



HOUSE BILL No. 5124

October 12, 1993, Introduced by Reps. Bryant, Dalman, Horton, Kukuk, Bender, Bullard, DeLange, Bandstra, Dobb, Llewellyn, Munsell, Stille, Walberg, Gustafson and Martin and referred to the Committee on Education.

A bill to amend Act No. 451 of the Public Acts of 1976,
entitled as amended

"The school code of 1976,"

as amended, being sections 380.1 to 380.1852 of the Michigan
Compiled Laws, by adding part 6a and section 1701a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Act No. 451 of the Public Acts of 1976, as
2 amended, being sections 380.1 to 380.1852 of the Michigan
3 Compiled Laws, is amended by adding part 6a and section 1701a to
4 read as follows:

PART 6A

CHARTER PUBLIC SCHOOLS

7 SEC. 501. (1) A CHARTER PUBLIC SCHOOL IS GOVERNED BY THIS
8 PART AND IS NOT SUBJECT TO THE OTHER PROVISIONS OF THIS ACT
9 EXCEPT AS PROVIDED IN THIS PART. A CHARTER PUBLIC SCHOOL IS A

1 PUBLIC SCHOOL UNDER SECTION 2 OF ARTICLE VIII OF THE STATE
2 CONSTITUTION OF 1963, AND SHALL BE CONSIDERED TO BE A SCHOOL DIS-
3 TRICT FOR THE PURPOSES OF SECTION 11 OF ARTICLE IX OF THE STATE
4 CONSTITUTION OF 1963. A CHARTER PUBLIC SCHOOL IS A BODY CORPO-
5 RATE, MAY SUE AND BE SUED IN ITS NAME, MAY ACQUIRE AND TAKE REAL
6 AND PERSONAL PROPERTY FOR EDUCATIONAL PURPOSES BY PURCHASE, GIFT,
7 GRANT, DEVISE, OR BEQUEST, AND MAY SELL AND CONVEY THE PROPERTY
8 AS THE INTERESTS OF THE CHARTER PUBLIC SCHOOL REQUIRE.

9 (2) AS USED IN THIS PART:

10 (A) "CERTIFICATED TEACHER" MEANS AN INDIVIDUAL WHO HOLDS A
11 VALID TEACHING CERTIFICATE ISSUED BY THE STATE BOARD UNDER
12 SECTION 1531.

13 (B) "CHARTERING BODY" MEANS A PERSON OR ENTITY THAT GRANTS A
14 CHARTER AS PROVIDED IN SECTION 503.

15 (C) "COMMUNITY COLLEGE" MEANS A COMMUNITY COLLEGE ORGANIZED
16 UNDER THE COMMUNITY COLLEGE ACT OF 1966, ACT NO. 331 OF THE
17 PUBLIC ACTS OF 1966, BEING SECTIONS 389.1 TO 389.195 OF THE
18 MICHIGAN COMPILED LAWS.

19 (D) "CONVERSION CHARTER PUBLIC SCHOOL" MEANS A CHARTER
20 PUBLIC SCHOOL THAT HAS BEEN ISSUED A CHARTER UNDER THIS PART TO
21 BE A CONVERSION CHARTER PUBLIC SCHOOL UNDER SECTION 504.

22 (E) "PUBLIC BODY" MEANS A STATE OFFICER, AGENCY, DEPARTMENT,
23 DIVISION, BUREAU, BOARD, COMMISSION, COUNCIL, AUTHORITY, OR OTHER
24 BODY IN THE EXECUTIVE, JUDICIAL, OR LEGISLATIVE BRANCH OF THE
25 STATE GOVERNMENT; A COUNTY, CITY, TOWNSHIP, VILLAGE, REGIONAL
26 GOVERNING BODY, OR COUNCIL, SPECIAL DISTRICT, OR MUNICIPAL
27 CORPORATION, OR A BOARD, DEPARTMENT, COMMISSION, COUNCIL, OR

1 AGENCY THEREOF; OR ANY OTHER BODY CREATED BY STATE OR LOCAL
2 AUTHORITY.

3 (F) "STATE PUBLIC UNIVERSITY" MEANS A UNIVERSITY DESCRIBED
4 IN SECTION 4, 5, OR 6 OF ARTICLE VIII OF THE STATE CONSTITUTION
5 OF 1963.

6 SEC. 502. (1) A CHARTER PUBLIC SCHOOL SHALL BE ORGANIZED
7 AND OPERATED BY A PERSON OR ENTITY DESCRIBED IN SUBSECTION (2)
8 UNDER THE DIRECTION OF A BOARD OF DIRECTORS IN ACCORDANCE WITH
9 THIS PART AND WITH BYLAWS ADOPTED BY THE BOARD OF DIRECTORS.

