY AN AUTHORIZING  
5 BODY THAT EVIDENCES THE AUTHORIZATION OF A CONVERSION SCHOOL AND  
6 THAT ESTABLISHES, SUBJECT TO THE CONSTITUTIONAL POWERS OF THE STATE  
7 BOARD AND APPLICABLE LAW, THE WRITTEN INSTRUMENT EXECUTED BY AN  
8 AUTHORIZING BODY CONFERRING CERTAIN RIGHTS, FRANCHISES, PRIVILEGES,  
9 AND OBLIGATIONS ON A CONVERSION SCHOOL, AS PROVIDED BY THIS PART,  
10 AND CONFIRMING THE STATUS OF A CONVERSION SCHOOL AS A PUBLIC SCHOOL  
11 IN THIS STATE.

12 (D) "CONVERSION SCHOOL" MEANS A PUBLIC SCHOOL PREVIOUSLY  
13 OPERATED BY A SCHOOL DISTRICT THAT IS CONVERTED TO A CONVERSION  
14 SCHOOL ESTABLISHED AND OPERATED UNDER THIS PART.

15 (E) "EDUCATIONAL MANAGEMENT ORGANIZATION" MEANS AN ENTITY THAT  
16 ENTERS INTO AN AGREEMENT WITH THE BOARD OF DIRECTORS OF A  
17 CONVERSION SCHOOL TO PROVIDE COMPREHENSIVE EDUCATIONAL,  
18 ADMINISTRATIVE, MANAGEMENT, OR INSTRUCTIONAL SERVICES OR STAFF TO  
19 THE CONVERSION SCHOOL.

20 (F) "ENTITY" MEANS A PARTNERSHIP, NONPROFIT OR BUSINESS  
21 CORPORATION, LABOR ORGANIZATION, OR ANY OTHER ASSOCIATION,  
22 CORPORATION, TRUST, OR OTHER LEGAL ENTITY.

23 (G) "STATE PUBLIC UNIVERSITY" MEANS A STATE UNIVERSITY  
24 DESCRIBED IN SECTION 4, 5, OR 6 OF ARTICLE VIII OF THE STATE  
25 CONSTITUTION OF 1963.

26 SEC. 533. (1) A CONVERSION SCHOOL SHALL BE ORGANIZED AND  
27 ADMINISTERED UNDER THE DIRECTION OF A BOARD OF DIRECTORS IN

1 ACCORDANCE WITH THIS PART AND WITH BYLAWS ADOPTED BY THE BOARD OF  
2 DIRECTORS. A CONVERSION SCHOOL CORPORATION SHALL BE ORGANIZED UNDER  
3 THE NONPROFIT CORPORATION ACT, 1982 PA 162, MCL 450.2101 TO  
4 450.3192, EXCEPT THAT A CONVERSION SCHOOL CORPORATION IS NOT  
5 REQUIRED TO COMPLY WITH SECTIONS 170 TO 177 OF 1931 PA 327, MCL  
6 450.170 TO 450.177. TO THE EXTENT DISQUALIFIED UNDER THE STATE OR  
7 FEDERAL CONSTITUTION, A CONVERSION SCHOOL SHALL NOT BE ORGANIZED BY  
8 A CHURCH OR OTHER RELIGIOUS ORGANIZATION AND SHALL NOT HAVE ANY  
9 ORGANIZATIONAL OR CONTRACTUAL AFFILIATION WITH OR CONSTITUTE A  
10 CHURCH OR OTHER RELIGIOUS ORGANIZATION.

11 (2) SUBJECT TO SUBSECTION (3), ANY OF THE FOLLOWING MAY ACT AS  
12 AN AUTHORIZING BODY TO ISSUE A CONTRACT TO ORGANIZE AND OPERATE A  
13 CONVERSION SCHOOL UNDER THIS PART:

14 (A) THE BOARD OF A SCHOOL DISTRICT. HOWEVER, THE BOARD OF A  
15 SCHOOL DISTRICT SHALL NOT ISSUE A CONTRACT FOR A CONVERSION SCHOOL  
16 TO OPERATE OUTSIDE THE SCHOOL DISTRICT'S BOUNDARIES, AND A  
17 CONVERSION SCHOOL AUTHORIZED BY THE BOARD OF A SCHOOL DISTRICT  
18 SHALL NOT OPERATE OUTSIDE THAT SCHOOL DISTRICT'S BOUNDARIES.

19 (B) AN INTERMEDIATE SCHOOL BOARD. HOWEVER, AN INTERMEDIATE  
20 SCHOOL BOARD SHALL NOT ISSUE A CONTRACT FOR A CONVERSION SCHOOL TO  
21 OPERATE OUTSIDE THE INTERMEDIATE SCHOOL DISTRICT'S BOUNDARIES, AND  
22 A CONVERSION SCHOOL AUTHORIZED BY AN INTERMEDIATE SCHOOL BOARD  
23 SHALL NOT OPERATE OUTSIDE THAT INTERMEDIATE SCHOOL DISTRICT'S  
24 BOUNDARIES.

25 (C) THE BOARD OF A COMMUNITY COLLEGE. HOWEVER, THE BOARD OF A  
26 COMMUNITY COLLEGE SHALL NOT ISSUE A CONTRACT FOR A CONVERSION  
27 SCHOOL TO OPERATE OUTSIDE THE BOUNDARIES OF THE COMMUNITY COLLEGE

1 DISTRICT, AND A CONVERSION SCHOOL AUTHORIZED BY THE BOARD OF A  
2 COMMUNITY COLLEGE SHALL NOT OPERATE OUTSIDE THE BOUNDARIES OF THE  
3 COMMUNITY COLLEGE DISTRICT.

4 (D) THE GOVERNING BOARD OF A STATE PUBLIC UNIVERSITY.

5 (E) TWO OR MORE OF THE PUBLIC AGENCIES DESCRIBED IN  
6 SUBDIVISIONS (A) TO (D) EXERCISING POWER, PRIVILEGE, OR AUTHORITY  
7 JOINTLY PURSUANT TO AN INTERLOCAL AGREEMENT UNDER THE URBAN  
8 COOPERATION ACT OF 1967, 1967 (EX SESS) PA 7, MCL 124.501 TO  
9 124.512.

10 (F) ANY OF THE PUBLIC AGENCIES DESCRIBED IN SUBDIVISIONS (A)  
11 TO (E) ACTING JOINTLY WITH THE SCHOOL DISTRICT THAT PREVIOUSLY  
12 OPERATED THE PUBLIC SCHOOL THAT IS TO BE CONVERTED TO A CONVERSION  
13 SCHOOL.

14 (3) A PUBLIC SCHOOL OPERATED BY A SCHOOL DISTRICT MAY BE  
15 CONVERTED TO AND OPERATED AS A CONVERSION SCHOOL AS PROVIDED UNDER  
16 THIS PART PURSUANT TO A PARENTAL PETITION UNDER SECTION 1280D. A  
17 PUBLIC SCHOOL OPERATED BY A SCHOOL DISTRICT MAY NOT BE CONVERTED TO  
18 A CONVERSION SCHOOL THAT IS ORGANIZED AND OPERATED UNDER THIS PART  
19 UNLESS THE PUBLIC SCHOOL IS ON THE LIST REQUIRED UNDER SECTION  
20 1280C IDENTIFYING THE PUBLIC SCHOOLS IN THIS STATE THAT THE  
21 DEPARTMENT HAS DETERMINED TO BE AMONG THE LOWEST ACHIEVING 5% OF  
22 ALL PUBLIC SCHOOLS IN THIS STATE. TO OBTAIN A CONTRACT TO CONVERT A  
23 PUBLIC SCHOOL OPERATED BY A SCHOOL DISTRICT TO A CONVERSION SCHOOL  
24 THAT IS ORGANIZED AND OPERATED UNDER THIS PART, 1 OR MORE PERSONS  
25 OR AN ENTITY SHALL APPLY TO THE SCHOOL DISTRICT OF THE SCHOOL TO BE  
26 CONVERTED FOR A CONTRACT TO ORGANIZE AND OPERATE THE SCHOOL AS A  
27 CONVERSION SCHOOL. SUBJECT TO SECTION 535, THE APPLICANT SHALL



1 SUBMIT TO THE BOARD OF THE SCHOOL DISTRICT OF THE SCHOOL TO BE  
2 CONVERTED AN APPLICATION FOR A CONVERSION SCHOOL CONTRACT THAT  
3 MEETS THE REQUIREMENTS FOR AN APPLICATION UNDER SUBSECTION (6),  
4 ACCOMPANIED BY A COPY OF THE PARENTAL PETITION SUBMITTED AND  
5 CERTIFIED UNDER SECTION 1280D THAT RECOMMENDS THE RESTART MODEL  
6 UNDER THAT SECTION.

7 (4) IF THE BOARD OF A SCHOOL DISTRICT RECEIVES A PETITION AND  
8 AN APPLICATION FOR A CONTRACT UNDER SUBSECTION (3), THE BOARD SHALL  
9 CONSIDER THE PETITION AND APPLICATION AND ACT TO APPROVE OR DENY  
10 THE PETITION AND APPLICATION WITHIN 60 DAYS AFTER RECEIVING THE  
11 PETITION AND APPLICATION. IF THE BOARD ACTS TO DENY THE PETITION  
12 AND APPLICATION, THE BOARD SHALL ISSUE A LETTER OF DENIAL TO THE  
13 APPLICANT.

14 (5) IF THE BOARD OF THE SCHOOL DISTRICT DOES NOT APPROVE THE  
15 APPLICATION FOR THE CONTRACT SUBMITTED UNDER SUBSECTION (3) WITHIN  
16 60 DAYS AFTER THE APPLICATION AND THE SUPPORTING PETITION HAVE BEEN  
17 SUBMITTED TO THE BOARD, OR IF THE POWER OF THE BOARD TO ISSUE A NEW  
18 CONTRACT FOR A CONVERSION SCHOOL HAS BEEN SUSPENDED BY THE  
19 SUPERINTENDENT OF PUBLIC INSTRUCTION UNDER SUBSECTION (8), THE  
20 APPLICANT MAY SUBMIT AN APPLICATION FOR A CONVERSION SCHOOL  
21 CONTRACT TO ANOTHER AUTHORIZING BODY. ANOTHER AUTHORIZING BODY MAY  
22 ISSUE A CONTRACT TO ORGANIZE AND OPERATE A CONVERSION SCHOOL IF ALL  
23 OF THE FOLLOWING ARE SUBMITTED TO THAT AUTHORIZING BODY:

24 (A) AN APPLICATION FOR A CONVERSION SCHOOL CONTRACT THAT MEETS  
25 THE REQUIREMENTS FOR AN APPLICATION UNDER SUBSECTION (6).

26 (B) A COPY OF THE PARENTAL PETITION SUBMITTED AND CERTIFIED  
27 UNDER SECTION 1280D THAT RECOMMENDS THAT RESTART OPTION UNDER THAT

1 SECTION.

2 (C) A COPY OF THE LETTER OF DENIAL UNDER SUBSECTION (4) OR  
3 OTHER INFORMATION SATISFACTORY TO THE AUTHORIZING BODY EVIDENCING  
4 THAT THE APPLICANT APPLIED TO THE BOARD OF THE SCHOOL DISTRICT FOR  
5 A CONTRACT TO ORGANIZE AND OPERATE THE SCHOOL AS A CONVERSION  
6 SCHOOL AS REQUIRED UNDER THIS SECTION AND THAT THE BOARD OF THE  
7 SCHOOL DISTRICT DENIED THE PETITION AND APPLICATION TO ISSUE THE  
8 CONTRACT WITHIN 60 DAYS AFTER THE APPLICATION AND THE SUPPORTING  
9 PETITION HAVE BEEN SUBMITTED TO THE BOARD.

10 (D) EVIDENCE SATISFACTORY TO THE AUTHORIZING BODY THAT THE  
11 PUBLIC SCHOOL TO BE CONVERTED IS ON THE LIST REQUIRED UNDER SECTION  
12 1280C IDENTIFYING THE PUBLIC SCHOOLS IN THIS STATE THAT THE  
13 DEPARTMENT HAS DETERMINED TO BE AMONG THE LOWEST ACHIEVING 5% OF  
14 ALL PUBLIC SCHOOLS IN THIS STATE.

15 (6) THE APPLICATION FOR A CONTRACT TO ORGANIZE AND OPERATE A  
16 CONVERSION SCHOOL SHALL INCLUDE AT LEAST ALL OF THE FOLLOWING:

17 (A) IDENTIFICATION OF THE APPLICANT FOR THE CONTRACT.

18 (B) SUBJECT TO THE RESOLUTION ADOPTED BY THE AUTHORIZING BODY  
19 UNDER SECTION 535(3), IF ANY, A LIST OF THE PROPOSED MEMBERS OF THE  
20 BOARD OF DIRECTORS OF THE CONVERSION SCHOOL AND A DESCRIPTION OF  
21 THE QUALIFICATIONS AND METHOD FOR APPOINTMENT OR ELECTION OF  
22 MEMBERS OF THE BOARD OF DIRECTORS.

23 (C) THE PROPOSED ARTICLES OF INCORPORATION, WHICH SHALL  
24 INCLUDE AT LEAST ALL OF THE FOLLOWING:

25 (i) THE NAME OF THE PROPOSED CONVERSION SCHOOL.

26 (ii) THE PURPOSES FOR THE CONVERSION SCHOOL CORPORATION. THIS  
27 LANGUAGE SHALL PROVIDE THAT THE CONVERSION SCHOOL IS INCORPORATED

1 PURSUANT TO THIS PART AND THAT THE CONVERSION SCHOOL CORPORATION IS  
2 A GOVERNMENTAL ENTITY.

3 (iii) THE NAME OF THE AUTHORIZING BODY.

4 (iv) THE PROPOSED TIME WHEN THE ARTICLES OF INCORPORATION WILL  
5 BE EFFECTIVE.

6 (v) OTHER MATTERS CONSIDERED EXPEDIENT TO BE IN THE ARTICLES  
7 OF INCORPORATION.

8 (D) A COPY OF THE PROPOSED BYLAWS OF THE CONVERSION SCHOOL.

9 (E) DOCUMENTATION MEETING THE APPLICATION REQUIREMENTS OF THE  
10 AUTHORIZING BODY, IF ANY, INCLUDING AT LEAST ALL OF THE FOLLOWING:

11 (i) THE GOVERNANCE STRUCTURE OF THE CONVERSION SCHOOL.

