

HOUSE BILL No. 5923

September 19, 2012, Introduced by Reps. Lyons and Haveman and referred to the Committee on Education.

A bill to amend 1976 PA 451, entitled
"The revised school code,"
by amending sections 10, 1278a, 1401, 1473, and 1481 (MCL 380.10, 380.1278a, 380.1401, 380.1473, and 380.1481), section 10 as added by 1995 PA 289, section 1278a as amended by 2009 PA 205, and section 1473 as amended and section 1481 as added by 2000 PA 230, and by adding part 6f and sections 1233c, 1482, and 1483.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 10. (1) It is the natural, fundamental right of parents
2 and legal guardians to determine and direct the care, teaching, and
3 education of their children. The public schools of this state serve
4 the needs of the pupils by cooperating with the pupil's parents and
5 legal guardians to develop the pupil's intellectual capabilities
6 and vocational skills in a safe and positive environment. **WITHIN**
7 **AVAILABLE RESOURCES AND TO THE EXTENT THAT IT IS CONSISTENT WITH**

1 THE STATE CONSTITUTION OF 1963, THE PARENT OR LEGAL GUARDIAN OF
2 EACH CHILD IS ENTITLED TO CHOOSE AMONG AVAILABLE PUBLIC OR
3 NONPUBLIC SCHOOLS AND HOME SCHOOLING FOR SOME OR ALL OF THE
4 EDUCATION NECESSARY TO DEVELOP THE CHILD'S INTELLECTUAL
5 CAPABILITIES AND VOCATIONAL SKILLS IN A SAFE AND POSITIVE
6 ENVIRONMENT.

7 (2) PUBLIC SCHOOLS ARE PART OF THE COMMUNITY IN WHICH THEY ARE
8 LOCATED AND SHOULD BE ACTIVELY ENGAGED WITH MUNICIPAL GOVERNMENT,
9 EMPLOYERS, LABOR ORGANIZATIONS, CULTURAL AND COMMUNITY
10 ORGANIZATIONS, AND OTHERS IN PROVIDING EDUCATION AND GROWTH
11 OPPORTUNITIES FOR YOUNG PEOPLE.

12 (3) AN AUTHORIZING BODY FOR A PUBLIC SCHOOL ACADEMY OR FOR A
13 SCHOOL WITH A SPECIAL DESIGNATION UNDER PART 6F MAY ISSUE OR
14 RELEASE AN OPINION, REPORT, DATA, OR RESEARCH MATERIALS REGARDING
15 THE ACADEMIC, FINANCIAL, AND COMPLIANCE PERFORMANCE OF A VENDOR,
16 CONTRACTOR, OR EDUCATIONAL SERVICE PROVIDER PROVIDING EDUCATIONAL
17 SERVICES IN A PUBLIC SCHOOL ACADEMY OR A SCHOOL WITH A SPECIAL
18 DESIGNATION. IN TAKING AN ACTION DESCRIBED IN THIS SUBSECTION, AN
19 AUTHORIZING BODY HAS GOVERNMENTAL IMMUNITY AS PROVIDED IN SECTION 7
20 OF 1964 PA 170, MCL 691.1407.

21 PART 6F

22 NEW FORMS OF SCHOOLS

23 SEC. 571. (1) TO PROVIDE PUPILS AND PARENTS WITH MORE
24 OPPORTUNITIES TO RECEIVE PUBLIC EDUCATION, NEW FORMS OF SCHOOLS MAY
25 BE AUTHORIZED UNDER THIS PART WITHIN THIS STATE'S SYSTEM OF PUBLIC
26 SCHOOLS, AS PROVIDED UNDER THIS PART. A SCHOOL AUTHORIZED UNDER
27 THIS PART SHALL FURTHER 1 OR MORE OF THE FOLLOWING PURPOSES:

1 (A) TO IMPROVE PUPIL ACHIEVEMENT FOR ALL PUPILS, INCLUDING,
2 BUT NOT LIMITED TO, EDUCATIONALLY DISADVANTAGED PUPILS, BY
3 IMPROVING THE LEARNING ENVIRONMENT.

4 (B) TO STIMULATE INNOVATIVE TEACHING METHODS.

5 (C) TO CREATE NEW PROFESSIONAL OPPORTUNITIES FOR TEACHERS IN A
6 NEW TYPE OF PUBLIC SCHOOL IN WHICH THE SCHOOL STRUCTURE AND
7 EDUCATIONAL PROGRAM CAN BE INNOVATIVELY DESIGNED AND MANAGED BY
8 TEACHERS AT THE SCHOOL SITE LEVEL.

9 (D) TO ACHIEVE SCHOOL ACCOUNTABILITY FOR PUPIL EDUCATIONAL
10 OUTCOMES BY PLACING FULL RESPONSIBILITY FOR PERFORMANCE AT THE
11 SCHOOL SITE LEVEL.

12 (E) TO PROVIDE PARENTS OR LEGAL GUARDIANS AND PUPILS WITH
13 GREATER CHOICES AMONG PUBLIC SCHOOLS, BOTH WITHIN AND OUTSIDE THEIR
14 EXISTING SCHOOL DISTRICTS.

15 (F) TO PERMIT PARENTS OR LEGAL GUARDIANS AND PUPILS TO CHOOSE
16 TO ATTEND AND COMPETE IN GLOBALLY COMPETITIVE PUBLIC SCHOOLS.

17 (G) TO EXPAND THE NUMBER AND TYPES OF PUBLIC ENTITIES
18 PERMITTED TO AUTHORIZE, SUPERVISE, OPERATE, MANAGE, AND OVERSEE
19 PUBLIC SCHOOLS.

20 (H) TO PROVIDE FOR NEW FORMS OF PUBLIC SCHOOL GOVERNANCE.

21 (I) TO PERMIT PUBLIC SCHOOLS TO FORM INTERNATIONAL SCHOOLS IN
22 COOPERATION WITH THE EDUCATIONAL AUTHORITIES OF OTHER NATIONS.

23 (J) TO PERMIT INTERNATIONAL STUDENTS TO PAY TUITION TO RECEIVE
24 EDUCATION AND DIPLOMAS FROM PUBLIC SCHOOLS IN THIS STATE.

25 (K) TO PERMIT MUNICIPAL AUTHORITIES TO ESTABLISH PUBLIC
26 MUNICIPAL SCHOOLS AS A MORE EFFICIENT WAY TO EXERCISE GOVERNMENTAL
27 POWERS.

1 (I) TO PERMIT EMPLOYERS TO SPONSOR AND SUPPORT PUBLIC SCHOOLS
2 AND PROVIDE LIMITED ENROLLMENT PREFERENCES FOR CHILDREN OF
3 EMPLOYEES OF THE SPONSORING EMPLOYERS.

4 (M) TO PERMIT CULTURAL ORGANIZATIONS IN THIS STATE TO SPONSOR
5 AND SUPPORT SPECIALIZED PUBLIC SCHOOLS THAT UTILIZE THE SPECIAL
6 TALENTS AND EXPERTISE OF THE CULTURAL ORGANIZATION.

7 (N) TO AUTHORIZE GREATER COOPERATION AMONG NONPUBLIC SCHOOLS,
8 PUBLIC SCHOOLS, AND PARENTS OF HOME SCHOOL STUDENTS TO THE EXTENT
9 PERMITTED UNDER THE STATE CONSTITUTION OF 1963.

10 (O) TO PERMIT SINGLE-GENDER PUBLIC SCHOOLS AVAILABLE EQUALLY
11 TO BOTH GENDERS TO PROVIDE IMPROVED EDUCATIONAL OPPORTUNITIES AND
12 OUTCOMES.

13 (2) IN ADDITION TO EXISTING SCHOOL DISTRICTS, PUBLIC SCHOOL
14 ACADEMIES, STRICT DISCIPLINE ACADEMIES, URBAN HIGH SCHOOL
15 ACADEMIES, SCHOOLS OF EXCELLENCE, UNIVERSITY SCHOOLS, CYBER
16 SCHOOLS, ACHIEVEMENT SCHOOLS, AND OTHER PUBLIC SCHOOLS, THIS PART
17 AUTHORIZES ADDITIONAL TYPES OF PUBLIC SCHOOLS TO MEET THE
18 EDUCATIONAL NEEDS OF PUPILS IN THIS STATE.

19 (3) AS USED IN THIS PART:

20 (A) "ACHIEVEMENT AUTHORITY" MEANS THE EDUCATION ACHIEVEMENT
21 AUTHORITY DESCRIBED IN SECTION 771.

22 (B) "ACHIEVEMENT SCHOOL" MEANS A PUBLIC SCHOOL OPERATED,
23 MANAGED, AUTHORIZED, ESTABLISHED, OR OVERSEEN BY THE ACHIEVEMENT
24 AUTHORITY, INCLUDING, BUT NOT LIMITED TO, A PUBLIC SCHOOL UNDER THE
25 CONTROL OF THE ACHIEVEMENT AUTHORITY UNDER SECTION 1280C.

26 (C) "AUTHORIZING BODY" MEANS THE ACHIEVEMENT AUTHORITY OR
27 ANOTHER GOVERNMENTAL ENTITY THAT IS AUTHORIZED TO FUNCTION AS AN

1 AUTHORIZING BODY AND ISSUE A CONTRACT UNDER PART 6A.

2 (D) "CERTIFICATED TEACHER" MEANS AN INDIVIDUAL WHO HOLDS A
3 VALID TEACHING CERTIFICATE, PERMIT, AUTHORIZATION, OR ADJUNCT
4 INSPECTOR CERTIFICATE ISSUED BY THE DEPARTMENT.

5 (E) "COMMUNITY COLLEGE" MEANS A COMMUNITY COLLEGE ORGANIZED
6 UNDER THE COMMUNITY COLLEGE ACT OF 1966, 1966 PA 331, MCL 389.1 TO
7 389.195, OR A FEDERAL TRIBALLY CONTROLLED COMMUNITY COLLEGE THAT IS
8 RECOGNIZED UNDER THE TRIBALLY CONTROLLED COLLEGES AND UNIVERSITIES
9 ASSISTANCE ACT OF 1978, 25 USC 1801 TO 1825, AND IS DETERMINED BY
10 THE DEPARTMENT TO MEET THE REQUIREMENTS FOR ACCREDITATION BY A
11 RECOGNIZED REGIONAL ACCREDITING BODY.

12 (F) "ELIGIBLE PUBLIC SCHOOL" MEANS A PUBLIC SCHOOL ACADEMY, A
13 UNIVERSITY SCHOOL, OR AN ACHIEVEMENT SCHOOL.

14 (G) "SPECIAL DESIGNATION" MEANS THE AUTHORITY TO OPERATE AS 1
15 OR MORE TYPES OF SPECIALIZED PUBLIC SCHOOL UNDER THIS PART, AS
16 ISSUED BY AN AUTHORIZING BODY UNDER A SPECIAL DESIGNATION
17 AGREEMENT.

18 (H) "SPECIAL DESIGNATION AGREEMENT" MEANS THE EXECUTIVE ACT
19 TAKEN BY AN AUTHORIZING BODY THAT EVIDENCES THE AUTHORIZATION FOR
20 AN ELIGIBLE PUBLIC SCHOOL TO OPERATE AS A SCHOOL WITH A SPECIAL
21 DESIGNATION UNDER THIS PART, SUBJECT TO THE CONSTITUTIONAL POWERS
22 OF THE STATE BOARD AND APPLICABLE LAW. FOR A PUBLIC SCHOOL ACADEMY,
23 SPECIAL DESIGNATION AGREEMENT MEANS A CONTRACT AMENDMENT EXECUTED
24 BY THE AUTHORIZING BODY CONFERRING CERTAIN RIGHTS, FRANCHISES,
25 PRIVILEGES, AND OBLIGATIONS AS PROVIDED BY THIS PART, AND
26 CONFIRMING THE AUTHORITY OF THE PUBLIC SCHOOL ACADEMY TO OPERATE AS
27 A SCHOOL WITH A SPECIAL DESIGNATION UNDER THIS PART.

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

4 SEC. 572. (1) SUBJECT TO THE LEADERSHIP AND GENERAL
5 SUPERVISION OF THE STATE BOARD OVER ALL PUBLIC EDUCATION, A SCHOOL
6 WITH A SPECIAL DESIGNATION UNDER THIS PART IS A PUBLIC SCHOOL UNDER
7 SECTION 2 OF ARTICLE VIII OF THE STATE CONSTITUTION OF 1963.

8 (2) THE POWERS GRANTED TO A SCHOOL WITH A SPECIAL DESIGNATION
9 UNDER THIS PART CONSTITUTE THE PERFORMANCE OF ESSENTIAL PUBLIC
10 PURPOSES AND GOVERNMENTAL FUNCTIONS OF THIS STATE.

11 (3) TO THE EXTENT DISQUALIFIED UNDER THE STATE OR FEDERAL
12 CONSTITUTION, A SCHOOL WITH A SPECIAL DESIGNATION UNDER THIS PART
13 SHALL NOT BE ORGANIZED BY A CHURCH OR OTHER RELIGIOUS ORGANIZATION
14 AND SHALL NOT HAVE ANY ORGANIZATIONAL OR CONTRACTUAL AFFILIATION
15 WITH OR CONSTITUTE A CHURCH OR OTHER RELIGIOUS ORGANIZATION. A
16 SCHOOL OR ACADEMY AUTHORIZED UNDER THIS PART SHALL COMPLY WITH ALL
17 STATE AND FEDERAL LAW APPLICABLE TO PUBLIC SCHOOLS CONCERNING
18 CHURCH-STATE ISSUES.

19 SEC. 573. (1) SUBJECT TO THE PROVISIONS OF THIS PART, THE
20 AUTHORITY MAY ISSUE 1 OR MORE SPECIAL DESIGNATIONS TO AN ELIGIBLE
21 PUBLIC SCHOOL FOR THE FOLLOWING TYPES OF SPECIALIZED SCHOOLS:

22 (A) A SINGLE-GENDER SCHOOL AUTHORIZED UNDER SECTION 584.

23 (B) AN ONLINE SCHOOL AUTHORIZED UNDER SECTION 585.

24 (C) A GLOBALLY COMPETITIVE SCHOOL AUTHORIZED UNDER SECTION
25 586.

26 (D) AN INTERNATIONAL CULTURAL SCHOOL AUTHORIZED UNDER SECTION
27 587.

