

SUBSTITUTE FOR
HOUSE BILL NO. 5753

A bill to amend 1976 PA 451, entitled
"The revised school code,"
by amending section 1321 (MCL 380.1321), as amended by 2008 PA 1.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1321. (1) ~~Subject to the balance of~~ **EXCEPT AS OTHERWISE**
2 **PROVIDED IN** this section, ~~the~~ **IF A** board of a school district
3 ~~providing~~ **PROVIDES** transportation for its resident pupils, other
4 than students with a disability transported under article 3 or
5 other pupils who cannot safely walk to school, **THE SCHOOL BOARD**
6 shall provide transportation **TO AND FROM SCHOOL** for each resident
7 public or nonpublic school pupil if ~~all~~ **BOTH** of the following
8 requirements are met:
9 (a) The school district provides transportation for the
10 elementary school level, middle or junior high school level, or

1 high school level, as defined by the local school board, in which
2 the pupil is enrolled.

3 ~~— (b) The pupil is a person for whom the school district is~~
4 ~~eligible to receive state school aid for transportation.~~

5 (B) ~~(c) The pupil is attending~~ **ATTENDS** either ~~the~~ **A** public or
6 ~~the nearest~~ state approved nonpublic school in the school district
7 to which the pupil is eligible to be admitted.

8 (2) Transportation provided under subsection (1) shall be
9 without charge to the resident pupil, the parent, guardian, or
10 person standing in loco parentis to the pupil.

11 (3) A school district is not required to transport or pay for
12 transportation of a resident pupil living within 1-1/2 miles, by
13 the nearest traveled route, to the public or state approved
14 nonpublic school in which the pupil is enrolled. A school district
15 is not required to transport or pay for the transportation of a
16 resident pupil attending a nonpublic school who lives in an area
17 less than 1-1/2 miles from a public school in which public school
18 pupils are not transported, except that the school district ~~is~~
19 ~~required to~~ **SHALL** transport or pay for the transportation of the
20 resident pupil from the public school within the area to the
21 nonpublic school the pupil attends.

22 (4) A school district is not required to transport or pay for
23 the transportation of resident pupils to state approved nonpublic
24 schools located outside the district unless the school district
25 transports some of its resident pupils, other than students with a
26 disability under article 3, to public schools located outside the
27 district, in which case the school district shall transport or pay

1 for the transportation of resident pupils attending a state
2 approved nonpublic school at least to the distance of the public
3 schools located outside the district to which the district
4 transports resident pupils and in the same general direction.

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