

**SUBSTITUTE FOR
SENATE BILL NO. 620**

A bill to amend 1976 PA 451, entitled
"The revised school code,"
by amending sections 3, 5, and 1280c (MCL 380.3, 380.5, and
380.1280c), section 3 as amended by 2007 PA 45, section 5 as
amended by 2011 PA 232, and section 1280c as amended by 2011 PA 8,
and by adding part 6d.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3. (1) "Area" as used in the phrase "area vocational-
2 technical education program" or "area career and technical
3 education program" means the geographical territory, within the
4 boundaries of a K to 12 school district, an intermediate school
5 district, or a community college district, that is designated by
6 the department as the service area for the operation of an area
7 vocational-technical education program.

1 (2) "Area vocational-technical education program", "area
2 career and technical education program", or "career and technical
3 education program" means a program of organized, systematic
4 instruction designed to prepare the following persons for useful
5 employment in recognized occupations:

6 (a) Persons participating in career and technical education
7 readiness activities that lead to enrollment in a career and
8 technical education program in high school.

9 (b) Persons enrolled in high school in a school district,
10 intermediate school district, public school academy, or nonpublic
11 school.

12 (c) Persons who have completed or left high school and who are
13 available for full-time study in preparation for entering the labor
14 market.

15 (d) Persons who have entered the labor market and who need
16 training or retraining to achieve stability or advancement in
17 employment.

18 (3) "Board" or "school board" means the governing body of a
19 local school district unless clearly otherwise stated.

20 (4) "Boarding school" means a place accepting for board, care,
21 and instruction 5 or more children under 16 years of age.

22 (5) "Constituent district" means a local school district the
23 territory of which is entirely within and is an integral part of an
24 intermediate school district.

25 (6) **"CONVERSION SCHOOL" MEANS A CONVERSION SCHOOL ESTABLISHED**
26 **UNDER PART 6D.**

27 Sec. 5. (1) "Local act school district" or "special act school

1 district" means a district governed by a special or local act or
2 chapter of a local act. "Local school district" and "local school
3 district board" as used in article 3 include a local act school
4 district and a local act school district board.

5 (2) "Membership" means the number of full-time equivalent
6 pupils in a public school as determined by the number of pupils
7 registered for attendance plus pupils received by transfer and
8 minus pupils lost as defined by rules promulgated by the state
9 board.

10 (3) "Michigan election law" means the Michigan election law,
11 1954 PA 116, MCL 168.1 to 168.992.

12 (4) "Nonpublic school" means a private, denominational, or
13 parochial school.

14 (5) "Objectives" means measurable pupil academic skills and
15 knowledge.

16 (6) "Public school" means a public elementary or secondary
17 educational entity or agency that is established under this act,
18 has as its primary mission the teaching and learning of academic
19 and vocational-technical skills and knowledge, and is operated by a
20 school district, local act school district, special act school
21 district, intermediate school district, school of excellence,
22 public school academy corporation, strict discipline academy
23 corporation, urban high school academy corporation, **CONVERSION**
24 **SCHOOL CORPORATION**, or by the department or state board. Public
25 school also includes a laboratory school or other elementary or
26 secondary school that is controlled and operated by a state public
27 university described in section 4, 5, or 6 of article VIII of the

1 state constitution of 1963.

2 (7) "Public school academy" means a public school academy
3 established under part 6a and, except as used in part 6a, also
4 includes an urban high school academy established under part 6c, **A**
5 **CONVERSION SCHOOL ESTABLISHED UNDER PART 6D**, a school of excellence
6 established under part 6e, and a strict discipline academy
7 established under sections 1311b to 1311l.

8 (8) "Pupil membership count day" of a school district means
9 that term as defined in section 6 of the state school aid act of
10 1979, MCL 388.1606.

11 (9) "Regular school election" or "regular election" means the
12 election held in a school district, local act school district, or
13 intermediate school district to elect a school board member in the
14 regular course of the terms of that office and held on the school
15 district's regular election date as determined under section 642 or
16 642a of the Michigan election law, MCL 168.642 and 168.642a.

17 (10) "Reorganized intermediate school district" means an
18 intermediate school district formed by consolidation or annexation
19 of 2 or more intermediate school districts under sections 701 and
20 702.

21 (11) "Rule" means a rule promulgated under the administrative
22 procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.

23 **PART 6D**

24 **CONVERSION SCHOOLS**

25 **SEC. 531. (1) A CONVERSION SCHOOL IS A PUBLIC SCHOOL UNDER**
26 **SECTION 2 OF ARTICLE VIII OF THE STATE CONSTITUTION OF 1963, IS A**
27 **SCHOOL DISTRICT FOR THE PURPOSES OF SECTION 11 OF ARTICLE IX OF THE**

1 STATE CONSTITUTION OF 1963 AND FOR THE PURPOSES OF SECTION 1225 AND
2 SECTION 1351A, AND IS SUBJECT TO THE LEADERSHIP AND GENERAL
3 SUPERVISION OF THE STATE BOARD OVER ALL PUBLIC EDUCATION UNDER
4 SECTION 3 OF ARTICLE VIII OF THE STATE CONSTITUTION OF 1963. A
5 CONVERSION SCHOOL IS A BODY CORPORATE AND IS A GOVERNMENTAL AGENCY.
6 THE POWERS GRANTED TO A CONVERSION SCHOOL UNDER THIS PART
7 CONSTITUTE THE PERFORMANCE OF ESSENTIAL PUBLIC PURPOSES AND
8 GOVERNMENTAL FUNCTIONS OF THIS STATE.

9 (2) AS USED IN THIS PART:

10 (A) "AUTHORIZING BODY" MEANS ANY OF THE FOLLOWING THAT ISSUES
11 A CONTRACT AS PROVIDED IN THIS PART:

12 (i) THE BOARD OF A SCHOOL DISTRICT.

13 (ii) AN INTERMEDIATE SCHOOL BOARD.

14 (iii) THE BOARD OF A COMMUNITY COLLEGE.

15 (iv) THE GOVERNING BOARD OF A STATE PUBLIC UNIVERSITY.

16 (v) TWO OR MORE OF THE PUBLIC AGENCIES DESCRIBED IN
17 SUBPARAGRAPHS (i) TO (iv) EXERCISING POWER, PRIVILEGE, OR AUTHORITY
18 JOINTLY PURSUANT TO AN INTERLOCAL AGREEMENT UNDER THE URBAN
19 COOPERATION ACT OF 1967, 1967 (EX SESS) PA 7, MCL 124.501 TO
20 124.512.

21 (vi) ANY OF THE PUBLIC AGENCIES DESCRIBED IN SUBPARAGRAPHS (i)
22 TO (v) ACTING JOINTLY WITH THE SCHOOL DISTRICT THAT PREVIOUSLY
23 OPERATED THE SCHOOL THAT IS CONVERTED TO A CONVERSION SCHOOL.

24 (B) "COMMUNITY COLLEGE" MEANS A COMMUNITY COLLEGE ORGANIZED
25 UNDER THE COMMUNITY COLLEGE ACT OF 1966, 1966 PA 331, MCL 389.1 TO
26 389.195, OR A FEDERAL TRIBALLY CONTROLLED COMMUNITY COLLEGE THAT IS
27 RECOGNIZED UNDER THE TRIBALLY CONTROLLED COMMUNITY COLLEGE

1 ASSISTANCE ACT OF 1978, PUBLIC LAW 95-471, 92 STAT. 1325, AND IS
2 DETERMINED BY THE DEPARTMENT TO MEET THE REQUIREMENTS FOR
3 ACCREDITATION BY A RECOGNIZED REGIONAL ACCREDITING BODY.

4 (C) "CONTRACT" MEANS THE EXECUTIVE ACT TAKEN BY AN AUTHORIZING
5 BODY THAT EVIDENCES THE AUTHORIZATION OF A CONVERSION SCHOOL AND
6 THAT ESTABLISHES, SUBJECT TO THE CONSTITUTIONAL POWERS OF THE STATE
7 BOARD AND APPLICABLE LAW, THE WRITTEN INSTRUMENT EXECUTED BY AN
8 AUTHORIZING BODY CONFERRING CERTAIN RIGHTS, FRANCHISES, PRIVILEGES,
9 AND OBLIGATIONS ON A CONVERSION SCHOOL, AS PROVIDED BY THIS PART,
10 AND CONFIRMING THE STATUS OF A CONVERSION SCHOOL AS A PUBLIC SCHOOL
11 IN THIS STATE.

12 (D) "CONVERSION SCHOOL" MEANS A PUBLIC SCHOOL PREVIOUSLY
13 OPERATED BY A SCHOOL DISTRICT THAT IS CONVERTED TO A CONVERSION
14 SCHOOL ESTABLISHED AND OPERATED UNDER THIS PART.

15 (E) "EDUCATIONAL MANAGEMENT ORGANIZATION" MEANS AN ENTITY THAT
16 ENTERS INTO AN AGREEMENT WITH THE BOARD OF DIRECTORS OF A
17 CONVERSION SCHOOL TO PROVIDE COMPREHENSIVE EDUCATIONAL,
18 ADMINISTRATIVE, MANAGEMENT, OR INSTRUCTIONAL SERVICES OR STAFF TO
19 THE CONVERSION SCHOOL.

20 (F) "ENTITY" MEANS A PARTNERSHIP, NONPROFIT OR BUSINESS
21 CORPORATION, LABOR ORGANIZATION, OR ANY OTHER ASSOCIATION,
22 CORPORATION, TRUST, OR OTHER LEGAL ENTITY.

23 (G) "STATE PUBLIC UNIVERSITY" MEANS A STATE UNIVERSITY
24 DESCRIBED IN SECTION 4, 5, OR 6 OF ARTICLE VIII OF THE STATE
25 CONSTITUTION OF 1963.

26 SEC. 533. (1) A CONVERSION SCHOOL SHALL BE ORGANIZED AND
27 ADMINISTERED UNDER THE DIRECTION OF A BOARD OF DIRECTORS IN

1 ACCORDANCE WITH THIS PART AND WITH BYLAWS ADOPTED BY THE BOARD OF
2 DIRECTORS. A CONVERSION SCHOOL CORPORATION SHALL BE ORGANIZED UNDER
3 THE NONPROFIT CORPORATION ACT, 1982 PA 162, MCL 450.2101 TO
4 450.3192, EXCEPT THAT A CONVERSION SCHOOL CORPORATION IS NOT
5 REQUIRED TO COMPLY WITH SECTIONS 170 TO 177 OF 1931 PA 327, MCL
6 450.170 TO 450.177. TO THE EXTENT DISQUALIFIED UNDER THE STATE OR
7 FEDERAL CONSTITUTION, A CONVERSION SCHOOL SHALL NOT BE ORGANIZED BY
8 A CHURCH OR OTHER RELIGIOUS ORGANIZATION AND SHALL NOT HAVE ANY
9 ORGANIZATIONAL OR CONTRACTUAL AFFILIATION WITH OR CONSTITUTE A
10 CHURCH OR OTHER RELIGIOUS ORGANIZATION.

11 (2) SUBJECT TO SUBSECTION (3), ANY OF THE FOLLOWING MAY ACT AS
12 AN AUTHORIZING BODY TO ISSUE A CONTRACT TO ORGANIZE AND OPERATE A
13 CONVERSION SCHOOL UNDER THIS PART:

14 (A) THE BOARD OF A SCHOOL DISTRICT. HOWEVER, THE BOARD OF A
15 SCHOOL DISTRICT SHALL NOT ISSUE A CONTRACT FOR A CONVERSION SCHOOL
16 TO OPERATE OUTSIDE THE SCHOOL DISTRICT'S BOUNDARIES, AND A
17 CONVERSION SCHOOL AUTHORIZED BY THE BOARD OF A SCHOOL DISTRICT
18 SHALL NOT OPERATE OUTSIDE THAT SCHOOL DISTRICT'S BOUNDARIES.

19 (B) AN INTERMEDIATE SCHOOL BOARD. HOWEVER, AN INTERMEDIATE
20 SCHOOL BOARD SHALL NOT ISSUE A CONTRACT FOR A CONVERSION SCHOOL TO
21 OPERATE OUTSIDE THE INTERMEDIATE SCHOOL DISTRICT'S BOUNDARIES, AND
22 A CONVERSION SCHOOL AUTHORIZED BY AN INTERMEDIATE SCHOOL BOARD
23 SHALL NOT OPERATE OUTSIDE THAT INTERMEDIATE SCHOOL DISTRICT'S
24 BOUNDARIES.

25 (C) THE BOARD OF A COMMUNITY COLLEGE. HOWEVER, THE BOARD OF A
26 COMMUNITY COLLEGE SHALL NOT ISSUE A CONTRACT FOR A CONVERSION
27 SCHOOL TO OPERATE OUTSIDE THE BOUNDARIES OF THE COMMUNITY COLLEGE

1 DISTRICT, AND A CONVERSION SCHOOL AUTHORIZED BY THE BOARD OF A
2 COMMUNITY COLLEGE SHALL NOT OPERATE OUTSIDE THE BOUNDARIES OF THE
3 COMMUNITY COLLEGE DISTRICT.

4 (D) THE GOVERNING BOARD OF A STATE PUBLIC UNIVERSITY.

5 (E) TWO OR MORE OF THE PUBLIC AGENCIES DESCRIBED IN
6 SUBDIVISIONS (A) TO (D) EXERCISING POWER, PRIVILEGE, OR AUTHORITY
7 JOINTLY PURSUANT TO AN INTERLOCAL AGREEMENT UNDER THE URBAN
8 COOPERATION ACT OF 1967, 1967 (EX SESS) PA 7, MCL 124.501 TO
9 124.512.

