



# Start a School

AN EDUCATION FREEDOM FOUNDATION INITIATIVE

## Michigan

### Private Schools

Review this document: [Nonpublic and Home School Information](#)

#### Steps to Start a Private School

1. Select a name for your school. Retain this name throughout the duration of the school's operation.
2. Designate a Chief Administrative Officer. Select a title, such as Director, Principal, Superintendent, etc.
3. Register as a corporation. This is usually a for profit LLC. Register with your state's Division of Corporations.
4. A Federal Employer Identification Number (FEI/EIN) will be required after registering as a company. Apply with the IRS online at:  
<https://sa.www4.irs.gov/modiein/individual/index.jsp>
5. Things to consider
  - 5.1. Accreditation: is optional. OptimaEd has been accredited by Cogna.
  - 5.2. Teacher Certification: is optional.
  - 5.3. Registration: Is not required.
  - 5.4. Licensing: Business licensing may be required by local government.
  - 5.5. Approval: Is required.
  - 5.6. Length of School Year and Days: MDE recommends that a nonpublic school develop a school year calendar comparable to the public school district where the nonpublic school is located.
  - 5.7. Curriculum: See statutes below for requirements.
  - 5.8. State Testing: Nonpublic schools may participate in state assessments if they contact the Michigan Department of Education and register on time.
  - 5.9. Health and Safety Requirements: Immunization is required. Other minimal requirements. See statutes below.
  - 5.10. Nursing and Health: Examinations or health services provided to elementary and secondary students must be provided on an equal basis to children in public and nonpublic schools.

## Annual Reports

### Nonpublic School Membership Report:

The Nonpublic School Membership Report is an annual report used by MDE. Information requested on the form includes the number of students in each grade, teacher qualifications, and the course of study offered. Use of the form is authorized by section 5 of the Nonpublic School Act, and was approved by the Michigan Supreme Court in *Sheridan Road Baptist Church v Department of Education*, 426 Mich 462, 472, n 5; 396 NW2d 373 (1986) and *Clonlara, Inc v State Board of Education*, 442 Mich 230, 242, 501 NW2d 88 (1993). The Nonpublic School Membership Report is available at nonpublic school website - [www.michigan.gov/nonpublicschool](http://www.michigan.gov/nonpublicschool) on October 15, at the start of the school year, with a October 31 due date annually. Nonpublic schools that are already registered must complete this form online through the Michigan Electronic Grants System Plus (MEGS+).

MDE maintains an up-to-date list of nonpublic schools that have completed the reporting process on <https://mdoe.state.mi.us/gems/Reports/MDENonPublicMembershipReport.aspx>. This form is updated weekly from December 1 through June 30 of each school year and is searchable by School, City, ISD/RESA, or School ID. This list is used by intermediate and local public school districts to determine nonpublic school eligibility in federal programs.

### Nonpublic School Personnel Report

All nonpublic schools are required to submit specific information about all school employees in compliance with the School Safety Legislation, effective January 1, 2006. The personnel data are entered into a secure web-based program, the Nonpublic School Personnel Report. The submission dates for each school year are from September 1, through the deadline of December 1, annually. You may access additional information at Nonpublic School Personnel Report website - <http://www.michigan.gov/cepi/0,4546,7-113-72325---,00.html>

## Private School Statutes & Rules

*The Education Freedom Foundation has relied on the [U.S. Department of Education's State Regulation of Private and Home Schools Map](#) for relevant statutes. Over time, the state pages on this map have been updated since their initial creation. In some cases, states have changed their laws without these updates being reflected on the map. Given the various methods each state uses to publicize changes to its laws, the most recent information for the Start-A-School project was often obtained directly from the U.S. Department of Education website. Users are encouraged to verify any information before making decisions based on it.*

## Accreditation, Registration, Licensing, and Approval

- Accreditation: optional
  - Nonpublic schools (a private, denominational, or parochial school) may participate in the following accreditation programs: Michigan Association of Nonpublic Schools or North Central Association. [Nonpublic and Home School Information, 2016-17](#).

