

## **HB 5025: Repealing the Failed “Educational Instruction Access Act”**

### **Initial Intent of the Act**

- Prohibit public school districts and municipalities from utilizing deed restrictions in real estate transactions involving current or former educational facilities (school buildings) to prevent the use of the building as a charter, parochial, or private school, which would theoretically compete with the local public school.
- Supporters of PA 98 of 2017 argued that if existing public school facilities could accommodate a new school, school districts and municipalities should not be able to utilize deed restrictions to prohibit the sale or lease of these properties to another educational facility, including a charter, parochial, or private school.

### **Unintended Consequences: School Districts Adopt “Demo, Don’t Sell”**

- To get around the law, school districts across the state have adopted a widespread “Demo, Don’t Sell” policy, preferring to demolish even architecturally and historically valuable school buildings, rather than risk the sale of a depreciated building to a potential competitor (charter, private, parochial institution).
- No evidence that PA 98 of 2017 has resulted in increased sale and utilization of former public school buildings to charters, private, and parochial institutions. Public school districts demolish buildings instead.
- Community organizing, opposition from local government, and historic designations have repeatedly failed to save school buildings from demolition.

### **Growing Trend: Declining Enrollment Leads to More Vacant Buildings**

- Due to persistent declining enrollment, school districts across Michigan have begun consolidating operations across fewer buildings creating a growing number of vacant school buildings across the state. This pattern will continue.

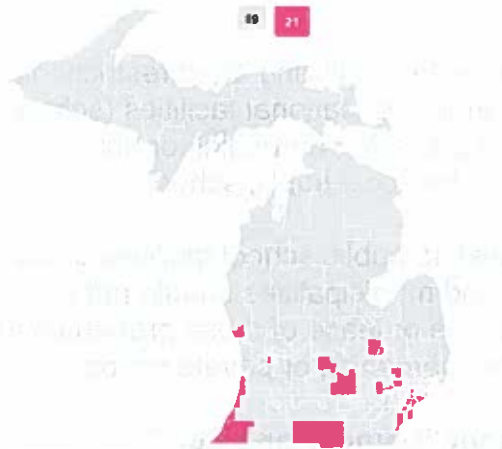
### **Wasting Taxpayer Dollars**

- Taxpayer investments in school buildings are wasted when districts choose to pay for expensive demolitions, rather than selling buildings and recouping proceeds from the sale to the benefit of the community.
- Selling school buildings could allow creative, innovative developers to transform these properties to suit communal needs: housing, community centers, retail, religious congregations, etc.

### **Losing History and Placemaking**

- Beyond financial losses occasioned by demolishing historic schools, these demolitions harm communities. Historic landmarks are essential to placemaking and create a bond between past and present residents. Their destruction indelibly harms their host communities.

## School Demolitions by House District Since 2017



## Roosevelt Elementary in Keego Harbor, a 104-year-old school building scheduled for demolition



## Examples

### Benton Harbor

- Three buildings dating back to the early 20th century are slated to be demolished due to the school district's concerns about being unable to prevent a charter school from operating out of the vacant buildings.

### Detroit

- The 100-year-old Foch Middle School has sat vacant since 2004, and is now being demolished despite its deep roots in the East Village neighborhood, where residents fought to have the building repurposed to meet community needs as a child care facility, housing, or a homeless shelter.

### Walled Lake

- The Walled Lake Community Education Center, founded in 1922, was demolished in 2018, after the City of Walled Lake sued the school district and took them to court four separate times to preserve the historic building.

### Flat Rock

- The 111-year-old Reading School Building was demolished in 2023, despite opposition from significant community and historical groups.

### Keego Harbor

- 104-year-old Roosevelt Elementary, the historic heart of this 0.5 square mile city, one of Michigan's smallest, is slated to be demolished just seven years after the district earmarked millions in bond money for improvements to the building, despite massive public opposition. WBSD has cited PA 98 of 2017 as their primary concern with selling the building.

### Waterford

- The 123-year-old Waterford Village Elementary School is slated for demolition despite being located in the recognized Waterford Village Historic District and put on the National Register of Historic Places in 1979.