

HOUSE BILL No. 4378

February 27, 2001, Introduced by Reps. Voorhees, Gosselin, Kooiman, Julian, Birkholz, Kuipers, Vander Veen, Garcia and Newell and referred to the Committee on Education.

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 6 and 166b (MCL 388.1606 and 388.1766b), section 6 as amended by 2000 PA 297 and section 166b as amended by 1999 PA 119.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 6. (1) "Center program" means a program operated by a
2 district or intermediate district for special education pupils
3 from several districts in programs for the autistically impaired,
4 trainable mentally impaired, severely mentally impaired, severely
5 multiply impaired, hearing impaired, physically and otherwise
6 health impaired, and visually impaired. Programs for emotionally
7 impaired pupils housed in buildings that do not serve regular
8 education pupils also qualify. Unless otherwise approved by the
9 department, a center program either shall serve all constituent

1 districts within an intermediate district or shall serve several
2 districts with less than 50% of the pupils residing in the oper-
3 ating district. In addition, special education center program
4 pupils placed part-time in noncenter programs to comply with the
5 least restrictive environment provisions of section 612 of part B
6 of the individuals with disabilities education act, title VI of
7 Public Law 91-230, 20 U.S.C. 1412, may be considered center pro-
8 gram pupils for pupil accounting purposes for the time scheduled
9 in either a center program or a noncenter program.

10 (2) "District pupil retention rate" means the proportion of
11 pupils who have not dropped out of school in the immediately pre-
12 ceding school year and is equal to 1 minus the quotient of the
13 number of pupils unaccounted for in the immediately preceding
14 school year, as determined pursuant to subsection (3), divided by
15 the pupils of the immediately preceding school year.

16 (3) "District pupil retention report" means a report of the
17 number of pupils, excluding migrant and adult, in the district
18 for the immediately preceding school year, adjusted for those
19 pupils who have transferred into the district, transferred out of
20 the district, transferred to alternative programs, and have grad-
21 uated, to determine the number of pupils who are unaccounted
22 for. The number of pupils unaccounted for shall be calculated as
23 determined by the department.

24 (4) "Membership", except as otherwise provided in this act,
25 means for 1999-2000 for a district, public school academy, uni-
26 versity school, or intermediate district the sum of the product
27 of .75 times the number of full-time equated pupils in grades K

1 to 12 actually enrolled and in regular daily attendance on the
2 pupil membership count day for the current school year, plus the
3 product of .25 times the final audited count from the supplemen-
4 tal count day for the immediately preceding school year.
5 Beginning in 2000-2001, membership means for a district, public
6 school academy, university school, or intermediate district the
7 sum of the product of .8 times the number of full-time equated
8 pupils in grades K to 12 actually enrolled and in regular daily
9 attendance on the pupil membership count day for the current
10 school year, plus the product of .2 times the final audited count
11 from the supplemental count day for the immediately preceding
12 school year. All pupil counts used in this subsection are as
13 determined by the department and calculated by adding the number
14 of pupils registered for attendance plus pupils received by
15 transfer and minus pupils lost as defined by rules promulgated by
16 the superintendent, and as corrected by a subsequent department
17 audit. The amount of the foundation allowance for a pupil in
18 membership is determined under section 20. In making the calcu-
19 lation of membership, all of the following, as applicable, apply
20 to determining the membership of a district, public school acade-
21 my, university school, or intermediate district:

22 (a) Except as otherwise provided in this subsection, and
23 pursuant to subsection (6), a pupil shall be counted in member-
24 ship in the pupil's educating district or districts. An individ-
25 ual pupil shall not be counted for more than a total of 1.0
26 full-time equated membership.

1 (b) If a pupil is educated in a district other than the
2 pupil's district of residence, if the pupil is not being educated
3 as part of a cooperative education program, if the pupil's dis-
4 trict of residence does not give the educating district its
5 approval to count the pupil in membership in the educating dis-
6 trict, and if the pupil is not covered by an exception specified
7 in subsection (6) to the requirement that the educating district
8 must have the approval of the pupil's district of residence to
9 count the pupil in membership, the pupil shall not be counted in
10 membership in any district.

11 (c) A special education pupil educated by the intermediate
12 district shall be counted in membership in the intermediate
13 district.

14 (d) A pupil placed by a court or state agency in an
15 on-grounds program of a juvenile detention facility, a child
16 caring institution, or a mental health institution, or a pupil
17 funded under section 53a, shall be counted in membership in the
18 district or intermediate district approved by the department to
19 operate the program.

