

HOUSE BILL No. 4594

May 13, 2015, Introduced by Reps. McBroom, Yonker, Garcia, Lyons, Muxlow, Kelly, Zemke, Kivela, Kosowski and Dianda and referred to the Committee on Education.

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 2012 PA
130.

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~~**KINDERGARTEN**
3 to 12 in a nonpublic school or who is being home-schooled from also
4 enrolling the minor in a district, public school academy, or
5 intermediate district in any curricular offering that is provided
6 by the district, public school academy, or intermediate district at
7 a public school site and is available to pupils in the minor's
8 grade level or age group, subject to compliance with the same
9 requirements that apply to a full-time pupil's participation in the
10 offering. However, state school aid shall be provided under this

1 act for a minor enrolled as described in this subsection only for
2 curricular offerings that are offered to full-time pupils in the
3 minor's grade level or age group during regularly scheduled school
4 hours.

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

13 (a) Either of the following:

14 (i) The nonpublic school site is located, or the nonpublic
15 students are educated, within the geographic boundaries of the
16 district.

17 (ii) If the nonpublic school has submitted a written request to
18 the district in which the nonpublic school is located for the
19 district to provide certain instruction under this subsection for a
20 school year and the district does not agree to provide some or all
21 of that instruction by May 1 immediately preceding that school year
22 or, if the request is submitted after March 1 immediately preceding
23 that school year, within 60 days after the nonpublic school submits
24 the request, the instruction is instead provided by an eligible
25 other district. This subparagraph does not require a nonpublic
26 school to submit more than 1 request to the district in which the
27 nonpublic school is located for that district to provide

1 instruction under this subsection, and does not require a nonpublic
2 school to submit an additional request to the district in which the
3 nonpublic school is located for that district to provide additional
4 instruction under this subsection beyond the instruction requested
5 in the original request, before having the instruction provided by
6 an eligible other district. A public school academy that is located
7 in the district in which the nonpublic school is located or in an
8 ~~other~~-eligible **OTHER** district also may provide instruction under
9 this subparagraph under the same conditions as an eligible other
10 district. As used in this subparagraph, "eligible other district"
11 means a district that is located in the same intermediate district
12 as the district in which the nonpublic school is located or is
13 located in an intermediate district that is contiguous to that
14 intermediate district.

15 (b) The nonpublic school is registered with the department as
16 a nonpublic school and meets all state reporting requirements for
17 nonpublic schools.

18 (c) The instruction is scheduled to occur during the regular
19 school day.

20 (d) The instruction is provided directly by a certified
21 teacher at the district or public school academy or at an
22 intermediate district.

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

27 (f) The curricular offering is restricted to nonessential

1 elective courses for pupils in grades ~~1~~**KINDERGARTEN** to 12.

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

4 (4) A district that receives a written request to provide
5 instruction under subsection (2) shall reply to the request in
6 writing by May 1 immediately preceding the applicable school year
7 or, if the request is made after March 1 immediately preceding that
8 school year, within 60 days after the nonpublic school submits the
9 request. The written reply shall specify whether the district
10 agrees to provide or does not agree to provide the instruction for
11 each portion of instruction included in the request.

12 Enacting section 1. This amendatory act takes effect 90 days
13 after the date it is enacted into law.