

HOUSE BILL NO. 5269

October 26, 2023, Introduced by Reps. Koleszar, Glanville, Weiss and Conlin and referred to the Committee on Education.

A bill to amend 1976 PA 451, entitled
"The revised school code,"
by amending sections 504a, 506, 525, 527, 557, 560, 1311h, and
1311k (MCL 380.504a, 380.506, 380.525, 380.527, 380.557, 380.560,
380.1311h, and 380.1311k), section 504a as amended and sections 525
and 527 as added by 2003 PA 179, section 506 as added by 1993 PA
362, sections 557 and 560 as added by 2009 PA 205, section 1311h as
amended by 2012 PA 620, and section 1311k as added by 1999 PA 23.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 504a. In addition to other powers set forth in this part,

1 a public school academy may take action to carry out the purposes
2 for which it was incorporated under this part, including, but not
3 limited to, all of the following:

4 (a) To sue and be sued in its name.

5 (b) Subject to section 503b, to acquire, hold, and own in its
6 own name real and personal property, or interests in real or
7 personal property, for educational purposes by purchase, gift,
8 grant, devise, bequest, lease, sublease, installment purchase
9 agreement, land contract, option, or condemnation, and subject to
10 mortgages, security interests, or other liens; and to sell or
11 convey the property as the interests of the public school academy
12 require.

13 (c) To receive, disburse, and pledge funds for lawful
14 purposes.

15 (d) To enter into binding legal agreements with persons or
16 entities as necessary for the operation, management, financing, and
17 maintenance of the public school academy, **if the agreement is in**
18 **compliance with sections 7 and 18 of the state school aid act of**
19 **1979, MCL 388.1607 and 388.1618.**

20 (e) To incur temporary debt in accordance with section 1225.

21 (f) To solicit and accept any grants or gifts for educational
22 purposes and to establish or permit to be established on its behalf
23 1 or more nonprofit corporations the purpose of which is to assist
24 the public school academy in the furtherance of its public
25 purposes.

26 (g) To borrow money and issue bonds in accordance with section
27 1351a and in accordance with part VI of the revised municipal
28 finance act, 2001 PA 34, MCL 141.2601 to 141.2613, except that the
29 borrowing of money and issuance of bonds by a public school academy

1 is not subject to section 1351a(4) or section 1351(2) to (4). Bonds
2 issued under this section ~~shall be~~ **are** full faith and credit
3 obligations of the public school academy, pledging the general
4 funds or any other money available for such a purpose. Bonds issued
5 under this section are subject to the revised municipal finance
6 act, 2001 PA 34, MCL 141.2101 to 141.2821.

7 Sec. 506. **(1)** A public school academy, with the approval of
8 the authorizing body, may employ or contract with personnel as
9 necessary for the operation of the public school academy, prescribe
10 ~~their~~ **the personnel's** duties, and fix ~~their~~ **the personnel's**
11 compensation.

12 **(2)** By not later than November 1 of each year, each public
13 school academy shall post all of the following information on its
14 website that is accessible to the public:

15 **(a)** The average salary for new teachers and the average salary
16 for veteran teachers employed by the public school academy or
17 employed by an educational management organization and assigned to
18 the public school academy, or, if there are fewer than 5 new
19 teachers or 5 veteran teachers at the public school academy, the
20 average salary for all teachers employed by the public school
21 academy or employed by an educational management organization and
22 assigned to the public school academy.

23 **(b)** The average salary for support staff employed by the
24 public school academy or employed by an educational management
25 organization and assigned to the public school academy.

26 **(3)** As used in this section:

27 **(a)** "Educational management organization" means that term as
28 defined in section 503c.

29 **(b)** "New teacher" means an individual who has held a teaching

1 certificate for less than 5 years.

2 (c) "Support staff" includes, but is not limited to, student-
3 facing paraprofessionals, food service workers, bus drivers, and
4 literacy coaches.

5 (d) "Veteran teacher" means an individual who has held a
6 teaching certificate for 5 or more years.

7 Sec. 525. In addition to other powers set forth in this part,
8 an urban high school academy may take action to carry out the
9 purposes for which it was incorporated under this part, including,
10 but not limited to, all of the following:

11 (a) To sue and be sued in its name.

12 (b) Subject to section 523a, to acquire, hold, and own in its
13 own name real and personal property, or interests in real or
14 personal property, for educational purposes by purchase, gift,
15 grant, devise, bequest, lease, sublease, installment purchase
16 agreement, land contract, option, or condemnation, and subject to
17 mortgages, security interests, or other liens; and to sell or
18 convey the property as the interests of the urban high school
19 academy require.

20 (c) To receive, disburse, and pledge funds for lawful
21 purposes.

