

HOUSE SUBSTITUTE FOR  
SENATE BILL NO. 69

A bill to amend 1976 PA 451, entitled  
"The revised school code,"  
by amending section 1311g (MCL 380.1311g), as added by 1999 PA 23.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 1311g. (1) A strict discipline academy may be located in  
2 all or part of an existing public school building. Except for a  
3 strict discipline academy that includes pupils who are the  
4 responsibility of a county juvenile agency, a strict discipline  
5 academy shall not operate at a site other than the single site  
6 requested for the configuration of grades that will use the site,  
7 as specified in the application required under section 1311d and in  
8 the contract.

9       (2) A strict discipline academy shall not charge tuition.  
10 Except as otherwise provided in subsection (5), a strict discipline  
11 academy shall not discriminate in its pupil admissions policies or

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1 practices on the basis of intellectual or athletic ability,  
 2 measures of achievement or aptitude, status as a handicapped  
 3 person, or any other basis that would be illegal if used by a  
 4 school district. However, a strict discipline academy may limit  
 5 admission to pupils who are within a particular range of age or  
 6 grade level or on any other basis that would be legal if used by a  
 7 school district.

8 (3) A strict discipline academy shall be established under  
 9 sections 1311b to 1311l specifically for enrolling 1 or more of the  
 10 following types of pupils:

11 (a) Pupils placed in the strict discipline academy by a court  
 12 or by the ~~family independence agency~~ **DEPARTMENT OF HUMAN SERVICES**  
 13 or a county juvenile agency under the direction of a court.

14 (b) Pupils who have been expelled under section 1311(2).

15 (c) Pupils who have been expelled under section 1311a or  
 16 another provision of this act.

17 (d) Other ~~[expelled pupils~~ **PUPILS WHO HAVE BEEN EXPELLED FROM**  
**SCHOOL, OR PUPILS WHO HAVE BEEN SUSPENDED FROM SCHOOL FOR A SUSPENSION**  
**THAT IS FOR A PERIOD IN EXCESS OF 10 SCHOOL DAYS, AND] WHO ARE**

18 referred to the strict discipline academy by that pupil's school  
 19 and placed in the strict discipline academy by the pupil's parent  
 20 or legal guardian. **HOWEVER, A SUSPENDED PUPIL SHALL BE ALLOWED TO**  
 21 **ATTEND THE STRICT DISCIPLINE ACADEMY ONLY FOR THE DURATION OF THE**  
 22 **SUSPENSION.**

23 (4) In addition to the types of pupils specified in subsection  
 24 (3), a strict discipline public school academy shall be open for  
 25 enrollment of a special education pupil who does not meet the  
 26 requirements of subsection (3) if the special education pupil's  
 27 individualized ~~educational planning committee~~ **EDUCATION PROGRAM**

1 **TEAM** recommends that the special education pupil be placed in the  
2 strict discipline public school academy. As used in this  
3 subsection, "~~individualized educational planning committee~~  
4 **EDUCATION PROGRAM TEAM**" means that term as defined ~~in R 340.1701a~~  
5 ~~of the Michigan administrative code or an individualized education~~  
6 ~~program team as defined~~ in section 614 of part B of title VI of  
7 the individuals with disabilities education act, ~~Public Law 91-230,~~  
8 ~~20 U.S.C. 20 USC~~ 1414.

9 (5) A strict discipline academy shall enroll only 1 or more of  
10 the types of pupils described in subsection (3) or (4). A strict  
11 discipline academy is not required to keep any group of pupils  
12 described in subsection (3) or (4) physically separated from  
13 another group of those pupils, as might otherwise be required under  
14 section 1311, section 1311a, or another provision of this act.

15 (6) Strict discipline academies are not intended to enroll or  
16 otherwise be used to educate individuals who are committed to a  
17 high-security or medium-security juvenile facility operated by the  
18 ~~family independence agency~~ **DEPARTMENT OF HUMAN SERVICES** or another  
19 state department or agency. Further, if the ~~family independence~~  
20 ~~agency~~ **DEPARTMENT OF HUMAN SERVICES**, department of corrections, or  
21 another state department or agency has custody of or jurisdiction  
22 over a child, that state department or agency has the financial  
23 responsibility for educating the child.

24 (7) Except for a foreign exchange student who is not a United  
25 States citizen, a strict discipline academy shall not enroll a  
26 pupil who is not a resident of this state. Enrollment in the strict  
27 discipline academy may be open to all individuals who reside in

1 this state who meet the admission policy under subsections (3) and  
2 (4) and shall be open to all pupils who reside within the  
3 geographic boundaries, if any, of the authorizing body as described  
4 in section 1311d who meet the admission policy under subsections  
5 (3) and (4), except that admission to a strict discipline academy  
6 authorized by the board of a community college to operate, or  
7 operated by the board of a community college, on the grounds of a  
8 federal military installation, as described in section 1311d, shall  
9 be open to all pupils who reside in the county in which the federal  
10 military installation is located who meet the admission policy  
11 under subsections (3) and (4). For a strict discipline academy  
12 authorized by a state public university, enrollment shall be open  
13 to all pupils who reside in this state who meet the admission  
14 policy under subsections (3) and (4). If there are more  
15 applications to enroll in the strict discipline academy than there  
16 are spaces available, pupils shall be selected to attend using a  
17 random selection process. However, a strict discipline academy may  
18 give enrollment priority to a sibling of a pupil enrolled in the  
19 strict discipline academy. ~~A~~ **EXCEPT FOR A SUSPENDED PUPIL WHO IS**  
20 **ATTENDING THE STRICT DISCIPLINE ACADEMY FOR THE DURATION OF THE**  
21 **SUSPENSION, A** strict discipline academy shall allow any pupil who  
22 was enrolled in the strict discipline academy in the immediately  
23 preceding school year to enroll in the strict discipline academy in  
24 the appropriate grade unless the appropriate grade is not offered  
25 at that strict discipline academy.

26 (8) A strict discipline academy may include any grade up to  
27 grade 12 or any configuration of those grades, including

1 kindergarten and early childhood education, as specified in its  
2 contract. The authorizing body may approve amendment of a contract  
3 with respect to ages of pupils or grades offered.