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INCREASE CHARTER SCHOOLS

House Bill 4705

Sponsor: Rep. Paul DeWeese

House Bill 4706

Sponsor: Rep. LaMar Lemmons III

House Bill 4707

Sponsor: Rep. Joanne Voorhees

Committee: Education

Complete to 5-19-99

A SUMMARY OF HOUSE BILLS 4705, 4706 AND 4707 AS INTRODUCED 5-19-99

House Bill 4705 would amend the Revised School Code (MCL 380.502) to raise the cap on the number of public school academies (usually called charter schools). Under the bill, the combined total number of contracts for public school academies issued by all state public universities could not exceed 150 through 1999, 175 through the year 2000, 200 through 2001, or 225 thereafter. Under current law, the combined total issued by all state public universities cannot exceed 150.

House Bill 4706 would amend the Revised School Code (MCL 380.502 and 380.504) to allow public school academies to limit enrollment to certain types of pupils, if the academy is for low achieving students (sometimes referred to as a strict discipline academy). The bill provides that if the contract authorizing a public school academy stated that the academy was established specifically for enrolling students who resided in an urban school district and who were at risk of academic failure, and if the public school academy was located in an urban school district, then the public school academy could limit enrollment only to those students. Further, the bill would exempt these kinds of academies from the cap on the number of charter schools (currently set at 150), and from being counted in the total number of contracts issued by any one state public university (currently set at 50 percent of the combined total issued by all universities, or 75).

House Bill 4707 would amend the Revised School Code (MCL 380.504) to provide an enrollment priority for certain public school academy (charter school) students. Under current law, a charter school is prohibited from discriminating in its pupil admission policies or practices on the basis of intellectual or athletic ability, measures of achievement or aptitude, status as a handicapped person, or any other basis that would be illegal if used by a school district. However, a charter school may give enrollment priority to a sibling of a pupil already enrolled. House Bill 4707 would provide that enrollment priority also could be given to a child of a person who is employed by or at the public school academy. The bill would define "child" to include an adopted child or a legal ward.

[One of the most controversial reform measures that accompanied the overhaul of Michigan's school finance system in 1993-94 was the authorization of public school academies or charter schools. In Michigan, a public school academy is an independent public school organized as a nonprofit organization, funded on a per-pupil basis from the state school aid fund, and operated under a contract issued by an authorizing body. An academy is also subject to the "leadership and general supervision" of the State Board of Education and must comply with the same laws as traditional public schools. Contracts can be issued by the boards of local and intermediate school districts, community colleges, and state public universities. People interested in operating a charter school must apply to an authorizing body. While there is no overall limit on the number of contracts that can be issued, universities are limited to a total of 100 through 1997, 125 through 1998, and 150 thereafter, and no single university can issue more than one-half of the total issued by universities as a whole. (A majority of the contracts have been issued by universities, and about half of all of them by one school, Central Michigan University.) Generally, the schools receive the per-pupil grant available to schools in the local district in which they operate, subject to a maximum amount. They cannot charge tuition and are required to fill seats by lottery.]

Analyst: J. Hunault

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.