

**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 REQUESTED THE DISTRICT IN**
22 **WHICH THE NONPUBLIC SCHOOL IS LOCATED TO PROVIDE CERTAIN**
23 **INSTRUCTION UNDER THIS SUBSECTION FOR A SCHOOL YEAR AND THE**
24 **DISTRICT DOES NOT AGREE TO PROVIDE SOME OR ALL OF THAT INSTRUCTION**
25 **BY MAY 1 IMMEDIATELY PRECEDING THAT SCHOOL YEAR OR, IF THE REQUEST**
26 **IS MADE AFTER MARCH 1 IMMEDIATELY PRECEDING THAT SCHOOL YEAR,**
27 **WITHIN 60 DAYS AFTER THE NONPUBLIC SCHOOL MAKES THE REQUEST, THE**

1 PORTION OF THE INSTRUCTION THAT THE DISTRICT HAS NOT AGREED TO
2 PROVIDE IS INSTEAD PROVIDED BY A DISTRICT THAT IS CONTIGUOUS TO THE
3 DISTRICT IN WHICH THE NONPUBLIC SCHOOL IS LOCATED.

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

7 (c) The instruction is scheduled to occur during the regular
8 school day.

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

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

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

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