- In order for a boarding school to meet licensing requirements, it must be fully accredited by a national association that is recognized by the state department of education. Michigan Administrative Code ([Mich. Admin. Code](#)) R 340.484.
- A boarding school that is not fully accredited by a national association recognized by the Michigan Department of Education (MDE) must meet the requirements found in [Mich. Admin. Code R 340.484 \(b\) \(1\), \(2\), \(3\), \(4\), and \(5\)](#).
- Registration: no requirements
- Licensing: only required for boarding schools
  - The state board of education licenses and regulates boarding schools. [MCL §380.1335](#)
  - Licensing requirements include accreditation, health agency requirements, and compliance with the civil rights provisions of the Michigan Constitution of 1963 as expressed in article 1, section 2, and article 5, section 29, and with Michigan’s anti-discrimination laws. [Mich. Admin. Code R 340.481 – 340.489](#).
- Approval: required
  - Nonpublic schools satisfying the compulsory school attendance statute must be approved by the state. [MCL §380.1561\(3\)\(a\)](#).
  - The superintendent of public instruction, or his or her staff members, or authorized agents are authorized to investigate and examine any school operating under the [Private, Denominational, and Parochial Schools Act 302 of 1921](#). [MCL §388.555](#).

## Curriculum

- Attendance at a state approved nonpublic school satisfies the compulsory attendance statute if the school teaches subjects comparable to those taught in the local public schools to children of corresponding ages and grades. [MCL §380.1561\(3\)\(a\)](#).
- Nonpublic schools must provide regular instruction in the constitutions of the United States and Michigan, “and the history and present form of government of the United States, Michigan, and its political subdivisions.” The successful completion of a one-semester course in civics is required prior to graduation. [MCL §380.1166](#).
- Nonpublic schools must provide courses of mathematics, reading, English, science, and social studies, in every grade. [Nonpublic and Home School Information, 2016-17](#).
- The state board of education is charged with developing a recommended model core curriculum for the local school districts. The curriculum defines the outcomes to be achieved by all K–12 pupils. The board will make the model curriculum available to nonpublic schools for their consideration in developing their own core curriculums. [MCL §380.1278\(1\) and \(7\)](#).
- English must be the basic language of instruction in any nonpublic school. This mandate does not prohibit religious instruction in a foreign language, classes to become conversant in a foreign language, or bilingual instruction to assist limited English-speaking students. [MCL §380.1151](#).
- Nonpublic schools are prohibited from utilizing textbooks and learning materials that promote or foster physical or mental stereotypes. [MCL §§37.1401 and 37.1402](#).
- Nonpublic students may enroll in “nonessential elective courses,” such as band, drama, art, physical education, music, computer, and Advanced Placement courses at the

resident public school if the nonpublic school reports to MDE. [MCL §388.1766b](#). *Snyder v. Charlotte Public School District*, 365 N.W.2d 151 (Mich. 1984).

- Public schools may provide nonessential elective courses to nonpublic school students on nonpublic school premises with public school employees. [MCL §388.1766b](#). *Agostini v Felton* U.S. Supreme Court (1997).
- State grants for career and technical education centers are conditioned on acceptance of nonpublic school pupils. [MCL §380.686](#).
- Nonpublic school teachers, administrators and librarians who disseminate sexually explicit matter to a student as part of a school program permitted by law are exempt from Michigan’s criminal code provision prohibiting the dissemination of sexually explicit material to minors. [MCL §722.676](#).