10 (F) ANY OF THE PUBLIC AGENCIES DESCRIBED IN SUBDIVISIONS (A)
11 TO (E) ACTING JOINTLY WITH THE SCHOOL DISTRICT THAT PREVIOUSLY
12 OPERATED THE PUBLIC SCHOOL THAT IS TO BE CONVERTED TO A CONVERSION
13 SCHOOL.

14 (3) A PUBLIC SCHOOL OPERATED BY A SCHOOL DISTRICT MAY BE
15 CONVERTED TO AND OPERATED AS A CONVERSION SCHOOL AS PROVIDED UNDER
16 THIS PART PURSUANT TO A PARENTAL PETITION UNDER SECTION 1280C. A
17 PUBLIC SCHOOL OPERATED BY A SCHOOL DISTRICT MAY NOT BE CONVERTED TO
18 A CONVERSION SCHOOL THAT IS ORGANIZED AND OPERATED UNDER THIS PART
19 UNLESS THE PUBLIC SCHOOL IS ON THE LIST REQUIRED UNDER SECTION
20 1280C IDENTIFYING THE PUBLIC SCHOOLS IN THIS STATE THAT THE
21 DEPARTMENT HAS DETERMINED TO BE AMONG THE LOWEST ACHIEVING 5% OF
22 ALL PUBLIC SCHOOLS IN THIS STATE. TO OBTAIN A CONTRACT TO CONVERT A
23 PUBLIC SCHOOL OPERATED BY A SCHOOL DISTRICT TO A CONVERSION SCHOOL
24 THAT IS ORGANIZED AND OPERATED UNDER THIS PART, 1 OR MORE PERSONS
25 OR AN ENTITY SHALL APPLY TO AN AUTHORIZING BODY FOR A CONTRACT TO
26 ORGANIZE AND OPERATE THE SCHOOL AS A CONVERSION SCHOOL.

27 (4) AN AUTHORIZING BODY MAY ISSUE A CONTRACT TO ORGANIZE AND

1 OPERATE A CONVERSION SCHOOL IF ALL OF THE FOLLOWING ARE SUBMITTED
2 TO THAT AUTHORIZING BODY:

3 (A) AN APPLICATION FOR A CONVERSION SCHOOL CONTRACT THAT MEETS
4 THE REQUIREMENTS FOR AN APPLICATION UNDER SUBSECTION (5).

5 (B) A COPY OF THE PARENTAL PETITION SUBMITTED AND CERTIFIED
6 UNDER SECTION 1280C THAT RECOMMENDS THAT RESTART OPTION UNDER THAT
7 SECTION.

8 (C) EVIDENCE SATISFACTORY TO THE AUTHORIZING BODY THAT THE
9 PUBLIC SCHOOL TO BE CONVERTED IS ON THE LIST REQUIRED UNDER SECTION
10 1280C IDENTIFYING THE PUBLIC SCHOOLS IN THIS STATE THAT THE
11 DEPARTMENT HAS DETERMINED TO BE AMONG THE LOWEST ACHIEVING 5% OF
12 ALL PUBLIC SCHOOLS IN THIS STATE.

13 (5) THE APPLICATION FOR A CONTRACT TO ORGANIZE AND OPERATE A
14 CONVERSION SCHOOL SHALL INCLUDE AT LEAST ALL OF THE FOLLOWING:

15 (A) IDENTIFICATION OF THE APPLICANT FOR THE CONTRACT.

16 (B) SUBJECT TO THE RESOLUTION ADOPTED BY THE AUTHORIZING BODY
17 UNDER SECTION 535(3), IF ANY, A LIST OF THE PROPOSED MEMBERS OF THE
18 BOARD OF DIRECTORS OF THE CONVERSION SCHOOL AND A DESCRIPTION OF
19 THE QUALIFICATIONS AND METHOD FOR APPOINTMENT OR ELECTION OF
20 MEMBERS OF THE BOARD OF DIRECTORS.

21 (C) THE PROPOSED ARTICLES OF INCORPORATION, WHICH SHALL
22 INCLUDE AT LEAST ALL OF THE FOLLOWING:

23 (i) THE NAME OF THE PROPOSED CONVERSION SCHOOL.

24 (ii) THE PURPOSES FOR THE CONVERSION SCHOOL CORPORATION. THIS
25 LANGUAGE SHALL PROVIDE THAT THE CONVERSION SCHOOL IS INCORPORATED
26 PURSUANT TO THIS PART AND THAT THE CONVERSION SCHOOL CORPORATION IS
27 A GOVERNMENTAL ENTITY.

1 (iii) THE NAME OF THE AUTHORIZING BODY.

2 (iv) THE PROPOSED TIME WHEN THE ARTICLES OF INCORPORATION WILL
3 BE EFFECTIVE.

4 (v) OTHER MATTERS CONSIDERED EXPEDIENT TO BE IN THE ARTICLES
5 OF INCORPORATION.

6 (D) A COPY OF THE PROPOSED BYLAWS OF THE CONVERSION SCHOOL.

7 (E) DOCUMENTATION MEETING THE APPLICATION REQUIREMENTS OF THE
8 AUTHORIZING BODY, IF ANY, INCLUDING AT LEAST ALL OF THE FOLLOWING:

9 (i) THE GOVERNANCE STRUCTURE OF THE CONVERSION SCHOOL.

10 (ii) A COPY OF THE EDUCATIONAL GOALS OF THE CONVERSION SCHOOL
11 AND THE CURRICULA TO BE OFFERED AND METHODS OF PUPIL ASSESSMENT TO
12 BE USED BY THE CONVERSION SCHOOL. THE EDUCATIONAL GOALS SHALL
13 INCLUDE MAKING MEASURABLE PROGRESS TOWARD IMPROVED PUPIL ACADEMIC
14 ACHIEVEMENT FOR ALL GROUPS OF PUPILS AND TOWARD MEETING THE
15 SPECIFIC GOALS REQUIRED TO BE IN THE CONTRACT UNDER SECTION
16 535(4) (A). TO THE EXTENT APPLICABLE, THE PROGRESS OF THE PUPILS IN
17 THE CONVERSION SCHOOL SHALL BE ASSESSED USING AT LEAST A MICHIGAN
18 EDUCATION ASSESSMENT PROGRAM (MEAP) TEST OR THE MICHIGAN MERIT
19 EXAMINATION DEVELOPED UNDER SECTION 1279G.

20 (iii) THE ADMISSION POLICY AND CRITERIA TO BE MAINTAINED BY THE
21 CONVERSION SCHOOL. THE ADMISSION POLICY AND CRITERIA SHALL COMPLY
22 WITH SECTION 537. THIS PART OF THE APPLICATION ALSO SHALL INCLUDE A
23 DESCRIPTION OF HOW THE APPLICANT WILL PROVIDE TO THE GENERAL PUBLIC
24 ADEQUATE NOTICE THAT A CONVERSION SCHOOL IS BEING CREATED AND
25 ADEQUATE INFORMATION ON THE ADMISSION POLICY, CRITERIA, AND
26 PROCESS.

27 (iv) THE SCHOOL CALENDAR AND SCHOOL DAY SCHEDULE.

1 (v) THE AGE OR GRADE RANGE OF PUPILS TO BE ENROLLED. A
2 CONVERSION SCHOOL SHALL INCLUDE AT LEAST ALL OF THE GRADES THAT
3 WERE PREVIOUSLY OPERATED BY THE SCHOOL THAT WAS CONVERTED.

4 (F) THE SCHOOL YEAR WHEN THE CONVERSION SCHOOL IS TO BEGIN
5 OPERATING. THIS SCHOOL YEAR MUST BE A SCHOOL YEAR THAT BEGINS AT
6 LEAST 9 MONTHS AFTER THE DATE THAT THE PETITION AND APPLICATION ARE
7 SUBMITTED TO THE AUTHORIZING BODY UNDER SUBSECTION (4). A
8 CONVERSION SCHOOL SHALL BEGIN OPERATING AT THE BEGINNING OF A
9 SCHOOL YEAR AND MAY NOT BEGIN OPERATING DURING A SCHOOL YEAR THAT
10 HAS ALREADY BEGUN.

11 (G) DESCRIPTIONS OF STAFF RESPONSIBILITIES AND OF THE
12 CONVERSION SCHOOL'S GOVERNANCE STRUCTURE.

13 (H) THE DOCUMENTATION REQUIRED UNDER SUBSECTION (4).

14 (I) AN AGREEMENT THAT THE CONVERSION SCHOOL WILL COMPLY WITH
15 THE PROVISIONS OF THIS PART AND, SUBJECT TO THE PROVISIONS OF THIS
16 PART, WITH ALL OTHER STATE LAW APPLICABLE TO PUBLIC BODIES AND WITH
17 FEDERAL LAW APPLICABLE TO PUBLIC BODIES OR SCHOOL DISTRICTS.

18 (6) AN AUTHORIZING BODY SHALL OVERSEE, OR SHALL CONTRACT WITH
19 AN INTERMEDIATE SCHOOL DISTRICT, COMMUNITY COLLEGE, OR STATE PUBLIC
20 UNIVERSITY TO OVERSEE, THE BOARD OF DIRECTORS OF EACH CONVERSION
21 SCHOOL OPERATING UNDER A CONTRACT ISSUED BY THE AUTHORIZING BODY.
22 THE AUTHORIZING BODY IS RESPONSIBLE FOR OVERSEEING COMPLIANCE BY
23 THE BOARD OF DIRECTORS WITH THE CONTRACT AND ALL APPLICABLE LAW.

24 (7) IF THE SUPERINTENDENT OF PUBLIC INSTRUCTION FINDS THAT AN
25 AUTHORIZING BODY IS NOT ENGAGING IN APPROPRIATE CONTINUING
26 OVERSIGHT OF 1 OR MORE BOARDS OF DIRECTORS OF CONVERSION SCHOOLS
27 OPERATING UNDER A CONTRACT ISSUED BY THE AUTHORIZING BODY, THE

1 SUPERINTENDENT OF PUBLIC INSTRUCTION MAY SUSPEND THE POWER OF THE
2 AUTHORIZING BODY TO ISSUE NEW CONTRACTS TO ORGANIZE AND OPERATE
3 CONVERSION SCHOOLS. A CONTRACT ISSUED BY THE AUTHORIZING BODY
4 DURING THE SUSPENSION IS VOID. A CONTRACT ISSUED BY THE AUTHORIZING
5 BODY BEFORE THE SUSPENSION IS NOT AFFECTED BY THE SUSPENSION.

6 (8) AN AUTHORIZING BODY SHALL NOT CHARGE A FEE, OR REQUIRE
7 REIMBURSEMENT OF EXPENSES, FOR CONSIDERING AN APPLICATION FOR A
8 CONTRACT, FOR ISSUING A CONTRACT, OR FOR PROVIDING OVERSIGHT OF A
9 CONTRACT FOR A CONVERSION SCHOOL IN AN AMOUNT THAT EXCEEDS A
10 COMBINED TOTAL OF 3% OF THE TOTAL STATE SCHOOL AID RECEIVED BY THE
11 CONVERSION SCHOOL IN THE SCHOOL YEAR IN WHICH THE FEES OR EXPENSES
12 ARE CHARGED. AN AUTHORIZING BODY MAY PROVIDE OTHER SERVICES FOR A
13 CONVERSION SCHOOL AND CHARGE A FEE FOR THOSE SERVICES, BUT SHALL
14 NOT REQUIRE SUCH AN ARRANGEMENT AS A CONDITION TO ISSUING THE
15 CONTRACT AUTHORIZING THE CONVERSION SCHOOL.

16 (9) A CONVERSION SCHOOL SHALL BE PRESUMED TO BE LEGALLY
17 ORGANIZED IF IT HAS EXERCISED THE FRANCHISES AND PRIVILEGES OF A
18 CONVERSION SCHOOL FOR AT LEAST 2 YEARS.

19 (10) AN AUTHORIZING BODY MAY ENTER INTO AN INTERGOVERNMENTAL
20 AGREEMENT WITH ANOTHER AUTHORIZING BODY TO ISSUE CONVERSION SCHOOL
21 CONTRACTS. AT A MINIMUM, THE AGREEMENT SHALL FURTHER THE PURPOSES
22 SET FORTH IN SECTION 531(1), DESCRIBE WHICH AUTHORIZING BODY SHALL
23 ISSUE THE CONTRACT, AND SET FORTH WHICH AUTHORIZING BODY WILL BE
24 RESPONSIBLE FOR MONITORING COMPLIANCE BY THE BOARD OF DIRECTORS OF
25 THE CONVERSION SCHOOL WITH THE CONTRACT AND ALL APPLICABLE LAW.

26 SEC. 535. (1) AN AUTHORIZING BODY IS NOT REQUIRED TO ISSUE A
27 CONTRACT TO ANY PERSON OR ENTITY. A CONVERSION SCHOOL CONTRACT

1 SHALL BE ISSUED ON A COMPETITIVE BASIS TAKING INTO CONSIDERATION
2 THE RESOURCES AVAILABLE FOR THE PROPOSED CONVERSION SCHOOL, THE
3 POPULATION TO BE SERVED BY THE PROPOSED CONVERSION SCHOOL, AND THE
4 EDUCATIONAL GOALS TO BE ACHIEVED BY THE PROPOSED CONVERSION SCHOOL.

5 (2) WITHIN 10 DAYS AFTER ISSUING A CONTRACT FOR A CONVERSION
6 SCHOOL, THE AUTHORIZING BODY SHALL SUBMIT TO THE SUPERINTENDENT OF
7 PUBLIC INSTRUCTION A COPY OF THE CONTRACT.

8 (3) AN AUTHORIZING BODY SHALL ADOPT A RESOLUTION ESTABLISHING
9 THE METHOD OF SELECTION, LENGTH OF TERM, AND NUMBER OF MEMBERS OF
10 THE BOARD OF DIRECTORS OF EACH CONVERSION SCHOOL SUBJECT TO ITS
11 JURISDICTION.