12 (ii) A COPY OF THE EDUCATIONAL GOALS OF THE CONVERSION SCHOOL  
13 AND THE CURRICULA TO BE OFFERED AND METHODS OF PUPIL ASSESSMENT TO  
14 BE USED BY THE CONVERSION SCHOOL. THE EDUCATIONAL GOALS SHALL  
15 INCLUDE MAKING MEASURABLE PROGRESS TOWARD IMPROVED PUPIL ACADEMIC  
16 ACHIEVEMENT FOR ALL GROUPS OF PUPILS AND TOWARD MEETING THE  
17 SPECIFIC GOALS REQUIRED TO BE IN THE CONTRACT UNDER SECTION  
18 535(4)(A). TO THE EXTENT APPLICABLE, THE PROGRESS OF THE PUPILS IN  
19 THE CONVERSION SCHOOL SHALL BE ASSESSED USING AT LEAST A MICHIGAN  
20 EDUCATION ASSESSMENT PROGRAM (MEAP) TEST OR THE MICHIGAN MERIT  
21 EXAMINATION DEVELOPED UNDER SECTION 1279G.

22 (iii) THE ADMISSION POLICY AND CRITERIA TO BE MAINTAINED BY THE  
23 CONVERSION SCHOOL. THE ADMISSION POLICY AND CRITERIA SHALL COMPLY  
24 WITH SECTION 537. THIS PART OF THE APPLICATION ALSO SHALL INCLUDE A  
25 DESCRIPTION OF HOW THE APPLICANT WILL PROVIDE TO THE GENERAL PUBLIC  
26 ADEQUATE NOTICE THAT A CONVERSION SCHOOL IS BEING CREATED AND  
27 ADEQUATE INFORMATION ON THE ADMISSION POLICY, CRITERIA, AND

1 PROCESS.

2 (iv) THE SCHOOL CALENDAR AND SCHOOL DAY SCHEDULE.

3 (v) THE AGE OR GRADE RANGE OF PUPILS TO BE ENROLLED. A  
4 CONVERSION SCHOOL SHALL INCLUDE AT LEAST ALL OF THE GRADES THAT  
5 WERE PREVIOUSLY OPERATED BY THE SCHOOL THAT WAS CONVERTED.

6 (F) THE SCHOOL YEAR WHEN THE CONVERSION SCHOOL IS TO BEGIN  
7 OPERATING. THIS SCHOOL YEAR MUST BE A SCHOOL YEAR THAT BEGINS AT  
8 LEAST 9 MONTHS AFTER THE DATE THAT THE PETITION AND APPLICATION ARE  
9 SUBMITTED TO THE BOARD OF THE SCHOOL DISTRICT UNDER SUBSECTION (3).  
10 A CONVERSION SCHOOL SHALL BEGIN OPERATING AT THE BEGINNING OF A  
11 SCHOOL YEAR AND MAY NOT BEGIN OPERATING DURING A SCHOOL YEAR THAT  
12 HAS ALREADY BEGUN.

13 (G) DESCRIPTIONS OF STAFF RESPONSIBILITIES AND OF THE  
14 CONVERSION SCHOOL'S GOVERNANCE STRUCTURE.

15 (H) THE DOCUMENTATION REQUIRED UNDER SUBSECTION (3) OR (5), AS  
16 APPLICABLE.

17 (I) AN AGREEMENT THAT THE CONVERSION SCHOOL WILL COMPLY WITH  
18 THE PROVISIONS OF THIS PART AND, SUBJECT TO THE PROVISIONS OF THIS  
19 PART, WITH ALL OTHER STATE LAW APPLICABLE TO PUBLIC BODIES AND WITH  
20 FEDERAL LAW APPLICABLE TO PUBLIC BODIES OR SCHOOL DISTRICTS.

21 (7) AN AUTHORIZING BODY SHALL OVERSEE, OR SHALL CONTRACT WITH  
22 AN INTERMEDIATE SCHOOL DISTRICT, COMMUNITY COLLEGE, OR STATE PUBLIC  
23 UNIVERSITY TO OVERSEE, THE BOARD OF DIRECTORS OF EACH CONVERSION  
24 SCHOOL OPERATING UNDER A CONTRACT ISSUED BY THE AUTHORIZING BODY.  
25 THE AUTHORIZING BODY IS RESPONSIBLE FOR OVERSEEING COMPLIANCE BY  
26 THE BOARD OF DIRECTORS WITH THE CONTRACT AND ALL APPLICABLE LAW.

27 (8) IF THE SUPERINTENDENT OF PUBLIC INSTRUCTION FINDS THAT AN

1 AUTHORIZING BODY IS NOT ENGAGING IN APPROPRIATE CONTINUING  
2 OVERSIGHT OF 1 OR MORE BOARDS OF DIRECTORS OF CONVERSION SCHOOLS  
3 OPERATING UNDER A CONTRACT ISSUED BY THE AUTHORIZING BODY, THE  
4 SUPERINTENDENT OF PUBLIC INSTRUCTION MAY SUSPEND THE POWER OF THE  
5 AUTHORIZING BODY TO ISSUE NEW CONTRACTS TO ORGANIZE AND OPERATE  
6 CONVERSION SCHOOLS. A CONTRACT ISSUED BY THE AUTHORIZING BODY  
7 DURING THE SUSPENSION IS VOID. A CONTRACT ISSUED BY THE AUTHORIZING  
8 BODY BEFORE THE SUSPENSION IS NOT AFFECTED BY THE SUSPENSION.

9 (9) AN AUTHORIZING BODY SHALL NOT CHARGE A FEE, OR REQUIRE  
10 REIMBURSEMENT OF EXPENSES, FOR CONSIDERING AN APPLICATION FOR A  
11 CONTRACT, FOR ISSUING A CONTRACT, OR FOR PROVIDING OVERSIGHT OF A  
12 CONTRACT FOR A CONVERSION SCHOOL IN AN AMOUNT THAT EXCEEDS A  
13 COMBINED TOTAL OF 3% OF THE TOTAL STATE SCHOOL AID RECEIVED BY THE  
14 CONVERSION SCHOOL IN THE SCHOOL YEAR IN WHICH THE FEES OR EXPENSES  
15 ARE CHARGED. AN AUTHORIZING BODY MAY PROVIDE OTHER SERVICES FOR A  
16 CONVERSION SCHOOL AND CHARGE A FEE FOR THOSE SERVICES, BUT SHALL  
17 NOT REQUIRE SUCH AN ARRANGEMENT AS A CONDITION TO ISSUING THE  
18 CONTRACT AUTHORIZING THE CONVERSION SCHOOL.

19 (10) A CONVERSION SCHOOL SHALL BE PRESUMED TO BE LEGALLY  
20 ORGANIZED IF IT HAS EXERCISED THE FRANCHISES AND PRIVILEGES OF A  
21 CONVERSION SCHOOL FOR AT LEAST 2 YEARS.

22 (11) AN AUTHORIZING BODY MAY ENTER INTO AN INTERGOVERNMENTAL  
23 AGREEMENT WITH ANOTHER AUTHORIZING BODY TO ISSUE CONVERSION SCHOOL  
24 CONTRACTS. AT A MINIMUM, THE AGREEMENT SHALL FURTHER THE PURPOSES  
25 SET FORTH IN SECTION 531(1), DESCRIBE WHICH AUTHORIZING BODY SHALL  
26 ISSUE THE CONTRACT, AND SET FORTH WHICH AUTHORIZING BODY WILL BE  
27 RESPONSIBLE FOR MONITORING COMPLIANCE BY THE BOARD OF DIRECTORS OF

1 THE CONVERSION SCHOOL WITH THE CONTRACT AND ALL APPLICABLE LAW.

2 SEC. 535. (1) AN AUTHORIZING BODY IS NOT REQUIRED TO ISSUE A  
3 CONTRACT TO ANY PERSON OR ENTITY. A CONVERSION SCHOOL CONTRACT  
4 SHALL BE ISSUED ON A COMPETITIVE BASIS TAKING INTO CONSIDERATION  
5 THE RESOURCES AVAILABLE FOR THE PROPOSED CONVERSION SCHOOL, THE  
6 POPULATION TO BE SERVED BY THE PROPOSED CONVERSION SCHOOL, AND THE  
7 EDUCATIONAL GOALS TO BE ACHIEVED BY THE PROPOSED CONVERSION SCHOOL.

8 (2) WITHIN 10 DAYS AFTER ISSUING A CONTRACT FOR A CONVERSION  
9 SCHOOL, THE AUTHORIZING BODY SHALL SUBMIT TO THE SUPERINTENDENT OF  
10 PUBLIC INSTRUCTION A COPY OF THE CONTRACT.

11 (3) AN AUTHORIZING BODY SHALL ADOPT A RESOLUTION ESTABLISHING  
12 THE METHOD OF SELECTION, LENGTH OF TERM, AND NUMBER OF MEMBERS OF  
13 THE BOARD OF DIRECTORS OF EACH CONVERSION SCHOOL SUBJECT TO ITS  
14 JURISDICTION.

15 (4) A CONTRACT ISSUED TO ORGANIZE AND ADMINISTER A CONVERSION  
16 SCHOOL SHALL CONTAIN AT LEAST ALL OF THE FOLLOWING:

17 (A) THE EDUCATIONAL GOALS THE CONVERSION SCHOOL IS TO ACHIEVE  
18 AND THE METHODS BY WHICH IT WILL BE HELD ACCOUNTABLE. THESE GOALS  
19 SHALL INCLUDE MAKING MEASURABLE PROGRESS TOWARD IMPROVED PUPIL  
20 ACADEMIC ACHIEVEMENT FOR ALL GROUPS OF PUPILS AND TOWARD MEETING  
21 SPECIFIC GOALS FOR IMPROVEMENT IN PUPIL PERFORMANCE THAT MUST BE  
22 MET BY THE CONVERSION SCHOOL. THESE GOALS SHALL INCLUDE MAKING  
23 MEASURABLE PROGRESS TOWARD AT LEAST 80% OF THE CONVERSION SCHOOL'S  
24 PUPILS GRADUATING FROM HIGH SCHOOL OR BEING DETERMINED TO BE ON  
25 TRACK TO GRADUATE FROM HIGH SCHOOL AND TOWARD THE CONVERSION SCHOOL  
26 HAVING AT LEAST 80% AVERAGE ATTENDANCE AS DETERMINED BY THE  
27 DEPARTMENT. TO THE EXTENT APPLICABLE, THE PUPIL PERFORMANCE OF A

1 CONVERSION SCHOOL SHALL BE ASSESSED USING AT LEAST A MICHIGAN  
2 EDUCATION ASSESSMENT PROGRAM (MEAP) TEST OR THE MICHIGAN MERIT  
3 EXAMINATION DEVELOPED UNDER SECTION 1279G.

4 (B) A DESCRIPTION OF THE METHOD TO BE USED TO MONITOR  
5 COMPLIANCE BY THE CONVERSION SCHOOL'S BOARD OF DIRECTORS WITH  
6 APPLICABLE LAW AND ITS PERFORMANCE IN MEETING ITS TARGETED  
7 EDUCATIONAL OBJECTIVES.

8 (C) A DESCRIPTION OF THE PROCESS FOR AMENDING THE CONTRACT  
9 DURING THE TERM OF THE CONTRACT.

10 (D) ALL OF THE MATTERS SET FORTH IN THE APPLICATION FOR THE  
11 CONTRACT.

12 (E) PROCEDURES FOR REVOKING THE CONTRACT AND GROUNDS FOR  
13 REVOKING THE CONTRACT, INCLUDING AT LEAST THE GROUNDS LISTED IN  
14 SECTION 543(4).

15 (F) THE ADDRESS FOR THE SCHOOL THAT WILL BE CONVERTED TO THE  
16 CONVERSION SCHOOL.

17 (G) REQUIREMENTS AND PROCEDURES FOR FINANCIAL AUDITS. THE  
18 FINANCIAL AUDITS SHALL BE CONDUCTED AT LEAST ANNUALLY BY A  
19 CERTIFIED PUBLIC ACCOUNTANT IN ACCORDANCE WITH GENERALLY ACCEPTED  
20 GOVERNMENTAL AUDITING PRINCIPLES.

21 (H) THE TERM OF THE CONTRACT AND A DESCRIPTION OF THE PROCESS  
22 AND STANDARDS FOR RENEWING A CONTRACT AT THE END OF THE TERM. THE  
23 TERM OF AN INITIAL CONTRACT FOR A CONVERSION SCHOOL SHALL NOT  
24 EXCEED 3 YEARS FROM THE BEGINNING OF THE SCHOOL YEAR WHEN THE  
25 CONVERSION SCHOOL IS TO BEGIN OPERATING, AS CONTAINED IN THE  
26 APPLICATION FOR THE CONTRACT UNDER SECTION 533. THE STANDARDS FOR  
27 RENEWING A CONTRACT SHALL INCLUDE INCREASES IN PUPIL ACADEMIC

1 ACHIEVEMENT FOR ALL GROUPS OF PUPILS AS MEASURED BY ASSESSMENTS AND  
2 OTHER OBJECTIVE CRITERIA AS THE MOST IMPORTANT FACTOR IN THE  
3 DECISION OF WHETHER OR NOT TO ISSUE A NEW CONTRACT.

4 (I) A CERTIFICATION, SIGNED BY AN AUTHORIZED MEMBER OF THE  
5 BOARD OF DIRECTORS OF THE CONVERSION SCHOOL, THAT THE CONVERSION  
6 SCHOOL WILL COMPLY WITH THE CONTRACT AND ALL APPLICABLE LAW.

7 (J) A REQUIREMENT THAT THE BOARD OF DIRECTORS OF THE  
8 CONVERSION SCHOOL SHALL ENSURE COMPLIANCE WITH THE REQUIREMENTS OF  
9 1968 PA 317, MCL 15.321 TO 15.330.

10 (K) A REQUIREMENT THAT THE BOARD OF DIRECTORS OF THE  
11 CONVERSION SCHOOL SHALL PROHIBIT SPECIFICALLY IDENTIFIED FAMILY  
12 RELATIONSHIPS BETWEEN MEMBERS OF THE BOARD OF DIRECTORS,  
13 INDIVIDUALS WHO HAVE AN OWNERSHIP INTEREST IN OR WHO ARE OFFICERS  
14 OR EMPLOYEES OF AN EDUCATIONAL MANAGEMENT ORGANIZATION INVOLVED IN  
15 THE OPERATION OF THE CONVERSION SCHOOL, AND EMPLOYEES OF THE  
16 CONVERSION SCHOOL. THE CONTRACT SHALL IDENTIFY THE SPECIFIC  
17 PROHIBITED RELATIONSHIPS CONSISTENT WITH APPLICABLE LAW.