### **Health and Safety Requirement**

- Children enrolling in school or in grade seven for the first time must present a certificate of immunization, a statement of exemption based on a physician’s recommendation or a religious conviction. A school administrator must not admit a student unless he or she has received a minimum of one dose of immunizing agent against each disease specified or is exempt. [MCL §§ 333.9208, 333.9215](#) and [380.1177](#).
- Before Nov. 1 of each year, the school administrator must submit to the local and state health departments the immunization status of new kindergarten and first-grade students. By Feb. 1, the administrator must update the list to show subsequent immunizations. [MCL §§333.9209](#) and [380.1177](#).
- If the immunization level of a nonpublic school grade falls below the level necessary to guard against the spread of disease, the school may make immunization requirements a condition for admission. [MCL §333.9212](#).
- Private school students entering kindergarten must submit evidence of a preschool vision screening test prior to enrollment unless the parents/guardians submit a statement that the test is contrary to their religious convictions. [MCL §380.1177\(2\)](#).
- Michigan’s statutory prohibition against smoking in a public place, which includes private educational facilities. [MCL §§333.12601](#) and [333.12603](#).
- Regular and contract employees hired or assigned by nonpublic schools must have criminal history checks conducted by the Michigan State Police and the Federal Bureau of Investigation. If an administrator of a nonpublic school learns that a teacher holding a teaching certificate has been convicted of crime defined in MCL §380.1535a(1) and (2), the administrator must notify the superintendent of public instruction within 15 days. [MCL §§380.1230; 380.1230a; 380.1535a; and 380.1539b](#).
- An individual who works full-time or part-time or an individual who regularly or continuously works under contract, who is employed by a nonpublic school as of Dec. 1, 2005, must have criminal history checks conducted by the Michigan State Police and the Federal Bureau of Investigations. [MCL §380.1230g](#).
- Nonpublic schools may, under certain conditions, “conditionally employ” an individual to work full-time or part-time or an individual to regularly or continuously work under contract until the results of the criminal records check are received. The Michigan State Police are required to reply with the results within 30 days. [MCL §§380.1230](#) and [380.1230a](#).

- The nonpublic school must notify the superintendent of public instruction when a certified teacher, school administrator, school counselor, etc. has been convicted of any felony or certain misdemeanors within 15 days of learning of the conviction. [MCL §§380.1535a](#) and [380.1539b](#).
- Nonpublic schools must request unprofessional conduct checks for all new employees. A former or current employer must disclose to a prospective school employer any unprofessional conduct by the applicant. A nonpublic school is prohibited from hiring an applicant who refuses to sign a document requesting this information. [MCL §380.1230b](#).
- Nonpublic schools must comply with federal standards requiring implementation of operations and maintenance plans for educational facilities containing asbestos or asbestos-containing materials. Asbestos in Educational Facilities Act, 1993 PA 51. [MCL §§388.861](#) to [388.864](#).
- School buses or motor vehicles with seating capacity of 12 or more and used by nonpublic schools are subject to annual inspections by the department of state police. [MCL §257.715a](#).
- All school construction requires inspection and must meet both the construction standards under the Stille-DeRossett-Hale Single State Construction Code Act, 1972 PA 230, regarding the requirements to secure permits, inspections, and final approval; and the fire prevention code, 1941 PA 207. [MCL §§388.851b](#) and [388.853](#).
- The superintendent of public instruction, or his agent, has the authority to investigate a nonpublic school at any time regarding the school's sanitary condition, records of enrollment, courses of study, and teacher qualifications. A nonpublic school must admit the superintendent or his agents to the school. A nonpublic school's refusal is sufficient cause to suspend the operation of the school. [MCL §388.555](#).

### **Length of School Year and Days**

- Beginning with the 2016-17 school year, public schools were required to provide a minimum of 180 days and 1,098 hours of pupil instruction [MCL §388.1701\(3\)](#).
- The Michigan Supreme Court ruled that the nonpublic school act ([MCL §§388.551](#) et seq.; Michigan Statutes Annotated 15.1921 et seq.) did not require a nonpublic school be in session for the number of days required for public schools. *Clonlara, Inc. v State Board of Education* (442 Mich. 252).
- MDE recommends that a nonpublic school develop a school year calendar comparable to the public school district where the nonpublic school is located. [Nonpublic and Home School Information, 2016-17](#).

### **Nursing and Health**

- Examinations or health services provided to elementary and secondary students must be provided on an equal basis to children in public and nonpublic schools. [MCL §333.9105](#).
- A public school that provides auxiliary services to its resident students must provide services for students attending nonpublic schools on an equal basis. Auxiliary services include health and nursing services and examinations; school social work services;

school psychological services; and other services determined by the legislature. [MCL §380.1296](#).

- A public school is required to notify nonpublic schools in its district of auxiliary services it will provide by no later than April 1 each year. Nonpublic schools must inform the public school, in writing, within 30 days if any of the services are needed by the nonpublic school students. The public school must confirm the “the nature and extent” of the services that will be provided no later than August 1. [Mich. Admin. Code R 340.293](#).
- A nonpublic school or its employees are not liable for injury, death, or loss to person or property allegedly arising if a student was prohibited from using an inhaler or epinephrine auto-injector because the employee did not believe that the student had written approval, the school had a copy of the approval, and there was a written emergency care plan for the student prepared by a licensed physician; or if injury, death, or loss to person or property occur allegedly arising from the student being permitted to use an inhaler or epinephrine auto-injector because the employee did believe the approval and emergency care plan existed. [MCL §380.1179](#).
- A student with written approval from a physician or health care provider with the proper authority and parent or guardian of a minor may possess and use an inhaler or epinephrine auto-injector on a nonpublic school property, transportation, or at a activities. [MCL §380.1179](#).