12 (4) A CONTRACT ISSUED TO ORGANIZE AND ADMINISTER A CONVERSION
13 SCHOOL SHALL CONTAIN AT LEAST ALL OF THE FOLLOWING:

14 (A) THE EDUCATIONAL GOALS THE CONVERSION SCHOOL IS TO ACHIEVE
15 AND THE METHODS BY WHICH IT WILL BE HELD ACCOUNTABLE. THESE GOALS
16 SHALL INCLUDE MAKING MEASURABLE PROGRESS TOWARD IMPROVED PUPIL
17 ACADEMIC ACHIEVEMENT FOR ALL GROUPS OF PUPILS AND TOWARD MEETING
18 SPECIFIC GOALS FOR IMPROVEMENT IN PUPIL PERFORMANCE THAT MUST BE
19 MET BY THE CONVERSION SCHOOL. THESE GOALS SHALL INCLUDE MAKING
20 MEASURABLE PROGRESS TOWARD AT LEAST 80% OF THE CONVERSION SCHOOL'S
21 PUPILS GRADUATING FROM HIGH SCHOOL OR BEING DETERMINED TO BE ON
22 TRACK TO GRADUATE FROM HIGH SCHOOL AND TOWARD THE CONVERSION SCHOOL
23 HAVING AT LEAST 80% AVERAGE ATTENDANCE AS DETERMINED BY THE
24 DEPARTMENT. TO THE EXTENT APPLICABLE, THE PUPIL PERFORMANCE OF A
25 CONVERSION SCHOOL SHALL BE ASSESSED USING AT LEAST A MICHIGAN
26 EDUCATION ASSESSMENT PROGRAM (MEAP) TEST OR THE MICHIGAN MERIT
27 EXAMINATION DEVELOPED UNDER SECTION 1279G.

1 (B) A DESCRIPTION OF THE METHOD TO BE USED TO MONITOR
2 COMPLIANCE BY THE CONVERSION SCHOOL'S BOARD OF DIRECTORS WITH
3 APPLICABLE LAW AND ITS PERFORMANCE IN MEETING ITS TARGETED
4 EDUCATIONAL OBJECTIVES.

5 (C) A DESCRIPTION OF THE PROCESS FOR AMENDING THE CONTRACT
6 DURING THE TERM OF THE CONTRACT.

7 (D) ALL OF THE MATTERS SET FORTH IN THE APPLICATION FOR THE
8 CONTRACT.

9 (E) PROCEDURES FOR REVOKING THE CONTRACT AND GROUNDS FOR
10 REVOKING THE CONTRACT, INCLUDING AT LEAST THE GROUNDS LISTED IN
11 SECTION 543(4).

12 (F) THE ADDRESS FOR THE SCHOOL THAT WILL BE CONVERTED TO THE
13 CONVERSION SCHOOL.

14 (G) REQUIREMENTS AND PROCEDURES FOR FINANCIAL AUDITS. THE
15 FINANCIAL AUDITS SHALL BE CONDUCTED AT LEAST ANNUALLY BY A
16 CERTIFIED PUBLIC ACCOUNTANT IN ACCORDANCE WITH GENERALLY ACCEPTED
17 GOVERNMENTAL AUDITING PRINCIPLES.

18 (H) THE TERM OF THE CONTRACT AND A DESCRIPTION OF THE PROCESS
19 AND STANDARDS FOR RENEWING A CONTRACT AT THE END OF THE TERM. THE
20 TERM OF AN INITIAL CONTRACT FOR A CONVERSION SCHOOL SHALL NOT
21 EXCEED 5 YEARS FROM THE BEGINNING OF THE SCHOOL YEAR WHEN THE
22 CONVERSION SCHOOL IS TO BEGIN OPERATING, AS CONTAINED IN THE
23 APPLICATION FOR THE CONTRACT UNDER SECTION 533. THE STANDARDS FOR
24 RENEWING A CONTRACT SHALL INCLUDE INCREASES IN PUPIL ACADEMIC
25 ACHIEVEMENT FOR ALL GROUPS OF PUPILS AS MEASURED BY ASSESSMENTS AND
26 OTHER OBJECTIVE CRITERIA AS THE MOST IMPORTANT FACTOR IN THE
27 DECISION OF WHETHER OR NOT TO ISSUE A NEW CONTRACT.

1 (I) A CERTIFICATION, SIGNED BY AN AUTHORIZED MEMBER OF THE
2 BOARD OF DIRECTORS OF THE CONVERSION SCHOOL, THAT THE CONVERSION
3 SCHOOL WILL COMPLY WITH THE CONTRACT AND ALL APPLICABLE LAW.

4 (J) A REQUIREMENT THAT THE BOARD OF DIRECTORS OF THE
5 CONVERSION SCHOOL SHALL ENSURE COMPLIANCE WITH THE REQUIREMENTS OF
6 1968 PA 317, MCL 15.321 TO 15.330.

7 (K) A REQUIREMENT THAT THE BOARD OF DIRECTORS OF THE
8 CONVERSION SCHOOL SHALL PROHIBIT SPECIFICALLY IDENTIFIED FAMILY
9 RELATIONSHIPS BETWEEN MEMBERS OF THE BOARD OF DIRECTORS,
10 INDIVIDUALS WHO HAVE AN OWNERSHIP INTEREST IN OR WHO ARE OFFICERS
11 OR EMPLOYEES OF AN EDUCATIONAL MANAGEMENT ORGANIZATION INVOLVED IN
12 THE OPERATION OF THE CONVERSION SCHOOL, AND EMPLOYEES OF THE
13 CONVERSION SCHOOL. THE CONTRACT SHALL IDENTIFY THE SPECIFIC
14 PROHIBITED RELATIONSHIPS CONSISTENT WITH APPLICABLE LAW.

15 (L) A REQUIREMENT THAT THE BOARD OF DIRECTORS OF THE CONVERSION
16 SCHOOL SHALL MAKE INFORMATION CONCERNING ITS OPERATION AND
17 MANAGEMENT AVAILABLE TO THE PUBLIC AND TO THE AUTHORIZING BODY IN
18 THE SAME MANNER AS IS REQUIRED BY STATE LAW FOR SCHOOL DISTRICTS.

19 (M) A REQUIREMENT THAT THE BOARD OF DIRECTORS OF THE
20 CONVERSION SCHOOL SHALL COLLECT, MAINTAIN, AND MAKE AVAILABLE TO
21 THE PUBLIC AND THE AUTHORIZING BODY, IN ACCORDANCE WITH APPLICABLE
22 LAW AND THE CONTRACT, AT LEAST ALL OF THE FOLLOWING INFORMATION
23 CONCERNING THE OPERATION AND MANAGEMENT OF THE CONVERSION SCHOOL:

24 (i) A COPY OF THE CONTRACT ISSUED BY THE AUTHORIZING BODY FOR
25 THE CONVERSION SCHOOL.

26 (ii) A LIST OF CURRENTLY SERVING MEMBERS OF THE BOARD OF
27 DIRECTORS OF THE CONVERSION SCHOOL, INCLUDING NAME, ADDRESS, AND

1 TERM OF OFFICE; COPIES OF POLICIES APPROVED BY THE BOARD OF
2 DIRECTORS; BOARD MEETING AGENDAS AND MINUTES; A COPY OF THE BUDGET
3 APPROVED BY THE BOARD OF DIRECTORS AND OF ANY AMENDMENTS TO THE
4 BUDGET; AND COPIES OF BILLS PAID FOR AMOUNTS OF \$10,000.00 OR MORE
5 AS THEY WERE SUBMITTED TO THE BOARD OF DIRECTORS.

6 (iii) QUARTERLY FINANCIAL REPORTS SUBMITTED TO THE AUTHORIZING
7 BODY.

8 (iv) A CURRENT LIST OF TEACHERS AND SCHOOL ADMINISTRATORS
9 WORKING AT THE CONVERSION SCHOOL THAT INCLUDES THEIR INDIVIDUAL
10 SALARIES AS SUBMITTED TO THE REGISTRY OF EDUCATIONAL PERSONNEL;
11 COPIES OF THE TEACHING OR SCHOOL ADMINISTRATOR'S CERTIFICATES OR
12 PERMITS OF CURRENT TEACHING AND ADMINISTRATIVE STAFF; AND EVIDENCE
13 OF COMPLIANCE WITH THE CRIMINAL BACKGROUND AND RECORDS CHECKS AND
14 UNPROFESSIONAL CONDUCT CHECK REQUIRED UNDER SECTIONS 1230, 1230A,
15 AND 1230B FOR ALL TEACHERS AND ADMINISTRATORS WORKING AT THE
16 CONVERSION SCHOOL.

17 (v) CURRICULUM DOCUMENTS AND MATERIALS GIVEN TO THE
18 AUTHORIZING BODY.

19 (vi) PROOF OF INSURANCE AS REQUIRED BY THE CONTRACT.

20 (vii) COPIES OF FACILITY LEASES OR DEEDS, OR BOTH, AND OF ANY
21 EQUIPMENT LEASES.

22 (viii) COPIES OF ANY MANAGEMENT CONTRACTS OR SERVICES CONTRACTS
23 APPROVED BY THE BOARD OF DIRECTORS.

24 (ix) ALL HEALTH AND SAFETY REPORTS AND CERTIFICATES, INCLUDING
25 THOSE RELATING TO FIRE SAFETY, ENVIRONMENTAL MATTERS, ASBESTOS
26 INSPECTION, BOILER INSPECTION, AND FOOD SERVICE.

27 (x) ANY MANAGEMENT LETTERS ISSUED AS PART OF THE ANNUAL

1 FINANCIAL AUDIT UNDER SUBDIVISION (G).

2 (xi) ANY OTHER INFORMATION SPECIFICALLY REQUIRED UNDER THIS
3 ACT.

4 (N) A REQUIREMENT THAT THE AUTHORIZING BODY MUST REVIEW AND
5 MAY DISAPPROVE ANY AGREEMENT BETWEEN THE BOARD OF DIRECTORS OF THE
6 CONVERSION SCHOOL AND AN EDUCATIONAL MANAGEMENT ORGANIZATION BEFORE
7 THE AGREEMENT IS FINAL AND VALID. AN AUTHORIZING BODY MAY
8 DISAPPROVE AN AGREEMENT DESCRIBED IN THIS SUBDIVISION ONLY IF THE
9 AGREEMENT IS CONTRARY TO THE CONTRACT OR APPLICABLE LAW.

10 (O) A REQUIREMENT THAT THE BOARD OF DIRECTORS OF THE
11 CONVERSION SCHOOL SHALL DEMONSTRATE ALL OF THE FOLLOWING TO THE
12 SATISFACTION OF THE AUTHORIZING BODY WITH REGARD TO ITS PUPIL
13 ADMISSION PROCESS:

14 (i) THAT THE CONVERSION SCHOOL HAS MADE A REASONABLE EFFORT TO
15 ADVERTISE ITS ENROLLMENT OPENINGS.

16 (ii) THAT THE CONVERSION SCHOOL HAS MADE THE FOLLOWING
17 ADDITIONAL EFFORTS TO RECRUIT PUPILS WHO ARE ELIGIBLE FOR SPECIAL
18 EDUCATION PROGRAMS AND SERVICES OR ENGLISH AS A SECOND LANGUAGE
19 SERVICES TO APPLY FOR ADMISSION:

20 (A) REASONABLE EFFORTS TO ADVERTISE ALL ENROLLMENT OPENINGS TO
21 ORGANIZATIONS AND MEDIA THAT REGULARLY SERVE AND ADVOCATE FOR
22 INDIVIDUALS WITH DISABILITIES OR CHILDREN WITH LIMITED ENGLISH-
23 SPEAKING ABILITY WITHIN THE BOUNDARIES OF THE INTERMEDIATE SCHOOL
24 DISTRICT IN WHICH THE CONVERSION SCHOOL IS LOCATED.

25 (B) INCLUSION IN ALL PUPIL RECRUITMENT MATERIALS OF A
26 STATEMENT THAT APPROPRIATE SPECIAL EDUCATION SERVICES AND ENGLISH
27 AS A SECOND LANGUAGE SERVICES WILL BE MADE AVAILABLE TO PUPILS

1 ATTENDING THE SCHOOL AS REQUIRED BY LAW.

2 (iii) THAT THE OPEN ENROLLMENT PERIOD FOR THE CONVERSION SCHOOL
3 IS FOR A DURATION OF AT LEAST 2 WEEKS AND THAT THE ENROLLMENT TIMES
4 INCLUDE SOME EVENING AND WEEKEND TIMES.

5 (P) A REQUIREMENT THAT THE BOARD OF DIRECTORS OF THE
6 CONVERSION SCHOOL SHALL PROHIBIT ANY INDIVIDUAL FROM BEING EMPLOYED
7 BY THE CONVERSION SCHOOL IN MORE THAN 1 FULL-TIME POSITION AND
8 SIMULTANEOUSLY BEING COMPENSATED AT A FULL-TIME RATE FOR EACH OF
9 THOSE POSITIONS.

10 (Q) A REQUIREMENT THAT, IF REQUESTED, THE BOARD OF DIRECTORS
11 OF THE CONVERSION SCHOOL SHALL REPORT TO THE AUTHORIZING BODY THE
12 TOTAL COMPENSATION FOR EACH INDIVIDUAL WORKING AT THE CONVERSION
13 SCHOOL.

14 (5) A CONVERSION SCHOOL SHALL COMPLY WITH ALL APPLICABLE LAW,
15 INCLUDING ALL OF THE FOLLOWING:

16 (A) THE OPEN MEETINGS ACT, 1976 PA 267, MCL 15.261 TO 15.275.

17 (B) THE FREEDOM OF INFORMATION ACT, 1976 PA 442, MCL 15.231 TO
18 15.246.

19 (C) 1947 PA 336, MCL 423.201 TO 423.217.