20 (e) A pupil enrolled in the Michigan schools for the deaf
21 and blind shall be counted in membership in the pupil's interme-
22 diate district of residence.

23 (f) A pupil enrolled in a vocational education program sup-
24 ported by a millage levied over an area larger than a single dis-
25 trict or in an area vocational-technical education program estab-
26 lished pursuant to section 690 of the revised school code,

1 MCL 380.690, shall be counted only in the pupil's district of
2 residence.

3 (g) A pupil enrolled in a university school shall be counted
4 in membership in the university school.

5 (h) A pupil enrolled in a public school academy shall be
6 counted in membership in the public school academy.

7 (i) For a new district, university school, or public school
8 academy beginning its operation after December 31, 1994, member-
9 ship for the first 2 full or partial fiscal years of operation
10 shall be determined as follows:

11 (i) If operations begin before the pupil membership count
12 day for the fiscal year, membership is the average number of
13 full-time equated pupils in grades K to 12 actually enrolled and
14 in regular daily attendance on the pupil membership count day for
15 the current school year and on the supplemental count day for the
16 current school year, as determined by the department and calcu-
17 lated by adding the number of pupils registered for attendance on
18 the pupil membership count day plus pupils received by transfer
19 and minus pupils lost as defined by rules promulgated by the
20 superintendent, and as corrected by a subsequent department
21 audit, plus the final audited count from the supplemental count
22 day for the current school year, and dividing that sum by 2.

23 (ii) If operations begin after the pupil membership count
24 day for the fiscal year and not later than the supplemental count
25 day for the fiscal year, membership is the final audited count of
26 the number of full-time equated pupils in grades K to 12 actually

1 enrolled and in regular daily attendance on the supplemental
2 count day for the current school year.

3 (j) If a district is the authorizing body for a public
4 school academy, then, in the first school year in which pupils
5 are counted in membership on the pupil membership count day in
6 the public school academy, the determination of the district's
7 membership shall exclude from the district's pupil count for the
8 immediately preceding supplemental count day any pupils who are
9 counted in the public school academy on that first pupil member-
10 ship count day who were also counted in the district on the imme-
11 diately preceding supplemental count day.

12 (k) In a district, public school academy, university school,
13 or intermediate district operating an extended school year pro-
14 gram approved by the superintendent, a pupil enrolled, but not
15 scheduled to be in regular daily attendance on a pupil membership
16 count day, shall be counted.

17 (l) Pupils to be counted in membership shall be not less
18 than 5 years of age on December 1 and less than 20 years of age
19 on September 1 of the school year except a special education
20 pupil who is enrolled and receiving instruction in a special edu-
21 cation program approved by the department and not having a high
22 school diploma who is less than 26 years of age as of September 1
23 of the current school year shall be counted in membership.

24 (m) An individual who has obtained a high school diploma
25 shall not be counted in membership. An individual who has
26 obtained a general education development (G.E.D.) certificate
27 shall not be counted in membership. An individual participating

1 in a job training program funded under former section 107a or a
2 jobs program funded under former section 107b, administered by
3 the Michigan strategic fund or the department of career develop-
4 ment, or participating in any successor of either of those 2 pro-
5 grams, shall not be counted in membership.

6 (n) If a pupil counted in membership in a public school
7 academy is also educated by a district or intermediate district
8 as part of a cooperative education program, the pupil shall be
9 counted in membership only in the public school academy, and the
10 instructional time scheduled for the pupil in the district or
11 intermediate district shall be included in the full-time equated
12 membership determination under subdivision (q). However, for
13 pupils receiving instruction in both a public school academy and
14 in a district or intermediate district but not as a part of a
15 cooperative education program, the following apply:

16 (i) If the public school academy provides instruction for at
17 least 1/2 of the class hours specified in subdivision (q), the
18 public school academy shall receive as its prorated share of the
19 full-time equated membership for each of those pupils an amount
20 equal to 1 times the product of the hours of instruction the
21 public school academy provides divided by the number of hours
22 specified in subdivision (q) for full-time equivalency, and the
23 remainder of the full-time membership for each of those pupils
24 shall be allocated to the district or intermediate district pro-
25 viding the remainder of the hours of instruction.