18 (L) A REQUIREMENT THAT THE BOARD OF DIRECTORS OF THE CONVERSION  
19 SCHOOL SHALL MAKE INFORMATION CONCERNING ITS OPERATION AND  
20 MANAGEMENT AVAILABLE TO THE PUBLIC AND TO THE AUTHORIZING BODY IN  
21 THE SAME MANNER AS IS REQUIRED BY STATE LAW FOR SCHOOL DISTRICTS.

22 (M) A REQUIREMENT THAT THE BOARD OF DIRECTORS OF THE  
23 CONVERSION SCHOOL SHALL COLLECT, MAINTAIN, AND MAKE AVAILABLE TO  
24 THE PUBLIC AND THE AUTHORIZING BODY, IN ACCORDANCE WITH APPLICABLE  
25 LAW AND THE CONTRACT, AT LEAST ALL OF THE FOLLOWING INFORMATION  
26 CONCERNING THE OPERATION AND MANAGEMENT OF THE CONVERSION SCHOOL:

27 (i) A COPY OF THE CONTRACT ISSUED BY THE AUTHORIZING BODY FOR



1 THE CONVERSION SCHOOL.

2 (ii) A LIST OF CURRENTLY SERVING MEMBERS OF THE BOARD OF  
3 DIRECTORS OF THE CONVERSION SCHOOL, INCLUDING NAME, ADDRESS, AND  
4 TERM OF OFFICE; COPIES OF POLICIES APPROVED BY THE BOARD OF  
5 DIRECTORS; BOARD MEETING AGENDAS AND MINUTES; A COPY OF THE BUDGET  
6 APPROVED BY THE BOARD OF DIRECTORS AND OF ANY AMENDMENTS TO THE  
7 BUDGET; AND COPIES OF BILLS PAID FOR AMOUNTS OF \$10,000.00 OR MORE  
8 AS THEY WERE SUBMITTED TO THE BOARD OF DIRECTORS.

9 (iii) QUARTERLY FINANCIAL REPORTS SUBMITTED TO THE AUTHORIZING  
10 BODY.

11 (iv) A CURRENT LIST OF TEACHERS AND SCHOOL ADMINISTRATORS  
12 WORKING AT THE CONVERSION SCHOOL THAT INCLUDES THEIR INDIVIDUAL  
13 SALARIES AS SUBMITTED TO THE REGISTRY OF EDUCATIONAL PERSONNEL;  
14 COPIES OF THE TEACHING OR SCHOOL ADMINISTRATOR'S CERTIFICATES OR  
15 PERMITS OF CURRENT TEACHING AND ADMINISTRATIVE STAFF; AND EVIDENCE  
16 OF COMPLIANCE WITH THE CRIMINAL BACKGROUND AND RECORDS CHECKS AND  
17 UNPROFESSIONAL CONDUCT CHECK REQUIRED UNDER SECTIONS 1230, 1230A,  
18 AND 1230B FOR ALL TEACHERS AND ADMINISTRATORS WORKING AT THE  
19 CONVERSION SCHOOL.

20 (v) CURRICULUM DOCUMENTS AND MATERIALS GIVEN TO THE  
21 AUTHORIZING BODY.

22 (vi) PROOF OF INSURANCE AS REQUIRED BY THE CONTRACT.

23 (vii) COPIES OF FACILITY LEASES OR DEEDS, OR BOTH, AND OF ANY  
24 EQUIPMENT LEASES.

25 (viii) COPIES OF ANY MANAGEMENT CONTRACTS OR SERVICES CONTRACTS  
26 APPROVED BY THE BOARD OF DIRECTORS.

27 (ix) ALL HEALTH AND SAFETY REPORTS AND CERTIFICATES, INCLUDING

1 THOSE RELATING TO FIRE SAFETY, ENVIRONMENTAL MATTERS, ASBESTOS  
2 INSPECTION, BOILER INSPECTION, AND FOOD SERVICE.

3 (x) ANY MANAGEMENT LETTERS ISSUED AS PART OF THE ANNUAL  
4 FINANCIAL AUDIT UNDER SUBDIVISION (G).

5 (xi) ANY OTHER INFORMATION SPECIFICALLY REQUIRED UNDER THIS  
6 ACT.

7 (N) A REQUIREMENT THAT THE AUTHORIZING BODY MUST REVIEW AND  
8 MAY DISAPPROVE ANY AGREEMENT BETWEEN THE BOARD OF DIRECTORS OF THE  
9 CONVERSION SCHOOL AND AN EDUCATIONAL MANAGEMENT ORGANIZATION BEFORE  
10 THE AGREEMENT IS FINAL AND VALID. AN AUTHORIZING BODY MAY  
11 DISAPPROVE AN AGREEMENT DESCRIBED IN THIS SUBDIVISION ONLY IF THE  
12 AGREEMENT IS CONTRARY TO THE CONTRACT OR APPLICABLE LAW.

13 (O) A REQUIREMENT THAT THE BOARD OF DIRECTORS OF THE  
14 CONVERSION SCHOOL SHALL DEMONSTRATE ALL OF THE FOLLOWING TO THE  
15 SATISFACTION OF THE AUTHORIZING BODY WITH REGARD TO ITS PUPIL  
16 ADMISSION PROCESS:

17 (i) THAT THE CONVERSION SCHOOL HAS MADE A REASONABLE EFFORT TO  
18 ADVERTISE ITS ENROLLMENT OPENINGS.

19 (ii) THAT THE CONVERSION SCHOOL HAS MADE THE FOLLOWING  
20 ADDITIONAL EFFORTS TO RECRUIT PUPILS WHO ARE ELIGIBLE FOR SPECIAL  
21 EDUCATION PROGRAMS AND SERVICES OR ENGLISH AS A SECOND LANGUAGE  
22 SERVICES TO APPLY FOR ADMISSION:

23 (A) REASONABLE EFFORTS TO ADVERTISE ALL ENROLLMENT OPENINGS TO  
24 ORGANIZATIONS AND MEDIA THAT REGULARLY SERVE AND ADVOCATE FOR  
25 INDIVIDUALS WITH DISABILITIES OR CHILDREN WITH LIMITED ENGLISH-  
26 SPEAKING ABILITY WITHIN THE BOUNDARIES OF THE INTERMEDIATE SCHOOL  
27 DISTRICT IN WHICH THE CONVERSION SCHOOL IS LOCATED.

1 (B) INCLUSION IN ALL PUPIL RECRUITMENT MATERIALS OF A  
2 STATEMENT THAT APPROPRIATE SPECIAL EDUCATION SERVICES AND ENGLISH  
3 AS A SECOND LANGUAGE SERVICES WILL BE MADE AVAILABLE TO PUPILS  
4 ATTENDING THE SCHOOL AS REQUIRED BY LAW.

5 (iii) THAT THE OPEN ENROLLMENT PERIOD FOR THE CONVERSION SCHOOL  
6 IS FOR A DURATION OF AT LEAST 2 WEEKS AND THAT THE ENROLLMENT TIMES  
7 INCLUDE SOME EVENING AND WEEKEND TIMES.

8 (P) A REQUIREMENT THAT THE BOARD OF DIRECTORS OF THE  
9 CONVERSION SCHOOL SHALL PROHIBIT ANY INDIVIDUAL FROM BEING EMPLOYED  
10 BY THE CONVERSION SCHOOL IN MORE THAN 1 FULL-TIME POSITION AND  
11 SIMULTANEOUSLY BEING COMPENSATED AT A FULL-TIME RATE FOR EACH OF  
12 THOSE POSITIONS.

13 (Q) A REQUIREMENT THAT, IF REQUESTED, THE BOARD OF DIRECTORS  
14 OF THE CONVERSION SCHOOL SHALL REPORT TO THE AUTHORIZING BODY THE  
15 TOTAL COMPENSATION FOR EACH INDIVIDUAL WORKING AT THE CONVERSION  
16 SCHOOL.

17 (5) A CONVERSION SCHOOL SHALL COMPLY WITH ALL APPLICABLE LAW,  
18 INCLUDING ALL OF THE FOLLOWING:

19 (A) THE OPEN MEETINGS ACT, 1976 PA 267, MCL 15.261 TO 15.275.

20 (B) THE FREEDOM OF INFORMATION ACT, 1976 PA 442, MCL 15.231 TO  
21 15.246.

22 (C) 1947 PA 336, MCL 423.201 TO 423.217.

23 (D) 1965 PA 166, MCL 408.551 TO 408.558.

24 (E) SECTIONS 1134, 1135, 1146, 1153, 1263(3), 1267, AND 1274.

25 (F) LAW CONCERNING PARTICIPATION IN STATE ASSESSMENTS, DATA  
26 COLLECTION SYSTEMS, STATE-LEVEL STUDENT GROWTH MODELS, STATE  
27 ACCOUNTABILITY AND ACCREDITATION SYSTEMS, AND OTHER PUBLIC

1 COMPARATIVE DATA COLLECTION REQUIRED FOR PUBLIC SCHOOLS.

2 (6) A CONVERSION SCHOOL AND ITS INCORPORATORS, BOARD MEMBERS,  
3 OFFICERS, EMPLOYEES, AND VOLUNTEERS HAVE GOVERNMENTAL IMMUNITY AS  
4 PROVIDED IN SECTION 7 OF 1964 PA 170, MCL 691.1407. AN AUTHORIZING  
5 BODY AND ITS BOARD MEMBERS, OFFICERS, AND EMPLOYEES ARE IMMUNE FROM  
6 CIVIL LIABILITY, BOTH PERSONALLY AND PROFESSIONALLY, FOR AN ACT OR  
7 OMISSION IN AUTHORIZING A CONVERSION SCHOOL IF THE AUTHORIZING BODY  
8 OR THE PERSON ACTED OR REASONABLY BELIEVED HE OR SHE ACTED WITHIN  
9 THE AUTHORIZING BODY'S OR THE PERSON'S SCOPE OF AUTHORITY.

10 (7) A CONVERSION SCHOOL IS EXEMPT FROM ALL TAXATION ON ITS  
11 EARNINGS AND PROPERTY. INSTRUMENTS OF CONVEYANCE TO OR FROM A  
12 CONVERSION SCHOOL ARE EXEMPT FROM ALL TAXATION INCLUDING TAXES  
13 IMPOSED BY 1966 PA 134, MCL 207.501 TO 207.513. UNLESS THE PROPERTY  
14 IS ALREADY FULLY EXEMPT FROM REAL AND PERSONAL PROPERTY TAXES UNDER  
15 THE GENERAL PROPERTY TAX ACT, 1893 PA 206, MCL 211.1 TO 211.155,  
16 PROPERTY OCCUPIED BY A PUBLIC SCHOOL ACADEMY AND USED EXCLUSIVELY  
17 FOR EDUCATIONAL PURPOSES IS EXEMPT FROM REAL AND PERSONAL PROPERTY  
18 TAXES LEVIED FOR SCHOOL OPERATING PURPOSES UNDER SECTION 1211, TO  
19 THE EXTENT EXEMPTED UNDER THAT SECTION, AND FROM REAL AND PERSONAL  
20 PROPERTY TAXES LEVIED UNDER THE STATE EDUCATION TAX ACT, 1993 PA  
21 331, MCL 211.901 TO 211.906. A CONVERSION SCHOOL MAY NOT LEVY AD  
22 VALOREM PROPERTY TAXES OR ANOTHER TAX FOR ANY PURPOSE. HOWEVER,  
23 OPERATION OF 1 OR MORE CONVERSION SCHOOLS BY A SCHOOL DISTRICT OR  
24 INTERMEDIATE SCHOOL DISTRICT DOES NOT AFFECT THE ABILITY OF THE  
25 SCHOOL DISTRICT OR INTERMEDIATE SCHOOL DISTRICT TO LEVY AD VALOREM  
26 PROPERTY TAXES OR ANOTHER TAX.

27 (8) IF A SCHOOL DISTRICT OR INTERMEDIATE SCHOOL DISTRICT

1 APPLIES FOR AND OBTAINS A CONTRACT TO OPERATE 1 OR MORE CONVERSION  
2 SCHOOLS UNDER THIS PART, THE POWER OF THE SCHOOL DISTRICT OR  
3 INTERMEDIATE SCHOOL DISTRICT TO LEVY TAXES FOR ANY PURPOSE UNDER  
4 THIS ACT IS NOT AFFECTED BY THE OPERATION OF A CONVERSION SCHOOL BY  
5 THE SCHOOL DISTRICT OR INTERMEDIATE SCHOOL DISTRICT. REVENUE FROM  
6 TAXES LEVIED BY A SCHOOL DISTRICT OR INTERMEDIATE SCHOOL DISTRICT  
7 UNDER THIS ACT OR BONDS ISSUED BY A SCHOOL DISTRICT OR INTERMEDIATE  
8 SCHOOL DISTRICT UNDER THIS ACT MAY BE USED TO SUPPORT THE OPERATION  
9 OR FACILITIES OF A CONVERSION SCHOOL OPERATED BY THE SCHOOL  
10 DISTRICT OR INTERMEDIATE SCHOOL DISTRICT IN THE SAME MANNER AS THAT  
11 REVENUE MAY BE USED UNDER THIS ACT BY THE SCHOOL DISTRICT OR  
12 INTERMEDIATE SCHOOL DISTRICT TO SUPPORT SCHOOL DISTRICT OR  
13 INTERMEDIATE SCHOOL DISTRICT OPERATIONS AND FACILITIES. THIS  
14 SECTION DOES NOT AUTHORIZE A SCHOOL DISTRICT OR INTERMEDIATE SCHOOL  
15 DISTRICT TO LEVY TAXES OR TO ISSUE BONDS FOR ANY PURPOSE THAT IS  
16 NOT OTHERWISE AUTHORIZED UNDER THIS ACT.

17 (9) AN AGREEMENT, MORTGAGE, LOAN, OR OTHER INSTRUMENT OF  
18 INDEBTEDNESS ENTERED INTO BY A CONVERSION SCHOOL AND A THIRD PARTY  
19 DOES NOT CONSTITUTE AN OBLIGATION, EITHER GENERAL, SPECIAL, OR  
20 MORAL, OF THIS STATE OR AN AUTHORIZING BODY. THE FULL FAITH AND  
21 CREDIT OR THE TAXING POWER OF THIS STATE OR ANY AGENCY OF THIS  
22 STATE, OR THE FULL FAITH AND CREDIT OF AN AUTHORIZING BODY, MAY NOT  
23 BE PLEDGED FOR THE PAYMENT OF ANY CONVERSION SCHOOL BOND, NOTE,  
24 AGREEMENT, MORTGAGE, LOAN, OR OTHER INSTRUMENT OF INDEBTEDNESS.