20 (D) 1965 PA 166, MCL 408.551 TO 408.558.

21 (E) SECTIONS 1134, 1135, 1146, 1153, 1263(3), 1267, AND 1274.

22 (F) LAW CONCERNING PARTICIPATION IN STATE ASSESSMENTS, DATA
23 COLLECTION SYSTEMS, STATE-LEVEL STUDENT GROWTH MODELS, STATE
24 ACCOUNTABILITY AND ACCREDITATION SYSTEMS, AND OTHER PUBLIC
25 COMPARATIVE DATA COLLECTION REQUIRED FOR PUBLIC SCHOOLS.

26 (6) A CONVERSION SCHOOL AND ITS INCORPORATORS, BOARD MEMBERS,
27 OFFICERS, EMPLOYEES, AND VOLUNTEERS HAVE GOVERNMENTAL IMMUNITY AS

1 PROVIDED IN SECTION 7 OF 1964 PA 170, MCL 691.1407. AN AUTHORIZING
2 BODY AND ITS BOARD MEMBERS, OFFICERS, AND EMPLOYEES ARE IMMUNE FROM
3 CIVIL LIABILITY, BOTH PERSONALLY AND PROFESSIONALLY, FOR AN ACT OR
4 OMISSION IN AUTHORIZING A CONVERSION SCHOOL IF THE AUTHORIZING BODY
5 OR THE PERSON ACTED OR REASONABLY BELIEVED HE OR SHE ACTED WITHIN
6 THE AUTHORIZING BODY'S OR THE PERSON'S SCOPE OF AUTHORITY.

7 (7) A CONVERSION SCHOOL IS EXEMPT FROM ALL TAXATION ON ITS
8 EARNINGS AND PROPERTY. INSTRUMENTS OF CONVEYANCE TO OR FROM A
9 CONVERSION SCHOOL ARE EXEMPT FROM ALL TAXATION INCLUDING TAXES
10 IMPOSED BY 1966 PA 134, MCL 207.501 TO 207.513. UNLESS THE PROPERTY
11 IS ALREADY FULLY EXEMPT FROM REAL AND PERSONAL PROPERTY TAXES UNDER
12 THE GENERAL PROPERTY TAX ACT, 1893 PA 206, MCL 211.1 TO 211.155,
13 PROPERTY OCCUPIED BY A PUBLIC SCHOOL ACADEMY AND USED EXCLUSIVELY
14 FOR EDUCATIONAL PURPOSES IS EXEMPT FROM REAL AND PERSONAL PROPERTY
15 TAXES LEVIED FOR SCHOOL OPERATING PURPOSES UNDER SECTION 1211, TO
16 THE EXTENT EXEMPTED UNDER THAT SECTION, AND FROM REAL AND PERSONAL
17 PROPERTY TAXES LEVIED UNDER THE STATE EDUCATION TAX ACT, 1993 PA
18 331, MCL 211.901 TO 211.906. A CONVERSION SCHOOL MAY NOT LEVY AD
19 VALOREM PROPERTY TAXES OR ANOTHER TAX FOR ANY PURPOSE. HOWEVER,
20 OPERATION OF 1 OR MORE CONVERSION SCHOOLS BY A SCHOOL DISTRICT OR
21 INTERMEDIATE SCHOOL DISTRICT DOES NOT AFFECT THE ABILITY OF THE
22 SCHOOL DISTRICT OR INTERMEDIATE SCHOOL DISTRICT TO LEVY AD VALOREM
23 PROPERTY TAXES OR ANOTHER TAX.

24 (8) IF A SCHOOL DISTRICT OR INTERMEDIATE SCHOOL DISTRICT
25 APPLIES FOR AND OBTAINS A CONTRACT TO OPERATE 1 OR MORE CONVERSION
26 SCHOOLS UNDER THIS PART, THE POWER OF THE SCHOOL DISTRICT OR
27 INTERMEDIATE SCHOOL DISTRICT TO LEVY TAXES FOR ANY PURPOSE UNDER

1 THIS ACT IS NOT AFFECTED BY THE OPERATION OF A CONVERSION SCHOOL BY
2 THE SCHOOL DISTRICT OR INTERMEDIATE SCHOOL DISTRICT. REVENUE FROM
3 TAXES LEVIED BY A SCHOOL DISTRICT OR INTERMEDIATE SCHOOL DISTRICT
4 UNDER THIS ACT OR BONDS ISSUED BY A SCHOOL DISTRICT OR INTERMEDIATE
5 SCHOOL DISTRICT UNDER THIS ACT MAY BE USED TO SUPPORT THE OPERATION
6 OR FACILITIES OF A CONVERSION SCHOOL OPERATED BY THE SCHOOL
7 DISTRICT OR INTERMEDIATE SCHOOL DISTRICT IN THE SAME MANNER AS THAT
8 REVENUE MAY BE USED UNDER THIS ACT BY THE SCHOOL DISTRICT OR
9 INTERMEDIATE SCHOOL DISTRICT TO SUPPORT SCHOOL DISTRICT OR
10 INTERMEDIATE SCHOOL DISTRICT OPERATIONS AND FACILITIES. THIS
11 SECTION DOES NOT AUTHORIZE A SCHOOL DISTRICT OR INTERMEDIATE SCHOOL
12 DISTRICT TO LEVY TAXES OR TO ISSUE BONDS FOR ANY PURPOSE THAT IS
13 NOT OTHERWISE AUTHORIZED UNDER THIS ACT.

14 (9) AN AGREEMENT, MORTGAGE, LOAN, OR OTHER INSTRUMENT OF
15 INDEBTEDNESS ENTERED INTO BY A CONVERSION SCHOOL AND A THIRD PARTY
16 DOES NOT CONSTITUTE AN OBLIGATION, EITHER GENERAL, SPECIAL, OR
17 MORAL, OF THIS STATE OR AN AUTHORIZING BODY. THE FULL FAITH AND
18 CREDIT OR THE TAXING POWER OF THIS STATE OR ANY AGENCY OF THIS
19 STATE, OR THE FULL FAITH AND CREDIT OF AN AUTHORIZING BODY, MAY NOT
20 BE PLEDGED FOR THE PAYMENT OF ANY CONVERSION SCHOOL BOND, NOTE,
21 AGREEMENT, MORTGAGE, LOAN, OR OTHER INSTRUMENT OF INDEBTEDNESS.

22 (10) THIS PART DOES NOT IMPOSE ANY LIABILITY ON THIS STATE OR
23 ON AN AUTHORIZING BODY FOR ANY DEBT INCURRED BY A CONVERSION
24 SCHOOL.

25 (11) A MEMBER OF THE BOARD OF DIRECTORS OF A CONVERSION SCHOOL
26 IS A PUBLIC OFFICER AND SHALL, BEFORE ENTERING UPON THE DUTIES OF
27 THE OFFICE, TAKE THE CONSTITUTIONAL OATH OF OFFICE FOR PUBLIC

1 OFFICERS UNDER SECTION 1 OF ARTICLE XI OF THE STATE CONSTITUTION OF
2 1963.

3 SEC. 536. A CONVERSION SCHOOL SHALL BEGIN OPERATING AT THE
4 BEGINNING OF A SCHOOL YEAR AND MAY NOT BEGIN OPERATING DURING A
5 SCHOOL YEAR THAT HAS ALREADY BEGUN.

6 SEC. 537. (1) A CONVERSION SCHOOL SHALL NOT CHARGE TUITION AND
7 SHALL NOT DISCRIMINATE IN ITS PUPIL ADMISSIONS POLICIES OR
8 PRACTICES ON THE BASIS OF INTELLECTUAL OR ATHLETIC ABILITY,
9 MEASURES OF ACHIEVEMENT OR APTITUDE, STATUS AS A STUDENT WITH A
10 DISABILITY, OR ANY OTHER BASIS THAT WOULD BE ILLEGAL IF USED BY A
11 SCHOOL DISTRICT. HOWEVER, A CONVERSION SCHOOL MAY LIMIT ADMISSION
12 TO PUPILS WHO ARE WITHIN A PARTICULAR RANGE OF AGE OR GRADE LEVEL
13 OR ON ANY OTHER BASIS THAT WOULD BE LEGAL IF USED BY A SCHOOL
14 DISTRICT.

15 (2) EXCEPT FOR A FOREIGN EXCHANGE STUDENT WHO IS NOT A UNITED
16 STATES CITIZEN, A CONVERSION SCHOOL SHALL NOT ENROLL A PUPIL WHO IS
17 NOT A RESIDENT OF THIS STATE. FOR A CONVERSION SCHOOL AUTHORIZED BY
18 A SCHOOL DISTRICT OR INTERMEDIATE SCHOOL DISTRICT, ENROLLMENT IN
19 THE CONVERSION SCHOOL MAY BE OPEN TO ALL INDIVIDUALS WHO RESIDE IN
20 THIS STATE WHO MEET THE ADMISSION POLICY AND SHALL BE OPEN TO ALL
21 PUPILS WHO RESIDE WITHIN THE GEOGRAPHIC BOUNDARIES, IF ANY, OF THE
22 AUTHORIZING BODY AS DESCRIBED IN SECTION 533(2)(A) AND (B) WHO MEET
23 THE ADMISSION POLICY. FOR A CONVERSION SCHOOL AUTHORIZED BY A
24 COMMUNITY COLLEGE OR A STATE PUBLIC UNIVERSITY, ENROLLMENT SHALL BE
25 OPEN TO ALL PUPILS WHO RESIDE IN THIS STATE WHO MEET THE ADMISSION
26 POLICY. SUBJECT TO SUBSECTIONS (3) TO (5), IF THERE ARE MORE
27 APPLICATIONS TO ENROLL IN THE CONVERSION SCHOOL THAN THERE ARE

1 SPACES AVAILABLE, PUPILS SHALL BE SELECTED TO ATTEND USING A RANDOM
2 SELECTION PROCESS.

3 (3) A CONVERSION SCHOOL SHALL GIVE ENROLLMENT PRIORITY TO A
4 PUPIL WHO WAS PREVIOUSLY ENROLLED IN THE SCHOOL THAT WAS CONVERTED
5 OR WHO RESIDES IN THE ATTENDANCE AREA FOR THAT SCHOOL AS
6 ESTABLISHED BY THE SCHOOL DISTRICT AS OF THE TIME THE PETITION WAS
7 SUBMITTED UNDER SECTION 1280C.

8 (4) A CONVERSION SCHOOL MAY GIVE ENROLLMENT PRIORITY TO 1 OR
9 MORE OF THE FOLLOWING:

10 (A) A SIBLING OF A PUPIL ENROLLED IN THE CONVERSION SCHOOL.

11 (B) A PUPIL WHO TRANSFERS TO THE CONVERSION SCHOOL FROM
12 ANOTHER PUBLIC SCHOOL PURSUANT TO A MATRICULATION AGREEMENT BETWEEN
13 THE CONVERSION SCHOOL AND OTHER PUBLIC SCHOOL THAT PROVIDES FOR
14 THIS ENROLLMENT PRIORITY, IF ALL OF THE FOLLOWING REQUIREMENTS ARE
15 MET:

16 (i) EACH PUBLIC SCHOOL THAT ENTERS INTO THE MATRICULATION
17 AGREEMENT REMAINS A SEPARATE AND INDEPENDENT PUBLIC SCHOOL.

18 (ii) THE CONVERSION SCHOOL THAT GIVES THE ENROLLMENT PRIORITY
19 SELECTS AT LEAST 5% OF ITS PUPILS FOR ENROLLMENT USING A RANDOM
20 SELECTION PROCESS.

21 (iii) THE MATRICULATION AGREEMENT ALLOWS ANY PUPIL WHO WAS
22 ENROLLED AT ANY TIME DURING ELEMENTARY SCHOOL IN A PUBLIC SCHOOL
23 THAT IS PARTY TO THE MATRICULATION AGREEMENT AND WHO WAS NOT
24 EXPELLED FROM THE PUBLIC SCHOOL TO ENROLL IN THE CONVERSION SCHOOL
25 GIVING ENROLLMENT PRIORITY UNDER THE MATRICULATION AGREEMENT.

26 (C) A CHILD OF A PERSON WHO IS EMPLOYED BY OR AT THE
27 CONVERSION SCHOOL OR WHO IS ON THE BOARD OF DIRECTORS OF THE

1 CONVERSION SCHOOL. AS USED IN THIS SUBDIVISION, "CHILD" INCLUDES AN
2 ADOPTED CHILD OR A LEGAL WARD.

3 (5) A CONVERSION SCHOOL SHALL ALLOW ANY PUPIL WHO WAS ENROLLED
4 IN THE CONVERSION SCHOOL IN THE IMMEDIATELY PRECEDING SCHOOL YEAR
5 TO ENROLL IN THE CONVERSION SCHOOL IN THE APPROPRIATE GRADE UNLESS
6 THE APPROPRIATE GRADE IS NOT OFFERED AT THAT CONVERSION SCHOOL.

7 (6) A CONVERSION SCHOOL MAY INCLUDE ANY GRADE UP TO GRADE 12
8 OR ANY CONFIGURATION OF THOSE GRADES, INCLUDING KINDERGARTEN AND
9 EARLY CHILDHOOD EDUCATION, AS SPECIFIED IN ITS CONTRACT. A
10 CONVERSION SCHOOL SHALL INCLUDE ALL OF THE GRADES THAT WERE
11 PREVIOUSLY OPERATED BY THE SCHOOL THAT WAS CONVERTED. IF SPECIFIED
12 IN ITS CONTRACT, A CONVERSION SCHOOL MAY ALSO OPERATE AN ADULT
13 BASIC EDUCATION PROGRAM, ADULT HIGH SCHOOL COMPLETION PROGRAM, OR
14 GENERAL EDUCATION DEVELOPMENT TESTING PREPARATION PROGRAM. THE
15 AUTHORIZING BODY MAY APPROVE AMENDMENT OF A CONTRACT WITH RESPECT
16 TO AGES OF PUPILS OR GRADES OFFERED.

