

HOUSE BILL No. 5098

October 19, 2011, Introduced by Rep. Hobbs and referred to the Committee on Education.

A bill to amend 1976 PA 451, entitled
"The revised school code,"
(MCL 380.1 to 380.1852) by adding sections 503c, 523c, and 553c.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 503C. (1) BEGINNING WITH MANAGEMENT AGREEMENTS DESCRIBED
2 IN THIS SECTION THAT ARE ENTERED INTO OR RENEWED AFTER THE
3 EFFECTIVE DATE OF THIS SECTION, IF THE BOARD OF DIRECTORS OF A
4 PUBLIC SCHOOL ACADEMY ENTERS INTO OR RENEWS A MANAGEMENT AGREEMENT
5 WITH AN EDUCATIONAL MANAGEMENT ORGANIZATION TO CARRY OUT THE
6 OPERATIONS OF THE PUBLIC SCHOOL ACADEMY, BOTH OF THE FOLLOWING
7 APPLY:

8 (A) THE EDUCATIONAL MANAGEMENT ORGANIZATION SHALL PROVIDE TO
9 THE BOARD OF DIRECTORS AND TO THE DEPARTMENT ALL STUDENT
10 ACHIEVEMENT DATA FOR THAT PUBLIC SCHOOL ACADEMY AND FOR ALL OTHER

1 PUBLIC SCHOOLS MANAGED BY THE EDUCATIONAL MANAGEMENT ORGANIZATION,
2 INCLUDING CHANGE IN STUDENT ACHIEVEMENT AS MEASURED BY ASSESSMENTS
3 AND OTHER OBJECTIVE CRITERIA. THE STUDENT ACHIEVEMENT DATA SHALL
4 INCLUDE ALL STUDENT ACHIEVEMENT DATA THAT A SCHOOL DISTRICT IS
5 REQUIRED TO PROVIDE TO THE DEPARTMENT OR ANY OTHER AGENCY OF THIS
6 STATE.

7 (B) THE BOARD OF DIRECTORS SHALL ENSURE THAT THE MANAGEMENT
8 AGREEMENT REQUIRES THE EDUCATIONAL MANAGEMENT ORGANIZATION TO
9 COMPLY WITH SUBDIVISION (A) AND THAT THE MANAGEMENT AGREEMENT MAY
10 BE CANCELED IF THE BOARD OF DIRECTORS IS INFORMED BY THE DEPARTMENT
11 THAT THE EDUCATIONAL MANAGEMENT ORGANIZATION IS NOT COMPLYING WITH
12 SUBDIVISION (A).

13 (2) THE DEPARTMENT SHALL COMPILE THE REPORTS SUBMITTED BY
14 EDUCATIONAL MANAGEMENT ORGANIZATIONS UNDER THIS SECTION AND PUBLISH
15 THE REPORTS ON ITS WEBSITE.

16 (3) AS USED IN THIS SECTION:

17 (A) "EDUCATIONAL MANAGEMENT ORGANIZATION" MEANS AN ENTITY THAT
18 ENTERS INTO A MANAGEMENT AGREEMENT WITH A PUBLIC SCHOOL ACADEMY.

19 (B) "ENTITY" MEANS A PARTNERSHIP, NONPROFIT OR BUSINESS
20 CORPORATION, OR ANY OTHER ASSOCIATION, CORPORATION, TRUST, OR OTHER
21 LEGAL ENTITY.

22 (C) "MANAGEMENT AGREEMENT" MEANS AN AGREEMENT TO PROVIDE
23 COMPREHENSIVE EDUCATIONAL, ADMINISTRATIVE, MANAGEMENT, OR
24 INSTRUCTIONAL SERVICES OR STAFF TO A PUBLIC SCHOOL ACADEMY.

25 SEC. 523C. (1) BEGINNING WITH MANAGEMENT AGREEMENTS DESCRIBED
26 IN THIS SECTION THAT ARE ENTERED INTO OR RENEWED AFTER THE
27 EFFECTIVE DATE OF THIS SECTION, IF THE BOARD OF DIRECTORS OF AN

1 URBAN HIGH SCHOOL ACADEMY ENTERS INTO OR RENEWS A MANAGEMENT
2 AGREEMENT WITH AN EDUCATIONAL MANAGEMENT ORGANIZATION TO CARRY OUT
3 THE OPERATIONS OF THE PUBLIC SCHOOL ACADEMY, BOTH OF THE FOLLOWING
4 APPLY:

5 (A) THE EDUCATIONAL MANAGEMENT ORGANIZATION SHALL PROVIDE TO
6 THE BOARD OF DIRECTORS AND TO THE DEPARTMENT ALL STUDENT
7 ACHIEVEMENT DATA FOR THAT URBAN HIGH SCHOOL ACADEMY AND FOR ALL
8 OTHER PUBLIC SCHOOLS MANAGED BY THE EDUCATIONAL MANAGEMENT
9 ORGANIZATION, INCLUDING CHANGE IN STUDENT ACHIEVEMENT AS MEASURED
10 BY ASSESSMENTS AND OTHER OBJECTIVE CRITERIA. THE STUDENT
11 ACHIEVEMENT DATA SHALL INCLUDE ALL STUDENT ACHIEVEMENT DATA THAT A
12 SCHOOL DISTRICT IS REQUIRED TO PROVIDE TO THE DEPARTMENT OR ANY
13 OTHER AGENCY OF THIS STATE.

