

# Legislative Analysis



## STRICT DISCIPLINE ACADEMIES

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**House Bill 4675 (proposed substitute H-3)**

**Sponsor: Rep. Lynn Afendoulis**

**Committee: Education**

**Complete to 10-7-19**

Analysis available at  
<http://www.legislature.mi.gov>

## SUMMARY:

House Bill 4675 would amend the Revised School Code to expand the eligibility for enrollment at strict discipline academies (SDAs) to students requiring certain interventions, including tier 3 support based on a multi-tiered system of supports. An SDA could only enroll a qualifying student once that student had completed a previously scheduled evaluation to determine eligibility for special education programs or services.

Currently, the following students are eligible for enrollment at a strict discipline academy:

- A student placed in an SDA by a court or by the Michigan Department of Health and Human Services (MDHHS) or a county juvenile agency under the direction of a court.
- A student who had been expelled for possessing a dangerous weapon in a weapon-free school zone or committing arson or criminal sexual conduct at school.
- A student in grade six or above who had been expelled for committing a physical or verbal assault against a school employee, volunteer or contractor; for making a bomb threat or similar threat against the school; or under another provision of the Revised School Code.
- Other students who had been expelled from school, or suspended for more than 10 days, and who were referred to the SDA by the student's school or placed in the SDA by the student's parent or legal guardian.
- A special education student who had not been suspended or expelled, but whose individualized education program (IEP) team recommended placement in an SDA.
- A student who had not been suspended or expelled, but who was placed in a high- or medium-security juvenile facility, mental health facility, or child caring institution that was operated by a private company.
- A student who became a resident of the state as an unaccompanied or resettled minor under the care of MDHHS and who was under 22 years old as of September 1 of the current school year.

Under the bill, SDAs could allow enrollment of a student who was (1) identified by the chief school administrator of the student's school as requiring intense individual intervention designed for a student with highly accelerated or severe and persistently challenging academic or nonacademic needs, including tier 3 support based on a multi-tiered system of supports, before being suspended under provisions of the Revised School Code, and (2) referred to the SDA by the student's school.

Additionally, if the student was scheduled for or undergoing an evaluation to determine eligibility for special education programs or services, the SDA would have to wait to enroll the student until that evaluation was completed. The placement of a student in an SDA would be subject to state and federal special education laws.

MCL 380.1311d and 380.1311g

## **BACKGROUND:**

Strict discipline academies, a type of public school academy (PSA) or charter school, were incorporated into Michigan law following the Columbine High School shooting in 1999 as part of a push for school safety measures. Other such measures include zero tolerance suspension and expulsion policies for certain offenses. The goal of SDAs is largely to provide education in a more controlled environment to a population that is unable to participate in a traditional school setting. SDAs typically require metal detector checks at the school door, uniforms, and strict adherence to behavior policies.

2018 PA 42 (House Bill 4665) recently expanded the criteria for enrollment at SDAs to include unaccompanied or resettled minors as well as students referred by their schools or placed there by their parents (replacing the previous requirement that both occur). It also allowed students to remain at SDAs after the expiration of their suspensions or expulsions.

## **FISCAL IMPACT:**

There would be no fiscal impact for the state or local units of government. However, state aid funding follows pupils to the district in which the pupil is enrolled, so there could be a redistribution between districts depending on the pupil's enrollment.

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