26 (ii) If the public school academy provides instruction for
27 less than 1/2 of the class hours specified in subdivision (q),

1 the district or intermediate district providing the remainder of
2 the hours of instruction shall receive as its prorated share of
3 the full-time equated membership for each of those pupils an
4 amount equal to 1 times the product of the hours of instruction
5 the district or intermediate district provides divided by the
6 number of hours specified in subdivision (q) for full-time equiv-
7 alency, and the remainder of the full-time membership for each of
8 those pupils shall be allocated to the public school academy.

9 (o) An individual less than 16 years of age as of September
10 1 of the current school year who is being educated in an alterna-
11 tive education program shall not be counted in membership if
12 there are also adult education participants being educated in the
13 same program or classroom.

14 (p) The department shall give a uniform interpretation of
15 full-time and part-time memberships. A MINOR ENROLLED IN A NON-
16 PUBLIC SCHOOL OR BEING HOME-SCHOOLED WHO IS ALSO ENROLLED
17 PART-TIME IN A DISTRICT, INTERMEDIATE DISTRICT, OR PUBLIC SCHOOL
18 ACADEMY SHALL BE COUNTED AS A PART-TIME PUPIL FOR THE PURPOSES OF
19 THIS ACT AND SHALL BE COUNTED TOWARD DETERMINING THE DISTRICT'S,
20 INTERMEDIATE DISTRICT'S, OR PUBLIC SCHOOL ACADEMY'S FULL-TIME
21 EQUATED MEMBERSHIP ON THE SAME BASIS AS ANY OTHER PART-TIME
22 PUPIL.

23 (q) The number of class hours used to calculate full-time
24 equated memberships shall be consistent with section 101(3). In
25 determining full-time equated memberships for pupils who are
26 enrolled in a postsecondary institution, a pupil shall not be
27 considered to be less than a full-time equated pupil solely

1 because of the effect of his or her postsecondary enrollment,
2 including necessary travel time, on the number of class hours
3 provided by the district to the pupil.

4 (r) Full-time equated memberships for pupils in kindergarten
5 shall be determined by dividing the number of class hours sched-
6 uled and provided per year per kindergarten pupil by a number
7 equal to $1/2$ the number used for determining full-time equated
8 memberships for pupils in grades 1 to 12.

9 (s) For a district, university school, or public school
10 academy that has pupils enrolled in a grade level that was not
11 offered by the district, university school, or public school
12 academy in the immediately preceding school year, the number of
13 pupils enrolled in that grade level to be counted in membership
14 is the average of the number of those pupils enrolled and in reg-
15 ular daily attendance on the pupil membership count day and the
16 supplemental count day of the current school year, as determined
17 by the department. Membership shall be calculated by adding the
18 number of pupils registered for attendance in that grade level on
19 the pupil membership count day plus pupils received by transfer
20 and minus pupils lost as defined by rules promulgated by the
21 superintendent, and as corrected by subsequent department audit,
22 plus the final audited count from the supplemental count day for
23 the current school year, and dividing that sum by 2.

24 (t) A pupil enrolled in a cooperative education program may
25 be counted in membership in the pupil's district of residence
26 with the written approval of all parties to the cooperative
27 agreement.

1 (u) If, as a result of a disciplinary action, a district
2 determines through the district's alternative or disciplinary
3 education program that the best instructional placement for a
4 pupil is in the pupil's home, if that placement is authorized in
5 writing by the district superintendent and district alternative
6 or disciplinary education supervisor, and if the district pro-
7 vides appropriate instruction as described in this subdivision to
8 the pupil at the pupil's home, the district may count the pupil
9 in membership on a pro rata basis, with the proration based on
10 the number of hours of instruction the district actually provides
11 to the pupil divided by the number of hours specified in
12 subdivision (q) for full-time equivalency. For the purposes of
13 this subdivision, a district shall be considered to be providing
14 appropriate instruction if all of the following are met:

15 (i) The district provides at least 2 nonconsecutive hours of
16 instruction per week to the pupil at the pupil's home under the
17 supervision of a certificated teacher.

18 (ii) The district provides instructional materials,
19 resources, and supplies, except computers, that are comparable to
20 those otherwise provided in the district's alternative education
21 program.

22 (iii) Course content is comparable to that in the district's
23 alternative education program.

24 (iv) Credit earned is awarded to the pupil and placed on the
25 pupil's transcript.

26 (v) A pupil enrolled in an alternative or disciplinary
27 education program described in section 25 shall be counted in

1 membership in the district or public school academy that expelled
2 the pupil.

