

HOUSE BILL No. 4243

June 11, 1997, Introduced by Reps. Agee, LaForge, Prusi, Cherry, Baade, Schermesser, Leland, Varga, Martinez, DeHart, Hanley, Anthony, Brewer, Wojno and Callahan and referred to the Committee on Public Retirement.

A bill to amend 1976 PA 451, entitled
"The revised school code,"
by amending sections 504a, 506, 514a, and 516 (MCL 380.504a,
380.506, 380.514a, and 380.516), sections 504a and 514a as
amended by 1995 PA 289, section 506 as added by 1993 PA 362, and
section 516 as added by 1994 PA 416.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 504a. In addition to other powers set forth in this
2 part, a public school academy may take action to carry out the
3 purposes for which it was incorporated under this part, includ-
4 ing, but not limited to, all of the following:

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

6 (b) To acquire, hold, and own in its own name real and
7 personal property, or interests in real or personal property, for
8 educational purposes by purchase, gift, grant, devise, bequest,

1 lease, sublease, installment purchase agreement, land contract,
2 option, or condemnation, and subject to mortgages, security
3 interests, or other liens; and to sell or convey the property as
4 the interests of the public school academy require.

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

6 (d) ~~To~~ SUBJECT TO SECTION 506(2), TO enter into binding
7 legal agreements with persons or entities as necessary for the
8 operation, management, and maintenance of the public school
9 academy.

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

12 (f) To solicit and accept any grants or gifts for educa-
13 tional purposes and to establish or permit to be established on
14 its behalf 1 or more nonprofit corporations the purpose of which
15 is to assist the public school academy in the furtherance of its
16 public purposes.

17 Sec. 506. (1) ~~A~~ SUBJECT TO SUBSECTION (2), A public
18 school academy, with the approval of the authorizing body, may
19 employ or contract with personnel as necessary for the operation
20 of the public school academy, prescribe their duties, and fix
21 their compensation.

22 (2) IF A PUBLIC SCHOOL ACADEMY WAS OPERATED AS A SCHOOL OR
23 PROGRAM OF A SCHOOL DISTRICT OR INTERMEDIATE SCHOOL DISTRICT
24 BEFORE BEING OPERATED AS A PUBLIC SCHOOL ACADEMY, THE INSTRUC-
25 TIONAL PERSONNEL OF THE PUBLIC SCHOOL ACADEMY SHALL BE EMPLOYED
26 IN A MANNER THAT ENSURES THAT THOSE EMPLOYEES ARE MEMBERS OF THE
27 PUBLIC SCHOOL EMPLOYEES' RETIREMENT SYSTEM UNDER THE PUBLIC

1 SCHOOL EMPLOYEES' RETIREMENT ACT OF 1979, 1980 PA 300, MCL
2 38.1301 TO 38.1408.

3 Sec. 514a. In addition to other powers set forth in this
4 part, a public school academy may take action to carry out the
5 purposes for which it was incorporated under this part, includ-
6 ing, but not limited to, all of the following:

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

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

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

16 (d) ~~To~~ SUBJECT TO SECTION 516(2), TO enter into binding
17 legal agreements with persons or entities as necessary for the
18 operation, management, and maintenance of the public school
19 academy.

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

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

1 Sec. 516. (1) ~~—A—~~ SUBJECT TO SUBSECTION (2), A public
2 school academy, with the approval of the authorizing body, may
3 employ or contract with personnel as necessary for the operation
4 of the public school academy, prescribe their duties, and fix
5 their compensation.

6 (2) IF A PUBLIC SCHOOL ACADEMY WAS OPERATED AS A SCHOOL OR
7 PROGRAM OF A SCHOOL DISTRICT OR INTERMEDIATE SCHOOL DISTRICT
8 BEFORE BEING OPERATED AS A PUBLIC SCHOOL ACADEMY, THE INSTRUC-
9 TIONAL PERSONNEL OF THE PUBLIC SCHOOL ACADEMY SHALL BE EMPLOYED
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