



# Section 166b Workgroup:

Defining nonessential elective courses and part-time pupil for the purposes of this section.

Michigan Department of Education  
Office of State Aid and School Finance

## Purpose

Section 166b(5) of the State School Aid Act (MCL 388.1766b) directs the Michigan Department of Education (MDE) to establish a workgroup to “examine the issue of providing a uniform definition of nonessential elective courses, and to provide a uniform definition of a part-time pupil for the purpose of this section.”

The language in Section 166b(5) is silent as to next steps once the uniform definitions are established. This synopsis of the workgroup’s deliberations is to share the outcomes with interested parties.

## Workgroup Composition

As required by the language in Section 166b, the Department established a workgroup consisting of staff from the Department, staff from the Center for Educational Performance Information (CEPI), pupil accounting staff from districts and intermediate districts, other applicable staff from districts and intermediate districts, representatives from nonpublic schools, and representatives from home schools.

### **Workgroup Staff:**

Staff to the workgroup, there to assist with the facilitation of discussions and provide necessary resources.

Dan Hanrahan, Michigan Department of Education

Jessica Beagle, Michigan Department of Education

Brian Ciloski, Michigan Department of Education

Jan Urban-Lurain, Spectra Data and Research, Inc.

### **Voting Workgroup Members:**

In addition to contributing discussions, these members determined the accepted outcomes of the group by participating in a vote.

Craig Allen, Breitung Township School District

Brian Barber, Success Virtual Learning Centers

Paul Bodiya, Macomb Intermediate School District

Brian Broderick, Michigan Association of Non-public Schools (MANS)

Carolyn Claerhout, Oakland Schools

Tom DeJonge, Grand Rapids Christian Schools

**Voting Workgroup Members: (cont.)**

Rob Dickinson, Michigan Pupil Accounting and Attendance Association (MPAAA)

Jamie Dingus, Brighton Area Schools

Greg Dionne, Michigan Department of Education

Cindy Fadel, Homeschool Liaison

Larry Gallagher, Berkley School District

Maria Gisting, Brighton Area Schools

Greg Gray, Brighton Area Schools

Christine Halliday, Berkley School District

Andrew Hulbert, Success Virtual Learning Centers

Barbette Lane, Wexford-Missaukee ISD

Jackie Laymac, Laymac & Associates, LLC

Steven Meseke, Lutheran High School Association

Rosetta Mullen, Macomb Intermediate School District

Mike Murray, Homeschool Liaison, EdTech Specialists

Marsha Myles, EdTech Specialists

Billie Pambid, Clarkston Community School District

Jack Pelon, Brighton Area Schools

Jennifer Poston, Berkley School District

Chris Sandoval, Berkley School District

Leslie Shamel, Lapeer County Intermediate School District

Paul Stankewitz, Michigan Catholic Conference

Laura Surrey, Brighton Area Schools

Brenda Weir, Lapeer Community Schools

### **Non-voting Workgroup Members:**

These members participated in one of more meetings as contributors to the discussion.

Beth Bullion, Michigan Department of Technology, Management & Budget

Naomi Casher, Michigan Department of Education

Sam Christensen, House Fiscal Agency

Ross Fort, Michigan Department of Education

Kyle Guerrant, Michigan Department of Education

Alex Holmden, Michigan Department of Technology, Management & Budget

Robbie Jameson, Michigan Department of Technology, Management & Budget

Tosha Johnson, Michigan Department of Technology, Management & Budget

Doris Mann, Michigan Department of Technology, Management & Budget

Kathryn Summers, Senate Fiscal Agency

Joel Thiele, Michigan Department of Technology, Management & Budget

Bethany Wicksall, House Fiscal Agency

## **Approach**

Although the original plan was to wrap up the work of the group in one or two two-hour meetings, to accommodate the ideas, concerns, etc. of all the members of the workgroup, the Department organized a series of five (5) meetings. The general format of the meetings was to pair up the small groups to work on an “activity” and to then report out the ideas of the small group for discussion. For example, one activity was to develop a draft definition of a nonessential elective course. The common ideas from the small group activities were then compiled by the discussion leaders to be subsequently refined.

A professional facilitator was brought in to lead the fourth and fifth meetings.

## Definitions

The following are the uniform definitions developed by the workgroup.

### Nonessential Elective Course:

Nonessential courses in grades K-8 are those other than mathematics, science, social studies, and English Language Arts. Nonessential elective courses in grades 9-12 are those other than Algebra I, Algebra II, English 9-12, Geometry, Biology, Chemistry, Physics, Economics, Geography, American History, Western History, the Constitution, and Government, or courses that fulfill the same credit requirement as these courses. Nonessential elective courses include courses offered by the local district for high school credit that are also capable of generating post-secondary credit, such as advanced placement and International Baccalaureate courses. Remedial courses for any grade in any of the above subjects are considered essential.

### Part-Time Pupil:

A nonpublic or homeschool pupil counted in membership in nonessential courses for less than the number of hours of instruction required to be counted as a full-time (1.0 FTE) pupil under Section 101 of the State School Aid Act [MCL 388.1701].

## Shared Time Participation Figures

Number of districts participating: 303

Total statewide shared-time FTE: 12,935.66

Total statewide number of shared-time students: 85,824

Average FTE per shared-time student: 0.15

Number of shared-time students reported with

- Greater than 0.5 FTE: 3,441
- Greater than 0.66 FTE: 2,042
- Greater than 0.83 FTE: 839
- 0.99 FTE: 34

Note: Figures retrieved from the unaudited 2015 Fall MSDS Collection data.

While some members of the group shared concerns over excessive FTE claims for shared time participants, the data supports a different conclusion given that the average pupil FTE claim for shared time participants was only 0.15 FTE, and only 4% of all participants had an FTE claim that exceeded 0.50 FTE.

## Further Discussion

Notable discussion topics related to defining a part-time pupil for the purpose of this section.

While the definition above is the definition of a part-time pupil that was agreed to by the workgroup, it should be noted that some members voiced concern that the definition should be more restrictive. Some felt it should be limited to a certain fraction of an FTE, such as 0.5, or that a certain number of courses defines the limit. Their contention is that it would be possible for a pupil in a shared time program to generate more FTE and be counted in more nonessential classes for school aid purposes than what is possible for a public school pupil.

Notable discussion topics related to defining nonessential electives for the purpose of this section.

As noted above, the charge of the workgroup was limited to the issue of providing a uniform definition of a nonessential elective course and a uniform definition of a part-time pupil. However, at the second meeting, members of the workgroup expressed concern that some districts appear to be offering shared time program courses that are not "available" to their public school pupils in violation of Section 166b(2)(e). Section 166b(2)(e) states that the shared time curricular offering must also be "available to full-time pupils in the minor's grade level or age group in the district or public school academy during the regular school day at a public school site."

A considerable amount of time at the second meeting and the fourth meeting was spent on this language. It became apparent that there are many different interpretations of that language with several nuances. Since it is not the charge of this workgroup to provide anything other than a uniform definition of the two terms mentioned above, no conclusion is offered with respect to the 166b(2)(e) language.

However, based on the various interpretations of this language and the concerns related to it voiced by members of the workgroup, an attempt to clarify the intent of the use of the term "available" is advisable.