



Michigan Supreme Court Declines to Weigh in on Non-Public School Funding

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The Michigan Supreme Court has rejected Gov. Snyder's request to issue an advisory opinion on the constitutionality of Section 152b of 2016 PA 249, which allows general fund money (up to \$2.5 million) to be allocated to nonpublic schools. Critics argue that Section 152b, signed into law on June 27, 2016, violates Article 8, Section 2 of the Michigan Constitution, which prohibits the appropriation of public funds to aid nonpublic schools. Briefs on the issue were filed by the Attorney General, the Senate Majority Leader, the House Speaker, the House Democratic Caucus, and numerous groups concerned with public and private school funding, including the Michigan Association of School Boards, Michigan Education Association, the ACLU, the Michigan Association of Non-Public Schools, and others.

In a one-paragraph order issued on October 5, 2016, the Michigan Supreme Court denied the request to issue an advisory opinion, noting that it was "not persuaded that granting the request would be an appropriate exercise of the Court's discretion." The Court's denial does not prevent future legal challenges to the statute if an actual controversy is brought before the courts.

The Governor's request, the Court's order, and the briefs filed in the case can be accessed on the Michigan Supreme Court's website.

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