17 SEC. 538. (1) A CONVERSION SCHOOL SHALL BE LOCATED WITHIN THE
18 SAME ATTENDANCE AREA OF THE SCHOOL DISTRICT THAT PREVIOUSLY
19 OPERATED THE SCHOOL THAT WAS CONVERTED, AS THAT ATTENDANCE AREA
20 EXISTED AT THE TIME THE PETITION WAS SUBMITTED UNDER SECTION 1280C,
21 AND MAY BE LOCATED AT THE SCHOOL BUILDING THAT WAS CONVERTED
22 PURSUANT TO THIS SECTION.

23 (2) IF A CONVERSION SCHOOL INTENDS TO USE THE SCHOOL BUILDING
24 THAT WAS CONVERTED AS PROVIDED UNDER SUBSECTION (1), THE CONVERSION
25 SCHOOL SHALL SEND A LETTER OF INTENT TO THE SUPERINTENDENT OF
26 PUBLIC INSTRUCTION AND TO THE SCHOOL DISTRICT THAT OWNS THE SCHOOL
27 BUILDING. SUBJECT TO SUBSECTION (4), WITHIN 10 DAYS AFTER RECEIPT

1 OF THE LETTER OF INTENT, THE SCHOOL DISTRICT THAT OWNS THE SCHOOL
2 BUILDING SHALL LEASE THE SCHOOL BUILDING TO THE CONVERSION SCHOOL
3 FOR \$1.00 PER YEAR FOR AS LONG AS THE SCHOOL BUILDING IS USED FOR
4 CLASSROOM INSTRUCTION BY THE CONVERSION SCHOOL OR FOR A SHORTER
5 TERM AT THE OPTION OF THE CONVERSION SCHOOL.

6 (3) IF DURING THE TERM OF THE LEASE UNDER SUBSECTION (2) THE
7 CONVERSION SCHOOL LEASING THE SCHOOL BUILDING CLOSES OR CEASES
8 USING THE SCHOOL BUILDING FOR CLASSROOM INSTRUCTION, THE SCHOOL
9 DISTRICT THAT OWNS THE SCHOOL BUILDING, WITH THE APPROVAL OF THE
10 SUPERINTENDENT OF PUBLIC INSTRUCTION, MAY REENTER AND REPOSSESS THE
11 SCHOOL BUILDING, TERMINATING THE ELIGIBLE PUBLIC SCHOOL'S LEASE IN
12 THE SCHOOL BUILDING.

13 (4) A SCHOOL DISTRICT SHALL NOT LEASE A SCHOOL BUILDING UNDER
14 THIS SECTION IF THE LEASE WOULD UNCONSTITUTIONALLY IMPAIR A BOND,
15 NOTE, SECURITY, OR UNCONTESTED LEGAL OBLIGATION OF THE SCHOOL
16 DISTRICT.

17 (5) DURING THE TERM OF A LEASE UNDER THIS SECTION, THE
18 CONVERSION SCHOOL LEASING THE SCHOOL BUILDING IS RESPONSIBLE FOR
19 THE DIRECT EXPENSES RELATED TO THE SCHOOL BUILDING LEASED,
20 INCLUDING UTILITIES, INSURANCE, MAINTENANCE, REPAIRS, AND
21 REMODELING. THE SCHOOL DISTRICT THAT OWNS THE SCHOOL BUILDING IS
22 RESPONSIBLE FOR ANY DEBT INCURRED FOR OR LIENS THAT ATTACHED TO THE
23 SCHOOL BUILDING BEFORE THE CONVERSION SCHOOL LEASED THE SCHOOL
24 BUILDING.

25 (6) A CONVERSION SCHOOL LEASING A SCHOOL BUILDING PURSUANT TO
26 THIS SECTION AND THE SCHOOL DISTRICT MAY ENTER INTO A CONTRACT OR
27 COOPERATIVE ARRANGEMENT CONCERNING GENERAL LIABILITY INSURANCE FOR

1 THE CONVERSION SCHOOL.

2 (7) A SCHOOL BUILDING LEASED BY A CONVERSION SCHOOL PURSUANT
3 TO THIS SECTION SHALL BE CONSIDERED TO BE IN CONTINUOUS USE AS A
4 PUBLIC SCHOOL.

5 SEC. 539. IN ADDITION TO OTHER POWERS SET FORTH IN THIS PART,
6 A CONVERSION SCHOOL MAY TAKE ACTION TO CARRY OUT THE PURPOSES FOR
7 WHICH IT WAS INCORPORATED UNDER THIS PART, INCLUDING, BUT NOT
8 LIMITED TO, ALL OF THE FOLLOWING:

9 (A) TO SUE AND BE SUED IN ITS NAME.

10 (B) SUBJECT TO SECTION 535(9), TO ACQUIRE, HOLD, AND OWN IN
11 ITS OWN NAME REAL AND PERSONAL PROPERTY, OR INTERESTS IN REAL OR
12 PERSONAL PROPERTY, FOR EDUCATIONAL PURPOSES BY PURCHASE, GIFT,
13 GRANT, DEVISE, BEQUEST, LEASE, SUBLEASE, INSTALLMENT PURCHASE
14 AGREEMENT, LAND CONTRACT, OPTION, OR CONDEMNATION, AND SUBJECT TO
15 MORTGAGES, SECURITY INTERESTS, OR OTHER LIENS; AND TO SELL OR
16 CONVEY PROPERTY OWNED BY THE CONVERSION SCHOOL AS THE INTERESTS OF
17 THE CONVERSION SCHOOL REQUIRE.

18 (C) TO RECEIVE, DISBURSE, AND PLEDGE FUNDS FOR LAWFUL
19 PURPOSES.

20 (D) TO ENTER INTO BINDING LEGAL AGREEMENTS WITH PERSONS OR
21 ENTITIES AS NECESSARY FOR THE OPERATION, MANAGEMENT, FINANCING, AND
22 MAINTENANCE OF THE CONVERSION SCHOOL.

23 (E) TO INCUR TEMPORARY DEBT IN ACCORDANCE WITH SECTION 1225.

24 (F) TO SOLICIT AND ACCEPT ANY GRANTS OR GIFTS FOR EDUCATIONAL
25 PURPOSES AND TO ESTABLISH OR PERMIT TO BE ESTABLISHED ON ITS BEHALF
26 1 OR MORE NONPROFIT CORPORATIONS THE PURPOSE OF WHICH IS TO ASSIST
27 THE CONVERSION SCHOOL IN THE FURTHERANCE OF ITS PUBLIC PURPOSES.

1 (G) TO BORROW MONEY AND ISSUE BONDS IN ACCORDANCE WITH SECTION
2 1351A AND IN ACCORDANCE WITH PART VI OF THE REVISED MUNICIPAL
3 FINANCE ACT, 2001 PA 34, MCL 141.2601 TO 141.2613, EXCEPT THAT THE
4 BORROWING OF MONEY AND ISSUANCE OF BONDS BY A CONVERSION SCHOOL IS
5 NOT SUBJECT TO SECTION 1351A(4) OR SECTION 1351(2) TO (4). BONDS
6 ISSUED UNDER THIS SECTION SHALL BE FULL FAITH AND CREDIT
7 OBLIGATIONS OF THE CONVERSION SCHOOL, PLEDGING THE GENERAL FUNDS OR
8 ANY OTHER MONEY AVAILABLE FOR SUCH A PURPOSE. BONDS ISSUED UNDER
9 THIS SECTION ARE SUBJECT TO THE REVISED MUNICIPAL FINANCE ACT, 2001
10 PA 34, MCL 141.2101 TO 141.2821.

11 SEC. 541. (1) EXCEPT AS OTHERWISE PROVIDED BY LAW, A
12 CONVERSION SCHOOL SHALL USE CERTIFICATED TEACHERS ACCORDING TO
13 STATE BOARD RULE.

14 (2) A CONVERSION SCHOOL AUTHORIZED BY A STATE PUBLIC
15 UNIVERSITY OR COMMUNITY COLLEGE MAY USE NONCERTIFICATED INDIVIDUALS
16 TO TEACH AS FOLLOWS:

17 (A) IF THE CONVERSION SCHOOL IS AUTHORIZED BY A STATE PUBLIC
18 UNIVERSITY, THE CONVERSION SCHOOL MAY USE AS A CLASSROOM TEACHER IN
19 ANY GRADE A FACULTY MEMBER WHO IS EMPLOYED FULL-TIME BY THE STATE
20 PUBLIC UNIVERSITY AND WHO HAS BEEN GRANTED INSTITUTIONAL TENURE, OR
21 HAS BEEN DESIGNATED AS BEING ON TENURE TRACK, BY THE STATE PUBLIC
22 UNIVERSITY.

23 (B) FOR A CONVERSION SCHOOL AUTHORIZED BY A COMMUNITY COLLEGE,
24 THE CONVERSION SCHOOL MAY USE AS A CLASSROOM TEACHER A FULL-TIME
25 MEMBER OF THE COMMUNITY COLLEGE FACULTY WHO HAS AT LEAST 5 YEARS'
26 EXPERIENCE AT THAT COMMUNITY COLLEGE IN TEACHING THE SUBJECT MATTER
27 THAT HE OR SHE IS TEACHING AT THE CONVERSION SCHOOL.

1 (C) IN ANY OTHER SITUATION IN WHICH A SCHOOL DISTRICT IS
2 PERMITTED UNDER THIS ACT TO USE NONCERTIFICATED TEACHERS.

3 (3) A CONVERSION SCHOOL MAY DEVELOP AND IMPLEMENT NEW TEACHING
4 TECHNIQUES OR METHODS OR SIGNIFICANT REVISIONS TO KNOWN TEACHING
5 TECHNIQUES OR METHODS, AND SHALL REPORT THOSE TO THE AUTHORIZING
6 BODY AND STATE BOARD TO BE MADE AVAILABLE TO THE PUBLIC. A
7 CONVERSION SCHOOL MAY USE ANY INSTRUCTIONAL TECHNIQUE OR DELIVERY
8 METHOD THAT MAY BE USED BY A SCHOOL DISTRICT.

9 (4) A CONVERSION SCHOOL, WITH THE APPROVAL OF THE AUTHORIZING
10 BODY, MAY EMPLOY OR CONTRACT WITH PERSONNEL AS NECESSARY FOR THE
11 OPERATION OF THE CONVERSION SCHOOL, PRESCRIBE THEIR DUTIES, AND FIX
12 THEIR COMPENSATION.

13 (5) IF THE BOARD OF DIRECTORS OF A CONVERSION SCHOOL PROVIDES
14 MEDICAL, OPTICAL, OR DENTAL BENEFITS TO EMPLOYEES AND THEIR
15 DEPENDENTS, THE BOARD OF DIRECTORS SHALL PROVIDE THOSE BENEFITS IN
16 ACCORDANCE WITH THE PUBLIC EMPLOYEES HEALTH BENEFIT ACT, 2007 PA
17 106, MCL 124.71 TO 124.85, AND SHALL COMPLY WITH THAT ACT.

18 SEC. 543. (1) AN AUTHORIZING BODY THAT ISSUES A CONTRACT FOR A
19 CONVERSION SCHOOL UNDER THIS PART SHALL DO ALL OF THE FOLLOWING:

20 (A) ENSURE THAT THE CONTRACT AND THE APPLICATION FOR THE
21 CONTRACT COMPLY WITH THE REQUIREMENTS OF THIS PART.

22 (B) WITHIN 10 DAYS AFTER ISSUING THE CONTRACT, SUBMIT TO THE
23 DEPARTMENT A COPY OF THE CONTRACT.

24 (C) ESTABLISH THE METHOD OF SELECTION, LENGTH OF TERM, AND
25 NUMBER OF MEMBERS OF THE BOARD OF DIRECTORS OF EACH CONVERSION
26 SCHOOL THAT IT AUTHORIZES. THE AUTHORIZING BODY SHALL ENSURE THAT
27 THE BOARD OF DIRECTORS INCLUDES REPRESENTATION FROM THE LOCAL

1 COMMUNITY.

2 (D) OVERSEE THE OPERATIONS OF THE BOARD OF DIRECTORS OF EACH
3 CONVERSION SCHOOL OPERATING UNDER A CONTRACT ISSUED BY THE
4 AUTHORIZING BODY. THE OVERSIGHT SHALL BE SUFFICIENT TO ENSURE THAT
5 THE BOARD OF DIRECTORS IS IN COMPLIANCE WITH THE TERMS OF THE
6 CONTRACT AND WITH APPLICABLE LAW.

7 (E) DEVELOP AND IMPLEMENT A PROCESS FOR HOLDING THE BOARD OF
8 DIRECTORS OF A CONVERSION SCHOOL ACCOUNTABLE FOR MEETING APPLICABLE
9 ACADEMIC PERFORMANCE STANDARDS SET FORTH IN THE CONTRACT AND FOR
10 IMPLEMENTING CORRECTIVE ACTION FOR A CONVERSION SCHOOL THAT DOES
11 NOT MEET THOSE STANDARDS.

12 (F) TAKE NECESSARY MEASURES TO ENSURE THAT THE BOARD OF
13 DIRECTORS OF A CONVERSION SCHOOL OPERATES INDEPENDENTLY OF ANY
14 EDUCATIONAL MANAGEMENT COMPANY INVOLVED IN THE OPERATIONS OF THE
15 CONVERSION SCHOOL.

16 (G) OVERSEE AND ENSURE THAT THE PUPIL ADMISSION PROCESS USED
17 BY THE CONVERSION SCHOOL IS OPERATED IN A FAIR AND OPEN MANNER AND
18 IS IN COMPLIANCE WITH THE CONTRACT AND THIS PART.

