

HOUSE BILL No. 5124

August 22, 2007, Introduced by Reps. Sak, Dean, Cheeks and Virgil Smith and referred to the Committee on Education.

A bill to amend 1976 PA 451, entitled
"The revised school code,"
by amending section 1146 (MCL 380.1146), as amended by 2006 PA 303.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1146. (1) Except as otherwise provided under subsection
2 (2) and section 475, a separate school or department shall not be
3 kept for a person on account of race, color, or gender. This
4 section shall not be construed to prevent the grading of schools
5 according to the intellectual progress of the pupil to be taught in
6 separate places as may be considered expedient.

7 (2) Subject to subsection (3), the board of a school district
8 or intermediate school district or board of directors of a public
9 school academy may establish and maintain a school, class, or
10 program within a school in which enrollment is limited to pupils of
11 a single gender if the school district, intermediate school

1 district, or public school academy makes available to pupils a
2 substantially equal coeducational school, class, or program. ~~and a~~
3 ~~substantially equal school, class, or program for pupils of the~~
4 ~~other gender.~~

5 (3) If the board of a school district or intermediate school
6 district or board of directors of a public school academy
7 establishes a single-gender school, class, or program described in
8 subsection (1), the school district, intermediate school district,
9 or public school academy shall not require participation by any of
10 its pupils in the single-gender school, class, or program. The
11 board or board of directors shall ensure that participation by
12 pupils in a single-gender school, class, or program is wholly
13 voluntary. For the purposes of this subsection, participation by a
14 pupil in a single-gender school, class, or program is not
15 considered to be voluntary unless the school district, intermediate
16 school district, or public school academy also makes available to
17 the pupil a substantially equal coeducational school, class, or
18 program.