

HOUSE SUBSTITUTE FOR  
SENATE BILL NO. 1296

A bill to amend 1976 PA 451, entitled  
"The revised school code,"  
by amending section 1146 (MCL 380.1146).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 1146. (1) ~~A~~ **EXCEPT AS OTHERWISE PROVIDED UNDER**  
2 **SUBSECTION (2) AND SECTION 475, A** separate school or department  
3 shall not be kept for a person on account of race, color, or ~~sex~~  
4 **GENDER**. This section shall not be construed to prevent the grading  
5 of schools according to the intellectual progress of the pupil to  
6 be taught in separate places as may be ~~deemed~~ **CONSIDERED**  
7 expedient.

8       (2) **SUBJECT TO SUBSECTION (3), THE BOARD OF A SCHOOL DISTRICT**  
9 **OR INTERMEDIATE SCHOOL DISTRICT OR BOARD OF DIRECTORS OF A PUBLIC**

Senate Bill No. 1296 (H-1) as amended June 28, 2006

1 SCHOOL ACADEMY MAY ESTABLISH AND MAINTAIN A SCHOOL, CLASS, OR  
2 PROGRAM WITHIN A SCHOOL IN WHICH ENROLLMENT IS LIMITED TO PUPILS OF  
3 A SINGLE GENDER IF THE SCHOOL DISTRICT, INTERMEDIATE SCHOOL  
4 DISTRICT, OR PUBLIC SCHOOL ACADEMY MAKES AVAILABLE TO PUPILS A  
5 SUBSTANTIALLY EQUAL COEDUCATIONAL SCHOOL, CLASS, OR PROGRAM [AND A  
6 SUBSTANTIALLY EQUAL SCHOOL, CLASS, OR PROGRAM FOR PUPILS OF THE OTHER  
7 GENDER, IF PRACTICABLE].

8 (3) IF THE BOARD OF A SCHOOL DISTRICT OR INTERMEDIATE SCHOOL  
9 DISTRICT OR BOARD OF DIRECTORS OF A PUBLIC SCHOOL ACADEMY  
10 ESTABLISHES A SINGLE-GENDER SCHOOL, CLASS, OR PROGRAM DESCRIBED IN  
11 SUBSECTION (1), THE SCHOOL DISTRICT, INTERMEDIATE SCHOOL DISTRICT,  
12 OR PUBLIC SCHOOL ACADEMY SHALL NOT REQUIRE PARTICIPATION BY ANY OF  
13 ITS PUPILS IN THE SINGLE-GENDER SCHOOL, CLASS, OR PROGRAM. THE  
14 BOARD OR BOARD OF DIRECTORS SHALL ENSURE THAT PARTICIPATION BY  
15 PUPILS IN A SINGLE-GENDER SCHOOL, CLASS, OR PROGRAM IS WHOLLY  
16 VOLUNTARY. FOR THE PURPOSES OF THIS SUBSECTION, PARTICIPATION BY A  
17 PUPIL IN A SINGLE-GENDER SCHOOL, CLASS, OR PROGRAM IS NOT  
18 CONSIDERED TO BE VOLUNTARY UNLESS THE SCHOOL DISTRICT, INTERMEDIATE  
19 SCHOOL DISTRICT, OR PUBLIC SCHOOL ACADEMY ALSO MAKES AVAILABLE TO  
20 THE PUPIL A SUBSTANTIALLY EQUAL COEDUCATIONAL SCHOOL, CLASS, OR  
21 PROGRAM.

22 Enacting section 1. This amendatory act does not take effect  
23 unless all of the following bills of the 93rd Legislature are  
24 enacted into law:

(a) House Bill No. 4264.

(b) Senate Bill No. 1305 or House Bill No. 6247.