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Senate Bill 621 (Substitute S-2 as passed by the Senate)
Sponsor: Senator Geoffrey Hansen
Committee: Education

CONTENT

The bill would amend the State School Aid Act, with respect to the provision of State aid for instruction of nonpublic students by public schools, by broadening geographic boundaries for nonpublic student instruction, for eligibility to receive State aid, when the resident district refuses to provide instruction within 60 days after a request was submitted.

Under the Act, a nonpublic student may be counted for State aid purposes by a public school district or public school academy if either of the following occurs, with respect to geographic boundaries: the nonpublic school site is located, or the nonpublic students are educated, within the geographic boundaries of the district that is doing the educating; or, if the resident district will not provide the instruction upon request, then the educating district or public school academy is contiguous to the resident district that did not agree to offer instruction to nonpublic students.

The Act does require other criteria be met in order to count a nonpublic student in membership for the purpose of State aid funding, but the bill would make changes only to the geographic boundaries, and the other criteria would remain unchanged. Those other criteria include: that the nonpublic school is registered with the Department of Education and meets all State reporting requirements for nonpublic schools; that instruction is scheduled to occur during the regular school day; that the instruction is provided directly by an employee of the public district or public school academy (PSA); that the curriculum is also available to full-time pupils at the public district or PSA during the regular school day; and that the curriculum offering is restricted to nonessential elective courses for pupils in grades 1 to 12.

The bill would broaden the geographic boundaries in situations where the resident district (i.e., the district in which the nonpublic school is located) does not agree within 60 days of a request to provide instruction to nonpublic students. Specifically, under the bill, a nonpublic student could be counted for State aid purposes if the instruction were provided by a public district or PSA located within the same intermediate school district (ISD) as the district in which the nonpublic school was located, or were located in an ISD contiguous to that resident ISD. The bill also includes a change that would require, for State aid purposes, instruction to be provided directly by "a certified teacher at" rather than by "an employee of" a district, PSA, or ISD.

These proposed changes apply only for the purposes of a public district's or PSA's ability to count the nonpublic student in membership, for the purposes of State aid funding. A nonpublic student may choose to enroll at any public district or PSA regardless of geographic boundaries (if allowed by that district or PSA), but unless the criteria laid out under the Act are met, the State will not make any State aid payments for that student's instruction.

The bill is tie-barred to Senate Bills 618, 619, and 620. Senate Bill 618 would make changes in the Revised School Code concerning the formation, operation, and termination of public school academies, urban high school academies, and schools of excellence, and would allow school districts to contract with other entities for the provision of teachers. Senate Bill 619 would amend the Code to delete the limit on the number of cyber schools that may be formed, and revise requirements for cyber schools. Senate Bill 620 would amend the Code to provide for the formation of "conversion schools".

MCL 388.1766b

FISCAL IMPACT

If the current geographic boundaries are limiting the enrollment of nonpublic students in elective courses at public schools (and subsequent State aid payment for the instruction provided), then this bill would increase State costs commensurate with the additional nonpublic students who could be enrolled and counted by "non-resident" public districts and PSAs, but the magnitude is indeterminate. The expansion of the geographic boundaries for instruction as permitted by the bill would occur only in situations where the resident district denied a request to provide elective course instruction to nonpublic students. In cases where the resident district agreed to provide the instruction, students of nonpublic schools located within the boundaries of that resident district would continue to be required to attend that district for State aid to be provided.

Date Completed: 10-27-11

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