10 (2) ANY OF THE FOLLOWING PERSONS OR ENTITIES MAY APPLY FOR A
11 CHARTER TO ORGANIZE AND OPERATE 1 OR MORE CHARTER PUBLIC SCHOOLS
12 UNDER THIS PART:

13 (A) FOR A CONVERSION CHARTER PUBLIC SCHOOL, A CHARTER PUBLIC
14 SCHOOL CORPORATION FORMED BY 1 OR MORE CERTIFICATED TEACHERS
15 DESCRIBED IN SECTION 504, WHICH CHARTER PUBLIC SCHOOL CORPORATION
16 MEETS THE REQUIREMENTS OF SUBSECTION (3).

17 (B) FOR A CHARTER PUBLIC SCHOOL THAT IS NOT A CONVERSION
18 CHARTER PUBLIC SCHOOL, ANY OF THE FOLLOWING:

19 (i) A CHARTER PUBLIC SCHOOL CORPORATION FORMED BY ANY 1 OR
20 MORE CERTIFICATED TEACHERS, WHICH CHARTER PUBLIC SCHOOL CORPORA-
21 TION MEETS THE REQUIREMENTS OF SUBSECTION (3).

22 (ii) A COUNTY, CITY, VILLAGE, OR TOWNSHIP.

23 (iii) A SCHOOL DISTRICT OR INTERMEDIATE SCHOOL DISTRICT.

24 (iv) A COMMUNITY COLLEGE.

25 (v) A STATE PUBLIC UNIVERSITY.

26 (vi) A DEPARTMENT OR OTHER AGENCY OF STATE GOVERNMENT.

1 (vii) A CHARTER PUBLIC SCHOOL CORPORATION FORMED BY ANOTHER
2 PERSON OR ENTITY AND MEETING THE REQUIREMENTS OF SUBSECTION (3).

3 (3) A CHARTER PUBLIC SCHOOL CORPORATION SHALL BE ORGANIZED
4 UNDER THE NONPROFIT CORPORATION ACT, ACT NO. 162 OF THE PUBLIC
5 ACTS OF 1982, BEING SECTIONS 450.2101 TO 450.3192 OF THE MICHIGAN
6 COMPILED LAWS.

7 (4) SUBJECT TO SUBSECTION (5), A PERSON OR ENTITY DESCRIBED
8 IN SUBSECTION (2) MAY APPLY TO ANY OF THE FOLLOWING CHARTERING
9 BODIES FOR A CHARTER TO ORGANIZE AND OPERATE 1 OR MORE CHARTER
10 PUBLIC SCHOOLS UNDER THIS PART:

11 (A) THE STATE BOARD.

12 (B) THE BOARD OF A SCHOOL DISTRICT OR INTERMEDIATE SCHOOL
13 DISTRICT.

14 (C) THE GOVERNING BOARD OF A COMMUNITY COLLEGE OR STATE
15 PUBLIC UNIVERSITY.

16 (D) THE STATE CHARTER PUBLIC SCHOOL AUTHORITY CREATED IN
17 SECTION 510.

18 (E) ANY OTHER PUBLIC BODY OTHER THAN A CHARTER PUBLIC
19 SCHOOL.

20 (5) IF A PERSON OR ENTITY DESCRIBED IN SUBSECTION (4)(B),
21 (C), OR (E) DESIRES TO ORGANIZE AND OPERATE 1 OR MORE CHARTER
22 PUBLIC SCHOOLS UNDER THIS PART ITSELF, THE PERSON OR ENTITY SHALL
23 APPLY FOR THE CHARTER TO EITHER THE STATE BOARD OR STATE CHARTER
24 PUBLIC SCHOOL AUTHORITY CREATED IN SECTION 510, AND EITHER THE
25 STATE BOARD OR STATE CHARTER PUBLIC SCHOOL AUTHORITY MAY GRANT
26 THE CHARTER AS PROVIDED IN SECTION 503.

1 (6) THE APPLICATION FOR A CHARTER SHALL INCLUDE AT LEAST ALL
2 OF THE FOLLOWING:

3 (A) IDENTIFICATION OF THE PERSON OR ENTITY APPLYING FOR THE
4 CHARTER.

5 (B) IF THE APPLICATION IS FOR A CONVERSION CHARTER PUBLIC
6 SCHOOL, A STATEMENT TO THAT EFFECT.

7 (C) A LIST OF THE PROPOSED MEMBERS OF THE BOARD OF DIRECTORS
8 OF THE CHARTER PUBLIC SCHOOL OR A DESCRIPTION OF THE QUALIFICA-
9 TIONS AND METHOD FOR APPOINTMENT OR ELECTION OF MEMBERS OF THE
10 BOARD OF DIRECTORS.

11 (D) A COPY OF THE PROPOSED BYLAWS OF THE CHARTER PUBLIC
12 SCHOOL, WHICH SHALL INCLUDE AT LEAST ALL OF THE FOLLOWING:

13 (i) THE GOVERNANCE STRUCTURE OF THE CHARTER PUBLIC SCHOOL.