3 (w) If a pupil was enrolled in a public school academy on
4 the pupil membership count day, if the public school academy's
5 contract with its authorizing body is revoked, and if the pupil
6 enrolls in a district within 45 days after the pupil membership
7 count day, the department shall adjust the district's pupil count
8 for the pupil membership count day to include the pupil in the
9 count.

10 (x) For 1999-2000, for a public school academy that has been
11 in operation for at least 2 years and that suspended operations
12 for at least 1 semester and is resuming operations, membership is
13 the sum of the product of .75 times the number of full-time
14 equated pupils in grades K to 12 actually enrolled and in regular
15 daily attendance on the first pupil membership count day or sup-
16 plemental count day, whichever is first, occurring after opera-
17 tions resume, plus the product of .25 times the final audited
18 count from the most recent pupil membership count day or supple-
19 mental count day that occurred before suspending operations, as
20 determined by the superintendent. Beginning in 2000-2001, for a
21 public school academy that has been in operation for at least 2
22 years and that suspended operations for at least 1 semester and
23 is resuming operations, membership is the sum of the product of
24 .8 times the number of full-time equated pupils in grades K to 12
25 actually enrolled and in regular daily attendance on the first
26 pupil membership count day or supplemental count day, whichever
27 is first, occurring after operations resume, plus the product of

1 .2 times the final audited count from the most recent pupil
2 membership count day or supplemental count day that occurred
3 before suspending operations, as determined by the
4 superintendent.

5 (y) For 2000-2001 only, if a district's membership for a
6 particular fiscal year, as otherwise calculated under this sub-
7 section, would be less than 1,550 pupils, the district's member-
8 ship for that fiscal year shall be considered to be the greater
9 of the following:

10 (i) The average of the district's membership for the
11 3-fiscal-year period ending with that fiscal year, calculated by
12 adding the district's actual membership for that fiscal year, as
13 otherwise calculated under this subsection, plus the district's
14 membership for each of the 2 immediately preceding fiscal years,
15 and dividing the sum of those 3 membership figures by 3.

16 (ii) The district's actual membership as otherwise calcu-
17 lated under this subsection.

18 (5) "Public school academy" means a public school academy or
19 strict discipline academy operating under the revised school
20 code.

21 (6) "Pupil" means a person in membership in a public
22 school. A district must have the approval of the pupil's dis-
23 trict of residence to count the pupil in membership, except
24 approval by the pupil's district of residence ~~shall not be~~ IS
25 NOT required for any of the following:

26 (a) A nonpublic part-time pupil enrolled in grades 1 to 12
27 in accordance with section 166b.

1 (b) A pupil receiving 1/2 or less of his or her instruction
2 in a district other than the pupil's district of residence.

3 (c) A pupil enrolled in a public school academy or univer-
4 sity school.

5 (d) A pupil enrolled in a district other than the pupil's
6 district of residence under an intermediate district schools of
7 choice pilot program as described in section 91a or former
8 section 91 if the intermediate district and its constituent dis-
9 tricts have been exempted from section 105.

10 (e) A pupil enrolled in a district other than the pupil's
11 district of residence but within the same intermediate district
12 if the educating district enrolls nonresident pupils in accord-
13 ance with section 105.

14 (f) A pupil enrolled in a district other than the pupil's
15 district of residence if the pupil has been continuously enrolled
16 in the educating district since a school year in which the pupil
17 enrolled in the educating district under section 105 or 105c and
18 in which the educating district enrolled nonresident pupils in
19 accordance with section 105 or 105c.

20 (g) A nonresident pupil who has made an official written
21 complaint or whose parent or legal guardian has made an official
22 written complaint to law enforcement officials and to school
23 officials of the pupil's district of residence that the pupil has
24 been the victim of a criminal sexual assault or other serious
25 assault, if the official complaint either indicates that the
26 assault occurred at school or that the assault was committed by 1
27 or more other pupils enrolled in the school the nonresident pupil

1 would otherwise attend in the district of residence or by an
2 employee of the district of residence. A person who intention-
3 ally makes a false report of a crime to law enforcement officials
4 for the purposes of this subdivision is subject to section 411a
5 of the Michigan penal code, 1931 PA 328, MCL 750.411a, which pro-
6 vides criminal penalties for that conduct. As used in this
7 subdivision:

8 (i) "At school" means in a classroom, elsewhere on school
9 premises, on a school bus or other school-related vehicle, or at
10 a school-sponsored activity or event whether or not it is held on
11 school premises.