25 (10) THIS PART DOES NOT IMPOSE ANY LIABILITY ON THIS STATE OR  
26 ON AN AUTHORIZING BODY FOR ANY DEBT INCURRED BY A CONVERSION  
27 SCHOOL.

1           (11) A MEMBER OF THE BOARD OF DIRECTORS OF A CONVERSION SCHOOL  
2 IS A PUBLIC OFFICER AND SHALL, BEFORE ENTERING UPON THE DUTIES OF  
3 THE OFFICE, TAKE THE CONSTITUTIONAL OATH OF OFFICE FOR PUBLIC  
4 OFFICERS UNDER SECTION 1 OF ARTICLE XI OF THE STATE CONSTITUTION OF  
5 1963.

6           SEC. 536. A CONVERSION SCHOOL SHALL BEGIN OPERATING AT THE  
7 BEGINNING OF A SCHOOL YEAR AND MAY NOT BEGIN OPERATING DURING A  
8 SCHOOL YEAR THAT HAS ALREADY BEGUN.

9           SEC. 537. (1) A CONVERSION SCHOOL SHALL NOT CHARGE TUITION AND  
10 SHALL NOT DISCRIMINATE IN ITS PUPIL ADMISSIONS POLICIES OR  
11 PRACTICES ON THE BASIS OF INTELLECTUAL OR ATHLETIC ABILITY,  
12 MEASURES OF ACHIEVEMENT OR APTITUDE, STATUS AS A STUDENT WITH A  
13 DISABILITY, OR ANY OTHER BASIS THAT WOULD BE ILLEGAL IF USED BY A  
14 SCHOOL DISTRICT. HOWEVER, A CONVERSION SCHOOL MAY LIMIT ADMISSION  
15 TO PUPILS WHO ARE WITHIN A PARTICULAR RANGE OF AGE OR GRADE LEVEL  
16 OR ON ANY OTHER BASIS THAT WOULD BE LEGAL IF USED BY A SCHOOL  
17 DISTRICT.

18           (2) EXCEPT FOR A FOREIGN EXCHANGE STUDENT WHO IS NOT A UNITED  
19 STATES CITIZEN, A CONVERSION SCHOOL SHALL NOT ENROLL A PUPIL WHO IS  
20 NOT A RESIDENT OF THIS STATE. FOR A CONVERSION SCHOOL AUTHORIZED BY  
21 A SCHOOL DISTRICT OR INTERMEDIATE SCHOOL DISTRICT, ENROLLMENT IN  
22 THE CONVERSION SCHOOL MAY BE OPEN TO ALL INDIVIDUALS WHO RESIDE IN  
23 THIS STATE WHO MEET THE ADMISSION POLICY AND SHALL BE OPEN TO ALL  
24 PUPILS WHO RESIDE WITHIN THE GEOGRAPHIC BOUNDARIES, IF ANY, OF THE  
25 AUTHORIZING BODY AS DESCRIBED IN SECTION 533(2)(A) AND (B) WHO MEET  
26 THE ADMISSION POLICY. FOR A CONVERSION SCHOOL AUTHORIZED BY A  
27 COMMUNITY COLLEGE OR A STATE PUBLIC UNIVERSITY, ENROLLMENT SHALL BE

1 OPEN TO ALL PUPILS WHO RESIDE IN THIS STATE WHO MEET THE ADMISSION  
2 POLICY. SUBJECT TO SUBSECTIONS (3) TO (5), IF THERE ARE MORE  
3 APPLICATIONS TO ENROLL IN THE CONVERSION SCHOOL THAN THERE ARE  
4 SPACES AVAILABLE, PUPILS SHALL BE SELECTED TO ATTEND USING A RANDOM  
5 SELECTION PROCESS.

6 (3) A CONVERSION SCHOOL SHALL GIVE ENROLLMENT PRIORITY TO A  
7 PUPIL WHO WAS PREVIOUSLY ENROLLED IN THE SCHOOL THAT WAS CONVERTED  
8 OR WHO RESIDES IN THE ATTENDANCE AREA FOR THAT SCHOOL AS  
9 ESTABLISHED BY THE SCHOOL DISTRICT AS OF THE TIME THE PARENTAL  
10 PETITION WAS SUBMITTED UNDER SECTION 1280D.

11 (4) A CONVERSION SCHOOL MAY GIVE ENROLLMENT PRIORITY TO 1 OR  
12 MORE OF THE FOLLOWING:

13 (A) FOR THE FIRST SCHOOL YEAR THAT THE CONVERSION SCHOOL IS IN  
14 OPERATION ONLY, A SIBLING OF A PUPIL ENROLLED IN THE CONVERSION  
15 SCHOOL.

16 (B) A PUPIL WHO TRANSFERS TO THE CONVERSION SCHOOL FROM  
17 ANOTHER PUBLIC SCHOOL PURSUANT TO A MATRICULATION AGREEMENT BETWEEN  
18 THE CONVERSION SCHOOL AND OTHER PUBLIC SCHOOL THAT PROVIDES FOR  
19 THIS ENROLLMENT PRIORITY, IF ALL OF THE FOLLOWING REQUIREMENTS ARE  
20 MET:

21 (i) EACH PUBLIC SCHOOL THAT ENTERS INTO THE MATRICULATION  
22 AGREEMENT REMAINS A SEPARATE AND INDEPENDENT PUBLIC SCHOOL.

23 (ii) THE CONVERSION SCHOOL THAT GIVES THE ENROLLMENT PRIORITY  
24 SELECTS AT LEAST 5% OF ITS PUPILS FOR ENROLLMENT USING A RANDOM  
25 SELECTION PROCESS.

26 (iii) THE MATRICULATION AGREEMENT ALLOWS ANY PUPIL WHO WAS  
27 ENROLLED AT ANY TIME DURING ELEMENTARY SCHOOL IN A PUBLIC SCHOOL

1 THAT IS PARTY TO THE MATRICULATION AGREEMENT AND WHO WAS NOT  
2 EXPELLED FROM THE PUBLIC SCHOOL TO ENROLL IN THE CONVERSION SCHOOL  
3 GIVING ENROLLMENT PRIORITY UNDER THE MATRICULATION AGREEMENT.

4 (C) A CHILD OF A PERSON WHO IS EMPLOYED BY OR AT THE  
5 CONVERSION SCHOOL OR WHO IS ON THE BOARD OF DIRECTORS OF THE  
6 CONVERSION SCHOOL. AS USED IN THIS SUBDIVISION, "CHILD" INCLUDES AN  
7 ADOPTED CHILD OR A LEGAL WARD.

8 (5) A CONVERSION SCHOOL SHALL ALLOW ANY PUPIL WHO WAS ENROLLED  
9 IN THE CONVERSION SCHOOL IN THE IMMEDIATELY PRECEDING SCHOOL YEAR  
10 TO ENROLL IN THE CONVERSION SCHOOL IN THE APPROPRIATE GRADE UNLESS  
11 THE APPROPRIATE GRADE IS NOT OFFERED AT THAT CONVERSION SCHOOL.

12 (6) A CONVERSION SCHOOL MAY INCLUDE ANY GRADE UP TO GRADE 12  
13 OR ANY CONFIGURATION OF THOSE GRADES, INCLUDING KINDERGARTEN AND  
14 EARLY CHILDHOOD EDUCATION, AS SPECIFIED IN ITS CONTRACT. A  
15 CONVERSION SCHOOL SHALL INCLUDE ALL OF THE GRADES THAT WERE  
16 PREVIOUSLY OPERATED BY THE SCHOOL THAT WAS CONVERTED. IF SPECIFIED  
17 IN ITS CONTRACT, A CONVERSION SCHOOL MAY ALSO OPERATE AN ADULT  
18 BASIC EDUCATION PROGRAM, ADULT HIGH SCHOOL COMPLETION PROGRAM, OR  
19 GENERAL EDUCATION DEVELOPMENT TESTING PREPARATION PROGRAM. THE  
20 AUTHORIZING BODY MAY APPROVE AMENDMENT OF A CONTRACT WITH RESPECT  
21 TO AGES OF PUPILS OR GRADES OFFERED.

22 SEC. 538. (1) IF THE CONVERSION SCHOOL IS AUTHORIZED BY THE  
23 BOARD OF THE SCHOOL DISTRICT, THE CONVERSION SCHOOL SHALL BE  
24 LOCATED AT THE SCHOOL BUILDING THAT WAS CONVERTED UNLESS THE BOARD  
25 OF DIRECTORS AND THE AUTHORIZING BODY OF THE CONVERSION SCHOOL  
26 DETERMINE THAT THE SCHOOL BUILDING IS UNSAFE, IS OUTDATED, OR NEEDS  
27 TO BE REBUILT ELSEWHERE WITHIN THE SAME ATTENDANCE AREA OF THE



1 SCHOOL DISTRICT, AS THAT ATTENDANCE AREA EXISTED AT THE TIME THE  
2 PARENTAL PETITION WAS SUBMITTED UNDER SECTION 1280D. IF THE  
3 CONVERSION SCHOOL IS AUTHORIZED BY ANOTHER AUTHORIZING BODY, THE  
4 CONVERSION SCHOOL SHALL BE LOCATED WITHIN THE SAME ATTENDANCE AREA  
5 OF THE SCHOOL DISTRICT THAT PREVIOUSLY OPERATED THE SCHOOL THAT WAS  
6 CONVERTED, AS THAT ATTENDANCE AREA EXISTED AT THE TIME THE PARENTAL  
7 PETITION WAS SUBMITTED UNDER SECTION 1280D, AND MAY BE LOCATED AT  
8 THE SCHOOL BUILDING THAT WAS CONVERTED PURSUANT TO THIS SECTION.

9 (2) IF A CONVERSION SCHOOL INTENDS TO USE THE SCHOOL BUILDING  
10 THAT WAS CONVERTED AS PROVIDED UNDER SUBSECTION (1), THE CONVERSION  
11 SCHOOL SHALL SEND A LETTER OF INTENT TO THE SUPERINTENDENT OF  
12 PUBLIC INSTRUCTION AND TO THE SCHOOL DISTRICT THAT OWNS THE SCHOOL  
13 BUILDING. SUBJECT TO SUBSECTION (4), WITHIN 10 DAYS AFTER RECEIPT  
14 OF THE LETTER OF INTENT, THE SCHOOL DISTRICT THAT OWNS THE SCHOOL  
15 BUILDING SHALL LEASE THE SCHOOL BUILDING TO THE CONVERSION SCHOOL  
16 FOR \$1.00 PER YEAR FOR AS LONG AS THE SCHOOL BUILDING IS USED FOR  
17 CLASSROOM INSTRUCTION BY THE CONVERSION SCHOOL OR FOR A SHORTER  
18 TERM AT THE OPTION OF THE CONVERSION SCHOOL.

19 (3) IF DURING THE TERM OF THE LEASE UNDER SUBSECTION (2) THE  
20 CONVERSION SCHOOL LEASING THE SCHOOL BUILDING CLOSES OR CEASES  
21 USING THE SCHOOL BUILDING FOR CLASSROOM INSTRUCTION, THE SCHOOL  
22 DISTRICT THAT OWNS THE SCHOOL BUILDING, WITH THE APPROVAL OF THE  
23 SUPERINTENDENT OF PUBLIC INSTRUCTION, MAY REENTER AND REPOSSESS THE  
24 SCHOOL BUILDING, TERMINATING THE CONVERSION SCHOOL'S LEASE IN THE  
25 SCHOOL BUILDING.

26 (4) A SCHOOL DISTRICT SHALL NOT LEASE A SCHOOL BUILDING UNDER  
27 THIS SECTION IF THE LEASE WOULD UNCONSTITUTIONALLY IMPAIR A BOND,

1 NOTE, SECURITY, OR UNCONTESTED LEGAL OBLIGATION OF THE SCHOOL  
2 DISTRICT.

3 (5) DURING THE TERM OF A LEASE UNDER THIS SECTION, THE  
4 CONVERSION SCHOOL LEASING THE SCHOOL BUILDING IS RESPONSIBLE FOR  
5 THE DIRECT EXPENSES RELATED TO THE SCHOOL BUILDING LEASED,  
6 INCLUDING UTILITIES, INSURANCE, MAINTENANCE, REPAIRS, AND  
7 REMODELING. THE SCHOOL DISTRICT THAT OWNS THE SCHOOL BUILDING IS  
8 RESPONSIBLE FOR ANY DEBT INCURRED FOR OR LIENS THAT ATTACHED TO THE  
9 SCHOOL BUILDING BEFORE THE CONVERSION SCHOOL LEASED THE SCHOOL  
10 BUILDING.

11 (6) A CONVERSION SCHOOL LEASING A SCHOOL BUILDING PURSUANT TO  
12 THIS SECTION AND THE SCHOOL DISTRICT MAY ENTER INTO A CONTRACT OR  
13 COOPERATIVE ARRANGEMENT CONCERNING GENERAL LIABILITY INSURANCE FOR  
14 THE CONVERSION SCHOOL.

15 (7) A SCHOOL BUILDING LEASED BY A CONVERSION SCHOOL PURSUANT  
16 TO THIS SECTION SHALL BE CONSIDERED TO BE IN CONTINUOUS USE AS A  
17 PUBLIC SCHOOL.

18 SEC. 539. IN ADDITION TO OTHER POWERS SET FORTH IN THIS PART,  
19 A CONVERSION SCHOOL MAY TAKE ACTION TO CARRY OUT THE PURPOSES FOR  
20 WHICH IT WAS INCORPORATED UNDER THIS PART, INCLUDING, BUT NOT  
21 LIMITED TO, ALL OF THE FOLLOWING:

22 (A) TO SUE AND BE SUED IN ITS NAME.

23 (B) SUBJECT TO SECTION 535(9), TO ACQUIRE, HOLD, AND OWN IN  
24 ITS OWN NAME REAL AND PERSONAL PROPERTY, OR INTERESTS IN REAL OR  
25 PERSONAL PROPERTY, FOR EDUCATIONAL PURPOSES BY PURCHASE, GIFT,  
26 GRANT, DEVISE, BEQUEST, LEASE, SUBLEASE, INSTALLMENT PURCHASE  
27 AGREEMENT, LAND CONTRACT, OPTION, OR CONDEMNATION, AND SUBJECT TO

1 MORTGAGES, SECURITY INTERESTS, OR OTHER LIENS; AND TO SELL OR  
2 CONVEY PROPERTY OWNED BY THE CONVERSION SCHOOL AS THE INTERESTS OF  
3 THE CONVERSION SCHOOL REQUIRE.