14 (ii) A COPY OF THE EDUCATIONAL GOALS OF THE CHARTER PUBLIC
15 SCHOOL AND THE CURRICULUM TO BE OFFERED AND METHODS OF PUPIL
16 ASSESSMENT TO BE USED BY THE CHARTER PUBLIC SCHOOL. THE OVERALL
17 CURRICULUM SHALL BE OUTCOMES-BASED. TO THE EXTENT APPLICABLE,
18 THE OUTCOMES SHALL BE ASSESSED USING AT LEAST A MICHIGAN EDUCA-
19 TION ASSESSMENT PROGRAM (MEAP) TEST OR AN ASSESSMENT INSTRUMENT
20 DEVELOPED UNDER SECTION 104A(9) OF THE STATE SCHOOL AID ACT OF
21 1979, BEING SECTION 388.1704A OF THE MICHIGAN COMPILED LAWS, FOR
22 A STATE-ENDORSED HIGH SCHOOL DIPLOMA, AND 1 OR MORE OF THE FOL-
23 LOWING NATIONALLY NORMED TESTS: THE CALIFORNIA ACHIEVEMENT TEST,
24 THE STANFORD ACHIEVEMENT TEST, OR THE IOWA TEST OF BASIC SKILLS.

25 (iii) THE ADMISSION POLICY AND CRITERIA TO BE MAINTAINED BY
26 THE CHARTER PUBLIC SCHOOL. THE ADMISSION POLICY AND CRITERIA
27 SHALL COMPLY WITH SECTION 505.

(iv) THE SCHOOL CALENDAR AND SCHOOL DAY SCHEDULE.

(v) THE AGE OR GRADE RANGE OF PUPILS TO BE ENROLLED.

(E) DESCRIPTIONS OF STAFF RESPONSIBILITIES, OF THE ROLE OF PARENTS AND LEGAL GUARDIANS, AND OF THE CHARTER PUBLIC SCHOOL'S GOVERNANCE STRUCTURE.

(F) IDENTIFICATION OF THE LOCAL AND INTERMEDIATE SCHOOL DISTRICTS IN WHICH THE CHARTER PUBLIC SCHOOL WILL BE LOCATED AND A DESCRIPTION OF THE ANTICIPATED RELATIONSHIP BETWEEN THE CHARTER PUBLIC SCHOOL AND THE LOCAL AND INTERMEDIATE SCHOOL DISTRICTS IN WHICH IT IS TO BE LOCATED.

(G) A DESCRIPTION OF HOW THE CHARTER PUBLIC SCHOOL WILL MEET THE REQUIREMENTS OF SECTIONS 1204A, 1277, 1278, AND 1280, COMMONLY REFERRED TO AS "PUBLIC ACT 25 OF 1990", AND OF SECTION 1233 OR 1233B AND SECTIONS 1230 AND 1246.

(H) AN ASSURANCE THAT THE CURRICULUM WILL NOT INCLUDE RELIGIOUS INSTRUCTION.

(I) IF THE APPLICATION IS FOR A CONVERSION CHARTER PUBLIC SCHOOL, EVIDENCE SATISFACTORY TO THE CHARTERING BODY THAT THE REQUIREMENTS OF SECTION 504 ARE MET.

SEC. 503. (1) SUBJECT TO SECTIONS 502(5) AND 510(2), A CHARTERING BODY MAY GRANT A CHARTER TO A PERSON OR ENTITY DESCRIBED IN SECTION 502(2) TO ORGANIZE AND OPERATE A CHARTER PUBLIC SCHOOL IN THIS STATE IF THE CHARTERING BODY FINDS THAT THE PERSON OR ENTITY MEETS AND THAT THE PROPOSED CHARTER PUBLIC SCHOOL WILL MEET THE REQUIREMENTS OF THIS PART AND THAT ISSUANCE OF THE CHARTER WILL FURTHER THE EDUCATIONAL GOALS OF THIS STATE. A CHARTERING BODY IS NOT REQUIRED TO ISSUE A CHARTER TO ANY

1 PERSON OR ENTITY. CHARTERS SHALL BE GRANTED ON A COMPETITIVE
2 BASIS TAKING INTO CONSIDERATION THE RESOURCES AVAILABLE FOR THE
3 PROPOSED CHARTER PUBLIC SCHOOL, THE POPULATION TO BE SERVED BY
4 THE PROPOSED CHARTER PUBLIC SCHOOL, AND THE EDUCATIONAL OUTCOMES
5 TO BE ACHIEVED BY THE PROPOSED CHARTER PUBLIC SCHOOL.

6 (2) A CHARTER GRANTED TO A PERSON OR ENTITY TO ORGANIZE AND
7 OPERATE A CHARTER PUBLIC SCHOOL IS A CONTRACT BETWEEN THE CHARTER
8 PUBLIC SCHOOL AND THE CHARTERING BODY AND SHALL CONTAIN AT LEAST
9 ALL OF THE FOLLOWING:

10 (A) A COMMITMENT BY THE CHARTER PUBLIC SCHOOL TO COMPLY WITH
11 THIS PART.

