

HOUSE BILL No. 5293

October 16, 1997, Introduced by Reps. Bogardus, Wallace, Anthony, Hale, Prusi, Parks, Mans, Schroer, Cherry, Agee, Tesanovich, DeHart, Schermesser, LaForge, Basham, Martinez, Brater, Baade and Gire and referred to the Committee on Education.

A bill to amend 1976 PA 451, entitled
"The revised school code,"
by amending sections 504 and 514 (MCL 380.504 and 380.514), section 504 as amended and section 514 as added by 1994 PA 416.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 504. (1) A public school academy may be located in all
2 or part of an existing public school building. A public school
3 academy shall not operate at a site other than the single site
4 requested for the configuration of grades that will use the site,
5 as specified in the application required under section 502 and in
6 the contract.

7 (2) A public school academy shall not charge tuition and
8 shall not discriminate in its pupil admissions policies or
9 practices on the basis of intellectual or athletic ability,
10 measures of achievement or aptitude, status as a handicapped

1 person, or any other basis that would be illegal if used by a
2 school district. However, a public school academy may limit
3 admission to pupils who are within a particular range of age or
4 grade level or on any other basis that would be legal if used by
5 a school district.

6 (3) Except for a foreign exchange student who is not a
7 United States citizen, a public school academy shall not enroll a
8 pupil who is not a resident of this state.

9 (4) ALL OF THE FOLLOWING APPLY TO ENROLLMENT OF PUPILS IN A
10 PUBLIC SCHOOL ACADEMY:

11 (A) Enrollment in the public school academy may be open to
12 all individuals who reside in this state who meet the admission
13 policy. ~~and~~

14 (B) ENROLLMENT IN THE PUBLIC SCHOOL ACADEMY shall be open to
15 all pupils who reside within the geographic boundaries, if any,
16 of the authorizing body as described in section 502(2)(a) to (c)
17 who meet the admission policy, except that admission to a public
18 school academy authorized by the board of a community college to
19 operate, or operated by the board of a community college, on the
20 grounds of a federal military installation, as described in sec-
21 tion 502(2)(c), shall be open to all pupils who reside in the
22 county in which the federal military installation is located.
23 For a public school academy authorized by a state public univer-
24 sity, enrollment shall be open to all pupils who reside in this
25 state who meet the admission policy.

26 (C) REGARDLESS OF THE AUTHORIZING BODY, ENROLLMENT IN A
27 PUBLIC SCHOOL ACADEMY SHALL BE OPEN TO ALL PUPILS WHO RESIDE IN

1 THE SCHOOL DISTRICT IN WHICH THE PUBLIC SCHOOL ACADEMY IS LOCATED
2 WHO MEET THE ADMISSION POLICY.

3 (D) If there are more applications to enroll in the public
4 school academy than there are spaces available, pupils shall be
5 selected to attend using a random selection process. However, a
6 public school academy SHALL GIVE ENROLLMENT PRIORITY TO PUPILS
7 DESCRIBED IN SUBDIVISION (C) AND may give enrollment priority to
8 a sibling of a pupil enrolled in the public school academy. THE
9 RANDOM SELECTION PROCESS SHALL BE CONDUCTED IN A PUBLIC MEETING
10 BY THE INTERMEDIATE SCHOOL DISTRICT IN WHICH THE PUBLIC SCHOOL
11 ACADEMY IS LOCATED. A public school academy shall allow any pupil
12 who was enrolled in the public school academy in the immediately
13 preceding school year to enroll in the public school academy in
14 the appropriate grade unless the appropriate grade is not offered
15 at that public school academy.

16 (5) ~~(4)~~ A public school academy may include any grade up
17 to grade 12 or any configuration of those grades, including kin-
18 dergarten and early childhood education, as specified in its
19 contract. If specified in its contract, a public school academy
20 may also operate an adult basic education program, adult high
21 school completion program, or general education development test-
22 ing preparation program. The authorizing body may approve amend-
23 ment of a contract with respect to ages of pupils or grades
24 offered.