1 (E) A RESIDENTIAL PUBLIC SCHOOL AUTHORIZED UNDER SECTION 588.

2 (F) A UNIVERSITY SCHOOL AUTHORIZED UNDER SECTION 589.

3 (G) AN EMPLOYER-SUPPORTED SCHOOL AUTHORIZED UNDER SECTION 590.

4 (H) A CULTURAL INSTITUTION-AFFILIATED SCHOOL AUTHORIZED UNDER
5 SECTION 591.

6 (I) A MUNICIPAL SCHOOL AUTHORIZED UNDER SECTION 592.

7 (2) A SPECIAL DESIGNATION MAY BE ISSUED TO AN ELIGIBLE SCHOOL
8 UNDER MORE THAN 1 SECTION OF THIS PART, AND, IF THE SCHOOL COMPLIES
9 WITH ALL APPLICABLE LAW AND REQUIREMENTS RELATED TO EACH SPECIAL
10 DESIGNATION, A SCHOOL MAY OPERATE UNDER MORE THAN 1 SPECIAL
11 DESIGNATION ISSUED UNDER THIS PART AT THE SAME TIME.

12 (3) ANY PUPIL WHO IS A RESIDENT OF THIS STATE MAY APPLY FOR
13 ADMISSION TO ANY SCHOOL WITH A SPECIAL DESIGNATION UNDER THIS PART,
14 SUBJECT TO THE EQUAL APPLICATION OF ENROLLMENT CRITERIA AUTHORIZED
15 FOR THE SCHOOL.

16 SEC. 574. (1) TO OPERATE AS A SCHOOL WITH A SPECIAL
17 DESIGNATION UNDER THIS PART, AN ELIGIBLE PUBLIC SCHOOL SHALL APPLY
18 TO AN AUTHORIZING BODY FOR A SPECIAL DESIGNATION AGREEMENT AND MUST
19 BE ISSUED A SPECIAL DESIGNATION BY AN AUTHORIZING BODY UNDER THIS
20 PART. IF THE ELIGIBLE PUBLIC SCHOOL IS AN ACHIEVEMENT SCHOOL, THE
21 SPECIAL DESIGNATION MAY ONLY BE ISSUED BY THE ACHIEVEMENT
22 AUTHORITY. IF THE ELIGIBLE PUBLIC SCHOOL IS A PUBLIC SCHOOL
23 ACADEMY, THE SPECIAL DESIGNATION MAY ONLY BE ISSUED BY THE PUBLIC
24 SCHOOL ACADEMY'S AUTHORIZING BODY. IF THE ELIGIBLE PUBLIC SCHOOL IS
25 A UNIVERSITY SCHOOL, THE SPECIAL DESIGNATION MAY ONLY BE ISSUED BY
26 THE GOVERNING BOARD OF THE UNIVERSITY SCHOOL.

27 (2) AN AUTHORIZING BODY SHALL ESTABLISH A PROCESS AND FORMS

1 FOR DEVELOPMENT, SUBMISSION, CONSIDERATION, APPROVAL, OR REJECTION
2 OF APPLICATIONS FROM ELIGIBLE PUBLIC SCHOOLS FOR A SPECIAL
3 DESIGNATION AGREEMENT FOR A PROPOSED SCHOOL WITH A SPECIAL
4 DESIGNATION UNDER THIS PART. THE PROCESS SHALL INCLUDE AT LEAST ALL
5 OF THE FOLLOWING:

6 (A) NOTICE OF TIME PERIODS FOR THE SUBMISSION AND
7 CONSIDERATION OF APPLICATIONS. THE NOTICE SHALL BE MADE PUBLIC AND
8 SHALL BE POSTED ON A WEBSITE OF THE AUTHORIZING BODY.

9 (B) PRECONDITIONS OR REQUIREMENTS FOR THE CONSIDERATION OF
10 APPLICATIONS, AS ESTABLISHED BY THE AUTHORIZING BODY.

11 (C) ASSURANCE THAT ALL APPLICATIONS WILL BE PUBLIC RECORDS
12 AVAILABLE UNDER THE FREEDOM OF INFORMATION ACT, 1976 PA 442, MCL
13 15.231 TO 15.246.

14 (3) THE APPLICATION PROCESS ESTABLISHED BY AN AUTHORIZING BODY
15 UNDER SUBSECTION (2) SHALL ENSURE THAT THE DOCUMENTATION REQUIRED
16 INCLUDES AT LEAST ALL OF THE FOLLOWING:

17 (A) IDENTIFICATION OF THE APPLICANT FOR THE SPECIAL
18 DESIGNATION.

19 (B) IDENTIFICATION OF EACH TYPE OF SCHOOL WITH A SPECIAL
20 DESIGNATION THAT THE ELIGIBLE SCHOOL IS APPLYING TO OPERATE AND
21 EACH SECTION UNDER THIS PART UNDER WHICH THE SCHOOL WITH A SPECIAL
22 DESIGNATION WILL OPERATE.

23 (C) THE PROPOSED TERMS OF THE SPECIAL DESIGNATION AGREEMENT,
24 WHICH SHALL INCLUDE AT LEAST ALL OF THE FOLLOWING:

25 (i) THE NAME OF THE PROPOSED SCHOOL WITH A SPECIAL DESIGNATION,
26 AND WHETHER THE SCHOOL WITH A SPECIAL DESIGNATION WILL BE KNOWN AS
27 AN ACADEMY, AN INSTITUTE, OR A SCHOOL.

1 (ii) THE PURPOSES OF THE SCHOOL WITH A SPECIAL DESIGNATION.
2 THIS PROVISION SHALL INCLUDE AMONG THE PURPOSES THAT THE SCHOOL
3 WITH A SPECIAL DESIGNATION IS AUTHORIZED UNDER THIS PART AND THAT
4 THE SCHOOL WITH A SPECIAL DESIGNATION IS A GOVERNMENTAL ENTITY.

5 (iii) THE TIME PERIOD DURING WHICH THE SPECIAL DESIGNATION
6 AGREEMENT WILL BE EFFECTIVE.

7 (iv) OTHER MATTERS THE AUTHORIZING BODY CONSIDERS TO BE
8 EXPEDIENT FOR INCLUSION IN THE SPECIAL DESIGNATION AGREEMENT.

9 (D) AT LEAST ALL OF THE FOLLOWING IN THE FORM AND MANNER
10 REQUIRED BY THE AUTHORIZING BODY:

11 (i) THE PROPOSED SCHOOL CALENDAR AND SCHOOL DAY SCHEDULE FOR
12 THE SCHOOL WITH A SPECIAL DESIGNATION.

13 (ii) THE AGE OR GRADE RANGE OF PUPILS TO BE ENROLLED IN THE
14 SCHOOL WITH A SPECIAL DESIGNATION.

15 (iii) THE PROPOSED LOCATION OR LOCATIONS OF THE SCHOOL WITH A
16 SPECIAL DESIGNATION.

17 (4) AN AUTHORIZING BODY IS NOT REQUIRED TO ISSUE A SPECIAL
18 DESIGNATION TO ANY ELIGIBLE PUBLIC SCHOOL. A SPECIAL DESIGNATION
19 SHALL BE ISSUED IN THE DISCRETION OF AN AUTHORIZING BODY, TAKING
20 INTO CONSIDERATION THE ROLE AND RESOURCES OF THE AUTHORIZING BODY,
21 THE RESOURCES AVAILABLE FOR THE PROPOSED SCHOOL WITH A SPECIAL
22 DESIGNATION, THE POPULATION TO BE SERVED BY THE PROPOSED SCHOOL
23 WITH A SPECIAL DESIGNATION, AND THE PROPOSED EDUCATIONAL GOALS OF
24 THE PROPOSED SCHOOL WITH A SPECIAL DESIGNATION. AN AUTHORIZING BODY
25 MAY ESTABLISH A COMPETITIVE PROCESS FOR THE ISSUANCE OF SPECIAL
26 DESIGNATIONS.

27 (5) A SPECIAL DESIGNATION IS ISSUED AND EFFECTIVE TO CREATE A

1 SCHOOL WITH A SPECIAL DESIGNATION WHEN AN AUTHORIZING BODY AND THE
2 GOVERNING BODY OF AN ELIGIBLE PUBLIC SCHOOL ENTER INTO A SPECIAL
3 DESIGNATION AGREEMENT PROVIDING FOR THE ISSUANCE OF A SPECIAL
4 DESIGNATION. IF THE ELIGIBLE PUBLIC SCHOOL IS A PUBLIC SCHOOL
5 ACADEMY, THE SPECIAL DESIGNATION AGREEMENT SHALL BE IN THE FORM OF
6 AN AMENDMENT TO THE CONTRACT BETWEEN THE ELIGIBLE PUBLIC SCHOOL AND
7 ITS AUTHORIZING BODY.

8 SEC. 576. (1) AN AUTHORIZING BODY MAY ESTABLISH AN ALTERNATIVE
9 GOVERNANCE STRUCTURE FOR A SCHOOL WITH A SPECIAL DESIGNATION TO FIT
10 THE NATURE OF THE SCHOOL WITH A SPECIAL DESIGNATION. IF AN
11 AUTHORIZING BODY ESTABLISHES AN ALTERNATIVE GOVERNANCE STRUCTURE
12 FOR A SCHOOL WITH A SPECIAL DESIGNATION, THEN THE SCHOOL WITH A
13 SPECIAL DESIGNATION IS EXEMPT FROM ANY PROVISION OF THIS ACT THAT
14 IS INCONSISTENT WITH THAT ALTERNATIVE GOVERNANCE STRUCTURE, AND THE
15 SCHOOL WITH A SPECIAL DESIGNATION SHALL OPERATE UNDER THAT
16 ALTERNATIVE GOVERNANCE STRUCTURE NOTWITHSTANDING ANY OTHER
17 PROVISION OF THIS ACT.

18 (2) ANY ALTERNATIVE GOVERNANCE STRUCTURE SHALL BE DETAILED IN
19 THE SPECIAL DESIGNATION AGREEMENT FOR A SCHOOL WITH A SPECIAL
20 DESIGNATION AND MAY INVOLVE ANY OF THE FOLLOWING:

21 (A) THE MANNER, TERM, AND METHOD OF SELECTION OF A BOARD OF
22 DIRECTORS, OFFICERS, TRUSTEES, OR MANAGERS FOR THE SCHOOL WITH A
23 SPECIAL DESIGNATION, IF ANY. A DIRECTOR, OFFICER, TRUSTEE, OR
24 MANAGER OF A SCHOOL WITH A SPECIAL DESIGNATION IS A PUBLIC OFFICER
25 OF THIS STATE.

26 (B) THE POWERS AND DUTIES OF ANY BOARD OF DIRECTORS, OFFICER,
27 TRUSTEE, OR MANAGER. THESE POWERS AND DUTIES SHALL NOT INCLUDE ANY

1 POWERS AND DUTIES EXPRESSLY PROHIBITED BY LAW.

2 (3) A SINGLE BOARD OR GOVERNANCE STRUCTURE MAY GOVERN 1 OR
3 MORE SCHOOLS WITH A SPECIAL DESIGNATION AUTHORIZED UNDER THIS PART,
4 AS PROVIDED IN THE SPECIAL DESIGNATION AGREEMENT OF EACH SCHOOL
5 WITH A SPECIAL DESIGNATION, WITH THE APPROVAL OF THE AUTHORIZING
6 BODY.

7 (4) A SPECIAL DESIGNATION AGREEMENT MAY PROVIDE FOR THE
8 CREATION AND SELECTION OF A PARENT ADVISORY BOARD OR A COMMUNITY
9 ADVISORY BOARD PURSUANT TO PROCEDURES ESTABLISHED IN THE SPECIAL
10 DESIGNATION AGREEMENT.

11 (5) IF AN INDIVIDUAL EXERCISES GOVERNANCE AUTHORITY OVER A
12 SCHOOL WITH A SPECIAL DESIGNATION, THAT EXERCISE OF GOVERNANCE
13 AUTHORITY CONSTITUTES THE HOLDING OF A PUBLIC OFFICE, AND EACH
14 INDIVIDUAL EXERCISING THE GOVERNANCE AUTHORITY SHALL EXECUTE AND
15 FILE WITH THE SECRETARY OF STATE THE CONSTITUTIONAL OATH PROVIDED
16 UNDER SECTION 1 OF ARTICLE XI OF THE STATE CONSTITUTION OF 1963 AS
17 A PUBLIC OFFICER WITHIN THIS STATE.

18 (6) A SCHOOL WITH A SPECIAL DESIGNATION AND ITS BOARD MEMBERS,
19 OFFICERS, EMPLOYEES, AND VOLUNTEERS HAVE GOVERNMENTAL IMMUNITY AS
20 PROVIDED IN SECTION 7 OF 1964 PA 170, MCL 691.1407. THE AUTHORIZING
21 BODY FOR A SCHOOL WITH A SPECIAL DESIGNATION AND ITS BOARD MEMBERS,
22 OFFICERS, TRUSTEES, MANAGERS, EMPLOYEES, AND VOLUNTEERS ARE IMMUNE
23 FROM CIVIL LIABILITY, BOTH PERSONALLY AND PROFESSIONALLY, FOR ANY
24 ACTS OR OMISSIONS IN AUTHORIZING A SCHOOL WITH A SPECIAL
25 DESIGNATION UNDER THIS PART.

26 SEC. 577. (1) A SPECIAL DESIGNATION AGREEMENT SHALL DESIGNATE
27 THE PUBLIC ENTITY THAT WILL OVERSEE A SCHOOL WITH A SPECIAL

1 DESIGNATION. THE OVERSIGHT SHALL BE SUFFICIENT TO ENSURE THAT THE
2 AUTHORIZING BODY CAN CERTIFY THAT THE SCHOOL WITH A SPECIAL
3 DESIGNATION IS IN COMPLIANCE WITH APPLICABLE LAW, RULES, AND THE
4 TERMS OF THE SPECIAL DESIGNATION AGREEMENT.

5 (2) AN AUTHORIZING BODY FOR A SCHOOL WITH A SPECIAL
6 DESIGNATION HAS THE AUTHORITY TO OVERSEE A SCHOOL WITH A SPECIAL
7 DESIGNATION'S COMPLIANCE WITH THE SPECIAL DESIGNATION AGREEMENT AND
8 ALL APPLICABLE LAW. THE AUTHORIZING BODY MAY REVOKE A SPECIAL
9 DESIGNATION ISSUED UNDER THIS PART IF THE AUTHORIZING BODY
10 DETERMINES THAT 1 OR MORE OF THE FOLLOWING HAVE OCCURRED:

11 (A) FAILURE OF THE SCHOOL WITH A SPECIAL DESIGNATION TO ABIDE
12 BY AND MEET EDUCATIONAL GOALS IN THE SPECIAL DESIGNATION AGREEMENT.

