

HOUSE BILL No. 4665

May 30, 2017, Introduced by Reps. VerHeulen, Garcia, Kelly, Glenn, Runestad and Hughes
and referred to the Committee on Education Reform.

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.

9 (2) A strict discipline academy shall not charge tuition.
10 Except as otherwise provided in subsection (6), a strict discipline

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

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

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

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

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

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

25 (4) In addition to the types of pupils specified in subsection
26 (3), a strict discipline academy shall be open for enrollment of a
27 special education pupil who does not meet the requirements of

1 subsection (3) if the special education pupil's individualized
2 education program team recommends that the special education pupil
3 be placed in the strict discipline academy. As used in this
4 subsection, "individualized education program team" means that term
5 as defined in section 614 ~~of part B of title VI~~ of the individuals
6 with disabilities education act, 20 USC 1414.

7 (5) In addition to the types of pupils specified in
8 subsections (3) and (4), a strict discipline academy may enroll a
9 pupil who is placed in a high-security or medium-security juvenile
10 facility, mental health facility, or child caring institution that
11 is operated by a private agency.

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

20 (7) A strict discipline academy is not required to keep any
21 group of pupils described in subsections (3) to (5) physically
22 separated from another group of those pupils, as might otherwise be
23 required under section 1311, section 1311a, or another provision of
24 this act.

25 (8) ~~(7)~~ Strict discipline academies are not intended to enroll
26 or otherwise be used to educate individuals who are committed to a
27 high-security or medium-security juvenile facility operated by the

1 department of **HEALTH AND** human services or another state department
2 or agency. Further, if the department of corrections or another
3 state department or agency other than the department of **HEALTH AND**
4 human services has custody of or jurisdiction over a child, that
5 state department or agency has the financial responsibility for
6 educating the child.

7 **(9)** ~~(8)~~—Except for a foreign exchange student who is not a
8 United States citizen, a strict discipline academy shall not enroll
9 a pupil who is not a resident of this state. Enrollment in the
10 strict discipline academy may be open to all individuals who reside
11 in this state who meet the admission policy under subsections (3)
12 to (5) and shall be open to all pupils who reside within the
13 geographic boundaries, if any, of the authorizing body as described
14 in section 1311d who meet the admission policy under subsections
15 (3) to (5), except that admission to a strict discipline academy
16 authorized by the board of a community college to operate, or
17 operated by the board of a community college, on the grounds of a
18 federal military installation, as described in section 1311d, shall
19 be open to all pupils who reside in the county in which the federal
20 military installation is located who meet the admission policy
21 under subsections (3) to (5). For a strict discipline academy
22 authorized by a state public university, enrollment shall be open
23 to all pupils who reside in this state who meet the admission
24 policy under subsections (3) to (5). If there are more applications
25 to enroll in the strict discipline academy than there are spaces
26 available, pupils shall be selected to attend using a random
27 selection process. However, a strict discipline academy may give

1 enrollment priority to a sibling of a pupil enrolled in the strict
2 discipline academy. ~~Except for a suspended pupil who is attending~~
3 ~~the strict discipline academy for the duration of the suspension, a~~
4 **A** strict discipline academy shall allow any pupil who was enrolled
5 in the strict discipline academy in the immediately preceding
6 school year to enroll in the strict discipline academy in the
7 appropriate grade unless the appropriate grade is not offered at
8 that strict discipline academy.

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

14 Enacting section 1. This amendatory act takes effect 90 days
15 after the date it is enacted into law.