22 (d) To enter into binding legal agreements with persons or
23 entities as necessary for the operation, management, financing, and
24 maintenance of the urban high school academy, **if the agreement is**
25 **in compliance with sections 7 and 18 of the state school aid act of**
26 **1979, MCL 388.1607 and 388.1618.**

27 (e) To incur temporary debt in accordance with section 1225.

28 (f) To solicit and accept any grants or gifts for educational
29 purposes and to establish or permit to be established on its behalf

1 1 or more nonprofit corporations the purpose of which is to assist
2 the urban high school academy in the furtherance of its public
3 purposes.

4 (g) To borrow money and issue bonds in accordance with section
5 1351a and in accordance with part VI of the revised municipal
6 finance act, 2001 PA 34, MCL 141.2601 to 141.2613, except that the
7 borrowing of money and issuance of bonds by an urban high school
8 academy are not subject to section 1351a(4) or section 1351(2) to
9 (4). Bonds issued under this section ~~shall be~~ **are** full faith and
10 credit obligations of the urban high school academy, pledging the
11 general funds or any other money available for such a purpose.
12 Bonds issued under this section are subject to the revised
13 municipal finance act, 2001 PA 34, MCL 141.2101 to 141.2821.

14 Sec. 527. **(1)** An urban high school academy, with the approval
15 of the authorizing body, may employ or contract with personnel, or
16 enter into a contract with another party to furnish teachers or
17 other personnel, as necessary for the operation of the urban high
18 school academy, prescribe ~~their~~ **the personnel's** duties, and fix
19 ~~their~~ **the personnel's** compensation.

20 **(2)** By not later than November 1 of each year, each urban high
21 school academy shall post all of the following information on its
22 website that is accessible to the public:

23 **(a)** The average salary for new teachers and the average salary
24 for veteran teachers employed by the urban high school academy or
25 employed by an educational management organization and assigned to
26 the urban high school academy, or, if there are fewer than 5 new
27 teachers or 5 veteran teachers at the urban high school academy,
28 the average salary for all teachers employed by the urban high
29 school academy or employed by an educational management

1 organization and assigned to the urban high school academy.

2 (b) The average salary for support staff employed by the urban
3 high school academy or employed by an educational management
4 organization and assigned to the urban high school academy.

5 (3) As used in this section:

6 (a) "Educational management organization" means that term as
7 defined in section 523c.

8 (b) "New teacher" means an individual who has held a teaching
9 certificate for less than 5 years.

10 (c) "Support staff" includes, but is not limited to, student-
11 facing paraprofessionals, food service workers, bus drivers, and
12 literacy coaches.

13 (d) "Veteran teacher" means an individual who has held a
14 teaching certificate for 5 or more years.

15 Sec. 557. In addition to other powers set forth in this part,
16 a school of excellence may take action to carry out the purposes
17 for which it was incorporated under this part, including, but not
18 limited to, all of the following:

19 (a) To sue and be sued in its name.

20 (b) Subject to section 555, to acquire, hold, and own in its
21 own name real and personal property, or interests in real or
22 personal property, for educational purposes by purchase, gift,
23 grant, devise, bequest, lease, sublease, installment purchase
24 agreement, land contract, option, or condemnation, and subject to
25 mortgages, security interests, or other liens; and to sell or
26 convey the property as the interests of the school of excellence
27 require.

28 (c) To receive, disburse, and pledge funds for lawful
29 purposes.

(d) To enter into binding legal agreements with persons or entities as necessary for the operation, management, financing, and maintenance of the school of excellence, **if the agreement is in compliance with sections 7 and 18 of the state school aid act of 1979, MCL 388.1607 and 388.1618.**

(e) To incur temporary debt in accordance with section 1225.

(f) To solicit and accept any grants or gifts for educational purposes and to establish or permit to be established on its behalf 1 or more nonprofit corporations the purpose of which is to assist the school of excellence in the furtherance of its public purposes.

(g) To borrow money and issue bonds in accordance with section 1351a and in accordance with part VI of the revised municipal finance act, 2001 PA 34, MCL 141.2601 to 141.2613, except that the borrowing of money and issuance of bonds by a school of excellence is not subject to section 1351a(4) or section 1351(2) to (4). Bonds issued under this section ~~shall be~~ **are** full faith and credit obligations of the school of excellence, pledging the general funds or any other money available for such a purpose. Bonds issued under this section are subject to the revised municipal finance act, 2001 PA 34, MCL 141.2101 to 141.2821.

Sec. 560. **(1)** A school of excellence, with the approval of the authorizing body, may employ or contract with personnel as necessary for the operation of the school of excellence, prescribe ~~their~~ **the personnel's** duties, and fix ~~their~~ **the personnel's** compensation. A school of excellence may implement and maintain a method of compensation for its employees that is based on job performance, job accomplishments, and job assignment in a subject area or school that is difficult to find employees to staff.

