

HOUSE BILL NO. 4330

April 17, 2025, Introduced by Reps. Wortz, Pavlov, Paquette, Alexander, Woolford, Wozniak, Johnsen, Schmaltz and Bruck and referred to Committee on Education and Workforce.

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 2018 PA
265.

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 kindergarten~~
3 ~~to 12 in a nonpublic school or who is being home-schooled from also~~
4 ~~enrolling the minor in a district, public school academy, or~~

~~intermediate district in any curricular offering that is provided by the district, public school academy, or intermediate district at a public school site and is available to pupils in the minor's grade level or age group, subject to compliance with the same requirements that apply to a full-time pupil's participation in the offering. However, state school aid shall be provided under this act for a minor enrolled as described in this subsection only for a curricular offering that is restricted to nonessential elective courses and is available to full-time pupils in the minor's grade level or age group. For the purposes of this subsection, a curricular offering includes optional experiences associated with the curricular offering.~~

(1) ~~(2)~~ This act does not prohibit a parent or legal guardian of a minor who is enrolled in any of grades ~~kindergarten~~ **K** to 12 in a nonpublic school or who resides ~~within~~ **in** a district and is being home-schooled from also enrolling the minor in the district in any ~~nonessential elective~~ curricular offering ~~being~~ provided by the district at a nonpublic school site or that is provided by the district, a public school academy, or an intermediate district at a public school site, and that is available to pupils in the minor's grade level or age group. ~~, subject to compliance with the same requirements that apply to a full-time pupil's participation in the offering.~~ For the purposes of this subsection, a curricular offering includes optional experiences associated with the curricular offering. State school aid shall be provided under this act for a minor enrolled as described in this subsection only if all of the following apply:

(a) Either of the following:

(i) The nonpublic school **or home school** site is located, or the

1 nonpublic **or homeschooled** students are educated, within the
2 geographic boundaries of the district.

3 (ii) If the nonpublic school, **or the homeschooled student's**
4 **parent or legal guardian**, has submitted a written request to the
5 district in which the nonpublic school **or home school** is located
6 for the district to provide certain instruction under this
7 subsection for a school year and the district does not agree to
8 provide some or all of that instruction by May 1 immediately
9 preceding that school year or, if the request is submitted after
10 March 1 immediately preceding that school year, ~~within~~**not later**
11 **than** 60 days after the nonpublic school **or home school** submits the
12 request, the instruction is instead provided by an eligible other
13 district. This subparagraph does not require a nonpublic school **or**
14 **home school** to submit more than 1 request to the district in which
15 the nonpublic school **or home school** is located for that district to
16 provide instruction under this subsection, and does not require a
17 nonpublic school **or home school** to submit an additional request to
18 the district in which the nonpublic school **or home school** is
19 located for that district to provide additional instruction under
20 this subsection beyond the instruction requested in the original
21 request, before having the instruction provided by an eligible
22 other district. A public school academy that is located in the
23 district in which the nonpublic school **or home school** is located or
24 in an eligible other district also may provide instruction under
25 this subparagraph under the same conditions as an eligible other
26 district. As used in this subparagraph, "eligible other district"
27 means a district that is located in the same intermediate district
28 as the district in which the nonpublic school **or home school** is
29 located or is located in an intermediate district that is

1 contiguous to that intermediate district.

2 (b) ~~The~~ **For a nonpublic school, the** nonpublic school is
 3 registered with the department as a nonpublic school and meets all
 4 state reporting requirements for nonpublic schools.

5 (c) The instruction is provided directly by a certified
 6 teacher of the district, public school academy, or intermediate
 7 district.

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

11 ~~(e) The curricular offering is restricted to nonessential~~
 12 ~~elective courses for pupils in grades kindergarten to 12.~~

13 (e) ~~(f)~~ The district ensures that all individuals that have
 14 contact with pupils as part of a course provided to pupils enrolled
 15 in the district under **this** section ~~166b~~ and counted in membership
 16 under section 6 have not been convicted of sexual misconduct.

17 (f) ~~(g)~~ The district ensures that an individual who provides
 18 direct or indirect curricular offerings to pupils as part of an
 19 optional or required course provided to pupils enrolled in the
 20 district under **this** section ~~166b~~ and counted in membership under
 21 section 6, or who has unsupervised contact with pupils as part of
 22 such a course, is subject to the requirements under sections 1230,
 23 1230a, 1230b, 1230c, 1230d, 1230e, and 1230g of the revised school
 24 code, MCL 380.1230, 380.1230a, 380.1230b, 380.1230c, 380.1230d,
 25 380.1230e, and 380.1230g, as if the individual is offered full-time
 26 or part-time employment in the district, is an employee of the
 27 district, or is assigned to regularly and continuously work under
 28 contract in any of its schools, as applicable.

29 (g) ~~(h)~~ The district ensures that each optional experience

1 associated with a course provided to pupils enrolled in the
 2 district under **this** section ~~166b~~ and counted in membership under
 3 section 6 is offered on a schedule that ensures that the experience
 4 is available to the majority of full-time pupils in membership in
 5 the district in the same grade level or age group as pupils
 6 participating in the course and enrolled in the district under **this**
 7 section. ~~166b.~~

8 (h) ~~(i)~~—The district provides the department information
 9 necessary to quantify all of the following, in a form and manner
 10 prescribed by the department in conjunction with the center:

11 (i) A complete listing of all courses provided to pupils
 12 counted in membership in the district **under section 6.**

13 (ii) Course enrollments by each participant using local coding
 14 and the school codes for the exchange of data (SCED).

15 (iii) Identification of each course teacher or mentor.

16 ~~(3) A nonessential course in grades 1 to 8 is a course other~~
 17 ~~than a mathematics, science, social studies, and English language~~
 18 ~~arts course required by the district for grade progression.~~
 19 ~~Nonessential courses in grades 9 to 12 are those other than algebra~~
 20 ~~1, algebra 2, English 9-12, geometry, biology, chemistry, physics,~~
 21 ~~economics, geography, American history, world history, the~~
 22 ~~Constitution, government, and civics, or courses that fulfill the~~
 23 ~~same credit requirement as these courses. Nonessential elective~~
 24 ~~courses include courses offered by the local district for high~~
 25 ~~school credit that are also capable of generating postsecondary~~
 26 ~~credit, including, at least, advanced placement and international~~
 27 ~~baccalaureate courses. College level courses taken by high school~~
 28 ~~students for college credit are nonessential courses. Remedial~~
 29 ~~courses for any grade in the above listed essential courses are~~

1 ~~considered essential. Kindergarten is considered nonessential.~~

2 (2) ~~(4)~~ Subject to section ~~6(4)(ii),~~ **6(4)(ii)**, a minor enrolled
3 as described in this section is a part-time pupil for purposes of
4 state school aid under this act.

5 (3) ~~(5)~~ A district that receives a written request to provide
6 instruction under subsection ~~(2)~~ **(1)** shall reply to the request in
7 writing by May 1 immediately preceding the applicable school year
8 or, if the request is made after March 1 immediately preceding that
9 school year, ~~within~~ **not later than** 60 days after the nonpublic
10 school **or home school** submits the request. The written reply ~~shall~~
11 **must** specify whether the district agrees to provide or does not
12 agree to provide the instruction for each portion of instruction
13 included in the request.