12 (B) THE EDUCATIONAL OUTCOMES THE CHARTER PUBLIC SCHOOL IS TO
13 ACHIEVE AND THE STANDARDS TO WHICH IT WILL BE HELD ACCOUNTABLE,
14 WHICH SHALL INCLUDE AT LEAST ALL OF THE OUTCOMES INCLUDED IN THE
15 STATE BOARD MODEL CORE CURRICULUM. TO THE EXTENT APPLICABLE, THE
16 OUTCOMES SHALL BE ASSESSED USING AT LEAST A MICHIGAN EDUCATION
17 ASSESSMENT PROGRAM (MEAP) TEST OR AN ASSESSMENT INSTRUMENT DEVEL-
18 OPED UNDER SECTION 104A(9) OF THE STATE SCHOOL AID ACT OF 1979,
19 BEING SECTION 388.1704A OF THE MICHIGAN COMPILED LAWS, FOR A
20 STATE-ENDORSED HIGH SCHOOL DIPLOMA, AND 1 OR MORE OF THE FOLLOW-
21 ING NATIONALLY NORMED TESTS: THE CALIFORNIA ACHIEVEMENT TEST,
22 THE STANFORD ACHIEVEMENT TEST, OR THE IOWA TEST OF BASIC SKILLS.

23 (C) A DESCRIPTION OF THE METHOD TO BE USED TO MONITOR THE
24 CHARTER PUBLIC SCHOOL'S COMPLIANCE WITH THIS PART AND ITS PER-
25 FORMANCE IN MEETING ITS TARGETED EDUCATIONAL OUTCOMES.

26 (D) A DESCRIPTION OF THE PROCESS FOR AMENDING THE CHARTER
27 DURING THE TERM OF THE CHARTER.

1 (E) SPECIFIC OPERATING REQUIREMENTS FOR THE CHARTER PUBLIC
2 SCHOOL, WHICH SHALL INCLUDE AT LEAST ALL OF THE MATTERS SPECIFIED
3 IN SECTION 502(6)(C), (D), (E), (F), AND (G).

4 (F) IF THE CHARTER IS FOR A CONVERSION CHARTER PUBLIC
5 SCHOOL, IDENTIFICATION OF THE EXISTING SCHOOL FACILITIES TO BE
6 OCCUPIED IN WHOLE OR PART BY THE CONVERSION CHARTER PUBLIC
7 SCHOOL.

8 (G) PROCEDURES FOR REVOKING THE CHARTER AND GROUNDS FOR
9 REVOKING THE CHARTER, INCLUDING AT LEAST THE GROUNDS LISTED IN
10 SECTION 509.

11 (3) UPON PROPER APPLICATION, THE STATE BOARD SHALL GRANT A
12 CHARTER UNDER THIS PART FOR AN INSTRUCTIONAL PROGRAM OPERATED IN
13 1993-94 UNDER SECTION 23C OF THE STATE SCHOOL AID ACT OF 1979,
14 BEING SECTION 388.1623C OF THE MICHIGAN COMPILED LAWS.

15 (4) UPON PROPER APPLICATION, THE STATE BOARD SHALL GRANT A
16 CHARTER UNDER THIS PART TO THE STATE DEPARTMENT OF SOCIAL SERV-
17 ICES TO ORGANIZE AND OPERATE 1 OR MORE CHARTER PUBLIC SCHOOLS FOR
18 EDUCATING ANY OF THE FOLLOWING OR A SUBGROUP OF ANY OF THE
19 FOLLOWING:

20 (A) YOUTH COMMITTED TO THE CARE AND CUSTODY OF THE STATE
21 DEPARTMENT OF SOCIAL SERVICES PURSUANT TO EITHER THE YOUTH REHA-
22 BILITATION SERVICES ACT, ACT NO. 150 OF THE PUBLIC ACTS OF 1974,
23 BEING SECTIONS 803.301 TO 803.309 OF THE MICHIGAN COMPILED LAWS,
24 OR ACT NO. 220 OF THE PUBLIC ACTS OF 1935, BEING SECTIONS 400.201
25 TO 400.214 OF THE MICHIGAN COMPILED LAWS.

26 (B) AN INDIVIDUAL UNDER AGE 20 WHO HAS DROPPED OUT OF SCHOOL
27 OR HAS BEEN EXPELLED FROM SCHOOL OR, BASED ON INFORMATION FROM A

1 SCHOOL DISTRICT OR ANOTHER CHARTER PUBLIC SCHOOL, IS AT RISK OF
2 BEING EXPELLED FROM SCHOOL.

3 (C) AN INDIVIDUAL WHO HAS NOT COMPLETED HIGH SCHOOL AND WHO
4 IS PREGNANT OR WHO IS THE PARENT OF AT LEAST 1 CHILD WHO IS ELI-
5 GIBLE FOR STATE FUNDED PRESCHOOL OR EARLY EDUCATION PROGRAMS.