25 Sec. 514. (1) A public school academy may be located in all
26 or part of an existing public school building. A public school
27 academy shall not operate at a site other than the single site

1 requested for the configuration of grades that will use the site,
2 as specified in the application required under section 512 and in
3 the contract.

4 (2) A public school academy shall not charge tuition and
5 shall not discriminate in its pupil admissions policies or prac-
6 tices on the basis of intellectual or athletic ability, measures
7 of achievement or aptitude, status as a handicapped person, or
8 any other basis that would be illegal if used by a school
9 district. However, a public school academy may limit admission
10 to pupils who are within a particular range of age or grade level
11 or on any other basis that would be legal if used by a school
12 district.

13 (3) Except for a foreign exchange student who is not a
14 United States citizen, a public school academy shall not enroll a
15 pupil who is not a resident of this state.

16 (4) ALL OF THE FOLLOWING APPLY TO ENROLLMENT OF PUPILS IN A
17 PUBLIC SCHOOL ACADEMY:

18 (A) Enrollment in the public school academy may be open to
19 all individuals who reside in this state who meet the admission
20 policy. ~~and~~

21 (B) ENROLLMENT IN THE PUBLIC SCHOOL ACADEMY shall be open to
22 all pupils who reside within the geographic boundaries, if any,
23 of the authorizing body as described in section 512(2)(a) to (c)
24 who meet the admission policy, except that admission to a public
25 school academy authorized by the board of a community college to
26 operate, or operated by the board of a community college, on the
27 grounds of a federal military installation, as described in

1 section 512(2)(c), shall be open to all pupils who reside in the
2 county in which the federal military installation is located.
3 For a public school academy authorized by a state public univer-
4 sity, enrollment shall be open to all pupils who reside in this
5 state who meet the admission policy.

6 (C) REGARDLESS OF THE AUTHORIZING BODY, ENROLLMENT IN A
7 PUBLIC SCHOOL ACADEMY SHALL BE OPEN TO ALL PUPILS WHO RESIDE IN
8 THE SCHOOL DISTRICT IN WHICH THE PUBLIC SCHOOL ACADEMY IS LOCATED
9 WHO MEET THE ADMISSION POLICY.

10 (D) If there are more applications to enroll in the public
11 school academy than there are spaces available, pupils shall be
12 selected to attend using a random selection process. However, a
13 public school academy SHALL GIVE ENROLLMENT PRIORITY TO PUPILS
14 DESCRIBED IN SUBDIVISION (C) AND may give enrollment priority to
15 a sibling of a pupil enrolled in the public school academy. THE
16 RANDOM SELECTION PROCESS SHALL BE CONDUCTED IN A PUBLIC MEETING
17 BY THE INTERMEDIATE SCHOOL DISTRICT IN WHICH THE PUBLIC SCHOOL
18 ACADEMY IS LOCATED. A public school academy shall allow any pupil
19 who was enrolled in the public school academy in the immediately
20 preceding school year to enroll in the public school academy in
21 the appropriate grade unless the appropriate grade is not offered
22 at that public school academy.

23 (5) ~~-(4)-~~ A public school academy shall comply with all
24 state and federal law applicable to public schools concerning
25 church-state issues.

26 (6) ~~-(5)-~~ A public school academy may include any grade up
27 to grade 12 or any configuration of those grades, including

1 kindergarten and early childhood education, as specified in its
2 contract. If specified in its contract, a public school academy
3 may also operate an adult basic education program, adult high
4 school completion program, or general education development test-
5 ing preparation program. The authorizing body may approve amend-
6 ment of a contract with respect to ages of pupils or grades
7 offered.

8 (7) ~~(6)~~ The educational goals and programs of, and curric-
9 ula offered by, a public school academy shall be designed to ful-
10 fill at least 1 of the purposes of section 511(1).