

HOUSE SUBSTITUTE FOR  
SENATE BILL NO. 621

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 2010 PA  
204.

**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, public school academy, or intermediate  
5 district in any curricular offering that is provided by the  
6 district, public school academy, or intermediate district at a  
7 public school site and is available to pupils in the minor's grade  
8 level or age group, subject to compliance with the same

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

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

15 (a) Either of the following:

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

19 (ii) If the nonpublic school has submitted a written request  
20 ~~for a specific fiscal year~~ to the district in which the nonpublic  
21 school is located for the district to provide certain instruction  
22 under this subsection for a school year and the district does not  
23 agree to provide some or all of that instruction by May 1  
24 immediately preceding that school year or, if the request is  
25 submitted after March 1 immediately preceding that school year,  
26 within 60 days after the nonpublic school submits the request, the  
27 ~~portion of the instruction that the district has not agreed to~~

~~provide INSTRUCTION is instead provided by a~~ **AN ELIGIBLE OTHER**  
~~district. that is contiguous to the district in which the nonpublic~~  
~~school is located. This subparagraph applies only to instruction,~~  
~~or a portion of instruction, that is specifically included in the~~  
~~written request that was made to the district in which the~~  
~~nonpublic school is located and that was denied by that district.~~

**THIS SUBPARAGRAPH DOES NOT REQUIRE A NONPUBLIC SCHOOL TO SUBMIT**  
**MORE THAN 1 REQUEST TO THE DISTRICT IN WHICH THE NONPUBLIC SCHOOL**  
**IS LOCATED FOR THAT DISTRICT TO PROVIDE INSTRUCTION UNDER THIS**  
**SUBSECTION, AND DOES NOT REQUIRE A NONPUBLIC SCHOOL TO SUBMIT AN**  
**ADDITIONAL REQUEST TO THE DISTRICT IN WHICH THE NONPUBLIC SCHOOL IS**  
**LOCATED FOR THAT DISTRICT TO PROVIDE ADDITIONAL INSTRUCTION UNDER**  
**THIS SUBSECTION BEYOND THE INSTRUCTION REQUESTED IN THE ORIGINAL**  
**REQUEST, BEFORE HAVING THE INSTRUCTION PROVIDED BY AN ELIGIBLE**  
**OTHER DISTRICT.** A public school academy that is located in the  
district in which the nonpublic school is located or in a ~~AN OTHER~~  
**ELIGIBLE** district ~~that is contiguous to the district in which the~~  
~~nonpublic school is located~~ also may provide instruction under this  
subparagraph under the same conditions as a ~~AN ELIGIBLE OTHER~~  
~~district. that is contiguous to the district in which the nonpublic~~  
~~school is located.~~ **AS USED IN THIS SUBPARAGRAPH, "ELIGIBLE OTHER**  
**DISTRICT" MEANS A DISTRICT THAT IS LOCATED IN THE SAME INTERMEDIATE**  
**DISTRICT AS THE DISTRICT IN WHICH THE NONPUBLIC SCHOOL IS LOCATED**  
**OR IS LOCATED IN AN INTERMEDIATE DISTRICT THAT IS CONTIGUOUS TO**  
**THAT INTERMEDIATE DISTRICT.**

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

1 nonpublic schools.

2 (c) The instruction is scheduled to occur during the regular  
3 school day.

4 (d) The instruction is provided directly by ~~an employee of A~~  
5 **CERTIFIED TEACHER AT** the district or public school academy or ~~of AT~~  
6 an intermediate district.

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

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

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

15 (4) A district that receives a written request to provide  
16 instruction under subsection (2) shall reply to the request in  
17 writing by May 1 immediately preceding the applicable school year  
18 or, if the request is made after March 1 immediately preceding that  
19 school year, within 60 days after the nonpublic school submits the  
20 request. The written reply shall specify whether the district  
21 agrees to provide or does not agree to provide the instruction for  
22 each portion of instruction included in the request.