13 (B) FAILURE OF THE SCHOOL WITH A SPECIAL DESIGNATION TO COMPLY
14 WITH ALL APPLICABLE LAW.

15 (C) FAILURE OF THE SCHOOL WITH A SPECIAL DESIGNATION TO MEET
16 ANY PUPIL PERFORMANCE REQUIREMENTS IN THE SPECIAL DESIGNATION
17 AGREEMENT.

18 (D) FAILURE OF THE SCHOOL WITH A SPECIAL DESIGNATION TO MEET
19 GENERALLY ACCEPTED PUBLIC SECTOR ACCOUNTING PRINCIPLES.

20 (E) THE EXISTENCE OF 1 OR MORE OTHER GROUNDS FOR REVOCATION OF
21 THE SPECIAL DESIGNATION AS SPECIFIED IN THE SPECIAL DESIGNATION
22 AGREEMENT FOR THE SCHOOL WITH A SPECIAL DESIGNATION.

23 (3) UNLESS THE AUTHORIZING BODY ALSO REVOKES THE PUBLIC SCHOOL
24 ACADEMY'S CONTRACT AT THE SAME TIME AS REVOKING THE SPECIAL
25 DESIGNATION, THE REVOCATION OF A SPECIAL DESIGNATION UNDER
26 SUBSECTION (2) FOR A PUBLIC SCHOOL ACADEMY DOES NOT AFFECT THE
27 CONTRACT FOR THAT PUBLIC SCHOOL ACADEMY.

1 (4) IF A PUBLIC SCHOOL ACADEMY'S CONTRACT EXPIRES AND THE
2 PUBLIC SCHOOL ACADEMY IS A SCHOOL WITH A SPECIAL DESIGNATION, THE
3 SPECIAL DESIGNATION EXPIRES AT THE SAME TIME AS THE CONTRACT.

4 (5) THE DECISION OF AN AUTHORIZING BODY TO REVOKE A SPECIAL
5 DESIGNATION UNDER THIS SECTION IS SOLELY WITHIN THE DISCRETION OF
6 THE AUTHORIZING BODY, IS A FINAL ADMINISTRATIVE ACTION, AND IS NOT
7 SUBJECT TO REVIEW BY A COURT OR ANY STATE AGENCY. IF AN AUTHORIZING
8 BODY REVOKES A SPECIAL DESIGNATION UNDER THIS SECTION, THE
9 AUTHORIZING BODY IS NOT LIABLE FOR THAT ACTION TO THE SCHOOL WITH A
10 SPECIAL DESIGNATION, AN ENTITY OPERATING OR MANAGING THE SCHOOL
11 WITH A SPECIAL DESIGNATION, A PUPIL OF THE SCHOOL WITH A SPECIAL
12 DESIGNATION, THE PARENT OR GUARDIAN OF A PUPIL OF THE SCHOOL WITH A
13 SPECIAL DESIGNATION, OR ANY OTHER PERSON.

14 SEC. 578. (1) EXCEPT AS OTHERWISE PROVIDED IN THIS ACT, A
15 SCHOOL WITH A SPECIAL DESIGNATION SHALL NOT CHARGE TUITION AND
16 SHALL NOT DISCRIMINATE IN ITS PUPIL ADMISSIONS POLICIES OR
17 PRACTICES ON THE BASIS OF INTELLECTUAL OR ATHLETIC ABILITY,
18 MEASURES OF ACHIEVEMENT OR APTITUDE, STATUS AS A PERSON WITH A
19 DISABILITY, OR ANY OTHER BASIS THAT WOULD BE ILLEGAL IF USED BY A
20 SCHOOL DISTRICT. A SCHOOL WITH A SPECIAL DESIGNATION MAY LIMIT
21 ADMISSION TO PUPILS WHO ARE WITHIN A PARTICULAR RANGE OF AGE OR
22 GRADE LEVEL OR ON ANY OTHER BASIS THAT WOULD BE LEGAL IF USED BY A
23 SCHOOL DISTRICT OR FOR WHICH AN ENROLLMENT PROVISION IS PROVIDED
24 UNDER THIS PART.

25 (2) ENROLLMENT IN A SCHOOL WITH A SPECIAL DESIGNATION IS OPEN
26 TO ALL INDIVIDUALS WHO RESIDE IN THIS STATE, FOREIGN EXCHANGE
27 STUDENTS, AND ALL OTHER PUPILS, WHO MEET THE ADMISSION POLICY FOR

1 THE SCHOOL AND THE REQUIREMENTS OF THIS PART.

2 (3) EXCEPT AS OTHERWISE PROVIDED IN THIS ACT, IF THERE ARE
3 MORE APPLICATIONS TO ENROLL IN A SCHOOL WITH A SPECIAL DESIGNATION
4 THAN THERE ARE SPACES AVAILABLE, ELIGIBLE PUPILS SHALL BE SELECTED
5 FOR ENROLLMENT USING A RANDOM SELECTION PROCESS.

6 (4) A SCHOOL WITH A SPECIAL DESIGNATION MAY GIVE ENROLLMENT
7 PRIORITY TO AN ELIGIBLE SIBLING OF A PUPIL ENROLLED IN THE SCHOOL
8 OR ACADEMY.

9 (5) A SCHOOL WITH A SPECIAL DESIGNATION SHALL ALLOW ANY PUPIL
10 WHO WAS ENROLLED IN THE SCHOOL WITH A SPECIAL DESIGNATION IN THE
11 IMMEDIATELY PRECEDING SCHOOL YEAR TO ENROLL IN THE SCHOOL WITH A
12 SPECIAL DESIGNATION IN THE APPROPRIATE GRADE UNLESS THE APPROPRIATE
13 GRADE FOR THE PUPIL IS NOT OFFERED AT THE SCHOOL WITH A SPECIAL
14 DESIGNATION OR THE PUPIL WAS EXPELLED FROM THE SCHOOL WITH A
15 SPECIAL DESIGNATION FOR DISCIPLINARY REASONS.

16 (6) A SCHOOL WITH A SPECIAL DESIGNATION MAY INCLUDE ANY GRADE
17 UP TO GRADE 12 OR ANY CONFIGURATION OF THOSE GRADES, INCLUDING, BUT
18 NOT LIMITED TO, KINDERGARTEN, JUNIOR KINDERGARTEN, PREKINDERGARTEN,
19 AND EARLY CHILDHOOD EDUCATION, AS SPECIFIED IN ITS SPECIAL
20 DESIGNATION AGREEMENT. IF SPECIFIED IN ITS SPECIAL DESIGNATION
21 AGREEMENT, A SCHOOL WITH A SPECIAL DESIGNATION ALSO MAY OPERATE AN
22 ADULT BASIC EDUCATION PROGRAM, ADULT HIGH SCHOOL COMPLETION
23 PROGRAM, OR GENERAL EDUCATION DEVELOPMENT TESTING PREPARATION
24 PROGRAM. AN AUTHORIZING BODY MAY APPROVE AT ANY TIME AN AMENDMENT
25 OF A SPECIAL DESIGNATION AGREEMENT WITH RESPECT TO AGES OF PUPILS
26 OR GRADES OFFERED.

27 (7) A SCHOOL WITH A SPECIAL DESIGNATION MAY CHARGE TUITION

1 ONLY AS FOLLOWS OR AS OTHERWISE AUTHORIZED BY THIS ACT:

2 (A) THE SCHOOL WITH A SPECIAL DESIGNATION MAY ADMIT OUT-OF-
3 STATE PUPILS AS AUTHORIZED IN ITS SPECIAL DESIGNATION AGREEMENT AND
4 CHARGE TUITION TO THOSE PUPILS. AS USED IN THIS SECTION, "OUT-OF-
5 STATE PUPIL" MEANS A PUPIL WHO IS NOT A RESIDENT OF THIS STATE AND
6 WHO IS NOT ELIGIBLE TO BE COUNTED IN MEMBERSHIP UNDER THE STATE
7 SCHOOL AID ACT OF 1979. THE METHOD FOR DETERMINING THE RATES OF
8 TUITION OF THE OUT-OF-STATE PUPILS AND COLLECTING THE TUITION SHALL
9 BE APPROVED BY THE AUTHORIZING BODY.

10 (B) IN ADDITION TO THE TUITION, A SCHOOL WITH A SPECIAL
11 DESIGNATION MAY CHARGE AN OUT-OF-STATE PUPIL FOR NONEDUCATIONAL
12 EXPENSES SUCH AS TRAVEL COSTS, MEDICAL TESTS, AND OTHER MATTERS NOT
13 DIRECTLY RELATED TO THE PROVISION OF INSTRUCTIONAL OR EDUCATIONAL
14 PROGRAM.

15 (8) AN OUT-OF-STATE PUPIL WHO PAYS TUITION AS PROVIDED UNDER
16 SUBSECTION (7) SHALL NOT BE CONSIDERED TO BE A RESIDENT OF THIS
17 STATE BY REASON OF ATTENDING THE SCHOOL WITH A SPECIAL DESIGNATION.

18 SEC. 579. A SCHOOL WITH A SPECIAL DESIGNATION SHALL PROVIDE
19 ITS AUTHORIZING BODY WITH A COPY OF THE EDUCATIONAL GOALS OF THE
20 SCHOOL WITH A SPECIAL DESIGNATION AND THE CURRICULA TO BE OFFERED
21 AND METHODS OF PUPIL ASSESSMENT TO BE USED BY THE SCHOOL WITH A
22 SPECIAL DESIGNATION. A SCHOOL WITH A SPECIAL DESIGNATION MAY
23 ESTABLISH ASSESSMENT STANDARDS TO MEASURE THE PROGRESS OF PUPILS IN
24 THE SCHOOL THAT ARE MORE STRINGENT THAN THE MICHIGAN EDUCATION
25 ASSESSMENT PROGRAM (MEAP) TESTS OR THE MICHIGAN MERIT EXAMINATION
26 UNDER SECTION 1279G.

27 SEC. 582. (1) A SCHOOL WITH A SPECIAL DESIGNATION MAY EMPLOY

1 OR CONTRACT WITH PERSONNEL AS NECESSARY FOR THE OPERATION OF THE
2 SCHOOL WITH A SPECIAL DESIGNATION, PRESCRIBE THEIR DUTIES, AND FIX
3 THEIR COMPENSATION.

4 (2) EXCEPT AS OTHERWISE PROVIDED BY LAW, A SCHOOL WITH A
5 SPECIAL DESIGNATION SHALL USE CERTIFICATED TEACHERS ACCORDING TO
6 RULES PROMULGATED BY THE SUPERINTENDENT OF PUBLIC INSTRUCTION. A
7 SCHOOL WITH A SPECIAL DESIGNATION MAY USE A TEACHER WHO IS NOT A
8 CERTIFICATED TEACHER IN ANY SITUATION IN WHICH A SCHOOL DISTRICT IS
9 PERMITTED TO USE A TEACHER WHO IS NOT A CERTIFICATED TEACHER. IN
10 ADDITION, A SCHOOL WITH A SPECIAL DESIGNATION MAY USE AS A
11 CLASSROOM INSTRUCTOR AN ADJUNCT INSTRUCTOR AUTHORIZED UNDER SECTION
12 1233C OR A FACULTY MEMBER EMPLOYED BY A STATE PUBLIC UNIVERSITY OR
13 COMMUNITY COLLEGE WITH EXPERIENCE IN TEACHING THE SUBJECT MATTER
14 THAT HE OR SHE IS TEACHING AT THE SCHOOL WITH A SPECIAL
15 DESIGNATION.

16 SEC. 584. (1) THE AUTHORIZING BODY MAY ISSUE A SPECIAL
17 DESIGNATION FOR A SINGLE-GENDER SCHOOL UNDER THIS PART, AND THAT
18 SINGLE-GENDER SCHOOL MAY LIMIT ATTENDANCE TO A SINGLE GENDER, ONLY
19 IF ALL OF THE FOLLOWING APPLY:

20 (A) THE SPECIAL DESIGNATION AGREEMENT PROVIDES THAT THE SCHOOL
21 LIMITS ITS ENROLLMENT TO A SINGLE GENDER.

22 (B) THE AUTHORIZING BODY MAKES A SPECIFIC FINDING THAT THE
23 EDUCATIONAL MISSION AND TEACHING STRATEGY OF THE SCHOOL JUSTIFIES
24 LIMITING ENROLLMENT TO A SINGLE GENDER.

25 (C) THE SPECIAL DESIGNATION AGREEMENT REQUIRES THAT ENROLLMENT
26 BY A PUPIL IN A SINGLE-GENDER SCHOOL OR PARTICIPATION IN A SINGLE-
27 GENDER CLASS OR PROGRAM IS WHOLLY VOLUNTARY AND THAT A

1 SUBSTANTIALLY EQUAL COEDUCATIONAL SCHOOL, CLASS, OR PROGRAM IS
2 AVAILABLE AT OTHER PUBLIC SCHOOLS IN WHICH THE PUPIL MAY ENROLL.

3 (D) THE AUTHORIZING BODY MAKES A SPECIFIC WRITTEN FINDING THAT
4 THERE ARE SUFFICIENT PUBLIC SCHOOLS WITHIN THE INTERMEDIATE SCHOOL
5 DISTRICT IN WHICH THE SINGLE-GENDER SCHOOL IS LOCATED TO MAKE
6 AVAILABLE A SUBSTANTIALLY EQUAL SCHOOL, CLASS, OR PROGRAM FOR
7 PUPILS OF THE OTHER GENDER.

8 (2) EXCEPT AS AUTHORIZED IN THIS SECTION, A PUBLIC SCHOOL
9 SHALL NOT REQUIRE PARTICIPATION BY ANY OF ITS PUPILS IN A SINGLE-
10 GENDER SCHOOL, CLASS, OR PROGRAM. A DECISION BY A PARENT OR LEGAL
11 GUARDIAN TO ENROLL A PUPIL IN A SINGLE-GENDER SCHOOL UNDER THIS
12 SECTION SHALL BE VOLUNTARY.

