

HOUSE BILL No. 5559

April 24, 2012, Introduced by Rep. Heise and referred to the Committee on Education.

A bill to amend 1976 PA 451, entitled
"The revised school code,"
by amending section 504 (MCL 380.504), as amended by 2011 PA 277.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 504. (1) A public school academy may be located in all or
2 part of an existing public school building. A public school academy
3 shall not operate at a site other than the site or sites requested
4 for the configuration of age or grade levels that will use the site
5 or sites, as specified in the contract. Under a contract, an
6 authorizing body may permit a public school academy to operate the
7 same configuration of age or grade levels at more than 1 site, and
8 a public school academy may operate the same configuration of age
9 or grade levels at more than 1 site, as long as the public school
10 academy is operating in compliance with its contract and is making

1 measurable progress toward meeting its educational goals. For a
2 contract for a new public school academy, an authorizing body may
3 permit a public school academy to operate the same configuration of
4 age or grade levels at more than 1 site, and a public school
5 academy may operate the same configuration of age or grade levels
6 at more than 1 site, if the applicant for the proposed public
7 school academy presents documentation to the authorizing body
8 demonstrating that the applicant's proposed educational model has
9 resulted in schools making measurable progress toward meeting their
10 education goals.

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

20 (3) Except for a foreign exchange student who is not a United
21 States citizen, a public school academy shall not enroll a pupil
22 who is not a resident of this state. For a public school academy
23 authorized by a school district, intermediate school district, or
24 community college, enrollment in the public school academy may be
25 open to all individuals who reside in this state who meet the
26 admission policy and shall be open to all pupils who reside within
27 the geographic boundaries of that authorizing body who meet the

1 admission policy, except that admission to a public school academy
2 authorized by the board of a community college to operate, or
3 operated by the board of a community college, on the grounds of a
4 federal military installation, as described in section 502(2)(c),
5 shall be open to all pupils who reside in the county in which the
6 federal military installation is located. For a public school
7 academy authorized by a state public university, enrollment shall
8 be open to all pupils who reside in this state who meet the
9 admission policy. Subject to subsection (4), if there are more
10 applications to enroll in the public school academy than there are
11 spaces available, pupils shall be selected to enroll using a random
12 selection process. A public school academy shall allow any pupil
13 who was enrolled in the public school academy in the immediately
14 preceding school year to enroll in the public school academy in the
15 appropriate grade unless the appropriate grade is not offered at
16 that public school academy.

17 (4) A public school academy may give enrollment priority to 1
18 or more of the following **WHO MEET THE ADMISSION POLICY:**

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

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

26 (i) Each public school that enters into the matriculation
27 agreement remains a separate and independent public school.

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

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

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

14 **(D) IF A PUBLIC SCHOOL ACADEMY IS LOCATED IN A DESIGNATED**
15 **URBAN OPPORTUNITY ACADEMY ZONE, IF THE CONTRACT AUTHORIZING THE**
16 **PUBLIC SCHOOL ACADEMY INCLUDES FOSTERING POPULATION DENSITY AND**
17 **NEIGHBORHOOD ECONOMIC STABILIZATION AMONG THE STATED PURPOSES OF**
18 **THE PUBLIC SCHOOL ACADEMY, AND IF THE BOUNDARIES OF THE DESIGNATED**
19 **URBAN OPPORTUNITY ACADEMY ZONE ARE PRESCRIBED IN THE CONTRACT OR IN**
20 **ANOTHER AGREEMENT BETWEEN THE PUBLIC SCHOOL ACADEMY AND ITS**
21 **AUTHORIZING BODY, A CHILD OF A PERSON WHO RESIDES WITHIN THE**
22 **DESIGNATED URBAN OPPORTUNITY ACADEMY ZONE. HOWEVER, A PUBLIC SCHOOL**
23 **ACADEMY THAT GIVES ENROLLMENT PRIORITY UNDER THIS SUBDIVISION SHALL**
24 **SELECT AT LEAST 10% OF ITS PUPILS FOR ENROLLMENT USING A RANDOM**
25 **SELECTION PROCESS. AS USED IN THIS SUBDIVISION, "DESIGNATED URBAN**
26 **OPPORTUNITY ACADEMY ZONE" MEANS A GEOGRAPHIC AREA THAT MEETS ALL OF**
27 **THE FOLLOWING:**

1 (i) AS OF THE DATE THAT THE PUBLIC SCHOOL ACADEMY'S CONTRACT IS
2 ISSUED, HAS A POPULATION DENSITY OF LESS THAN 8 PERSONS PER ACRE
3 AND HAS A PUBLICLY SUPPORTED PLAN TO INCREASE POPULATION DENSITY TO
4 16 PERSONS PER ACRE.

5 (ii) AS OF THE DATE THE PUBLIC SCHOOL ACADEMY'S CONTRACT IS
6 ISSUED, HAS A SOCIOECONOMIC PROFILE WITH A MEDIAN HOUSEHOLD INCOME
7 LESS THAN 80% OF THE MEDIAN HOUSEHOLD INCOME FOR HOUSEHOLDS WITHIN
8 THE SCHOOL DISTRICT IN WHICH IT IS LOCATED.

9 (iii) HAS 1 OR MORE BUSINESS INSTITUTIONAL ANCHORS THAT HAVE
10 DESIGNATED AND COMMITTED RESOURCES TO THE DESIGNATED URBAN
11 OPPORTUNITY ACADEMY ZONE AND HAVE ASSUMED A PARTNERSHIP ROLE WITH
12 THE PUBLIC SCHOOL ACADEMY.

13 (5) A public school academy may include any grade up to grade
14 12 or any configuration of those grades, including kindergarten and
15 early childhood education, as specified in its contract. If
16 specified in its contract, a public school academy may also operate
17 an adult basic education program, adult high school completion
18 program, or general education development testing preparation
19 program. The authorizing body may approve amendment of a contract
20 with respect to ages of pupils or grades offered.

21 Enacting section 1. This amendatory act takes effect April 1,
22 2012.