6 (5) A CHARTER ISSUED UNDER THIS SECTION IS VALID FOR 7 YEARS
7 AND SHALL BE RENEWED FOR THE SAME NUMBER OF YEARS BY THE CHARTER-
8 ING BODY IF THE CHARTERING BODY DETERMINES THAT THE CHARTER
9 PUBLIC SCHOOL HAS ACHIEVED THE EDUCATIONAL OUTCOMES REQUIRED IN
10 THE CHARTER AND HAS COMPLIED WITH THE OTHER REQUIREMENTS SPECI-
11 FIED IN THIS PART AND IN THE CHARTER.

12 SEC. 504. (1) A CHARTERING BODY SHALL ISSUE A CHARTER TO
13 ESTABLISH A CONVERSION CHARTER PUBLIC SCHOOL IF ALL OF THE FOL-
14 LOWING ARE MET:

15 (A) THE CHARTER APPLICATION TO THE CHARTERING BODY IS SUB-
16 MITTED BY 1 OR MORE CERTIFICATED TEACHERS EMPLOYED BY THE SCHOOL
17 DISTRICT AT THE SCHOOL TO BE CONVERTED WHO HAVE FORMED A CHARTER
18 PUBLIC SCHOOL CORPORATION MEETING THE REQUIREMENTS OF SECTION
19 502(3).

20 (B) THE CHARTER APPLICATION IS SUPPORTED BY THE AFFIRMATIVE
21 VOTE OF AT LEAST A MAJORITY OF THE CERTIFICATED TEACHERS EMPLOYED
22 AT THE SCHOOL TO BE CONVERTED. THE VOTE REQUIRED UNDER THIS SUB-
23 DIVISION SHALL BE HELD WITHIN 60 DAYS BEFORE THE DATE THE CHARTER
24 APPLICATION IS SUBMITTED.

25 (C) THE CHARTER APPLICATION IS SUPPORTED BY THE AFFIRMATIVE
26 VOTE OF AT LEAST A MAJORITY OF THE PARENTS OR LEGAL GUARDIANS OF
27 THE PUPILS ENROLLED IN THE SCHOOL TO BE CONVERTED WHO ARE PRESENT

1 AND VOTE ON THE QUESTION AT A PUBLIC MEETING ON THE ISSUE OF
2 CONVERTING ALL OR A PART OF THE SCHOOL TO A CONVERSION CHARTER
3 PUBLIC SCHOOL. THE MEETING AT WHICH THE VOTE IS TAKEN SHALL BE
4 HELD WITHIN 60 DAYS BEFORE THE DATE THE CHARTER APPLICATION IS
5 SUBMITTED. PUBLIC NOTICE SHALL BE GIVEN FOR THE MEETING IN THE
6 SAME MANNER AS NOTICE OF A MEETING OF A SCHOOL BOARD UNDER
7 SECTION 1201.

8 (2) IF THE CHARTER FOR A CONVERSION CHARTER PUBLIC SCHOOL
9 IDENTIFIES EXISTING SCHOOL FACILITIES TO BE OCCUPIED BY THE CON-
10 VERSION CHARTER PUBLIC SCHOOL, THE SCHOOL DISTRICT IN WHICH THE
11 CONVERSION CHARTER PUBLIC SCHOOL IS TO BE LOCATED SHALL ALLOW THE
12 CONVERSION CHARTER PUBLIC SCHOOL TO CONVERT THOSE SCHOOL FACILI-
13 TIES TO THE USE OF THE CONVERSION CHARTER PUBLIC SCHOOL, AS SPEC-
14 IFIED IN THE CHARTER. THE SCHOOL DISTRICT AND THE CONVERSION
15 CHARTER PUBLIC SCHOOL SHALL ENTER INTO A LEASE AGREEMENT CHARGING
16 A REASONABLE RENT FOR THE FACILITIES. THE LEASE AGREEMENT SHALL
17 SPECIFY THE PARTY THAT HAS FINANCIAL LIABILITY FOR ALL UTILITIES,
18 MAINTENANCE, IMPROVEMENTS, AND OTHER COSTS FOR THE FACILITIES
19 OCCUPIED BY THE CHARTER PUBLIC SCHOOL.

20 (3) A CONVERSION CHARTER PUBLIC SCHOOL AND A SCHOOL DISTRICT
21 MAY ENTER INTO A CONTRACT OR COOPERATIVE ARRANGEMENT CONCERNING
22 GENERAL LIABILITY INSURANCE FOR THE CONVERSION CHARTER PUBLIC
23 SCHOOL.