19 (H) ENSURE THAT THE BOARD OF DIRECTORS OF THE CONVERSION
20 SCHOOL MAINTAINS AND RELEASES INFORMATION AS NECESSARY TO COMPLY
21 WITH APPLICABLE LAW.

22 (2) AN AUTHORIZING BODY MAY ENTER INTO AN AGREEMENT WITH 1 OR
23 MORE OTHER AUTHORIZING BODIES TO CARRY OUT ANY FUNCTION OF AN
24 AUTHORIZING BODY UNDER THIS ACT.

25 (3) THE AUTHORIZING BODY FOR A CONVERSION SCHOOL IS THE FISCAL
26 AGENT FOR THE CONVERSION SCHOOL. A STATE SCHOOL AID PAYMENT FOR A
27 CONVERSION SCHOOL SHALL BE PAID TO THE AUTHORIZING BODY THAT IS THE

1 FISCAL AGENT FOR THAT CONVERSION SCHOOL, AND THE AUTHORIZING BODY
2 SHALL THEN FORWARD THE PAYMENT TO THE CONVERSION SCHOOL. WITHIN 30
3 DAYS AFTER A CONTRACT IS SUBMITTED TO THE DEPARTMENT BY AN
4 AUTHORIZING BODY UNDER SUBSECTION (1), THE DEPARTMENT SHALL ISSUE A
5 DISTRICT CODE TO THE CONVERSION SCHOOL FOR WHICH THE CONTRACT WAS
6 ISSUED. IF THE DEPARTMENT DOES NOT ISSUE A DISTRICT CODE WITHIN 30
7 DAYS AFTER A CONTRACT IS FILED, THE STATE TREASURER SHALL ASSIGN A
8 TEMPORARY DISTRICT CODE IN ORDER FOR THE CONVERSION SCHOOL TO
9 RECEIVE FUNDING UNDER THE STATE SCHOOL AID ACT OF 1979.

10 (4) A CONTRACT ISSUED UNDER THIS PART MAY BE REVOKED BY THE
11 AUTHORIZING BODY IF THE AUTHORIZING BODY DETERMINES THAT 1 OR MORE
12 OF THE FOLLOWING HAVE OCCURRED:

13 (A) FAILURE OF THE CONVERSION SCHOOL TO DEMONSTRATE MEASURABLE
14 PROGRESS TOWARD IMPROVED PUPIL ACADEMIC ACHIEVEMENT FOR ALL GROUPS
15 OF PUPILS OR TOWARD MEETING THE EDUCATIONAL GOALS SET FORTH IN THE
16 CONTRACT.

17 (B) FAILURE OF THE CONVERSION SCHOOL TO COMPLY WITH ALL
18 APPLICABLE LAW.

19 (C) FAILURE OF THE CONVERSION SCHOOL TO MEET GENERALLY
20 ACCEPTED PUBLIC SECTOR ACCOUNTING PRINCIPLES AND DEMONSTRATE SOUND
21 FISCAL STEWARDSHIP.

22 (D) THE EXISTENCE OF 1 OR MORE OTHER GROUNDS FOR REVOCATION AS
23 SPECIFIED IN THE CONTRACT.

24 (5) EXCEPT FOR A CONVERSION SCHOOL THAT IS AN ALTERNATIVE
25 SCHOOL SERVING A SPECIAL STUDENT POPULATION, IF THE SUPERINTENDENT
26 OF PUBLIC INSTRUCTION DETERMINES THAT A CONVERSION SCHOOL SITE THAT
27 HAS BEEN OPERATING FOR AT LEAST 4 YEARS IS ON THE LIST REQUIRED

1 UNDER SECTION 1280C IDENTIFYING THE PUBLIC SCHOOLS IN THIS STATE
2 THAT THE DEPARTMENT HAS DETERMINED TO BE AMONG THE LOWEST ACHIEVING
3 5% OF ALL PUBLIC SCHOOLS IN THIS STATE, IS IN YEAR 2 OF
4 RESTRUCTURING SANCTIONS UNDER THE NO CHILD LEFT BEHIND ACT OF 2001,
5 PUBLIC LAW 107-110, NOT TO INCLUDE THE INDIVIDUALIZED EDUCATION
6 PLAN SUBGROUP, AND IS NOT CURRENTLY UNDERGOING RECONSTITUTION UNDER
7 THIS SECTION, THE SUPERINTENDENT OF PUBLIC INSTRUCTION SHALL NOTIFY
8 THE CONVERSION SCHOOL'S AUTHORIZING BODY. IF AN AUTHORIZING BODY
9 RECEIVES NOTICE FROM THE SUPERINTENDENT OF PUBLIC INSTRUCTION UNDER
10 THIS SUBSECTION, THE AUTHORIZING BODY SHALL AMEND THE CONVERSION
11 SCHOOL'S CONTRACT TO ELIMINATE THE CONVERSION SCHOOL'S AUTHORITY TO
12 OPERATE THE EXISTING AGE AND GRADE LEVELS AT THE SITE AND THE
13 CONVERSION SCHOOL SHALL CEASE OPERATING THE EXISTING AGE AND GRADE
14 LEVELS AT THE SITE, EFFECTIVE AT THE END OF THE CURRENT SCHOOL
15 YEAR. IF THE CONVERSION SCHOOL OPERATES AT ONLY 1 SITE, AND THE
16 AUTHORIZING BODY RECEIVES NOTICE FROM THE SUPERINTENDENT OF PUBLIC
17 INSTRUCTION UNDER THIS SUBSECTION, THE AUTHORIZING BODY SHALL
18 REVOKE THE CONVERSION SCHOOL'S CONTRACT, EFFECTIVE AT THE END OF
19 THE CURRENT SCHOOL YEAR.

20 (6) IF, DURING THE LAST SCHOOL YEAR BEFORE THE EXPIRATION OF
21 THE CONVERSION SCHOOL'S INITIAL CONTRACT WITH AN AUTHORIZING BODY,
22 A CONVERSION SCHOOL IS ON THE LIST REQUIRED UNDER SECTION 1280C
23 IDENTIFYING THE PUBLIC SCHOOLS IN THIS STATE THAT THE DEPARTMENT
24 HAS DETERMINED TO BE AMONG THE LOWEST ACHIEVING 5% OF ALL PUBLIC
25 SCHOOLS IN THIS STATE, THE BOARD OF DIRECTORS OF THE CONVERSION
26 SCHOOL SHALL NOT SEEK TO RENEW THE CONTRACT WITH THAT AUTHORIZING
27 BODY OR TO OBTAIN A NEW CONTRACT FROM THAT AUTHORIZING BODY.

1 (7) THE DECISION OF AN AUTHORIZING BODY TO ISSUE, NOT ISSUE,
2 OR RECONSTITUTE A CONTRACT UNDER THIS PART, OR TO TERMINATE OR
3 REVOKE A CONTRACT UNDER THIS SECTION, IS SOLELY WITHIN THE
4 DISCRETION OF THE AUTHORIZING BODY, IS FINAL, AND IS NOT SUBJECT TO
5 REVIEW BY A COURT OR ANY STATE AGENCY. AN AUTHORIZING BODY THAT
6 ISSUES, DOES NOT ISSUE, OR RECONSTITUTES A CONTRACT UNDER THIS
7 PART, OR THAT TERMINATES OR REVOKES A CONTRACT UNDER THIS SECTION,
8 IS NOT LIABLE FOR THAT ACTION TO THE CONVERSION SCHOOL, THE
9 CONVERSION SCHOOL CORPORATION, A PUPIL OF THE CONVERSION SCHOOL,
10 THE PARENT OR GUARDIAN OF A PUPIL OF THE CONVERSION SCHOOL, OR ANY
11 OTHER PERSON.

12 (8) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (5), BEFORE AN
13 AUTHORIZING BODY REVOKES A CONTRACT, THE AUTHORIZING BODY MAY
14 CONSIDER AND TAKE CORRECTIVE MEASURES TO AVOID REVOCATION. AN
15 AUTHORIZING BODY MAY RECONSTITUTE THE CONVERSION SCHOOL IN A FINAL
16 ATTEMPT TO IMPROVE PUPIL EDUCATIONAL PERFORMANCE OR TO AVOID
17 INTERRUPTION OF THE EDUCATIONAL PROCESS. AN AUTHORIZING BODY SHALL
18 INCLUDE A RECONSTITUTING PROVISION IN THE CONTRACT THAT IDENTIFIES
19 THESE CORRECTIVE MEASURES, INCLUDING, BUT NOT LIMITED TO, CANCELING
20 A CONTRACT WITH AN EDUCATIONAL MANAGEMENT ORGANIZATION, IF ANY,
21 WITHDRAWING APPROVAL OF A CONTRACT UNDER SECTION 541(4), OR
22 APPOINTING A NEW BOARD OF DIRECTORS OR A TRUSTEE TO TAKE OVER
23 OPERATION OF THE CONVERSION SCHOOL.

24 (9) IF AN AUTHORIZING BODY REVOKES A CONTRACT, THE AUTHORIZING
25 BODY SHALL WORK WITH THE SCHOOL DISTRICT THAT OPERATED THE SCHOOL
26 THAT WAS CONVERTED, THE STATE SCHOOL REFORM/REDESIGN OFFICER, OR
27 ANOTHER SCHOOL DISTRICT OR PUBLIC SCHOOL, OR WITH A COMBINATION OF

1 THESE ENTITIES, TO ENSURE A SMOOTH TRANSITION FOR THE AFFECTED
2 PUPILS. IF AT THE TIME OF REVOCATION THE CONVERSION SCHOOL IS ON
3 THE LIST REQUIRED UNDER SECTION 1280C IDENTIFYING THE PUBLIC
4 SCHOOLS IN THIS STATE THAT THE DEPARTMENT HAS DETERMINED TO BE
5 AMONG THE LOWEST ACHIEVING 5% OF ALL PUBLIC SCHOOLS IN THIS STATE
6 AND WAS IN CONTINUOUS OPERATION IN THE SAME SCHOOL BUILDING AS WAS
7 OCCUPIED BY THE SCHOOL THAT WAS CONVERTED, THE STATE SCHOOL
8 REFORM/REDESIGN OFFICER SHALL IMPLEMENT A NEW RESTRUCTURING MODEL
9 IN THAT SCHOOL BUILDING UNDER SECTION 1280C. IF THE REVOCATION
10 OCCURS DURING THE SCHOOL YEAR, THE AUTHORIZING BODY, AS THE FISCAL
11 AGENT FOR THE CONVERSION SCHOOL UNDER THIS PART, SHALL RETURN ANY
12 SCHOOL AID FUNDS HELD BY THE AUTHORIZING BODY THAT ARE ATTRIBUTABLE
13 TO THE AFFECTED PUPILS TO THE STATE TREASURER FOR DEPOSIT INTO THE
14 STATE SCHOOL AID FUND. THE STATE TREASURER SHALL DISTRIBUTE FUNDS
15 TO THE PUBLIC SCHOOL IN WHICH THE PUPILS ENROLL AFTER THE
16 REVOCATION PURSUANT TO A METHODOLOGY ESTABLISHED BY THE DEPARTMENT
17 AND THE CENTER FOR EDUCATIONAL PERFORMANCE AND INFORMATION.

18 (10) NOT MORE THAN 10 DAYS AFTER A CONVERSION SCHOOL'S
19 CONTRACT TERMINATES OR IS REVOKED, THE AUTHORIZING BODY SHALL
20 NOTIFY THE SUPERINTENDENT OF PUBLIC INSTRUCTION IN WRITING OF THE
21 NAME OF THE CONVERSION SCHOOL WHOSE CONTRACT HAS TERMINATED OR BEEN
22 REVOKED AND THE DATE OF CONTRACT TERMINATION OR REVOCATION.

23 Sec. 1280c. (1) Beginning in 2010, not later than September 1
24 of each year, the superintendent of public instruction shall
25 publish a list identifying the public schools in this state that
26 the department has determined to be among the lowest achieving 5%
27 of all public schools in this state, as defined for the purposes of

1 the federal incentive grant program created under sections 14005
2 and 14006 of title XIV of the American recovery and reinvestment
3 act of 2009, Public Law 111-5.

4 (2) Except as otherwise provided in subsection (16), **WITHIN 7**
5 **DAYS AFTER PUBLISHING THE LIST UNDER SUBSECTION (1)**, the
6 superintendent of public instruction shall issue an order placing
7 each public school that is included on the list under subsection
8 (1) under the supervision of the state school reform/redesign
9 officer described in subsection (9). ~~Within~~**SUBJECT TO SUBSECTIONS**
10 **(17) TO (26), WITHIN** 90 days after a public school is placed under
11 the supervision of the state school reform/redesign officer under
12 this section, the school board or board of directors operating the
13 public school shall submit a redesign plan to the state school
14 reform/redesign officer. For a public school operated by a school
15 board, the redesign plan shall be developed with input from the
16 local teacher bargaining unit and the local superintendent. The
17 redesign plan shall require implementation of 1 of the 4 school
18 intervention models that are provided for the lowest achieving
19 schools under the federal incentive grant program created under
20 sections 14005 and 14006 of title XIV of the American recovery and
21 reinvestment act of 2009, Public Law 111-5, known as the "race to
22 the top" grant program. These models are the turnaround model,
23 restart model, school closure, and transformation model. The
24 redesign plan shall include an executed addendum to each applicable
25 collective bargaining agreement in effect for the public school
26 that meets the requirements of subsection (8).

27 (3) Within 30 days after receipt of a redesign plan for a

1 public school under subsection (2), the state school
2 reform/redesign officer shall issue an order approving,
3 disapproving, or making changes to the redesign plan. If the order
4 makes changes to the redesign plan, the school board or board of
5 directors has 30 days after the order to change the redesign plan
6 to incorporate those changes into the redesign plan and resubmit it
7 to the state school reform/redesign officer for approval or
8 disapproval.

