

BENTON HARBOR AREA SCHOOLS
Steps for Implementation of Enhanced Educational Opportunities for
Residents of Benton Harbor Area Schools District

Educating Residents of the Benton Harbor Area Schools District

Currently, under section 11(a)(i) of the Revised School Code (the “Code”), Benton Harbor Area Schools (“BHAS”) educates district residents in grades K-12 by directly operating schools on its own.

Section 11(a)(ii) of the Code also permits BHAS to cause public education services to be provided for BHAS students through an agreement, contract, or other cooperative agreement with another public entity, including another school district or an intermediate school district.

This legal authority permits BHAS to partner with the State of Michigan, Lake Michigan College (“LMC”), Berrien RESA, and other school districts to provide new, quality educational opportunities for BHAS residents in grades 9-12 while BHAS address with state assistance its fragile finances and the academic performance of its K-8 schools.

Benton Harbor Area Schools

- BHAS Board of Education regains full local control beginning on July 1, 2019.
- BHAS Board of Education will need to work closely with Michigan Department of Treasury to actively monitor and address fragile financial position of BHAS through the 2019-2020.
- BHAS Board of Education will need to work closely with Michigan Department of Education to address academic performance in the 2019-2020 school year.
- BHAS Board of Education retains full control over BHAS property and buildings, including approval of any lease or sale.
- Beginning with 2020-2021 school years BHAS would only operate K-8 schools directly on its own and would cause educational services to be provided to residents in grades 9-12 under the Educational Agreement. BHAS Board of Education would be responsible for:
 - Improving academic performance in grades K-8 with assistance from Michigan Department of Education within the context of a partnership agreement;
 - Addressing fragile financial position of BHAS, including its legacy financial obligations with technical assistance from Michigan Department of Treasury and financial assistance from State of Michigan; and
 - Overseeing participation of BHAS in the Educational Agreement and performance under the Educational Agreement.

Agreement for Education of BHAS Residents in Grades 9-12

- BHAS Board of Education enters into an agreement under section 11a of the Code to provide for the education of residents of BHAS in grades 9-12 beginning in the 2020-2021 school year (the “Educational Agreement”) including but not limited to:
 - Benton Harbor Area Schools
 - Berrien Springs Public Schools

- Bridgman Public Schools;
 - Coloma Community Schools;
 - Eau Claire Public Schools;
 - Lake Michigan College
 - Lakeshore School District;
 - Niles Community Schools;
 - St. Joseph Community Schools;
 - Watervliet School District
- Approval of Educational Agreement by governing body of each party required. The Educational Agreement must include a capacity limit of students that may enroll with each educational partner.
 - Under the Educational Agreement, Berrien RESA would coordinate a schools of choice program permitting BHAS residents to enroll at any of the other 8 school districts or the new Lake Michigan Academy at LMC beginning with the 2020-2021 school year.
 - The LMC public academy and the other school districts (each an “Enrolling District”) would enroll students up to the capacity limit for each Enrolling District as provided in the Educational Agreement. If enrollment demand exceeds capacity, enrollment would be determined by a lottery. Students not enrolled in first district of choice would be enrolled in second or third district of choice. Students not making an enrollment choice would be randomly assigned by lottery.
 - The LMC public academy would receive the state foundation allowance for each student enrolled. Each student enrolled at an Enrolling District would receive the state portion of the foundation allowance of that Enrolling District for each student enrolled.
 - The Educational Agreement would provide for the transportation of BHAS residents to the LMC public academy and each of the Enrolling Districts and assure that needs of special education needs of BHAS residents in grades 9-12 are met.
 - BHAS would not operate grades 9-12 and operations at the Dream Innovative Academy would be suspended beginning July 1, 2020.

Lake Michigan College

- Governing body of LMC authorizes public academy for grades 9-12 under Part 6A of The Revised School Code with focus on career pathways and robust dual credit opportunities, including early middle college, career and technical education certificate, and Michigan transfer agreement programs.
- LMC completes actions to authorize academy in 2019-2020 school year so that students may enroll for the 2020-2021 school year.
- LMC’s public academy would not be operated by a private management company but would be overseen by a public board appointed by the LMC governing body pursuant to an agreement between the LMC governing body and the public academy’s board.

- State of Michigan would pay LMC 100% of the maximum public academy foundation allowance(\$7,871 per pupil in FY 2019-2020). As authorizing body, LMC could retain up to 3% of state school aid for its administrative activities.
- Residents of Benton Harbor Area Schools in grades 9-12 could enroll in LMC's new public academy beginning with the 2020-2021 school year. (Other residents of the LMC community college district also could enroll.)

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