24 SEC. 505. (1) A CHARTER PUBLIC SCHOOL SHALL NOT CHARGE
25 TUITION AND SHALL NOT DISCRIMINATE IN ITS PUPIL ADMISSIONS POLI-
26 CIES OR PRACTICES ON THE BASIS OF INTELLECTUAL OR ATHLETIC
27 ABILITY, MEASURES OF ACHIEVEMENT OR APTITUDE, STATUS AS A

1 HANDICAPPED PERSON, OR ANY OTHER BASIS THAT WOULD BE ILLEGAL IF
2 USED BY A SCHOOL DISTRICT. HOWEVER, A CHARTER PUBLIC SCHOOL MAY
3 LIMIT ADMISSION TO PUPILS WHO ARE WITHIN A PARTICULAR RANGE OF
4 AGE OR GRADE LEVEL OR ON ANY OTHER BASIS NOT SPECIFICALLY PROHIB-
5 ITED UNDER THIS PART THAT WOULD BE LEGAL IF USED BY A SCHOOL
6 DISTRICT.

7 (2) A CHARTER PUBLIC SCHOOL SHALL NOT ENROLL A PUPIL WHO IS
8 NOT A RESIDENT OF THIS STATE. SUBJECT TO SUBSECTION (3), ENROLL-
9 MENT IN THE CHARTER PUBLIC SCHOOL SHALL BE OPEN TO ALL PUPILS WHO
10 RESIDE IN THIS STATE WHO MEET THE ADMISSION POLICY. IF THERE ARE
11 MORE APPLICATIONS TO ENROLL IN THE CHARTER PUBLIC SCHOOL THAN
12 THERE ARE SPACES AVAILABLE, PUPILS SHALL BE SELECTED TO ATTEND
13 USING A RANDOM SELECTION PROCESS. HOWEVER, A CHARTER PUBLIC
14 SCHOOL MAY GIVE ENROLLMENT PRIORITY TO A SIBLING OF A PUPIL
15 ENROLLED IN THE CHARTER PUBLIC SCHOOL, AND A CONVERSION CHARTER
16 PUBLIC SCHOOL SHALL GIVE ENROLLMENT PRIORITY TO PUPILS WHO RESIDE
17 IN THE SCHOOL DISTRICT IN WHICH THE CONVERSION CHARTER SCHOOL IS
18 LOCATED.

19 (3) A CHARTER PUBLIC SCHOOL OPERATED BY THE STATE DEPARTMENT
20 OF SOCIAL SERVICES FOR INDIVIDUALS DESCRIBED IN SECTION 503(4)
21 MAY LIMIT ENROLLMENT AT THE CHARTER PUBLIC SCHOOL TO THOSE INDI-
22 VIDUALS OR A SUBGROUP OF THOSE INDIVIDUALS.

23 (4) A CHARTER PUBLIC SCHOOL MAY INCLUDE ANY GRADE UP TO
24 GRADE 12 OR ANY COMBINATION OF THOSE GRADES, INCLUDING EARLY
25 CHILDHOOD EDUCATION, AS SPECIFIED IN ITS CHARTER. THE CHARTERING
26 BODY MAY APPROVE AMENDMENT OF A CHARTER WITH RESPECT TO AGES OF
27 PUPILS OR GRADES OFFERED.

1 SEC. 506. (1) A CHARTER PUBLIC SCHOOL IS SUBJECT TO THE
2 REQUIREMENTS OF SECTIONS 1204A, 1277, 1278, AND 1280, COMMONLY
3 REFERRED TO AS "PUBLIC ACT 25 OF 1990"; TO THE REQUIREMENTS OF
4 SECTION 1233 OR 1233B AND SECTIONS 1230 AND 1246; AND TO HEALTH
5 AND SAFETY LAWS THAT ARE GENERALLY APPLICABLE TO PUBLIC
6 BUILDINGS.

7 (2) A CHARTER PUBLIC SCHOOL SHALL MEET GENERALLY ACCEPTED
8 ACCOUNTING PRINCIPLES.

9 (3) A CHARTER PUBLIC SCHOOL SHALL NOT PROVIDE RELIGIOUS
10 INSTRUCTION.

11 (4) A CHARTER PUBLIC SCHOOL SHALL PERFORM THE SAME FUNCTIONS
12 AND DUTIES UNDER ARTICLE 3 AS A LOCAL SCHOOL DISTRICT FOR THE
13 PURPOSE OF ENSURING THAT A HANDICAPPED PERSON ENROLLED IN THE
14 CHARTER PUBLIC SCHOOL IS PROVIDED WITH SPECIAL EDUCATION PROGRAMS
15 AND SERVICES UNDER ARTICLE 3.

16 SEC. 507. (1) A CHARTER PUBLIC SCHOOL MAY EMPLOY OR CON-
17 TRACT WITH PERSONNEL AS NECESSARY FOR THE OPERATION OF THE
18 SCHOOL, PRESCRIBE THEIR DUTIES, AND FIX THEIR COMPENSATION. A
19 CHARTER PUBLIC SCHOOL MAY CONTRACT WITH ANOTHER ENTITY, INCLUD-
20 ING, BUT NOT LIMITED TO, A FOR-PROFIT CORPORATION, WORKERS COOP-
21 ERATIVE, OR EMPLOYEE-OWNED CORPORATION, TO PROVIDE INSTRUCTIONAL
22 SERVICES AT THE CHARTER PUBLIC SCHOOL.