14 (B) THE BOARD OF DIRECTORS SHALL ENSURE THAT THE MANAGEMENT
15 AGREEMENT REQUIRES THE EDUCATIONAL MANAGEMENT ORGANIZATION TO
16 COMPLY WITH SUBDIVISION (A) AND THAT THE MANAGEMENT AGREEMENT MAY
17 BE CANCELED IF THE BOARD OF DIRECTORS IS INFORMED BY THE DEPARTMENT
18 THAT THE EDUCATIONAL MANAGEMENT ORGANIZATION IS NOT COMPLYING WITH
19 SUBDIVISION (A).

20 (2) THE DEPARTMENT SHALL COMPILE THE REPORTS SUBMITTED BY
21 EDUCATIONAL MANAGEMENT ORGANIZATIONS UNDER THIS SECTION AND PUBLISH
22 THE REPORTS ON ITS WEBSITE.

23 (3) AS USED IN THIS SECTION:

24 (A) "EDUCATIONAL MANAGEMENT ORGANIZATION" MEANS AN ENTITY THAT
25 ENTERS INTO A MANAGEMENT AGREEMENT WITH AN URBAN HIGH SCHOOL
26 ACADEMY.

27 (B) "ENTITY" MEANS A PARTNERSHIP, NONPROFIT OR BUSINESS

1 CORPORATION, OR ANY OTHER ASSOCIATION, CORPORATION, TRUST, OR OTHER
2 LEGAL ENTITY.

3 (C) "MANAGEMENT AGREEMENT" MEANS AN AGREEMENT TO PROVIDE
4 COMPREHENSIVE EDUCATIONAL, ADMINISTRATIVE, MANAGEMENT, OR
5 INSTRUCTIONAL SERVICES OR STAFF TO AN URBAN HIGH SCHOOL ACADEMY.

6 SEC. 553C. (1) BEGINNING WITH MANAGEMENT AGREEMENTS DESCRIBED
7 IN THIS SECTION THAT ARE ENTERED INTO OR RENEWED AFTER THE
8 EFFECTIVE DATE OF THIS SECTION, IF THE BOARD OF DIRECTORS OF A
9 SCHOOL OF EXCELLENCE ENTERS INTO OR RENEWS A MANAGEMENT AGREEMENT
10 WITH AN EDUCATIONAL MANAGEMENT ORGANIZATION TO CARRY OUT THE
11 OPERATIONS OF THE PUBLIC SCHOOL ACADEMY, BOTH OF THE FOLLOWING
12 APPLY:

13 (A) THE EDUCATIONAL MANAGEMENT ORGANIZATION SHALL PROVIDE TO
14 THE BOARD OF DIRECTORS AND TO THE DEPARTMENT ALL STUDENT
15 ACHIEVEMENT DATA FOR THAT SCHOOL OF EXCELLENCE AND FOR ALL OTHER
16 PUBLIC SCHOOLS MANAGED BY THE EDUCATIONAL MANAGEMENT ORGANIZATION,
17 INCLUDING CHANGE IN STUDENT ACHIEVEMENT AS MEASURED BY ASSESSMENTS
18 AND OTHER OBJECTIVE CRITERIA. THE STUDENT ACHIEVEMENT DATA SHALL
19 INCLUDE ALL STUDENT ACHIEVEMENT DATA THAT A SCHOOL DISTRICT IS
20 REQUIRED TO PROVIDE TO THE DEPARTMENT OR ANY OTHER AGENCY OF THIS
21 STATE.

22 (B) THE BOARD OF DIRECTORS SHALL ENSURE THAT THE MANAGEMENT
23 AGREEMENT REQUIRES THE EDUCATIONAL MANAGEMENT ORGANIZATION TO
24 COMPLY WITH SUBDIVISION (A) AND THAT THE MANAGEMENT AGREEMENT MAY
25 BE CANCELED IF THE BOARD OF DIRECTORS IS INFORMED BY THE DEPARTMENT
26 THAT THE EDUCATIONAL MANAGEMENT ORGANIZATION IS NOT COMPLYING WITH
27 SUBDIVISION (A).

1 (2) THE DEPARTMENT SHALL COMPILE THE REPORTS SUBMITTED BY
2 EDUCATIONAL MANAGEMENT ORGANIZATIONS UNDER THIS SECTION AND PUBLISH
3 THE REPORTS ON ITS WEBSITE.

4 (3) AS USED IN THIS SECTION, "MANAGEMENT AGREEMENT" MEANS AN
5 AGREEMENT TO PROVIDE COMPREHENSIVE EDUCATIONAL, ADMINISTRATIVE,
6 MANAGEMENT, OR INSTRUCTIONAL SERVICES OR STAFF TO A SCHOOL OF
7 EXCELLENCE.