

SENATE SUBSTITUTE FOR
HOUSE BILL NO. 4665

A bill to amend 1976 PA 451, entitled
"The revised school code,"
by amending section 1311g (MCL 380.1311g), as amended by 2014 PA
256.

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.

1 (2) A strict discipline academy shall not charge tuition.
2 Except as otherwise provided in subsection (6), a strict discipline
3 academy shall not discriminate in its pupil admissions policies or
4 practices on the basis of intellectual or athletic ability,
5 measures of achievement or aptitude, status as a student with a
6 disability, or any other basis that would be illegal if used by a
7 school district. However, a strict discipline academy may limit
8 admission to pupils who are within a particular range of age or
9 grade level or on any other basis that would be legal if used by a
10 school district.

11 (3) A strict discipline academy shall be established under
12 sections 1311b to 1311m specifically for enrolling 1 or more of the
13 following types of pupils:

14 (a) Pupils placed in the strict discipline academy by a court
15 or by the department of **HEALTH AND** human services or a county
16 juvenile agency under the direction of a court.

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

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

20 (d) Other pupils who have been expelled from school, or pupils
21 who have been suspended from school for a suspension that is for a
22 period in excess of 10 school days, and who are referred to the
23 strict discipline academy by that pupil's school ~~and OR~~ placed in
24 the strict discipline academy by the pupil's parent or legal
25 guardian. ~~However, a suspended pupil shall be allowed to attend the~~
26 ~~strict discipline academy only for the duration of the suspension.~~

27 (4) In addition to the types of pupils specified in subsection

1 (3), a strict discipline academy shall be open for enrollment of a
2 special education pupil who does not meet the requirements of
3 subsection (3) if the special education pupil's individualized
4 education program team recommends that the special education pupil
5 be placed in the strict discipline academy. As used in this
6 subsection, "individualized education program team" means that term
7 as defined in section 614 ~~of part B of title VI~~ of the individuals
8 with disabilities education act, 20 USC 1414.

9 (5) In addition to the types of pupils specified in
10 subsections (3) and (4), a strict discipline academy may enroll a
11 pupil who is placed in a high-security or medium-security juvenile
12 facility, mental health facility, or child caring institution that
13 is operated by a private agency **OR A PUPIL WHO BECAME A RESIDENT OF**
14 **THIS STATE AS AN UNACCOMPANIED OR RESETTLED MINOR UNDER THE CARE OF**
15 **THE DEPARTMENT OF HEALTH AND HUMAN SERVICES AND WHO IS LESS THAN 22**
16 **YEARS OF AGE AS OF SEPTEMBER 1 OF THE CURRENT SCHOOL YEAR.**

17 (6) A strict discipline academy shall enroll only 1 or more of
18 the types of pupils described in subsections (3) to (5). **A PUPIL**
19 **WHO IS ENROLLED IN A STRICT DISCIPLINE ACADEMY UNDER SUBSECTIONS**
20 **(3) TO (5) MAY, AT THE OPTION OF HIS OR HER PARENT OR LEGAL**
21 **GUARDIAN, CONTINUE TO REMAIN ENROLLED IN THE STRICT DISCIPLINE**
22 **ACADEMY AFTER HE OR SHE CEASES TO MEET THE REQUIREMENTS FOR**
23 **ENROLLMENT UNDER SUBSECTIONS (3) TO (5) AS LONG AS HE OR SHE MEETS**
24 **THE OTHER APPLICABLE REQUIREMENTS FOR ENROLLMENT.**

25 (7) A strict discipline academy is not required to keep any
26 group of pupils described in subsections (3) to (5) physically
27 separated from another group of those pupils, as might otherwise be

1 required under section 1311, section 1311a, or another provision of
2 this act.

3 (8) ~~(7)~~—Strict discipline academies are not intended to enroll
4 or otherwise be used to educate individuals who are committed to a
5 high-security or medium-security juvenile facility operated by the
6 department of **HEALTH AND** human services or another state department
7 or agency. Further, if the department of corrections or another
8 state department or agency other than the department of **HEALTH AND**
9 human services has custody of or jurisdiction over a child, that
10 state department or agency has the financial responsibility for
11 educating the child.

12 (9) ~~(8)~~—Except for a foreign exchange student who is not a
13 United States citizen, a strict discipline academy shall not enroll
14 a pupil who is not a resident of this state. Enrollment in the
15 strict discipline academy may be open to all individuals who reside
16 in this state who meet the admission policy under subsections (3)
17 to (5) and shall be open to all pupils who reside within the
18 geographic boundaries, if any, of the authorizing body as described
19 in section 1311d who meet the admission policy under subsections
20 (3) to (5), except that admission to a strict discipline academy
21 authorized by the board of a community college to operate, or
22 operated by the board of a community college, on the grounds of a
23 federal military installation, as described in section 1311d, shall
24 be open to all pupils who reside in the county in which the federal
25 military installation is located who meet the admission policy
26 under subsections (3) to (5). For a strict discipline academy
27 authorized by a state public university, enrollment shall be open

1 to all pupils who reside in this state who meet the admission
2 policy under subsections (3) to (5). If there are more applications
3 to enroll in the strict discipline academy than there are spaces
4 available, pupils shall be selected to attend using a random
5 selection process. However, a strict discipline academy may give
6 enrollment priority to a sibling of a pupil enrolled in the strict
7 discipline academy. ~~Except for a suspended pupil who is attending~~
8 ~~the strict discipline academy for the duration of the suspension, a~~
9 A strict discipline academy shall allow any pupil who was enrolled
10 in the strict discipline academy in the immediately preceding
11 school year to enroll in the strict discipline academy in the
12 appropriate grade unless the appropriate grade is not offered at
13 that strict discipline academy.

14 (10) ~~(9)~~ A strict discipline academy may include any grade up
15 to grade 12 or any configuration of those grades, including
16 kindergarten and early childhood education, as specified in its
17 contract. The authorizing body may approve amendment of a contract
18 with respect to ages of pupils or grades offered.