23 (2) UPON WRITTEN REQUEST BY THE EMPLOYEE, THE BOARD OF A
24 SCHOOL DISTRICT SHALL GRANT A LEAVE OF ABSENCE TO AN EMPLOYEE OF
25 THE SCHOOL DISTRICT TO TEACH IN A CHARTER PUBLIC SCHOOL.

26 SEC. 508. (1) A CHARTER PUBLIC SCHOOL OPERATING UNDER THIS
27 PART SHALL RECEIVE STATE SCHOOL AID PER PUPIL IN MEMBERSHIP AT

1 THE CHARTER PUBLIC SCHOOL PURSUANT TO SECTION 20B OF THE STATE
2 SCHOOL AID ACT OF 1979, BEING SECTION 388.1620B OF THE MICHIGAN
3 COMPILED LAWS. IF THE AMOUNT OF THE STATE SCHOOL AID PAYMENT TO
4 A CHARTER PUBLIC SCHOOL UNDER THIS SUBSECTION IS LESS THAN THE
5 AMOUNT CREDITED TO A PUPIL'S STUDENT EDUCATION ACCOUNT FOR THE
6 SCHOOL YEAR IN WHICH THE PUPIL IS ENROLLED IN THE CHARTER PUBLIC
7 SCHOOL, THE DIFFERENCE SHALL REMAIN IN THE PUPIL'S STUDENT EDUCA-
8 TION ACCOUNT, AS PROVIDED IN THE STUDENT EDUCATION ACCOUNT ACT.

9 (2) IN ADDITION TO THE FUNDING UNDER SUBSECTION (1), A
10 CHARTER PUBLIC SCHOOL IS CONSIDERED A SCHOOL DISTRICT FOR FUNDING
11 UNDER ALL OTHER SECTIONS OF THE STATE SCHOOL AID ACT OF 1979, MAY
12 APPLY FOR FUNDING UNDER FEDERAL LAW, AND, TO THE EXTENT PERMITTED
13 BY LAW, MAY ACCEPT DONATIONS FROM OTHER PUBLIC OR PRIVATE
14 SOURCES.

15 (3) A PUPIL ENROLLED IN A CHARTER PUBLIC SCHOOL SHALL NOT BE
16 COUNTED IN MEMBERSHIP IN A SCHOOL DISTRICT.

17 SEC. 509. A CHARTER ISSUED UNDER THIS PART MAY BE REVOKED
18 BY THE CHARTERING BODY THAT ISSUED THE CHARTER IF THE CHARTERING
19 BODY DETERMINES THAT 1 OR MORE OF THE FOLLOWING HAS OCCURRED:

20 (A) FAILURE OF THE CHARTER PUBLIC SCHOOL TO ABIDE BY AND
21 SUBSTANTIALLY MEET THE EDUCATIONAL GOALS AND OUTCOMES SET FORTH
22 IN THE CHARTER.

23 (B) FAILURE OF THE CHARTER PUBLIC SCHOOL TO MAINTAIN APPLI-
24 CABLE HEALTH AND SAFETY STANDARDS.

25 (C) FAILURE OF THE CHARTER PUBLIC SCHOOL TO MEET GENERALLY
26 ACCEPTED ACCOUNTING PRINCIPLES.

1 (D) THE EXISTENCE OF 1 OR MORE OTHER GROUNDS FOR REVOCATION
2 AS SPECIFIED IN THE CHARTER.

3 SEC. 510. (1) THE STATE CHARTER PUBLIC SCHOOL AUTHORITY IS
4 CREATED WITHIN THE DEPARTMENT OF EDUCATION. THE STATE CHARTER
5 PUBLIC SCHOOL AUTHORITY SHALL CONSIST OF 7 MEMBERS, APPOINTED BY
6 THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE.

7 (2) THE STATE CHARTER PUBLIC SCHOOL AUTHORITY MAY GRANT A
8 CHARTER UNDER SECTION 503. HOWEVER, A CHARTER GRANTED BY THE
9 STATE CHARTER PUBLIC SCHOOL AUTHORITY MAY BE REJECTED BY A MAJOR-
10 ITY VOTE OF THE STATE BOARD NOT LATER THAN 30 DAYS AFTER THE DATE
11 THE CHARTER IS GRANTED. A CHARTER REJECTED BY THE STATE BOARD
12 UNDER THIS SUBSECTION IS VOID.

13 (3) THE STATE CHARTER PUBLIC SCHOOL AUTHORITY SHALL DO ALL
14 OF THE FOLLOWING:

15 (A) PERIODICALLY REVIEW AND EVALUATE THE PROGRESS OF IMPLE-
16 MENTATION OF CHARTER PUBLIC SCHOOLS UNDER THIS PART.