13 (3) THIS SECTION DOES NOT AUTHORIZE A SEPARATE SCHOOL, CLASS,
14 PROGRAM, OR DEPARTMENT ON ACCOUNT OF RACE, COLOR, NATIONAL ORIGIN,
15 OR ANY OTHER PROHIBITED CATEGORY EXCEPT GENDER, AND ONLY AS LIMITED
16 BY THIS SECTION.

17 SEC. 585. (1) TO ACCELERATE THIS STATE'S ABILITY TO RESPOND TO
18 CURRENT AND EMERGING EDUCATIONAL DEMANDS, AN AUTHORIZING BODY MAY
19 ISSUE A SPECIAL DESIGNATION FOR AN ONLINE SCHOOL UNDER THIS PART.
20 AN ONLINE SCHOOL UNDER THIS SECTION IS A PUBLIC SCHOOL THAT
21 DELIVERS ALL OR A SUBSTANTIAL AMOUNT OF EDUCATIONAL CONTENT OR
22 INSTRUCTIONAL SERVICES BY MEANS OF WEBSITES, THE INTERNET, DIGITAL
23 BROADCAST, SATELLITE NETWORK, OR OTHER DISTANCE LEARNING
24 TECHNOLOGY.

25 (2) AN ONLINE SCHOOL MAY OFFER TEACHERS OPPORTUNITIES TO LEARN
26 NEW SKILLS AND STRATEGIES FOR DEVELOPING AND DELIVERING EDUCATIONAL
27 CONTENT AND INSTRUCTIONAL SERVICES.

1 (3) AN ONLINE SCHOOL MAY PERMIT A PUPIL TO ENROLL IN A COLLEGE
2 LEVEL EQUIVALENT COURSE THAT IS OFFERED BY ELECTRONIC MEANS,
3 INCLUDING, BUT NOT LIMITED TO, WEBSITES, THE INTERNET, DIGITAL
4 BROADCAST, OR SATELLITE NETWORK.

5 (4) AN ONLINE SCHOOL MAY BE DESIGNED TO ALLOW PUPILS TO
6 SATISFY GRADUATION REQUIREMENTS, INCLUDING REQUIREMENTS ESTABLISHED
7 UNDER THIS ACT, THROUGH THE DEVELOPMENT OF PROJECTS OR COURSES THAT
8 ARE BASED ON THEMATICALLY GROUPED STRANDS OR PROJECTS OR COURSES
9 THAT ARE CROSS-CURRICULAR IN 2 OR MORE AREAS OF STUDY.

10 (5) AN ONLINE SCHOOL MAY DEVELOP THEMATICALLY GROUPED STRANDS,
11 PROJECTS, OR COURSES IN AREAS SUCH AS THE FINE ARTS, HUMANITIES,
12 AND MATHEMATICS AND SCIENCE.

13 (6) AN ONLINE SCHOOL MAY PROVIDE COURSE OFFERINGS AND
14 SUPPLEMENTAL RESOURCES FOR AT-RISK PROGRAMS AND SERVICES,
15 INFORMATION TECHNOLOGY COURSES, TEST PREPARATION TOOLS, AND SPECIAL
16 INTEREST COURSES FOR OFFERING TO PUPILS OF THE ONLINE SCHOOL AND
17 OTHER SCHOOLS.

18 (7) IF AN ONLINE SCHOOL SERVES AT-RISK PUPILS, AS DEFINED IN
19 SECTION 31A OF THE STATE SCHOOL AID ACT OF 1979, MCL 388.1631A, THE
20 ONLINE SCHOOL SHALL ENSURE THAT A MENTOR IS MADE AVAILABLE TO EACH
21 AT-RISK PUPIL TO SIGNIFICANTLY SUPPORT THE PUPIL AND ENSURE
22 ACADEMIC SUCCESS.

23 (8) AN ONLINE SCHOOL MAY, THROUGH CONTRACTS AND AGREEMENTS,
24 SEEK TO SIGNIFICANTLY EXPAND CURRICULAR OFFERINGS FOR OTHER SCHOOLS
25 ACROSS THIS STATE.

26 (9) NONPUBLIC SCHOOL STUDENTS AND HOME-SCHOOLED STUDENTS MAY
27 PARTICIPATE IN COURSE OFFERINGS OF AN ONLINE SCHOOL TO THE SAME

1 EXTENT THAT THEY ARE ALLOWED TO PARTICIPATE IN SCHOOL DISTRICT
2 COURSE OFFERINGS UNDER THIS ACT AND THE STATE SCHOOL AID ACT OF
3 1979.

4 (10) AN ONLINE SCHOOL MAY BE DESIGNED TO DELIVER A FULL
5 CURRICULUM FOR MIGRANT PUPILS THROUGH DISTANCE LEARNING AND MAY
6 LIMIT ENROLLMENT TO PUPILS FOR WHOM THAT CURRICULUM IS APPROPRIATE.

7 (11) AN ONLINE SCHOOL MAY BE DESIGNED TO DELIVER A FULL
8 CURRICULUM TO HOMEBOUND OR HOSPITALIZED PUPILS, AS DESCRIBED IN
9 SECTION 109 OF THE STATE SCHOOL AID ACT OF 1979, MCL 388.1709, AND
10 MAY LIMIT ENROLLMENT TO THOSE PUPILS.

11 (12) AN ONLINE SCHOOL MAY COORDINATE SERVICES WITH LOCAL
12 WORKFORCE DEVELOPMENT ENTITIES, BUSINESSES, LABOR ORGANIZATIONS,
13 CULTURAL INSTITUTIONS, STATE UNIVERSITIES, AND COMMUNITY COLLEGES
14 TO MAKE AVAILABLE ADDITIONAL HOURS OF OPERATION FOR TRAINING,
15 COLLEGE COURSES, AND TECHNICAL ASSISTANCE IN WHICH IT HAS EXPERTISE
16 OR CAN COORDINATE SERVICES.

17 (13) AN ONLINE SCHOOL SHALL MAKE AVAILABLE TO PUPILS, PARENTS
18 OR LEGAL GUARDIANS, AND STAFF AT ALL TIMES THROUGHOUT THE YEAR
19 ONLINE REPORTS OF MEASURED STUDENT PROGRESS OF ACADEMIC SUCCESS.

20 (14) AN ONLINE SCHOOL MAY DEVELOP PERSONALIZED LEARNING PLANS
21 FOR ALL PARTICIPATING PUPILS. IF DEVELOPED, THE PERSONALIZED
22 LEARNING PLAN SHALL ENSURE THAT PUPIL ACADEMIC SUCCESS AND
23 COMPETITIVE SKILLS ARE MEASURED INCREMENTALLY AND LONGITUDINALLY.

24 (15) AN ONLINE SCHOOL MAY REQUIRE PUPILS TO PRODUCE PORTFOLIOS
25 ILLUSTRATING PROGRESS TOWARD MEETING ACADEMIC CRITERIA THAT
26 INCLUDE, BUT ARE NOT LIMITED TO, SOME OR ALL OF THE FOLLOWING:

27 (A) CRITICAL THINKING AND PROBLEM SOLVING.

(B) COLLABORATION ACROSS NETWORKS AND LEADING BY INFLUENCE.

(C) AGILITY AND ADAPTABILITY.

(D) INITIATIVE, INNOVATION, AND ENTREPRENEURSHIP.

(E) EFFECTIVE VERBAL AND WRITTEN COMMUNICATION.

(F) ACCESSING AND ANALYZING INFORMATION.

(G) CURIOSITY AND IMAGINATION.

(16) A LIMITATION OR ENROLLMENT CAP FOR A CYBER SCHOOL UNDER PART 6E DOES NOT APPLY TO AN ONLINE SCHOOL DESCRIBED IN THIS SECTION. AS PROVIDED IN THE STATE SCHOOL AID ACT OF 1979, THE REQUIRED MINIMUM NUMBER OF DAYS AND HOURS OF PUPIL INSTRUCTION TIME REQUIREMENTS AND DAILY ATTENDANCE REQUIREMENTS OF THAT ACT DO NOT APPLY TO AN ONLINE SCHOOL DESCRIBED IN THIS SECTION.

SEC. 586. (1) AN AUTHORIZING BODY MAY ISSUE A SPECIAL DESIGNATION FOR A GLOBALLY COMPETITIVE SCHOOL UNDER THIS PART. FOR THE PURPOSES OF THIS PART, A GLOBALLY COMPETITIVE SCHOOL IS A HIGHLY SELECTIVE SCHOOL DESIGNED TO PROVIDE AN INNOVATIVE, SPECIALIZED LEARNING ENVIRONMENT FOR HIGHLY MOTIVATED PUPILS WHO HAVE A GENUINE INTEREST IN THE CURRICULUM OF THE SCHOOL AND IN PERFORMING AT AN EDUCATIONAL LEVEL EQUAL TO OR EXCEEDING THE HIGHEST-PERFORMING STUDENTS IN THE WORLD.

(2) A GLOBALLY COMPETITIVE SCHOOL MAY ADOPT A COMPETITIVE ADMISSIONS PROCESS TO SELECT HIGHLY MOTIVATED PUPILS WITH DIVERSE BACKGROUNDS, TALENTS, AND SKILLS, WHO DEMONSTRATE 1 OR MORE OF THE FOLLOWING:

(A) HIGH ABILITY, APTITUDE, AND INTEREST IN MATHEMATICS, SCIENCE, OR TECHNOLOGY.

(B) INTELLECTUAL CURIOSITY AND SELF-MOTIVATION TO PURSUE

1 SCIENTIFIC RESEARCH.

2 (C) A DESIRE TO BE CHALLENGED WITH AN EXTENSIVE CURRICULUM
3 FOCUSED IN MATHEMATICS, SCIENCE, AND TECHNOLOGY.

4 (D) THE HIGHEST ACADEMIC AND PERSONAL INTEGRITY.

5 (E) AN ASPIRATION TO BECOME A MEMBER OF A COMMUNITY OF
6 LEARNERS, EXPLORERS, MENTORS, AND LEADERS.

7 (F) THE CAPABILITY TO BECOME A LEADER IN THE FUTURE.

8 (3) THE SPECIAL DESIGNATION AGREEMENT FOR A GLOBALLY
9 COMPETITIVE SCHOOL MUST REQUIRE THE SCHOOL TO ADOPT ACADEMIC
10 STANDARDS THAT REQUIRE TEST SCORES THAT MEET OR EXCEED HIGH
11 INTERNATIONAL TESTING AND RANKING STANDARDS.

12 (4) A GLOBALLY COMPETITIVE SCHOOL MAY RECRUIT PUPILS FROM
13 ANYWHERE IN THE WORLD WHO MEET THE ENROLLMENT STANDARDS OF THE
14 GLOBALLY COMPETITIVE SCHOOL AND MAY CHARGE TUITION TO PUPILS WHO
15 ARE NOT RESIDENTS OF THIS STATE AS PROVIDED IN THIS ACT.

16 SEC. 587. (1) AN AUTHORIZING BODY MAY ISSUE A SPECIAL
17 DESIGNATION FOR AN INTERNATIONAL CULTURAL SCHOOL UNDER THIS PART.
18 FOR THE PURPOSES OF THIS PART, AN INTERNATIONAL CULTURAL SCHOOL IS
19 A PUBLIC SCHOOL THAT IS DESIGNED WITH A CURRICULUM THAT PROVIDES A
20 DISTINCT FOCUS REGARDING THE CULTURE AND PEOPLES OF 1 OR MORE OF
21 THE VARIOUS PARTS OF THE WORLD.

22 (2) A SPECIAL DESIGNATION FOR AN INTERNATIONAL CULTURAL SCHOOL
23 SHALL BE ISSUED BY AN AUTHORIZING BODY ONLY IF THE SUPERINTENDENT
24 OF PUBLIC INSTRUCTION HAS ENTERED INTO AN AGREEMENT WITH THE
25 MINISTER OF EDUCATION, OR OFFICIAL HOLDING AN EQUIVALENT POSITION,
26 OF ANOTHER NATION OR PROVINCE TO PROVIDE FOR DUAL ENROLLMENT OF
27 PUPILS IN THE INTERNATIONAL CULTURAL SCHOOL AND IN A PUBLIC SCHOOL

1 IN THAT OTHER NATION OR PROVINCE. THE AGREEMENT SHALL ALSO PROVIDE
2 THAT A PUPIL MAY BE AWARDED A DIPLOMA FROM BOTH SCHOOLS UPON
3 SUCCESSFUL COMPLETION OF THE REQUIRED CURRICULUM. STATE FUNDS MAY
4 NOT BE USED TO PAY FOR THE PUPILS FROM THE OTHER NATION OR
5 PROVINCE.

6 (3) THE AGREEMENT UNDER SUBSECTION (2) SHALL REQUIRE A PUPIL
7 WHO IS NOT A RESIDENT OF THIS STATE TO PAY TUITION AS PROVIDED
8 UNDER THIS ACT.

9 (4) AN INTERNATIONAL CULTURAL SCHOOL MAY ALSO BE A RESIDENTIAL
10 PUBLIC SCHOOL AS PROVIDED UNDER SECTION 588.

11 SEC. 588. (1) AN AUTHORIZING BODY MAY ISSUE A SPECIAL
12 DESIGNATION UNDER THIS PART FOR A RESIDENTIAL PUBLIC SCHOOL. A
13 RESIDENTIAL PUBLIC SCHOOL MAY INCLUDE A SCHOOL THAT MEETS ANY OF
14 THE FOLLOWING:

15 (A) THE RESIDENTIAL PUBLIC SCHOOL IS A HIGH SCHOOL THAT
16 FOCUSES ON THE INTENSIVE STUDY OF SCIENCE, MATHEMATICS, AND
17 TECHNOLOGY AND MEETS ALL OF THE FOLLOWING:

18 (i) THE SCHOOL IS LIMITED TO HIGH SCHOOL JUNIORS AND SENIORS.

19 (ii) THE SCHOOL IS A PUBLIC SCHOOL IN WHICH ENROLLMENT IS
20 LIMITED AND APPLICANTS UNDERGO A HIGHLY COMPETITIVE REVIEW PROCESS
21 PRIOR TO ADMISSION.

