

SENATE BILL No. 69

January 25, 2005, Introduced by Senators BIRKHOLZ, ALLEN, GOSCHKA and
BERNERO and referred to the Committee on Education.

A bill to amend 1976 PA 451, entitled
"The revised school code,"
by amending section 1311g (MCL 380.1311g), as added by 1999 PA 23.

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 (5), 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 handicapped
4 person, 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 1311/ 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 family independence agency or a county juvenile agency
14 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 expelled pupils, **OR SUSPENDED PUPILS, WHO ARE**
19 referred to the strict discipline academy by that pupil's school
20 and placed in the strict discipline academy by the pupil's parent
21 or legal guardian.

22 (4) In addition to the types of pupils specified in subsection
23 (3), a strict discipline public school academy shall be open for
24 enrollment of a special education pupil who does not meet the
25 requirements of subsection (3) if the special education pupil's
26 individualized ~~educational planning committee~~ **EDUCATION PROGRAM**
27 **TEAM** recommends that the special education pupil be placed in the

1 strict discipline public school academy. As used in this
2 subsection, "~~individualized educational planning committee~~
3 **EDUCATION PROGRAM TEAM**" means that term as defined ~~in R 340.1701a~~
4 ~~of the Michigan administrative code or an individualized education~~
5 ~~program team as defined~~ in section 614 of part B of title VI of
6 the individuals with disabilities education act, ~~Public Law 91-230,~~
7 ~~20 U.S.C.—~~ **20 USC** 1414.

8 (5) A strict discipline academy shall enroll only 1 or more of
9 the types of pupils described in subsection (3) or (4). A strict
10 discipline academy is not required to keep any group of pupils
11 described in subsection (3) or (4) physically separated from
12 another group of those pupils, as might otherwise be required under
13 section 1311, section 1311a, or another provision of this act.

14 (6) Strict discipline academies are not intended to enroll or
15 otherwise be used to educate individuals who are committed to a
16 high-security or medium-security juvenile facility operated by the
17 family independence agency or another state department or agency.
18 Further, if the family independence agency, department of
19 corrections, or another state department or agency has custody of
20 or jurisdiction over a child, that state department or agency has
21 the financial responsibility for educating the child.

22 (7) Except for a foreign exchange student who is not a United
23 States citizen, a strict discipline academy shall not enroll a
24 pupil who is not a resident of this state. Enrollment in the strict
25 discipline academy may be open to all individuals who reside in
26 this state who meet the admission policy under subsections (3) and
27 (4) and shall be open to all pupils who reside within the

1 geographic boundaries, if any, of the authorizing body as described
2 in section 1311d who meet the admission policy under subsections
3 (3) and (4), except that admission to a strict discipline academy
4 authorized by the board of a community college to operate, or
5 operated by the board of a community college, on the grounds of a
6 federal military installation, as described in section 1311d, shall
7 be open to all pupils who reside in the county in which the federal
8 military installation is located who meet the admission policy
9 under subsections (3) and (4). For a strict discipline academy
10 authorized by a state public university, enrollment shall be open
11 to all pupils who reside in this state who meet the admission
12 policy under subsections (3) and (4). If there are more
13 applications to enroll in the strict discipline academy than there
14 are spaces available, pupils shall be selected to attend using a
15 random selection process. However, a strict discipline academy may
16 give enrollment priority to a sibling of a pupil enrolled in the
17 strict discipline academy. A strict discipline academy shall allow
18 any pupil who was enrolled in the strict discipline academy in the
19 immediately preceding school year to enroll in the strict
20 discipline academy in the appropriate grade unless the appropriate
21 grade is not offered at that strict discipline academy.

22 (8) A strict discipline academy may include any grade up to
23 grade 12 or any configuration of those grades, including
24 kindergarten and early childhood education, as specified in its
25 contract. The authorizing body may approve amendment of a contract
26 with respect to ages of pupils or grades offered.