9 (4) The state school reform/redesign officer shall not
10 disapprove a redesign plan that includes all of the elements
11 required under federal law for the school intervention model
12 included in the redesign plan. A school board or board of directors
13 may appeal disapproval of a redesign plan on this basis to the
14 superintendent of public instruction. The decision of the
15 superintendent of public instruction on the appeal is final.

16 (5) If the state school reform/redesign officer approves a
17 redesign plan under this section, the school board or board of
18 directors shall implement the redesign plan for the public school
19 beginning with the beginning of the next school year that begins
20 after the approval. The school board or board of directors shall
21 regularly submit monitoring reports to the state school
22 reform/redesign officer on the implementation and results of the
23 plan in the form and manner, and according to a schedule, as
24 determined by the state school reform/redesign officer.

25 (6) The state school reform/redesign school district is
26 created. The state school reform/redesign school district is a
27 school district for the purposes of section 11 of article IX of the

1 state constitution of 1963 and for receiving state school aid under
2 the state school aid act of 1979 and is subject to the leadership
3 and general supervision of the state board over all public
4 education under section 3 of article VIII of the state constitution
5 of 1963. The state school reform/redesign school district is a body
6 corporate and is a governmental agency. Except as otherwise
7 provided in subsection (7) **AND IN SUBSECTION (25)**, if the state
8 school reform/redesign officer does not approve the redesign plan,
9 or if the state school reform/redesign officer determines that the
10 redesign plan is not achieving satisfactory results, the state
11 school reform/redesign officer shall issue an order placing the
12 public school in the state school reform/redesign school district,
13 imposing for the public school implementation of 1 of the 4 school
14 intervention models described in subsection (2) beginning with the
15 beginning of the next school year, and imposing an addendum to each
16 applicable collective bargaining agreement in effect for the public
17 school as necessary to implement the school intervention model and
18 that meets the requirements of subsection (8). All of the following
19 apply to the state school reform/redesign school district:

20 (a) The state school reform/redesign school district shall
21 consist of schools that are placed in the state school
22 reform/redesign school district.

23 (b) The state school reform/redesign officer shall act as the
24 superintendent of the state school reform/redesign school district.
25 With respect to schools placed in the state school reform/redesign
26 school district, the state school reform/redesign officer has all
27 of the powers and duties described in this section; all of the

1 provisions of this act that would otherwise apply to the school
2 board that previously operated a school placed in the state school
3 reform/redesign school district apply to the state school
4 reform/redesign officer with respect to that school, except those
5 relating to taxation or borrowing; except as otherwise provided in
6 this section, the state school reform/redesign officer may exercise
7 all the powers and duties otherwise vested by law in the school
8 board that previously operated a school placed in the state school
9 reform/redesign school district and in its officers, except those
10 relating to taxation or borrowing, and may exercise all additional
11 powers and duties provided under this section; and, except as
12 otherwise provided in this section, the state school
13 reform/redesign officer accedes to all the rights, duties, and
14 obligations of the school board with respect to that school. These
15 powers, rights, duties, and obligations include, but are not
16 limited to, all of the following:

17 (i) Authority over the expenditure of all funds attributable to
18 pupils at that school, including that portion of proceeds from
19 bonded indebtedness and other funds dedicated to capital projects
20 that would otherwise be apportioned to that school by the school
21 board that previously operated the school according to the terms of
22 the bond issue or financing documents.

23 (ii) Subject to subsection (8), rights and obligations under
24 collective bargaining agreements and employment contracts entered
25 into by the school board for employees at the school.

26 (iii) Rights to prosecute and defend litigation.

27 (iv) Rights and obligations under statute, rule, and common

1 law.

2 (v) Authority to delegate any of the state school
3 reform/redesign officer's powers and duties to 1 or more designees,
4 with proper supervision by the state school reform/redesign
5 officer.

6 (vi) Power to terminate any contract or portion of a contract
7 entered into by the school board that applies to that school.
8 However, this subsection does not allow any termination or
9 diminishment of obligations to pay debt service on legally
10 authorized bonds and does not allow a collective bargaining
11 agreement to be affected except as provided under subsection (8). A
12 contract terminated by the state school reform/redesign officer
13 under this subsection is void.

14 (7) If the state school reform/redesign officer determines
15 that better educational results are likely to be achieved by
16 appointing a chief executive officer to take control of multiple
17 public schools, the state school reform/redesign officer may make a
18 recommendation to the superintendent of public instruction for
19 appointment of a chief executive officer to take control over those
20 multiple schools. If the superintendent of public instruction
21 appoints a chief executive officer to take control of multiple
22 public schools under this subsection, the chief executive officer
23 shall impose for those public schools implementation of 1 of the 4
24 school intervention models described in subsection (2) and impose
25 an addendum to each applicable collective bargaining agreement in
26 effect for those public schools as necessary to implement the
27 school intervention model and that meets the requirements of

1 subsection (8). With respect to those public schools, the chief
2 executive officer has all of the same powers and duties that the
3 state school reform/redesign officer has for public schools placed
4 in the state school reform/redesign school district under
5 subsection (6). The chief executive officer shall regularly submit
6 monitoring reports to the state school reform/redesign officer on
7 the implementation and results of the intervention model in the
8 form and manner, and according to a schedule, as determined by the
9 state school reform/redesign officer. The chief executive officer
10 shall exercise any other powers or duties over the public schools
11 as may be directed by the superintendent of public instruction.

12 (8) An addendum to a collective bargaining agreement under
13 this section shall provide for any of the following that are
14 necessary for the applicable school intervention model to be
15 implemented at each affected public school:

16 (a) That any contractual or other seniority system that would
17 otherwise be applicable shall not apply at the public school. This
18 subdivision does not allow unilateral changes in pay scales or
19 benefits.

20 (b) That any contractual or other work rules that are
21 impediments to implementing the redesign plan shall not apply at
22 the public school. This subdivision does not allow unilateral
23 changes in pay scales or benefits.

24 (c) That the state school reform/redesign officer shall direct
25 the expenditure of all funds attributable to pupils at the public
26 school and the principal or other school leader designated by the
27 state school reform/redesign officer shall have full autonomy and

1 control over curriculum and discretionary spending at the public
2 school.

3 (9) The superintendent of public instruction shall hire a
4 state school reform/redesign officer to carry out the functions
5 under this section and as otherwise prescribed by law. The state
6 school reform/redesign officer shall be chosen solely on the basis
7 of his or her competence and experience in educational reform and
8 redesign. The state school reform/redesign officer is exempt from
9 civil service. The state school reform/redesign officer is
10 responsible directly to the superintendent of public instruction to
11 ensure that the purposes of this section are carried out, and
12 accordingly the position of state school reform/redesign officer
13 should be a position within the department that is exempt from the
14 classified state civil service. The department shall request that
15 the civil service commission establish the position of state school
16 reform/redesign officer as a position that is exempt from the
17 classified state civil service.

18 (10) If the state school reform/redesign officer imposes the
19 restart model for a public school in the state school
20 reform/redesign school district, or a chief executive officer under
21 subsection (7) imposes the restart model for multiple public
22 schools under that subsection, all of the following apply:

23 (a) The state school reform/redesign officer or chief
24 executive officer shall enter into an agreement with an educational
25 management organization to manage and operate the public school or
26 schools. The state school reform/redesign officer or chief
27 executive officer shall provide sufficient oversight to ensure that

1 the public school or schools will be operated according to all of
2 the requirements for a restart model.

3 (b) There shall be considered to be no collective bargaining
4 agreement in effect that applies to employees working at the public
5 school or schools under this model at the time of imposition of the
6 model.

7 (11) If the state school reform/redesign officer imposes the
8 turnaround model for a public school in the state school
9 reform/redesign school district, or a chief executive officer under
10 subsection (7) imposes the turnaround model for multiple public
11 schools under that subsection, all of the following apply:

12 (a) A collective bargaining agreement that applies to
13 employees working at the public school or schools under this model
14 at the time of imposition of the model, and any successor
15 collective bargaining agreement, continues to apply with respect to
16 pay scales and benefits.

17 (b) Subject to any addendum to the collective bargaining
18 agreement that applies to the public school or schools, an employee
19 who is working at the public school or schools and who was
20 previously employed in the same school district that previously
21 operated that school shall continue to retain and accrue seniority
22 rights in that school district according to the collective
23 bargaining agreement that applies to employees of that school
24 district.

25 (12) If more than 9 public schools operated by a school
26 district are on the list under subsection (1), the transformation
27 model may not be implemented for more than 50% of those schools.

1 (13) If the state school reform/redesign officer determines
2 that a public school that is subject to the measures under
3 subsection (6) or (7) has made significant improvement in pupil
4 achievement and should be released from the measures that have been
5 imposed under subsection (6) or (7), the state school
6 reform/redesign officer may recommend this to the superintendent of
7 public instruction. If the superintendent of public instruction
8 agrees with the determination and recommendation, the
9 superintendent of public instruction may release the public school
10 from the measures that have been imposed under subsection (6) or
11 (7).

12 (14) At least annually, the state school reform/redesign
13 officer shall submit a report to the standing committees of the
14 senate and house of representatives having jurisdiction over
15 education legislation on the progress being made in improving pupil
16 proficiency due to the measures under this section.

17 (15) As soon as practicable after the federal department of
18 education has adopted the final work rules and formula for
19 identifying the lowest achieving 5% of all public schools in this
20 state for the purposes of the federal incentive grant program
21 created under sections 14005 and 14006 of title XIV of the American
22 recovery and reinvestment act of 2009, Public Law 111-5, known as
23 the "race to the top" grant program, the department shall post all
24 of the following on its website:

25 (a) The federal work rules and formula.

26 (b) A list of the public schools in this state that have been
27 identified for these purposes as being among the lowest achieving

1 5% of all public schools in this state. The department shall update
2 this list as it considers appropriate.

3 (16) If a school that is included on the list under subsection
4 (1) is operated by a school district in which an emergency manager
5 is in place under the local government and school district fiscal
6 accountability act, 2011 PA 4, MCL 141.1501 TO 141.1531, then the
7 superintendent of public instruction shall not issue an order
8 placing the school under the supervision of the state school
9 reform/redesign officer. **HOWEVER, IF A PARENTAL PETITION MEETING**
10 **THE REQUIREMENTS OF SUBSECTIONS (18) AND (19) HAS BEEN SUBMITTED**
11 **AND IS CERTIFIED BY THE DEPARTMENT, THE EMERGENCY MANAGER AND THE**
12 **STATE SCHOOL REFORM/REDESIGN OFFICER SHALL IMPLEMENT THE SCHOOL**
13 **INTERVENTION MODEL AND REDESIGN PLAN RECOMMENDED IN THE PARENTAL**
14 **PETITION WITH THE EMERGENCY MANAGER ACTING IN THE CAPACITY OF THE**
15 **SCHOOL BOARD.**

16 (17) WITHIN 7 DAYS AFTER A PUBLIC SCHOOL IS PLACED UNDER THE
17 SUPERVISION OF THE STATE SCHOOL REFORM/REDESIGN OFFICER UNDER
18 SUBSECTION (2), THE SCHOOL BOARD OR BOARD OF DIRECTORS OPERATING
19 THE PUBLIC SCHOOL SHALL ISSUE A WRITTEN NOTIFICATION TO THE PARENT
20 OR LEGAL GUARDIAN OF EACH PUPIL ENROLLED IN THE PUBLIC SCHOOL AND
21 SHALL PUBLISH THIS NOTIFICATION ON ITS INTERNET WEBSITE HOMEPAGE.
22 THIS NOTIFICATION SHALL INCLUDE ALL OF THE FOLLOWING:

23 (A) AN EXPLANATION THAT THE PUBLIC SCHOOL HAS BEEN PLACED
24 UNDER THE SUPERVISION OF THE STATE SCHOOL REFORM/REDESIGN OFFICER
25 DUE TO ITS PUPIL PERFORMANCE AND THAT, UNLESS A PETITION IS
26 SUBMITTED TO THE DEPARTMENT BY THE PARENTS OF THE PUPILS AT THE
27 SCHOOL RECOMMENDING A SCHOOL INTERVENTION MODEL, THE SCHOOL BOARD

1 OR BOARD OF DIRECTORS WILL WORK WITH THE STATE SCHOOL
2 REFORM/REDESIGN OFFICER TO ADOPT AND IMPLEMENT A SCHOOL
3 INTERVENTION MODEL AND REDESIGN PLAN FOR THE SCHOOL, AS PROVIDED
4 UNDER THIS SECTION.

5 (B) AN EXPLANATION OF EACH SCHOOL INTERVENTION MODEL THAT IS
6 AVAILABLE AS AN OPTION TO THE SCHOOL BOARD OR BOARD OF DIRECTORS
7 AND TO THE PARENTS AND LEGAL GUARDIANS.

8 (C) AN EXPLANATION OF THE PROCESS, REQUIREMENTS, AND TIMELINE
9 FOR ELIGIBLE PARENTS AND LEGAL GUARDIANS TO SUBMIT A PARENTAL
10 PETITION TO THE DEPARTMENT TO RECOMMEND A SCHOOL INTERVENTION MODEL
11 UNDER SUBSECTION (18). THIS EXPLANATION SHALL INCLUDE A DESCRIPTION
12 OF WHO IS AN ELIGIBLE PARENT OR LEGAL GUARDIAN, THE PERCENTAGE OF
13 ELIGIBLE PARENTS AND LEGAL GUARDIANS THAT MUST SIGN A PARENTAL
14 PETITION FOR IT TO BE EFFECTIVE UNDER SUBSECTION (18), THE ACTUAL
15 TOTAL NUMBER THAT WOULD BE REQUIRED TO MEET THAT PERCENTAGE, AND
16 THE DEADLINE AND PROCESS FOR SUBMITTING THE PARENTAL PETITION.