### **Professional Development**

- The department of education will credit professional development provided to nonpublic school teachers by a state approved nonpublic school toward the issuance or renewal of a teaching certificate or endorsement. The professional development must be of similar content to that provided by a public school, and the nonpublic school must submit to auditing and documentation requirements. [MCL §380.1527](#).

### **Public Aid for Private Education**

- Constitutional Provisions: The Michigan Constitution prohibits public appropriations for the benefit of any religious sect or society. Michigan Constitution Art. 1, Sec. 4. The Michigan Constitution prohibits public appropriations directly or indirectly to aid or maintain nonpublic pre-elementary, elementary or secondary schools. Michigan Constitution Art. 8, Sec. 2. The Michigan Supreme Court has interpreted this provision to prohibit public payment of lay teachers in nonpublic schools. The provision is not a bar to nonpublic school student participation in federally subsidized programs designed to aid educationally deprived elementary and secondary school children, shared time programs, special education services, and drivers training. *Traverse City School District v. Attorney General*, 185 N.W. 2d 9 (Mich. 1971).
- Programs for financial assistance for attendance at private schools: There is no such program at this time.

## Recordkeeping and Reports

- The Michigan Department of Education annually requests information from nonpublic schools on the number of students in each grade, teacher qualifications, courses of study offered, and assurance that each nonpublic school complies with the criminal history check requirements that are compiled to create the Nonpublic School Membership Report. [MCL §388.555](#); *Sheridan Road Baptist Church v Department of Education*, 426 Mich 462, 472, n 5; 396 NW2d 373 (Michigan Supreme Court, 1986) and *Clonlara, Inc v State Board of Education*, 442 Mich 230, 242, 501 NW2d 88 (Michigan Supreme Court, 1993).
- A nonpublic school that has received a copy of a personal protection order for a student must not release information concerning a minor to a parent who is prohibited by the personal protection order from having access to that information. [MCL §380.1137a](#).

## Reimbursement for Performing State and Local Functions

- No state policy currently exists.

## Safety and Security

- The governing body of a public school or nonpublic school shall adopt and implement the standardized response terminology described in section [1308c](#). As used in this section, "governing body" includes the governing body of a nonpublic school. [MCL §380.1308d](#).
- The governing body of a nonpublic school shall ensure that each school operated by the board, board of directors, or governing body has a behavior threat assessment and management team. This team must monitor students' concerning behaviors, implement supportive measures to mitigate potential threats, and provide students with tools to thrive. The behavior threat assessment and management team must include staff as required by [MCL §380.1308e](#).
- The governing body of a nonpublic school shall distribute the informational notice developed under section [1313a](#) to the parent or legal guardian of each student enrolled in the nonpublic school. The informational notice may be distributed electronically or by mail. The department shall post the English, Spanish, and Arabic versions of the informational notice developed under section [1313a](#) on the department's website. The governing body of a nonpublic school shall post links to the department webpages on the website of the nonpublic school. [MCL §380.1313b](#).

## Special Education

- A public school district board must provide auxiliary services on an equal basis to nonpublic school students as to its resident public students. Auxiliary services include teacher consultant services and other ancillary services for students with a disability, as well as remedial reading. [MCL §380.1296](#).

## Tax Exemption

- Property owned and occupied by nonprofit religious or educational organizations and used exclusively for religious or educational purposes is exempt from real and personal property taxes. Michigan Constitution Art. 9, Sec. 4.
- House of public worship, including buildings used “primarily for the teaching of religious truths and beliefs of the society,” are exempt from taxation. [MCL §211.7s](#).
- Property own by incorporated education institutions is exempt from taxation. [MCL §211.7n](#).
- Nonpublic schools are exempt from the Michigan general sales tax for the sale of textbooks sold to or for students enrolled in any part of a kindergarten through 12th-grade program. [MCL §205.54a\(1\)\(k\)](#).