12 (ii) "Serious assault" means an act that constitutes a
13 felony violation of chapter XI of the Michigan penal code, 1931
14 PA 328, MCL 750.81 to 750.90g, or that constitutes an assault and
15 infliction of serious or aggravated injury under section 81a of
16 the Michigan penal code, 1931 PA 328, MCL 750.81a.

17 (h) A pupil enrolled in a district located in a contiguous
18 intermediate district, as described in section 105c, if the edu-
19 cating district enrolls those nonresident pupils in accordance
20 with section 105c.

21 (i) A pupil whose district of residence changed after the
22 pupil membership count day and before the supplemental count day
23 and who continues to be enrolled on the supplemental count day as
24 a nonresident in the district in which he or she was enrolled as
25 a resident on the pupil membership count day of the same school
26 year.

1 (j) A pupil enrolled in an alternative education program
2 operated by a district other than his or her district of
3 residence Who meets 1 or more of the following:

4 (i) The pupil has been suspended or expelled from his or her
5 district of residence for any reason, including, but not limited
6 to, a suspension or expulsion under section 1310, 1311, or 1311a
7 of the revised school code, MCL 380.1310, 380.1311, and
8 380.1311a.

9 (ii) The pupil had previously dropped out of school.

10 (iii) The pupil is pregnant or is a parent.

11 (iv) The pupil has been referred to the program by a court.

12 (k) A pupil enrolled in the Michigan virtual high school,
13 for the pupil's enrollment in the Michigan virtual high school.

14 However, if a district that is not a first class district
15 educates pupils who reside in a first class district and if the
16 primary instructional site for those pupils is located within the
17 boundaries of the first class district, the educating district
18 must have the approval of the first class district to count those
19 pupils in membership. As used in this subsection, "first class
20 district" means a district organized as a school district of the
21 first class under the revised school code.

22 (7) "Pupil membership count day" of a district or intermedi-
23 ate district means:

24 (a) Except as provided in subdivision (b), the fourth
25 Wednesday in September each school year.

26 (b) For a district or intermediate district maintaining
27 school during the entire school year, the following days:

1 (i) Fourth Wednesday in July.

2 (ii) Fourth Wednesday in September.

3 (iii) Second Wednesday in February.

4 (iv) Fourth Wednesday in April.

5 (8) "Pupils in grades K to 12 actually enrolled and in regu-

6 lar daily attendance" means pupils in grades K to 12 in

7 attendance and receiving instruction in all classes for which

8 they are enrolled on the pupil membership count day or the sup-

9 plemental count day, as applicable. A pupil who is absent from

10 any of the classes in which the pupil is enrolled on the pupil

11 membership count day or supplemental count day and who does not

12 attend each of those classes during the 10 consecutive school

13 days immediately following the pupil membership count day or sup-

14 plemental count day, except for a pupil who has been excused by

15 the district, shall not be counted as 1.0 full-time equated

16 membership. In addition, a pupil who is excused from attendance

17 on the pupil membership count day or supplemental count day and

18 who fails to attend each of the classes in which the pupil is

19 enrolled within 30 calendar days after the pupil membership count

20 day or supplemental count day shall not be counted as 1.0

21 full-time equated membership. Pupils not counted as 1.0

22 full-time equated membership due to an absence from a class shall

23 be counted as a prorated membership for the classes the pupil

24 attended. For purposes of this subsection, "class" means a

25 period of time in 1 day when pupils and a certificated teacher or

26 legally qualified substitute teacher are together and instruction

27 is taking place.

1 (9) "Rule" means a rule promulgated pursuant to the
2 administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to
3 24.328.

4 (10) "The revised school code" means 1976 PA 451, MCL 380.1
5 to 380.1852.

6 (11) "School fiscal year" means a fiscal year that commences
7 July 1 and continues through June 30.

8 (12) "State board" means the state board of education.

9 (13) "Superintendent", unless the context clearly refers to
10 a district or intermediate district superintendent, means the
11 superintendent of public instruction described in section 3 of
12 article VIII of the state constitution of 1963.

13 (14) "Supplemental count day" means the day on which the
14 supplemental pupil count is conducted under section 6a.

15 (15) "Tuition pupil" means a pupil of school age attending
16 school in a district other than the pupil's district of residence
17 for whom tuition may be charged. Tuition pupil does not include
18 a pupil who is a special education pupil or a pupil described in
19 subsection (6)(d) to (k). A pupil's district of residence shall
20 not require a high school tuition pupil, as provided under sec-
21 tion 111, to attend another school district after the pupil has
22 been assigned to a school district.

