

# SENATE BILL No. 928

May 6, 2014, Introduced by Senators HILDENBRAND and MARLEAU 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 109 (MCL 388.1709), as amended by 2011 PA 62.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 109. (1) Subject to subsection (2), in order to receive  
2 funds under this article, each district or intermediate district  
3 shall provide appropriate instructional services, as determined by  
4 the district or intermediate district, to an enrolled pupil who is  
5 certified by the pupil's attending physician as having a medical  
6 condition that requires the pupil to be hospitalized or confined to  
7 his or her home during regular school hours and that is expected to  
8 require the hospitalization or confinement for a period longer than  
9 5 school days. ~~The~~ **SUBJECT TO SUBSECTION (4), THE** district or  
10 intermediate district may provide the services itself or may

1 contract with an intermediate district, a hospital, a treatment  
2 center, or another district to provide the services. In choosing a  
3 provider for the instructional services, the district or  
4 intermediate district shall consider which of those potential  
5 providers is best able to deliver the appropriate instructional  
6 services. The district or intermediate district shall pay  
7 reasonable costs as agreed upon between the district or  
8 intermediate district and the provider for services provided to a  
9 pupil under this section.

10 (2) A district or intermediate district is required to provide  
11 instructional services under subsection (1) to a pupil placed in a  
12 hospital, treatment center, or other treatment facility without the  
13 district's or intermediate district's prior knowledge only if the  
14 district or intermediate district is notified of the pupil's  
15 placement by the hospital, treatment center, facility, or the  
16 pupil's parent or legal guardian. Upon being notified, the district  
17 or intermediate district shall make arrangements to provide  
18 instructional services under subsection (1) within 3 school days  
19 after being notified. **IF A DISTRICT FAILS TO MAKE ARRANGEMENTS TO  
20 PROVIDE INSTRUCTIONAL SERVICES UNDER SUBSECTION (1) WITHIN THIS  
21 TIME PERIOD, THE PUPIL'S PARENT OR LEGAL GUARDIAN MAY PETITION THE  
22 DEPARTMENT TO HAVE THOSE SERVICES PROVIDED BY ANOTHER PROVIDER OF  
23 THE PARENT'S OR LEGAL GUARDIAN'S CHOOSING.**

24 (3) Not later than October 15 of each odd-numbered year, the  
25 department shall prepare and distribute electronically to each  
26 district and intermediate district and make available on its  
27 website an explanation of the operation of this section and the

1    respective duties of all affected parties. The department shall  
2    provide a copy of the explanation electronically to any other  
3    person upon request.

4            (4) IF A PUPIL WHO MEETS THE REQUIREMENTS OF SUBSECTION (1) IS  
5    HOSPITALIZED OR OTHERWISE COMMITTED TO A MEDICAL FACILITY THAT  
6    PROVIDES ON-SITE EDUCATIONAL SERVICES INSTRUCTED BY INDIVIDUALS WHO  
7    ARE CERTIFIED TEACHERS IN THIS STATE AND ARE QUALIFIED TO PROVIDE  
8    EDUCATIONAL SERVICES FOR YOUTH IN THE CARE OF THE MEDICAL FACILITY,  
9    THEN THE DISTRICT OR INTERMEDIATE DISTRICT SHALL CONTRACT WITH THAT  
10   MEDICAL FACILITY TO PROVIDE EDUCATIONAL SERVICES FOR THAT PUPIL.