22 (iii) THE SPECIAL DESIGNATION AGREEMENT FOR THE RESIDENTIAL
23 PUBLIC SCHOOL PROVIDES THAT THE SCHOOL SHALL SEEK TO PARTICIPATE IN
24 THE NATIONAL CONSORTIUM FOR SPECIALIZED SECONDARY SCHOOLS OF
25 MATHEMATICS, SCIENCE, AND TECHNOLOGY, WHICH IS AN ALLIANCE OF
26 SPECIALIZED HIGH SCHOOLS IN THE UNITED STATES WHOSE FOCUS IS
27 ADVANCED PREPARATORY STUDIES IN MATHEMATICS, SCIENCE, AND

1 TECHNOLOGY.

2 (B) THE RESIDENTIAL PUBLIC SCHOOL IS OPERATED IN COOPERATION
3 WITH THE DEPARTMENT OF HUMAN SERVICES OR A PUBLIC OR PRIVATE AGENCY
4 APPROVED BY THE DEPARTMENT OF HUMAN SERVICES. THE AUTHORIZING BODY
5 OR THE DEPARTMENT MAY WAIVE ANY PROVISION OF THIS ACT AS NECESSARY
6 TO COMPLY WITH ANY CONSENT DECREE AFFECTING THE PUPILS ENROLLED IN
7 A RESIDENTIAL PUBLIC SCHOOL DESCRIBED IN THIS SUBDIVISION.

8 (C) THE RESIDENTIAL PUBLIC SCHOOL IS OPERATED BY THE
9 DEPARTMENT OF MILITARY AND VETERANS AFFAIRS, THE DEPARTMENT OF
10 STATE POLICE, OR ANOTHER PUBLIC SAFETY ORGANIZATION AND MEETS ALL
11 OF THE FOLLOWING:

12 (i) THE RESIDENTIAL PUBLIC SCHOOL IS LIMITED TO HIGH SCHOOL
13 PUPILS.

14 (ii) THE RESIDENTIAL PUBLIC SCHOOL IS OPERATED AS A PUBLIC
15 SCHOOL IN WHICH APPLICANTS UNDERGO A COMPETITIVE REVIEW PROCESS
16 BEFORE ADMISSION.

17 (D) THE RESIDENTIAL SCHOOL IS OPERATED BY THE DEPARTMENT OF
18 NATURAL RESOURCES.

19 (E) THE RESIDENTIAL SCHOOL IS OPERATED BY A CULTURAL
20 INSTITUTION IN THIS STATE DESCRIBED IN SECTION 591.

21 (2) IF A RESIDENTIAL PUBLIC SCHOOL ENROLLS A PUPIL WHO IS NOT
22 A RESIDENT OF THIS STATE, THE PUPIL SHALL PAY TUITION AS PROVIDED
23 UNDER THIS ACT.

24 (3) MONEY IN THE STATE SCHOOL AID FUND ESTABLISHED UNDER
25 SECTION 11 OF ARTICLE IX OF THE STATE CONSTITUTION OF 1963 SHALL
26 NOT BE USED FOR ROOM AND BOARD FOR PUPILS IN A RESIDENTIAL PUBLIC
27 SCHOOL.

1 (4) THE SUPERINTENDENT OF PUBLIC INSTRUCTION MAY PROMULGATE
2 RULES UNDER THIS SECTION RELATING TO THE BOARDING OF PUPILS AT A
3 RESIDENTIAL PUBLIC SCHOOL TO FACILITATE THE SAFETY AND SECURITY OF
4 THE PUPILS.

5 SEC. 589. (1) A STATE PUBLIC UNIVERSITY MAY ISSUE A SPECIAL
6 DESIGNATION UNDER THIS PART FOR A UNIVERSITY SCHOOL. FOR THE
7 PURPOSES OF THIS PART, A UNIVERSITY SCHOOL IS AN INSTRUCTIONAL
8 PROGRAM OPERATED BY A STATE PUBLIC UNIVERSITY FOR SOME OR ALL OF
9 GRADES K TO 12.

10 (2) ALL OF THE FOLLOWING APPLY TO A UNIVERSITY SCHOOL:

11 (A) A UNIVERSITY SCHOOL SHALL COMPLY WITH THE PROVISIONS OF
12 THIS SECTION AND SECTION 23 OF THE STATE SCHOOL AID ACT OF 1979,
13 MCL 388.1623.

14 (B) A UNIVERSITY SCHOOL SHALL BE ESTABLISHED AS A SEPARATE
15 PUBLIC BODY CORPORATE. THE FINANCIAL ACCOUNTS OF THE UNIVERSITY
16 SCHOOL SHALL NOT BE CONSOLIDATED OR INTERMINGLED WITH THOSE OF THE
17 AUTHORIZING STATE PUBLIC UNIVERSITY OR UNIVERSITIES.

18 (C) THE GOVERNING BOARD OR PRESIDENT OF THE STATE PUBLIC
19 UNIVERSITY SHALL DETERMINE THE GOVERNANCE OF THE UNIVERSITY SCHOOL.

20 (D) THE STATE PUBLIC UNIVERSITY MAY ENTER INTO MATRICULATION
21 AGREEMENTS WITH THE UNIVERSITY SCHOOL, AND MAY ENTER INTO
22 MATRICULATION AGREEMENTS WITH OTHER PUBLIC SCHOOLS, PURSUANT TO
23 ENROLLMENT STANDARDS ESTABLISHED BY THE UNIVERSITY SCHOOL.

24 (E) THE UNIVERSITY SCHOOL MAY PROVIDE THAT FOR ALL OR PART OF
25 THE SCHOOL, THE ENROLLMENT IS LIMITED, AND THAT APPLICANTS MUST
26 UNDERGO A COMPETITIVE REVIEW PROCESS BEFORE ADMISSION.

27 (F) THE UNIVERSITY SCHOOL MAY ENROLL AND CHARGE TUITION TO

1 PUPILS WHO ARE NOT RESIDENTS OF THIS STATE OR OTHER PUPILS NOT
2 OTHERWISE ELIGIBLE TO BE COUNTED IN MEMBERSHIP UNDER THE STATE
3 SCHOOL AID ACT OF 1979.

4 (G) ONE OR MORE PUBLIC UNIVERSITIES OR COMMUNITY COLLEGES MAY
5 ENTER INTO MATRICULATION AGREEMENTS WITH THE UNIVERSITY SCHOOL
6 ASSURING PUPILS ENROLLMENT INTO THE STATE PUBLIC UNIVERSITY OR
7 COMMUNITY COLLEGE UPON MEETING THE REQUIREMENTS ESTABLISHED IN THE
8 MATRICULATION AGREEMENT.

9 (3) THIS SECTION DOES NOT LIMIT A STATE PUBLIC UNIVERSITY FROM
10 COOPERATING WITH ANY OTHER PUBLIC SCHOOL OR ENROLLING ANY PUBLIC
11 SCHOOL STUDENT FOR CREDIT OR NONCREDIT COURSES IN THE STATE PUBLIC
12 UNIVERSITY.

13 SEC. 590. (1) AN AUTHORIZING BODY MAY ISSUE A SPECIAL
14 DESIGNATION UNDER THIS PART FOR AN EMPLOYER-SUPPORTED SCHOOL. FOR
15 THE PURPOSES OF THIS PART, AN EMPLOYER-SUPPORTED SCHOOL IS A SCHOOL
16 DESIGNED TO RETAIN OR ENCOURAGE EMPLOYERS TO LOCATE JOB-PRODUCING
17 FACILITIES IN A MANNER THAT ENCOURAGES EMPLOYEES TO LOCATE AND
18 RESIDE IN THE COMMUNITY IN WHICH THE JOB-PRODUCING FACILITY IS
19 LOCATED.

20 (2) BEFORE ISSUING A SPECIAL DESIGNATION FOR AN EMPLOYER-
21 SUPPORTED SCHOOL, THE AUTHORIZING BODY SHALL ENTER INTO AN
22 AGREEMENT WITH 1 OR MORE EMPLOYERS THAT REQUIRES THE EMPLOYER OR
23 EMPLOYERS TO PROVIDE SOME OR ALL OF THE FOLLOWING AS DETERMINED BY
24 THE AUTHORIZING BODY, AND SHALL INCLUDE THESE REQUIREMENTS IN THE
25 SPECIAL DESIGNATION AGREEMENT:

26 (A) ASSISTANCE IN MEETING THE CAPITAL REQUIREMENTS FOR THE
27 SCHOOL.

1 (B) CONTINUING FINANCIAL SUPPORT FOR THE SCHOOL FOR THE
2 BENEFIT OF ALL PUPILS IN THE SCHOOL.

3 (C) COLOCATION OF SOME OR ALL OF THE EDUCATIONAL SERVICES ON
4 THE SITE OF THE EMPLOYER.

5 (3) AN AUTHORIZING BODY SHALL NOT ISSUE A SPECIAL DESIGNATION
6 FOR AN EMPLOYER-SUPPORTED SCHOOL UNLESS THE APPLICANT CERTIFIES
7 THAT THE EMPLOYER OR EMPLOYERS PROVIDE OR PROPOSE TO PROVIDE
8 SUBSTANTIAL EMPLOYMENT IN THE AREA IN WHICH THE SCHOOL IS TO BE
9 LOCATED.

10 (4) TWO OR MORE EMPLOYERS MAY JOINTLY ENTER INTO AN AGREEMENT
11 WITH AN AUTHORIZING BODY FOR AN EMPLOYER-SUPPORTED SCHOOL.

12 (5) NOT MORE THAN 75% OF THE PUPILS AT AN EMPLOYER-SUPPORTED
13 SCHOOL SHALL BE CHILDREN OF EMPLOYEES AND CONTRACTORS OF THE
14 EMPLOYER OR EMPLOYERS. AT LEAST 25% OF THE PUPILS ENROLLED IN THE
15 SCHOOL SHALL BE SELECTED BY RANDOM SELECTION OF APPLICANTS WHO ARE
16 NOT CHILDREN OF EMPLOYEES OR CONTRACTORS OF THE EMPLOYER OR
17 EMPLOYERS AND WHO MEET THE SCHOOL'S ADMISSION POLICY FOR APPLICANTS
18 WHO ARE NOT CHILDREN OF EMPLOYEES OR CONTRACTORS OF THE EMPLOYER OR
19 EMPLOYERS.

20 (6) NOT MORE THAN 1/3 OF THE MEMBERS OF THE BOARD OR
21 GOVERNANCE OF THE EMPLOYER-SPONSORED SCHOOL MAY BE AFFILIATED WITH
22 THE EMPLOYER OR EMPLOYERS OF THE EMPLOYER-SPONSORED SCHOOL. FOR
23 PURPOSES OF THIS SUBSECTION, "AFFILIATED" MEANS EMPLOYED BY, UNDER
24 CONTRACT WITH, OR A MEMBER OF THE GOVERNING BOARD OF THE EMPLOYER
25 OR EMPLOYERS, BUT DOES NOT INCLUDE RETIRED OR FORMER EMPLOYEES.

26 SEC. 591. (1) AN AUTHORIZING BODY MAY ISSUE A SPECIAL
27 DESIGNATION UNDER THIS PART FOR A CULTURAL INSTITUTION-AFFILIATED

1 SCHOOL. FOR THE PURPOSES OF THIS PART, A CULTURAL INSTITUTION-
2 AFFILIATED SCHOOL IS A SCHOOL THAT IS AFFILIATED WITH AN
3 ORGANIZATION PROVIDING CULTURAL SERVICES THAT IS EITHER AN
4 ORGANIZATION RECOGNIZED UNDER SECTION 501(C)(3) OF THE INTERNAL
5 REVENUE CODE OR IS AN INSTRUMENTALITY OF GOVERNMENT.

6 (2) BEFORE ISSUING A SPECIAL DESIGNATION FOR A CULTURAL
7 INSTITUTION-AFFILIATED SCHOOL, AN AUTHORIZING BODY SHALL ENTER INTO
8 AN AGREEMENT WITH A CULTURAL INSTITUTION IN WHICH THE CULTURAL
9 INSTITUTION AGREES TO PROVIDE CONTINUING SUPPORT AND GUIDANCE TO
10 THE CULTURAL INSTITUTION-AFFILIATED SCHOOL IN THE MANNER REQUIRED
11 UNDER THE AGREEMENT, AND SHALL INCLUDE THESE REQUIREMENTS IN THE
12 SPECIAL DESIGNATION AGREEMENT.

13 (3) AN AUTHORIZING BODY SHALL NOT ISSUE A SPECIAL DESIGNATION
14 FOR A CULTURAL INSTITUTION-AFFILIATED SCHOOL UNLESS THE CULTURAL
15 INSTITUTION AGREES TO PROVIDE CONTINUING SUPPORT AND GUIDANCE TO
16 THE CULTURAL INSTITUTION-AFFILIATED SCHOOL AND AGREES THAT IT WILL
17 COMPLY WITH THE TERMS OF THE SPECIAL DESIGNATION AGREEMENT AND ALL
18 APPLICABLE STATE LAWS AND WILL RECOGNIZE THAT THE CULTURAL
19 INSTITUTION-AFFILIATED SCHOOL IS A PUBLIC SCHOOL OF THIS STATE.

20 (4) NOT MORE THAN 1/3 OF THE MEMBERS OF THE BOARD OR
21 GOVERNANCE OF THE SCHOOL OR ACADEMY MAY BE AFFILIATED WITH THE
22 CULTURAL INSTITUTION. FOR PURPOSES OF THIS SUBSECTION, "AFFILIATED"
23 MEANS EMPLOYED BY, UNDER CONTRACT WITH, OR A MEMBER OF THE
24 GOVERNING BODY OF THE CULTURAL INSTITUTION, BUT DOES NOT INCLUDE A
25 PERSON WHO PROVIDES SERVICES ON A VOLUNTEER BASIS.

26 SEC. 592. (1) AN AUTHORIZING BODY MAY ISSUE A SPECIAL
27 DESIGNATION UNDER THIS PART FOR A MUNICIPAL SCHOOL. FOR THE

1 PURPOSES OF THIS PART, A MUNICIPAL SCHOOL IS A SCHOOL THAT IS
2 AFFILIATED WITH A COUNTY, CITY, VILLAGE, TOWNSHIP, OR METROPOLITAN
3 AUTHORITY.

4 (2) BEFORE GRANTING A SPECIAL DESIGNATION FOR A MUNICIPAL
5 SCHOOL, AN AUTHORIZING BODY SHALL ENTER INTO AN AGREEMENT WITH A
6 COUNTY, CITY, VILLAGE, TOWNSHIP, OR METROPOLITAN AUTHORITY IN WHICH
7 THE COUNTY, CITY, VILLAGE, TOWNSHIP, OR METROPOLITAN AUTHORITY
8 AGREES TO PROVIDE CONTINUING SUPPORT AND GUIDANCE TO THE MUNICIPAL
9 SCHOOL IN THE MANNER REQUIRED UNDER THE AGREEMENT, AND SHALL
10 INCLUDE THESE REQUIREMENTS IN THE SPECIAL DESIGNATION AGREEMENT.