23 (16) "State school aid fund" means the state school aid fund
24 established in section 11 of article IX of the state constitution
25 of 1963.

1 (17) "Taxable value" means the taxable value of property as
2 determined under section 27a of the general property tax act,
3 1893 PA 206, MCL 211.27a.

4 (18) "Total state aid" or "total state school aid" means the
5 total combined amount of all funds due to a district, intermedi-
6 ate district, or other entity under all of the provisions of this
7 act.

8 (19) "University school" means an instructional program
9 operated by a public university under section 23 that meets the
10 requirements of section 23.

11 Sec. 166b. (1) ~~This act does not prohibit a~~ A parent or
12 legal guardian of a minor who is enrolled in any of grades 1 to
13 12 in a nonpublic school or who is being home-schooled ~~from also~~
14 ~~enrolling~~ MAY ALSO ENROLL the minor in a district or intermedi-
15 ate district in any curricular offering that is provided by the
16 district or intermediate district at a public school site and is
17 available to pupils in the minor's grade level or age group,
18 subject to compliance with the same requirements that apply to a
19 full-time pupil's participation in the offering ~~. However,~~
20 ~~state~~ AND SUBJECT TO ALL OF THE FOLLOWING:

21 (A) THIS SUBSECTION APPLIES TO ENROLLMENT IN A CORE ACADEMIC
22 COURSE ONLY IF THAT ENROLLMENT IS WITH THE APPROVAL OF THE BOARD
23 OF THE DISTRICT, OR INTERMEDIATE BOARD OF THE INTERMEDIATE DIS-
24 TRICT, IN WHICH THE MINOR ENROLLS.

25 (B) STATE school aid shall be provided under this act for a
26 minor enrolled as described in this subsection only for
27 curricular offerings that are offered to full-time pupils in the

1 minor's grade level or age group during regularly scheduled
2 school hours.

3 (C) THIS SUBSECTION DOES NOT REQUIRE TRANSPORTATION FOR A
4 MINOR ENROLLED UNDER THIS SUBSECTION THAT IS NOT OTHERWISE
5 REQUIRED UNDER THE REVISED SCHOOL CODE.

6 (2) IF A DISTRICT OR INTERMEDIATE DISTRICT ESTABLISHES ANY
7 POLICIES, REQUIREMENTS, OR LIMITATIONS FOR ENROLLMENT IN A CUR-
8 RICULAR OFFERING UNDER SUBSECTION (1), SCHOOL OFFICIALS SHALL
9 APPLY THOSE POLICIES, REQUIREMENTS, AND LIMITATIONS EQUALLY TO
10 BOTH FULL-TIME PUPILS AND MINORS ENROLLED OR SEEKING TO ENROLL
11 UNDER SUBSECTION (1).

12 (3) ~~(2)~~ This act does not prohibit a parent or legal
13 guardian of a minor who is enrolled in any of grades 1 to 12 in a
14 nonpublic school located within the district or who resides
15 within the district and is being home-schooled from also enroll-
16 ing the minor in the district in a curricular offering being pro-
17 vided by the district at the nonpublic school site. However,
18 state school aid shall be provided under this act for a minor
19 enrolled as described in this subsection only if all of the fol-
20 lowing apply:

21 (a) The nonpublic school site is located, or the nonpublic
22 students are educated, within the geographic boundaries of either
23 the district or a contiguous district operating under a coopera-
24 tive program of which the district is a member and that is estab-
25 lished for the purpose of providing nonessential elective courses
26 to nonpublic school students.

1 (b) The nonpublic school is registered with the department
2 as a nonpublic school and meets all state reporting requirements
3 for nonpublic schools.

4 (c) The instruction is scheduled to occur during the regular
5 school day.

6 (d) The instruction is provided directly by an employee of
7 the district or of an intermediate district.

8 (e) The curricular offering is also available to full-time
9 pupils in the minor's grade level or age group in the district
10 during the regular school day at a public school site.

11 (f) The curricular offering is restricted to nonessential
12 elective courses for pupils in grades 1 to 12.

13 (4) ~~-(3)-~~ A minor enrolled as described in this section is a
14 part-time pupil for purposes of state school aid under this act
15 AND SHALL BE COUNTED TOWARD DETERMINING THE DISTRICT'S OR INTER-
16 MEDIATE DISTRICT'S FULL-TIME EQUATED MEMBERSHIP ON THE SAME BASIS
17 AS ANY OTHER PART-TIME PUPIL.