## Teacher Certification

- Teacher certification is optional. A teacher may qualify to work in a nonpublic school by
  - obtaining a Michigan teaching certificate ([MCL §388.553](#));
  - obtaining a teaching permit for employment in a nonpublic school under [Mich. Admin. Code R 390.1142](#) (full-year permit), [R 390.1143](#) (substitute permit), and [R 390.1145](#) (emergency permit); or
  - obtaining a bachelor’s degree (People v. DeJonge (442 Mich. 266)).
- If a nonpublic school claims an objection to teacher certification based upon a sincerely held religious belief, the minimum education requirements for teachers are waived. People v. DeJonge (442 Mich. 266).

## Technology

- Educational media centers operated by intermediate school districts to provide teaching materials and services may serve nonpublic schools. [MCL §380.671\(2\)](#).
- The Michigan Virtual School is an online technology-based program to expand access to middle and high school courses available to nonpublic students. The online courses range from general study to Advanced Placement and are also available during the summer. A price list is available online. [Nonpublic and Home School Information, 2016-17](#).
- The GenNET Online Learning service is available for all Michigan middle and high school students and offers online teacher-led courses and self-directed classroom tools. There is a charge for the courses offered. [Nonpublic and Home School Information, 2016-17](#).

## Testing

- Nonpublic schools may participate in state assessments if they contact the Michigan Department of Education and register on time. If a student attends a nonpublic school that is not electing to participate in the state assessments, that student may contact the resident school district and take the test administered by that school district. The resident school district must agree to test the student and the student must attend the resident school part-time. [MCL §§380.1279g](#) and [388.1704b](#).

## Textbooks

- No state policy currently exists.

## Transportation

- The state legislature may provide transportation to and from school for nonpublic school students. Constitution of Michigan of 1963 Art. 8, Sec. 2; [MCL §380.1217](#).
- Local school districts that provide transportation to resident pupils must provide free transportation to nonpublic school students with some limitations. [MCL §§380.1321](#) and [1322](#).
- The advisory committee to the MDE on school bus matters shall include a member representing nonpublic schools. [MCL §257.1870](#).
- Nonpublic schools are reimbursed, on an equal basis with public schools, for school bus safety education costs incurred for the benefit of school bus drivers. [MCL §257.1851](#).

## Resources

### Contact Information--State and Federal Departments of Education

- Michigan Department of Education  
P.O. Box 30008  
608 West Allegan St.  
Lansing, MI 48909  
Phone: (517) 373-1833  
Fax: (517) 241-0496  
Website: <http://www.michigan.gov/mde/>
- Michigan Department of Education (MDE)  
Nonpublic and Home School Office  
P.O. Box 30008 Lansing, Michigan 48909  
Nonpublic School Website - [www.michigan.gov/nonpublicschool](http://www.michigan.gov/nonpublicschool)  
Phone: (517) 241-5385  
Email: [nonpublicschools@michigan.gov](mailto:nonpublicschools@michigan.gov)
- U.S. Department of Education, [Michigan](#)

### Information and Legislation

- [Michigan Legislature](#)
- [Michigan Compiled Laws Basic Search](#)
- <http://www.michigan.gov/mde/>
- [2022-2023 FINAL Approved Nonpublic School Listing June 2023](#)

- [2023-2024 Approved NPS Listing December 2023 A-Z](#)
- [2023-2024 Approved NPS Listing December 2023 by ISD](#)
- [2023-2024 NPS-HS Info](#)
- [NexSys Nonpublic School Membership Report PPT](#)
- [NexSys System Information](#)
- [Creating a MEIS Account](#)
- [Transcripts and Records for Closed Nonpublic Schools](#)
- [Compulsory School Attendance \[MCL 380.1561\]](#)
- [Nonpublic School Act](#)
- [Login to Nonpublic School Personnel Report](#)
- [Unprofessional Conduct Check](#)
- [Criminal History Checks and Conviction Information](#)
- [National Home Education Research Institute \(NHERI\)](#)
- [Office of Nonpublic Education](#)

## **School Choice Programs**

Michigan currently does not have an Education Savings Account (ESA) program.