11 (3) AN AUTHORIZING BODY SHALL NOT GRANT A SPECIAL DESIGNATION
12 FOR A MUNICIPAL SCHOOL UNLESS THE COUNTY, CITY, VILLAGE, TOWNSHIP,
13 OR METROPOLITAN AUTHORITY AGREES TO PROVIDE CONTINUING SUPPORT AND
14 GUIDANCE TO THE MUNICIPAL SCHOOL AND AGREES THAT IT WILL COMPLY
15 WITH THE TERMS OF THE SPECIAL DESIGNATION AGREEMENT AND ALL
16 APPLICABLE STATE LAWS AND WILL RECOGNIZE THAT THE MUNICIPAL SCHOOL
17 IS A PUBLIC SCHOOL OF THIS STATE.

18 (4) A MUNICIPAL SCHOOL MAY GIVE ENROLLMENT PRIORITY TO A
19 RESIDENT OF THE COUNTY, CITY, VILLAGE, TOWNSHIP, OR METROPOLITAN
20 AUTHORITY IN WHICH THE MUNICIPAL SCHOOL IS LOCATED.

21 (5) A MEMBER OF THE BOARD OR GOVERNANCE OF A MUNICIPAL SCHOOL
22 MAY BE AFFILIATED WITH THE COUNTY, CITY, VILLAGE, TOWNSHIP, OR
23 METROPOLITAN AUTHORITY. SERVICE BY AN OFFICIAL OF A COUNTY, CITY,
24 OR VILLAGE ON THE BOARD OF A MUNICIPAL SCHOOL IS NOT AN
25 INCOMPATIBLE OFFICE UNDER 1978 PA 566, MCL 15.181 TO 15.185. FOR
26 PURPOSES OF THIS SUBSECTION, "AFFILIATED" MEANS EMPLOYED BY, UNDER
27 CONTRACT WITH, OR A MEMBER OF THE GOVERNING BODY OF THE COUNTY,

1 CITY, VILLAGE, TOWNSHIP, OR METROPOLITAN AUTHORITY, BUT DOES NOT
2 INCLUDE A PERSON WHO PROVIDES SERVICES ON A VOLUNTEER BASIS.

3 SEC. 1233C. (1) THE GOVERNING BODY OF A PUBLIC SCHOOL MAY
4 CONTRACT FOR AN INDIVIDUAL TO SERVE AS AN ADJUNCT INSTRUCTOR TO
5 PROVIDE INSTRUCTION TO PUPILS ON AN HOURLY, DAILY, OR OTHER
6 PERIODIC BASIS AS PROVIDED UNDER THIS SECTION.

7 (2) THE GOVERNING BODY OF A PUBLIC SCHOOL SHALL NOT CONTRACT
8 FOR AN INDIVIDUAL TO SERVE AS AN ADJUNCT INSTRUCTOR UNLESS THE
9 INDIVIDUAL POSSESSES A VALID ADJUNCT INSTRUCTOR CERTIFICATE UNDER
10 THIS SECTION FOR THE ADJUNCT CERTIFICATION AREA FOR WHICH HE OR SHE
11 IS PROVIDING INSTRUCTION. THE SUPERINTENDENT OF PUBLIC INSTRUCTION
12 SHALL ISSUE AN ADJUNCT INSTRUCTOR CERTIFICATE TO AN INDIVIDUAL FOR
13 AN ADJUNCT CERTIFICATION AREA IF THE DEPARTMENT DETERMINES THAT THE
14 INDIVIDUAL MEETS ALL OF THE FOLLOWING:

15 (A) THE INDIVIDUAL POSSESSES A WRITTEN LETTER OF INTEREST FROM
16 A PUBLIC SCHOOL.

17 (B) THE INDIVIDUAL POSSESSES A BACHELOR'S, MASTER'S, OR
18 DOCTORATE DEGREE FROM A REGIONALLY ACCREDITED COLLEGE OR UNIVERSITY
19 AND MAINTAINED OVERALL POSTSECONDARY GRADE POINT AVERAGE OF 2.50 OR
20 HIGHER AND A GRADE POINT AVERAGE OF 2.50 OR HIGHER IN THE
21 INDIVIDUAL'S MAJOR AREA OF STUDY.

22 (C) THE INDIVIDUAL MAJORED IN AN ADJUNCT CERTIFICATION AREA OR
23 THE INDIVIDUAL HAS OBTAINED A PASSING PRAXIS SCORE ON THE PRAXIS II
24 EXAMINATION IN THE APPROPRIATE ADJUNCT CERTIFICATION AREA.

25 (D) THE INDIVIDUAL DEMONSTRATES AT LEAST 5 YEARS OF VERIFIABLE
26 OCCUPATIONAL EXPERIENCE WITHIN THE IMMEDIATELY PRECEDING 10-YEAR
27 PERIOD IN THE CONTENT FIELD OF THE ADJUNCT CERTIFICATION AREA OR IN

1 A FIELD RELATED TO THE ADJUNCT CERTIFICATION AREA.

2 (E) THE INDIVIDUAL FILES A COMPLETE APPLICATION FOR AN ADJUNCT
3 INSTRUCTOR CERTIFICATION IN THE FORM AND MANNER PRESCRIBED BY THE
4 DEPARTMENT AND PAYS A \$100.00 APPLICATION FEE. THE DEPARTMENT MAY
5 REQUIRE THAT THE APPLICATION INCLUDE OFFICIAL POSTSECONDARY
6 TRANSCRIPTS, ANY APPLICABLE OFFICIAL PRAXIS TEST RESULT REPORTS, OR
7 ANY OTHER RELEVANT INFORMATION REQUESTED BY THE DEPARTMENT.

8 (F) IF THE INDIVIDUAL PREVIOUSLY SERVED AS AN ADJUNCT
9 INSTRUCTOR AT ANY PUBLIC SCHOOL, THE INDIVIDUAL RECEIVED
10 SATISFACTORY PERFORMANCE REVIEWS. AN INDIVIDUAL IS NOT REQUIRED TO
11 HAVE PREVIOUSLY SERVED AS AN ADJUNCT INSTRUCTOR IN ORDER TO OBTAIN
12 AN INITIAL ADJUNCT INSTRUCTOR CERTIFICATE.

13 (3) BEFORE ALLOWING AN INDIVIDUAL TO SERVE AS AN ADJUNCT
14 INSTRUCTOR TO PROVIDE INSTRUCTION TO PUPILS, THE GOVERNING BODY
15 SHALL ENSURE THAT BOTH THE PUBLIC SCHOOL AND THE INDIVIDUAL COMPLY
16 WITH THE REQUIREMENTS OF SECTIONS 1230 TO 1230H.

17 (4) AN ADJUNCT INSTRUCTOR SHALL BE A PART-TIME CONTRACTOR
18 SERVING AT THE PUBLIC SCHOOL AND SHALL NOT BE AN EMPLOYEE OF THE
19 PUBLIC SCHOOL. AN ADJUNCT INSTRUCTOR IS NOT ELIGIBLE FOR CONTINUING
20 SERVICE STATUS OR TO PARTICIPATE IN THE RETIREMENT SYSTEM
21 ESTABLISHED UNDER THE PUBLIC SCHOOL EMPLOYEES RETIREMENT ACT OF
22 1979, 1980 PA 300, MCL 38.1301 TO 38.1437. SERVICE AS AN ADJUNCT
23 INSTRUCTOR IS NOT CREDITABLE FOR PURPOSES OF OBTAINING A TEACHING
24 CERTIFICATE UNDER THIS ACT.

25 (5) IN A SINGLE ACADEMIC YEAR, AN ADJUNCT INSTRUCTOR MAY NOT
26 TEACH MORE THAN 2 COURSES THAT ARE OFFERED FOR ACADEMIC CREDIT.

27 (6) IF A PUBLIC SCHOOL CONTRACTS FOR 1 OR MORE ADJUNCT

1 INSTRUCTORS, ALL OF THE FOLLOWING APPLY:

2 (A) THE PUBLIC SCHOOL SHALL PROVIDE AN ORIENTATION PROGRAM FOR
3 EACH ADJUNCT INSTRUCTOR PROVIDING EDUCATIONAL SERVICES AT THE
4 PUBLIC SCHOOL.

5 (B) THE PUBLIC SCHOOL SHALL ASSIGN TO EACH ADJUNCT INSTRUCTOR
6 A CERTIFICATED TEACHER OR SCHOOL ADMINISTRATOR TO SERVE AS A
7 MENTOR. THE TEACHER OR SCHOOL ADMINISTRATOR SHALL BE CERTIFICATED
8 IN THE SAME SUBJECT AREA AS THE ADJUNCT CERTIFICATION AREA IN WHICH
9 THE ADJUNCT INSTRUCTOR WAS ISSUED AN ADJUNCT INSTRUCTOR
10 CERTIFICATE.

11 (7) A PUBLIC SCHOOL MAY NOT UTILIZE THE SERVICES OF AN ADJUNCT
12 INSTRUCTOR TO MEET REQUIREMENTS FOR HIGHLY QUALIFIED TEACHERS
13 IMPOSED UNDER THE NO CHILD LEFT BEHIND ACT OF 2001, PUBLIC LAW 107-
14 110.

15 (8) AN ADJUNCT INSTRUCTOR CERTIFICATE ISSUED UNDER THIS
16 SECTION IS VALID FOR A PERIOD OF 3 YEARS. THE DEPARTMENT SHALL NOT
17 ISSUE A NEW OR RENEWAL ADJUNCT INSTRUCTOR CERTIFICATE TO AN
18 INDIVIDUAL UNLESS THE INDIVIDUAL MEETS THE REQUIREMENTS OF
19 SUBSECTION (2) AND, WITHIN THE 3-YEAR PERIOD IMMEDIATELY PRECEDING
20 HIS OR HER APPLICATION FOR THE NEW OR RENEWAL ADJUNCT INSTRUCTOR
21 CERTIFICATE, THE INDIVIDUAL HAS COMPLETED AT LEAST 20 CONTACT HOURS
22 OF PROFESSIONAL DEVELOPMENT APPROVED BY THE PUBLIC SCHOOL IN WHICH
23 THE ADJUNCT INSTRUCTOR IS PROVIDING EDUCATIONAL SERVICES.

24 (9) FOR THE PURPOSES OF THIS SECTION, THE SUPERINTENDENT OF
25 PUBLIC INSTRUCTION SHALL DETERMINE SUBJECT AREAS THAT ARE
26 APPROPRIATE FOR THE USE OF ADJUNCT INSTRUCTORS UNDER THIS SECTION
27 AND SHALL DESIGNATE THOSE SUBJECT AREAS AS RECOGNIZED ADJUNCT

1 CERTIFICATION AREAS. AT LEAST ANNUALLY, THE SUPERINTENDENT OF
2 PUBLIC INSTRUCTION SHALL PUBLISH A LIST OF THE RECOGNIZED ADJUNCT
3 CERTIFICATION AREAS AND SHALL MAINTAIN THAT LIST ON THE
4 DEPARTMENT'S WEBSITE.

5 Sec. 1278a. (1) Except as otherwise provided in this section
6 or section 1278b, beginning with pupils entering grade 8 in 2006,
7 the board of a school district or board of directors of a public
8 school academy shall not award a high school diploma to a pupil
9 unless the pupil meets all of the following:

10 (a) Has successfully completed all of the following credit
11 requirements of the Michigan merit standard before graduating from
12 high school:

13 (i) At least 4 credits in mathematics that are aligned with
14 subject area content expectations developed by the department and
15 approved by the state board under section 1278b, including
16 completion of at least algebra I, geometry, and algebra II, or an
17 integrated sequence of this course content that consists of 3
18 credits, and an additional mathematics credit, such as
19 trigonometry, statistics, precalculus, calculus, applied math,
20 accounting, business math, a retake of algebra II, a course in
21 financial literacy as described in section 1165. A pupil may
22 complete algebra II over 2 years with 2 credits awarded or over 1.5
23 years with 1.5 credits awarded for the purposes of this section and
24 section 1278b. A pupil also may partially or fully fulfill the
25 algebra II requirement by completing a department-approved formal
26 career and technical education program or curriculum that has
27 appropriate embedded mathematics content, such as a program or

1 curriculum in electronics, machining, construction, welding,
2 engineering, or renewable energy. ~~Not later than 30 days after the~~
3 ~~effective date of the amendatory act that added the immediately~~
4 ~~preceding sentence, the department shall post on its website and~~
5 ~~submit to the senate and house standing committees on education~~
6 ~~guidelines for implementation of the immediately preceding~~
7 ~~sentence.~~ Each pupil must successfully complete at least 1
8 mathematics course during his or her final year of high school
9 enrollment. This subparagraph does not require completion of
10 mathematics courses in any particular sequence.

11 (ii) At least 3 credits in social science that are aligned with
12 subject area content expectations developed by the department and
13 approved by the state board under section 1278b, including
14 completion of at least 1 credit in United States history and
15 geography, 1 credit in world history and geography, 1/2 credit in
16 economics, and the civics course described in section 1166(2).

17 (iii) At least 1 credit in subject matter that includes both
18 health and physical education aligned with guidelines developed by
19 the department and approved by the state board under section 1278b.

20 (iv) At least 1 credit in visual arts, performing arts, or
21 applied arts, as defined by the department, that is aligned with
22 guidelines developed by the department and approved by the state
23 board under section 1278b.

24 (v) The credit requirements specified in section 1278b(1).

25 (b) Meets the online course or learning experience requirement
26 of this subsection. A school district or public school academy
27 shall provide the basic level of technology and internet access

1 required by the state board to complete the online course or
2 learning experience. For a pupil to meet this requirement, the
3 pupil shall meet ~~either~~ **ANY** of the following, as determined by the
4 school district or public school academy:

5 (i) Has successfully completed at least 1 course or learning
6 experience that is presented online, as defined by the department.

7 (ii) The pupil's school district or public school academy has
8 integrated an online experience throughout the high school
9 curriculum by ensuring that each teacher of each course that
10 provides the required credits of the Michigan merit curriculum has
11 integrated an online experience into the course.