4 (C) TO RECEIVE, DISBURSE, AND PLEDGE FUNDS FOR LAWFUL  
5 PURPOSES.

6 (D) TO ENTER INTO BINDING LEGAL AGREEMENTS WITH PERSONS OR  
7 ENTITIES AS NECESSARY FOR THE OPERATION, MANAGEMENT, FINANCING, AND  
8 MAINTENANCE OF THE CONVERSION SCHOOL.

9 (E) TO INCUR TEMPORARY DEBT IN ACCORDANCE WITH SECTION 1225.

10 (F) TO SOLICIT AND ACCEPT ANY GRANTS OR GIFTS FOR EDUCATIONAL  
11 PURPOSES AND TO ESTABLISH OR PERMIT TO BE ESTABLISHED ON ITS BEHALF  
12 1 OR MORE NONPROFIT CORPORATIONS THE PURPOSE OF WHICH IS TO ASSIST  
13 THE CONVERSION SCHOOL IN THE FURTHERANCE OF ITS PUBLIC PURPOSES.

14 (G) TO BORROW MONEY AND ISSUE BONDS IN ACCORDANCE WITH SECTION  
15 1351A AND IN ACCORDANCE WITH PART VI OF THE REVISED MUNICIPAL  
16 FINANCE ACT, 2001 PA 34, MCL 141.2601 TO 141.2613, EXCEPT THAT THE  
17 BORROWING OF MONEY AND ISSUANCE OF BONDS BY A CONVERSION SCHOOL IS  
18 NOT SUBJECT TO SECTION 1351A(4) OR SECTION 1351(2) TO (4). BONDS  
19 ISSUED UNDER THIS SECTION SHALL BE FULL FAITH AND CREDIT  
20 OBLIGATIONS OF THE CONVERSION SCHOOL, PLEDGING THE GENERAL FUNDS OR  
21 ANY OTHER MONEY AVAILABLE FOR SUCH A PURPOSE. BONDS ISSUED UNDER  
22 THIS SECTION ARE SUBJECT TO THE REVISED MUNICIPAL FINANCE ACT, 2001  
23 PA 34, MCL 141.2101 TO 141.2821.

24 SEC. 541. (1) A CONVERSION SCHOOL AND EMPLOYEES OF THE  
25 CONVERSION SCHOOL ARE NOT SUBJECT TO COLLECTIVE BARGAINING  
26 AGREEMENTS THAT APPLY TO EMPLOYEES OF THE SCHOOL DISTRICT THAT  
27 OPERATED THE SCHOOL THAT WAS CONVERTED.

1           (2) EXCEPT AS OTHERWISE PROVIDED BY LAW, A CONVERSION SCHOOL  
2 SHALL USE CERTIFICATED TEACHERS ACCORDING TO STATE BOARD RULE.

3           (3) A CONVERSION SCHOOL AUTHORIZED BY A STATE PUBLIC  
4 UNIVERSITY OR COMMUNITY COLLEGE MAY USE NONCERTIFICATED INDIVIDUALS  
5 TO TEACH AS FOLLOWS:

6           (A) IF THE CONVERSION SCHOOL IS AUTHORIZED BY A STATE PUBLIC  
7 UNIVERSITY, THE CONVERSION SCHOOL MAY USE AS A CLASSROOM TEACHER IN  
8 ANY GRADE A FACULTY MEMBER WHO IS EMPLOYED FULL-TIME BY THE STATE  
9 PUBLIC UNIVERSITY AND WHO HAS BEEN GRANTED INSTITUTIONAL TENURE, OR  
10 HAS BEEN DESIGNATED AS BEING ON TENURE TRACK, BY THE STATE PUBLIC  
11 UNIVERSITY.

12           (B) FOR A CONVERSION SCHOOL AUTHORIZED BY A COMMUNITY COLLEGE,  
13 THE CONVERSION SCHOOL MAY USE AS A CLASSROOM TEACHER A FULL-TIME  
14 MEMBER OF THE COMMUNITY COLLEGE FACULTY WHO HAS AT LEAST 5 YEARS'  
15 EXPERIENCE AT THAT COMMUNITY COLLEGE IN TEACHING THE SUBJECT MATTER  
16 THAT HE OR SHE IS TEACHING AT THE CONVERSION SCHOOL.

17           (C) IN ANY OTHER SITUATION IN WHICH A SCHOOL DISTRICT IS  
18 PERMITTED UNDER THIS ACT TO USE NONCERTIFICATED TEACHERS.

19           (4) A CONVERSION SCHOOL MAY DEVELOP AND IMPLEMENT NEW TEACHING  
20 TECHNIQUES OR METHODS OR SIGNIFICANT REVISIONS TO KNOWN TEACHING  
21 TECHNIQUES OR METHODS, AND SHALL REPORT THOSE TO THE AUTHORIZING  
22 BODY AND STATE BOARD TO BE MADE AVAILABLE TO THE PUBLIC. A  
23 CONVERSION SCHOOL MAY USE ANY INSTRUCTIONAL TECHNIQUE OR DELIVERY  
24 METHOD THAT MAY BE USED BY A SCHOOL DISTRICT.

25           (5) A CONVERSION SCHOOL, WITH THE APPROVAL OF THE AUTHORIZING  
26 BODY, MAY EMPLOY OR CONTRACT WITH PERSONNEL AS NECESSARY FOR THE  
27 OPERATION OF THE CONVERSION SCHOOL, PRESCRIBE THEIR DUTIES, AND FIX

1 THEIR COMPENSATION.

2 (6) IF THE BOARD OF DIRECTORS OF A CONVERSION SCHOOL PROVIDES  
3 MEDICAL, OPTICAL, OR DENTAL BENEFITS TO EMPLOYEES AND THEIR  
4 DEPENDENTS, THE BOARD OF DIRECTORS SHALL PROVIDE THOSE BENEFITS IN  
5 ACCORDANCE WITH THE PUBLIC EMPLOYEES HEALTH BENEFIT ACT, 2007 PA  
6 106, MCL 124.71 TO 124.85, AND THE PUBLICLY FUNDED HEALTH INSURANCE  
7 CONTRIBUTION ACT, 2011 PA 152, MCL 15.561 TO 15.569, AND SHALL  
8 COMPLY WITH THOSE ACTS.

9 SEC. 543. (1) AN AUTHORIZING BODY THAT ISSUES A CONTRACT FOR A  
10 CONVERSION SCHOOL UNDER THIS PART SHALL DO ALL OF THE FOLLOWING:

11 (A) ENSURE THAT THE CONTRACT AND THE APPLICATION FOR THE  
12 CONTRACT COMPLY WITH THE REQUIREMENTS OF THIS PART.

13 (B) WITHIN 10 DAYS AFTER ISSUING THE CONTRACT, SUBMIT TO THE  
14 DEPARTMENT A COPY OF THE CONTRACT.

15 (C) ESTABLISH THE METHOD OF SELECTION, LENGTH OF TERM, AND  
16 NUMBER OF MEMBERS OF THE BOARD OF DIRECTORS OF EACH CONVERSION  
17 SCHOOL THAT IT AUTHORIZES. THE AUTHORIZING BODY SHALL ENSURE THAT  
18 THE BOARD OF DIRECTORS INCLUDES REPRESENTATION FROM THE LOCAL  
19 COMMUNITY.

20 (D) OVERSEE THE OPERATIONS OF THE BOARD OF DIRECTORS OF EACH  
21 CONVERSION SCHOOL OPERATING UNDER A CONTRACT ISSUED BY THE  
22 AUTHORIZING BODY. THE OVERSIGHT SHALL BE SUFFICIENT TO ENSURE THAT  
23 THE BOARD OF DIRECTORS IS IN COMPLIANCE WITH THE TERMS OF THE  
24 CONTRACT AND WITH APPLICABLE LAW.

25 (E) DEVELOP AND IMPLEMENT A PROCESS FOR HOLDING THE BOARD OF  
26 DIRECTORS OF A CONVERSION SCHOOL ACCOUNTABLE FOR MEETING APPLICABLE  
27 ACADEMIC PERFORMANCE STANDARDS SET FORTH IN THE CONTRACT AND FOR

1 IMPLEMENTING CORRECTIVE ACTION FOR A CONVERSION SCHOOL THAT DOES  
2 NOT MEET THOSE STANDARDS.

3 (F) TAKE NECESSARY MEASURES TO ENSURE THAT THE BOARD OF  
4 DIRECTORS OF A CONVERSION SCHOOL OPERATES INDEPENDENTLY OF ANY  
5 EDUCATIONAL MANAGEMENT COMPANY INVOLVED IN THE OPERATIONS OF THE  
6 CONVERSION SCHOOL.

7 (G) OVERSEE AND ENSURE THAT THE PUPIL ADMISSION PROCESS USED  
8 BY THE CONVERSION SCHOOL IS OPERATED IN A FAIR AND OPEN MANNER AND  
9 IS IN COMPLIANCE WITH THE CONTRACT AND THIS PART.

10 (H) ENSURE THAT THE BOARD OF DIRECTORS OF THE CONVERSION  
11 SCHOOL MAINTAINS AND RELEASES INFORMATION AS NECESSARY TO COMPLY  
12 WITH APPLICABLE LAW.

13 (2) AN AUTHORIZING BODY MAY ENTER INTO AN AGREEMENT WITH 1 OR  
14 MORE OTHER AUTHORIZING BODIES TO CARRY OUT ANY FUNCTION OF AN  
15 AUTHORIZING BODY UNDER THIS ACT.

16 (3) THE AUTHORIZING BODY FOR A CONVERSION SCHOOL IS THE FISCAL  
17 AGENT FOR THE CONVERSION SCHOOL. A STATE SCHOOL AID PAYMENT FOR A  
18 CONVERSION SCHOOL SHALL BE PAID TO THE AUTHORIZING BODY THAT IS THE  
19 FISCAL AGENT FOR THAT CONVERSION SCHOOL, AND THE AUTHORIZING BODY  
20 SHALL THEN FORWARD THE PAYMENT TO THE CONVERSION SCHOOL. WITHIN 30  
21 DAYS AFTER A CONTRACT IS SUBMITTED TO THE DEPARTMENT BY AN  
22 AUTHORIZING BODY UNDER SUBSECTION (1), THE DEPARTMENT SHALL ISSUE A  
23 DISTRICT CODE TO THE CONVERSION SCHOOL FOR WHICH THE CONTRACT WAS  
24 ISSUED. IF THE DEPARTMENT DOES NOT ISSUE A DISTRICT CODE WITHIN 30  
25 DAYS AFTER A CONTRACT IS FILED, THE STATE TREASURER SHALL ASSIGN A  
26 TEMPORARY DISTRICT CODE IN ORDER FOR THE CONVERSION SCHOOL TO  
27 RECEIVE FUNDING UNDER THE STATE SCHOOL AID ACT OF 1979.

1 (4) A CONTRACT ISSUED UNDER THIS PART MAY BE REVOKED BY THE  
2 AUTHORIZING BODY IF THE AUTHORIZING BODY DETERMINES THAT 1 OR MORE  
3 OF THE FOLLOWING HAVE OCCURRED:

4 (A) FAILURE OF THE CONVERSION SCHOOL TO DEMONSTRATE MEASURABLE  
5 PROGRESS TOWARD IMPROVED PUPIL ACADEMIC ACHIEVEMENT FOR ALL GROUPS  
6 OF PUPILS OR TOWARD MEETING THE EDUCATIONAL GOALS SET FORTH IN THE  
7 CONTRACT.

8 (B) FAILURE OF THE CONVERSION SCHOOL TO COMPLY WITH ALL  
9 APPLICABLE LAW.

10 (C) FAILURE OF THE CONVERSION SCHOOL TO MEET GENERALLY  
11 ACCEPTED PUBLIC SECTOR ACCOUNTING PRINCIPLES AND DEMONSTRATE SOUND  
12 FISCAL STEWARDSHIP.

13 (D) THE EXISTENCE OF 1 OR MORE OTHER GROUNDS FOR REVOCATION AS  
14 SPECIFIED IN THE CONTRACT.

15 (5) EXCEPT FOR A CONVERSION SCHOOL THAT IS AN ALTERNATIVE  
16 SCHOOL SERVING A SPECIAL STUDENT POPULATION, IF THE SUPERINTENDENT  
17 OF PUBLIC INSTRUCTION DETERMINES THAT A CONVERSION SCHOOL SITE THAT  
18 HAS BEEN OPERATING FOR AT LEAST 4 YEARS IS ON THE LIST REQUIRED  
19 UNDER SECTION 1280C IDENTIFYING THE PUBLIC SCHOOLS IN THIS STATE  
20 THAT THE DEPARTMENT HAS DETERMINED TO BE AMONG THE LOWEST ACHIEVING  
21 5% OF ALL PUBLIC SCHOOLS IN THIS STATE, IS IN YEAR 2 OF  
22 RESTRUCTURING SANCTIONS UNDER THE NO CHILD LEFT BEHIND ACT OF 2001,  
23 PUBLIC LAW 107-110, NOT TO INCLUDE THE INDIVIDUALIZED EDUCATION  
24 PLAN SUBGROUP, AND IS NOT CURRENTLY UNDERGOING RECONSTITUTION UNDER  
25 THIS SECTION, THE SUPERINTENDENT OF PUBLIC INSTRUCTION SHALL NOTIFY  
26 THE CONVERSION SCHOOL'S AUTHORIZING BODY. IF AN AUTHORIZING BODY  
27 RECEIVES NOTICE FROM THE SUPERINTENDENT OF PUBLIC INSTRUCTION UNDER

1 THIS SUBSECTION, THE AUTHORIZING BODY SHALL AMEND THE CONVERSION  
2 SCHOOL'S CONTRACT TO ELIMINATE THE CONVERSION SCHOOL'S AUTHORITY TO  
3 OPERATE THE EXISTING AGE AND GRADE LEVELS AT THE SITE AND THE  
4 CONVERSION SCHOOL SHALL CEASE OPERATING THE EXISTING AGE AND GRADE  
5 LEVELS AT THE SITE, EFFECTIVE AT THE END OF THE CURRENT SCHOOL  
6 YEAR. IF THE CONVERSION SCHOOL OPERATES AT ONLY 1 SITE, AND THE  
7 AUTHORIZING BODY RECEIVES NOTICE FROM THE SUPERINTENDENT OF PUBLIC  
8 INSTRUCTION UNDER THIS SUBSECTION, THE AUTHORIZING BODY SHALL  
9 REVOKE THE CONVERSION SCHOOL'S CONTRACT, EFFECTIVE AT THE END OF  
10 THE CURRENT SCHOOL YEAR.