17 (D) A DESCRIPTION OF THE CONSEQUENCES OF A SCHOOL INTERVENTION
18 MODEL RECOMMENDED BY A PARENTAL PETITION UNDER THIS SUBSECTION
19 COMPARED TO THE CONSEQUENCES OF A REDESIGN PLAN IMPLEMENTED UNDER
20 SUBSECTION (2), INCLUDING THE DIFFERENT CONSEQUENCES WITH REGARD TO
21 BEING PLACED IN THE STATE SCHOOL REFORM/REDESIGN SCHOOL DISTRICT.

22 (18) WITHIN 90 DAYS AFTER A PUBLIC SCHOOL IS PLACED UNDER THE
23 SUPERVISION OF THE STATE SCHOOL REFORM/REDESIGN OFFICER UNDER
24 SUBSECTION (2), A PARENTAL PETITION MAY BE SUBMITTED TO THE
25 DEPARTMENT RECOMMENDING A SINGLE SCHOOL INTERVENTION MODEL TO BE
26 IMPLEMENTED FOR THE PUBLIC SCHOOL IN A REDESIGN PLAN. WITHIN 30
27 DAYS OF RECEIVING A PARENTAL PETITION, THE DEPARTMENT SHALL DO BOTH

1 OF THE FOLLOWING:

2 (A) FORWARD A COPY OF THE PETITION TO THE SCHOOL BOARD OR
3 BOARD OF DIRECTORS OPERATING THE PUBLIC SCHOOL, THE INTERMEDIATE
4 SCHOOL DISTRICT IN WHICH THE PUBLIC SCHOOL IS LOCATED, AND THE
5 STATE SCHOOL REFORM/REDESIGN OFFICER.

6 (B) EXAMINE THE PETITION TO DETERMINE IF IT CONTAINS THE
7 NUMBER OF VALID SIGNATURES REQUIRED UNDER SUBSECTION (19) AND A
8 SINGLE SCHOOL INTERVENTION MODEL TO BE IMPLEMENTED FOR THE PUBLIC
9 SCHOOL IN A REDESIGN PLAN.

10 (19) IF THE DEPARTMENT CERTIFIES THAT A PARENTAL PETITION
11 SUBMITTED UNDER SUBSECTION (18) HAS BEEN SUBMITTED WITHIN THE
12 APPLICABLE TIME LIMIT, CONTAINS THE VALID SIGNATURES OF AT LEAST
13 60% OF THE ELIGIBLE PARENTS OR LEGAL GUARDIANS, OR OF AT LEAST 51%
14 OF THE ELIGIBLE PARENTS OR LEGAL GUARDIANS AND AT LEAST 60% OF THE
15 ELIGIBLE TEACHERS, AND RECOMMENDS A SCHOOL INTERVENTION MODEL THAT
16 MAY BE IMPLEMENTED FOR THE PUBLIC SCHOOL IN A REDESIGN PLAN UNDER
17 THIS SECTION, THEN ALL OF THE FOLLOWING APPLY:

18 (A) THE DEPARTMENT SHALL NOTIFY THE PERSON SUBMITTING THE
19 PARENTAL PETITION AND THE SCHOOL BOARD OR BOARD OF DIRECTORS
20 OPERATING THE PUBLIC SCHOOL THAT THE PETITION HAS BEEN CERTIFIED.

21 (B) IF THE SCHOOL INTERVENTION MODEL THAT IS RECOMMENDED IN
22 THE PETITION IS A RESTRUCTURING OPTION OTHER THAN THE RESTART
23 MODEL, THE SCHOOL BOARD OR BOARD OF DIRECTORS SHALL WORK WITH THE
24 STATE SCHOOL REFORM/REDESIGN OFFICER TO IMPLEMENT THE RECOMMENDED
25 SCHOOL INTERVENTION MODEL IN A REDESIGN PLAN FOR THE FOLLOWING
26 SCHOOL YEAR. HOWEVER, IF THE SCHOOL BOARD OR BOARD OF DIRECTORS HAS
27 ALREADY ADOPTED AND HAS IMPLEMENTED OR IS IN THE PROCESS OF

1 IMPLEMENTING A REDESIGN PLAN AT THE TIME THE PETITION IS SUBMITTED,
2 THE SCHOOL BOARD OR BOARD OF DIRECTORS AND THE STATE SCHOOL
3 REFORM/REDESIGN OFFICER SHALL INCORPORATE ELEMENTS OF THE PARENTAL
4 PETITION TO THE EXTENT THAT THOSE ELEMENTS ARE CONSISTENT WITH THE
5 REDESIGN PLAN THAT HAS ALREADY BEEN ADOPTED.

6 (C) IF THE SCHOOL INTERVENTION MODEL THAT IS RECOMMENDED IN
7 THE PETITION IS THE RESTART MODEL, AND IF THE PUBLIC SCHOOL IS NOT
8 A PUBLIC SCHOOL ACADEMY, THE PARENTS AND LEGAL GUARDIANS MAY SUBMIT
9 TO AN AUTHORIZING BODY AN APPLICATION FOR A CONTRACT TO OPERATE THE
10 PUBLIC SCHOOL AS A CONVERSION SCHOOL AS PROVIDED UNDER PART 6D. IF
11 A CONTRACT TO OPERATE THE PUBLIC SCHOOL AS A CONVERSION SCHOOL IS
12 OBTAINED UNDER PART 6D, THEN THE PUBLIC SCHOOL SHALL BE OPERATED AS
13 A CONVERSION SCHOOL UNDER PART 6D BEGINNING IN THE FOLLOWING SCHOOL
14 YEAR. IF THE PARENTAL PETITION RECOMMENDED THE RESTART MODEL BUT AN
15 APPLICATION FOR A CONTRACT TO OPERATE THE PUBLIC SCHOOL AS A
16 CONVERSION SCHOOL UNDER PART 6D IS NOT SUBMITTED OR IF THE
17 APPLICANTS ARE UNABLE TO OBTAIN A CONTRACT TO OPERATE THE PUBLIC
18 SCHOOL AS A CONVERSION SCHOOL WITHIN 60 DAYS AFTER THE PETITION IS
19 CERTIFIED, OR IF THE PUBLIC SCHOOL IS A PUBLIC SCHOOL ACADEMY, THEN
20 ALL OF THE FOLLOWING APPLY:

21 (i) THE SCHOOL BOARD OR BOARD OF DIRECTORS SHALL WORK WITH THE
22 STATE SCHOOL REFORM/REDESIGN OFFICER TO IMPLEMENT THE RESTART MODEL
23 FOR THE FOLLOWING SCHOOL YEAR IN THE MANNER PROVIDED UNDER
24 SUBSECTION (10).

25 (ii) IF THE SCHOOL BOARD OR BOARD OF DIRECTORS DOES NOT
26 IMPLEMENT THE RESTART MODEL, THE STATE SCHOOL REFORM/REDESIGN
27 OFFICER SHALL ISSUE AN ORDER PLACING THE PUBLIC SCHOOL IN THE STATE

1 SCHOOL REFORM/REDESIGN SCHOOL DISTRICT, IMPOSING FOR THE PUBLIC
2 SCHOOL IMPLEMENTATION OF 1 OF THE 4 SCHOOL INTERVENTION MODELS
3 DESCRIBED IN SUBSECTION (2) BEGINNING WITH THE BEGINNING OF THE
4 NEXT SCHOOL YEAR, AND IMPOSING AN ADDENDUM TO EACH APPLICABLE
5 COLLECTIVE BARGAINING AGREEMENT IN EFFECT FOR THE PUBLIC SCHOOL AS
6 NECESSARY TO IMPLEMENT THE SCHOOL INTERVENTION MODEL AND THAT MEETS
7 THE REQUIREMENTS OF SUBSECTION (8).

8 (20) IF THE DEPARTMENT DETERMINES NOT TO CERTIFY A PARENTAL
9 PETITION SUBMITTED UNDER SUBSECTION (18) BECAUSE THE PETITION
10 EITHER DOES NOT CONTAIN A SUFFICIENT NUMBER OF VALID SIGNATURES OF
11 THE ELIGIBLE PARENTS OR LEGAL GUARDIANS OR DOES NOT RECOMMEND A
12 SINGLE SCHOOL INTERVENTION MODEL THAT MAY BE IMPLEMENTED UNDER THIS
13 SECTION, THEN THE DEPARTMENT SHALL NOTIFY THE PERSON SUBMITTING THE
14 PARENTAL PETITION AND THE SCHOOL BOARD OR BOARD OF DIRECTORS
15 OPERATING THE PUBLIC SCHOOL THAT THE DEPARTMENT HAS DETERMINED NOT
16 TO CERTIFY THE PARENTAL PETITION AND THE REASONS FOR THE
17 DETERMINATION. THIS DETERMINATION MAY BE APPEALED AS A FINAL
18 DECISION OR ORDER IN A CONTESTED CASE AS PROVIDED UNDER THE
19 ADMINISTRATIVE PROCEDURES ACT OF 1969, 1969 PA 306, MCL 24.201 TO
20 24.328.

21 (21) THE ELIGIBLE PARENTS AND LEGAL GUARDIANS FOR A PUBLIC
22 SCHOOL MAY CREATE A PARENTAL ADVISORY COMMITTEE TO WORK WITH THE
23 SCHOOL BOARD OR BOARD OF DIRECTORS AND WITH THE STATE SCHOOL
24 REFORM/REDESIGN OFFICER TO IMPLEMENT THE RECOMMENDED SCHOOL
25 INTERVENTION MODEL AND REDESIGN PLAN UNDER SUBSECTION (19)(B).

26 (22) THE SUPERINTENDENT OF PUBLIC INSTRUCTION SHALL PROMULGATE
27 RULES TO IMPLEMENT SUBSECTIONS (17) TO (21). THE RULES SHALL

1 ADDRESS AT LEAST THE FORM AND CONTENT OF A PARENTAL PETITION, THE
2 PROCESS FOR SUBMISSION OF A PARENTAL PETITION TO THE DEPARTMENT,
3 AND A PROCESS FOR NOTIFYING THE PERSON SUBMITTING THE PARENTAL
4 PETITION.

5 (23) A PERSON WHO CIRCULATES OR OTHERWISE SEEKS TO OBTAIN
6 SIGNATURES ON A PARENTAL PETITION UNDER THIS SECTION SHALL NOT
7 OFFER OR PROVIDE ANY MONEY, GIFT, OR OTHER COMPENSATION IN EXCHANGE
8 FOR A SIGNATURE ON THE PARENTAL PETITION. A PERSON SHALL NOT COERCE
9 OR INTIMIDATE ANOTHER PERSON WITH RESPECT TO SIGNING OR DECLINING
10 TO SIGN A PARENTAL PETITION UNDER THIS SECTION.

11 (24) IF THE SCHOOL BOARD OR BOARD OF DIRECTORS FINDS THAT
12 THERE IS REASON TO BELIEVE THAT THERE MAY BE FRAUD OR A VIOLATION
13 OF SUBSECTION (23) IN CONNECTION WITH THE SIGNATURES ON A PARENTAL
14 PETITION SUBMITTED UNDER THIS SECTION, THE SCHOOL BOARD OR BOARD OF
15 DIRECTORS SHALL REFER ITS FINDINGS TO THE APPROPRIATE COUNTY
16 PROSECUTOR FOR POSSIBLE CRIMINAL ACTION.

17 (25) IF A SCHOOL BOARD OR BOARD OF DIRECTORS IMPLEMENTS THE
18 SCHOOL INTERVENTION MODEL THAT IS RECOMMENDED IN A PARENTAL
19 PETITION UNDER SUBSECTION (18) AND INCLUDED IN THE REDESIGN PLAN
20 UNDER SUBSECTION (19) (B) OR IF A CONTRACT IS OBTAINED UNDER PART 6D
21 TO OPERATE THE PUBLIC SCHOOL AS A CONVERSION SCHOOL, AS DESCRIBED
22 IN SUBSECTION (19) (C), THE STATE SCHOOL REFORM/REDESIGN OFFICER MAY
23 NOT ISSUE AN ORDER PLACING THE PUBLIC SCHOOL IN THE STATE SCHOOL
24 REFORM/REDESIGN SCHOOL DISTRICT UNTIL AFTER THE EXPIRATION OF 5
25 YEARS AFTER THE BEGINNING OF THE FIRST SCHOOL YEAR IN WHICH THE
26 SCHOOL INTERVENTION MODEL IS IMPLEMENTED OR THE PUBLIC SCHOOL IS
27 OPERATED AS A CONVERSION SCHOOL UNDER PART 6D.

1 (26) AS USED IN THIS SECTION:

2 (A) "ELIGIBLE PARENT OR LEGAL GUARDIAN" MEANS THE PARENT OR
3 LEGAL GUARDIAN OF A PUPIL ENROLLED IN THE PUBLIC SCHOOL THAT IS THE
4 SUBJECT OF THE PARENTAL PETITION IF THE PUPIL IS ENROLLED IN THE
5 PUBLIC SCHOOL ON THE FIRST DAY OF THE APPLICABLE SCHOOL YEAR, OR
6 BECOMES ENROLLED IN THE PUBLIC SCHOOL AFTER THE FIRST DAY OF THE
7 APPLICABLE SCHOOL YEAR BUT BEFORE SUBMISSION OF THE PARENTAL
8 PETITION UNDER SUBSECTION (18), AND THE PUPIL REMAINS ENROLLED IN
9 THE PUBLIC SCHOOL AT THE TIME THE PARENTAL PETITION IS SUBMITTED
10 UNDER SUBSECTION (18).

11 (B) "ELIGIBLE TEACHER" MEANS A TEACHER EMPLOYED AND WORKING
12 FULL TIME AT THE PUBLIC SCHOOL TO BE CONVERTED AT THE TIME THE
13 PARENTAL PETITION IS SUBMITTED UNDER SUBSECTION (18).