

THE STATE SCHOOL AID ACT OF 1979 (EXCERPT)
Act 94 of 1979

388.1764k Compliance with school meal programs; incentives for pupil count day; surveys; violations; withholding of payments.

Sec. 164k.

If the department receives a report that a district or intermediate district is violating any of the following requirements, and the department confirms the violation, the department shall withhold 5% of the payment the district is eligible to receive under section 22b, or 5% of the payment the intermediate district is eligible to receive under section 81, as applicable, for as long as the district or intermediate district is out of compliance:

(a) A district or intermediate district shall ensure that all food made available to a student in the breakfast or lunch program complies with all federal rules and regulations related to school meals.

(b) To the extent practicable under federal regulations, a district or intermediate district shall require each student household to complete the child nutrition and education benefits application, as provided by the department, for free and reduced-price school meals regardless of whether the district or intermediate district opts to provide universal breakfast or lunch.

(c) For pupil membership count days after the fall 2025 count, a district or intermediate district shall not provide a financial incentive to students for attending pupil membership count day.

(d) A district or intermediate district shall ensure that student survey questions and results are made available to the public, posted on the district's or intermediate district's website, and that parents and legal guardians are notified of the survey. As used in this subsection, "survey" includes any survey from the district or intermediate district or from the local, state, or federal government.

(e) Beginning with the fiscal year ending September 30, 2026, if a district is not using a curriculum from the department's evidence-based curriculum list required under section 1280f of the revised school code, MCL 380.1280f, the district must provide a notification to all parents or legal guardians of students in grades K to 5 receiving instruction with that curriculum that includes all of the following:

(i) A statement informing parents or legal guardians that the curriculum used by the district is not evidence-based or not aligned to state standards, which could negatively impact student academic outcomes.

(ii) A statement explaining why the district is not using a curriculum that is evidence-based or aligned to state standards.

(iii) A plan, including a projected timeline, for when a new curriculum will be adopted that is evidence-based and aligned to state standards.

History: Add. 2025, Act 15, Imd. Eff. Oct. 7, 2025