11 (6) IF, DURING THE LAST SCHOOL YEAR BEFORE THE EXPIRATION OF  
12 THE CONVERSION SCHOOL'S INITIAL CONTRACT WITH AN AUTHORIZING BODY,  
13 A CONVERSION SCHOOL IS ON THE LIST REQUIRED UNDER SECTION 1280C  
14 IDENTIFYING THE PUBLIC SCHOOLS IN THIS STATE THAT THE DEPARTMENT  
15 HAS DETERMINED TO BE AMONG THE LOWEST ACHIEVING 5% OF ALL PUBLIC  
16 SCHOOLS IN THIS STATE, THE BOARD OF DIRECTORS OF THE CONVERSION  
17 SCHOOL SHALL NOT SEEK TO RENEW THE CONTRACT WITH THAT AUTHORIZING  
18 BODY OR TO OBTAIN A NEW CONTRACT FROM THAT AUTHORIZING BODY.

19 (7) THE DECISION OF AN AUTHORIZING BODY TO ISSUE, NOT ISSUE,  
20 OR RECONSTITUTE A CONTRACT UNDER THIS PART, OR TO TERMINATE OR  
21 REVOKE A CONTRACT UNDER THIS SECTION, IS SOLELY WITHIN THE  
22 DISCRETION OF THE AUTHORIZING BODY, IS FINAL, AND IS NOT SUBJECT TO  
23 REVIEW BY A COURT OR ANY STATE AGENCY. AN AUTHORIZING BODY THAT  
24 ISSUES, DOES NOT ISSUE, OR RECONSTITUTES A CONTRACT UNDER THIS  
25 PART, OR THAT TERMINATES OR REVOKES A CONTRACT UNDER THIS SECTION,  
26 IS NOT LIABLE FOR THAT ACTION TO THE CONVERSION SCHOOL, THE  
27 CONVERSION SCHOOL CORPORATION, A PUPIL OF THE CONVERSION SCHOOL,



1 THE PARENT OR GUARDIAN OF A PUPIL OF THE CONVERSION SCHOOL, OR ANY  
2 OTHER PERSON.

3 (8) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (5), BEFORE AN  
4 AUTHORIZING BODY REVOKES A CONTRACT, THE AUTHORIZING BODY MAY  
5 CONSIDER AND TAKE CORRECTIVE MEASURES TO AVOID REVOCATION. AN  
6 AUTHORIZING BODY MAY RECONSTITUTE THE CONVERSION SCHOOL IN A FINAL  
7 ATTEMPT TO IMPROVE PUPIL EDUCATIONAL PERFORMANCE OR TO AVOID  
8 INTERRUPTION OF THE EDUCATIONAL PROCESS. AN AUTHORIZING BODY SHALL  
9 INCLUDE A RECONSTITUTING PROVISION IN THE CONTRACT THAT IDENTIFIES  
10 THESE CORRECTIVE MEASURES, INCLUDING, BUT NOT LIMITED TO, CANCELING  
11 A CONTRACT WITH AN EDUCATIONAL MANAGEMENT ORGANIZATION, IF ANY,  
12 WITHDRAWING APPROVAL OF A CONTRACT UNDER SECTION 541(5), OR  
13 APPOINTING A NEW BOARD OF DIRECTORS OR A TRUSTEE TO TAKE OVER  
14 OPERATION OF THE CONVERSION SCHOOL.

15 (9) IF AN AUTHORIZING BODY REVOKES A CONTRACT, THE AUTHORIZING  
16 BODY SHALL WORK WITH THE SCHOOL DISTRICT THAT OPERATED THE SCHOOL  
17 THAT WAS CONVERTED, THE STATE SCHOOL REFORM/REDESIGN OFFICER, OR  
18 ANOTHER SCHOOL DISTRICT OR PUBLIC SCHOOL, OR WITH A COMBINATION OF  
19 THESE ENTITIES, TO ENSURE A SMOOTH TRANSITION FOR THE AFFECTED  
20 PUPILS. IF AT THE TIME OF REVOCATION THE CONVERSION SCHOOL IS ON  
21 THE LIST REQUIRED UNDER SECTION 1280C IDENTIFYING THE PUBLIC  
22 SCHOOLS IN THIS STATE THAT THE DEPARTMENT HAS DETERMINED TO BE  
23 AMONG THE LOWEST ACHIEVING 5% OF ALL PUBLIC SCHOOLS IN THIS STATE  
24 AND WAS IN CONTINUOUS OPERATION IN THE SAME SCHOOL BUILDING AS WAS  
25 OCCUPIED BY THE SCHOOL THAT WAS CONVERTED, THE STATE SCHOOL  
26 REFORM/REDESIGN OFFICER SHALL IMPLEMENT A NEW RESTRUCTURING MODEL  
27 IN THAT SCHOOL BUILDING UNDER SECTION 1280C. IF THE REVOCATION

1 OCCURS DURING THE SCHOOL YEAR, THE AUTHORIZING BODY, AS THE FISCAL  
2 AGENT FOR THE CONVERSION SCHOOL UNDER THIS PART, SHALL RETURN ANY  
3 SCHOOL AID FUNDS HELD BY THE AUTHORIZING BODY THAT ARE ATTRIBUTABLE  
4 TO THE AFFECTED PUPILS TO THE STATE TREASURER FOR DEPOSIT INTO THE  
5 STATE SCHOOL AID FUND. THE STATE TREASURER SHALL DISTRIBUTE FUNDS  
6 TO THE PUBLIC SCHOOL IN WHICH THE PUPILS ENROLL AFTER THE  
7 REVOCATION PURSUANT TO A METHODOLOGY ESTABLISHED BY THE DEPARTMENT  
8 AND THE CENTER FOR EDUCATIONAL PERFORMANCE AND INFORMATION.

9 (10) NOT MORE THAN 10 DAYS AFTER A CONVERSION SCHOOL'S  
10 CONTRACT TERMINATES OR IS REVOKED, THE AUTHORIZING BODY SHALL  
11 NOTIFY THE SUPERINTENDENT OF PUBLIC INSTRUCTION IN WRITING OF THE  
12 NAME OF THE CONVERSION SCHOOL WHOSE CONTRACT HAS TERMINATED OR BEEN  
13 REVOKED AND THE DATE OF CONTRACT TERMINATION OR REVOCATION.

14 Sec. 1280c. (1) Beginning in 2010, not later than September 1  
15 of each year, the superintendent of public instruction shall  
16 publish a list identifying the public schools in this state that  
17 the department has determined to be among the lowest achieving 5%  
18 of all public schools in this state, as defined for the purposes of  
19 the federal incentive grant program created under sections 14005  
20 and 14006 of title XIV of the American recovery and reinvestment  
21 act of 2009, Public Law 111-5.

22 (2) Except as otherwise provided in subsection (16), **WITHIN 7**  
23 **DAYS AFTER PUBLISHING THE LIST UNDER SUBSECTION (1),** the  
24 superintendent of public instruction shall issue an order placing  
25 each public school that is included on the list under subsection  
26 (1) under the supervision of the state school reform/redesign  
27 officer described in subsection (9). ~~Within~~**SUBJECT TO SECTION**

1 **1280D, WITHIN** 90 days after a public school is placed under the  
2 supervision of the state school reform/redesign officer under this  
3 section, the school board or board of directors operating the  
4 public school shall submit a redesign plan to the state school  
5 reform/redesign officer. For a public school operated by a school  
6 board, the redesign plan shall be developed with input from the  
7 local teacher bargaining unit and the local superintendent. The  
8 redesign plan shall require implementation of 1 of the 4 school  
9 intervention models that are provided for the lowest achieving  
10 schools under the federal incentive grant program created under  
11 sections 14005 and 14006 of title XIV of the American recovery and  
12 reinvestment act of 2009, Public Law 111-5, known as the "race to  
13 the top" grant program. These models are the turnaround model,  
14 restart model, school closure, and transformation model. The  
15 redesign plan shall include an executed addendum to each applicable  
16 collective bargaining agreement in effect for the public school  
17 that meets the requirements of subsection (8).

18 (3) Within 30 days after receipt of a redesign plan for a  
19 public school under subsection (2), the state school  
20 reform/redesign officer shall issue an order approving,  
21 disapproving, or making changes to the redesign plan. If the order  
22 makes changes to the redesign plan, the school board or board of  
23 directors has 30 days after the order to change the redesign plan  
24 to incorporate those changes into the redesign plan and resubmit it  
25 to the state school reform/redesign officer for approval or  
26 disapproval.

27 (4) The state school reform/redesign officer shall not

1 disapprove a redesign plan that includes all of the elements  
2 required under federal law for the school intervention model  
3 included in the redesign plan. A school board or board of directors  
4 may appeal disapproval of a redesign plan on this basis to the  
5 superintendent of public instruction. The decision of the  
6 superintendent of public instruction on the appeal is final.

7 (5) If the state school reform/redesign officer approves a  
8 redesign plan under this section, the school board or board of  
9 directors shall implement the redesign plan for the public school  
10 beginning with the beginning of the next school year that begins  
11 after the approval. The school board or board of directors shall  
12 regularly submit monitoring reports to the state school  
13 reform/redesign officer on the implementation and results of the  
14 plan in the form and manner, and according to a schedule, as  
15 determined by the state school reform/redesign officer.

16 (6) The state school reform/redesign school district is  
17 created. The state school reform/redesign school district is a  
18 school district for the purposes of section 11 of article IX of the  
19 state constitution of 1963 and for receiving state school aid under  
20 the state school aid act of 1979 and is subject to the leadership  
21 and general supervision of the state board over all public  
22 education under section 3 of article VIII of the state constitution  
23 of 1963. The state school reform/redesign school district is a body  
24 corporate and is a governmental agency. Except as otherwise  
25 provided in subsection (7) **AND IN SECTION 1280D(11)**, if the state  
26 school reform/redesign officer does not approve the redesign plan,  
27 or if the state school reform/redesign officer determines that the

1 redesign plan is not achieving satisfactory results, the state  
2 school reform/redesign officer shall issue an order placing the  
3 public school in the state school reform/redesign school district,  
4 imposing for the public school implementation of 1 of the 4 school  
5 intervention models described in subsection (2) beginning with the  
6 beginning of the next school year, and imposing an addendum to each  
7 applicable collective bargaining agreement in effect for the public  
8 school as necessary to implement the school intervention model and  
9 that meets the requirements of subsection (8). All of the following  
10 apply to the state school reform/redesign school district:

11 (a) The state school reform/redesign school district shall  
12 consist of schools that are placed in the state school  
13 reform/redesign school district.

14 (b) The state school reform/redesign officer shall act as the  
15 superintendent of the state school reform/redesign school district.  
16 With respect to schools placed in the state school reform/redesign  
17 school district, the state school reform/redesign officer has all  
18 of the powers and duties described in this section; all of the  
19 provisions of this act that would otherwise apply to the school  
20 board that previously operated a school placed in the state school  
21 reform/redesign school district apply to the state school  
22 reform/redesign officer with respect to that school, except those  
23 relating to taxation or borrowing; except as otherwise provided in  
24 this section, the state school reform/redesign officer may exercise  
25 all the powers and duties otherwise vested by law in the school  
26 board that previously operated a school placed in the state school  
27 reform/redesign school district and in its officers, except those

1 relating to taxation or borrowing, and may exercise all additional  
2 powers and duties provided under this section; and, except as  
3 otherwise provided in this section, the state school  
4 reform/redesign officer accedes to all the rights, duties, and  
5 obligations of the school board with respect to that school. These  
6 powers, rights, duties, and obligations include, but are not  
7 limited to, all of the following:

8 (i) Authority over the expenditure of all funds attributable to  
9 pupils at that school, including that portion of proceeds from  
10 bonded indebtedness and other funds dedicated to capital projects  
11 that would otherwise be apportioned to that school by the school  
12 board that previously operated the school according to the terms of  
13 the bond issue or financing documents.

14 (ii) Subject to subsection (8), rights and obligations under  
15 collective bargaining agreements and employment contracts entered  
16 into by the school board for employees at the school.

17 (iii) Rights to prosecute and defend litigation.

18 (iv) Rights and obligations under statute, rule, and common  
19 law.

20 (v) Authority to delegate any of the state school  
21 reform/redesign officer's powers and duties to 1 or more designees,  
22 with proper supervision by the state school reform/redesign  
23 officer.

24 (vi) Power to terminate any contract or portion of a contract  
25 entered into by the school board that applies to that school.  
26 However, this subsection does not allow any termination or  
27 diminishment of obligations to pay debt service on legally

1 authorized bonds and does not allow a collective bargaining  
2 agreement to be affected except as provided under subsection (8). A  
3 contract terminated by the state school reform/redesign officer  
4 under this subsection is void.

5 (7) If the state school reform/redesign officer determines  
6 that better educational results are likely to be achieved by  
7 appointing a chief executive officer to take control of multiple  
8 public schools, the state school reform/redesign officer may make a  
9 recommendation to the superintendent of public instruction for  
10 appointment of a chief executive officer to take control over those  
11 multiple schools. If the superintendent of public instruction  
12 appoints a chief executive officer to take control of multiple  
13 public schools under this subsection, the chief executive officer  
14 shall impose for those public schools implementation of 1 of the 4  
15 school intervention models described in subsection (2) and impose  
16 an addendum to each applicable collective bargaining agreement in  
17 effect for those public schools as necessary to implement the  
18 school intervention model and that meets the requirements of  
19 subsection (8). With respect to those public schools, the chief  
20 executive officer has all of the same powers and duties that the  
21 state school reform/redesign officer has for public schools placed  
22 in the state school reform/redesign school district under  
23 subsection (6). The chief executive officer shall regularly submit  
24 monitoring reports to the state school reform/redesign officer on  
25 the implementation and results of the intervention model in the  
26 form and manner, and according to a schedule, as determined by the  
27 state school reform/redesign officer. The chief executive officer

1 shall exercise any other powers or duties over the public schools  
2 as may be directed by the superintendent of public instruction.

3 (8) An addendum to a collective bargaining agreement under  
4 this section shall provide for any of the following that are  
5 necessary for the applicable school intervention model to be  
6 implemented at each affected public school:

7 (a) That any contractual or other seniority system that would  
8 otherwise be applicable shall not apply at the public school. This  
9 subdivision does not allow unilateral changes in pay scales or  
10 benefits.