12 **(iii) THE PUPIL RECEIVES UP TO 2 HOURS OF INSTRUCTION EACH**
13 **SCHOOL DAY THROUGH ONLINE LEARNING PROVIDED UNDER PART 20B THAT IS**
14 **APPROVED BY THE PUPIL'S SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY.**

15 (2) In addition to the requirements under subsection (1),
16 beginning with pupils entering grade 3 in 2006, the board of a
17 school district or board of directors of a public school academy
18 shall not award a high school diploma to a pupil unless the pupil
19 has successfully completed during grades 9 to 12 at least 2
20 credits, as determined by the department, in a language other than
21 English, or the pupil has successfully completed at any time during
22 grades K to 12 course work or other learning experiences that are
23 substantially equivalent to 2 credits in a language other than
24 English, based on guidelines developed by the department. For the
25 purposes of this subsection, all of the following apply:

26 (a) American sign language is considered to be a language
27 other than English.

1 (b) The pupil may meet all or part of this requirement with
2 online course work.

3 (3) The requirements under this section and section 1278b for
4 a high school diploma are in addition to any local requirements
5 imposed by the board of a school district or board of directors of
6 a public school academy. The board of a school district or board of
7 directors of a public school academy, as a local requirement for a
8 high school diploma, may require a pupil to complete the Michigan
9 merit examination under section 1279g or may require a pupil to
10 participate in the MIAccess assessments if appropriate for the
11 pupil.

12 (4) For the purposes of this section and section 1278b, all of
13 the following apply:

14 (a) A pupil is considered to have completed a credit if the
15 pupil successfully completes the subject area content expectations
16 or guidelines developed by the department that apply to the credit.

17 (b) A school district or public school academy shall base its
18 determination of whether a pupil has successfully completed the
19 subject area content expectations or guidelines developed by the
20 department that apply to a credit at least in part on the pupil's
21 performance on the assessments developed or selected by the
22 department under section 1278b or on 1 or more assessments
23 developed or selected by the school district or public school
24 academy that measure a pupil's understanding of the subject area
25 content expectations or guidelines that apply to the credit.

26 (c) A school district or public school academy shall also
27 grant a pupil a credit if the pupil earns a qualifying score, as

determined by the department, on the assessments developed or selected for the subject area by the department under section 1278b or the pupil earns a qualifying score, as determined by the school district or public school academy, on 1 or more assessments developed or selected by the school district or public school academy that measure a pupil's understanding of the subject area content expectations or guidelines that apply to the credit.

(5) If a high school is designated by the superintendent of public instruction **OR, FOR AN ACHIEVEMENT SCHOOL, BY THE CHANCELLOR OF THE ACHIEVEMENT AUTHORITY**, as a specialty school and the high school meets the requirements of subsection (6), then the pupils of the high school are not required to successfully complete the 4 credits in English language arts required under section 1278b(1)(a) or the 3 credits in social science required under subsection (1)(a)(ii) and the school district or public school academy is not required to ensure that each pupil is offered the curriculum necessary for meeting those English language arts or social science credit requirements. The superintendent of public instruction may designate up to 15 high schools that meet the requirements of this subsection as specialty schools. Subject to this maximum number, the superintendent of public instruction shall designate a high school as a specialty school if the superintendent of public instruction finds that the high school meets all of the following criteria:

(a) The high school incorporates a significant reading and writing component throughout its curriculum.

(b) The high school uses a specialized, innovative, and

1 rigorous curriculum in such areas as performing arts, foreign
2 language, extensive use of internships, or other learning
3 innovations that conform to pioneering innovations among other
4 leading national or international high schools.

5 (6) A high school that is designated by the superintendent of
6 public instruction **OR THE CHANCELLOR OF THE ACHIEVEMENT AUTHORITY**
7 as a specialty school under subsection (5) is only exempt from
8 requirements as described under subsection (5) as long as the
9 superintendent of public instruction **OR CHANCELLOR, AS APPLICABLE,**
10 finds that the high school continues to meet all of the following
11 requirements:

12 (a) The high school clearly states to prospective pupils and
13 their parents that it does not meet the requirements of the
14 Michigan merit standard under this section and section 1278b but is
15 a designated specialty school that is exempt from some of those
16 requirements and that a pupil who enrolls in the high school and
17 subsequently transfers to a high school that is not a specialty
18 school meeting the requirements of this subsection will be required
19 to comply with the requirements of the Michigan merit standard
20 under this section and section 1278b.

21 (b) For the most recent year for which the data are available,
22 the mean scores on both the mathematics and science portions of the
23 ACT examination for the pupils of the high school exceed by at
24 least 10% the mean scores on the mathematics and science portions
25 of the ACT examination for the pupils of the school district in
26 which the greatest number of the pupils of the high school reside.

27 (c) For the most recent year for which the data are available,

1 the high school had a graduation rate of at least 85%, as
2 determined by the department.

3 (d) For the most recent year for which the data are available,
4 at least 75% of the pupils who graduated from the high school the
5 preceding year are enrolled in a postsecondary institution.

6 (e) All pupils of the high school are required to meet the
7 mathematics credit requirements of subsection (1)(a)(i), with no
8 modification of these requirements under section 1278b(5), and each
9 pupil is offered the curriculum necessary to meet this requirement.

10 (f) All pupils of the high school are required to meet the
11 science credit requirements of section 1278b(1)(b) and are also
12 required to successfully complete at least 1 additional science
13 credit, for a total of at least 4 science credits, with no
14 modification of these requirements under section 1278b(5), and each
15 pupil is offered the curriculum necessary to meet this requirement.

16 Sec. 1401. (1) The board of a school district may admit
17 nonresident pupils **AND OUT-OF-STATE PUPILS** to the schools of the
18 **SCHOOL** district. The board shall determine the rates of tuition of
19 the nonresident pupils **AND OUT-OF STATE PUPILS** and shall collect
20 the tuition.

21 (2) Tuition for grades K to 6 **FOR NONRESIDENT PUPILS** shall not
22 exceed 25% more than the operation cost per capita for the number
23 of pupils in membership in grades K to 12.

24 (3) Tuition for grades 7 to 12 **FOR NONRESIDENT PUPILS** shall
25 not exceed 12-1/2% more than 115% of the operation cost per capita
26 for the number of pupils in membership in grades K to 12.

27 (4) In a school district not maintaining grades above the

1 eighth grade, the tuition **FOR NONRESIDENT PUPILS** shall not exceed
2 25% more than the operation cost per capita for the number of
3 pupils in membership in grades K to 8.

4 (5) The operation costs and membership figures of the
5 preceding fiscal year shall be used **IN DETERMINING TUITION FOR**
6 **NONRESIDENT PUPILS**. The per capita cost used **IN DETERMINING TUITION**
7 **FOR NONRESIDENT PUPILS** shall not include ~~moneys~~**MONEY** expended for
8 school sites, school building construction, equipment, payment of
9 bonds, or other purposes not properly included in operation costs
10 as determined by the ~~state board~~**SUPERINTENDENT OF PUBLIC**
11 **INSTRUCTION**.

12 (6) AS USED IN THIS PART:

13 (A) "NONRESIDENT PUPIL" MEANS A PUPIL WHO IS A RESIDENT OF
14 THIS STATE BUT IS NOT A RESIDENT OF THE SCHOOL DISTRICT.

15 (B) "OUT-OF-STATE PUPIL" MEANS A PUPIL WHO IS NOT A RESIDENT
16 OF THIS STATE.

17 Sec. 1473. (1) The board of a school district, board of
18 directors of a public school academy, or governing board of a
19 nonpublic school shall consider providing college level equivalent
20 courses either directly, through an intermediate district program,
21 or by agreement in a consortium or cooperative program.

22 (2) If a public school pupil successfully completes a college
23 level equivalent course that is offered by electronic means,
24 including, but not limited to, the internet, digital broadcast, or
25 satellite network, and is offered by a school district, **A PUBLIC**
26 **SCHOOL ACADEMY**, a regionally accredited college or university, **A**
27 **UNIVERSITY SCHOOL**, or the Michigan virtual ~~high~~-school described in

1 section 1481, and if the pupil has been sponsored in this process
 2 by a certificated teacher employed by the pupil's school district,
 3 ~~or public school academy, OR UNIVERSITY SCHOOL~~, the school
 4 district, ~~or public school academy, OR UNIVERSITY SCHOOL~~ in which
 5 the pupil is enrolled shall do all of the following:

6 (a) Grant appropriate high school credit for completion of the
 7 course.

8 (b) Count that credit toward the graduation and subject area
 9 requirements of the school district or public school academy.

10 PART 20B

11 ~~MICHIGAN VIRTUAL HIGH SCHOOL ONLINE LEARNING~~

12 Sec. 1481. (1) ~~Not later than the beginning of the 2000-2001~~
 13 ~~school year, the~~ **THE** Michigan virtual university shall develop,
 14 implement, and operate the Michigan virtual ~~high~~-school, as
 15 described in this section.

16 (2) The Michigan virtual ~~high~~-school shall have the following
 17 goals:

18 (a) Significantly expand curricular offerings for ~~high~~-schools
 19 across this state through agreements with school districts **OR OTHER**
 20 **PUBLIC SCHOOLS** or licenses from other recognized providers.

21 (b) ~~Create a~~ **IN COOPERATION WITH THE DEPARTMENT, THE**
 22 **ACHIEVEMENT AUTHORITY, AND PUBLIC SCHOOLS, CREATE 1 OR MORE**
 23 statewide instructional ~~model~~ **MODELS** using interactive multimedia
 24 tools delivered by electronic means, including, but not limited to,
 25 the internet, digital broadcast, or satellite network, for
 26 distributed learning ~~at the high school level.~~ **IN THE SCHOOLS OF**
 27 **THIS STATE.**

1 (c) Provide pupils with opportunities to develop skills and
2 competencies through on-line learning.

3 (d) Offer ~~high school~~ teachers opportunities to learn new
4 skills and strategies for developing and delivering instructional
5 services.

6 (e) Accelerate this state's ability to respond to current and
7 emerging educational demands.

8 (f) Grant high school diplomas through a dual enrollment
9 method with school districts **AND OTHER PUBLIC SCHOOLS**.

10 (g) Act as a broker for college level equivalent courses, as
11 defined in section 1471, and dual enrollment courses from
12 postsecondary education institutions.

13 (3) The Michigan virtual ~~high school~~ course offerings shall
14 include, but are not limited to, all of the following:

15 (a) Information technology courses.

16 (b) College level equivalent courses, as defined in section
17 1471.

18 (c) Courses and dual enrollment opportunities.

19 (d) At-risk programs and services.

20 (e) General education development test preparation courses for
21 adjudicated youth.

22 (f) Special interest courses.

23 (g) Professional development programs and services for
24 teachers.

25 (4) In addition to its other duties under this section, the
26 Michigan virtual university shall work with the department and
27 other appropriate state agencies to explore the development and

1 delivery of a full curriculum for migrant pupils that would be
2 available through distance learning. ~~The Michigan virtual~~
3 ~~university and the department shall submit a joint report on their~~
4 ~~findings under this subsection to the legislature not later than 1~~
5 ~~year after the effective date of this section.~~

6 (5) Nonpublic school students and home-schooled children may
7 participate in course offerings of the Michigan virtual high-school
8 to the same extent they are allowed to participate in school
9 district course offerings under this act and the state school aid
10 act of 1979. ~~, 1979 PA 94, MCL 388.1601 to 388.1772.~~

11 (6) The Michigan virtual university shall fund the Michigan
12 virtual high-school from ~~appropriations made for this purpose and~~
13 ~~may also use funds received~~ **FEES AND REVENUE RECEIVED IN EXCHANGE**
14 **FOR ITS SERVICES FROM SCHOOL DISTRICTS AND OTHER SCHOOLS, FROM**
15 **TUITION RECEIVED FROM PUPILS WHO ARE NOT RESIDENTS OF THIS STATE,**
16 **AND** from other sources. The department shall provide technical
17 assistance as requested by the Michigan virtual university for the
18 purposes of this section.

19 (7) **THE MICHIGAN VIRTUAL UNIVERSITY MAY ACT AS AN EDUCATIONAL**
20 **MANAGEMENT ORGANIZATION FOR A PUBLIC SCHOOL ACADEMY, UNIVERSITY**
21 **SCHOOL, OR ACHIEVEMENT SCHOOL THAT SPECIALIZES IN ONLINE LEARNING.**
22 **AS USED IN THIS SUBSECTION, "EDUCATIONAL MANAGEMENT ORGANIZATION"**
23 **MEANS AN ENTITY THAT ENTERS INTO AN AGREEMENT WITH THE GOVERNING**
24 **BOARD OF A PUBLIC SCHOOL TO PROVIDE COMPREHENSIVE EDUCATIONAL,**
25 **ADMINISTRATIVE, MANAGEMENT, OR INSTRUCTIONAL SERVICES OR STAFF TO**
26 **THE PUBLIC SCHOOL.**

27 SEC. 1482. (1) IT IS THE POLICY OF THIS STATE TO UTILIZE THE

1 POWER AND SCALABILITY OF TECHNOLOGY, INCLUDING, BUT NOT LIMITED TO,
2 ONLINE COURSES, TO CUSTOMIZE EDUCATION SO THAT A PUPIL MAY LEARN
3 CONSISTENT WITH THE PUPIL'S LEARNING STYLE AND PREFERENCES AND AT
4 THE PUPIL'S PACE.

5 (2) A PUBLIC SCHOOL SHALL OFFER ONLINE COURSES ON AN OPEN
6 ENTRY AND EXIT METHOD AS DETERMINED BY THE PUBLIC SCHOOL. THE
7 PUBLIC SCHOOL MAY PROVIDE THE ONLINE COURSE ITSELF OR MAY CONTRACT
8 WITH AN ONLINE COURSE PROVIDER FOR THE PROVISION OF THE ONLINE
9 COURSE.

10 (3) AN ONLINE COURSE OFFERED UNDER THIS SECTION SHALL BE
11 DESIGNED TO DO 1 OR MORE OF THE FOLLOWING:

12 (A) PROVIDE HIGH-QUALITY LEARNING OPTIONS FOR A PUPIL
13 REGARDLESS OF LANGUAGE, RESIDENCE, FAMILY INCOME, OR SPECIAL NEEDS.

