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Senate Bill 619 (as introduced 9-7-11)  
Sponsor: Senator Patrick J. Colbeck  
Committee: Education

Date Completed: 9-12-11

### **CONTENT**

**The bill would amend the Revised School Code to do the following with respect to cyber schools:**

- **Delete the limit on the number of contracts that may be issued for schools of excellence that are cyber schools.**
- **Delete requirements that cyber school pupils previously be enrolled in public school, and that a cyber school offer all of grades K through 12.**
- **Revise the requirement for experience that an entity applying for a cyber school contract must demonstrate.**
- **Delete limits on the number of pupils enrolled in a cyber school and requirements pertaining to the enrollment of dropouts.**

Under the Code, a combined total of 10 contracts may be issued by authorizing bodies for the organization and operation of schools of excellence, except as provided for cyber schools and for public school academies that convert to schools of excellence. A combined total of two contracts may be issued by all authorizing bodies for schools of excellence that are cyber schools. (An authorizing body may be the board of a school district that operates grades K-12, an intermediate school board, the board of community college, or the governing board of a State public university.) The contract for a cyber school must contain all of the provisions required in a school of excellence contract, as well as additional provisions. Cyber schools must provide full-time instruction to pupils through on-line learning or otherwise on a computer or other technology, and the instruction may occur remotely from a school facility.

The bill would delete the limit of two on the number of contracts that may be issued for cyber schools.

Currently, a school must meet the following requirements to be a cyber school:

- The school is available for enrollment to all pupils in the State who were previously enrolled in a public school.
- The school offers all of grades K to 12.
- The entity applying for the contract demonstrates experience in serving urban and at-risk student populations through an educational model involving a significant cyber component.

The bill, instead, would require the following:

- The school would have to be available for enrollment for all pupils in the State.
- The school would have to offer some configuration of or all of grades K to 12.
- The entity applying for the contract would have to demonstrate experience in delivering a quality education program that improved pupil academic achievement.

Currently, the initial enrollment in a school of excellence that is a cyber school may not exceed 400 pupils. In the second and subsequent years, the school may expand enrollment to exceed that limit by adding one pupil for each enrolled pupil who is identified as a dropout in the Michigan student data system maintained by the Center for Educational Performance and Information. The school must account annually for the number of enrolled pupils who are identified as dropouts and report that information to the Department of Education. The school must maintain its ratio of pupils who are identified as dropouts. Maximum enrollment may not exceed 1,000 pupils.

The bill would delete these limitations and requirements.

The bill is tie-barred to Senate Bills 618, 620, 621, and 624. Senate Bill 618 would make changes in the Revised School Code concerning the formation, operation, and termination of public school academies, urban high school academies, and schools of excellence, and would allow school districts to contract with other entities for the provision of teachers. Senate Bill 620 would amend the Code to provide for the organization and administration of "conversion schools". Senate Bill 621 would make changes in the State School Aid Act concerning the provision of State aid for the instruction of nonpublic students by public schools. Senate Bill 624 would amend that Act to delete the geographic requirement for school of choice participation. All of those bills are tie-barred to Senate Bill 619.

MCL 380.552

Legislative Analyst: Suzanne Lowe

### **FISCAL IMPACT**

If the expansion of cyber schools led to an increase in the enrollment of pupils not currently in the public K-12 system (dropouts, nonpublic students, or home-schooled students), then there would be an increase in State costs to pay for the additional pupils counted in membership. However, there is no way to forecast the potential change in enrollment that could occur as a result of this legislation. For FY 2011-12, the minimum per-pupil funding is \$6,846; therefore, each additional pupil in membership would cost the State at least that amount.

Fiscal Analyst: Kathryn Summers

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.