(2) By not later than November 1 of each year, each school of

1 excellence shall post all of the following information on its
2 website that is accessible to the public:

3 (a) The average salary for new teachers and the average salary
4 for veteran teachers employed by the school of excellence or
5 employed by an educational management organization and assigned to
6 the school of excellence, or, if there are fewer than 5 new
7 teachers or 5 veteran teachers at the school of excellence, the
8 average salary for all teachers employed by the school of
9 excellence or employed by an educational management organization
10 and assigned to the school of excellence.

11 (b) The average salary for support staff employed by the
12 school of excellence or employed by an educational management
13 organization and assigned to the school of excellence.

14 (3) As used in this section:

15 (a) "Educational management organization" means that term as
16 defined in section 553c.

17 (b) "New teacher" means an individual who has held a teaching
18 certificate for less than 5 years.

19 (c) "Support staff" includes, but is not limited to, student-
20 facing paraprofessionals, food service workers, bus drivers, and
21 literacy coaches.

22 (d) "Veteran teacher" means an individual who has held a
23 teaching certificate for 5 or more years.

24 Sec. 1311h. (1) In addition to other powers set forth in
25 sections 1311b to ~~1311l~~, **1311m**, a strict discipline academy may take
26 action to carry out the purposes for which it was incorporated
27 under sections 1311b to ~~1311l~~, **1311m**, including, but not limited to,
28 all of the following:

29 (a) To sue and be sued in its name.

1 (b) To acquire, hold, and own in its own name real and
2 personal property, or interests in real or personal property, for
3 educational purposes by purchase, gift, grant, devise, bequest,
4 lease, sublease, installment purchase agreement, land contract,
5 option, or condemnation, and subject to mortgages, security
6 interests, or other liens; and to sell or convey the property as
7 the interests of the strict discipline academy require.

8 (c) To receive and disburse funds for lawful purposes.

9 (d) To enter into binding legal agreements with persons or
10 entities as necessary for the operation, management, financing, and
11 maintenance of the strict discipline academy, **if the agreement is**
12 **in compliance with sections 7 and 18 of the state school aid act of**
13 **1979, MCL 388.1607 and 388.1618.**

14 (e) To incur temporary debt in accordance with section 1225.

15 (f) To solicit and accept any grants or gifts for educational
16 purposes and to establish or permit to be established on its behalf
17 1 or more nonprofit corporations the purpose of which is to assist
18 the strict discipline academy in the furtherance of its public
19 purposes.

20 (g) To borrow money and issue bonds in accordance with section
21 1351a and in accordance with part VI of the revised municipal
22 finance act, 2001 PA 34, MCL 141.2601 to 141.2613, except that the
23 borrowing of money and issuance of bonds by a strict discipline
24 academy is not subject to section 1351a(4) or section 1351(2) to
25 (4). Bonds issued under this section ~~shall be~~ **are** full faith and
26 credit obligations of the strict discipline academy, pledging the
27 general funds or any other money available for such a purpose.
28 Bonds issued under this section are subject to the revised
29 municipal finance act, 2001 PA 34, MCL 141.2101 to 141.2821.

1 Sec. 1311k. (1) A strict discipline academy, with the approval
2 of the authorizing body, may employ or contract with personnel as
3 necessary for the operation of the strict discipline academy,
4 prescribe ~~their~~**the personnel's** duties, and fix ~~their~~**the**
5 **personnel's** compensation.

6 (2) By not later than November 1 of each year, each strict
7 discipline academy shall post all of the following information on
8 its website that is accessible to the public:

9 (a) The average salary for new teachers and the average salary
10 for veteran teachers employed by the strict discipline academy or
11 employed by an educational management organization and assigned to
12 the strict discipline academy, or, if there are fewer than 5 new
13 teachers or 5 veteran teachers at the strict discipline academy,
14 the average salary for all teachers employed by the strict
15 discipline academy or employed by an educational management
16 organization and assigned to the strict discipline academy.

17 (b) The average salary for support staff employed by the
18 strict discipline academy or employed by an educational management
19 organization and assigned to the strict discipline academy.

20 (3) As used in this section:

21 (a) "Educational management organization" means an entity that
22 enters into a management agreement with a strict discipline
23 academy.

24 (b) "Entity" means a partnership, nonprofit or business
25 corporation, or any other association, corporation, trust, or other
26 legal entity.

27 (c) "Management agreement" means an agreement to provide
28 comprehensive educational, administrative, management, or
29 instructional services or staff to a strict discipline academy.

1 (d) "New teacher" means an individual who has held a teaching
2 certificate for less than 5 years.

3 (e) "Support staff" includes, but is not limited to, student-
4 facing paraprofessionals, food service workers, bus drivers, and
5 literacy coaches.

6 (f) "Veteran teacher" means an individual who has held a
7 teaching certificate for 5 or more years.

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