11 (b) That any contractual or other work rules that are  
12 impediments to implementing the redesign plan shall not apply at  
13 the public school. This subdivision does not allow unilateral  
14 changes in pay scales or benefits.

15 (c) That the state school reform/redesign officer shall direct  
16 the expenditure of all funds attributable to pupils at the public  
17 school and the principal or other school leader designated by the  
18 state school reform/redesign officer shall have full autonomy and  
19 control over curriculum and discretionary spending at the public  
20 school.

21 (9) The superintendent of public instruction shall hire a  
22 state school reform/redesign officer to carry out the functions  
23 under this section and as otherwise prescribed by law. The state  
24 school reform/redesign officer shall be chosen solely on the basis  
25 of his or her competence and experience in educational reform and  
26 redesign. The state school reform/redesign officer is exempt from  
27 civil service. The state school reform/redesign officer is



1 responsible directly to the superintendent of public instruction to  
2 ensure that the purposes of this section are carried out, and  
3 accordingly the position of state school reform/redesign officer  
4 should be a position within the department that is exempt from the  
5 classified state civil service. The department shall request that  
6 the civil service commission establish the position of state school  
7 reform/redesign officer as a position that is exempt from the  
8 classified state civil service.

9 (10) If the state school reform/redesign officer imposes the  
10 restart model for a public school in the state school  
11 reform/redesign school district, or a chief executive officer under  
12 subsection (7) imposes the restart model for multiple public  
13 schools under that subsection, all of the following apply:

14 (a) The state school reform/redesign officer or chief  
15 executive officer shall enter into an agreement with an educational  
16 management organization to manage and operate the public school or  
17 schools. The state school reform/redesign officer or chief  
18 executive officer shall provide sufficient oversight to ensure that  
19 the public school or schools will be operated according to all of  
20 the requirements for a restart model.

21 (b) There shall be considered to be no collective bargaining  
22 agreement in effect that applies to employees working at the public  
23 school or schools under this model at the time of imposition of the  
24 model.

25 (11) If the state school reform/redesign officer imposes the  
26 turnaround model for a public school in the state school  
27 reform/redesign school district, or a chief executive officer under

1 subsection (7) imposes the turnaround model for multiple public  
2 schools under that subsection, all of the following apply:

3 (a) A collective bargaining agreement that applies to  
4 employees working at the public school or schools under this model  
5 at the time of imposition of the model, and any successor  
6 collective bargaining agreement, continues to apply with respect to  
7 pay scales and benefits.

8 (b) Subject to any addendum to the collective bargaining  
9 agreement that applies to the public school or schools, an employee  
10 who is working at the public school or schools and who was  
11 previously employed in the same school district that previously  
12 operated that school shall continue to retain and accrue seniority  
13 rights in that school district according to the collective  
14 bargaining agreement that applies to employees of that school  
15 district.

16 (12) If more than 9 public schools operated by a school  
17 district are on the list under subsection (1), the transformation  
18 model may not be implemented for more than 50% of those schools.

19 (13) If the state school reform/redesign officer determines  
20 that a public school that is subject to the measures under  
21 subsection (6) or (7) has made significant improvement in pupil  
22 achievement and should be released from the measures that have been  
23 imposed under subsection (6) or (7), the state school  
24 reform/redesign officer may recommend this to the superintendent of  
25 public instruction. If the superintendent of public instruction  
26 agrees with the determination and recommendation, the  
27 superintendent of public instruction may release the public school

1 from the measures that have been imposed under subsection (6) or  
2 (7).

3 (14) At least annually, the state school reform/redesign  
4 officer shall submit a report to the standing committees of the  
5 senate and house of representatives having jurisdiction over  
6 education legislation on the progress being made in improving pupil  
7 proficiency due to the measures under this section.

8 (15) As soon as practicable after the federal department of  
9 education has adopted the final work rules and formula for  
10 identifying the lowest achieving 5% of all public schools in this  
11 state for the purposes of the federal incentive grant program  
12 created under sections 14005 and 14006 of title XIV of the American  
13 recovery and reinvestment act of 2009, Public Law 111-5, known as  
14 the "race to the top" grant program, the department shall post all  
15 of the following on its website:

16 (a) The federal work rules and formula.

17 (b) A list of the public schools in this state that have been  
18 identified for these purposes as being among the lowest achieving  
19 5% of all public schools in this state. The department shall update  
20 this list as it considers appropriate.

21 (16) If a school that is included on the list under subsection  
22 (1) is operated by a school district in which an emergency  
23 **FINANCIAL** manager is in place under the local government ~~and school~~  
24 ~~district-fiscal accountability-RESPONSIBILITY~~ act, **1990 PA 72, MCL**  
25 **141.1201 TO 141.1291, OR AN EMERGENCY MANAGER IS IN PLACE UNDER**  
26 **2012 PA 436**, then the superintendent of public instruction shall  
27 not issue an order placing the school under the supervision of the

1 state school reform/redesign officer. HOWEVER, IF A PARENTAL  
2 PETITION MEETING THE REQUIREMENTS OF SECTION 1280D HAS BEEN  
3 SUBMITTED AND IS CERTIFIED BY THE DEPARTMENT UNDER THAT SECTION,  
4 THE EMERGENCY FINANCIAL MANAGER AND THE STATE SCHOOL  
5 REFORM/REDESIGN OFFICER SHALL IMPLEMENT THE SCHOOL INTERVENTION  
6 MODEL AND REDESIGN PLAN RECOMMENDED IN THE PARENTAL PETITION WITH  
7 THE EMERGENCY FINANCIAL MANAGER ACTING IN THE CAPACITY OF THE  
8 SCHOOL BOARD.

9 SEC. 1280D. (1) WITHIN 7 DAYS AFTER A PUBLIC SCHOOL IS PLACED  
10 UNDER THE SUPERVISION OF THE STATE SCHOOL REFORM/REDESIGN OFFICER  
11 UNDER SECTION 1280C(2), THE SCHOOL BOARD OR BOARD OF DIRECTORS  
12 OPERATING THE PUBLIC SCHOOL SHALL ISSUE A WRITTEN NOTIFICATION TO  
13 THE PARENT OR LEGAL GUARDIAN OF EACH PUPIL ENROLLED IN THE PUBLIC  
14 SCHOOL AND SHALL PUBLISH THIS NOTIFICATION ON ITS INTERNET WEBSITE  
15 HOMEPAGE. THIS NOTIFICATION SHALL INCLUDE ALL OF THE FOLLOWING:

16 (A) AN EXPLANATION THAT THE PUBLIC SCHOOL HAS BEEN PLACED  
17 UNDER THE SUPERVISION OF THE STATE SCHOOL REFORM/REDESIGN OFFICER  
18 DUE TO ITS PUPIL PERFORMANCE AND THAT, UNLESS A PETITION IS  
19 SUBMITTED TO THE DEPARTMENT BY THE PARENTS OF THE PUPILS AT THE  
20 SCHOOL RECOMMENDING A SCHOOL INTERVENTION MODEL, THE SCHOOL BOARD  
21 OR BOARD OF DIRECTORS WILL WORK WITH THE STATE SCHOOL  
22 REFORM/REDESIGN OFFICER TO ADOPT AND IMPLEMENT A SCHOOL  
23 INTERVENTION MODEL AND REDESIGN PLAN FOR THE SCHOOL, AS PROVIDED  
24 UNDER SECTION 1280C.

25 (B) AN EXPLANATION OF EACH SCHOOL INTERVENTION MODEL THAT IS  
26 AVAILABLE AS AN OPTION TO THE SCHOOL BOARD OR BOARD OF DIRECTORS  
27 AND TO THE PARENTS AND LEGAL GUARDIANS.

1 (C) AN EXPLANATION OF THE PROCESS, REQUIREMENTS, AND TIMELINE  
2 FOR ELIGIBLE PARENTS AND LEGAL GUARDIANS TO SUBMIT A PARENTAL  
3 PETITION TO THE DEPARTMENT TO RECOMMEND A SCHOOL INTERVENTION MODEL  
4 UNDER SUBSECTION (3). THIS EXPLANATION SHALL INCLUDE A DESCRIPTION  
5 OF WHO IS AN ELIGIBLE PARENT OR LEGAL GUARDIAN, THE PERCENTAGES OF  
6 ELIGIBLE PARENTS AND LEGAL GUARDIANS THAT MUST SIGN A PARENTAL  
7 PETITION FOR IT TO BE EFFECTIVE UNDER SUBSECTION (3), THE ACTUAL  
8 TOTAL NUMBER THAT WOULD BE REQUIRED TO MEET EACH OF THOSE  
9 PERCENTAGES, AND THE DEADLINE AND PROCESS FOR SUBMITTING THE  
10 PARENTAL PETITION.

11 (D) A DESCRIPTION OF THE CONSEQUENCES OF A SCHOOL INTERVENTION  
12 MODEL RECOMMENDED BY A PARENTAL PETITION UNDER THIS SECTION  
13 COMPARED TO THE CONSEQUENCES OF A REDESIGN PLAN IMPLEMENTED UNDER  
14 SECTION 1278C(2), INCLUDING THE DIFFERENT CONSEQUENCES WITH REGARD  
15 TO BEING PLACED IN THE STATE SCHOOL REFORM/REDESIGN SCHOOL  
16 DISTRICT.

17 (E) A NOTIFICATION OF THE DATE, TIME, AND LOCATION OF EACH  
18 SCHOOL BOARD OR BOARD OF DIRECTORS PUBLIC HEARING REQUIRED UNDER  
19 SUBSECTION (2).

20 (2) WITHIN 30 DAYS AFTER ISSUING THE WRITTEN NOTIFICATION  
21 UNDER SUBSECTION (1), MEMBERS OF THE SCHOOL BOARD OR BOARD OF  
22 DIRECTORS AND SCHOOL PERSONNEL SHALL HOLD AT LEAST 2 PUBLIC  
23 HEARINGS TO DISCUSS THE PUBLIC SCHOOL'S STATUS AS BEING AMONG THE  
24 LOWEST ACHIEVING 5% OF ALL PUBLIC SCHOOLS IN THIS STATE AND THE  
25 CONSEQUENCES, REQUIREMENTS, AND INTERVENTION MODELS UNDER THIS  
26 SECTION AND SECTION 1280C. THIS HEARING IS REQUIRED ONLY FOR THE  
27 FIRST YEAR OF BEING PLACED UNDER THE SUPERVISION OF THE STATE

1 SCHOOL REFORM/REDESIGN OFFICER.

2 (3) WITHIN 90 DAYS AFTER A PUBLIC SCHOOL IS PLACED UNDER THE  
3 SUPERVISION OF THE STATE SCHOOL REFORM/REDESIGN OFFICER UNDER  
4 SECTION 1280C(2), A PARENTAL PETITION MAY BE SUBMITTED TO THE  
5 DEPARTMENT RECOMMENDING A SINGLE SCHOOL INTERVENTION MODEL TO BE  
6 IMPLEMENTED FOR THE PUBLIC SCHOOL IN A REDESIGN PLAN. WITHIN 30  
7 DAYS OF RECEIVING A PARENTAL PETITION, THE DEPARTMENT SHALL DO BOTH  
8 OF THE FOLLOWING:

9 (A) FORWARD A COPY OF THE PETITION TO THE SCHOOL BOARD OR  
10 BOARD OF DIRECTORS OPERATING THE PUBLIC SCHOOL, THE INTERMEDIATE  
11 SCHOOL DISTRICT IN WHICH THE PUBLIC SCHOOL IS LOCATED, AND THE  
12 STATE SCHOOL REFORM/REDESIGN OFFICER. THE DEPARTMENT AND THE SCHOOL  
13 BOARD OR BOARD OF DIRECTORS SHALL MAKE THE PETITION AND THE  
14 SIGNATURES ON THE PETITION AVAILABLE FOR PUBLIC INSPECTION AND  
15 COPYING IN ACCORDANCE WITH THE FREEDOM OF INFORMATION ACT, 1976 PA  
16 442, MCL 15.231 TO 15.246. HOWEVER, IF THE PETITION INCLUDES THE  
17 NAMES OF PUPILS, THE DEPARTMENT AND THE SCHOOL BOARD OR BOARD OF  
18 DIRECTORS SHALL REDACT THOSE NAMES BEFORE MAKING THE PETITION  
19 AVAILABLE FOR INSPECTION AND COPYING.

20 (B) EXAMINE THE PETITION TO DETERMINE IF IT CONTAINS THE  
21 NUMBER OF VALID SIGNATURES REQUIRED UNDER SUBSECTION (4) AND A  
22 SINGLE SCHOOL INTERVENTION MODEL TO BE IMPLEMENTED FOR THE PUBLIC  
23 SCHOOL IN A REDESIGN PLAN. THE DEPARTMENT SHALL VERIFY THAT A  
24 SIGNATURE ON A PETITION IS THAT OF AN ELIGIBLE PARENT OR LEGAL  
25 GUARDIAN. FOR THE PURPOSES OF DETERMINING THE NUMBER OF VALID  
26 SIGNATURES, A SINGLE INDIVIDUAL'S SIGNATURE SHALL NOT BE COUNTED  
27 MORE THAN ONCE, AND NOT MORE THAN 2 SIGNATURES MAY BE COUNTED PER

1 PUPIL.

2 (4) IF THE DEPARTMENT CERTIFIES THAT A PARENTAL PETITION  
3 SUBMITTED UNDER SUBSECTION (3) HAS BEEN SUBMITTED WITHIN THE  
4 APPLICABLE TIME LIMIT, CONTAINS VALID SIGNATURES MEETING THE  
5 NUMERICAL REQUIREMENTS OF SUBSECTION (5), OR OF AT LEAST 51% OF THE  
6 ELIGIBLE PARENTS OR LEGAL GUARDIANS AND AT LEAST 60% OF THE  
7 ELIGIBLE TEACHERS, AND RECOMMENDS A SCHOOL INTERVENTION MODEL THAT  
8 MAY BE IMPLEMENTED FOR THE PUBLIC SCHOOL IN A REDESIGN PLAN UNDER  
9 SECTION 1280C, THEN ALL OF THE FOLLOWING APPLY:

10 (A) THE DEPARTMENT SHALL NOTIFY THE PERSON SUBMITTING THE  
11 PARENTAL PETITION AND THE SCHOOL BOARD OR BOARD OF DIRECTORS  
12 OPERATING THE PUBLIC SCHOOL THAT THE PETITION HAS BEEN CERTIFIED.

