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Schuetzte will appeal court ruling that stopped funding for nonpublic schools

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Lansing — Michigan Attorney General Bill Schuetzte will appeal a state Court of Claims decision to toss funding the Legislature had set aside for nonpublic schools.

Schuetzte filed a claim of appeal Monday, bucking a recent decision by the Court of Claims to block a roughly \$5 million allotment that was meant to compensate nonpublic schools for complying with state mandates regarding public health.

The Legislature approved the \$2.5 million payments in the 2017 and 2018 budgets. Another allowance for the 2019 budget is waiting on the results of the pending lawsuit.

The American Civil Liberties Union of Michigan filed the lawsuit against the state in 2017 and effectively [stopped the money](#) from going to nonpublic schools.

In April, the Court of Claims said the budgets violated the constitution and, contrary to the state's argument, were not allowed simply because the money went toward health and welfare instead of education.

The Michigan Catholic Conference and the Michigan Association of Nonpublic Schools [urged Gov. Rick Snyder and Schuetzte](#) to appeal the decision, calling it a "dangerous precedent" that "overrides the will of the Legislature and the Executive Branch of government."

Rep. Sam Singh, the House Democratic leader from East Lansing, said in a statement that Schuetzte's appeal puts "the interests of wealthy political donors ahead of everyday Michiganders."

"I am disappointed that instead of fighting for the families of Flint or holding Enbridge accountable for the poor oversight of their pipelines, Attorney General Schuetzte has chosen to waste time and taxpayer dollars on a fool's errand to take resources away from public schools," Singh said in the statement.

A second lawsuit filed this year against the state by a Grand Rapids Catholic school also is pending. Spurred by the same withheld funding, the lawsuit seeks to [invalidate a nearly 50-year-old ban](#) on using state aid for private education, arguing it is “anti-Catholic” and violates the constitution.

Schuette filed a motion to dismiss the second lawsuit on April 27.

Opponents worry that, if successful, the lawsuits could open the door to various sources of public funding for non-public schools.

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