17 (B) PREPARE AND SUBMIT TO THE GOVERNOR, THE STATE BOARD, AND
18 THE LEGISLATURE AN ANNUAL REPORT ON THE STATUS OF CHARTER PUBLIC
19 SCHOOLS.

20 (C) PROVIDE TECHNICAL ASSISTANCE TO CHARTER PUBLIC SCHOOLS
21 AND TO PERSONS INTERESTED IN ESTABLISHING A CHARTER PUBLIC
22 SCHOOL. ASSISTANCE MAY INCLUDE, BUT IS NOT LIMITED TO, ASSIST-
23 ANCE IN LOCATING BUILDINGS AND OTHER FACILITIES, FACILITATING
24 COMMUNICATION AMONG CHARTER PUBLIC SCHOOLS, AND FACILITATING
25 ACQUISITION OF LIABILITY INSURANCE, INCLUDING EXPLORATION OF
26 POOLED COVERAGE ARRANGEMENTS.

1 (4) MEMBERS OF THE STATE CHARTER PUBLIC SCHOOL AUTHORITY
2 SHALL SERVE FOR TERMS OF 4 YEARS OR UNTIL A SUCCESSOR IS
3 APPOINTED, WHICHEVER IS LATER, EXCEPT THAT OF THE MEMBERS FIRST
4 APPOINTED, 2 SHALL SERVE FOR 2 YEARS, 2 SHALL SERVE FOR 3 YEARS,
5 AND 3 SHALL SERVE FOR 4 YEARS. A MEMBER MAY BE REAPPOINTED.

6 (5) A VACANCY ON THE STATE CHARTER PUBLIC SCHOOL AUTHORITY
7 SHALL BE FILLED IN THE SAME MANNER AS THE ORIGINAL APPOINTMENT.

8 (6) THE MEMBERS FIRST APPOINTED TO THE STATE CHARTER PUBLIC
9 SCHOOL AUTHORITY SHALL BE APPOINTED WITHIN 30 DAYS AFTER THE
10 EFFECTIVE DATE OF THIS ACT.

11 (7) THE FIRST MEETING OF THE STATE CHARTER PUBLIC SCHOOL
12 AUTHORITY SHALL BE HELD NOT LATER THAN 60 DAYS AFTER THE EFFEC-
13 TIVE DATE OF THIS ACT. AT THE FIRST MEETING, THE STATE CHARTER
14 PUBLIC SCHOOL AUTHORITY SHALL ELECT FROM AMONG ITS MEMBERS A
15 CHAIRPERSON AND OTHER OFFICERS AS IT CONSIDERS NECESSARY OR
16 APPROPRIATE.

17 (8) A MAJORITY OF THE MEMBERS OF THE STATE CHARTER PUBLIC
18 SCHOOL AUTHORITY CONSTITUTES A QUORUM FOR THE TRANSACTION OF
19 BUSINESS AT A MEETING OF THE STATE CHARTER PUBLIC SCHOOL
20 AUTHORITY.

21 (9) THE BUSINESS THAT THE STATE CHARTER PUBLIC SCHOOL
22 AUTHORITY MAY PERFORM SHALL BE CONDUCTED AT A PUBLIC MEETING OF
23 THE STATE CHARTER PUBLIC SCHOOL AUTHORITY HELD IN COMPLIANCE WITH
24 THE OPEN MEETINGS ACT, ACT NO. 267 OF THE PUBLIC ACTS OF 1976,
25 BEING SECTIONS 15.261 TO 15.275 OF THE MICHIGAN COMPILED LAWS.

26 (10) A WRITING PREPARED, OWNED, USED, IN THE POSSESSION OF,
27 OR RETAINED BY THE STATE CHARTER PUBLIC SCHOOL AUTHORITY IN THE

1 PERFORMANCE OF AN OFFICIAL FUNCTION IS SUBJECT TO THE FREEDOM OF
2 INFORMATION ACT, ACT NO. 442 OF THE PUBLIC ACTS OF 1976, BEING
3 SECTIONS 15.231 TO 15.246 OF THE MICHIGAN COMPILED LAWS.

4 (11) MEMBERS OF THE STATE CHARTER PUBLIC SCHOOL AUTHORITY
5 SHALL SERVE WITHOUT COMPENSATION. HOWEVER, A MEMBER MAY BE REIM-
6 BURSED FOR HIS OR HER ACTUAL AND NECESSARY EXPENSES INCURRED IN
7 THE PERFORMANCE OF OFFICIAL DUTIES.

8 SEC. 1701A. FOR THE PURPOSES OF ENSURING THAT A HANDICAPPED
9 PERSON ENROLLED IN A CHARTER PUBLIC SCHOOL CREATED UNDER PART 6A
10 IS PROVIDED WITH SPECIAL EDUCATION PROGRAMS AND SERVICES, THE
11 CHARTER PUBLIC SCHOOL IS CONSIDERED TO BE A LOCAL SCHOOL DISTRICT
12 UNDER THIS ARTICLE.