14 (B) PROVIDE ONLINE LEARNING OPTIONS ENABLING A PUPIL TO
15 ACQUIRE KNOWLEDGE AND TECHNOLOGY SKILLS NECESSARY TO BE COMPETITIVE
16 TECHNOLOGICALLY ANYWHERE IN THE WORLD.

17 (C) UTILIZE TECHNOLOGY TO REMOVE THE CONSTRAINTS OF
18 TRADITIONAL CLASSROOM LEARNING, ALLOWING A PUPIL TO ACCESS LEARNING
19 VIRTUALLY AT ANY TIME AND IN ANY PLACE AND GIVING THE PUPIL THE
20 FLEXIBILITY TO TAKE ADVANTAGE OF THE PUPIL'S PEAK LEARNING TIME.

21 (D) PROVIDE PERSONALIZED LEARNING, WHERE A PUPIL CAN SPEND AS
22 LITTLE OR AS MUCH TIME AS THE PUPIL NEEDS TO MASTER THE MATERIAL.

23 (E) PROVIDE GREATER ACCESS TO SELF-PACED PROGRAMS ENABLING A
24 HIGH-ACHIEVING PUPIL TO ACCELERATE ACADEMICALLY AND AFFORDING A
25 STRUGGLING PUPIL ADDITIONAL TIME AND HELP TO GAIN COMPETENCY.

26 (4) A PUBLIC SCHOOL SHALL REQUIRE THAT AN ONLINE COURSE BE
27 SUBJECT TO THE SAME DATA COLLECTION AND ASSESSMENT PROCEDURES AS

1 ANY OTHER COURSE AND MAY IMPOSE ADDITIONAL ACCOUNTABILITY MEASURES
2 DESIGNED TO FAIRLY ASSESS WHAT IS OCCURRING AT A PARTICULAR SCHOOL
3 OR BY AN ONLINE PROVIDER.

4 (5) A PUBLIC SCHOOL AND A TEACHER IN A PUBLIC SCHOOL MAY USE
5 AN ADJUNCT INSTRUCTOR AUTHORIZED UNDER SECTION 1233C FOR AN ONLINE
6 COURSE IF THE ADJUNCT INSTRUCTOR PROVIDES ADDITIONAL VALUE TO THE
7 ONLINE COURSE, INCLUDING, BUT NOT LIMITED TO, COMMUNITY EXPERTISE,
8 TECHNICAL SKILLS, AND COMPETENCE RELEVANT TO THE ONLINE COURSE, OR
9 WIDELY RECOGNIZED EXPERTISE OR REPUTATION IN A FIELD.

10 (6) AS USED IN THIS SECTION, "OPEN ENTRY AND EXIT METHOD"
11 MEANS A METHOD OF INSTRUCTIONAL DELIVERY THAT ALLOWS FOR FLEXIBLE
12 SCHEDULING IN RESPONSE TO INDIVIDUAL PUPIL NEEDS OR REQUIREMENTS
13 AND DEMONSTRATED COMPETENCY WHEN KNOWLEDGE AND SKILLS HAVE BEEN
14 MASTERED AND THAT PROVIDES PUPILS WITH ALL OF THE FOLLOWING:

15 (A) THE FLEXIBILITY TO BEGIN OR END STUDY AT ANY TIME.

16 (B) THE ABILITY TO PROGRESS THROUGH COURSE MATERIAL AT THE
17 PUPIL'S PACE.

18 (C) A MECHANISM TO DEMONSTRATE COMPETENCY WHEN KNOWLEDGE AND
19 SKILLS HAVE BEEN MASTERED.

20 SEC. 1483. (1) IN ORDER TO EXPAND INNOVATIVE LEARNING
21 OPPORTUNITIES FOR STUDENTS, PROMOTE TWENTY-FIRST CENTURY LEARNING
22 SKILLS, AND REDUCE EDUCATIONAL EXPENDITURES THROUGH THE EFFECTIVE
23 USE OF ONLINE INSTRUCTIONAL PROGRAMS, THE PUBLIC SCHOOLS SHALL
24 PROVIDE ELIGIBLE PUPILS THE OPTION TO ENROLL IN ONLINE
25 INSTRUCTIONAL PROGRAMS OR ONLINE COURSES.

26 (2) A PUPIL ENROLLED IN A PUBLIC SCHOOL IN ANY OF GRADES 3 TO
27 12 IS ELIGIBLE TO ENROLL IN AN ONLINE INSTRUCTIONAL PROGRAM OR

1 ONLINE COURSE. WITH THE CONSENT OF THE PUPIL'S PARENT OR LEGAL
2 GUARDIAN, A PUBLIC SCHOOL SHALL ENROLL A PUPIL IN ONLINE COURSES AS
3 REQUESTED BY THE PUPIL, UP TO 2 ONLINE COURSES DURING A SPECIFIC
4 ACADEMIC TERM, SEMESTER, OR TRIMESTER. HOWEVER, IF A PUPIL HAS
5 DEMONSTRATED PREVIOUS SUCCESS WITH ONLINE COURSES AND THE SCHOOL
6 LEADERSHIP AND THE PUPIL'S PARENT OR GUARDIAN DETERMINE THAT IT IS
7 IN THE BEST INTEREST OF THE PUPIL, A PUPIL MAY BE ENROLLED IN MORE
8 THAN 2 ONLINE COURSES IN A SPECIFIC ACADEMIC TERM, SEMESTER, OR
9 TRIMESTER WITH THE CONSENT OF THE PUPIL'S PARENT OR LEGAL GUARDIAN.

10 (3) THE GOVERNING BODY OF A PUBLIC SCHOOL SHALL ENSURE THAT
11 THE PUBLIC SCHOOL INFORMS PARENTS AND PUPILS AT LEAST ANNUALLY
12 ABOUT THE AVAILABILITY OF ONLINE LEARNING OPTIONS. FOR A PUPIL WHO
13 ENROLLS IN 1 OR MORE ONLINE INSTRUCTIONAL PROGRAMS, THE GOVERNING
14 BODY SHALL APPLY A PORTION OF THE FOUNDATION ALLOWANCE OR PER-PUPIL
15 PAYMENT UNDER THE STATE SCHOOL AID ACT OF 1979 THAT IS ATTRIBUTABLE
16 TO THE PUPIL FOR THE COST OF THE ONLINE INSTRUCTIONAL PROGRAM.

17 (4) USING FUNDS PROVIDED UNDER THE STATE SCHOOL AND ACT OF
18 1979, A PUBLIC SCHOOL SHALL DO ALL OF THE FOLLOWING AS NECESSARY TO
19 MEET THE REQUIREMENTS OF THIS SECTION:

20 (A) PROVIDE PUPILS ACCESS TO SCHOOL-OWNED INTERNET-CONNECTED
21 DEVICES TO CONNECT TO ONLINE COURSES DURING REGULAR SCHOOL HOURS.

22 (B) ALLOW PUPILS TO ACCESS ONLINE COURSES THROUGH THE SCHOOL'S
23 WIRELESS INTERNET SERVICE WHILE ON SCHOOL PREMISES WITH THE PUPIL'S
24 OWN MOBILE DEVICE.

25 (C) PROVIDE PUPILS WITH OPPORTUNITIES TO COMPLETE ALL OR PART
26 OF THEIR ONLINE COURSEWORK AWAY FROM SCHOOL FACILITIES.

27 (5) IF A PUPIL SUCCESSFULLY COMPLETES AN INSTRUCTIONAL PROGRAM

1 OR ONLINE COURSE, THE PUBLIC SCHOOL IN WHICH THE PUPIL IS ENROLLED
2 SHALL GRANT APPROPRIATE SCHOOL CREDIT FOR COMPLETION OF THE COURSE
3 AND COUNT THAT CREDIT TOWARD COMPLETION OF THE GRADUATION AND
4 SUBJECT AREA REQUIREMENTS OF THE PUBLIC SCHOOL. A PUPIL'S SCHOOL
5 RECORD AND TRANSCRIPT SHALL IDENTIFY ONLINE INSTRUCTIONAL PROGRAMS
6 AND ONLINE COURSES, INCLUDING IDENTIFICATION OF THE ONLINE
7 PROVIDER.

8 (6) A PUBLIC SCHOOL IS ENCOURAGED TO PROVIDE TO A PUPIL AND
9 PARENTS AND GUARDIANS ACADEMIC COUNSELING SERVICES THAT DO ALL OF
10 THE FOLLOWING:

11 (A) OFFER TECHNICAL ASSISTANCE TO ASSESS PUPIL READINESS FOR
12 ONLINE LEARNING.

13 (B) MAKE AVAILABLE TO PUPILS AND PARENTS OR GUARDIANS A LIST
14 OF APPROVED ONLINE PROVIDERS MAINTAINED BY THE DEPARTMENT.

15 (C) ENSURE THAT PUPILS AND PARENTS OR GUARDIANS ARE ADVISED OF
16 THE BENEFITS, CHALLENGES, AND POSSIBLE CONSEQUENCES OF ENROLLING IN
17 AN ONLINE COURSE. A PUBLIC SCHOOL IS ALSO ENCOURAGED TO ENGAGE
18 PUPILS AND PARENTS OR GUARDIANS THROUGH THE USE OF INFORMAL
19 CONTRACTS OR WRITTEN AGREEMENTS THAT OUTLINE PUPIL AND PARENTAL
20 RESPONSIBILITIES WITH REGARD TO ONLINE LEARNING.

21 (7) TO ASSIST PUPILS AND THEIR PARENTS OR GUARDIANS IN
22 SELECTING APPROPRIATE ONLINE COURSES, A PUBLIC SCHOOL SHALL ENSURE
23 THAT ALL OF THE FOLLOWING ARE MET WITH RESPECT TO EACH ONLINE
24 COURSE THE PUBLIC SCHOOL OFFERS THROUGH AN ONLINE PROVIDER:

25 (A) THAT EACH ONLINE COURSE OFFERED BY AN ONLINE PROVIDER IS
26 OF SUFFICIENT RIGOR, DEPTH, AND BREADTH TO MEET THE EDUCATIONAL
27 OBJECTIVES OF THE PUBLIC SCHOOL.

1 (B) THAT EACH ONLINE COURSE OFFERED BY AN ONLINE PROVIDER
2 MAINTAINS A LEVEL OF DIRECT INSTRUCTIONAL SUPPORT BETWEEN PUPILS
3 AND TEACHERS OR ADJUNCT INSTRUCTORS.

4 (C) THAT THERE IS DOCUMENTATION THAT THE ONLINE COURSES
5 OFFERED BY THE ONLINE PROVIDER ARE ALIGNED WITH THE STATE BOARD
6 RECOMMENDED MODEL CORE ACADEMIC CURRICULUM CONTENT STANDARDS UNDER
7 SECTION 1278 OR THAT THE COURSE IS NOT INTENDED TO BE A COURSE THAT
8 MEETS THE RECOMMENDED MODEL CORE ACADEMIC CURRICULUM CONTENT
9 STANDARDS.

10 (D) THAT THE ONLINE PROVIDER OF THE ONLINE COURSE REQUIRES
11 EACH MEMBER OF ITS INSTRUCTIONAL STAFF TO HOLD A VALID MICHIGAN
12 TEACHING CERTIFICATE, OR AN ADJUNCT INSTRUCTOR CERTIFICATE UNDER
13 SECTION 1233C, APPROPRIATE FOR THE COURSE HE OR SHE IS TEACHING,
14 AND PROVIDES ASSURANCE THAT THE PROVIDER, BEFORE ASSIGNING AN
15 INDIVIDUAL TO SERVE AS AN TEACHER IN AN ONLINE COURSE, WILL COMPLY
16 WITH SECTIONS 1230 AND 1230A WITH RESPECT TO THAT INDIVIDUAL TO THE
17 SAME EXTENT AS IF THE PROVIDER WERE A SCHOOL DISTRICT EMPLOYING THE
18 INDIVIDUAL AS A TEACHER AND WILL PROVIDE THE DEPARTMENT WITH THE
19 CRIMINAL HISTORY RECORD INFORMATION OBTAINED UNDER SECTION 1230 AND
20 WITH THE RESULTS OF THE CRIMINAL RECORDS CHECK UNDER SECTION 1230A.
21 THE DEPARTMENT OF STATE POLICE SHALL PROVIDE INFORMATION TO A
22 PERSON OR ENTITY REQUESTING INFORMATION UNDER THIS SUBDIVISION TO
23 THE SAME EXTENT AS IF THE PERSON OR ENTITY WERE A SCHOOL DISTRICT
24 MAKING THE REQUEST UNDER SECTION 1230 OR 1230A.

25 (E) THAT THE ONLINE PROVIDER MEETS THE REQUIREMENTS FOR
26 ACCREDITATION BY 1 OR MORE NATIONALLY RECOGNIZED EDUCATION
27 ACCREDITATION ORGANIZATIONS THAT USE A COMPREHENSIVE PROGRAM OF

1 EVALUATION AND EXTERNAL REVIEW, AS APPROVED BY THE DEPARTMENT.

2 (F) THAT THE ONLINE PROVIDER AGREES TO USE END-OF-COURSE
3 ASSESSMENTS AS THEY ARE MADE AVAILABLE IN AN ONLINE FORMAT BY THE
4 PUBLIC SCHOOL OR THE DEPARTMENT.

5 (8) PUBLIC SCHOOLS, ONLINE PROVIDERS, AND THE DEPARTMENT MAY
6 COOPERATE TO PUBLISH AN ONLINE INVENTORY OF ONLINE CLASSES AND
7 ONLINE PROVIDERS THAT MEET THE REQUIREMENTS OF THIS SECTION.

8 (9) THE DEPARTMENT MAY POST AND PERIODICALLY UPDATE ON ITS
9 WEBSITE A LIST OF ONLINE PROVIDERS AND ONLINE COURSES THAT OFFER
10 HIGH-QUALITY ONLINE INSTRUCTIONAL PROGRAMS TO PUPILS.

11 (10) FOR EACH PUPIL ENROLLED IN AN ONLINE INSTRUCTIONAL
12 PROGRAM, AN ONLINE PROVIDER SHALL MAKE AVAILABLE TO THE PUBLIC
13 SCHOOL IN WHICH THE PUPIL IS ENROLLED AND TO THE PUPIL'S PARENT OR
14 LEGAL GUARDIAN REGULAR PUPIL PROGRESS REPORTS AND AN END-OF-COURSE
15 ACHIEVEMENT SCORE OR GRADE ON A TIMELY BASIS.