

HOUSE SUBSTITUTE FOR  
SENATE BILL NO. 836

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

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 166b. (1) This act does not prohibit a parent or legal  
2 guardian of a minor who is enrolled in any of grades 1 to 12 in a  
3 nonpublic school or who is being home-schooled from also enrolling  
4 the minor in a district or intermediate district in any curricular  
5 offering that is provided by the district or intermediate district  
6 at a public school site and is available to pupils in the minor's  
7 grade level or age group, subject to compliance with the same  
8 requirements that apply to a full-time pupil's participation in the

1 offering. However, state school aid shall be provided under this  
 2 act for a minor enrolled as described in this subsection only for  
 3 curricular offerings that are offered to full-time pupils in the  
 4 minor's grade level or age group during regularly scheduled school  
 5 hours.

6 (2) This act does not prohibit a parent or legal guardian of a  
 7 minor who is enrolled in any of grades 1 to 12 in a nonpublic  
 8 school located within the district or who resides within the  
 9 district and is being home-schooled from also enrolling the minor  
 10 in the district in a curricular offering being provided by the  
 11 district at the nonpublic school site. However, state school aid  
 12 shall be provided under this act for a minor enrolled as described  
 13 in this subsection only if all of the following apply:

14 (a) **EITHER OF THE FOLLOWING:**

15 (i) The nonpublic school site is located, or the nonpublic  
 16 students are educated, within the geographic boundaries of either  
 17 ~~the district or a contiguous district operating under a cooperative~~  
 18 ~~program of which the district is a member and that is established~~  
 19 ~~for the purpose of providing nonessential elective courses to~~  
 20 ~~nonpublic school students~~ **THE DISTRICT.**

21 (ii) **IF THE NONPUBLIC SCHOOL HAS SUBMITTED A WRITTEN REQUEST**  
 22 **FOR A SPECIFIC FISCAL YEAR TO THE DISTRICT IN WHICH THE NONPUBLIC**  
 23 **SCHOOL IS LOCATED FOR THE DISTRICT TO PROVIDE CERTAIN INSTRUCTION**  
 24 **UNDER THIS SUBSECTION FOR A SCHOOL YEAR AND THE DISTRICT DOES NOT**  
 25 **AGREE TO PROVIDE SOME OR ALL OF THAT INSTRUCTION BY MAY 1**  
 26 **IMMEDIATELY PRECEDING THAT SCHOOL YEAR OR, IF THE REQUEST IS**  
 27 **SUBMITTED AFTER MARCH 1 IMMEDIATELY PRECEDING THAT SCHOOL YEAR,**

1    WITHIN 60 DAYS AFTER THE NONPUBLIC SCHOOL SUBMITS THE REQUEST, THE  
2    PORTION OF THE INSTRUCTION THAT THE DISTRICT HAS NOT AGREED TO  
3    PROVIDE IS INSTEAD PROVIDED BY A DISTRICT THAT IS CONTIGUOUS TO THE  
4    DISTRICT IN WHICH THE NONPUBLIC SCHOOL IS LOCATED. THIS  
5    SUBPARAGRAPH APPLIES ONLY TO INSTRUCTION, OR A PORTION OF  
6    INSTRUCTION, THAT IS SPECIFICALLY INCLUDED IN THE WRITTEN REQUEST  
7    THAT WAS MADE TO THE DISTRICT IN WHICH THE NONPUBLIC SCHOOL IS  
8    LOCATED AND THAT WAS DENIED BY THAT DISTRICT.

9           (b) The nonpublic school is registered with the department as  
10   a nonpublic school and meets all state reporting requirements for  
11   nonpublic schools.

12          (c) The instruction is scheduled to occur during the regular  
13   school day.

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

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

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

21          (3) A minor enrolled as described in this section is a part-  
22   time pupil for purposes of state school aid under this act.

23          (4) A DISTRICT THAT RECEIVES A WRITTEN REQUEST TO PROVIDE  
24   INSTRUCTION UNDER SUBSECTION (2) SHALL REPLY TO THE REQUEST IN  
25   WRITING BY MAY 1 IMMEDIATELY PRECEDING THE APPLICABLE SCHOOL YEAR  
26   OR, IF THE REQUEST IS MADE AFTER MARCH 1 IMMEDIATELY PRECEDING THAT  
27   SCHOOL YEAR, WITHIN 60 DAYS AFTER THE NONPUBLIC SCHOOL SUBMITS THE

1 REQUEST. THE WRITTEN REPLY SHALL SPECIFY WHETHER THE DISTRICT  
2 AGREES TO PROVIDE OR DOES NOT AGREE TO PROVIDE THE INSTRUCTION FOR  
3 EACH PORTION OF INSTRUCTION INCLUDED IN THE REQUEST.