13 (B) IF THE SCHOOL INTERVENTION MODEL THAT IS RECOMMENDED IN  
14 THE PETITION IS A RESTRUCTURING OPTION OTHER THAN THE RESTART  
15 MODEL, THE SCHOOL BOARD OR BOARD OF DIRECTORS SHALL WORK WITH THE  
16 STATE SCHOOL REFORM/REDESIGN OFFICER TO IMPLEMENT THE RECOMMENDED  
17 SCHOOL INTERVENTION MODEL IN A REDESIGN PLAN FOR THE FOLLOWING  
18 SCHOOL YEAR. HOWEVER, IF THE SCHOOL BOARD OR BOARD OF DIRECTORS HAS  
19 ALREADY ADOPTED AND HAS IMPLEMENTED OR IS IN THE PROCESS OF  
20 IMPLEMENTING A REDESIGN PLAN AT THE TIME THE PETITION IS SUBMITTED,  
21 THE SCHOOL BOARD OR BOARD OF DIRECTORS AND THE STATE SCHOOL  
22 REFORM/REDESIGN OFFICER SHALL INCORPORATE ELEMENTS OF THE PARENTAL  
23 PETITION TO THE EXTENT THAT THOSE ELEMENTS ARE CONSISTENT WITH THE  
24 REDESIGN PLAN THAT HAS ALREADY BEEN ADOPTED.

25 (C) IF THE SCHOOL INTERVENTION MODEL THAT IS RECOMMENDED IN  
26 THE PETITION IS THE RESTART MODEL, AND IF THE PUBLIC SCHOOL IS NOT  
27 A PUBLIC SCHOOL ACADEMY, THE PARENTS AND LEGAL GUARDIANS MAY SUBMIT

1 TO AN AUTHORIZING BODY AN APPLICATION FOR A CONTRACT TO OPERATE THE  
2 PUBLIC SCHOOL AS A CONVERSION SCHOOL AS PROVIDED UNDER PART 6D. IF  
3 A CONTRACT TO OPERATE THE PUBLIC SCHOOL AS A CONVERSION SCHOOL IS  
4 OBTAINED UNDER PART 6D, THEN THE PUBLIC SCHOOL SHALL BE OPERATED AS  
5 A CONVERSION SCHOOL UNDER PART 6D BEGINNING IN THE FOLLOWING SCHOOL  
6 YEAR. IF THE PARENTAL PETITION RECOMMENDED THE RESTART MODEL BUT AN  
7 APPLICATION FOR A CONTRACT TO OPERATE THE PUBLIC SCHOOL AS A  
8 CONVERSION SCHOOL UNDER PART 6D IS NOT SUBMITTED OR IF THE  
9 APPLICANTS ARE UNABLE TO OBTAIN A CONTRACT TO OPERATE THE PUBLIC  
10 SCHOOL AS A CONVERSION SCHOOL WITHIN 60 DAYS AFTER THE PETITION IS  
11 CERTIFIED, OR IF THE PUBLIC SCHOOL IS A PUBLIC SCHOOL ACADEMY, THEN  
12 ALL OF THE FOLLOWING APPLY:

13 (i) THE SCHOOL BOARD OR BOARD OF DIRECTORS SHALL WORK WITH THE  
14 STATE SCHOOL REFORM/REDESIGN OFFICER TO IMPLEMENT THE RESTART MODEL  
15 FOR THE FOLLOWING SCHOOL YEAR IN THE MANNER PROVIDED UNDER SECTION  
16 1280C(10).

17 (ii) IF THE SCHOOL BOARD OR BOARD OF DIRECTORS DOES NOT  
18 IMPLEMENT THE RESTART MODEL, THE STATE SCHOOL REFORM/REDESIGN  
19 OFFICER SHALL ISSUE AN ORDER PLACING THE PUBLIC SCHOOL IN THE STATE  
20 SCHOOL REFORM/REDESIGN SCHOOL DISTRICT, IMPOSING FOR THE PUBLIC  
21 SCHOOL IMPLEMENTATION OF 1 OF THE SCHOOL INTERVENTION MODELS  
22 DESCRIBED IN SECTION 1280C(2) BEGINNING WITH THE BEGINNING OF THE  
23 NEXT SCHOOL YEAR, AND IMPOSING AN ADDENDUM TO EACH APPLICABLE  
24 COLLECTIVE BARGAINING AGREEMENT IN EFFECT FOR THE PUBLIC SCHOOL AS  
25 NECESSARY TO IMPLEMENT THE SCHOOL INTERVENTION MODEL AND THAT MEETS  
26 THE REQUIREMENTS OF SECTION 1280C(8).

27 (5) THE NUMBER OF VALID SIGNATURES REQUIRED TO BE CONTAINED ON



1 A PARENTAL PETITION UNDER SUBSECTION (3) IS EITHER OF THE  
2 FOLLOWING:

3 (A) A NUMBER OF SIGNATURES OF ELIGIBLE PARENTS OR LEGAL  
4 GUARDIANS THAT EQUALS AT LEAST 60% OF THE ELIGIBLE PARENTS OR LEGAL  
5 GUARDIANS, WITH AT LEAST 51.1% OF THE PUPILS ENROLLED IN THE SCHOOL  
6 AT THE TIME THE PARENTAL PETITION IS SUBMITTED UNDER SUBSECTION (3)  
7 REPRESENTED BY THE SIGNATURE OF AT LEAST 1 OF HIS OR HER ELIGIBLE  
8 PARENTS OR LEGAL GUARDIANS.

9 (B) BOTH OF THE FOLLOWING:

10 (i) A NUMBER OF SIGNATURES OF ELIGIBLE PARENTS OR LEGAL  
11 GUARDIANS THAT EQUALS AT LEAST 51% OF THE ELIGIBLE PARENTS OR LEGAL  
12 GUARDIANS, WITH AT LEAST 51.1% OF THE PUPILS ENROLLED IN THE SCHOOL  
13 AT THE TIME THE PARENTAL PETITION IS SUBMITTED UNDER SUBSECTION (3)  
14 REPRESENTED BY THE SIGNATURE OF AT LEAST 1 OF HIS OR HER ELIGIBLE  
15 PARENTS OR LEGAL GUARDIANS.

16 (ii) A NUMBER OF VALID SIGNATURES OF ELIGIBLE TEACHERS THAT  
17 EQUALS AT LEAST 60% OF THE ELIGIBLE TEACHERS.

18 (6) IF THE DEPARTMENT DETERMINES NOT TO CERTIFY A PARENTAL  
19 PETITION SUBMITTED UNDER SUBSECTION (3) BECAUSE THE PETITION EITHER  
20 DOES NOT CONTAIN A SUFFICIENT NUMBER OF VALID SIGNATURES OF THE  
21 ELIGIBLE PARENTS OR LEGAL GUARDIANS OR DOES NOT RECOMMEND A SINGLE  
22 SCHOOL INTERVENTION MODEL THAT MAY BE IMPLEMENTED UNDER THIS  
23 SECTION, THEN THE DEPARTMENT SHALL NOTIFY THE PERSON SUBMITTING THE  
24 PARENTAL PETITION AND THE SCHOOL BOARD OR BOARD OF DIRECTORS  
25 OPERATING THE PUBLIC SCHOOL THAT THE DEPARTMENT HAS DETERMINED NOT  
26 TO CERTIFY THE PARENTAL PETITION AND THE REASONS FOR THE  
27 DETERMINATION. THIS DETERMINATION MAY BE APPEALED AS A FINAL

1 DECISION OR ORDER IN A CONTESTED CASE AS PROVIDED UNDER THE  
2 ADMINISTRATIVE PROCEDURES ACT OF 1969, 1969 PA 306, MCL 24.201 TO  
3 24.328.

4 (7) THE SCHOOL BOARD OR BOARD OF DIRECTORS SHALL CREATE A  
5 PARENT ADVISORY COMMITTEE TO WORK WITH THE SCHOOL TO IMPLEMENT THE  
6 INTERVENTION MODEL CHOSEN UNDER SECTION 1280C(2) AND THE APPLICABLE  
7 REDESIGN PLAN. IF A PETITION IS APPROVED UNDER SUBSECTION (3), THE  
8 BOARD OR BOARD OF DIRECTORS SHALL ENSURE THAT PARENTS SUBMITTING  
9 THE PETITION ARE REPRESENTED ON THE PARENT ADVISORY COMMITTEE.

10 (8) THE SUPERINTENDENT OF PUBLIC INSTRUCTION SHALL PROMULGATE  
11 RULES TO IMPLEMENT THIS SECTION. THE RULES SHALL ADDRESS AT LEAST  
12 THE FORM AND CONTENT OF A PARENTAL PETITION, THE PROCESS FOR  
13 SUBMISSION OF A PARENTAL PETITION TO THE DEPARTMENT, A PROCESS FOR  
14 NOTIFYING THE PERSON SUBMITTING THE PARENTAL PETITION, A PROCESS  
15 FOR VERIFICATION OF SIGNATURES ON A PARENTAL PETITION, AND A  
16 PROCESS FOR CERTIFICATION OF A PARENTAL PETITION.

17 (9) A PERSON WHO CIRCULATES OR OTHERWISE SEEKS TO OBTAIN  
18 SIGNATURES ON A PARENTAL PETITION UNDER THIS SECTION SHALL NOT  
19 OFFER OR PROVIDE ANY MONEY, GIFT, OR OTHER COMPENSATION IN EXCHANGE  
20 FOR A SIGNATURE ON THE PARENTAL PETITION. A PERSON SHALL NOT COERCE  
21 OR INTIMIDATE ANOTHER PERSON WITH RESPECT TO SIGNING OR DECLINING  
22 TO SIGN A PARENTAL PETITION UNDER THIS SECTION.

23 (10) IF THE SCHOOL BOARD OR BOARD OF DIRECTORS FINDS THAT  
24 THERE IS REASON TO BELIEVE THAT THERE MAY BE FRAUD OR A VIOLATION  
25 OF SUBSECTION (9) IN CONNECTION WITH THE SIGNATURES ON A PARENTAL  
26 PETITION SUBMITTED UNDER THIS SECTION, THE SCHOOL BOARD OR BOARD OF  
27 DIRECTORS SHALL REFER ITS FINDINGS TO THE APPROPRIATE COUNTY

1 PROSECUTOR FOR POSSIBLE CRIMINAL ACTION.

2 (11) IF A SCHOOL BOARD OR BOARD OF DIRECTORS IMPLEMENTS THE  
3 SCHOOL INTERVENTION MODEL THAT IS RECOMMENDED IN A PARENTAL  
4 PETITION UNDER SUBSECTION (3) AND INCLUDED IN THE REDESIGN PLAN  
5 UNDER SUBSECTION (4) (B) OR IF A CONTRACT IS OBTAINED UNDER PART 6D  
6 TO OPERATE THE PUBLIC SCHOOL AS A CONVERSION SCHOOL, AS DESCRIBED  
7 IN SUBSECTION (4) (C), THE STATE SCHOOL REFORM/REDESIGN OFFICER  
8 SHALL CONTINUE TO OVERSEE THE IMPLEMENTATION OF THE SCHOOL  
9 INTERVENTION MODEL BUT MAY NOT ISSUE AN ORDER PLACING THE PUBLIC  
10 SCHOOL IN THE STATE SCHOOL REFORM/REDESIGN SCHOOL DISTRICT UNTIL  
11 AFTER THE EXPIRATION OF 3 YEARS AFTER THE BEGINNING OF THE FIRST  
12 SCHOOL YEAR IN WHICH THE SCHOOL INTERVENTION MODEL IS IMPLEMENTED  
13 OR THE PUBLIC SCHOOL IS OPERATED AS A CONVERSION SCHOOL UNDER PART  
14 6D.

15 (12) AS USED IN THIS SECTION:

16 (A) "ELIGIBLE PARENT OR LEGAL GUARDIAN" MEANS A PARENT OR  
17 LEGAL GUARDIAN OF A PUPIL LEGALLY ENROLLED IN THE PUBLIC SCHOOL  
18 THAT IS THE SUBJECT OF THE PARENTAL PETITION IF THE PUPIL IS  
19 ENROLLED IN THE PUBLIC SCHOOL ON THE FIRST DAY OF THE APPLICABLE  
20 SCHOOL YEAR, OR BECOMES ENROLLED IN THE PUBLIC SCHOOL AFTER THE  
21 FIRST DAY OF THE APPLICABLE SCHOOL YEAR BUT BEFORE SUBMISSION OF  
22 THE PARENTAL PETITION UNDER SUBSECTION (3), AND THE PUPIL REMAINS  
23 ENROLLED IN THE PUBLIC SCHOOL AT THE TIME THE PARENTAL PETITION IS  
24 SUBMITTED UNDER SUBSECTION (3) AND IF THE PARENT OR LEGAL GUARDIAN  
25 WAS IDENTIFIED IN THE PUBLIC SCHOOL'S OFFICIAL RECORDS AS BEING THE  
26 PUPIL'S PARENT OR LEGAL GUARDIAN AS OF THE DATE OF THE PUPIL'S  
27 ENROLLMENT FOR THAT SCHOOL YEAR. HOWEVER, IF THE PUBLIC SCHOOL IS

1 OPERATED BY A SCHOOL DISTRICT, A PARENT OR LEGAL GUARDIAN OF A  
2 NONRESIDENT PUPIL ENROLLED IN THE SCHOOL DISTRICT UNDER SECTION 105  
3 OR 105C OF THE STATE SCHOOL AID ACT OF 1979, MCL 388.1705 AND  
4 388.1705C, IS NOT AN ELIGIBLE PARENT OR LEGAL GUARDIAN UNLESS THE  
5 PARENT OR LEGAL GUARDIAN IS ALSO THE PARENT OR LEGAL GUARDIAN OF A  
6 RESIDENT PUPIL IN THE SCHOOL DISTRICT.

7 (B) "ELIGIBLE TEACHER" MEANS A TEACHER EMPLOYED AND WORKING  
8 FULL TIME AT THE PUBLIC SCHOOL TO BE CONVERTED AT THE TIME THE  
9 PARENTAL PETITION IS SUBMITTED UNDER SUBSECTION (3).

10 (C) "LEGAL GUARDIAN" MEANS AN INDIVIDUAL APPOINTED TO SERVE AS  
11 THE LEGAL GUARDIAN FOR A CHILD BY THE COURT IN THIS STATE OR BY A  
12 COURT IN ANOTHER JURISDICTION RECOGNIZED BY THIS STATE.